

POST FALLS HIGHWAY DISTRICT
JULY 2011 MINUTES

Regular Meeting – July 6, 2011, 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 Randy Broesch from Ruen Yeager and Associates. Guests were Wayne Earling, Steve Wynecoop, Jeanette Wynecoop, Polly Schindler, Don McMinimy, Mike Kohoutek, Glenda Kohoutek, Patrick Udell, Wilbur Mead, Susie Williams, Tom Worden, Greg Stern, all representing Signal Point Road. Attorney Susan Weeks arrived at 6:15 pm.

Commissioners had no conflict of interest with any agenda item.

CURRENT BUSINESS

Oath of Office and Reorganization of the Board

Chairman Humphreys and Commissioner Werner begin their four year terms based on the May 19, 2011 election. Being unopposed, Commissioner Werner did not have to run. Commissioner Miller **made a motion** to forego reading of the oath and dissolution of the Board. Commissioner Werner seconded. Motion carried unanimously. [7/6/11 Board Mtg]

June 2011 Minutes

Commissioner Werner **made a motion** to approve the minutes of June 2011. Commissioner Miller seconded. Motion carried unanimously. [7/6/11 Board Mtg]

May 2011 Treasurer's Report

Commissioner Miller made motion to accept the Treasurer' Report. Commissioner Werner seconded. Motion carried unanimously. Transfer of fund reports was included with the Treasurer's Report. [7/6/11 Board Mtg]

Signal Point Road – Gate Removal

A protest was received and presented to the Board at the May 2, 2011 Board Meeting and research has been done on the history, accidents, Idaho Code, etc by staff. Twelve guests were present on behalf of this agenda item. Road Supervisor Brownsberger read his staff report citing history of the gate, the approximate distance of the road behind the gate and how the right-of-way was obtained. Idaho State Code §40-2319 was changed July 1, 2011 adding Section 6 giving the highway district the authority to regulate the use of highways or public rights of way for pedestrian and motorist safety. He then cited accidents from 1989 through 1995 including a 1995 fatality that took place four (4) miles from the intersection with West Riverview; the gate is located 2.9 miles from West Riverview. No accidents have been cited since the gate's installation.¹ Letters from State of Idaho Bureau of Homeland Security, City of Post Falls Police Department, Stimson Lumber Company, and eight letters from concerned citizens attending the meeting were cited. The District has received numerous phone calls and visits with all being in favor of leaving the gate in place. Road Supervisor Brownsberger recommended to the Board they leave the gate in place for the safety of the citizens of the county and the State of Idaho. The District Clerk was asked if any additional letters or phone calls were received. Shirley Walson responded that many calls were received and all were against removal the gate being removed except for the original complainant. David Leptech from the Idaho Department of Fish and Game has been in contact with staff. He has written a letter, sent it to his superior for signature but it won't reach the District in time for the meeting, however it will also state IDFG is against the gate's removal. Commissioner Werner asked to take a poll of the audience for those in favor of keeping the gate.

¹ Accident Data Source – ITD, Office of Highway Operations and Safety, Research Analyst, Principal, Kelly Campbell, 6/22/11.

The twelve people attending were unanimous in voting to keep the gate in place. Commissioner Werner stated he is in favor of keeping the gate. An audience is present, all asking to keep the gate; Homeland Security, City of Post Falls Police, IDFG have asked to leave the gate in place. He doesn't feel the audience needs to speak and waste time since they are all in favor to retain the gate. Commissioner Werner **made a motion** to leave the gate since only one person has asked to remove the gate which sounds more like a feud than a real safety concern. Commissioner Miller seconded. Chairman Humphreys added that due to the correspondence and all audience members asking to keep the gate, he asked for a vote. The motion was carried unanimously to leave the gate in place. Commissioner Werner added that Idaho state law does allow for a gated right-of-way for safety concerns and with all the letters and information gleaned, there is a definite safety concern regarding the injuries prior to the gate installation and for protection of the towers. Chairman Humphreys asked that if any audience members would like to speak, he would allow that at this time. Glenda Kohoutek stated she had a letter to present. Patrick Udell presented several letters he has received. Jeanette Wynecoop stated she does not live at the property on Signal Point but owns beyond the gate and is glad it will be left. She owns the property with the rock and lots of people will be up there if the gate is removed. Chairman Humphreys thanked everyone for coming and talked about the new law which allows the District to leave the gate. [7/6/11 Board Mtg]

