

POST FALLS HIGHWAY DISTRICT
MARCH 2011 MINUTES

Regular Meeting – March 2, 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.

Commissioners had no conflict of interest with any agenda item.

February 2011 Minutes – Commissioner Miller made a motion to approve the February 2011 minutes. Commissioner Werner seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

CURRENT BUSINESS

Parking Ordinance 2011-01

Reading of the Ordinance - Commissioner Werner made a motion to approve the ordinance and requested the Chairman to read the summary ordinance. Chairman Humphreys read the summary. Chairman Humphreys stated the motion has been made to approve, and asked for a second to the motion. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

Signing of the Ordinance - Commissioner Werner made a motion the ordinance be signed by the entire Board and requested a roll call vote. Commissioner Miller seconded. Chairman Humphreys – aye. Commissioner Werner – aye. Commissioner Miller – aye. Motion carried unanimously. *[3/2/11 Board Mtg]*

Summary for Publication - Commissioner Werner made a motion to approve the summary for publication. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

Memorandum with the Sheriff's Office - Commissioner Werner made a motion to approve the Memorandum with the Sheriff's Office. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

Conclude Parking Ordinance 2011-01 – The Board asked the summary be published as soon as possible. Road Supervisor Brownsberger will obtain a signature from the Sheriff. *[3/2/11 Board Mtg]*

Draft Intergovernmental Agreement for Collection of Impact Fees and Meeting Notice

Discussion ensued that this draft needs some work and since it is only a draft, it may have several suggestions to reword the agreement. Discussion also speculated if local cities will collect impact fees. No action. *[3/2/11 Board Mtg]*

Resolution 2011-03

No discussion. Commissioner Werner made a motion to approve Resolution 2011-03, Substance Abuse and Drug Testing Policy. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

2011 Asphalt Road Oils

Chairman Humphreys asked the Road Supervisor if all was in order and received an affirmative answer. Commissioner Werner made a motion to accept the quote from Idaho Asphalt Supply for the District's road oil needs this year. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

Consolidation of Parcels, Prairie Pit

The final consolidation of Parcels document was presented for signature. Commissioner Werner made a motion for the Chairman of the Board sign the parcel consolidation documents. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

CORRESPONDENCE

Wild Ridge dba Wilde Idaho Development, Bond Cancellation – Chairman Humphreys asked if this affects the District. Road Supervisor Brownsberger stated it does not. *[3/2/11 Board Mtg]*

ITD's Materials Review for Prairie Avenue, Huetter to Meyer – So noted. *[3/2/11 Board Mtg]*

Kootenai County Board of Commissioners Cancellation of Appeal Hearing – Hidden Falls. Rescheduled to April 14, 2011. So noted. *[3/2/11 Board Mtg]*

2011 Project Development Conference – April 26 & 27, Boise Centre on the Grove put on by ITD. So noted. *[3/2/11 Board Mtg]*

ROAD SUPERVISOR

Big Sky, Jeremy Tripp – Mr. Tripp brought the signed agreement. *[3/2/11 Board Mtg]*

Asphalt – Western States are willing to piggyback last year's agreement. Commissioner Werner made a motion to authorize with Western States Asphalt to piggyback last years prices. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

Super Pave Specs – JUB Engineers has been sending out asphalt specs to agencies for super pave specifications, to be discussed at the Association of Highway Districts' meeting next week. Road Supervisor Brownsberger told JUB the District would participate and reports JUB will be charging a cost not to exceed \$500 per local agency. He went on to explain that most of our asphalt is going to a super pave spec anyway. With this, the District will have some control on the standards and there will be uniformity throughout the county. *[3/2/11 Board Mtg]*

Sand Screening Plant – The Road Supervisor he found a screening plant at an auction in Washington by Pasco. After giving statistics, he asked the Board if they would like him to attend and bid on the item. Commissioner Werner made a motion authorizing the Road Supervisor to look at the screening plant and bid up to \$60,000. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

Crew Appreciation Lunch – Bill Alexander will be leaving the District again on March 25 when Eric Prestegaard returns. A lunch will be held for the entire crew in this honor and for the work of the crew. The Board is invited. *[3/2/11 Board Mtg]*

