

Lakes Highway District Meeting Minutes

August 27, 2018

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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 August 27, 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, District Treasurer Howell and District Attorney Weeks. Eric Olson and Jim Bloxam attended regarding Wyatt Meadows, Melissa Cleveland attended regarding the Howard Road Turn Lanes, Steve Cook, Jon Mueller and Jay Hassell attended regarding the Prairie Avenue School, Merle Van Houten attended regarding Vista Meadows and Donna Montgomery, Doug Wall, Corey Kraft, Chris Kraft, Barb and Will Neal, Martha Bost, Aron Fournier, Kristen Morgan, John Morgan, David Gabrielsen, Paul Ferguson, Brian and Kitty Bassett, Ron Cootes, Nathan MacPherson, Mike Arnott, Mark Gregory, Alan Lindberg, Robert White and Rita Neelon 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 August 27, 2018 agenda as presented with Commissioner Fountain seconding the motion which carried unanimously.

Chairman Twete asked for a motion to approve the July 16, 2018 minutes. Director Shanley brought to the attention of the Board Commissioner Fountains additions were incorporated into the minutes and indicated the highlighted lines in their review copies were taken from the recorded minutes and shown as deleted. Director Shanley stated it was the Boards option whether or not they would like those items deleted with the items in blue being the additions. Commissioner Fountain moved to approve the July 16, 2018 meeting minutes as revised with Commissioner Montgomery seconding the motion which carried unanimously.

Commissioner Montgomery moved to approve the August 6, 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 35140 through 35194 in the amount of \$1,100,442.43 and the direct deposit dated August 20, 2018 in the amount of \$32,806.17 for a total of \$1,133,248.60 and would not that there are project payments along with a mower purchased which is included in those payables. 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 is the Wyatt Meadows Variance Request. Eric Olson of Olson Engineering addressed the Board on behalf of the developer of Wyatt Meadows regarding the approach from Wyatt Road onto Nettleton Gulch Road and requested a variance to the District approach standards. After discussion and deliberations, Commissioner Fountain moved to

approve the Wyatt Meadows variance request as presented with Commissioner Montgomery seconding the motion which carried unanimously.

Item 8b is the Prairie Avenue School – NexA Elementary discussion. Representatives from Architects West, John Mueller, Jay Hassell of JUB Engineers and Steve Cook of the Coeur d’Alene School District brought the Board up to date on the proposed new elementary school located on Prairie Avenue. As this was a discussion item only, no motion was made.

Chairman Twete now moved to item **9b is the 2018-2019 Budget Hearing**. Chairman Twete stated it was the time and place for the 2018-2019 budget hearing.

At this time, Chairman Twete opened the hearing for public comments at 6:03 p.m. and asked for public comments.

There were no public comments.

Director Shanley stated there had been no written comments received by the District.

As there were no public comments, Commissioner Montgomery moved to close the public hearing at 6:03 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

As there were no Board deliberations on the budget, Commissioner Montgomery moved to approve and adopt the FY 2018-2019 Lakes Highway District budget as presented which includes the new construction roll and a zero percent property tax levy increase. The motion also included authorization for the Chairman or Vice Chairman to sign the Dollar Certification when presented and authorized District staff to submit the Fiscal Year 2018-2019 budget to the Coeur d’Alene Press for advertisement. Commissioner Fountain seconded the motion and included that the budget should be posted on the State’s website. District Clerk Flagg called the roll with voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. The motion carried unanimously.

Item 9c is the public hearing for the Right-of-Way Validation for Viewer Report #197, Howard Road.

Chairman Twete stated this is the designated time and place set for the public hearing on the validation of Viewer Report #197, lying east and west between Sections 2 and 11, and 1 and 12 in Township 53 North, Range 3 West and continuing between Sections 6 and 7, 5 and 8, 4 and 9 and north between Sections 3 and 4 in Township 53 North, Range 2 West Boise Meridian, Kootenai County, Idaho. I now declare the public hearing open.