Spokane Street Market Place (Farmer's Market)

The representative for this proposed project, Stephanie Blalack of Verdis, asked to table the item until the next Board Meeting since she is unable to attend. Chairman Humphreys explained to legal staff that a client applied for an abandonment which was denied by the Board; the costs have not been paid after more than a year and can the District withhold comments until the bill is paid for which she replied that legally, yes, comment can be withheld. Commissioner Werner **made a motion** send a letter to the county we will not review anything from G&G Properties until their bill of \$1,042.35 is paid. Commissioner Miller seconded. Motion carried unanimously. Chairman Humphreys asked staff to prepare a letter for his signature. [7/6/11 Board Mtg]

Impact Fees Intergovernmental Agreement

Kootenai County provided an agreement for the collection of Impact Fees. Attorney Weeks asked if the verbiage was correct because it had been sent with 'fire district' in the agreement. District Clerk Walson stated she made all the necessary corrections. Commissioner Werner stated the attorney seems to be okay with this and **made a motion** to sign the Intergovernmental Agreement for Collection of Impact Fees. Commissioner Miller seconded. Motion carried unanimously. [7/6/11 Board Mtg]

Prairie McGuire Intersection Improvement Project (Roundabout)

Change Order #2 was received as a reduction of \$500. Commissioner Werner **made a motion** to approve the change order as presented. Commissioner Miller seconded. The number was discussed since no Change Order #1 has been received. Randy Broesch, Ruen Yeager and Associates, stated Jeremy Clark, David Evans and Associate, the on-site inspector for the job Change Order #1 was addressed in the pre-con as a service movements but it was never issued and sounds like it will not be executed by the contractor. Road Supervisor Brownsberger added the first pay estimate voucher; LHTAC and the CCE and signed it. Commissioner Werner **made a motion** to sign estimate #1 in the amount of \$58,012.44. Commissioner Miller seconded. Motion carried unanimously. Road Supervisor Brownsberger added the Board has given him permission to sign changes orders in the past setting a \$50,000 limit and asked if they wished to continue that practice. It isn't too critical now but as the drop dead date nears, it will be very time sensitive. Commissioner Werner **made a motion** to authorize the Road Supervisor to sign change orders and bring them to the next Board meeting; no ceiling is needed. Commissioner Miller seconded. Motion carried unanimously. [7/6/11 Board Mtg]

Resolution 2011-05, Fees and Charges, Public Records

Due to change in Idaho Code § 9-337 through 9-350, and § 9-338(8)(a) defines chargeable fees, Resolution 2011-05 was presented by staff to change establish public record charges. There will

be no charge for 100 pages or fewer pages that are readily available. Commissioner Werner **made a motion** to approve Resolution 2011-05. Commissioner Miller seconded. Motion carried unanimously. [7/6/11 Board Mtg]

CORRESPONDENCE

NOSC Change of Command – Because Eric Prestegaard is an employee of the District, the Board received an invitation to the Change of Command ceremony for the Navy Operational Support Center Spokane. The declined the invitation. [7/6/11 Board Mtg]

Millview Lane – Rhonda Sands sent an email to the Road Supervisor requesting immediate response to Kootenai County. She apparently is asking the County to reduce her value on her Millview Lane property due to the unresolved access issue. Road Supervisor Brownsberger stated a response had already been sent stating the District does not see a resolution coming forth in the very near future. He just wanted the Board to be aware of the situation. [7/6/11 Board Mtg]

ITD Board Meeting and Tour – Notice of the 2001 District One Board Meeting and Tour was received. The tour will be conducted on July 13 and the Board Meeting will be held July 14. Discussion followed regarding the need to be put on their agenda and discuss the gas tax. Chairman Humphreys stated there have been very recent discussion and correspondence with Stuart Davis. [7/6/11 Board Mtg]

