

LAKES HIGHWAY DISTRICT MINUTES

September 18, 2023

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The regular scheduled meeting of the Lakes Highway District Board of Commissioners was called to order by Chairman Twete at 5:30 p.m. on September 18, 2023 at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete, Adams and Montgomery Director Shanley, Deputy Clerk Hendry and Attorney Huston. Rusty Leahy and Ethan Washam of DEA presented. Nick Snyder of Kootenai County attended regarding the 5th Avenue Validation Site Visit. Sarah Zabel, Maria Oliveira, Tom Bumgarner, John Kohler, Tim and Linda Sigler, Tim and Susan Meyer, DiAnn Kohler, Richard Adams, Vince Smith, Randy and Dana Franssen, Julie Love, Georgie Claycomb, Jim Bayne, Dalla and Priscilla Kungel, Joe and Sharon Harkrader, Wade Soderbeck, Michelle Smith, Helen Dane and Roger Hogle, Ron Erickson, Sioux Taylor, Henry Jesinski, Dr. Donna Schau, Carol Costello, Chuck and Caroline Walker, Bill and Genetie Gabica, Janet Reimer, Chris Shambaugh, Nick Bancroft, Chris Peck and Larry Janusch attended regarding Cape Horn Road. Donna Montgomery observed.

Chairman Twete called the meeting to order and led the Pledge of Allegiance.

Chairman Twete asked if any Board member has a conflict of interest with any item on the agenda? Commissioner Twete no, Commissioner Adams no and Commissioner Montgomery no. Has anyone had any oral or written communication with an applicant, or anyone opposing an application? Commissioner Twete no, Commissioner Adams no and Commissioner Montgomery no. Has anyone visited a site that is on the agenda for a Board decision regarding an application related to the site? Commissioner Twete no, Commissioner Adams no Commissioner Montgomery no. Commissioners Twete, Montgomery and Adams confirmed that they had each been out to visit that portion of the Cape Horn Road beyond the District's current maintenance jurisdiction.

Item 3 – Commissioner Montgomery moved to approve the September 18, 2023 agenda as presented with Commissioner Adams seconding the motion which carried unanimously.

Item 4 – Public Comment – Chairman Twete asked if there was any public comment. There was none.

Item 5 – Commissioner Adams moved to approve September 18, 2023 Consent Agenda as presented with Commissioner Montgomery seconding the motion which carried unanimously.

Old Business

Item 6a – 5th Avenue Validation – Site Visit. Director Shanley discussed with the Board setting a time and date for a site visit regarding the Kootenai County Validation request for a portion of right-of-way located in the Spokane Valley Commercial Orchard subdivision located in the vicinity of Chilco Falls. Nick Snyder of Kootenai County Parks and Waterways addressed the Board and deferred to the Board and District staff to set the date at a later time, Chairman Twete agreed. As this was only a discussion, no motion was made.

Item 6b – BNSF/Brunner Road Grade Separation Project. Director Shanley discussed with the Board the Scope of Work for the Brunner Road/BNSF Overpass Project. Rusty Leahy and Ethan Washam presented the alternatives memo analysis as well as the grant possibilities with Federal grants being eighty percent and BNSF being five percent. After deliberations, Commissioner Adams moved to adopt the alternatives memo with preference to Item #2-Roundabout as recommended which also includes right-of-way acquisition and prepare for

the grant opportunity. Commissioner Montgomery seconded the motion, which carried unanimously.

Current Business

Item 7a – East Cape Horn Road. Director Shanley explained to the Board that this discussion item was added to the agenda at the request of Vince Smith, and provided, at the Board’s discretion, guidelines to time allotted per person as recommended per the District’s Attorney. Various members from the East Cape Horn Road area addressed the Board with their concerns, and request for the District to fix and maintain the portion of Cape Horn Road beyond the Districts current Maintenance Jurisdiction. After deliberations, Commissioner Adams discussed drafting a letter to include the Districts Policy and an obligation to the taxpayer as well as that of the District. The letter will be distributed upon consideration of the Board with the District’s Attorney at the October 2, 2023 Meeting. Commissioner Montgomery seconded the motion, which carried unanimously.

Item 7b – FY2023-2024 Audit. Director Shanley discussed requirements for the FY2023-2024 audit and Audit prep assistance with the Board. After deliberations, Commissioner Adams moved to approve the contracts from Magnuson McHugh and Shay Consulting for the FY2023-2024 audit. Commissioner Montgomery seconded the motion, which carried unanimously.

Item 7c – HMH Materials Testing Services – Garwood Facility. Director Shanley presented the Board with the Garwood Facility Materials Testing Agreement with HMH Engineering for review. Upon deliberations, Commissioner Montgomery moved to approve the agreement from HMH Engineering for materials testing for the Garwood Facility Projects in the amount of \$12,500.00. The motion also included authorization for the Chairman or Vice Chairman to sign the agreement. Commissioner Adams seconded the motion, which carried unanimously.

