

POST FALLS HIGHWAY DISTRICT  
APRIL 2009 MINUTES

Regular Meeting – April 1, 2009, 5:59 pm, E. 5629 Seltice Way

Lynn Humphreys, Chairman, called the meeting to order at 6:00 P.M. Present were Commissioners Lynn Humphreys, Terry Werner, Robert Miller; Road Supervisor Kelly Brownsberger, Secretary Mary Spray; and Engineer Darius Ruen.

Commissioners had no conflict of interest with any agenda item.

Bob Miller moved to approve the March 2009 minutes as amended and vouchers. Lynn Humphreys seconded. Motion carried.

CURRENT BUSINESS

LHTAC's Federal Aid Engineering Threshold

Tabled until the next meeting.

Blue Cross Group Voter Designation

Lynn Humphreys entertained the motion to sign the Blue Cross of Idaho Group Voter Designation form. In the past, the District has appointed the Secretary of the Corporation to act on the District's behalf since we would not be attending the meeting. He continued that he would entertain a motion to continue. Robert Miller moved to do so. Lynn Humphreys seconded. Motion carried.

Dwain White Agreement for use of Pleasantview Pit

The District has had an on going annual agreement with Dwain White which allows him to remove material from the Pleasantview gravel pit for personal use only, not for sale or assign or give to anyone. The agreement would now automatically renew on January 1 each year unless either party wishes to cancel the agreement by providing the other party written notice 30 days prior to the renewal date. Robert Miller moved to send letter to the White's for their review and signature. Lynn Humphreys seconded. Motion carried.

CORRESPONDENCE

Greensferry Water & Sewer District - The Sewer District has completed the demolition and cleanup of the building site located on the South side of the Spokane River at Greensferry road. Lynn Humphreys asked Kelly Brownsberger if he had been onsite inspection and was it satisfactory? Kelly stated he had been there and it was. Lynn Humphreys then requested a thank you letter be sent to them for the work done.

Kootenai County Comprehensive Plan - Several public meetings will be held on May 27<sup>th</sup>, May 28<sup>th</sup> and June 1<sup>st</sup>. Comments can be mailed in, placed on their web page or e-mailed by May 18<sup>th</sup>. Lynn Humphreys requested these meetings be noted on their calendars so they are aware of them. Ruen Yeager has staff members reviewing the plan.

ROAD SUPERVISOR

Earl Treend Promissory Note – Mr. Treend was in the office and dropped off a letter. The letter stated funds were still not available but he has had some interest in the lots. Would like to make payment when a lot is sold. The Board would like to table this until they have all members present and the agreement can be reviewed. They may want to place a lien on the property.

Equipment Problem - Tank trailer was looking like it was bowing. The insulation and skin was pulled off and found leaks, cracks, and the it is buckling. Tank Masters quoted \$10,000.00 or more for the fix with no guarantee. The District got it from Idaho Asphalt 15 years ago and paid \$3,000.00 for it and feel that it should be decommissioned at this time. Could research the value of scrapping it. Lynn Humphreys asked if any research had been done on the cost of a new or used tank? Kelly said he had not and is not in a hurry. At the price of oil this year, only 5 to 6 miles of road will be oiled this year. Other options are to have it delivered from Idaho Asphalt at \$10.00 dollars more a ton or \$300.00 dollars a load. There is a possibility that we could borrow Worley's equipment for a day. Lynn Humphreys requested it to be red tagged and not use it any more.

Shop light retrofitting – This project has been completed and it is really nice. More was done than originally proposed by putting in seven occupancy sensors so the lights automatically turn on and off when someone is in the room as well as adding conduits and wiring updates. Spent \$12,000.00 (material only) and the bid had been just under \$20,000.00. We also took this time to paint the shop.

Equipment Disposal - Would like permission to put Old Trucks 7 and 10, 1987 Internationals, out for bid. Kelly contacted Larry Parrot who said low end would be \$4,450.00 and high end would be \$7,500.00. Kelly felt that was a little low and found similar trucks for \$15,000.00 on the Internet. He would like to set a minimum bid. We will advertise in Nichols Worth and Coeur d Press. Robert Miller made the motion to dispose of the equipment as indicated by Kelly Brownsberger. Lynn Humphreys second. Motion carried.