Kootenai County Sheriff Case Number 11-12954 – Notice was received from the Sheriff's Office that this is now dubbed as Inactive. Road Supervisor Brownsberger added this was due to the stolen batteries out of the District's graders. Since there were no leads, the case has now been determined to be inactive. [7/6/11 Board Mtg]

New Unified Land Use Code committee – The County sent requests for public participation and input. After some discussion, Commissioner Werner stated the Board may want to be on road issues and private road issues. Since the Districts have already worked hard on that subject, he would hate to see the current status go away. Chairman Humphreys stated Board members could take turns. Road Supervisor Brownsberger stated he could attend them if the Board so desired. Chairman Humphreys asked that he at least discuss it with Scott Clark. [7/6/11 Board Mtg]

Pleasantview and SH53 – Judy Thompson sent a letter to Mayor Johnston of the City of Hauser voicing her concern about the Pleasantview and SH53 intersection as well as Hauser Lake Road. Road Supervisor Brownsberger stated he attended the City Council meeting in June. Don Davis from ITD briefed the City on the Bridging the Valley project. Turn lanes were discussed. No response was sent since the letter was addressed to the City. [7/6/11 Board Mtg]

Post Falls Urban Renewal – Commissioner Werner provided an update stating the Post Falls City Council voted against renewing the URD, putting off the Greensferry interchange project unless ITD opts to fully fund the project. This URD will expire in 2015. The Riverbend URD closes in 2013 and City Center District may also be closed early. [7/6/11 Board Mtg]

LEGAL

Mellick Road Draft Easement – The Road Supervisor confirmed Attorney Weeks is to draft the easement for Mellick Road. She will contact him for additional information. [7/6/11 Board Mtg]

Tax Billings – Attorney Weeks stated she and the District Clerk have spent one and a half years trying to get this cleared up and thought that the delinquent taxes from the Prairie Project had been cancelled. The Board agreed for the Attorney to contact the county one more time about cancelling the taxes and then proceeding further. She stated the District is not a closing agency to collect their back taxes but a highway district and when we exercise our powers of eminent domain taxes go away for us. [7/6/11 Board Mtg]

Coastal Community Bank lawsuit - The parties have entered into settlement agreements and will then discuss with the District to re-negotiate their agreement. [7/6/11 Board Mtg]

Jeremy Tripp – Road Supervisor Brownsberger has not contacted him. [7/6/11 Board Mtg]

Broom Patent – So far, there have been no protests with 180 days left for a party to file. [7/6/11 Board Mtg]

Nelson Loop Dam – Road Supervisor Brownsberger has not contacted them yet. [7/6/11 Board Mtg]

Huetter Road – Chairman Humphreys tried to make contact again but the family is out of state. He has private business dealings with her coming up and will ask Mrs. Meyer again. The attorney suspects they will not contact us. The five year timeframe expires in fourteen months. [7/6/11 Board Mtg]

Millview Lane – Discussion of copies requested by Art Macomber. [7/6/11 Board Mtg]

Big Rock – The Supreme Court came out with a decision within the last 60 days. There needs to be reasonable evidence and the evidence has to be substantial and competent. She should hear within the next 60 days. [7/6/11 Board Mtg]

ROAD SUPERVISOR

Harbor Island Bridge Inspection – Notification came late that the inspection will be done by this meeting. We should see the results back soon. [7/6/11 Board Mtg]

Mini Sturgis – The District has received the Special Event application for the Mini Sturgis at Cruisers on July 28, 29 and 30. The certificate of insurance will not arrive until the middle of July. Chairman Humphreys stated he would like them to do some limited road maintenance on Big Al's parking lot where the detour will be. He has received complaints about the roughness of the detour. He also has received complaints about the litter and that it needs to be cleaned up after the event both along the road and up on the railroad tracks. [7/6/11 Board Mtg]

