

## Lakes Highway District Special Meeting Minutes

December 6, 2018

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The special meeting of the Lakes Highway District Board of Commissioners was called to order by Chairman Twete at 3:00 p.m. on December 6, 2018, at 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. Those attending the meeting were: Dylan Jensen of Lakes Highway District, Terry Werner, Kelly Brownsberger and Shirley Walson from Post Falls Highway District, Jeff Voeller, Attorney Megan O'Dowd, Tom Hearn, Casey Morrisroe, Tandra Pickford, Steve Cook and Amy Voeller of the Coeur d'Alene School District, Bill Rutherford of Northwest Expedition Academy, Merle Van Houten and Sandy Young of Verdis, Jeremy Prosch of the Kootenai County Sheriffs Office, Shane Grandy, ISP Trooper, Jay Hassell of JUB Engineers, Jon Mueller of ArchitectsWest, Glenn Miles of KMPO, Mike DeLong and John Beutler of Vista Meadows, Judd Wilson and Mike Patrick of the CDA Press, Donna Montgomery, Barbara Maddox, Barbara Ostipwko, J. Abell, Barb and Will Neal, Tony Villelli, Natalie Steading, Chiana McInelly and Ed Stafford.

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

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

Seeing none, Chairman Twete moved to the first item on the agenda; **Item 5a the Prairie Avenue Proposed Elementary School.**

Chairman Twete asked Director Shanley to introduce the staff report. Director Shanley asked that the agenda be approved at this time.

Commissioner Montgomery moved to approve the agenda for the December 6, 2018 special meeting as presented with Commissioner Fountain seconding the motion which carried unanimously.

Chairman Twete asked if there was any public comment related to an item that was not on the agenda. Seeing none, Chairman Twete asked Director Shanley to proceed with his staff report.

Director Shanley provided his presentation addressing the District's historical involvement with the Coeur d'Alene School Districts Prairie Avenue School Project. Director Shanley stated that District Staff was originally approached in concept by School District representatives in May of this year and the Board first considering a request for access at the July 15<sup>th</sup> meeting. The Director noted during the July 15<sup>th</sup> meeting that the Board was informed by representatives from the School District that a Traffic Study was underway but was incomplete. The Director also noted that the School Districts Traffic Engineer noted in the July 15<sup>th</sup> meeting that a signal was likely required for school access. The Director continued by reminding the Board that the District received the Traffic Study in September and the Board considered the study at the November 5<sup>th</sup> meeting. The Director noted that Staff has since met again with representatives from the School District at Attorney Weeks' office on December 3<sup>rd</sup>, which options were discussed for access including the Traffic Engineers recommended signal, controlled access medians, right-in, right-out, the emergency service access, safety bussing and concerns for the fact that kids will likely still cross the road. The Director also noted that a letter of credit or bonding for a future signal with a sunset clause was discussed in the event the controlled access turning movements did not work. Director Shanley stated his exhibit shows center median

improvements between Moselle and the desired service approach that may help to control u-turning movements and parent children drop offs at curbside on Prairie.

At this time, Jeff Voeller, Director of Operations at the Coeur d'Alene School District, presented the School Districts presentation. Mr. Voeller presented background information including the ever-increasing demand for seats in their schools. The issue of portable classrooms was reviewed with Atlas Elementary having six (6) portable classrooms, Hayden Meadows has four (4) portable classrooms, Skyway Elementary has six (6) classes in portables and Ramsey Elementary has six (6) classes in portables which equals twenty-two elementary classes that are currently in portable classrooms which equates to approximately 400 students. Mr. Voeller stated the School District made no less than five (5) offers on properties with each site presenting insurmountable problems with asking prices, airport concerns, prohibitive regulations of the school and lastly the School District was competing with developers in a prime land market. Mr. Voeller discussed population densities which showed continued growth throughout the area. He stated that the Prairie property was purchased in early 2018 and the original concept brought to the Highway District in May, with feedback from the District and heard that multiple approaches off of Prairie Avenue would not likely be considered. The proposal was redesigned to bring access off of Moselle with a service access off of Prairie Avenue to be considered. A new concept was submitted to the District for review whereby the city police and fire department both expressed a strong desire for the service access to be included. Reviewing the mitigations, Mr. Voeller stated the primary access onto Prairie was removed, the Prairie bus loop was removed and the School Site bike access connection to Prairie Avenue was removed at the Districts request. Fencing on the north boundary, they gated the service access and moved the the primary access to Moselle with the service access on Prairie being a right in/right out. The traffic study was also completed. Addressing safety, Mr. Voeller stated the District has safety bussing if the boundaries of the school were to the north of Prairie. This means that students within 1.5 miles, which are not normally eligible for bussing would be provided bussing for safety. Safety bussing states that if crossing a major intersection or area of concern is necessary, stops would be provided to get students safely to school. Crossing guards would be provided with assistance at key locations along with valet drop off and loading at the school site. The site was specifically designed to get cars off of the street and onto school property which is suitable for over 100 cars to be on the property at any one time. The school also has a program to educate students and parents on how to facilitate drop offs and pickups of students. Mr. Voeller stated it is the schools hope that talks could continue for solutions that might work for the Highway District and allow access to the school.

