

POST FALLS HIGHWAY DISTRICT  
MAY 2011 MINUTES

Regular Meeting – May 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.

Conflict of Interest – Chairman Humphreys stated a conflict for him with the Correspondence Item, Kootenai County Public Hearing – Coeur d'Alene Paving.

CURRENT BUSINESS

April 2011 Minutes

Commissioner Werner made a motion to approve the April 2011 Minutes as presented. Commissioner Miller seconded. Motion carried unanimously. *[5/4/11 Board Mtg]*

Prairie Ave, Meyer to Huetter

Payment Number 8 was presented to the Board. Commissioner Werner made a motion to approve and pay the Prairie Avenue progress report and invoice. Commissioner Miller seconded. Motion carried unanimously. *[5/4/11 Board Mtg]*

Project Record Summary

Idaho Transportation Department submitted the summary showing status of projects not yet closed in their books. So noted by the Board. *[5/4/11 Board Mtg]*

Proposed Terms Resolution

Chairman Humphreys reported Stuart Davis of IAHD, Dave Wynkoop, the Secretary of State, and the Attorney General came up with this proposed resolution to basically create a paper trail. At the last Board Meeting, Susan Weeks stated, although not necessary, the resolution cannot hurt either, the purpose being to clarify terms of office due to recent changes in the law. Commissioner Werner stated that seeing how the letter from the Secretary of State clarifies the terms, he made a motion to approve the resolution presented to the Board. Commissioner Miller seconded. Motion carried unanimously. Chairman Humphreys asked the District Clerk to assign a resolution number. *[5/4/11 Board Mtg]*

Beck Road Interchange

HDR Engineering sent a response to the District's February letter. Several points were addressed in the letter for which the Chairman Humphreys asked the Road Supervisor if he concurred with the responses. Receiving an affirmative answer, there was no further discussion and no action is needed. *[5/4/11 Board Mtg]*

CORRESPONDENCE

Signal Point Road Gate – A letter was received from Theodore Guindon addressing the gate on the Signal Point Road, Blossom Mountain. Commissioner Werner stated since we now have a complaint before the Board and since state law states you cannot gate public rights-of-way, he feels the Board is bound that the gate cannot be allowed on the road. Chairman Humphreys concurred asking how far the road extends beyond the gate. Road Supervisor Brownsberger stated it is quite a distance, but doesn't know exactly, citing it may extend to the towers. Chairman Humphreys remembered the gates were requested due to vandalism to the towers. Commissioner Werner made a motion that the Road Supervisor determine the public right-of-way distance, notify property owners and at such time he feels comfortable with removing the gate, to do so and if it can be located in a different location that it is off our right-of-way that we would also evaluate that location. Commissioner Miller seconded. Motion carried unanimously. *[5/4/11 Board Mtg]*

City of Post Falls Notice of Public Hearing, Ground Force – Annexation is proposed by the City of Post Falls. The parcel includes property owned by Post Falls Highway District north of westbound Seltice and east, extending to Seeley. The Board has no objections. *[5/4/11 Board Mtg]*

LHTAC's Government Discretionary Funds – All projects built with these funds must be completed and all documents submitted to LHTAC so they can have their close out documents completed by December 31. Chairman Humphreys asked Engineer Darius Ruen if his company is comfortable to have this completed for the Prairie McGuire Intersection Improvement project. Mr. Ruen added RYA is aware and will have this accomplished. He added that contracts, bids, and progress on contracts will be discussed later in the meeting. *[5/4/11 Board Mtg]*

LHTAC and the Prairie Avenue, Meyer to Huetter Project – This letter states LHTAC has received the Final Roadway Concept Report in which the consultant has addressed earlier comments. It will be forwarded to ITD for approval. Road Supervisor Brownsberger stated it has been approved by ITD. *[5/4/11 Board Mtg]*

Kootenai County Public Hearing, ZON11-0004 Coeur d'Alene Paving – Chairman Humphreys, again stated a conflict of interest. Commissioner Werner stated the Board has already made comments on this zone change and noted the date and time of the Public Hearing. Finding no further discussion request, he requested the item be put on the Board's calendar. *[5/4/11 Board Mtg]*

Narrowbanding Deadline – Road Supervisor Brownsberger stated most of the District's radios are capable, they just need to be reprogramed. We will need to do some budgeting for new radios with the next budget cycle. *[5/4/11 Board Mtg]*