Please proceed to the podium and state your name and address for the record. Only testimony pertaining to this petition will be accepted.

At this time, Attorney Weeks suggested that the staff report be reviewed prior to taking public comments. Attorney Weeks also asked for any written comments to be read into the record.

Director Shanley presented the staff report to the Board for review and discussion. Director Shanley now noted that it would be the time for anyone in the audience that would like to fill out a comment sheet to do so. Chairman Twete called for a five (5) minute break at 6:15 p.m. reconvening at 6:20 p.m.

Attorney Weeks asked for all comment forms to be turned in. At this time Attorney Weeks outlined the public testimony and hearing process.

Attorney Weeks read the written comment forms which were in no particular order and the Board heard public testimony. At the end of the public comment, Attorney Weeks stated the written comment forms shall be marked as Exhibit "A" for the record and the staff report as Exhibit "B" for the record.

Chairman Twete asked for any further public comments. Seeing none, Chairman Twete closed the public hearing.

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

Commissioner Montgomery stated I find it in the public interest to validate Viewer Report #197 lying east and west between Sections 2 and 11, and 1 and 12 in Township 53 North, Range 3 West and continuing between Sections 6 and 7, 5 and 8, 4 and 9 and north between Sections 3 and 4 in Township 53 North, Range 2 West Boise Meridian, Kootenai County, Idaho as a public right-of-way per Idaho Code §40-203 (1) (a). Commissioner Fountain seconded the motion.

District Clerk Flagg called the roll with voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. The motion carried unanimously.

As Melissa Cleveland of Welch Comber was in the audience regarding **Item 9a, the Howard Road Widening Construction Plan Review** Chairman Twete moved to this item. Director Shanley presented the plans by Welch Comer to the Board for review for the widening of Howard Road adjacent to the new development on the northwest corner of Howard Road and Hwy 54 and recommended approval of the drawings. After deliberations, Commissioner Fountain moved to approve the Howard Road widening construction plans as presented with Commissioner Montgomery seconding the motion which carried unanimously.

Chairman Twete now moved to **item 9e is Vista Meadows Construction Plan Review** as Merle Van Houten of Verdis was in the audience. Director Shanley presented his review of the revised construction plans for Vista Meadows that addresses the Districts' comments dated June 19, 2018. Revisions include the widening of the approach necessary to accommodate future turn lanes that may be warranted. Director Shanley also emphasized

approval of the revised construction plans dated July 27, 2018 and the approach which shall be limited to twelve (12) lots in the proposed Vista Meadows subdivision. After deliberations, Commissioner Montgomery moved to accept the construction plans for the approach onto Moselle for the Vista Meadows Construction plans with the restricted approach with Commissioner Fountain seconding the motion which carried unanimously.

Now Chairman Twete moved back to **Item 8c, the Evergreen Trails Plat Review**. As this item was previously discussed at the August 6, 2018 board meeting, Director Shanley outlined his review comments with the Board for the three (3) lot minor subdivision located on Aspen Lane east of Rimrock Road. After deliberations, Commissioner Fountain moved to approve the Evergreen Trails plat and submit our comment letter to the County outlining item number 1 (a) and (b) and address the concerns through a road development agreement. Director Shanley clarified that approval is contingent upon items in the comment letter being addressed in a road development agreement with Commissioner Fountain confirming that. The motion also authorized the Chairman or Vice Chairman to sign the Mylars when presented. Commissioner Montgomery seconded the motion which carried unanimously.

Item 9d is the La Chance Road Public Right-of-Way. Residents of La Chance Road addressed the Board regarding existence of the existing road and the actual public right-of-way for La Chance Road. As this was a discussion item only, no motion was made.

At this time Chairman Twete called for a five (5) minute recess.

Reconvening back at 7:48 p.m., Chairman Twete moved to **Item 9j, the Speed Limit Signs on E. Hayden Lake Road** as there was an audience member in attendance regarding this. Martha Bost addressed the Board with her concerns of the speed limit on E. Hayden Lake Road. After deliberations, Commissioner Twete moved to allow District staff to review the signage on E. Hayden Lake Road with Commissioner Montgomery seconding the motion which carried unanimously.