As there were no other representatives for the school district that wished to comment, Chairman Twete asked for any comments from attending stake holders. Terry Werner, Commissioner of Post Falls Highway District stated that it does impact their district. Their board felt that the service entrance could come in from the back. The more accesses on Prairie Avenue the more concerns there will be for collisions. Safety wise, Prairie Avenue was built to move traffic east to west and west to east. Additional intersections will slow down traffic which would turn it into another Highway 95. He stated there was a lot of money invested in Prairie Avenue over the years to get it to where its at and the least number of intersections the better.

Glenn Miles of KMPO addressed the Board and applauded both districts for trying to find a resolution to this issue. He added that Prairie Avenue is part of what is called the National Highway System which means it is in the same league of importance to our area as Hwy 95, Hwy 41, Interstate 90 - it's in that league of importance because it is a cross prairie access to state

highways. Therefore, making sure there is the least amount of resistance by additional access onto Prairie is important, recognizing that some accesses are necessary but the ability to make sure we minimize those especially the traffic signals or we end up with a US 95 #2 and in the future, people asking why was this allowed to happen. Mr. Miles stated we need to be looking at it as to how this will affect us ten (10), fifteen (15) or twenty (20) years in the future.

As there were no additional stake holders' comments, Chairman Twete now asked for the public comment. Barbara Maddox addressed the Board stating she lives directly across from the proposed new access and she was concerned the traffic coming out of the school will look directly into her changing room and living room and is concerned about the traffic and the dust that would be created by the additional traffic.

Barb Neal addressed the Board and stated she was opposed to anything on Prairie at this point. She has watched the growth which is going to continue especially on the Prairie corridor. Speaking of safety first, she believes the proposed school is wrong in so many ways, whether it is a traffic light or median. Mrs. Neal said at the Starbucks access on Prairie, people are backed up to Hwy 95 and that is not an elementary school. So, it is a nightmare waiting to happen. And no one is debating the fact another school is needed. She thinks the School District put the cart before the horse by buying the property before figuring all of these issues out.

Tony Valleli addressed the Board stating he feels something needs to happen, the District needs a school somewhere. He understands there is a safety issue; however, Prairie Avenue was developed to handle the traffic, so feels there is some justification for the school accessing Prairie Avenue. He thinks the need is there, the School District owns the property with the problems needing to be addressed. He feels it is a good location for the school but not sure how to make it work with the traffic concerns.

Jeff Voeller asked to speak again regarding Terry Werner's comment regarding access off of Prairie Avenue. Mr. Voeller stated there is currently three (3) accesses onto their property off of Prairie. With this proposal, the accesses would be reduced to one (1) service access. Also, we do recognize it is a rural highway, please consider this portion of road is between two (2) cities and the proposal does not stop traffic from flowing through those locations. Also pointing out the School would probably not have additional funding available for further traffic litigation.

There being no further comment, Chairman Twete closed the public comment and moved into deliberations. Commissioner Fountain stated she has had a lot of calls and inquiries from constituents that are not in favor of any access to Prairie Avenue. At the August 6<sup>th</sup> meeting, the Highway District expressed concerns regarding access onto Prairie Avenue and wanted interior access only. Commissioner Fountain stated it is hard for her to allow additional traffic to go out onto that major roadway that flows so smoothly and thinks there is a solution for the school district to access the interior. She has heard the Hayden Lake site is buildable and hold the Prairie site off for further development to take place with an access off of Wilbur. Prairie Avenue is a beautiful road and the traffic flows very well through it and the traffic will clog it up. Commissioner Fountain sited the Charter School on Kathleen along with Ramsey Elementary as examples of schools on busy streets. She sited Greensferry in Post Falls and feels the District has tried very hard to maintain our roads keeping traffic flow going to ease congestion and make traveling in the community easier. She stated she is not opposed to a school and not against them, they are needed, but doesn't think this is the right location.

Commissioner Montgomery thinks the location would be fine if the access was from the south with Commissioner Fountain agreeing. Commissioner Montgomery indicated access to Prairie could either be from Atlas or Ramsey. As it is with the access on Moselle, without having medians in Prairie it would not work at all. The proposal of the medians is a scenario that we could live with now. But we should think about the future and down the road we may want to do away with those. As roads become available from the south then the access on Prairie should go away. That way we could eliminate the problem of fast traffic right at the school. A light in a school zone, flashing light to lower the traffic's speed limit, he doesn't know if that would be feasible. Commissioner Montgomery noted a letter received by the District that another city has used the flashing lights and it worked well. It probably is only about thirty (30) minutes in the morning and afternoon.