#### ROAD SUPERVISOR

Prairie McGuire Intersection Improvement Bid –The engineer's estimate was \$473,873. Interstate was the apparent low bidder at \$428,575. Other bids were Knife River, \$461,748; Poe Asphalt, \$469,228; and Cameron-Reilly, \$483,636. So noted, LHTAC will prepare the contract, it will be on the next Board Meeting agenda. *[5/4/11 Board Mtg]*

Later in his report, the Road Supervisor stated Avista is currently moving poles on-site. The power will soon be cut for the bouncing-ball-warning lights prior to the Stop sign. The Board has previously discussed moving the warning lights to Chase and Prairie. Commissioner Werner asked contact be made with Avista since this would be a good time to have them install posts and run power while they are out there. Engineer Darius Ruen concurred the Chase Prairie location is a good place to install the lights. *[5/4/11 Board Mtg]*

NICE/KATS, Bus storage – KATS is looking for a temporary home to store busses until they obtain a service provider. Commissioner Werner felt it is reasonable to allow the storage at a temporary basis for six months since it helps the County out and is good for the taxpayers. Chairman Humphreys concurred and asked if engine heaters are needed this time of year. The Road Supervisor feels it is appropriate to have an agreement to hold the District harmless; he will contact Christine Fueston to propose that agreement. *[5/4/11 Board Mtg]*

Prairie Project/Units Water System – In order for Welch Comer to properly identify the location of the Units water line, potholing was provided by the crew. It runs 4 to 6.5-feet in depth and will be located underneath the roadway. He hasn't received the final report from Welch Comer to show the exact location. It is north of the road, crossing Prairie just east of Carolwood Court. Commissioner Werner added that most of the City's lines lay underneath the roadway. Chairman Humphreys added that he spoke with a property owner who stated he and others who use the water system feel that if the need arises, they would want to drill their well rather than to pay for the public water system to be brought in during construction. *[5/4/11 Board Mtg]*

Road Stabilization Class – T2 is putting on a class next week in conjunction with RoadWise whom supplies our road stabilization product. They have asked that we arrange a lunch for both days and they will pay for it. The District will pay for the lunch, then be reimbursed, so the Board can expect to see a check to come through to Rustlers Roost. *[5/4/11 Board Mtg]*

Absence – Road Supervisor Brownsberger reminded the Board he will be out of the office the following week, May 9-12. *[5/4/11 Board Mtg]*

#### ENGINEER

Prairie McGuire Intersection Improvement Project – LHTAC has sent the contract, request for bonds and insurance to get started on the project. It will take most of next week so the Board can take action to award the contract at the following meeting. Mr. Ruen also met with Todd Bartholomew regarding the Construction, Engineering, and Inspection (CE&I) work. Mr. Bartholomew has negotiated with Jim Roletto of David Evans and Associates (DEA) to provide the CE&I work which will also have a contract ready for approval at the next Board meeting. *[5/4/11 Board Mtg]*

#### OFFICE

District Clerk Shirley Walson provided the Board with information on polling locations, the Kootenai County Elections Office webpage and how to use it. Live results can be found on this page as well as polling locations by voters' address. The County allows one person per district to be contacted personally which concession will go to Chairman Humphreys. *[5/4/11 Board Mtg]*

#### COMMISSIONERS

No items for discussion.

With no further business, Terry Werner made the motion to adjourn the meeting at 6:37 PM. Commissioner Miller seconded. Meeting adjourned.

#### Regular Meeting – May 18, 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, Glenda Johnson, and Mary Spray were guests.

Commissioners had no conflict of interest with any agenda item.

#### PUBLIC HEARING

##### WILLADSON ROAD

Steve Syrcle of Tri-State Engineers, representing the Finneman Ranch, stated the hearing has been tabled for several months and he is requesting it again be tabled. Lakes Highway District has scheduled a June 20 final hearing for their jurisdiction of the vacation request. Lakes HD had previously recommended to vacate the roadway with conditions. The Finneman's attorney had asked for reconsideration of such conditions. Due to their June meeting, Mr. Syrcle asked for a July hearing with this District. Commissioner Werner made a motion to table the Willadson Road vacation request until July 20, 2011. Commissioner Miller seconded. Motion carried unanimously. Commissioner Werner asked staff to notify previous attendees that attended first hearing. *[5/18/11 Board Mtg]*

#### OLD BUSINESS

##### RESOLUTION 2011-04

Confirming the Legal Term of Office for a Highway District Commissioner – Discussed and approved at the previous Board Meeting, this resolution only required Board signatures. *[5/18/11 Board Mtg]*

#### CURRENT BUSINESS

##### Technology Policy, Personal Use

An addendum to the Personnel Policy was prepared stating personal emails are not to be delivered to the District email system. Commissioners are encouraged to use the District email system for District electronic correspondence and no other business or personal email accounts.

