

## Lakes Highway District Meeting Minutes

May 21, 2018

Page 1

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 May 21, 2018, at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete, Montgomery and Fountain, Director Shanley, District Clerk Flagg and District Attorney Weeks. Brad Crockett, Attorney, Ty Cruze, Clark Taylor, Attorney, Rob Orth, Scott Williams, Margaret Williams, Roberta Williams, Mike Williams, George Schaefer and Kali Welch attended regarding the Cruze Abandonment and Vacation Request, Donna Montgomery and Doug Wall observed.

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

Chairman Twete asked if any Board member had a conflict of interest with any item on the agenda. Commissioners Twete, Montgomery and Fountain indicated no conflicts of interest.

Commissioner Montgomery moved to approve the May 21, 2018 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the May 7, 2018 meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

After reviewing the Payments Journal and Financial Worksheet, Commissioner Fountain moved to approve the payments journal with bills paid by check numbers 34858 through 34905 in the amount of \$72,115.81 and the direct deposit dated May 21, 2018 in the amount of \$30,729.61 for a total of \$102,845.42. Commissioner Montgomery seconded the motion which carried unanimously.

Chairman Twete asked if there was any public comment related to an item that was not on the agenda.

Item 8a was the Hiatt Estates Road Development Agreement Addendum. Director Shanley explained to the Board Mr. Hiatt did a lot consolidation decreasing the number of lots encumbered in his original Road Development Agreement and therefore is requesting an addendum reflecting that change. After deliberations, Commissioner Fountain moved to approve the Road Development Agreement Addendum #4 for Hiatt Estates after legal review. Commissioner Montgomery seconded the motion which carried unanimously.

As it was not yet time for the public hearing, Chairman Twete moved to item 8c.

Item 8c was to consider the Road Development Agreement and final plat approval for the Fox Hollow Subdivision located on the east side of Rimrock Road just north of the Lakeview Drive/Rimrock Road intersection. Director Shanley presented his comments to the board and after deliberations, Commissioner Fountain moved to approve the Road Development Agreement and final plat for Fox Hollow Subdivision with the Road Development Agreement to include the chip seal clause contingent upon legal review. Commissioner Montgomery seconded the motion which carried unanimously.

Item 8d was Gabriella Estates 1st Addition which is a two (2) lot minor subdivision located on the west side of Hwy 95 approximately 1.55 miles north of the intersection of Hwy 54. Director Shanley presented his review to the Board and after deliberations, Commissioner Montgomery moved to authorize District staff to send a comment letter to the County outlining items 1 and 2 of Director Shanley's review. The motion also authorized the Chairman or Vice Chairman to sign the Mylar when presented. Commissioner Fountain seconded the motion which carried unanimously.

Moving back to item 8b, Chairman Twete stated this is the designated time and place set for the public hearing on the petition to abandon and vacate a portion of right-of-way located in a Section 18, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho as petitioned by Tyrone A. and Jackie Cruze. I now declare the public hearing open. Please proceed to the podium, state your name and address for the record. Only testimony pertaining to this petition will be accepted.

Attorney Brad Crockett addressed the Board on behalf of his clients, Tyrone and Jackie Cruze.

Scott Williams also addressed the Board and stated he was in favor of the vacation.

As there was no more oral testimony, Chairman Twete closed the public hearing.

Chairman Twete asked Director Shanley, if there had been any written testimony presented to the District in this matter. Director Shanley stated the District received a letter from Mr. Crockett along with the application and summary, the staff report including the certified mailings of notice of hearing which were mailed in accordance with Idaho Code. Inland Paper Company submitted a letter stating they had no objection to the abandonment and vacation request from the petitioner.

The Board then proceeded to deliberations and upon conclusion of the deliberations, the following motion was made.

Commissioner Fountain moved to approve the Cruze petition for abandonment and vacation for portions of Nelson and Travis Roads within parcel identified by AIN # 129013. Commissioner Montgomery seconded the motion which carried unanimously. Chairman Twete clarified that there would be no fees charged and Commissioner Fountain confirmed.

District Clerk Flagg called the roll; Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye.

At this time Attorney Weeks explained to the audience that previously the Viewer Reports were recorded in a different area of the Records Office in the Commissioner Journals and were regularly missed by the title companies. Therefore, to stop that from happening, the Viewer Reports were recorded in the Records Office, so the next generation would not run into this problem.

At this time Chairman Twete stated he would entertain a motion to move into executive session.

Commissioner Fountain moved to enter executive session at 6:00 p.m. under Idaho Code §74-206 (1) (a) to consider hiring a District employee, Idaho Code §74-206 (1) (f) to discuss pending litigation and Idaho Code Idaho Code §74-206 (1) (c) to discuss Bunco Road Right-of-Way Acquisition. Commissioner Montgomery seconded the motion. Clerk Flagg called the roll with Commissioners voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

Idaho Code items §74-206 (1) (f) and (1) (c) were discussion items only, therefore no motion was made.

Regarding Idaho Code §74-206 (1) (c), Commissioner Montgomery moved to go ahead with the land acquisition on Bunco Road and make an offer as discussed in executive session. Commissioner Fountain seconded the motion which carried unanimously.

There being no further business, Commissioner Montgomery moved to adjourn at 6:33 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

Respectfully Submitted:



Bonny A. Flagg  
District Clerk, Board Secretary

Approved:



Rodney A. Twete  
Chairman