Hidden Valley Avenue - Kelly, Darius and Mike reviewed Hidden Valley Avenue from North Idaho Road to SH53 due to requests of a speed limit increase; it is currently posted at 25 MPH. Traffic studies show average speed is 50. Darius felt comfortable increasing the speed to 35 MPH with the exception of one curve on the hill, which he recommends posted at 25 MPH and an advisory 25 MPH on a second curve. Robert Miller made the motion to increase the speed limit to 35mph. Terry Werner seconded. Motion carried.

Terry Werner arrived at 6:22pm

Secretaries Day is April 22<sup>nd</sup> and Kelly stated he would be gone that week at the NACE conference and would like to have lunch on the 16<sup>th</sup> April. Terry said he may be out of town but he would try and be there. Lynn said he would get back to him and Bob was okay with the date.

## ENGINEER

Impact Study - Darius Ruen reviewed the percentages of the CIP – Impact Stud, stating that he would not change them. Growth in the District, for the most part, will be in and around the cities. Beck Road is operating at the function it was designed to handle and growth will determine needs; Prairie, Huetter to Meyer, is doing the same. Stating this, Darius feels the percentages are good. We are affected by growth from surrounding areas. On Prairie, Huetter to Meyer, the 6.4% increase includes the signal. Kelly had been advised to put the signal in. The Greensferry Bridge may not be needed now but more development would drive the need. Terry Werner disagreed stating the bridge is needed now. Traffic is frequently backed up at the Spokane Street bridge and the only other routes across the river are I90 and US95. Lynn Humphreys feels that we have been at this so long that the current figures already need updating on the CIP. He would like to inquire if the CIP can be updated. Discussion followed on impact fees with today's economy; the fees versus fee-in-lieu-of fees; how these may be affected with cities, and several other items. Kelly clarified the definition, as he understands it, of impact fees as a system improvement to be used on a capital improvement and the fee-in-lieu construction is for a minor subdivision to upgrade that that road in front of that subdivision to bring it up to District standards. They cannot be combined and used for one or the other of those purposes in itself.

## OFFICE

None

## COMMISSIONERS

None

With no further business, the meeting was adjourned at 6:45 P.M.

### Regular Meeting – April 15, 2009, 6:00 pm, E. 5629 Seltice Way

Lynn Humphreys, Chairman, called the meeting to order at 6:00 P.M. Present were Commissioners Lynn Humphreys, Terry Werner, Robert Miller; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and District Engineer Darius Ruen.

Commissioners had no conflict of interest with any agenda item.

Terry Werner moved to approve the vouchers as presented. Bob Miller seconded. Motion carried.

## OLD BUSINESS

### LHTAC Federal Aid Engineering Threshold

Lynn reminded the Board that the \$250,000 threshold may be raised to \$500,000 and asked if anyone has received a final decision. Darius is still following up and will inform the Board when he hears more. Lynn asked if the Board should contact LHTAC and if we are losing valuable time in this stall. Darius would like a consultant picked now but LHTAC wants the consultant picked in October. By the time the contract is signed, snow is on the ground. Lynn feels if there is no urgency, we can let it go longer.

### Earle Treend Note

Mr. Treend provided a letter regarding his delinquent Promissory Note. Lynn reiterated the letter, stating that Mr. Treend plans to pay the debt as soon as he sells a lot. Lynn asked how the Board would like to proceed; prepare a document stating the intentions as outlined in the letter or some other option. Terry moved to send a letter to Mr. Treend along with an agreement to pay the District from the first lot that he sells as stated in his letter. Bob Miller seconded. Motion carried unanimously.

## CORRESPONDENCE

Kootenai County Solid Waste billing – The letter states they anticipated a reduction from Ruen Yeager's charges. Darius remarked he understood they were going to pay the bill. He and Kelly reviewed the billing and did find a \$300+/- that should have been the District's cost. Darius passed on the information to the project engineer that the County pay the bill less the \$300. Shirley stated payment was received in full last week. Terry Werner moved to authorize the Clerk to reimburse Kootenai County Solid Waste the adjustment that was referred to by Darius. Bob Miller seconded. Motion carried unanimously.

Kootenai County Noxious Weeds – A list was attached for the no-spray zone. Kelly stated that the Noxious Weed office keeps track of that and this letter is just for our information. Lynn asked if we know the timeline to spray. Kelly said they can begin bare ground at the end of the month but it depends on growth.

