

[OCTOBER 2, 2017 CORRECTED MINUTES FOR PREVIOUSLY APPROVED MINUTES – CORRECTING ITEM 8.C AS INDICATED BY UNDERLINED ITEM HEREIN]

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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 July 3, 2017 at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete, Montgomery and Fountain, Deputy Director Van Zee and District Clerk Flagg. Drew Dittman attended regarding Brunner Estates, Donna Montgomery, Arnold Hiebert and Chris Kraft 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 agenda for the July 3, 2017 meeting as presented with Commissioner Fountain seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the June 19, 2017 regular meeting minutes as presented with Commissioner Fountain seconding the motion which carried unanimously.

After reviewing the Payments Journal, Commissioner Fountain moved to approve the payments journal with bills paid by check numbers 33914 through 33941 in the amount of \$43,366.01 and the direct deposit dated June 20, 2017, 2017 in the amount of \$24,164.16 for a total of \$67,530.17. 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.

The first item under Old Business was the new dump truck purchases. Deputy Director Van Zee discussed with the Board the purchase of additional dump trucks for the same price as previously purchased. After deliberations, Commissioner Montgomery moved to authorize District staff to purchase two (2) new Kenworth dump trucks as before at the same price with Chairman Twete seconding the motion. Commissioner Fountain voted nay and stated she would rather see that money go towards maintenance of the roads. Motion passed.

Item 7b was Resolution 2017-04 regarding Conduct of Individual Board Members with Respect to Staff. Chairman Twete asked for any comments and Commissioner Fountain stated she had comments and offered the following: According to the resolution, I ran for this position and was elected by the people to bring transparency to District operations. I promised to stream line processes and make things more efficient and this resolution would make things more cumbersome in that respect. This resolution reeks of secrecy and non-transparency and it contradicts itself and as elected officials we shouldn't have to jump through hoops to get information when necessary. We should be transparent and open in everything we do. It appears to me that this resolution is giving the Director total control

over everything that goes out of the office and it is not only counter-productive, but is also very time consuming. We are a public entity and our records are open to the public. No secrecy, especially when an elected official and commissioner inquires on a District matter we have been elected to oversee. We have great staff who know their positions well and is much easier to get information from that person who does the job. Management should have trust in staff to make decisions on their own. If a request is made that might take time or unreasonable or whatever that may be, staff could then state that it is a matter that should go through management but we don't need a resolution to come up with this. It is just a matter of understanding. I don't think we need another resolution that we are not going to follow. I have come across a few since I have been in office and I am in total disagreement with this, it slows down the process of everything. It makes it sound like we have something to hide if we have to put in writing, the audience doesn't know this, but requests made by individual board members for existing documents or other existing tangible items shall be directed to the Director of Highways in writing. The Director of Highways shall respond in writing as soon as practical and shall include fellow commissioners in the response. Requests for the creation of informational items including reports shall only be directed to the Director of Highways and only when previously approved by the Board of Commissioners. Commissioner Fountain stated that in itself, is pretty cumbersome, it's like where any individual coming in off the streets and do a records request, that's basically what we are going to have to do according to this resolution. I think that the people elected us to represent them and if we need information, we should be able to get that and I don't think anybody has overstepped, unless I can get some examples of those. Commissioner Montgomery confirmed that legal counsel had written and approved the resolution. Commissioner Fountain stated that she felt this couldn't be upheld if anyone was to challenge it and feels it is unnecessary and doesn't understand why we have to have it. If someone is confused, then maybe we should go through and do a job review and get down what their job responsibilities are. She stated she had never been provided job responsibilities except for the Clerk and the treasurer and the admin assistant. Commissioner Montgomery asked what she was referring to when she says job responsibilities. Commissioner Fountain stated it would be the Director as it sounds like lines of communication and authority has led to confusion and diversion of resources. It sounds like the Director wants direction as to what to do, so I think if there is some confusion, we should sit down and go over job responsibilities and get a job description and figure out what that is. This is placing more responsibility on the Director and taking it away from us. Commissioner Montgomery suggested tabling this at this time and confer with legal. Chairman Twete stated his understanding was that this was designed to keep the Commissioners from overstepping their boundaries and of getting in the way of management which is what we don't want to happen. Chairman Twete stated he felt it would be a good idea to table it and have a workshop with Susan. But feels that there should be some boundaries for the Commissioners to follow. We don't want to hamper what is going on but at the same time don't want it so strict that we can't even say hi. Commissioner Fountain stated that the issues that we've had have been addressed and sees no reason for the resolution. Chairman Twete stated that the resolution could be tabled and a workshop scheduled with legal counsel where all concerns could be discussed. Commissioner Fountain stated she would like it to be tabled indefinitely and not even bring it back. Commissioner Montgomery stated he

