

POST FALLS HIGHWAY DISTRICT  
JANUARY 2012 MINUTES

Regular Meeting –January 4, 2012, 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. Tony Ambrosetti was present as a guest.

Commissioners had no conflict of interest with any agenda item.

CURRENT BUSINESS

Millsap Loop

Tony Ambrosetti was present to discuss mag/deicer application on Millsap Loop Road. He would like the application to go up the hill than is currently being done. Mr. Ambrosetti cited 'potentially dangerous' curves and a slid-off that happened last winter and he 'expects that type of maintenance' to the road. He stated several years ago, application was provided further at 6/10 of a mile more than it is now. Chairman Humphreys asked the Road Supervisor if the District's policy has changed since the road has been paved as Mr. Ambrosetti stated. Road Supervisor Brownsberger stated it has not changed from previous years that he is aware of and he does not remember that it was ever sanded all the way to Deer Ridge. He stated the road is plowed and sanded every day. Mag Chloride was discussed in regards to temperature. Since Mr. Ambrosetti insisted the application has been changed within the last 2-3 years, Mr. Brownsberger stated he has been the Road Supervisor for seven years and it has not changed at least in that time. Discussion continued in regards to which areas are sanded and/or applied with mag. Commissioner Werner stated that the Road Supervisor is the expert and will leave it to him to discuss with the Assistant Road Supervisor to see if anything else can be done adding that the supervisors do a good job. Mr. Ambrosetti asked why he pays the same levy rate as other residents but does not get mag with Commissioner Werner replying that he does not get any mag, so using his analogy, he is paying for Mr. Ambrosetti's mag. Road Supervisor Brownsberger added that the District does have budget constraints and if funds were unlimited, additional employees and more equipment and supplies could be added but that is unreasonable. The District gets many calls where they feel their road should receive more attention than other roads. Chairman Humphreys summarized it is the Road Supervisors call; the locations are treated based on the supervisor's knowledge and discretion and he promises the supervisors will look at the situation as promised. [1/4/12 Board Mtg]

December Minutes

Commissioner Werner **moved** to approve the December 2011 minutes as presented.

Commissioner Miller seconded. **Motion carried** unanimously. [1/4/12 Board Mtg]

Meyer Road Railroad Crossing

The Concept Report for this project, A012(313), was submitted for approval. Road Supervisor Brownsberger stated Damon Allen signed this on December 28; Greg Brands asked if Kelly could sign it immediately so it can go to Headquarters. Commissioner Werner **moved** to authorize the Road Supervisor to sign the concept approval report for Meyer Road Railroad Crossing.

Commissioner Miller seconded. **Motion carried** unanimously. [1/4/12 Board Mtg]

2012 Personnel Policy

Road Supervisor Brownsberger submitted several changes for the Boards review. For the most part, these are all clarifying changes. The Board had no problem. Commissioner Werner **moved** to approve the 2012 Personnel Policy with the additions that were presented. Commissioner Miller seconded. **Motion carried** unanimously. The policy will be updated and prepared for the Board's signatures at the next meeting. [1/4/12 Board Mtg]

### SPN11-0013 Ben Woitas

Request for Comments was received from Kootenai County Community Development for a Special Notice Permit. The proposal involves use of the building where the ice arena was located. Gordon Dobler sent the District some emails asking that we propose the closing or restrictions of the Old Atlas crossing between Seltice eastbound and westbound lanes. Road Supervisor Brownsberger stated he discussed this with the District's engineer. The opinion is that closure of any access generally upsets the public but that settles down after time. He feels at such time a signal is installed at Atlas, the timing may be a more appropriate to consider closure of Old Atlas. A letter will be prepared and sent. [1/4/12 Board Mtg]

### CORRESPONDENCE

ZON11-0004 Coeur d'Alene Paving Public Hearing to be held January 19, 2012 at 6:00 pm. So noted. [1/4/12 Board Mtg]

### ROAD SUPERVISOR

Immaculate Conception Cemetery Proposal – Several years ago when the Church did their development, they provided the District with all right-of-way required at that time. Road Supervisor Brownsberger asked the Board if they had any other requirements and stated he already has asked that all access come off of Bodine so there isn't a parking problem on Chase. No other requirements were requested. [1/4/12 Board Mtg]