ITD and Chase Road Railroad Crossing – Notification of a \$1,735.28 refund.

IAHD Pending Legislation – An update on the legislative session from Stuart Davis. Terry provided an update on the prior day's actions, but nothing concrete has been passed.

IAHD Funding/Litigation – Further update from Stuart Davis on funding issues and the failure of the transportation bill. HB135 will provide an addition proposal for an addition \$0.02 cent gas tax.

LHTAC, Prairie Avenue, Meyer to Huetter – More of the \$250,000 engineering cap, discussed earlier.

## ROAD SUPERVISOR

Hot Mix Quote – Interstate Asphalt provided quotes; \$50/ton for Class III ½” and \$54/ton for Class III 3/8”. Poe’s quote was \$59/\$66. Interstate will follow up with a letter. They will make mix at their Wyoming plant this year.

Farmer irrigation – A letter was mailed a couple of years ago to area farmers reminding them not to irrigate the road and would like to do the same this year as another reminder.

CIP – Kelly provided a draft CIP at this week’s Workshop and asked if the Board had a chance to look at it and had any discussion. Lynn thought it was fine and stated we will have less funds available than before. Terry stated approval had to pass the Kootenai County Commissioners. Lynn stated it is due within two weeks to Commissioner Tondee. The new calculations will be done prior to the advisory board’s review.

Beck Road Railroad Crossing – Kelly talked to John Flint from UPRR asking for authorization to proceed with the project. He then talked to Greg Brands from ITD District One who asked for a letter stating the District will pay costs over \$300,000. Kelly presented the Board with a letter for their signature stating such. The estimate is \$372,629. Terry Werner moved the Chairman sign the letter to ITD stating the District will move forward and pay costs over \$300,000. Bob Miller seconded. Motion carried unanimously.

Development Agreements – At Monday’s Workshop, Attorney Susan Weeks asked the Board if we have any outstanding Developers Agreements that have unmet requirements. The Board had asked staff to look into Developers Agreements and provide a report at this meeting. Kelly asked the Board for an extension to the first meeting in June since we dig deeper it becomes a larger project. We have the agreements and are still trying to determine if payments have been paid and if the monies were deposited into the general account or dedicated accounts.

## ENGINEER

Wild Ridge – A request from Wild Ridge was received so that they be allowed to use 1¼” crushed gravel. Darius stated it looks promising but the sample they sent is 9.1% packing to 200 which is higher than our spec allows. He determined their sample was crushed for Washington DOT and 9% is higher. Want to request a couple more sample gradations because they provided evidence that they could reach 7.5% which is okay for WA. It does look promising and would like to request a couple more samples to see if they can reach The District’s 9% spec. He will keep the Board informed.

Cable Farm Minor Subdivision – Darius talked to Matt Mayberry at ATS that we typically do not comment until we have received the proposal from the county. They’ve accommodated a 30-foot roadway and a 10-foot utility easement. Just south of Stateline Road. At this point, he recommends the roadway extend to their property line for future extension and if they disagree, provide evidence as to why it should not extend to that point. The County needs to make a determination if the property to the south, that has a 1-foot gap between the property and right-of-way, will be served by access from this development or does this proposal only serve four parcels. Mr. Mayberry said the county has not made that determination yet so Darius has not finalized a response yet.

Beck Industrial Park – Previously, there was one parcel not included in the plat and the developers are now doing a lot line adjustment in order to sell the lot. Darius was assured that the District would get easement and right-of-way.

Stimulus Package – Letters will be sent out next week to announce State-Local projects that have been approved. Jerry Flatz indicated some were approved but did not state if PFHD had received approval. Look for a letter next week to see if we have a congratulatory letter, or if we are in the running for the next go-around.

Round-About – Staking has been completed if the Board would like to review. No property owners have commented yet.

Hauser Outfall Project – PFHD was not awarded this project. We ranked in the middle rather than on the high side, as is normal. Most of the approved projects went towards the match of projects that were matching Federal Aid projects.

#### OFFICE

Election Fees - Terry Werner moved to raise the Election judge fees to \$100.00 per person per day. Bob Miller seconded. Motion carried unanimously.