feels there needs to be some guidelines and could be discussed in a workshop. Chairman Twete asked if that was a motion and Commissioner Montgomery stated it was. Chairman Twete seconded the motion for tabling to a later date. Chairman Twete and Commissioner Montgomery voted aye. District Clerk Flagg asked for clarification if Commissioner Fountain voted nay. Commissioner Fountain said she would like to table it indefinitely and it was a nay vote.

The May 16, 2017 election results were the first item on the agenda under current business. District Clerk Flagg reviewed the results with the Board and stated based on the certified election results from Kootenai County, Rodney A. Twete retained his position as commissioner for Sub-District 1 with a total of 1,235 votes to Laurin Scarcello's 904 votes. Commissioner Montgomery moved to accept the election results as they stand declaring Rodney A. Twete Commissioner for Sub-District 1. Commissioner Fountain seconded the motion which carried unanimously.

Item 8b was the swearing in of Rodney A. Twete, elected Commissioner for Sub District 1. District Clerk Flagg issued the oath of office to Commissioner Twete and presented his certificate of election.

Item 8c was the election of Board Officers. At this time, Chairman Twete asked for a motion to dissolve the Board to nominate and elect current Board Officers. Commissioner Montgomery moved to dissolve the Board and turn the meeting over to Deputy Director Van Zee to accept nominations for Chairman of the Board. Commissioner Fountain seconded the motion which carried unanimously.

Deputy Director Van Zee addressed the Board and asked for nominations for Board Chairman. Commissioner Montgomery moved to nominate Rod Twete as Board Chairman. Commissioner Fountain seconded the motion which carried unanimously.

Deputy Director Van Zee then turned the meeting over to Chairman Twete who then asked for nominations for Vice Chairman. Commissioner Fountain moved to nominate Commissioner Montgomery as Vice Chairman with Chairman Twete seconding the motion which carried unanimously.

Chairman Twete asked for nominations for District Secretary/District Treasurer. Commissioner Montgomery moved to nominate Rod Twete as District Secretary/District Treasurer with Chairman Twete seconding the motion. No vote was called on the pending motion as clarified in the July 17, 2017 meeting minutes of the District.

Item 8d was the Special Events application for the Thunder in the Bay Car Show to be held in Bayview on July 21st & 22nd, 2017 on Marietta Street between 6th Street and Limekiln Road. After deliberations, Commissioner Fountain moved to approve the Special Events application for the Thunder in the Bay Car Show and authorized the Chairman or Vice

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Chairman to sign the application. Commissioner Montgomery seconded the motion which carried unanimously.

Item 8e was Brunner Estates which is a proposed fifteen (15) lot major subdivision located on approximately seventy-nine (79) acres on the northeast corner of Brunner and Weir Roads. Deputy Director Van Zee presented the review to the Board and after deliberations, Commissioner Montgomery moved to authorize District staff to submit a letter of comment to the County outlining item numbers 1-6 of Director Shanley's review. Commissioner Fountain seconded the motion which carried unanimously.

Item 8f was the right-of-way exchange on E. Hayden Lake Road with Mr. Norris. Deputy Director Van Zee presented the information to the Board and after deliberations, Commissioner Montgomery moved to approve the exchange agreement for the exchange of right-of-way with Mr. Norris on El Hayden Lake Road contingent upon legal counsel's review. Commissioner Fountain seconded the motion which carried unanimously.

Item 8g was clarification for the seal coating oil purchase. Deputy Van Zee explained to the Board it had previously approved approximately 600 tons of CRS-2P and upon further review the District will need approximately 800 tons. Along with the increase for the CRS-2P, an increase to approximately 210 tons of Quick seal is needed from the previous approved amount of 160 tons. Commissioner Fountain moved to approve the increase in tonnage of both the CRS-2p and Quickseal as needed with Commissioner Montgomery seconding the motion which carried unanimously.

There being no further business, Commissioner Montgomery moved to adjourn at 6:02 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

Respectfully submitted:

Bonny A. Flagg

Bonny A. Flagg
District Clerk

Approved:



Rodney A. Twete
Chairman