NPDES Permit - Julie from EPA in Seattle notified the District that she will be in the area on September 15 to inspect the MS4 system. A letter will be mailed just prior to their arrival. [7/6/11 Board Mtg]

Barb's Tracts – A gentleman contacted the District to ask if he can build a driveway in which current spacing standards will not be met. He is already accessing his property by a current shared approach. The plat shows dedicated access that is just east of the current approach. He wants to leave the existing and build a new approach on the access easement. Commissioner Werner stated they should be combined. Chairman Humphreys stated our policy has always been to combine approaches when possible. [7/6/11 Board Mtg]

Vacation Request – Road Supervisor Brownsberger requested vacation in the last week of July. Commissioner Werner **made a motion** to authorize the Road Supervisor to take the last week of July off as vacation. Commissioner Miller seconded. Motion carried unanimously. [7/6/11 Board Mtg]

Executive Session – Road Supervisor Brownsberger asked for the Board to move into an Executive Session after the meeting. [7/6/11 Board Mtg]

ENGINEER

Prairie Meyer Intersection Improvement Project - Avista poles are ordered for the illumination. [7/6/11 Board Mtg]

Pleasantview and SH53 –Regarding the meeting last week with ITD, HDR, the District and Ruen Yeager, a discussion item was neglected. Jason Minzghor from ITD will most likely contact the Road Supervisor to discuss the illumination agreement between ITD and PFHD at a later time.

Chairman Humphreys stated he understood that a frontage road was discussed to be added into the project. It would eliminate the Hollister intersection as well as the Hauser Lake Road and will greatly improve safety of the intersections. Property acquisition was briefly discussed. Commissioner Werner stated he remembered it was originally suggested by the District but ITD said they would not have the funding. [7/6/11 Board Mtg]

OFFICE

Mileage – Mileage is due for the second quarter. [7/6/11 Board Mtg]

Budget Workshop – District Clerk Walson asked the Board if they would like to have a Budget Workshop prior to the July 18 Workshop at noon. The Board was agreeable.

COMMISSIONERS

No items for discussion.

EXECUTIVE SESSION

Commissioner Werner moved to enter into Executive Session at 7:11 PM pursuant to the provisions of Idaho Code 67-2345, Subsection 1(b). The purpose of the executive session is to discuss personnel matters. Commissioner Miller seconded. Role call:

Chairman Humphreys: aye

Commissioner Werner: aye

Commissioner Miller: aye

Commissioner Miller made the motion to come out of the executive session at 7:19 PM.

Commissioner Werner seconded. Motion carried unanimously.

The Regular Meeting reconvened at 7:10 PM. With no further business, Commissioner Miller made the motion to adjourn the meeting at 7:19 PM. Commissioner Werner seconded. Meeting adjourned.

Regular Meeting – July 20, 2011, 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. Steve Syrcle of Tri-State Consulting, Al and Maureen Snyder, Dean Primmer and Carol Helmick were guests. Several people showed up late and did not sign in.

Conflict of interest roll was called. Commissioner Werner and Commissioner Miller stated no conflicts. Chairman Humphreys stated he would have a conflict with the item under Correspondence regarding Coeur d'Alene Paving. If there is any discussion, he would abstain.

PUBLIC HEARING

Willadson Road

Chairman Humphreys stated this is a continuance of the Public Hearing and asked the applicant if he had any new information. Steve Syrcle stated the District had been provided with the Findings of Fact, Conclusions of Law and Decision from Lakes Highway District (LHD). The Board did not have a copy in their packets and briefly reviewed that document. Chairman Humphreys then asked if anyone in the audience had new information. Dean Primer presented pictures to show the right-of-way location, Chairman Humphreys noted there is no proof in looking at the pictures as to the exact location of the edge of right-of-way. He then asked Mr. Primer if he brought any documentation granting him rights to the right-of-way granting rights to the water access. Mr. Primer noted a copy of his deed was presented at an earlier meeting, then he began to reference LHD's decision and the Chairman Humphreys stated we would not get into LHD proceedings. Mr. Primer stated the Board would not want to live on a dead-end road with no other

