

POST FALLS HIGHWAY DISTRICT
NOVEMBER 2009 MINUTES

Regular Meeting – November 4, 2009, 6:00 pm, E. 5629 Seltice Way

Lynn Humphreys, Chairman, called the meeting to order at 5:53 P.M. Present were Commissioners Lynn Humphreys, Terry Werner, Robert Miller; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and Darrel Ramus, PLS representing Ruen Yeager.

Commissioners had no conflict of interest with any agenda item.

Commissioner Miller moved to approve the October 2009 minutes and vouchers. Commissioner Werner seconded. Motion carried unanimously.

CURRENT BUSINESS

Big Sky, Jeremy Tripp

Mr. Tripp has not returned the Road Supervisor's phone call to inform the District if he would bond out or if he wants to apply the unpaid amount to his parcels via Deed of Trust. The District will have the attorney proceed with a Deed of Trust securing the lien on all lots owned by Mr. Tripp. [11/4/09]

Urban Renewal Rebate

The agenda showed a designation for the \$58,954.10 rebate check received October 29. Commissioner Werner suggested it be kept in a contingency account until such time the 2010/2011 budget is completed as the Board may need to use this as part of the budget. [11/4/09]

2007-2008 Road & Street Financial Report Ratification

This report was prepared with the assistance of Anderson Brothers CPA's last year. Previous reports showed a zero balance due to designated funds. The Road Supervisor and District Clerk met with Lee Anderson the previous week and a change was made to zero the report. Board signatures were collected. Commissioner Werner made the motion to ratify and approve the 2007-2008 Road and Street Financial Report. Commissioner Miller seconded. Motion carried unanimously. [11/4/09]

CORRESPONDENCE

ITD Project Record Summary Financial Status Report – Board has reviewed the status.

ROAD SUPERVISOR

Noxious Weeds Weed Evaluation – Nina from the Kootenai County Weeds Department sent a letter requesting comments. Commissioner Humphreys stated he requests the program would include attack on Russian Thistles. [11/4/09]

Fairmont Loop – Staff has hung notices on doors at the Fairmont Loop homes regarding parking bans during snowfalls. [11/4/09]

ITD Railroad Crossing Review – Diagnostics review on the rail crossings begin November 19 starting at Greensferry, north. Greensferry is scheduled next year for signals. Wyoming, Meyer, and Huetter will also be included. The item will be placed on the calendar. [11/4/09]

Avista/Hayden Pit Agreement – Avista has requested to run power line parallel to the railroad through the Hayden Pit property. Compensation has been offered however the Road Supervisor brought up the issue of royalties since this is a pit and the entire end of the pit will be nonuseable. The District has expended quite a bit in a tree buffer along the pit that will all be removed. Chairman Humphreys had concerns of the lack of information to even consider the proposal as

written. The Road Supervisor also stated the easement is stated at 35-feet in the letter but 30-feet on the plan. This item will be placed on the next agenda for further discussion. [11/4/09]

On-Call – The Road Supervisor presented the Board with the 2009/2010 On-Call list. This provides a schedule showing the employee and week each will be on-call for emergencies. A reminder was given that the District begun the 5-day week work schedule this week. [11/4/09]

Plow Meeting – A good amount of equipment is ready for a small storm or ice. Commissioner Werner asked if mag had been ordered and the Road Supervisor informed him it has. [11/4/09]

Quarterly Meeting with Kootenai County Commissioners – The Road Supervisor was the only representative of the District present at the recent meeting. The meeting included a discussion on gated communities and private roads and asked the Board if they were in favor or opposed the support of such developments. Commissioner Werner felt the roads should stay public and Chairman Humphreys agreed. The opinion was a homeowner's association generally stays active for only a few years and then the property owners want the District to maintain it and it may be in deteriorated condition. [11/4/09]

Former employee, Jim Hart, passed away. A celebration of life will be held at his home Saturday, November 7 from 2:00 to 5:00 PM, 1505 N Lincoln, Post Falls. [11/4/09]

ENGINEER

Freddi Road – Darrel Ramus from Ruen Yeager had exhibits on the right-of-way for Freddi Road, formally known as Benson Road, which was established by Viewers Report 19 and approved by the Board of Kootenai County Commissioners in January 1910. (Although not part of the Freddi Road gate issue, it should be noted there is an exception to the Benson Road Viewers Report pertaining to a piece in Section 4 in which two landowners held out their signatures at the time of the Viewers Report. The surveyor did find proof of a later eminent domain process in which the landowners were paid and that remnant was obtained.) Robert Smith Road, Viewers Report 267, was signed and approved by the Kootenai County Commissioners as well with a later highway plat for Freddi Road, done in 2003. There is no road width specified for Benson Road; Robert Smith road is specified as 50-foot in width. In conclusion, the surveyor stated he feels it has been confirmed the roads have been surveyed and approved by the Kootenai County Board of Commissioners. District Attorney Susan Weeks was comfortable with information as presented to her at a November 3 meeting; the Board agreed. The consensus was the road is built on the right-of-way, therefore the gate is located on public right-of-way. [11/4/09]

OFFICE

Highway Users Check – The October payment was received in the amount of \$351,269.94 on October 21. It was a 5.04% increase from the previous check. [11/4/09]

COMMISSIONERS

Chairman Humphreys wished everyone a safe trip and hope we all enjoy the Convention. No other comments were received. [11/4/09]

Commissioner Miller made the motion to adjourn the meeting at 6:30 P.M. Commissioner Werner seconded. Motion carried unanimously. Meeting adjourned.