Lancaster Avenue – The alignment for the upcoming Lancaster widening project was discussed. An old Viewers Report shows the road shifting to the south. The road wasn't built on the section line as normally was done. If the Board wants the new alignment built on the section line, then additional right-of-way will be required. This will also require relocation of approximately one mile of power lines. After some discussion, the Board wishes for the road to remain at its present location. The long range plan calls for multiple lanes and at that time, the additional right-of-way can be purchased. [1/4/12 Board Mtg]

Stateline and Wellesley alignment – An email to info@postfallshd.com was received in regards to the intersection at Stateline and Wellesley at Lou's Smokeshop. The parking lot and the intersection blends into one large free for all. Drivers are cutting corners and generally not following traffic rules. It appears the District did not receive a request to respond when the intersection was built, and all believe this to be a City of Stateline issue. A former request for vacation was discussed as was an unoccupied building that Chairman Humphreys feels is in our right-of-way. The Board determined the District's engineer will do some research to determine where the city limits of Stateline are located. [1/4/12 Board Mtg]

Units Water Line (Prairie Project) – A draft letter was submitted to the Board. It is addressed to LHTAC and is requesting relocation of the utility be included in the Prairie Project. This item will be added to the next Board Meeting agenda. [1/4/12 Board Mtg]

190 Guardrail replacement at Huetter – A letter was received from ITD of this upcoming project. So noted. [1/4/12 Board Mtg]

Local Highway Safety Improvement Program –The program was received from LHTAC which is new from LHTAC. LHTAC's Bruce Drews recently explained to the Board what the District would receive which includes a program showing accidents located in on District roads. The Board scheduled a meeting to be held January 13 so they can review this program. [1/4/12 Board Mtg]

Hayden Pit fencing – A draft letter prepared for ITD was presented to the Board for review. As the District is in the process of fencing the pit, the Road Supervisor would like to ask ITD to partner with the District to fence a portion of their pit, connecting their fence with the District's fence. It will be put on the following agenda for action. [1/4/12 Board Mtg]

Weight Restrictions – Weight limits have been posted and nothing will be allowed to move unless they meet the allowed weight. [1/4/12 Board Mtg]

Plow wing – The wing was run on 2-inches of snow and it worked well. If we receive more snow and continue to be satisfied with the performance, two additional wings will be requested for purchase. Discussion followed about use of a laser light on the wing. [1/4/12 Board Mtg]

Nelson Loop Dam – Commissioner Werner asked the Road Supervisor if he had made contact with the current owner of the property where the Nelson Loop Dam is located. Chairman Humphreys asked for a report at the following meeting. [1/4/12 Board Mtg]

#### LEGAL

Dodge Property and Demand – As per discussion at the last Board Meeting, Attorney Susan Weeks prepared a 30-day demand letter to Attorney Art Macomber in regards to the Dodge property and Millview Lane Extension. Commissioner Werner **moved** to have our attorney forward the letter to Mr. Macomber and let him know that we will seek relief if he doesn't move forward. Commissioner Miller seconded. **Motion carried** unanimously. [1/4/12 Board Mtg]

Coastal Community Bank – Also, as discussed at the last Board Meeting, Attorney Susan Weeks prepared a Stipulation in the matter of Coastal Community Bank versus Wilde-Idaho Development, etal. Commissioner Werner **moved** to authorize our attorney to sign the letter to Coastal Community Bank. Commissioner Miller seconded. **Motion carried** unanimously.

#### ENGINEER

Spokane Street Swale – The topo drawings have been completed. The preliminary drawings will be available at the following meeting. [1/4/12 Board Mtg]

#### OFFICE

Housekeeping Items – A signature is needed on the Cooperative Agreement with the City of Rathdrum. One was signed and mailed, the second agreement for us was not signed.  
Maintenance Agreement for Copier – The new copier was received and a maintenance agreement is available, however District Clerk Walson wants to contact H & H Business Systems regarding the expiration date of the agreement prior to signature. [1/4/12 Board Mtg]

Quarterly Kootenai County Commissioners Meeting – The January meeting is scheduled for the 23<sup>rd</sup>. They have asked for items to be submitted for the agenda to determine if a meeting is needed. The Board had no agenda items to propose. [1/4/12 Board Mtg]

ICRMP On-Line University – At the IAHD convention, ICRMP proposed an online training course that will save the District 5% in insurance fees if 80% of the employees participate and pass. The Clerk stated this includes the Board members and the course includes our policies, a safe driving course, a defensive driving course, and a discrimination course for supervisors. [1/4/12 Board Mtg]

Consult A Doctor – IAHD requested comments on an on-line medical consultations, costing \$10/month per employee. Commissioner Werner discussed it and stated he wasn't impressed with it. Chairman Humphreys stated they will have a conference call the next day and he will discuss it then. [1/4/12 Board Mtg]

#### COMMISSIONERS

No comments from the Board.