Insurance Quotes – Shirley presented a letter designed by Copperleaf Consultants which will allow them to obtain further quotes from Regence Blue Shield. Terry Werner moved to authorize the Clerk to sign the letter for Copperleaf Consultants to look into insurance funding. Bob Miller seconded. Motion carried unanimously.

Clerks Meeting – Shirley informed the Board that she, Mary, and Glenda attended the first quarterly Clerks Meeting. A new law approved yesterday that if only one person runs for office, we do not need to hold an election. All found it very informative.

#### LEGAL

*Commissioner Werner asked to discuss items that had been discussed with Attorney Susan Weeks at the prior Workshop.*

#### Dodge – Magneson

Terry Werner made a motion to grant a 2-year extension to get the roadway built after we acquire the right-of-way. Bob Miller seconded. Motion carried unanimously. To negotiate purchase of the parcel, Terry Werner moved to give our attorney authority to negotiate up to 19.5% over what the appraised value was of the property we were trying to acquire. Bob Miller seconded. Motion carried unanimously.

#### COMMISSIONERS

Secretaries Day - Terry Werner would like to wish all the secretaries a Happy Secretaries Day. He has other obligations and cannot make the luncheon.

Property Tax Cancellation Requests – Lynn made contact with Commissioner Currie on the taxation request we posed to the County. Mr. Currie said we are responsible for the taxes for the time period it was owned by the seller, but a cancellation can be done for the time the District owned the property. A letter is forthcoming and it should be forwarded to Susan Weeks. Kelly informed the Board we have already received the letter and a resolution will follow for further explanation of the County's position.

Prairie and Meyer Round-About – Lynn talked to Mr. Horn regarding his charges to negotiate on the four parcels needed for the round-about. Don stated the quote is higher than normal due to anticipated extra work. The cost is \$3,250 per parcel for acquisition on round about.

Terry stated he will be out of town Friday, Saturday, and Sunday.

With no further business, Terry Werner made the motion to adjourn the meeting at 6:37 PM.

SPECIAL MEETING: April 8, 2009 – 6:00 P.M. Commissioners Terry Werner and Bob Miller; Road Supervisor Kelly Brownsberger, Secretary Mary Spray, and Engineer Darius Ruen met for a Special Board Meeting. The purpose of the meeting is to provide information and to answer questions regarding the proposed Round-About at Prairie and McGuire. Guests included Wayne A. Heath, Don and Thelma Haddrell, Dick and Penny Haakenson, Stan Moe and Don Horne. Ruen Yeager provided a oral and visual presentation for property owners that will be affected by the Round-About at Prairie and Meyer.

SPECIAL MEETING: March 30, 2009– 1:00 P.M. Commissioners Lynn Humphreys, Terry Werner, Bob Miller; Road Supervisor Kelly Brownsberger, Secretary Mary Spray, Assistant Road Supervisor Mike Monette, crew representative Ed Mael, and Engineer Darius Ruen met for a District Workshop. Greg

Helbling, Chad Murray, and Nellie Armstrong from Helbling Insurance were guests.

Health Insurance Discussion – Greg Helbling presented the information for Blue Cross Blue Value as well as Regence Blue Shield insurance options, providing information on several different deductibles. Greg also went over prescription and vision costs. The board determined they would review all the information and get back to them. Greg Helbling said the rate would be held until May 1 2009.

## ROAD SUPERVISOR

Impact Fees - Kelly Brownsberger handed out the e-mail on impact fees for review. Darius was asked to look at growth portion in the CIP, specifically Beck Road because it is a little high. Darius stated he had looked but not closely enough and would like to present it at the Wednesday night meeting. Lynn stated although there is not a lot of growth currently along Beck Road, there is the potential and doesn't feel we are very far off. He added he felt it was in line with the other CIP's. Terry expressed concern over the equipment listed and was not sure if that would be considered new growth related. Kelly explained the loader would be used to load sand at a remote station if needed to maintain our level of service. Terry had concerns that the need was only for 4-5 months out the year. Lynn also felt that we would have enough demand the money would be used somewhere in the program in that 10 year time frame. Terry asked if fees will be reimbursed to people who paid impact fees if there is no need for the funding. Lynn felt the funding would be used to help in other areas. Lynn added that we have gone this far and isn't ready to give up. Questions have been raised of what the impact fees can be used for and he wants clarification. Terry agreed he didn't think we should pull out; fire departments and sheriff departments, for instance, have stated what can be used from the impact fees, so the highway districts needs to be defined as well. Partnering with cities still needs to be clarified as well.

