

POST FALLS HIGHWAY DISTRICT  
MAY 2010 MINUTES

Regular Meeting – May 5, 2010, 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.

Commissioner Werner moved to approve the April 2010 minutes and vouchers as presented. Lynn Humphreys seconded. Motion carried. [5/5/10]

ADDITIONS TO AGENDA

Motion to Add to Agenda – Chairman Humphreys asked for the purpose to add this item to the agenda. Road Supervisor Brownsberger stated ITD needs it back in their office. Commissioner Werner made a motion to add to the agenda the Greensferry Railroad Crossing Agreement due to a timing issue. Chairman Humphreys seconded. Motion carried unanimously. [5/5/10]

OLD BUSINESS

Beck Road Paving Project

The District's Engineer, Darius Ruen, stated the agreement is 99% done. The contractor has signed the contract and returned it but is still trying to get their sub-contractor insurance. Mr. Ruen recommends the Board sign the contract and the notice to proceed but do not release the contract until such time the insurance documents are in hand. This will allow work to begin May 17 as planned. Further discussion followed regarding Interstate obtaining insurance. The District requires only \$500,000 in coverage; the railroad requires \$2,000,000 in coverage. Commissioner Werner made the motion for the Chairman to sign the board document for the Beck Road paving project, also for the Road Supervisor to hold the agreement until the insurance is received. Commissioner Miller seconded. Motion carried unanimously. [5/5/10]

CURRENT BUSINESS

Resolution 2010-02, Records Retention

The District Clerk had asked Magnuson McHugh and Attorney Susan Weeks to respond to the Draft. Magnuson McHugh responded but Susan Weeks has not at this time. Commissioner Werner made the motion to table this item until the next meeting. Commissioner Miller seconded. Motion carried unanimously. [5/5/10]

CityLink Agreement

Chairman Humphreys asked the Road Supervisor if the power bill has increased and that has not been done. The Chairman would like that reviewed prior to renewal. Commissioner Werner asked if there has been any discussion regarding the workings of this arrangement. The Road Supervisor stated we don't even know they are there for the most part. The Board discussed the Chairman will discuss the renewal of the agreement with the Citylink manager after the KMPO meeting the following day. The Chairman asked the Board if they would like to continue with the agreement and received an affirmative answer. [5/5/10]

Greensferry Railroad Crossing Agreement

Chairman Humphreys asked how the agreement looked. Road Supervisor Brownsberger stated it looks like the standard agreement. Commissioner Werner made the motion to authorize the Chairman to sign the railroad agreement with ITD for the railroad crossing on Greensferry Road. Commissioner Miller seconded. Motion carried unanimously. [5/5/10]

## CORRESPONDENCE

Prairie/McGuire Roundabout – A letter was received from LHTAC.

ICRMP renewal, Panhandle Insurance Agency – A review of the grounds and buildings will be reviewed to ensure we have proper coverage.

Wells Fargo Investment Securities – The Chairman asked if the incentives were better than our current State Investment pool and/or the CD rates. Commissioner Werner asked the District Clerk review the report and bring back to the Board to take under advisement at the next meeting. [5/5/10]

Kootenai County Planning Commission, Comprehensive Plan Update - The Chairman asked this item be placed on the calendar since it affects impact fees. [5/5/10]

## ROAD SUPERVISOR

Title VI Compliance – Karen Sparkman, ITD, provided notification that the District is in compliance. She noted a coordinator had not been named on the Non-Discrimination Policy Statement. The document has been modified to reflect the coordinators name. Commissioner Werner made the motion for the Chairman to sign the Non-Discrimination Policy Statement authorizing the Road Supervisor to be named as the person in charge of that program. Commissioner Miller seconded. Motion carried unanimously. [5/5/10]

Dodge Property Acquisition – David Dodge contacted Road Supervisor Brownsberger asking to meet with him. Mr. Dodge has met with his surveyor and attorney and has some questions he would like to discuss. The meeting will take place May 6. [5/5/10]

Broom 3 – The damaged broom has been repaired. It is back in operation and is running satisfactory. [5/5/10]

