

The regular scheduled meeting of the Lakes Highway District Board of Commissioners was called to order by Vice-Chairman Montgomery at 5:30 p.m. on March 5, 2018, at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioner Montgomery and Fountain, Commissioner Twete attended by phone, Director Shanley, Deputy Clerk Howell and District Attorney Weeks. Scott Poorman and John Haug were in attendance representing a development along Howard Road. Doug Wall, Donna Montgomery and Nancy Lowery observed.

Vice-Chairman Montgomery called the meeting to order and led the Pledge of Allegiance.

Vice-Chairman Montgomery 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 Fountain moved to approve the March 5, 2018 agenda as presented with Commissioner Twete seconding the motion which carried unanimously.

Commissioner Fountain moved to approve the February 19, 2018 meeting minutes as presented with Commissioner Twete 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 34636 through 34688 in the amount of \$185,894.92, the direct deposit dated February 20, 2018 in the amount of \$30,409.51 and the direct deposit dated March 5, 2018 in the amount of \$38,663.66 for a total of \$254,968.09. Commissioner Twete seconded the motion which carried unanimously.

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

Seeing none, Vice-Chairman Montgomery moved to item 8a the Pier Road Stipulation of Judgment. Director Shanley discussed with the Board an inquiry by Attorney John Magnuson regarding platted right-of-way, located adjacent to Pier Road in Bayview, not included in the District's records. The stipulation of judgement would allow a judge to decide whether this is right-of-way or not and the District would accept the judgement. After deliberations, Commissioner Twete moved to allow the District Attorney to sign the Stipulate for Entry of Judgement against the District on the 20 foot strip with Commissioner Fountain seconding the motion which carried unanimously.

Item 8b was the Findings-of-Fact for Dolan Road. Director Shanley presented the Findings-of-Fact to the Board for review and after deliberations, Commissioner Twete moved to adopt the Findings-of-Fact for Dolan Road as presented and authorized the Chairman or Vice-Chairman to sign the document with Commissioner Montgomery seconding the motion. Commissioner Montgomery and Twete voted aye and the motion carried. Commissioner Fountain abstained from the vote.

Item 8c was to consider the award of the 2018 Construction Project bid. Director Shanley presented his review to the Board and after discussion, made his recommendation. After

deliberations, Commissioner Twete moved to award the 2018 Construction Project Bid to the lowest responsive bidder, Interstate Concrete & Asphalt, Inc. in the amount of \$2,335,032.99. The motion also included authorization for the Chairman or Vice-Chairman to sign the contracts, Notice of Award and Notice to Proceed when presented, contingent upon all required documents being submitted to the District. Commissioner Fountain seconded the motion which carried unanimously.

Item 8d was to consider development concerns on Brunner Road associated with required utility relocations from within the roadway prism. Scott Poorman, an attorney for the development presented his concerns to the board, indicating that the developer is struggling to obtain a response and action from the utility. Scott Poorman asked the board to consider exercising its jurisdiction to help accomplish the utility relocated. Director Shanley clarified the specific utility relocation issue was on Howard Road, however the point of discussion was specifically with regard to utilities in general. Director Shanley indicated that he's discussed the issue with a utility representative. The Director also indicated that there are potential issues associated requiring the utility to move, as the rights-of-way being developed are by Viewers Report and have not been validated by the District. Director Shanley indicated that he is aware of attorneys suing over the validity of viewers report rights-of-way. After deliberations, Commissioner Twete moved to schedule a workshop the week of March 12<sup>th</sup> inviting utilities to discuss responsibility for relocating utilities within public rights-of-way related to road improvements and subdivision. Commissioner Fountain seconding the motion which carried unanimously.

Item 8e was the policy regarding viewers reports and requests for the District to exercise its jurisdiction. After deliberations, Commissioner Twete moved to retract the previous motion made under Item 8d to schedule a workshop the week of March 12<sup>th</sup> and instead asked staff to schedule a workshop the week of March 18<sup>th</sup> to have discussions regarding the responsibility of utilities within public rights-of-way. Commissioner Fountain accepted the retracted motion. The commissioners all concurred, and the motion carried unanimously. Director Shanley acknowledged that he would schedule the workshop as requested by the Commissioners.

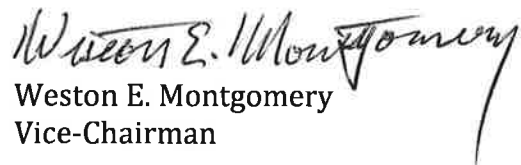
There being no further business, Commissioner Twete moved to adjourn at 6:05 p.m. with Commissioner Fountain seconding the motion.

Respectfully Submitted:



Karen M. Howell  
District Treasurer/Deputy Clerk

Approved:



Weston E. Montgomery  
Vice-Chairman