Chairman Twete stated he was in the meeting on Dec. 3<sup>rd</sup> and the concept that both entities came up with as far as the separation of the barriers on Moselle, he felt was workable. However, the barriers need to be long enough where traffic can't zig zag around them. Also, after the buildup to the south is done that most of the traffic will come in from the south. Then the Prairie access would be secondary. We also talked about removing that access, but it could also be used as an emergency access for a second way in and out. We also might think about moving the basketball court further north and having the service access coming around that. Chairman Twete stated he is not opposed to what the two entities have put together. Especially with the idea that in the near future, things are re-configured to when the buildout of Wilbur takes place, the buses and main portion of the traffic can be re-routed that way, so the main load is not on Prairie. He also stated he is against putting too much traffic load on Prairie Avenue and with what the area is going to do in the next five (5) to ten (10) years, the traffic is going to be huge. Chairman Twete feels things are workable and feels we have the information the attorneys need to work out, along with the engineers the agreement. Staff can work to finalize the entrance design so both entities are happy however, plan for entrance off the south for future which will need to be in the agreement.

Commissioner Fountain stated a concern she has with the restricted left turn only, it would impact Barbara Maddox and the people there could not turn left. They would have to go and turn around which is an accident waiting to happen. She stated we should advertise and get some public input as it will affect people in that area and there is a lot of people in that area. When Barb Neal spoke regarding the traffic backing up to Ramsey Road when people are taking the left turn, that could happen very fast. I am in that area a lot and the traffic from Atlas Elementary and the other schools in the area, really, really impacts Prairie Avenue. So, what is the possibility of traffic backing up to Ramsey Road as it is not that far. Commissioner Fountain stated that Vantage Road is approximately three tenths of a mile from Ramsey. She asked Director Shanley if there was enough room to do the median without impeding on the other lanes of traffic. Director Shanley stated the median doesn't have to be the width of thirteen (13) feet that is there, it could be something smaller.

Chairman Twete asked to see the Vantage and Prairie intersection and stated that traffic could go around and back out to Ramsey. Director Shanley stated there are probably easier routes to take and also mentioned that in talking with the City of Hayden, there is continued proposed development on the north side of Prairie. Commissioner Fountain stated that if someone wanted to make a left hand turn off of Vantage, they would not be able to and think it compounds all the issues that the District has worked so hard to remove.

Director Shanley reminded the Board of the twelve (12) lot subdivision the Board has approved that has allowed Moselle to extend to the south which is an additional approach onto Prairie Avenue. We talked about left in, right in/right out, those are they types of improvements we have collectively talked about with the School District, I think that would improve the safety and mobility that is occurring on Prairie. Chairman Twete agreed.

Commissioner Fountain asked about the study that KCATT and KMPO was asked to do and wanted to know when that would be done as we had talked about that being completed in January. Director Shanley said a meeting date is scheduled before the holidays. The intent would be for the resolution or recommendations of the KCATT subcommittee to go before the KCATT board at their next meeting and then after that ideally, a recommendation from KCATT would go to the KMPO board with their next available meeting being in January.

Chairman Twete asked Director Shanley for his recommendation. He stated the Board has a couple of options to consider. The first is to authorize legal counsel and staff to proceed with a draft intersection and approach agreement addressing the concept that came out of the Dec. 3<sup>rd</sup> meeting. Development of that agreement could be done based on guidance from the Board. Another option would be to wait and consider recommendations from KCATT.

Commissioner Fountain asked the school what the plans were for the Hayden Lake site. The school district stated they had been tasked to have two (2) sites completely ready to build. Commissioner Fountain said she has read through the minutes and it said that the Hayden Elementary site has not gone anywhere. The School District responded that the decision had been tabled until two (2) buildable options could be presented. Commissioner Fountain stated the Hayden site is ready right now. Chairman Twete stated there would probably be just as much opposition on the Hayden site as you do with this one from what he has heard. The School District said the demand in this area is pretty significant with the growth and development. Commissioner Fountain confirmed the Hayden School was existing and thinks that would be a good choice and doesn't understand why the school does not move ahead with that choice first as the Prairie site is not ready and has a lot of issues.

Chairman Twete stated we have a concept with a viable entrance to the property and confirmed with Attorney Weeks they have a right to one (1) access the District can't deny. Our job is to make it as safe as possible. Chairman Twete stated he did not agree with the light as it will cause congestion that we don't want. Chairman Twete also stated the concept of December 3<sup>rd</sup> with restricted medians and turning is feasible. Commissioner Montgomery said if we decided to go with what was discussed with Staff on December 3<sup>rd</sup>, we could require them to have access for the service through the parking lot. Chairman Twete said we could, but the fire department and police department want an emergency second access from Prairie which would be gated. Commissioner Montgomery brought up the point that traffic may try to enter the service access of off Prairie and may get backed up until they find out it is a gated access.

