

POST FALLS HIGHWAY DISTRICT  
JULY 2017 MINUTES

Regular Meeting – July 5, 2017, 6:00 pm, E 5629 Seltice Way

Chairman Humphreys called the meeting to order at 6:00 P.M. Present were Chairman Lynn Humphreys, Commissioner Todd Tondee, Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and District Engineer Darius Ruen. Vice-Chairman Terry Werner is present by telecommunication device.

CONFLICTS OR ADDITIONS

Chairman Humphreys declared a conflict with the Lawrence Estates agenda item. Mr. Lawrence is a good friend and a customer of Mr. Humphreys. He added he will comment if the Board accepts them otherwise he will abstain. [7/5/2017 Brd Mtg]

There were no additions to the agenda.

CONSENT AGENDA

Only one item was on the consent agenda. Commissioner Tondee stated everything looked in order and **moved** to approve the June 2017 Minutes. Chairman Humphreys seconded. **Motion carried** unanimously. [7/5/2017 Brd Mtg]

PUBLIC COMMENTS

There were no requests for public comments.

CURRENT BUSINESS

Election Results Acceptance

The May 16, 2017 election results have been issued by the Kootenai County's Election Office and by the Board of Kootenai County Commissioners, the results are as follows:

Sub District One: Terry C. Werner – 797 votes; unopposed.

Sub District Two: Todd Tondee – 525 votes; Robert L. Balsler – 369 votes.

Commissioner Tondee **moved** to accept the May 16, 2017 election. Commissioner Werner seconded. **Motion carried** by a majority vote. [7/5/17 Board Mtg]

Dissolution of Board

Commissioner Tondee **moved** to dissolve the current Board. Commissioner Werner seconded and turned the meeting was turned over to Road Supervisor Brownsberger. **Motion carried** by a majority vote. [7/5/17 Board Mtg]

Swearing In and Presentation of Certificates

The Road Supervisor administered the oath to Commissioners Werner and Tondee, *I {insert name} do solemnly swear that I will support the Constitution of the United States, and the Constitution of the State of Idaho, and that I will faithfully discharge the duties of Post Falls Highway District Commissioner according to the best of my ability.* [7/5/17 Board Mtg]

Election of Board Positions

Road Supervisor Brownsberger asked for nominations of a Board Chairman. Commissioner Tondee questioned the minutes of July 2015 whereas the Board voted to rotate the Chairman by sub-district and asked if a motion is needed. Commissioner Humphreys felt a motion is needed to carry forward adding that Commissioner Tondee is not bound by that decision, according to the District's attorney. Commissioner Tondee, following the 2015 decision, moved that Terry Werner be chairman. Commissioner Humphreys seconded. **Motion carried** unanimously. Road Supervisor Brownsberger then stated the next motion would be for Secretary/Treasurer/Vice-Chairman and by the 2015 motion would be the commissioner from Sub-District 2. Chairman Humphreys moved for Todd Tondee become Secretary/Treasurer/Vice-Chairman. Chairman

Werner seconded. As the new Chairman was present by telecommunications, he said Mr. Humphreys could continue to conduct the meeting or Vice-Chairman Tondee could move into that position. Commissioner Humphreys continued. [7/5/17 Board Mtg]

#### Cruisers Annual Closure

Owner Justin Veo did not show up for his agenda request.

#### Hollister Hills Bid Package

Engineer Darius Ruen reported contract documents were prepared for the Hollister Hills project. All work has been completed by the engineering firm and this project is ready to go to bid. Publication dates were discussed; the bid will be opened on July 25; the engineer's final estimate is \$133,000. Commissioner Tondee **moved** to advertise for the Hollister Hills bid package. Chairman Werner seconded. **Motion carried unanimously.** [7/5/17 Board Mtg]

#### W. Riverview Drive (Skalan Creek)

Paragon Invoice #2 in the amount of \$230 was received for this project. Commissioner Tondee **moved** to authorize payment of the Paragon Invoice for \$230. Chairman Werner seconded. **Motion carried unanimously.** [7/5/17 Board Mtg]

#### Riverview Drive Guardrail Installation

Commissioner Tondee moved to approve the Riverview Drive Guardrail installation invoice in the amount of \$11,125.47. Chairman Werner seconded. **Motion carried unanimously.** [7/5/17 Board Mtg]