Commissioner Werner stated he feels it covers our needs. Commissioner Werner made a motion to add the Technology Policy to the District's Policy and Procedure Manual. Commissioner Miller seconded. Motion carried unanimously. After an explanation from District Clerk Walson, each board member was in favor of having the District's computer technician set up their personal computers to handle District email accounts. *[5/18/11 Board Mtg]*

#### Prairie McGuire Intersection Improvement Project – Construction Contract

Chairman Humphreys asked Road Supervisor Brownsberger if he had a chance to review the contract. Mr. Brownsberger stated he had and it appears to be in order. Chairman Humphreys asked the same of the District's engineer. Darius Ruen said he was okay with it as well but asked if the correction sheets were received. Receiving an affirmative answer, Commissioner Werner made a motion that Chairman Humphreys sign the agreement. Commissioner Miller seconded. Motion carried unanimously. *[5/18/11 Board Mtg]*

*Glenda Johnson arrived at 6:10 pm.*

#### Prairie McGuire Intersection Improvement Project – CEI Contract

This contract is also in order according to staff. Commissioner Werner made a motion that Chairman Humphreys sign the CE&I contract. Commissioner Miller seconded. Motion carried unanimously. *[5/18/11 Board Mtg]*

#### May 2011 Bills

Commissioner Werner made a motion to approve the bills as presented. Commissioner Miller seconded. Motion carried unanimously. *[5/18/11 Board Mtg]*

#### Bruce Grachal Permit Progress

Road Supervisor Brownsberger explained the Board request this letter be drafted at Monday's Workshop. Commissioner Werner made a motion for Chairman Humphreys sign the letter regarding the earth removal project. Commissioner Miller seconded. Motion carried unanimously. *[5/18/11 Board Mtg]*

#### CORRESPONDENCE

No correspondence this week.

#### ROAD SUPERVISOR

Budget Rock Crushing funds – The previous year's budget had \$40,993.94 left in the crushing budget. Asking the District Clerk to transfer the funds at the end of budget year, the Clerk wanted to wait until the audit was complete. Since that is now done, he would like to transfer the funding from the general fund into the crushing account for future crushing needs. Commissioner Werner moved to transfer last year's funds from the rock crushing account into our crushing savings account. Commissioner Miller seconded. Motion carried unanimously. *[5/18/11 Board Mtg]*

Kootenai County Agreement, bus storage – The prepared agreement for Kootenai County NICE/KATS buses has been received and reviewed. It will allow parking of the buses in the bone yard for six-months and gives them the same privileges as City Link, but they won't be charged. At the end of the six-month agreement and if the space is still needed, the District will review the agreement. Commissioner Werner made a motion that Chairman Humphreys sign the agreement with NICE/KATS bussing to use District property. Commissioner Miller seconded. Motion carried unanimously. Chairman Humphreys added that they do have a diesel bus and at the end of the agreement, if they need an extended storage time, a plug in may be needed. He asked the Road Supervisor to check with our electrician to ensure one can be added at the site, but not to do the work or pay to have it done. *[5/18/11 Board Mtg]*

Signal change-over – In April, Mike Monett provided information for the Board's review on change overs for the left-turn signal lights at Prairie Avenue and Atlas and Prairie and Ramsey. Lakes Highway District (LHD) will change from a five-head to the four-head and both Districts have also been working with Gordon Dobler, City of Coeur d'Alene. The cost, as submitted by Mr. Dobler, is \$3,738, or 75% of the total cost per our signal maintenance agreement where the City pays 25%. Commissioner Werner made a motion to expend \$3,738 to change the 5-head to a 4-head

traffic signal on Prairie Ave. Commissioner Miller seconded. Motion carried unanimously. [5/18/11 Board Mtg]