After deliberations, Commissioner Montgomery moved to direct District staff to work with the School District to work out a solution for the entry of the future Moselle with right-in, right-out onto Prairie and left in off of Prairie, with a direction to have the Districts attorney and District staff to prepare an agreement for the Boards consideration. Attorney Weeks asked Commissioner Montgomery for clarification of staff preparing an agreement that provides for a controlled access at Moselle, limited service access which was for fire, police and deliveries for the service entrance. Commissioner Montgomery confirmed. Attorney Weeks also clarified if

that was to be a temporary access until such time as the southern routes provide adequate access to the site. Upon discussion Commissioner Montgomery confirmed that was what his motion included.

Attorney O'Dowd asked for a point of clarification regarding the temporary access to Moselle and Prairie or the service entrance. Attorney Weeks clarified it was the Moselle access.

Discussion continued regarding the main school access off of Moselle. Attorney Weeks stated that the Moselle access is limited to twelve (12) lots at this time, it is a limited access approach. Attorney Weeks further clarified that what Chairman Twete stated was that he wanted to see the Moselle access to be temporary and that Moselle was eliminated as a public access to Prairie once adequate alternative public roads exist to the south. That being Wilbur would continue west and eventually connect to Moselle directing traffic to Ramsey. Chairman Twete stated that he envisioned that there would still be a right in/right out onto Prairie and that removal of the median in the future should be considered based on traffic. Attorney Weeks clarified that the District would have the right to remove the medians.

Commissioner Fountain asked if the decision should wait until the reports were back from KCATT and KMPO so as to not waste staff time. Chairman Twete stated he thought the agreement could be drawn up and worked on and by the time it is completed, we should have the reports and confirmed with Mr. Miles that all are on the same page. Chairman Twete stated we should get the agreement started and move forward.

Upon discussions clarifying the motion, Commissioner Twete seconded the motion. Commissioners Twete and Montgomery voted aye with Commissioner Fountain voting no stating she is not in favor of jeopardizing this arterial flow and fears that once its in place, it would be hard to change and would come back to haunt us.

Discussions continuing, Chairman Twete stated that in the discussion of December 3<sup>rd</sup>, they talked about a build out time frame of five (5) years that should be considered in the agreement. Attorney Weeks stated build out was contemplated but wasn't quite sure how to include that in the agreement. Attorney O'Dowd stated that what she heard that highway district staff, school district staff and attorneys were to draft an agreement with a controlled median at Moselle and Prairie and that the highway district would like to reserve the right to remove the median in the future. The timing that was discussed in the meeting on Dec. 3<sup>rd</sup>, was five (5) years after construction of the school as the school doesn't anticipate finishing construction until 2020. Chairman Twete stated he was under the impression that there were two (2) years of building and that remained three (3) years. Attorney O'Dowd stated the plan is to have the school built by the fall of 2020 and what they have heard is that the build out of the developments to the south will occur within five (5) years of now, which would be around 2023. Therefore, if the highway district would like to remove the medians it would be three (3) years after build-out, which would be 2023. The service access would be permanent with a right in/right out only with Chairman Twete confirming no left out on the service entrance. Attorney Weeks said she was not proposing to the highway district board that they limit their right to remove the controlled access to a five (5) year period, it would be indefinite.

Attorney O'Dowd said that her perspective the only two (2) major concepts that would be included in the agreement would be the median controlled intersection details that the engineers would be drafting at Prairie and Moselle and she and Attorney Weeks could work out the

language for that controlled intersection. The agreement would also address details for the limited service access, right in/right out. She also stated she is in agreement with Attorney Weeks that it is completely within the Highway Districts authority to decide at any point in the future whether or not the medians would be altered. Attorney Weeks stated she would like to see it addressed in the agreement because down closer to Prairie, when we started to put in controlled access the District faced numerous threats of litigation and she wants to remove any possibility of that happening as school boards change and as time goes on people forget.

Attorney O'Dowd said her comments are contingent upon assuming the school maintains their access and stated the concept she is hearing is the controlled Prairie/Moselle right in/right out with median concept, let the engineers draft what it would actually look like and controlled service access with both boards approving the draft agreement.

Chairman Twete stated the motion carried and with no further discussion asked for a motion to adjourn.

There being no further business, Commissioner Montgomery moved to adjourn at 4:01 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

\*Please refer to the minutes of the December 17, 2018 Board Meeting for clarification of dates referred to in these minutes.