Beck Road – Everything is coming along and we hope to meet the May 17<sup>th</sup> date that Interstate Concrete is set to take over. We may miss that date by a day or two. UPRR has been working and has set the base for the center island and the crossing gates are waiting to be installed. The crew is done taking materials out of the Hern pit and will start using Beck pit. Chairman Humphreys asked if we got 85% of the fill from the Hern pit. Mr. Brownsberger stated we got more like 90%, much more than the first estimate of 50%. He added the District has saved a lot of money and time using the Hern pit although we did rent an excavator, but without that, we couldn't have used a lot of the material. [5/5/10]

Crew Training – The full crew is scheduled for ICS 100 training May 17<sup>th</sup> at the Armory. This class is a requirement for the National Incident Management System (NIMS) compliance. The other three highway districts have been scheduled the same day for this training. [5/5/10]

NACE Conference – Road Supervisor Brownsberger thanked the Board for allowing him to attend the National Association of County Engineers (NACE) conference last week. [5/5/10]

## ENGINEER

Prairie-McGuire Roundabout – LHTAC responded to the District's request to construct this year. The consent order for the October stop-work was discussed. The Road Supervisor stated he thought that was a blanket order for the entire District One, and did not apply to just ITD; a formal letter will be sent to LHTAC by RYA for that opinion. LHTAC will allow RYA to communicate directly with Stanley Consultants who did the review of RYA's design. This will free up some time so that LHTAC is not the middle man for communication purposes. All in all, the project will most likely not go to construction until next year. [5/5/10]

Riverside Park Addition Vacations – RYA's surveyor reviewed the legal descriptions for this recent vacation request. Darius Ruen asked for the Board's permission to contact the applicant's surveyor for some concerns regarding their survey. Commissioner Werner made the motion to

expedite the concerns that Darius Ruen contact the applicant's surveyor directly. Commissioner Miller seconded. Motion carried unanimously. [5/5/10]

Titsch Minor Subdivision – Discussion ensued regarding previous requested improvements at Harvest and Meyer and current maintenance. Commissioner Werner asked the same comments be made for this plat that were made for the Zoar First Addition. [5/5/10]

#### OFFICE

State Highway Distribution – The third quarter contribution was received April 22 in the amount of \$353,622.23. This amount is nearly five percent less than last quarter. [5/5/10]

IAHD Certificates – Each of the Board members received certificates from IAHD that they were members. [5/5/10]

#### COMMISSIONERS

Commissioner Werner asked the Engineer if he was able to begin putting together costs to build a bridge. Engineering staff is working on it. Lynn asked if preliminary information can be provided in June 2010. Commissioner Werner also stated he will be leaving May 10<sup>th</sup> and be back May 13<sup>th</sup>. [5/5/10]

Chairman Humphreys stated he will be gone the week of May 17<sup>th</sup>. [5/5/10]

Chairman Humphreys made the motion to adjourn. Commissioner Werner seconded. Motion carried unanimously.

With no further business, the meeting was adjourned at 6:40 P.M.

#### Regular Meeting – May 19, 2010, 6:00 pm, E. 5629 Seltice Way

Lynn Humphreys, Chairman, called the meeting to order at 6:00 P.M. Present were Commissioners 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.

#### OLD BUSINESS

##### Citylink Agreement

Road Supervisor Brownsberger stated information was provided to the Board in their packets. This information showed how the rate was calculated and the rate has not yet been met by the electricity costs. His recommendation to the Board is to stay with the \$115 per month for the next two years and review this agreement at the end of the two years. The attorney advised him no action is needed if the Board wishes to extend the agreement. Commissioner Miller made the motion extend the agreement to Citylink for another two years. Commissioner Werner seconded. Motion carried unanimously. [5/17/10]

##### Resolution 2010-02

District Clerk Walson explained legal staff and the auditor has commented on the resolution. Commissioner Miller made a motion to pass Resolution 2010-02. Commissioner Werner seconded. Motion carried unanimously. [5/17/10]

##### Investment Rates

Wells Fargo representatives Brian Sommerfeldt and Brandon Hodge left information on investment rates. The Board asked the District Clerk to review this proposal versus the CD rates. District Clerk Walson reported the rates are proposed rates four and half years out, so they are speculated rates. The Board was not interested in changing. [5/17/10]