Illumination at Prairie/McGuire Roundabout – In trying to reduce the cost of the illumination, Avista has provided two options. The first option is, up front of \$1,380 per light. Reduce monthly payment to \$20.60 per light for the eight lights. This is \$11,038 and will take just more than eleven years to pay for it. The second option is to pay \$30.96 per light on a monthly basis. Chairman Humphreys asked how long we will remain at that cost but they have not committed to that cost for any certain time. Monthly payments result in \$164 per month for the first option or \$248 at the second option. Discussion followed regarding the original cost that was understood when construction of the roundabout began and the best option as the Board sees it. Commissioner Werner made a motion to pay the larger monthly amount due to the length of time it would take to realize the savings with the first option. Commissioner Miller seconded. Motion carried unanimously. [5/18/11 Board Mtg]

Harbor Island Bridge – The crew removed a log by the Harbor Island dam that was collecting deadheads and debris. The residents will dispose of the logs that were removed. [5/18/11 Board Mtg]

Vacation request – Road Supervisor Brownsberger requested to take vacation from June 22 through July 5. Commissioner Werner made a motion to authorize the Road Supervisor take vacation for that period of time. Commissioner Miller seconded. Motion carried unanimously. [5/18/11 Board Mtg]

#### ENGINEER

Signal Point Gate Removal – Engineer Darius Ruen researched public right-of-way for Signal Point Road and found several viewers reports. He provided exhibit maps showing those locations. Commissioner Werner noted a number of properties are accessed from this roadway, thus determining the gate cannot be moved further up the road because of these properties. By statute, the Board already determined the gate must go. Road Supervisor Brownsberger added he spoke with Ted Guindon quite extensively earlier in the day informing Mr. Guindon that he could not remove the gate just based on his letter request until the right-of-way had been determined. Mr. Brownsberger also would like to notify property owners by mail in order to lessen the impact on the Board and District. [5/18/11 Board Mtg]

#### OFFICE

April 2011 Treasurer Report – Commissioner Werner made a motion to approve the Treasurers Report for April. Commissioner Miller second. Motion carried unanimously. [5/18/11 Board Mtg]

Trails End – District Clerk Walson explained while on sick leave, the Road Supervisor received a call from Earl Treend's son. He then contacted Chairman Humphreys who interjected the caller asked if the District would accept a smaller payment than what is due. Chairman Humphreys stated he polled the other Board members and returned Mr. Treend's call that the District was not agreeable to a \$5,000 offer. Pioneer Title then contacted the office for a payoff on Monday and Wednesday, the full \$21,300 check was received. The Clerk then produced a release of lien. After Commissioner Werner ensured the check was from Pioneer Title, he moved that Chairman Humphreys sign the release of lien. Commissioner Miller seconded. Motion carried unanimously. [5/18/11 Board Mtg]

#### COMMISSIONERS

Timothy Ward claim – Chairman Humphreys received a letter at his home address regarding a claim that he had filed and been refused payment by ICRMP for alleged damage to his vehicle. He filed the claim more than 180 days after damages and is disputing the interpretation of Idaho Code that cited to him in ICRMP's letter. The letter will be receipted and documented. No further action at this time. Commissioner Werner made a motion that the Board has reviewed the letter from Mr. Ward that he sent to the Chairman of the Board and upon further discussion found that there was no action needed from his representation and thanked the Chairman for filling the Board in. Commissioner Miller. Motion carried unanimously. Commissioner Werner asked a copy of the letter be placed with the minutes. [5/18/11 Board Mtg]

Election – Commissioner Werner stated he was happy to see he won the election by a handsome margin and is glad the Board can continue on as it has been. Commissioner Miller agreed one hundred percent. Chairman Humphreys thanked everyone for any and all support that he received during the election and asked everyone to stay for dessert to celebrate his re-election.  
*[5/18/11 Board Mtg]*

With no further business, Terry Werner made the motion to adjourn the meeting at 6:44 PM.

SPECIAL MEETING: May 2, 2011 Workshop - Cancelled.

SPECIAL MEETING: May 16, 2011– 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 were Ben Pederson, Jay Stilkey, and Fawn Owens.