Item 7d – Lone Mountain Estates 8th & 9th Revised Road Construction. Director Shanley discussed the revised road construction plans for Lone Mountain Estates 8th & 9th with the Board. After deliberations, Commissioner Adams moved to accept the revised construction plans contingent upon Director Shanley’s review. Commissioner Montgomery seconded the motion, which carried unanimously.

Item 7e – Surplus Equipment. Director Shanley presented the single bid received for PU027. After deliberations, Commissioner Montgomery moved to accept bid as presented for the sale of PU027 in the amount of \$2,500.00 Commissioner Adams seconded the motion, which carried unanimously.

Commissioner Shanley presented Resolution 2023-12, which was revised as directed by the Board of Commissioners at the August 28, 2023, meeting to allow the sale of the 1988 Sakai Roller and a transfer of the 2001 Caterpillar to the City of Hayden. This motion also included approval of the City of Hayden Transfer Agreement for the 2001 Caterpillar to the City of Hayden in the amount of \$70,000.00. After deliberations, Commissioner Montgomery moved to adopt Resolution 2023-12. Commissioner Adams seconded the motion, which carried unanimously.

Item 7f – IAHD 2023 Convention. Director Shanley and the Board discussed details of the upcoming IAHD Convention in Boise, October 31st through November 4th. As this was only a discussion, no motion was made.

Item 7g – Consider Award of Property Lease Financing (LOC). Director Shanley presented the property lease financing quote submitted by First Interstate Bank. After deliberations, Commissioner Adams moved to accept the quote from First Interstate Bank for the Garwood Facility Line of Credit, with Commissioner Montgomery seconding the motion, which carried unanimously.

Item 7h – Interstate Final Pay Request – 2023 Construction. Director Shanley presented the Final Pay Request for the 2023 Construction Projects submitted by Interstate Concrete & Asphalt in the amount of \$19,729.93 to the Board for review. After deliberations, Commissioner Montgomery moved to approve and authorize payment of \$19,729.93 to Interstate Concrete & Asphalt representing the Final Pay Request (less retention) for the 2023 Construction Projects. Motion also included authorization for the Chairman or Vice Chairman to sign the pay request. Commissioner Adams seconded the motion, which carried unanimously.

Item 7i – Sand Quote. Director Shanley presented to the Board a sand quote submitted by Interstate Concrete & Asphalt. After deliberations, Commissioner Adams moved to accept the sand quote submitted by Interstate Concrete & Asphalt in the amount of \$4.50 per ton for winter sanding materials. Commissioner Montgomery seconded the motion, which carried unanimously.

Item 7j – Surplus property disposal – Lancaster Knob Property. Director Shanley asked the Board to set a public hearing to declare the Lancaster Knob Property as surplus and shared the appraisals with the Board. Commissioner Adams moved to set the public hearing for November 20, 2023. Commissioner Montgomery seconded the motion, which carried unanimously.

Item 7k – Lancaster/Huetter R-O-W Acquisition Services. Director Shanley presented the Board with an amendment to supplement the Lancaster/Huetter Roundabout contract for right of way acquisition services. Director Shanley asked the Board to approve the \$55,530.00 Professional Services Agreement as the District is only responsible for the additional 7.34% of the money added, not the entire supplemental amount. After deliberations, Commissioner Adams moved to approve \$55,530.00 agreement with the District only being responsible for 7.34% of that amount for the Lancaster/Huetter R-O-W Acquisition Services. Commissioner Montgomery seconded the motion which carried unanimously.

Item 7l – ICRMP 2024 Renewal. This item was not discussed.

Commissioner Montgomery moved to enter into executive session at 7:22p.m. under Idaho Code §40-1309(2) and Idaho Code §74-206 (1) (b), (c), (f). Commissioner Adams seconded the motion. Deputy Clerk Hendry called the roll as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Adams aye. Motion carried unanimously.

Commissioners reconvened regular session at 8:02 p.m.

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Item 9 – Executive session motions. Upon deliberations Commissioner Adams moved to proceed with those items discussed in Executive Session. Commissioner Montgomery seconded the motion, which carried unanimously.

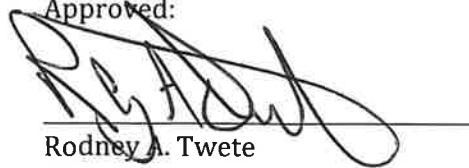
As there was no further business, Chairman Twete adjourned the meeting at 8:03 p.m.

Respectfully Submitted:



Aliesha Hendry
District Clerk

Approved:



Rodney A. Twete
Chairman