Vacation extension – Road Supervisor Brownsberger asked to extend his vacation March 14, 15, and 16. Commissioner Werner made a motion to authorize the request. Commissioner Miller seconded. Motion carried unanimously. *[3/2/11 Board Mtg]*

Executive Session – An executive session was requested at the end of the meeting to discuss property acquisition issues. *[3/2/11 Board Mtg]*

ENGINEER

Craig-Reasor-Brown Estates – The minor replat at Cecil and Horsehaven was discussed. The right-of way they are providing is okay for us but he recommended they contact the City of Post Falls; asked for roadway drainage and utility easements. *[3/2/11 Board Mtg]*

Pleasantview Overpass – Darius Ruen stated he has not seen the State-Local agreement with Chairman Humphreys stating it was sent back to the State to correct the parties. *[3/2/11 Board Mtg]*

OFFICE

Profit and Loss Statement – Commissioner Werner made a motion to approve the profit and loss statement. Commissioner Miller seconded. Motion carried unanimously. [3/2/11 Board Mtg]

EXECUTIVE SESSION

Commissioner Werner made a motion to enter into Executive Session pursuant to Idaho Code 67-2345, Subsection 1(c) and requested a roll call vote. Commissioner Miller seconded.

Commissioner Werner – aye

Chairman Humphreys – aye

Commissioner Miller – aye

The Board entered into executive session at 6:25 PM.

The Board entered back into Regular Session at 6:30 PM.

COMMISSIONER COMMENTS

Commissioner Werner – March 11, 14, and 15, Commissioner Werner will be on personal leave.

Chairman Humphreys – Provided an update on the election and other pending legislation.

With no further business, Commissioner Werner made a motion to adjourn the meeting at 6:36 PM. Commissioner Miller seconded. Meeting adjourned.

Regular Meeting – March 16, 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; Assistant Road Supervisor Mike Monette, District Clerk Shirley Walson; and Randy Broesch for Ruen-Yeager & Associates. Chris Kraft was a guest.

Commissioners had no conflict of interest with any agenda item.

CURRENT BUSINESS

Agreement for Purchase and Sale of Real Property – Ross Point Water

Chairman Humphreys explained at Monday's Workshop, legal council proofed and submitted a final document that has been approved and signed by Ross Point Water District. Commissioner Werner made a motion to sign the purchase and sale of property agreement with Ross Point Water. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

Appoint Signee for Documents – Ross Point Water District Purchase

Assuming the closing documents would not be prepared until after the agreement was signed and delivered, Kootenai County Title showed Kelvin Brownsberger as the signee, allowing the Board to appoint him as the signatory. Commissioner Werner made a motion to authorize the Road Supervisor, Kelly Brownsberger, to sign the closing documents to do with the Ross Point Water District property purchase. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

Prairie Avenue, Meyer to Huetter

Commissioner Werner made a motion authorizing Chairman Humphreys to sign the authorization for payment in the amount of \$21, 387.07. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

Addendum to Road Development Agreement – Big Sky, Jeremy Tripp

The District has not received the required bonding to date. Commissioner Werner made a motion for Chairman Humphreys to sign the Road Developers Agreement once the District receives the bonding. Commissioner Miller seconded. [3/16/11 Board Mtg]

2011-2012 Budget

Kootenai County is requesting notice of the upcoming budget public hearings. Commissioner Werner made a motion to set the public hearing on August 17, 2011. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

Trails End

Regarding the developer's failure to meet agreement obligations, attorney Susan Weeks explained at the prior workshop steps she felt pertinent to ready the District for position in a possible foreclosure of the property. Commissioner Werner made a motion to direct our attorney to put proper documents in place for the Trails End Subdivision to position the District for foreclosure proceedings. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

CORRESPONDENCE

Project Record Summary, ITD submitted - A review of balances owing on projects, the Seltice Way Bridge and Huetter Road to Ramsey. Both have been completed for two to three years and have still not been completed in their audit process. [3/16/11 Board Mtg]

School Bus Exemption – Rhonda Stenersen sent an email requesting the District's web site show that school busses are exempt for weight limits. The Board requested it be posted. [3/16/11 Board Mtg]