Asphalt quotes – No quotes have been received from any vendors other than the Poe Asphalt quote. Interstate and Knife River have not given quotes to any of the highway districts and may be waiting for the economy to stabilize so they can give us one quote.

The front fence has been repaired at the office that was damaged by a vehicle. We received the insurance check.

Road restrictions are still up. They probably won't come off until the end of the week or next week on the prairie, dependent on weather; possibly three weeks before they come off on roads across the river.

## ENGINEER

Prairie and McGuire Round-About: Darius resubmitted the Stimulus package as per the updated rules. It was submitted using the schedule to submit a PS&E package in December. This application should receive points in all areas except one, that being the poverty level. Darius is encouraged that it will be ranked high enough to be considered. The right-of-way plans have been completed so they can be given to Dan Horne. Darius spoke with Don last Friday and we can start the process of speaking to the property owners on the Round-About. Kelly and Darius will do a site visit after the Workshop. There are some driveway issues and the mobile home location needs to be reviewed. Regarding LHTAC's Federal-Aid Engineering Threshold, Kelly and Darius spoke to Jerry Flat concerning the District's letter proposing a division of engineering firms. Jerry understood the request but did not necessarily agree. He will check with Monica Crider the consultant administrator for ITD. Darius has not been able to speak to him since but hopes to have an update for the Wednesday night's meeting. Lynn asked if we did not receive funding under the stimulus package, would the cost be less if this project was done in-house.

Discussion followed including funding and subcontracting items. Darius has not looked at those costs with Kelly but can have it for a later meeting if desired. Kelly stated that he had discussed setting up a public meeting on the round about said he was ready and the board can set the time. Lynn said the board could be involved in an informational meeting. Darius would like to have Don Horne there to introduce him to the public. Terry Werner agreed that Don Horne should be at the meeting and that an opposite Wednesday night from the regular meeting would be good for him.

Darius thanked the Board for the flagpole.

## OFFICE

LID-10 billings, postponed until Shirley is here  
Insurance Fund, postponed until Shirley is here

Pending Tax Deeds - Two parcels that are delinquent in their taxes will be acquired by the county and then will be sold at public auction. The District received notice because both contain an LID lien. The LID lien is secure, called a 'hard lien' and the District in position to receive payment even if the parcel changes ownership.

Elections - Shirley has secured the locations for the upcoming elections and will be contacting the ladies who have worked previous elections.

Mike Monette asked to comment on the insurance rates. If we went into VEBA we would be better off then with the \$1500.00 deductible. Some discussion followed. Terry stated the people from VEBA were waiting for these figures to then provide the quote. Terry requested that all information be sent to Michelle so that they can review it and get back to us.

## COMMISSIONERS

The meeting adjourned at 2:00 P.M.

SPECIAL MEETING: April 13, 2009– 1:00 P.M. Commissioners Lynn Humphreys, Terry Werner, Bob Miller; Road Supervisor Kelly Brownsberger, Clerk Shirley Walson, Assistant Road Supervisor Mike Monette, crew representative Ed Mael, and Engineer Darius Ruen met for a District Workshop. Michelle Sandberg from SYNC, LLC, Jeff Jones from Copperleaf Consultants, and Jeff Gilson from VEBA Service Group were in attendance. Attorney Susan Weeks joined the meeting at 2:00 PM.

Insurance Discussion – Michelle Sandberg presented a presentation on insurance quotes. The Board voiced their dissatisfaction that 1.) The presentation was too small to see, and 2.) It did not provide any meaningful information to the Board. Terry asked what they would need from us right now to better provide information in the Board making a decision on insurance. Jeff Jones stated they would like to know if the Board is planning on working with Copperleaf so that decisions can be made. Terry stated the Board is not ready to make say that we are ready to use Copperleaf, but we can decide at the Regular Meeting in order that Copperleaf get additional quotes from Regence. He just wants to ensure the employees will continue to receive the same benefits although the deductible should be raised we can utilize VEBA to offset the higher deductible. Michelle stated it will take about three (3) months to run out the buy-down. Employees who have already met their deductible will get credit for that portion.