Seeley Road, Taylor Road, Seltice Way Retaining Wall Construction – Ben Pederson was present to discuss Taylor Street, just off Main which is just off Seltice. He referred to a copy of October 2010 minutes in which a rock wall was allowed to be constructed across the right of way. He also reminded the Board that a request to vacate Taylor Street was denied several years ago. He added he felt the road should remain open. Mr. Stilkey added there is a lot of property between there and I90. Commissioner Werner asked to see the map Mr. Pederson brought and he showed the property ownerships. Commissioner Werner stated he noticed Bruce Grachel is not moving very fast in his construction. Road Supervisor Brownsberger stated he met with Mr. Grachel quite a bit prior to the permit request and he wants to put a retaining wall ; the r/w still exists so if a road ever comes through there, the rocks can be pushed down and used for fill. He added it doesn't lessen the right-of-way in any way and it will still exist and that once public right of way is present, it is there forever until a formal abandonment action takes place. Chairman Humphreys assured the neighboring owners that their interest was still protected and thanked them for coming in and voicing their concerns. Commissioner Werner asked staff to contact Mr. Grachel and prompt him into getting this project completed. Chairman Humphreys asked it be put on the agenda for the upcoming Board meeting to approve a letter. *[5/15/11 Wkshp]*

Blind Child Sign Request – Fawn Owens was present to request a Blind Child sign at the 200 block of Cedar Street. Ms. Owens stated she saw signs in Spokane and hopes drivers will slow down, not just for her own child but for all children. She contacted the City of Post Falls Chairman Humphreys asked if her yard was fenced in which we stated she did but does not have a hard surface in her back yard and he rides his bike in the driveway to strengthen his muscles. Commissioner Werner stated the sign she referred to in the City is on private streets and asked for a couple of weeks so staff can research if there are approved signs. He added MUTCD removed Children At Play signs and explained city and highway district jurisdictions in the location. *[5/15/11 Wkshp]*

#### ROAD SUPERVISOR

Prairie Avenue, Meyer to Huetter Units Water Line – Matt Gillis of Welch Comer continues to work with LHTAC to try and obtain funding to replace the water lines. He provided the Board with an email that explained Mr. Gillis' correspondence with LHTAC and gave an approximate price. Also, a public meeting is again planned and is tentatively set for Wednesday, June 22, 5-7 pm.  
*[5/15/11 Wkshp]*

Roundabout CE& I - The contract was presented for the Board's review. It is on the agenda for Wednesday night for approval. Engineer Darius Ruen added there has been some negotiation between LHTAC and David Evans Associates regarding testing requirements. He understands both sides are now okay with the current contract. Commissioner Werner asked about the cost and if it included Stratus testing, receiving an affirmative answer. *[5/15/11 Wkshp]*

## ENGINEER

Roundabout Contract – Interstate Concrete has signed two copies of the contract agreement which were originated by LHTAC. An error is in the contract citing a city rather than the District. Mr. Ruen contacted them to make the change and it should be available for the Board Meeting. [5/15/11 Wkshp]

Discretionary Monies – LHTAC contacted local agencies last week stating some funding is available very quickly. Mr. Ruen stated unless the District is interested in obtaining a ferry boat, or a road connecting USFS lands, there isn't much funding available to this District. [5/15/11 Wkshp]

## OFFICE

Next Workshop – District Clerk Walson notified the Board the next workshop would be scheduled on Memorial Day, so there will not be a workshop.

## COMMISSIONER COMMENTS

The upcoming election was briefly discussed.

The Meeting adjourned at 1:50 PM.

SPECIAL MEETING: May 3, 2011 – KMPO Workshop, Post Falls City Hall, 10:00 AM. Attended by Lynn Humphreys.

SPECIAL MEETING: May 4, 2011 – Utility Council, Sargents, 12:00 PM. Attended by Bob Miller and Kelly Brownsberger.

SPECIAL MEETING: May 5, 2011 – KMPO, Post Falls City Hall, 1:30 PM. Attended by Lynn Humphreys and Bob Miller.

SPECIAL MEETING: May 10, 2011 – KMPO, Post Falls City Hall, 12:30 PM. Attended by Lynn Humphreys.

SPECIAL MEETING: May 12, 2011 – Kootenai County Association of Highway Districts. Lakes Highway District. 7:00 PM. Attended by Lynn Humphreys and Bob Miller.

SPECIAL MEETING: May 24, 2011 – KCATT, 8:00 AM, ITD. Attended by Bob Miller and Kelly Brownsberger.

## **ORIGINAL SIGNED AND DATED 6/1/11**

Submitted by:  
Shirley Walson, District Clerk