access in the event of fire. Carol Helmick stated there is some confusion about the access and stated it was a 90-year old access, then asked if the District has surveyed the right-of-way. Chairman Humphreys stated there would be no reason to determine the exact location and that would not be a good way to expend public funds. Dean Primer added that he has been denied access to walk up and down the right-of-way and proceeded to show a picture from his cell phone; Chairman Humphreys would not accept that as documentation. Chairman Humphreys then asked for any further comment with Steve Syrcle asking to respond. He stated the abandonment and vacation is the only reason his clients have presented the request to the Board, not the water rights issue which is not within the Highway District's jurisdiction anyway. Chairman Humphreys then closed the public hearing to public testimony and entered into Board deliberation. Commissioner Miller stated he doesn't see any reason to not vacate the road; there seems to be a problem between the owner of the road and the owner of the water well but he doesn't see that to be an issue where the road is concerned. Commissioner Werner stated this is a fairly large parcel and the land owner may want to develop it at which time roadway would need to be addressed. He does not see where vacating the right-of-way will land lock anyone, and the water right issue is beyond the District's control. The District's attorney looked at this information and her findings were the water right easement did not say anything about ingress and egress. He is in favor of vacating the road. At such time the owners want to do develop the land, they will need to come back to the Board through the subdivision process and the Board will determine what will be required for roads. He also cited Idaho Code 40-203(i) that if the right-of-way to be vacated is valued at more than \$2,500, the District can require the owner pay for the approximate 4.5 acres at the averaged assessed value of land around the right-of-way. Chairman Humphreys he does not feel there is issue in regards to the public's concern to use this right-of-way as a fire route. He agrees that fair market value exceeds \$2,500 and reimbursement for the vacated roadway needs to be addressed. Any fees due to the District must be paid prior to an order of decision being signed. Commissioner Werner added that a letter was received from Northern Lakes Fire District that they have no objection to the vacation of the roadway. Commissioner Werner **made a motion** to vacate Willadson Road citing findings that a Notice of the hearing of the petition to vacate was mailed and published as required by Idaho Code §40-203; the right-of-way is approximately 100-years old and is not, or has ever been improved for public use in the Post Falls Highway District boundaries; a portion of Willadson Road right-of-way lies within the Lakes Highway District boundary who also received request to abandon and vacate a portion of Willadson Road; the public rights-of-way which are the subject of the Petition are within one mile of the City of Rathdrum's city impact area. The City of Rathdrum received notice of the proposal and had no objection to abandonment and vacation; it has been determined that this abandonment and vacation will not leave any real property adjoining the public right-of-way without access to an established public right-of-way; as provided by Idaho Coe 40-203(i), fair market value has been determined to be more than twenty-five hundred dollars (\$2,500). An assessed value will be determined at 4.5 acres with appropriate value to be paid prior to recordation of the Order of Vacation; any fees attributed to this request by the engineering, office or staff will be required to be paid prior to recordation of the Order of Vacation. Conclusions of law - The Board through these proceedings has determined the abandonment is in the best interest of the public and is therefore approved; Idaho Code § 40-203 sets forth the procedure to be utilized by highway districts in considering requests to abandon and vacate highways or public rights-of-way, including those which furnish public access to state and federal public lands and waters have been followed during these proceedings. Commissioner Miller seconded. Role call vote:
Chairman Humphreys: aye
Vice-Chairman Werner: aye
Commissioner Miller: aye
Motion carried unanimously. [7/20/11 Board Mtg]

CURRENT BUSINESS

Vouchers to Date

Commissioner Werner **made a motion** to approve the Voucher to Date as presented.
Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

G & G Properties

Stephanie Blalack from Verdis was not present. Commissioner Werner made a motion under the G & G Properties item to table it until the next meeting. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Prairie, Meyer to Huetter

Commissioner Werner **made a motion** to pay the consultants invoice payment #10 in the amount of \$26,100.11. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Direct Deposit

