

POST FALLS HIGHWAY DISTRICT  
JANUARY 2018 MINUTES

Regular Meeting – January 3, 2018, 6:00 pm, E 5629 Seltice Way

Chairman Werner called the meeting to order at 6:00 P.M. Present were Chairman Terry Werner, Commissioner Lynn Humphreys, Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; Attorney Susan Weeks, and District Engineer Darius Ruen. Commissioner Tondee was excused. Amelie Bersford-Wood and Rylan Butera were present to observe for the government class.

CONFLICTS OR ADDITIONS

No conflicts stated. No additions requested.

CONSENT AGENDA

December 2017 Minutes were the only item on the Consent Agenda. Commissioner Humphreys **moved** to accept the consent agenda as presented. Chairman Werner seconded. **Motion carried** by majority vote. *[1/3/18 Board Mtg]*

PUBLIC COMMENTS

There were no requests to make comment.

CURRENT BUSINESS

Mellick Road Easement, Idaho Dept. of Lands

Idaho Department of Lands owns parcel 50N-05W-16-9999; in the most southeastern corner. Unopened right-of-way for Mellick Road runs 624-feet through the IDL parcel with the District's right-of-way running south from that corner. The agreement calls for the District to pay IDL \$4,300 as well as the installation of two culverts which will be furnished by IDL. The Road Supervisor estimates the work will take up to three days as well as rock cost. Legal counsel has reviewed the easement agreement ES220012. Commissioner Humphreys **moved** to authorize signature on the documents issued by Idaho Department of Lands and issue a check in the amount of \$4,300. Chairman Werner seconded. **Motion carried** by majority vote. *[1/3/18 Board Mtg]*

Mediation Agreement – Charles B. Lempesis

An agreement was received from the office of Charles B. Lempesis for an upcoming mediation, Post Falls Highway District vs. Liesenfeld scheduled for February 8, 2018 at 9:30 am. An advance payment is required of \$600, the minimum from each party. Chairman Werner asked Attorney Susan Weeks if the defendant's attorney has sent their requested stipulations which she has not yet received. Commissioner Humphreys **moved** that the Chairman sign the document and a check issued for \$600, having it ready for mediation on February 8. Chairman Werner seconded. **Motion carried** by majority vote. *[1/3/18 Board Mtg]*

Tansy Court Acceptance

Part of Lost Creek 1<sup>st</sup> Addition, Tansy is off of Roan Oak which is maintained by the District. Tansy Court was completed this fall and submitted the as-built-plans; staff has received passing test results; and the Engineer's Statement was recently submitted. Chairman Werner asked if the construction diary was submitted; Mr. Brownsberger stated we have not received it. Commissioner Humphreys **moved** to accept Tansy Court into the District's system once the documents as required by the punch list are received. Chairman Werner seconded. **Motion carried** by majority vote. *[1/3/18 Board Mtg]*

Spokane Street Bridge Inspection

Gary Douglas of Corrosion Solutions Inc. submitted his report after their annual review and recommendations. Notable is the rectifier is turned down therefore the bridge is not being fully protected which the District is aware. No action needed. *[1/3/18 Board Mtg]*

#### W Riverview (Skalan Creek) Invoice #23

Invoice #23 from Welch Comer was submitted by LHTAC after their review. Commissioner Humphreys **moved** to pay the Skalan Creek Invoice in the amount of \$1,653.66. Chairman Werner seconded. **Motion carried** by majority vote. [1/3/18 Board Mtg]

#### CORRESPONDENCE

City of Post Falls Transportation Master Plan Update – Planning and Zoning will hold a public hearing on January 9, 2018 at 6:00 pm to consider adoption of the Transportation master Plan 2017 Update. This meeting is the same date as the District's Transportation Plan Open House. [1/3/18 Board Mtg]

Notice of Public Hearing BLR Materials – Kootenai County Hearing Examiner will hold a public hearing to consider a zone change on 60 acres just off of Beck Road. The Road Supervisor informed the Board a letter has been sent stating the District has no comments for the zone change but will when development is proposed. [1/3/18 Board Mtg]

#### LEGAL

Riverview Extension - Attorney Susan Weeks is coordinating a meeting with Jim Magnuson. Mediation Date – Ms. Weeks again updated the Board of the mediation date and explained a bank default that is now involved. [1/3/18 Board Mtg]

#### ROAD SUPERVISOR

Equipment Replacement Schedule – Road Supervisor Brownsberger asked if the Board had any question or concerns regarding the Equipment Replacement Schedule since they have had time to review it. He also asked if he could move forward with the purchase of FY17/18 budgeted items. Commissioner Humphreys noted that although our equipment is in good condition we have some that is aging and would like to see the Equipment Replacement Fund increased in the upcoming budget cycle. The Board agreed that Mr. Brownsberger move forward with scheduled purchases. [1/3/18 Board Mtg]