Regular Meeting – November 18, 2009, 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.

CURRENT BUSINESS

Mark Lee CUP

Cindy Espe could not be available for the meeting but sent a letter on behalf of her client asking for a waiver or postponement for Item 3 in the October 22, 2009 submittal. Commissioner Werner made the motion to send a letter to Ms. Espe stating we stand by the recommendations of our engineer. Commissioner Miller seconded. Motion carried unanimously. [11/18/09]

Big Sky, Jeremy Tripp

Chairman Humphreys asked if we have received the agreement from the District's Attorney, which has not yet been submitted to the District. Commissioner Werner made the motion to table the amended road developers agreement. Commissioner Miller seconded. Motion carried unanimously. [11/18/09]

Avista Power Line Proposal

The Board received this letter at the last Board Meeting for their review. Commissioner Werner stated the cost offered to the District is the same Avista has been offering for farmland for this project. He believes the same evaluation for aggregate and mining should not be the same as it is for farmland. Discussion included another appraisal taking into account this is an active pit. Other concerns were the clearance for the site barrier and the value of trees. Chairman Humphreys added that we tried to buy land from ITD using surface value and the price came back to where the District could not consider the purchase. Road Supervisor Brownsberger talked with Ron McGregor from Avista and they are in the process of staking the proposed right-of-way purchase. Commissioner Miller was also in favor of getting another appraisal. Chairman Humphreys asked the Road Supervisor to tell Avista that once the site is marked, we can review the location to see what impact it really will have on the pit and proceed from there. [11/18/09]

1995 GMC Pickup Bid – Commissioner Werner opened the only sealed bid for the 1995 GMC four-wheel drive pickup, Old P-7. Larry Kjolseth placed a bid for \$2,225.12. Commissioner Werner made the motion to contact Mr. Kjolseth and inform him he has purchased the pickup and bring in a cashiers check or cash. Commissioner Miller seconded. Motion carried unanimously. [11/18/09]

CORRESPONDENCE

Syringa Heights 6th Addition – Removed from Agenda. Not within Post Falls Highway District. [11/18/09]

Cedar Creek Estates – Notice was received of a Public Hearing with the Kootenai County Board of Commissioners for December 10, 2009 at 6:00 PM. A review letter has been sent. [11/18/09]

ROAD SUPERVISOR

NPDES Permit – Kelly recently attended a users group meeting for the NPDES permit with the SEEP (Stormwater Erosion Education Program) group. The group has asked for participation from the District to contribute \$750.00 towards field guides. From this participation, the District will receive 150 guides to hand out with building permits. This will help satisfy the public outreach and education requirement for the NPDES permit. DVD's will soon be ready for public education that will be a minimal costs. Commissioner Werner made a motion to spend \$750.00 for SEEP pamphlets to help meet our NPDES stormwater permit requirements. Commissioner Miller seconded. Motion carried unanimously. [11/18/09]

Quiet zone at BNRR Crossing at Pleasantview – The Road Supervisor received a request to establish a quiet zone at this crossing. He told the caller the Union Pacific web site had some good information on quiet zones and also provided the Board with this information. Chairman Humphreys added a quiet zone establishes a safe crossing such that a train does not need to blow their horn. A previous resident established one that took approximately fifteen years in working with the railroad and it is extremely expensive. [11/18/09]

UPRR Diagnostic Review – The District has received the time and location of the railroad crossing review. It will be at 8:00 AM and begin with a meeting at the City of Post Falls City Hall and include a field review. [11/18/09]

District Road Review – Commissioner Miller had asked the Road Supervisor to do a road trip in the District to bring him up to date on some projects. Kelly extended the invitation to the Board. A date and time is yet to be established. [11/18/09]

Scrap Iron Cleanup – The crew has been cleaning up the bone yard to get rid of some of the old equipment and scrap. Mechanic Randy Neal has done some research on scrap prices and determined the scarp is worth approximately \$1,200. Staff has put the information on Craig's List and received an offer of \$1,800 and will haul the scrap. The Board felt this was a good offer. Commissioner Werner made the motion to declare the scrap, dump box, Worley screening plant, and miscellaneous metal as surplus of the Post Falls Highway District and it no longer meets our needs and allow the scrap to be sold off of Craig's List for the best offer. Commissioner Miller seconded. Motion carried unanimously. The District will wait until the week of November 23 to see if future offers are submitted. [11/18/09]