Kootenai County has offered to taxing districts direct deposit of the ad valorem monthly checks. Commissioner Werner **made a motion** for Chairman Humphreys to sign the direct deposit authorization form to the ad valorem checks can be deposited directly into our account. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

2010-2011 Audit Engagement Letter

Commissioner Werner **made a motion** for Chairman Humphreys to sign the 2010-2011 Audit Engagement letter from Magunson McHugh in the amount not to exceed \$7,000. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Treasurer's Report

Commissioner Werner **made a motion** to approve the Treasurer's Report as presented. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Double J Dog Ranch

City of Hauser sent a request for comments for the Double J Dog Ranch. This is a nonprofit private animal sanctuary for special needs animals located at 15281 N Hauser lake Road. Commissioner Werner stated he reviewed a letter the Road Supervisor prepared and **made a motion** to allow the Road Supervisor to sign the letter and mail to the City of Hauser. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Barb's Tracts, Access

Al Snyder spoke with the Board at the July 18, 2011 Workshop, asking he be allowed to construct a single-family residential approach for Lot 1 of Barb's Tracts. Commissioner Werner stated he drives by this approach from time to time and he was on the Board when the subdivision came to them. At that time, they were aware of the flag lot and typically, the District does not want approaches less than 340-feet in distance. However this is one of the straighter stretches of Riverview Drive so he would be in favor of authorizing an encroachment permit to put down the side of the lot. Commissioner Miller agreed with Commissioner Werner. Chairman Humphreys stated prior to the signing of the plat, a formal request was made by the District to obtain an additional five-feet of right-of-way. He would like to ensure the five-feet was granted through the plat process and believes this approach can be allowed through the normal permitting process. Commissioner Werner added the approval of the plat at that time was contemplated long and hard; several months later the same type of request was denied. Commissioner Werner **made a motion** to authorize staff to issue appropriate permits for the driveway to be created on Lot 1, Barb's Tracts down the westerly boundary. Commissioner Miller seconded. Motion carried unanimously. Prior to leaving, Mr. Snyder asked about the process and Road Supervisor Brownsberger explained the steps. [7/20/11 Board Mtg]

CORRESPONDENCE

Kootenai County Public Hearing for ZON11-0004, Coeur d'Alene Paving will be held August 4, 2011 at 9:00 am. So noted.

ROAD SUPERVISOR

Mini Sturgis – This event takes place the following week. He has forwarded the Board's concerns as discussed at an earlier meeting. The applicants promised to pay particular concern to the litter

situation and Big Al's will be graded. After some discussion regarding Big Al's parking lot, the holes, and speed, the Road Supervisor stated the crew will take care of the holes. Commissioner Werner **made a motion** to authorize the Road Supervisor to sign the Mini Sturgis Road Closure application and special event realizing the holes will be filled so the Chairman doesn't lose his bale wagon. [7/20/11 Board Mtg]

Rathdrum Mountain Adventure Race – September 10, this event is scheduled for Rathdrum Mountain where they ride down SH53, over Hidden Valley, up Nelson Loop and through the paper company's land into Twin Lakes. Last year there were 20-30 bike riders. Insurance has been received. Commissioner Werner **made a motion** to authorize the special event for the Rathdrum Mountain Adventure Race and the Road Supervisor sign said application. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Prairie McGuire Intersection Improvement Project – Authorized a change on the roundabout. Three urban approaches with concrete apron behind them but the curb stops. A six-inch asphalt lift to be paved back where the curb should be with concrete pad behind it but he authorized them to pour concrete all the way to the curb. He was quoted a \$300 change but he thinks it will be more like \$800-\$1,000. [7/20/11 Board Mtg]

IACRS Meeting – August 25 in Boise. This will be the final planning meeting prior to the November conference. [7/20/11 Board Mtg]

Vacation Request – August 18-23. Commissioner Werner **made a motion** to authorize vacation for the Road Supervisor from August 18 through August 23. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Executive Session – The Road Supervisor requested an executive session at the end of the business meeting to discuss personnel issues. [7/20/11 Board Mtg]

ENGINEER

No items.