#### Lawrence Estates

Commissioner Humphreys reminded the Board he will abstain from comment unless the Board asks for his input. Commissioner Tondee asked about the history responses on similar situations. Road Supervisor Brownsberger stated that standard comments for minor subdivisions is to ask for additional right-of-way and if the road fronting the development is not built to standards, the District will ask that the road be brought up to standards or pay a 'fee-in-lieu-of' for each additional lot. In this case, the District has asked for engineering, construction, and right-of-way due to the fact that the intersection Pleasant View Bridge Road and W. Riverview Drive is a skewed angle creating a dangerous site distance limitation. As road improvements are often driven by development and Pleasant View Bridge Road is not up to current standards, the request was made. Commissioner Humphreys stated the District's concern is due to the angle of the intersection creating a difficult sight distance and the District wants it improved to a 90 degree intersection creating a safer intersection for the constituents adding he feels it is important to require right-of-way through the platting process. Commissioner Tondee feels both obtaining the right-of-way and rebuilding the intersection is important. Chairman Werner commented that even though it is a minor subdivision, he feels the District's requests are not out of line. Obtaining the right-of-way is needed foremost in the event a bridge is proposed at some point. The Board understands the developer's letter is requesting to reduce or omit the requirements or open up for negotiations. The Board is willing to meet with the representatives in a workshop but until then, the Board is standing by this letter. A workshop is set for Thursday, July 20 at 5:00 pm. [7/5/17 Board Mtg]

#### CORRESPONDENCE

Pleasant View Road and Prairie Avenue Roundabout – LHTAC submitted notification the District has been approved for road improvements at this intersection in the amount of \$1,482,000 with design set for FY2018 and construction funds obligated for FY2020. [7/5/17 Board Mtg]

#### ROAD SUPERVISOR

Three Forks Project – Interstate finished their portion of the project so the crew came in and put down the first seal. A few spots may need patching later due to the items pulled out of the road during preparation; considering these problems, the Road Supervisor is pleased. [7/5/17 Board Mtg]

Chip Seals – Huetter and subdivisions are being sealed. It's going well. [7/5/17 Board Mtg]

#### ENGINEER

Cedar Creek Construction Plans – A set of plans was dropped off at the engineer's office. Mr. Ruen asked if the District had received a set. The Road Supervisor stated he denied a building permit because the plans are not yet approved. [7/5/17 Board Mtg]

Hollister Hills Overlay – The engineering department has been working on the plans for this project. [7/5/17 Board Mtg]

Federal projects are seeing progress and Mr. Ruen will meet with the Road Supervisor for input the following week. [7/5/17 Board Mtg]

#### OFFICE

Budget – The District Clerk stated a 2% increase will be shown in the budget; the new construction addition for this year is \$73,378. The Board agreed; Chairman Werner stated “less is better”. Ms. Walson added the budget hearing is scheduled for the second meeting in August. [7/5/17 Board Mtg]

#### COMMISSIONERS

Chairman Werner asked the Assistant Road Supervisor was back to work and received a negative answer. He then asked about the Riverview Guardrail project if it is cheaper to buy right-of-way than to build the retaining wall. Mr. Ruen said definitely yes and has been working on options with the Road Supervisor. He will then look for direction from the Board which option they will prefer. [7/5/17 Board Mtg]

Commissioner Tondee asked to set the preliminary review for the budget. The meeting was set for Thursday, July 20 at 5:00 pm in a workshop setting. [7/5/17 Board Mtg]

With no further business, the meeting was adjourned at 6:35 PM.

#### Regular Meeting – July 19, 2017, 6:00 pm, E. 5629 Seltice Way

Terry Werner, Chairman, called the meeting to order at 6:00 P.M. Present were Commissioners Lynn Humphreys, Terry Werner, Todd Tondee; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and District Engineer Darius Ruen. Ben Zimmerman was present as a guest.

#### CONFLICTS OR ADDITIONS

No conflicts were declared.

Chairman Werner stated the Road Supervisor asked for an Executive Session to discuss a personnel matter under additions. [7/19/17 Board Mtg]

#### CONSENT AGENDA

Two items were on the consent agenda, June 2017 Treasurer's Report and July 2017 Voucher approval. Commissioner Humphreys **moved** to pay bills for June/July that is presented to the Board. Commissioner Tondee seconded. **Motion carried** unanimously. The Treasurer's Report was signed by the Board as well. [7/19/2017 Brd Mtg]

#### PUBLIC COMMENTS

There were no requests for public comments.