Item 9f is Northwoods Ranch Preliminary Plat approval. Director Shanley presented his review to the Board for the proposed phased development of forty-seven (47) residential lots located on a parcel of land south of Remington Road between Ramsey Road and Weir Road. After deliberations, Commissioner Fountain moved to authorize District staff to submit a comment letter to the County outlining item numbers 1-13 of Director Shanley's review with Commissioner Montgomery seconding the motion which carried unanimously.

Item 9g is the Zone Change Request off of Nash Road in Spirit Lake. Director Shanley explained to the Board that Kootenai County is in the process of assigning a new zoning classification to a parcel of land de-annexed by the City of Spirit Lake. Director Shanley stated the surrounding roads are not adequate to accommodate the additional traffic that may be generated from the proposed new zoning and recommended opposing the new zoning classification. After deliberations, Commissioner Montgomery moved to notify the County that the District opposes the zone change for the Hinz case on Nash Road with verification that the District feels it should be a rural zoning with Commissioner Fountain seconding the motion which carried unanimously.

Item 9h is the RFP for Audit Services. Director Shanley discussed requesting proposals for the Districts audit services with the Board. Director Shanley confirmed there would be an ad placed in the Coeur d'Alene Press. After deliberations, Commissioner Fountain moved to authorize Director Shanley to proceed with the RFP for audit services to bring back to the Board with Commissioner Montgomery seconding the motion which carried unanimously.

Item 9i is the Commercial Approach located on Aqua Avenue. Director Shanley presented the Board with information for the commercial approach for the Aqua Storage Facility located on Aqua Avenue between Government Way and Hwy 95. After review and deliberations, Commissioner Fountain moved to approve the commercial approach on Aqua Avenue with Commissioner Montgomery seconding the motion which carried unanimously.

Chairman Twete asked for a motion to enter executive session.

Commissioner Montgomery moved to enter executive session at 8:17 p.m. under Idaho Code §74-206 (1) (a) to consider hiring a public employee and Idaho Code §74-206 (1) (c) to discuss right-of-way acquisition on Bunco Road. Commissioner Fountain seconded the motion. District Clerk Flagg called the roll with voting as follows: Commissioner Twete aye, Commissioner Montgomery aye and Commissioner Fountain aye. Motion carried unanimously.

Upon reconvening to regular session, regarding Idaho Code §74-206 (1) (c) Commissioner Fountain moved to authorize staff to proceed with an offer letter including a fourteen (14) day response period and at the end of that time, if necessary turn over to legal for eminent domain proceeding. The certified letter would include 2018 assessed value plus 10% as our offering for the properties. Commissioner Montgomery seconded the motion with carried unanimously.

Regarding Idaho Code §74-206 (1) (a), Commissioner Montgomery moved to authorize Director Shanley to hire Megan Petersen to replace Carla's position starting as soon as possible with Commissioner Fountain seconding the motion. Director Shanley clarified that would be at the rate as discussed in executive session. Motion carried unanimously.

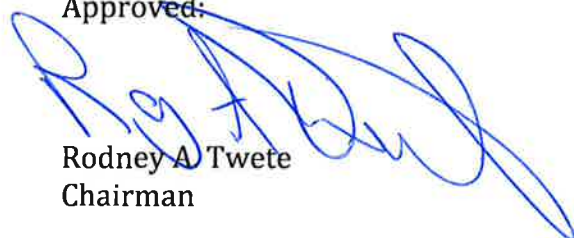
There being no further business, Commissioner Montgomery moved to adjourn at 8:48 p.m. with Commissioner Fountain seconding the motion which carried unanimously.

Respectfully Submitted:



Bonny A. Flagg
District Clerk/Board Secretary

Approved:



Rodney A. Twete
Chairman