OFFICE

LID Certification – District Clerk Walson presented a request to certify one LID 10 under the name of Kelly Hoyt to the 2011 county tax roll. Commissioner Werner **made a motion** to authorize Chairman Humphreys to sign the letter to collect the Kelly Hoyt LID 10 in the amount of \$951.46. Commissioner Miller seconded. Motion carried unanimously. [7/20/11 Board Mtg]

Profit and Loss Report – Reports through July 20, 2011 were presented to the Board for Profit and Loss and also a comparison report showing the previous budget year compared to the current budget year. [7/20/11 Board Mtg]

Budget concerns – Chairman Humphreys asked about discrepancies in the Transfer to Cities portion of the draft budget packet. The District Clerk stated current numbers from the county will not be received until the first part of August. [7/20/11 Board Mtg]

COMMISSIONERS

No items.

EXECUTIVE SESSION

Commissioner Werner moved to enter into Executive Session at 6:48 PM pursuant to the provisions of Idaho Code 67-2345, Subsection 1(b). The purpose of the executive session is to discuss personnel matters. Commissioner Miller seconded. Role call:

Chairman Humphreys: aye

Commissioner Werner: aye

Commissioner Miller: aye

Commissioner Werner made the motion to come out of the executive session at 6:53 PM.

Commissioner Miller seconded. Motion carried unanimously.

The Regular Meeting reconvened at 6:53 PM. With no further business, Commissioner Werner made the motion to adjourn the meeting at 6:54 PM. Commissioner Miller seconded. Meeting adjourned.

SPECIAL MEETING: July 4, 2011– Holiday, no workshop.

SPECIAL MEETING: July 18, 2011 – 12:00 P.M. Commissioners Lynn Humphreys, Terry Commissioner Werner; Bob Miller, Road Supervisor Kelly Brownsberger, and District Clerk Shirley Walson met for a preliminary budget meeting. Discussion followed regarding ad valorem collection, raises, benefits, and expenditures. [7/20/11 Board Mtg]

SPECIAL MEETING: July 18, 2011– 1:00 P.M. Commissioners Lynn Humphreys, Terry Werner, Bob Miller; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson, and Engineer Darius Ruen and Attorney met for a District Workshop. Matt Gillis of Welch Comer Engineering, Chad Johnson of INC Engineering, Don McMinimy, Wilbur Mead, Al and Maureen Snyder were guests.

Prairie Avenue, Meyer to Huetter – At the public open house, the Board showed an interest in an underground storm system as opposed to a roadside swale. Matt Gillis presented the pros for each system. Less right-of-way (twenty feet overall), less damages, centralized maintenance, and the avoidance of a roadside swale system are the pros for a storm system. A shorter construction system, \$200,000 in reduced overall expense, further distance from traffic for pedestrians, and available snow storage are advantages for the roadside swales. Commissioner Werner remarked that retention ponds for the storm systems are a pain because it is not just a simple matter of mowing, and the NPDES permit will require sampling, sometimes in the middle of the night. He prefers swales. Chairman Humphreys stated that overall, the storm system may cost more. The consensus was to proceed as planned with the roadside swales. [7/18/11 Wkshp]

Mead Estates – Chad Johnson, INC, was present to discuss the Mead Estates proposal. Don McMinimy and Wilbur Mead were also in attendance. Mr. Johnson showed an exhibit Lot 1, Block 1 of Mead Meadows. That portion lying west of Signal Point Road had been sold and Kootenai County wants the plat cleaned up because the road splits the lot. Chad cited the Signal Point Road gate, the unimproved road, and the width of the right-of-way is only 50-feet, then asked what improvements will be required. He also stated 10-feet of right-of-way will be granted along the west side. Mr. McMinimy explained further that he has a lot (Lot 1 lying easterly of Signal Point Road) but cannot build on it. Road Supervisor Brownsberger asked if he was planning to split the property then and Mr. McMinimy stated he was planning to split it. Mr. Johnson stated he is concerned as to what the county will want, i.e., improving the entire length of the road. Commissioner Werner stated at this time, the District is not looking to make improvements there we would ask for \$3,500 in lieu of construction. [7/18/11 Wkshp]