Kootenai County Public Hearing – Notice for an appeal hearing of Hidden Falls fill request in a special flood area. All documentation has already been sent. [3/16/11 Board Mtg]

ROAD SUPERVISOR

Assistant Road Supervisor reported a washout this week and has been repaired. It came about from a weir dam that has caused problems before. The owner puts in this dam every year but is to remove it prior to spring. He was informed that if it happens again, he will be billed. [3/16/11 Board Mtg]

ENGINEER

Prairie McGuire Roundabout – Randy Broesch has a phone conference with Dan Coonce the following day and to complete final design comments. A plan set is prepared and ready to sign once the final comments are complete; he will then provide an estimate and submit it. The letter, as discussed at the Workshop regarding overruns will be complete and emailed to the Road Supervisor for approval. [3/16/11 Board Mtg]

OFFICE

Ordinance 2011-01 – District Clerk Walson reported the parking ordinance was published on March 7, 2011 and reminded the Board the ordinance takes effect 30 days after publication. Chairman Humphreys stated the District may want to exercise the ordinance on Beck Road in the very near future due to congestion and damage to the pavement edge. [3/16/11 Board Mtg]

February Treasurers Report – Commissioner Werner made a motion to approve the February Treasurers Report as presented. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

February 2011 Transfers – Commissioner Werner made a motion to approve transfers as presented. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

Vouchers to Date – Commissioner Werner questioned a \$60,000 voucher with no date or check number. The District Clerk explained it was a transfer which shows on the voucher list and are usually removed. Commissioner Werner made a motion to approve the Vouchers to Date once that amount has been removed. Commissioner Miller seconded. Motion carried unanimously. [3/16/11 Board Mtg]

Profit and Loss – Presented for the Boards review.

Forest Funds – The District Clerk notified the Board the 2011 Forest Reserve Fund check was received in the amount of \$84,420.79, down 8.24 % from the previous year, but up 4.17% of the anticipated amount in the budget. Chairman Humphreys reported research shows a 25% reduction is expected overall, but the amounts will stabilize and it is not expected to go away entirely and earlier reported. [3/16/11 Board Mtg]

Mileage – First quarter mileage reports are due at the end of March. [3/16/11 Board Mtg]

COMMISSIONERS

City annexation – Commissioner Werner informed the Board that the City of Post Falls is considering annexing parcels for Ground Force next to the back pit on Seltice Way and wants the District to ponder annexation of property annexed. The parcel would be at the east end of the shop. Discussion is the District is not opposed to the parcel at the east end of the property, but not the sand pit. [3/16/11 Board Mtg]

With no further business, Commissioner Miller made the motion to adjourn the meeting at 6:33 PM. Commissioner Werner seconded. Meeting adjourned.

SPECIAL MEETING: February 28 2011– 1:00 P.M. 1:00 P.M. Commissioners Lynn Humphreys, Terry Werner, Bob Miller; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson, and Engineer Darius Ruen met for a District Workshop. Guests included Steven Syrcle, Todd Kaufman, Craig Cozad, Doug Parker and Joe Dobson.

Foothill Property Lease – Doug Parker and Joe Dobson were present to discuss leasing the District's parcel off Foothill Drive. Doug Parker stated he is interested in the 60-foot District parcel. His reason is to keep the kids out. Chairman Humphreys asked them to submit a written proposal informing they will not be able to cut timber or construct any type of improvement and it must have a hold-harmless statement to indemnify the District. Also, state the duration of the lease and provide a 30-day cancellation clause for both sides. The Board will then review the proposed lease and determine if it is in the best interest of the public. Further discussion included an earlier land swap and why Mr. Parker now owns the bridge abutments and the District owns a bare parcel. [2/28/10 WKSHP]

Millview Lane – Clarification of the deadline to hear a response from Dodge Legacy is March 7. So noted. [2/28/10 WKSHP]

Beck Pit Zone Change – Steve Syrcle was present on behalf of Craig Cozad and Todd Kaufman of Coeur d'Alene paving. A proposed zone change will be forthcoming to allow a proposed concrete asphalt plant near Beck Pit, owned by the District, and noted Chairman Humphreys is a private land owner nearby as well. The parcel is currently zoned as agriculture and the proposed change will be mining to allow the plant. Parcel location, access, and the approach were discussed. [2/28/10 WKSHP]