#### CURRENT BUSINESS

### Three Lakes Conservation

The Idaho Department of Lands encroachment permit. The Road Supervisor stated this is west of our property at Foothills Drive. Any encroachments must be 25-feet from the property line and he sees no problems with this request. Commissioner Miller made the motion to approve the encroachment permit for Three Lakes Conservation. Commissioner Werner seconded. Motion carried unanimously. [5/17/10]

### Vacation and Abandonment Public Hearing Request

Sandy Young from e<sup>2</sup> planning was present to represent McKinlay, Peters Equine Veterinary Services. They would like to build a veterinary clinic on Lot 1 Block 1 of Prairie View Estates but cannot reach the minimum acreage as required by Kootenai County Planning. However, with the abandonment and vacation of dedicated roadway as shown on a 1905 plat, they could meet the acreage. The Road Supervisor and District Engineer reviewed the parcel, stating it is a vacant field. Commissioner Miller made the motion to set the public hearing set for July 7, 2010 at 6:00 pm. for this vacation request. The District Clerk asked Ms. Young to submit a legal description and a list of neighboring parcel owners. [5/17/10]

### LEGAL

Attorney Susan Weeks met with the Board for an overview of ongoing issues and updates including Nelson Loop Dam, the Magnuson property, Everett Estates, and recording fee clarification. Specific items follow. [5/17/10]

Highway District Ordinance Authority – It has now been determined that the Highway Districts to have legal authority to legally make ordinances, according to Major Ben Wolfinger with the Kootenai County Sheriff's Office. Major Wolfinger asked that any proposed ordinances be shared with them so they can review and asked the ordinance be stated on the notice; and he believes if a citation is issued, the ordinance authority will be challenged. [5/17/10]

Millview Lane Taking – The Road Supervisor met with David Dodge last week in which Mr. Dodge asked for two additional months since he has been dealing with Magnusons trying to do a property exchange and feels that will move now since the District is involved formally. He also asked the centerline be staked to map the route and stated his sole source of water on the west end in the middle of the right-of-way. Commissioner Werner feels the District has already been waiting and wanted to grant a 30-day extension and is willing to review Mr. Dodge's proposal or findings at that time. Commissioner Miller agreed. [5/17/10]

Recording Fee – No agreement with the county has come forth with Kootenai County. Ms. Weeks has drafted a complaint but prefers it is filed on behalf of all the Highway Districts, not just this District. Road Supervisor Brownsberger will ask to have this put on the agenda at the upcoming association meeting. [5/17/10]

### CORRESPONDENCE

Title VI Compliance Review from ITD – so noted

URD Tax Audit letter – Clark Anderson McNelis & Co – so noted

Speed Change Request on Idaho Road – Commissioner Werner asked the Road Supervisor to look at this and put it on the next agenda for discussion.

Extending Dependent Coverage – Regence – so noted

Open House for the L2 Center – so noted

### ROAD SUPERVISOR

Beck Road opening ceremony – Bernice Stottlemire's daughter, Hailey Lakes, asked if the District will have an opening ceremony for the Beck Road reconstruction. If so, she asked if her

mother could be involved since she often requested to have it rebuilt. Commissioner Werner stated he would not mind having a short ceremony and have her cut a ribbon. [5/17/10]

Beck Road update – The opening for next Friday may not be met, but it is moving along. [5/17/10]

Grange and Hargrave – Greg Singer again made contact asking that Grange and Hargrave be opened. The Road Supervisor told him to build the road and the District will maintain. This has been an ongoing request. [5/17/10]

Titsch Subdivision – The District commented on the Titsch minor subdivision and the Road Supervisor has a meeting with the developer and asked if the Board is willing to do a fee-in-lieu-of' for road improvements as has been done for other minor subdivisions. Commissioner Werner stated to stay consistent and be fair, that is agreeable. Commissioner Miller agreed. [5/17/10]