Huetter Road Overlay, Mullan to Prairie – Mr. Brownsberger looked for guidance on this project as the District has been unsuccessful in getting right-of-way for turn lanes. The road still needs the overlay and is asking if the Board wants it done this year without the turn lanes. Chairman Werner stated he can see us moving forward but would also like to try and get the turn lanes done as well and suggested an appraisal be done on the needed parcels. The District can then make an offer or possibly proceed with condemnation. Commissioner Humphreys asked the engineer if the needed right-of-way had been determined and would also like to make an offer to the property owner. Commissioner Humphreys **moved** that the Road Supervisor proceed with hiring an appraiser and work with the engineer to determine the amount of property that is required so the Huetter Road Overlay and turn lanes can be completed. Chairman Werner seconded. **Motion carried** by majority vote. [1/3/18 Board Mtg]

#### Updates/concerns

Mr. Brownsberger informed the Board he is looking at hiring a new operator as we are one short. The crew put in a lot of overtime with this last snow storm and added this storm was somewhat challenging due to how wet and heavy the snow was and a lot of ice was left behind. Commissioner Humphreys interjected that he thought the crew did an excellent job especially in comparison to neighboring counties and cities. [1/3/18 Board Mtg]

#### ENGINEER

Transportation Plan Open House – The second PFHD Transportation Plan Open House for public input on the Draft Capital Improvement Plan has been scheduled for January 9, 2018 from 4 to 7 pm in the Board Room. [1/3/18 Board Mtg]

#### Updates/concerns

Greensferry Bridge – Laura Winter meets with Ben Tarbutton the following day regarding the

flood plains. [1/3/18 Board Mtg]

Riverview Extension Proposed Drawing – Engineer Darius Ruen discussed the proposed layout, needed right-of-way which amounts to a total of 5.6 acres, previous stability concerns deemed a non-issue, drainfields, slopes, and grades. It is very close to the previous alignment with minor changes. Issues acquiring and negotiating right-of-way was discussed as well as county restrictions due to the steepness of the terrain. Readiness for negotiations was discussed with Mr. Ruen stating his surveyor is ready to complete the plan sheet. Ms. Weeks added the earliest the District could expect negotiations is the week of the 15<sup>th</sup>. Appraisals will be completed although the Dodge parcel is ready but all will be done at one time. One item suggested by the engineer is to create a place behind a guardrail providing a safe area for walkers from Fairmont Loop since children walk down the hill to the school bus. Mr. Weeks was authorized to send the plan sheets to Magnuson. Chairman Werner explained to the two students present the history that created this situation stating the road needs to be built to District standards adding it began in 2004 with the court getting involved ordering mediation because development began without the District being contacted or approving plans. Commissioner Humphreys stated he thought the District will be able to settle in a year's time but the road may not be built for many years. [1/3/18 Board Mtg]

#### OFFICE

District Clerk Shirley Walson reports the audit should be presented at the next Board meeting. [1/3/18 Board Mtg]

#### COMMISSIONERS

Chairman Werner and Commissioner Humphreys both reiterated earlier comments regarding the good job the crew performed throughout the previous snowstorm. [1/3/18 Board Mtg]

#### ADJOURNMENT

With no further business, Chairman Werner adjourned the meeting at 6:45 pm.

#### Regular Meeting – January 17, 2018, 6:00 pm, E. 5629 Seltice Way

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

#### CONFLICTS AND ADDITIONS

Commissioners had no conflict of interest with any agenda item.

Commissioner Humphreys **moved** to add the LHSIP application due to the deadline that is the following day. Commissioner Tondee seconded. **Motion carried** unanimously. Chairman Werner asked to add the item under the Road Supervisor's business. [1/17/18 Brd Mtg]

#### CONSENT AGENDA

- December 2017 Treasurer's Report
- January 2018 Vouchers

Commissioner Humphreys **moved** to approve the consent agenda as presented. Commissioner Tondee seconded. **Motion carried** unanimously. [1/17/18 Brd Mtg]

#### PUBLIC COMMENTS

No one requested to comment.

#### CURRENT BUSINESS

##### 2017 Audit Report

Scott Hoover, CPA, presented the FY 2016/2017 audit going over the management's and the auditor's responsibilities. He stated there were no significant deficiencies or material weaknesses in the internal controls; once again no adjusting journal entries were required. Commissioner

Tondee **moved** to accept the audit and authorize the Chairman to sign the management letter. Commissioner Humphreys seconded. **Motion carried** unanimously. [1/17/18 Brd Mtg]

#### W Riverview (Skalan Creek)

Payment request #22 was received from Welch Comer after reviewed by LHTAC. Commissioner Humphreys **moved** to pay the W. Riverview payment #22 in the amount of \$738.69. Commissioner Tondee seconded. **Motion carried** unanimously. [1/17/18 Brd Mtg]

#### IAHD 2018 Assessment

Commissioner Humphreys **moved** to approve the assessment for 2018 in the amount of \$5,700 and deny the Wyncoop Law Program coverage. Commissioner Tondee seconded. **Motion carried** unanimously. [1/17/18 Brd Mtg]

#### Seltice Revitalization Payment

Invoice #8 (Pay Request #9) was received from the City of Coeur d'Alene in the amount of \$4,126.23. Commissioner Tondee **moved** to authorize payment for the Seltice Revitalization Invoice #8 (Pay Request #9) in the amount of \$4126.23. Commissioner Humphreys seconded. **Motion carried** unanimously. [1/17/18 Brd Mtg]