#### CURRENT BUSINESS

##### Pleasant View Parking, South End

Ben Zimmerman lives at the most southerly parcel to the Spokane River located on the north side. He explained that over the July 4<sup>th</sup> weekend, 200 vehicles were present and they were

parking on either side of the road back to the recently installed tank. He stated that last year a fire truck could not get to a fire and had to drive through Jacklin's property; there are dog, kid, dust, and garbage problems. Mr. Zimmerman asked if the road could be abandoned, block it off altogether, or add signs to control the problems. He continued explaining his understanding of his property ownership, the width of right-of-way, what the District may or may not have future needs for this parcel, and since the District doesn't maintain the road, there is no reason to keep the road as District ownership. Chairman Werner explained that as a public right-of-way, the District cannot gate it or shut it off; the public legally has a right to use it. Road Supervisor Brownsberger stated he could verify if the District has it by Viewer's Report. Commissioner Humphreys stated the District can research this to determine that the District does own the right-of-way; state statute does not allow it to be blocked; review if there is better signage that can be installed and asked the Road Supervisor and Engineer review that. Mr. Zimmerman asked the Board to speak with the Fire Chief and if a firetruck or ambulance cannot gain access if needed, that the District should open the entire fifty feet. Chairman Werner stated at some point, a bridge may be built there again and gaining access is hard once it has been given up. Commissioner Tondee was not in favor to give up the right-of-way. Chairman Werner suggested No Parking signs could be installed to allow law enforcement to issue tickets. Mr. Zimmerman asked the Board to visit the location on a Saturday or Sunday and he was informed this item will be on the next Board meeting agenda for August 2. *[7/19/17 Board Mtg]*

#### Payment In Kind Agreement, CdA Paving

Chairman Werner explained the agreement has been signed by Coeur d'Alene Paving. The agreement allows 2,400 tons of gravel to be given to the District and 5,000 tons of rock rejected for road projects will go Coeur d'Alene Paving. Commissioner Humphreys **moved** to sign the agreement between Coeur d'Alene Paving and the Highway District that gives us the right to acquire the 2,400 tons of material from Coeur d'Alene Paving and gives them the right to remove the 5,000 tons of surplus reject rock from our boneyard. Commissioner Tondee seconded.

**Motion carried** unanimously. *[7/19/17 Board Mtg]*

#### W Riverview Dr (Skalan Crk) Invoice #17 and Invoice #18

Commissioner Humphreys **moved** that the Chairman sign the documents from LHTAC for Skalan Creek, the first in the amount of \$8,382.51 and the second in the amount of \$7,007.18 for a grand total of \$15,389.69. Commissioner Tondee seconded. Chairman Werner stated the motion was made to sign the agreements for payment for the W. Riverview (Skalan Creek) project. **Motion carried unanimously.** *[7/19/17 Board Mtg]*

#### ROAD SUPERVISOR

Brutigam Agreement – The updated purchase contract was presented to the Board for their review. It will hopefully be completed for the next meeting. Road Supervisor Brownsberger noted there were some changes regarding the existing approach and gate and what would be done with both. *[7/19/17 Board Mtg]*

Quarterly Subdivision Review Sheet – Mr. Brownsberger presented last quarter's subdivision reviews conducted by staff and that did not go through the Board due to the simplicity of them. So noted. *[7/19/17 Board Mtg]*

Crew Update – Chip sealing, pavement markings, sweeping and mowing have all kept the crew busy. All activities have been going well. *[7/19/17 Board Mtg]*

#### ENGINEER

Cedar Creek Subdivision – Mr. Ruen provided a review letter in answer to the developer's response from the last comment letter. The developer is asking to remove the snow storage location with Mr. Ruen adding it is clearly required in the standards. The intersection was discussed as were slopes of a vertical curve. The Board continues to ask for District Standards to be met in the event the District is asked to take over the private road. *[7/19/17 Board Mtg]*

Lawrence Estates – The Board had asked the engineer to look at a 90 degree intersection for this project. Mr. Ruen provided that plan to the Board for discussion at the July 20 workshop. [7/19/17 Board Mtg]

Three Forks Project – This project is complete. A pilot car was added which worked better than flaggers according to the engineer. Even with that, the project came in under the engineer's estimate. Request for payment, less retainage, will be put on the next agenda. [7/19/17 Board Mtg]

Seltice/Huetter Signal – Additional flagging costs were settled between Thoreco and the District. It will be on the next agenda for action. [7/19/17 Board Mtg]

Riverview Guardrail Project – Ruen Yeager is designing this project. Slopes, location of guardrail, shifting the road versus a retaining wall were discussed. Geotech research is being performed on the rock base. The engineer and road supervisor are scheduled for a conference call with LHTAC the following morning. [7/19/17 Board Mtg]

Greensferry Bridge Research – Engineer Darius Ruen received the review back from Wadsworth who both added and removed some of the staff engineer's estimated costs. Mr. Ruen would also like to have the bridge department of HDR review the projections. The right-of-way widths will be checked. [7/19/17 Board Mtg]