Ken Wilkinson Variance request – The District received request for comment from Kootenai County Planning. The owner proposes to remodel the existing garage into living quarters using the same footprint. The prepared response states the District has no comment on that particular request but any future additions or buildings that go outside of the existing footprint meet setbacks. Commissioner Miller made the motion to allow the Road Supervisor to sign the response for the Ken Wilkinson Variance. Commissioner Werner seconded. Motion carried unanimously. [5/17/10]

IACERS Website – The current IACERS website is not maintained. The Road Supervisor asked staff if there was willingness to maintain the website. Receiving an affirmative answer, he asked the Board if they approve staff working on the site. Commissioner Werner and Commissioner Miller agreed. [5/17/10]

#### ENGINEER

Prairie McGuire Roundabout – Randy Broesch met with Stanley Consultants, the consultants with LHTAC, to review the geometrics of the project to ensure a design vehicle can get around it. We did that at the concept stage so Randy will email them what was previously. LHTAC will have to look at the plans because Stanley was not authorized. Engineer Ruen will keep the Board informed. [5/17/10]

#### OFFICE

Commissioner Miller made the motion to approve the April 2010 Treasurers Report and Fund Transfers and the May 2010 vouchers to date. Commissioner Werner seconded. Motion carried unanimously. [5/17/10]

District Clerk Walson reminded the Board there will be no workshop for the June 2 meeting due to the Memorial Day holiday. The June 2 meeting has the vacation for the various locations at the Riverside Park Addition. Profit and Loss reports were also distributed. [5/17/10]

#### COMMISSIONERS

Commissioner Werner notified the Board he will not be present at the June 2 Board meeting.

With no further business, Commissioner Miller made the motion to adjourn the meeting at 6:27 PM. Commissioner Werner seconded. Motion carried, meeting adjourned.

SPECIAL MEETING: May 3, 2010– 1:00 P.M. Workshop cancelled.

SPECIAL MEETING: May 17, 2010– 1:00 P.M. Commissioners Terry Werner, Bob Miller; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson, and Engineer Darius Ruen met for a District Workshop. Stephanie Blalack and Sandy Young from e<sup>2</sup> planning were guests.

Road Vacation Presentation – Stephanie Blalack presented a packet requesting the Board consider a road vacation in the Greenacres Irrigation subdivision. The Board has reviewed the plat map and information provided in their packet. Commissioner Werner asked that if the Road Supervisor and Engineer could review this location prior to Wednesday’s Board meeting, they could consider the request at that time. [5/17/20]

ROAD SUPERVISOR

No comments.

ENGINEER

Beck Road Update – Interstate Asphalt hopes to have their liability insurance in line this afternoon. The dilemma is the railroad requires a larger amount of liability insurance than the District and Interstate was hoping to

Prairie/McGuire Roundabout – The intermediate review has been submitted to LHTAC. Randy Broesch is in Boise and will check with LHTAC if there are any issues. No construction will take place until next year.

OFFICE

No comments.

The Meeting adjourned at 1:10 PM.

SPECIAL MEETING: May 5, 2010 – Utility Council, Sargents, 12:00 PM. Attended by Bob Miller and Kelly Brownsberger.

SPECIAL MEETING: May 5, 2010 – Transportation Leadership Roundtable, ITD, 1:00 PM. Attended by Lynn Humphreys, Bob Miller and Kelly Brownsberger.

SPECIAL MEETING: May 13, 2010 – Associated Highway Districts of Kootenai County, Lakes Highway District, 7:00 PM. Attended by Lynn Humphreys, Bob Miller, and Kelly Brownsberger.

SPECIAL MEETING: May 6, 2010 – Prairie Avenue Meet and Greet with Welch Comer, PFHD Office, 8:00 AM. Attended by Lynn Humphreys, Bob Miller, and Kelly Brownsberger.

SPECIAL MEETING: May 6, 2010 – KMPO, ITD Offices, 1:30 PM. Attended by Lynn Humphreys.

SPECIAL MEETING: May 25, 2010 – KCATT, 8:00 AM, ITD. CANCELLED

SPECIAL MEETING: May 26, 2010 –, 8:00 AM, ITD. Attended by Kelly Brownsberger.

APPROVED \_\_\_\_\_

ATTEST \_\_\_\_\_

DATE \_\_\_\_\_

Submitted by:  
Shirley Walson, District Clerk