Because we are a group under 100 employees, we will pay the percentage of our fee anyway. With that comes the education, compliant help, etc.

So far, Lynn has not seen anything so far showing Copperleaf can save us any money from previous quotes by Helbling.

Trails End Estates, Earle Treend Agreement – Terry reiterated Treend's letter in which he recognizes he is in default and proposes to pay it upon sale of the first lot. Discussion followed reviewing the agreement and options to satisfy the amount. The Board asked that staff prepare a letter for Wednesday night's meeting providing written notice that Treend is in default; payment or collateral for payment must be provided by April 30, 2009; Treend is responsible for all additional costs. Bob would like to see that the lien is attached to all lots, not just one lot. Susan Weeks stated you have to go to court to get a judgment to lien. Since Treend offered to lien his property, it can be done without a judgment.

## ENGINEER

Cable Farm Minor Subdivision and Beck Industrial Park - Two reviews came in last week that came directly from the engineering firm, not the County Planning Office and Darius is hesitant to provide comment until the County has approved it for review. Terry said go ahead and review it but he wants the County to determine if Cable Farm is actually a minor subdivision. If the road circles back down, it could become a major subdivision. Beck Industrial Park belongs to Dick Waldo. Again, it should come from the county. One-half of the road is not in the plat but it is a heavier road. If access is from Beck Road, it is in the new project and it will be subject to improvements.

Wild Ridge (Norm Waldo) – Rock thickness does not meet specs and Lynn asked why the District would approve it then. Darius stated is better than pit run but not as good as  $\frac{3}{4}$ ". Kelly added that you can reach the same equivalent at the same depth although Darius stated is a little better than standard equivalent. Kelly added that it has been District policy in the past that if a geotech would sign off that it works, the District would okay. The Board asked Darius to give an overview on this at Wednesday's Regular Meeting. Darius would also like Kelly to look at turn lanes for this subdivision.

## ROAD SUPERVISOR

Impact Fees – A continuation meeting of the April 2 meeting was held last Thursday, April 9. The County Commissioners sent the CIPs back to the taxing districts for review and make any changes, for example, projects that have been funded since. Kelly presented an update with changes including reflection of the Prairie Avenue project, the Huetter signal (included in the Prairie Avenue Project), scaling back mag use; and updating the construction year of the projects.

Hauser Culvert Project – The District received word the application was turned down by LHTAC.

Avista Power Line – Kelly met with Ron McGregor from Avista. A new power line is proposed to run from the Prairie Substation to the Meyer Substation on the south side of the UP tracks, through the Hayden Pit property.

Surplus Property – Kelly would like to advertise the two surplus International trucks on the IACERS and LHTAC websites prior to advertising to the public. They have plows and plow frames so it should be a great truck for a smaller district. Lynn asked if the minimum bid is the same as previously discussed and Kelly would like to raise the minimum to \$10,000.

## OFFICE

Election Judges – Shirley notified the Board the election judges were paid \$70 each in 2007 and \$60 each in 2006. The County is paying \$100 for election clerks and \$125 for election judges. Terry asked how long they were at the site which is 8:00 AM to 8:00 PM. The Board felt \$100 is appropriate and to bring it to the Board at the next Regular Meeting for a motion.

Insurance Fund – The District has a separate account with \$291,000+/- current balance. A short discussion followed about the use of this fund. Lynn said the Board will be discussing this in the upcoming months about using it for VEBA, ICRMP fees, etc. Shirley read an email from Leigh Cossette about the use of this fund, but very minimal activity has taken place over the years.

LID 10 – Shirley informed the Board of LID bookkeeping problems. Discussion followed about how the payments should have applied to each LID and how they were actually posted to the accounting program. Adjustments may be needed to separate accounts once the LID matures.

## LEGAL

Current Agreements –

Tax Cancellations – Commissioner Currie informed Lynn the District is responsible for taxes during the time

the seller owned them. Shirley added that she has not been able to find documentation of the time that the property was deeded and asked Susan if she might have that information. Lynn asked what is the debt amount and Shirley thought around \$4,000. Susan asked if the Board would like to pay, file a debt action, or send a letter stating the District is willing to split it 50/50 with the County. Terry wants Patrick Braden of Kootenai County Legal Services to put his findings in a letter and state the section of law he is basing his decision on. Lynn will ask Commissioner Currie to ask Mr. Braden to provide that information.