With no further business, Terry Werner made the motion to adjourn the meeting at 7:00 PM. Commissioner Miller seconded. Meeting adjourned.

Regular Meeting – January 18, 2012, 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; District Engineer Darius Ruen and Attorney Susan Weeks.

Commissioners had no conflict of interest with any agenda item.

CURRENT BUSINESS

Associated Highway Districts Fee

Commissioner Werner **moved** to pay \$500 to the Associated Highway District for annual fees. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

2012 Employees Manual

No changes were requested to the manual. Commissioner Werner **moved** to approve the 2012 Employees Manual. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

Prairie Avenue Project – Units Water Line

Commissioner Werner noted changes were made as per his comment after the review of the draft letter. Commissioner Werner **moved** to approve the letter for LHTAC. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

Hayden Pit

Commissioner Werner **moved** that the Road Supervisor sign the letter for the Hayden pit for the fencing project with ITD. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

Treasurer's Report – December 2011

Commissioner Werner **moved** to approve the Treasurer's Report for December 2011. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

January 2012 Vouchers

Commissioner Werner **moved** to approve the vouchers for January 2012. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

ROAD SUPERVISOR

Asphalt Oil Bid/Piggyback – Idaho Asphalt made the same offer as the previous year that will piggyback off the 2010 bid for the same price. Road Supervisor Brownsberger met with the other Road Supervisors and they were interested. He has not yet met with Western States to see if they were interested in providing the same cost as last year. Chairman Humphreys asked if the asphalt companies knew if the cost may go up. Road Supervisor Brownsberger stated they don't believe the cost will be any cheaper. Commissioner Werner **moved** piggyback the bid with Idaho Asphalt. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

Nelson Loop Dam – Road Supervisor Brownsberger met with the current owner of the property containing the Nelson Loop Dam, Kevin Fuhr, living at 14413 West Nelson Loop Road. He would like to keep the dam and an encroachment permit was discussed. So far, there have not been any problems. Mr. Brownsberger would like to record the permit so that notice of the encroachment would follow to a new owner and would give the District some comfort to know the rules of the encroachment permit will show on public record to a new owner. Chairman Humphreys asked if the dam is at its maximum. Mr. Brownsberger responded that once a dam is over 12-feet, it becomes regulated with Water Resources and DEQ. Other discussion followed regarded washouts, regulations, etc. Mr. Fuhr added he lives above the dam and does not wish to lose his access either. Commissioner Werner **moved** to allow the encroachment permit with

Kevin Fuhr for the dam on Nelson Loop. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

Associated Highway Districts Meeting Time – At the January 12 AHD meeting, there was a request to move the meeting time from 7:00 pm to 3:00 pm. It will be at the same location. The Board felt that was a good idea. [1/18/12 Brd Mtg]

Meyers Deeds – The County sent back all the deeds that have been recorded citing questionable ownership. Prepared by the District's attorney, the road supervisor had not yet been able to discuss the return of the deeds with her. [1/18/12 Brd Mtg]

Comp Time Policy – The District has had an unofficial comp time policy in place. Offered to all employees, only a few choose to use it. It has been kept to no more than 80 hours per employee and is earned at the same rate as the overtime rate. Commissioner Werner stated his one concern was earning comp time in the summer and taking it later at a higher pay rate once a pay raise is in effect. Chairman Humphreys stated he is not completely in favor of comp time but told the Road Supervisor he could present an official proposal and the Board would review it. Commissioner Werner asked if the Board could have information at the next meeting of the total amount of hours that are currently logged. [1/18/12 Brd Mtg]

Weight Restrictions – All restrictions have been removed to date. [1/18/12 Brd Mtg]