ENGINEER

Craigo-Reasor-Brown Estates – A request from for comment was received for Kootenai County Planning this minor replat with the owners requesting to make two-acre parcels out of each three

parcels. Although the owners are most likely expecting to change the lot lines, based on fairness of similar requests for the area, they will be asked to donate right-of-way. [2/28/10 WKSHP]

Prairie Meyer Roundabout – Mr. Ruen has prepared a letter for the utility companies to put them on notice that the project will be coming through and they need to have their utilities moved. At the previous meeting, the Board asked him if he could notify the Board of the engineering costs incurred by this project. Mr. Ruen presented a listing totaling \$212,961 with following discussion of why the costs became that high and what design and construction might have cost without applying for federal funding. [2/28/10 WKSHP]

ROAD SUPERVISOR

Prairie Meyer Roundabout – The Road Supervisor, along with Darius Ruen and Randy Broesch, met with LHTAC and they gave the District a 'definite maybe' that another \$100,000 will be available for the additional work required to the roundabout by LHTAC, however we won't know if money is available until near the end of the year. [2/28/10 WKSHP]

Union Pacific Railroad – The Road Supervisor met with Bill Inst of UPRR. He would like to put STOP signs on cross bar posts with the railroad taking over maintenance of those STOP signs. He also discussed rerouting Wyoming to the north to Meyers and the same at Huetter/Lancaster, taking Huetter to the East coming out at Lancaster. Road Supervisor Brownsberger told him the District would most likely not have a problem depending on how it is done but the District does not have funding for it. [2/28/10 WKSHP]

Ross Point Water District – Mike Paul of Frame and Smetana has been doing engineering work for the water district and stated he would like to proceed with consolidating the parcels. He will have this item on Wednesday's agenda. [2/28/10 WKSHP]

Drug Testing Policy – Road Supervisor Brownsberger asked the Board if they had any questions on the policy in their review. The Board has reviewed it and has no questions. [2/28/10 WKSHP]

Impact Fees – Lakes Highway District has opted out of impact fees, approved by Kootenai County Commissioners at full fee of \$304. [2/28/10 WKSHP]

Screen Plant – The crew has been putting out a tremendous volume of sand and our current plant is small. Six to eight weeks has been spent each season manufacturing sand and asked the Board if they were interested in purchasing a larger plant. Road Supervisor Brownsberger has been looking at auctions and sees some moving through auctions in the \$30-40K range. The budget covers this purchase. Chairman Humphreys asked if it might pay for itself within five years and about replacement part amounts for the current plant. The Board asked this item be placed on the upcoming agenda for a motion. [2/28/10 WKSHP]

Plow Routes – A new plow route may be submitted for next year due and may request to purchase two more plows later in the year. [2/28/10 WKSHP]

OFFICE

No items.

The Meeting adjourned at 2:20 pm.

SPECIAL MEETING: March 14, 2011– 1:00 P.M. Commissioners Lynn Humphreys, Terry Werner, Bob Miller; Assistant Road Supervisor Mike Monette, District Clerk Shirley Walson, Engineer Darius Ruen and Attorney Susan Weeks met for a District Workshop. Guests were Matt Gillis, Welch-Comer; Jim and Joann Wallace and Jonell DesMarais, Hauser Lake Watershed Coalition Inc; Steve Soltys and Ray Kimball, Inland Northwest Consultants.