Hollister Hills – The pre-bid meeting is the following day, July 20 at 10:00 am. [7/19/17 Board Mtg]

#### OFFICE

Budget packets were presented for the Board's review prior to the July 20 workshop. [7/19/17 Board Mtg]

Huetter and Seltice Retainage Payment – The retainage was approved for payment at the June 27 payment. A signature is needed on the check. Completed. [7/19/17 Board Mtg]

#### COMMISSIONERS

Riverview Bike Signs - Commissioner Humphreys received a call asking for *Share the Road* or similar signing for Riverview Drive. After a short discussion, the Road Supervisor will review options and bring it to the next meeting. [7/19/17 Board Mtg]

Board Pay Requests – Commissioner Tondee has no problem with the Board's mileage, and other fees, however for phone reimbursement, he would like a resolution for the Board's payments. Chairman Werner also discussed formally stating compensation for the Board so it is clear for future commissioners and staff. A workshop will be scheduled at a later date. [7/19/17 Board Mtg]

Agenda Items - The Board discussed putting more items on the agenda rather than the staff reports being open ended. At times, motions are made under these line items. Commissioner Tondee and Chairman Werner particularly were concerned with noticing these on the agenda so the public has a chance to see them. Having copies of all items on the agenda was also requested so it was decided to send all items electronically and having hard copies available at the meeting. [7/19/17 Board Mtg]

Union Pacific Planking – Commissioner Humphreys asked the Road Supervisor is he had a chance to contact the track supervisor about the new crossing planks at Stateline. Mr. Brownsberger has not yet made contact with the track supervisor and the railroad is only responsible for a few feet outside the rail and they don't maintain it well, therefore the District has often fixed it rather than waiting for UP. [7/19/17 Board Mtg]

#### EXECUTIVE SESSION

Commissioner Humphreys moved to enter into Executive Session at 7:03 PM pursuant to the provisions of Idaho Code 74-206, Subsection 1(b). The purpose of the executive session is to discuss personnel matters. Commissioner Tondee seconded. Role call:

Commissioner Humphreys: aye

Chairman Werner: aye

Vice-Chairman Tondee: aye

Commissioner Werner made the motion to come out of the executive session at 6:44 PM.

Commissioner Tondee seconded. Motion carried unanimously.

The Regular Meeting reconvened at 7:13 PM. With no further business, Commissioner Humphreys made the motion to adjourn the meeting at 7:13 PM. Commissioner Tondee seconded. Meeting adjourned.

SPECIAL MEETING: July 20, 2017–5:00 P.M. District Workshop.

Terry Werner, Chairman, called the meeting to order at 5:00 P.M. Present were Commissioners, Terry Werner, Todd Commissioner Tondee; Lynn Humphreys; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and District Engineer Darius Ruen. Guests were Rand Wickman, Mitch and Cammy Lawrence.

Lawrence Estates – Rand Wichman Planning sent a letter to the Board in response to Lawrence Estates. The District had responded during the plat review process and the owners and Mr. Wichman asked the Board to loosen the extent of the requirements. The Board agreed that the requirements were ones normally seen on a major and not a minor subdivision. The requests were made because the subdivision fronts two collector roads and the desire to bring the angled intersection to a ninety degree intersection. Minor subdivisions are required to pay \$3,500 per additional lot if the road is not being brought up to standards. Discussion continued with Chairman Werner stating smaller subdivisions are asked for right-of-way and \$3,500 per additional lot because the road isn't being brought up to current standards and proposed to have two lots that will be new accesses to Pleasant View Road and willing to pay \$3,500 per lot for those; the approach onto Riverview will not be required to pay the fee since that road is already up to standards. A decision will be discussed at the next board meeting and the Board informed the applicant will need to enter into a Road Developer's Agreement with the District. [7/20/17 Wksp]

Preliminary Budget Review ~ District Clerk Walson provided the annual budget packet showing revenues, expenditures, projects, ad valorem, transfers, comparable to the previous year. There will be no raise requested in the ad valorem tax for the third year although new construction is added. Ms. Walson informed the Board she had CPA Mary Richter review the proposed budget asking to ensure the District is going the right direction. She made a couple of suggestions to include in the packet but everything else looks like a good forward working budget with excellent information included. Federal and District projects were discussed as well as equipment purchases, raises, and benefits. Craig/Wyden or Safe Route to Schools funding was not factored into the budget this year. The Board will review this packet for approval to publish; the public hearing for the budget will be held August 16. [7/20/17 Wksp]

With no further discussion, the meeting adjourned at 6:51 p.m.

ORIGINAL SIGNED AND DATED 8/2/2017

Submitted by:

Shirley Walson, District Clerk