Cliffhouse Road Encroachment Permit – Jim Tipke has applied for an encroachment permit to build stairs on Cliffhouse Road to access the water at Hauser Lake. The Assistant Road Supervisor checked it out and saw no problem. Commissioner Werner made the motion to approve the encroachment permit for Jim Tipke on Cliffhouse Road. Commissioner Miller seconded. Motion carried unanimously. [11/18/09]

Gibbs Tracts – Mylars were delivered for the Board's signature on Gibbs Tracks. This is a two lot subdivision that actually has access off of SH53 north of Idaho Raod. The District sent a letter stating the District had no comment; it has no impact on the District at all; and ITD should be contacted for comment. Commissioner Werner made a motion for the Chairman Humphreys to sign the Gibb's Tracts mylars. Commissioner Miller seconded. Motion carried unanimously. [11/18/09]

Vacation Request – Road Supervisor Brownsberger requested vacation the week of Thanksgiving since it is already a short week. Commissioner Werner made the motion to authorize the Road Supervisor to take the week of November 23 off for vacation. Commissioner Miller seconded. Motion carried unanimously. [11/18/09]

ENGINEER

Round About Concept Report – This report has been submitted to LHTAC and they hope to receive comment by November 20. Environmental people have started their review; the cultural resource person is on site; and utility plans are ready for markup so all is moving ahead. [11/18/09]

LHRIP Application for Prairie – Final touches have been made on the application for the match on Prairie. [11/18/09]

OFFICE

Delta Dental Increase – The premium rate increase was received. Current rates are \$34.75 per person/ per month, new rates are \$36.45, an increase of \$1.70 per person or 5% for 2010.

Transfer of Funds Reports – Five reports were submitted for the Board's review regarding transfers from October. Bridge Fund, Beck Road, General Savings, Equipment Replacement, and the Insurance fund. Commissioner Werner moved to approve the transfers. Commissioner Miller seconded. Motion carried unanimously. The Treasurers Report for October is not yet ready. [11/18/09]

Computer Virus – The District Clerk’s computer has obtained a virus and has been cleaned by Gem State Specialists. Fred Manthey from Gem State also suggests the Clerk purchase a new computer. Commissioner Werner made the motion to spend \$650 for a new computer for the District Clerk. Commissioner Miller seconded. Motion carried unanimously. Further discussion included backup for our computers. [11/18/09]

CD Rates – The Board has previously discussed moving some funds into Certificate of Deposits from funds currently invested with the State Investment Poole in order to receive a better interest rate. As directed, the Clerk contacted three banks to get current CD interest rates. Upon review of the information, the Board asked that Dave Bobbitt from Community First Bank be invited to the next Workshop to discuss safety of investing in CD’s, rates, etc. Commissioner Werner stated a concern that funding cannot be tied up for future Boards. Staff will contact Mr. Bobbitt and further review the dedicated accounts for a proposal of funds that could be transferred. [11/18/09]

COMMISSIONERS

Commissioner Miller proposed to the Board that Yvonne Wilbur be invited to the District Christmas party. She opened up her home for the summer potluck and he thought that would be a nice offer. The Board agreed. Bob will contact Yvonne for the December 19 party. [11/18/09]

With no further business, Terry Werner made the motion to adjourn the meeting at 6:52 PM. Commissioner Miller seconded. Motion carried unanimously. Meeting adjourned.

SPECIAL MEETING: November 2, 2009–District Workshop Cancelled.

SPECIAL MEETING: November 16, 2009–District Workshop Cancelled.

SPECIAL MEETING: November 4, 2009 – Utility Council, Sargents, 12:00 PM. Attended by Bob Miller and Kelly Brownsberger.

SPECIAL MEETING: November 5, 2009 – OEM, Office of Emergency Management, Iron Horse Restaurant, 7:30 AM. Attended by Kelly Brownsberger.

SPECIAL MEETING: November 5, 2009 – KMPO, City of Post Falls Council Chambers, 1:30 PM. Attended by Lynn Humphreys, Robert Miller, and Kelly Brownsberger.

SPECIAL MEETING: November 11-13, 2009 – Annual Idaho Association of Highway Districts, Doubletree, Boise. Attended by Lynn Humphreys, Terry Werner, Robert Miller, Kelly Brownsberger, Shirley Walson, and Mary Spray. District Engineer Darius Ruen also attended.

SPECIAL MEETING: November 19, 2009 – UPRR Diagnostic Review - City of Post Falls City Hall and Field Review, 8:00 AM. Attended by Lynn Humphreys, Robert Miller, and Kelly Brownsberger.

SPECIAL MEETING: November 24, 2009 – KCATT, 8:00 AM, 702 E Front, Cda. Attended by Bob Miller.

APPROVED _____

ATTEST _____

DATE _____

Submitted by:
Shirley Walson, District Clerk