Barb Tracts – Al Snyder was present to request a new approach for his home located on Lot 1 of Barb Tracts. He purchased this property specifically because the plat showed he would have individual access although previous owners were sharing access with the Lot 2 owners because they were friends. He spoke with Kootenai County Planning and was told that he had his own access easement which was signed by the District, so he should be allowed to install an access point. If the Lot 2 neighbors sold and new owners denied shared access, they would then be landlocked. His presentation also showed distances between existing driveways. Chairman Humphreys asked if the Lot 2 owners were planning to use their current access or share his proposed new approach. Mr. Snyder stated they would use their existing access. After further discussion, Chairman Humphreys informed the Snyders a formal decision would be made the July 20 Board meeting. [7/18/11 Wkshp]

District Picnic – Road Supervisor Brownsberger asked the crew if there was an interest in having a District Picnic this summer. The consensus is the crew would like to have a picnic. Staff was asked to contact Yvonne Wilbur to see if she again wanted to host the picnic and a date that is available. About one year prior, the Wyoming crossing was discussed to move this crossing and the Board had no problem there was just no money available. The Board conceded. Discussion followed as to the proposed locations. [7/18/11 Wkshp]

ROAD SUPERVISOR

UPRR IMPROVEMENT DISCUSSION (HUETTER & WYOMING) – A meeting has been scheduled for July 28 at 8:00. Since the Road Supervisor will be on vacation, he wanted to know if the Board would attend or, he can schedule the Assistant Road Supervisor. Chairman Humphreys asked that Mike Monette be scheduled to attend, but he may try to make it. [7/18/11 Wkshp]

Jeremy Tripp – The Road Supervisor made contact with Mr. Tripp. He has not forgot he is to do some projects for the District in lieu of delinquent payments. Mr. Tripp stated if he could schedule that work for September so he can take advantage of paying work at this time. [7/18/11 Wkshp]

Willadson Road Vacation and Abandonment – Road Supervisor Brownsberger asked if the Board needed any information for the upcoming Public Hearing. He would prepare a Staff Report addendum. [7/18/11 Wkshp]

ENGINEER

Monument Heights and Mellick Road – There has been some activity with a response from Susan Weeks regarding the format for an easement on Mellick Road. To date, a revised set of plans has not been received. Recently there has been culvert installation due to an issue that they were in violation with the County for storm water permits. They tried to install them so that completion of the road won't require installation of culverts at a later date. Mr. Ruen is reminding the Board that no finalized plans have been received nor reviewed. [7/18/11 Wkshp]

Prairie Meyer Intersection Improvement Project - Mr. Ruen had not been involved in this project as late. Chairman Humphreys stated the contractor feels they may be ready to apply asphalt as early as next week and they are approximately two weeks ahead of schedule.. [7/18/11 Wkshp]

OFFICE

No items

With no further business, the Meeting adjourned at 1:50 pm.

SPECIAL MEETING: July 6, 2011 – Utility Council, Sargents, 12:00 PM. Attended by Kelly Brownsberger.

SPECIAL MEETING: July 7, 2011 – OEM, Office of Emergency Management, Iron Horse Restaurant, 7:30 AM. Attended by Kelly Brownsberger.

SPECIAL MEETING: July 7, 2011 – KMPO, Post Falls City Hall, 1:30 PM. Attended by Kelly Brownsberger.

SPECIAL MEETING: July 25, 2011 - BOCC: Quarterly Highway District Meeting, Kootenai County Commissioners Boardroom, 10:30 AM. Attended by Lynn Humphreys and Bob Miller.

SPECIAL MEETING: July 28, 2011 – KCATT, 8:00 AM, ITD.

SPECIAL MEETING: July 28, 2011 – UPRR Improvement Discussion (Huetter & Wyoming), 8:00 AM, ITD. Attended by Bob Miller and Michael Monette

ORIGINAL SIGNED AND DATED 8/3/11

Submitted by:
Shirley Walson, District Clerk