## LEGAL

Millview Takings – Art Macomber's letter was sent with a 30-day deadline for his response. Ms. Weeks believes the approved judgment was received in her office for the Big Rock issue. Huetter Deeds with Meyers – She has not yet reviewed the returned deeds, but she stated without a title report, we don't know exactly how title was held. Sometimes the County and title companies think differently on clearing a title but she will contact the County to better understand why they rejected the deeds. Other items were discussed including the broom patent, and Coastal Community Bank regarding Wild Ridge which has a Road Developers Agreement which is now void due to the proceedings. Our encroachment permits contain a hold harmless clause in regards to the Nelson Loop dam permitting issue. Ms. Weeks stated a legal description, which may consist of a parcel number and an allocate part of the legal description, is needed, then file a notice of encroachment permit. The Road Supervisor asked about a form requesting Sick Leave Bank time and what can be asked of the applicant. [1/18/12 Brd Mtg]

## ENGINEER

Muir Road – No known widths are known at this time. Engineer Darius Ruen suggested that next summer the Board do a tour of that area to review evidence of any existing roads. The County did get GPS signals when they did the GPS locations of roads. Commissioner Werner would like more work done to find the widths. [1/18/12 Brd Mtg]

Spokane Street Swales – Plans are coming along for the swale. Right-of-way does exist at Stanley Street. The swale should be shallow and non-descript; the culvert direction will be reversed. Road Supervisor Brownsberger stated the work will be done in-house. A general easement will be requested from the City of Post Falls. [1/18/12 Brd Mtg]

Matheson Road – Topos are complete and ready for the Road Supervisor to review for options in the design. [1/18/12 Brd Mtg]

## OFFICE

Copier Contract – H & H Business Systems has prepared the maintenance agreement. District Clerk Walson contacted them regarding the promise of a five year maintenance agreement; the salesman told her to write in the date and it is now ready for the Board's signature. Commissioner Werner **moved** to authorize Chairman Humphreys to sign the agreement for the copier agreement with H & H Business Systems. Commissioner Miller seconded. **Motion carried** unanimously. [1/18/12 Brd Mtg]

## COMMISSIONERS

No items for discussion.

With no further business, Terry Werner **made the motion** to adjourn the meeting at 6:30 PM. Commissioner Miller seconded. Meeting adjourned.

SPECIAL MEETING: January 2, 2012– 1:00 P.M. New Years Day observed. No workshop.

SPECIAL MEETING: January 16 2012– 1:00 P.M. Commissioners Lynn Humphreys, Terry Werner, Bob Miller; Road Supervisor Kelly Brownsberger and District Clerk Shirley Walson, met for a District Workshop. Brad Clauson was a guest.

Clauson Trail Discussion – Brad Clauson discussed splitting a parcel off of his parcel to sell to his son. Currently, six residents use Clauson Trail at this time. Mr. Clauson is asking what he will have to do to the road. It will be too cost prohibitive to bring the entire one-half mile to District standards. Discussion included the rules of the current standards, including a 60-foot right-of-way as a bare minimum for the 590-foot distance of the proposed property split; the possibility to form a LID with neighbors; and if the neighbors to the south will be willing to provide right-of-way to meet District standards. The Board stated they prefer right-of-way, but may consider an easement. The minimum width must be a 60-foot width of right-of-way or easement and a 24 to a 28 foot roadway. Cost varies depending on the road base. His first hurdle will be to obtain right-of-way from the neighbors. [1/16/12 Wkshp]

Also discussed was the deadline for the LHTAC safety improvement grant.  
The Meeting adjourned at 1:15 pm.

SPECIAL MEETING: January 4, 2012 – Utility Council, Sargents, 12:00 PM. Attended by Kelly Brownsberger.

SPECIAL MEETING: January 12, 2012 –Associated Highway Districts, Lakes Highway District, 7:00 PM. Attended by Bob Miller and Kelly Brownsberger.

SPECIAL MEETING: January 23, 2012 –Associated Highway Districts and Kootenai County Commissioners Quarterly Meeting, Kootenai County, 10:30 AM. Attended by Kelly Brownsberger.

## ORIGINAL SIGNED AND DATED 2/1/12

Submitted by:  
Shirley Walson, District Clerk