#### CORRESPONDENCE

##### Spokane Street River Bridge

HDR Engineering asked for an extension of time on the agreement. LHTAC has approved the extension to March 9, 2018 to complete the design. So noted. [1/17/18 Brd Mtg]

#### ROAD SUPERVISOR

Prairie / Chase Roundabout Bid Request – Road Supervisor Kelly Brownsberger intended to ask the Board to go to bid on the project because the Surplus Eliminator Program was not funded. However the Joint Finance-Appropriations Committee (JFAC) is scheduled to meet January 18 so Mr. Brownsberger would like to bring this item back to the next meeting. Commissioner Humphreys **moved** to table the Prairie / Chase Roundabout bid request until we have more information after the JFAC meeting. Commissioner Tondee seconded. **Motion carried** unanimously. [1/17/18 Brd Mtg]

UPRR Crossing Elimination – Mr. Brownsberger met with ITD regarding the Prairie and Meyer railroad crossing who are in the process of purchasing the rail service for Amerigas due to their SH41 project. As ITD cannot spend funds off of the right-of-way, Mr. Brownsberger asked the Board to consider purchasing the crossings at Prairie and Meyer. The benefit is the District is in having control of the right-of-way for the next phase of Prairie Avenue and to have property to provide an access off of Meyer to Amerigas; remove the failing Prairie crossing; and use as a possible trail extension. The Board would like to have more information of the proposed cost. [1/17/18 Brd Mtg]

#### Update/Concerns

W Riverview (Skalan Creek) – Mr. Brownsberger explained the upcoming construction of this project is scheduled for 2019 and because of the seasonal creek, it will be done in late summer and fall. Some tree removal will be necessary but was informed this needs to be done September through March due to migratory birds. The trees need to be left on the ground for 3-6 months. Mr. Brownsberger feels that will increase fire danger and the neighbors will not be in favor of looking at them and proposed to the Board the District remove the trees prior to construction as we are exempt from federal rules. If there is any disturbed dirt, we can hydroseed or lay down straw mulch. Right-of-way acquisitions are beginning. [1/17/18 Brd Mtg]

Prairie / Pleasant View Design Consultant – Mr. Brownsberger reported the consultant selection process took place with JUB Engineers chosen to design the project. He met with Jay Hassel from JUB bringing him up to date on the District's plans. [1/17/18 Brd Mtg]

Meeting Date with Magnuson - An email was sent giving possible dates; the Board will check their calendars and inform Mr. Brownsberger what works for them. [1/17/18 Brd Mtg]

SH41 Public Hearing – ITD is holding a public hearing on January 25 from 4-7 pm at their office. This section for review is Prairie to Boekel Road; south of Prairie has already been reviewed. [1/17/18 Brd Mtg]

Trail Maintenance – Mr. Brownsberger brought up the US95 bike trail maintenance controversy that has recently been in the local news. ITD is asking local agencies to take over maintenance of the trails. For the SH41 construction, they are looking for someone to take over maintenance along SH41 to Rathdrum. No discussion from the Board. [1/17/18 Brd Mtg]

Crew Update - Weight restrictions were put on Monday, January 15, the Association's ad ran once in the paper and will run a second time. There has been a lot of tree damage from the freezing rains so there has been a lot of cleanup and brushing being done. [1/17/18 Brd Mtg]

Minor Subdivision Reviews – Discussed at the Association meeting, the Road Supervisors will put together a letter to send to the County. Mr. Brownsberger reminded the Board that private road subdivisions are not subject to highway district reviews. The Districts have concerns regarding traffic impacts and not being able to voice those concerns through the development process. [1/17/18 Brd Mtg]

LHSIP Grant, Prairie and Idaho – Ruen Yeager updated information for this application that will install a traffic signal and turn lanes; City of Post Falls has submitted a letter of support. An estimated local match is \$65,253 with the City of Post Falls responsible for their portion verifying in an email for their contribution. Commissioner Humphreys **moved** to submit the application and authorize the Chairman to sign it. Commissioner Tondee seconded. **Motion carried** unanimously. [1/17/18 Brd Mtg]

#### ENGINEER

Beck Road Survey – The January thaw has helped in getting surveying done; the topo will be done by the end of the week. [1/17/18 Brd Mtg]

Magnuson Meeting – Mr. Ruen reports exhibits are done and to the attorney for the upcoming meeting; a preliminary legal description is done for the alignment and he has a preliminary legal description of the centerline but will wait to finalize it until after the meeting. Nothing more has been done with the Dodge parcels until after the meeting as well. [1/17/18 Brd Mtg]

#### OFFICE

End of the year

#### COMMISSIONERS

Commissioner Humphreys reports his time may be interrupted due to family health issues. He may be unavailable March and a portion of April.

Chairman Werner reports Feb 2 in Boise; Feb 27 until March 17-18, missing the March 7 meeting but will be available by phone for meetings.

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

ORIGINAL SIGNED AND DATED 2/7/2018

Submitted by:  
Shirley Walson, District Clerk