Seltice Bridge – The statute stating that fees can be recouped fees can be collected from the City of Coeur d'Alene for the bridge project since they annexed it prior to the project, is no longer in Idaho Code. Further discussion followed including notice must be provided to the District regarding the annexation; and the City was aware the District was expending funds to do the improvement so they were unjustly enriched by the City allowing the District to work on a bridge they owned or would own prior to said spending of funds. Terry stated the District wanted to put a culvert in for the pathway and the City was the one that protested. Bob asked if we had any legal recourse and Susan reiterated the unjust enrichment argument. The Board questioned Susan if District Court would decide in which she answered that either District Court or a jury can be used and has to be determined up front. Terry would rather go through the District Court because they have to base their decision legalities where a jury can look at it emotionally. Lynn asked how defendable is our case and Susan stated she will need help from staff and Darius for a chronology of events. The District match was \$500,00 to \$600,000.

Nelson lawsuit – The owners want the District to prove where the District's right-of-way ownership is located. Kelly stated it is given by viewers report.

Huetter Road – Now that Wayne Meyer has passed away, Susan asked for Lynn's help to find out who his trustees are. They are Carlene, Douglas, and Catherine besides Wayne.

Dodge Lawsuit – The Board should discuss in executive session what will be offered and authorize her to do the negotiating. The desk review came in 20% higher than the earlier appraisal.

Riverview Drive Extension – The Board discussed an extension for the time limit the District would allow Magneson to build the road for his subdivision but they cannot do it until the Dodge property is obtained. Susan asked that the Board meet in an executive session to decide.

Millview Lane – John Cafferty told Susan he would record the decision but since he now has a new boss at Kootenai County, the request has been transferred to Barry McHugh.

Broom Patent – This is moving forward, the engineered drawing has been ordered.

Urban Renewal District Funding – Kootenai County is unable to tell us if they are using software that is calculating the URD funding correctly. They don't believe they were using the State's program that calculated it incorrectly but they think they are using software that was designed similar to the state program. Susan sent another public records request because we will need to 'dig behind the numbers' to see how it is being calculated. Terry stated the City of Post Falls is keeping funds in a separate account because they think the County is sending URD funds that should go to the District. Susan asked the City to provide information and was told they did not have it, the County had that information.

SPECIAL MEETING: April 1, 2009 – Utility Council, Sargentss, 12:00 PM. Attended by Bob Miller and Kelly Brownsberger.

SPECIAL MEETING: April 2, 2009 – OEM, Office of Emergency Management, 7:30 AM. Attended by Kelly Brownsberger.

SPECIAL MEETING: April 2, 2009 – Impact Fees Public Hearing, KC Admin Bldg, 10:00 AM. Attended by Lynn Humphreys, Bob Miller, and Kelly Brownsberger.

SPECIAL MEETING: April 2, 2009 – KMPO, ITD Offices, 1:30 PM. Attended by Lynn Humphreys.

SPECIAL MEETING: April 7, 2009 – Insurance & Municipalities, City of Post Falls Police Department, 10:00 AM. Attended by Kelly Brownsberger and Shirley Walson.

SPECIAL MEETING: April 14, 2009 –IACERS - Bayview and Lakes HD, 9:00 AM. Attended by Kelly Brownsberger.

SPECIAL MEETING: April 15, 2009 – Clerk's Meeting- Lakes HD, 11:30 AM. Attended by Shirley Walson, Mary Spray, and Glenda Johnson.

SPECIAL MEETING: April 15, 2009 – Multi-Hazard Meeting. 1:30 PM. Attended by Kelly Brownsberger.

SPECIAL MEETING: April 16, 2009 – Administrative Assistant Luncheon, 12:30 AM. Attended by Lynn Humphreys, Bob Miller, Kelly Brownsberger, Mike Monette, Shirley Walson and Glenda Johnson.

SPECIAL MEETING: April 27, 2009 – AHD & County Commissioners Quarterly Meeting, KC Commissioners Chambers, 11:00 AM. Attended by Kelly Brownsberger.

SPECIAL MEETING: April 28, 2009 – KCATT, 8:00 AM, ITD. Attended by Kelly Brownsberger.

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_

DATE \_\_\_\_\_

Submitted by:  
Shirley Walson, District Clerk