Hauser Lake Watershed Coalition – Jim presented the Board with a letter and a plaque thanking the Board, supervisors and staff for the past eight years in supporting the coalition’s Rake-A-Lake cleanup program. [3/14/11 WKSHP]

Prairie Avenue, Meyer to Huetter – Matt Gillis from Welch Comer was present to discuss the March 9 meeting with LHTAC and the Units Water System. LHTAC’s Mike Moffett and Dan Coonce, Matt Gillis, Commissioner Bob Miller and Assistant Road Supervisor Mike Monette met the previous week to introduce Dan Coonce as the LHTAC representative for this project. Mr. Gillis stated he did not know if the Board was aware of the water system and went on to explain what he does know is that it is located on the south side of the road, probably just inside of the right-of-way; it is a 4-inch line, about 5,000 feet long, serves maybe 20 people, and is shallow. The Hayden Lake Water District offered their help to locate the line. Mr. Gillis is not sure if they will pothole; he suggested the District send letters to request ownership rights and suggested the District’s attorney help with that verbiage. He also would like the letter to state that this will be a good time to upgrade their water system the District will not allow the road to be torn up for some time once that road is built. Chairman Humphreys provided a contact number to Mr. Gillis so that he can contact Fran Hughes who has been caring for Units Water System. In other updates for the project, the concept report has been at ITD for weeks and he understands the comments are minor and he should find out what the comments are this week. The historical building and how the sidewalk must be diverted was also discussed with no surprises. [3/14/11 WKSHP]

Ross Point Water District – Although not on the agenda, Steve Soltys and Ray Kimball, Inland Northwest Consultants, were present to discuss plans to extend water lines for Ross Point Water District. Mr. Kimball explained he is proposing to extend water district lines north of Tullamore, from SH41, west of RPWD’s new location, along Prairie Avenue and one-quarter mile east of SH41, across from Foxtail. It is within the City of Post Falls boundary whom asked INC to get the District’s approval. Chairman Humphreys stated the Road Supervisor is on vacation and tasked him to review the plans by the end of the week. Based on the previous discussion, he also suggested all parties, including Units Water District to meet and discuss a collective way to solve problems for all parties involved. Mr. Kimball stated plans call to ditch but was informed he would most likely need to bore. [3/14/11 WKSHP]

LEGAL

Ross Point Water District Sale of Real Property – The District’s attorney, Susan Weeks submitted an Agreement For Purchase And Sale Of Real Property and stated RPWD has approved of her changes. She also asked that the engineer has one of his surveyors review the legal to ensure it is correct. [3/14/11 WKSHP]

The monthly list of projects was reviewed including Millview Lane, Nelson Loop Dam, the broom patent, and some recordings with the county, and s couple of pending legal proceedings. Jeremy Tripp for Big Sky has submitted his signed agreement but the District has not received the required bonds to date. [3/14/11 WKSHP]

Idaho Supreme Court Decision – Discussion ensued regarding a recent Idaho Supreme Court decision stating all 50-foot easement unless property owners can state extenuating circumstances; and more can be determined if it is on a steep grade.

ENGINEER

Prairie and Meyer Roundabout – Engineer Darius Ruen informed the Board that Randy Broesch submitted the plan to LHTAC. They both met with Mike Moffet and Dan Coonce from LHTAC last Thursday night. He has a draft letter confirming that conversation and to request that if more money is available, the Board will receive that, although costs will be paid up front. It will also state the District will be available for upcoming funding. [3/14/11 WKSHP]

ROAD SUPERVISOR

No items for discussion.

OFFICE

City of Huetter Agreement – District Clerk Shirley Walson stated the Huetter's City Clerk Lang Sumner contacted her last Tuesday asking to use the Board Room the following night. Although the Board signed the agreement some time ago, the District has not had further contact with the City and she informed them the District would require their approval and signature of the agreement prior to allowing use of the Board Room for their City Council meetings. [3/14/11 WKSHP]

Payment for Ross Point Water District - The Board was informed Ross Point Water District has paid for the purchase of the Prairie Pit. [3/14/11 WKSHP]

The Meeting adjourned at 1:46 PM.

SPECIAL MEETING: March 2, 2011 – Utility Council, Sargents, 12:00 PM. Attended by Kelly Brownsberger.

SPECIAL MEETING: March 2, 2011 – KMPO, ITD Offices, 1:30 PM. Attended by Lynn Humphreys, Bob Miller, and Kelly Brownsberger.

SPECIAL MEETING: March 28, 2011 – KCATT, 8:00 AM, ITD. Attended by Kelly Brownsberger.

ORIGINAL SIGNED AND DATED 4/6/11

Submitted by:
Shirley Walson, District Clerk