

POST FALLS HIGHWAY DISTRICT

AUGUST 2023 MINUTES

Regular Board Meeting – August 2, 2023, 6:00 P.M., 5629 E. Seltice Way, Post Falls, ID 83854

- 1) Chairman Tyler called the meeting to order at 6:00 P.M.
Present were:
Commissioners: Jeff Tyler, Glen Heape (David Russell absent as previously scheduled)
Director of Highways Michael Lenz, District Clerk Elaine Fox, Deputy Clerk Helen Furbee

Guests in attendance were:
Kevin Smith, J-U-B Engineers (JUB)
Diane Lutovsky, Coeur d'Alene
Carl & Heidi Rockstrom, Hauser, ID
Daniel Baker, HDR Engineering
Susan Weeks, Attorney, James, Vernon & Weeks PA
- 2) PLEDGE OF ALLEGIANCE: Commissioner Heape led in the Pledge of Allegiance.
- 3) CONFLICTS OR CHANGES: Director Lenz requested that item #17, Executive Session, be removed as it is no longer needed.
- 4) APPROVAL OF AGENDA: Commissioner Heape motioned to approve the agenda with the proposed change. Seconded by Chairman Tyler. **Motion carried.** [08/02/2023 Board Mtg]
- 5) CONSENT AGENDA:
 - a. **July 2023 Minutes**
 - b. **Vouchers to Date**
 - c. **Prominent Point 1st Addition Review Letter**
 - d. **Conifer Ridge Minor Subdivision Review Letter**
 - e. **Bighorn Industrial Park 2nd Addition Phase 3 - Final Plat**Commissioner Heape **moved** to accept the consent agenda as presented. Chairman Tyler seconded. **Motion carried.** [08/02/2023 Board Mtg]
- 6) PUBLIC COMMENTS:
Carl Rockstrom (11665 N Church Rd, Hauser, ID) spoke regarding the project to realign the BNSF crossing at McGuire Rd. He stated that this project was proposed before the population explosion in the area. He believes this project will sacrifice access to one community for another more prestigious community, the lake community. He said that it does not make sense to cut access when the population is growing. There are well more than 200 residents on Church Road alone using this heavily used crossing and the number is growing. There are residents on Chase, Idaho and other roads who will also have their access cut. He said he has asked many of those in that area and they were all unaware of the plans made years ago to eliminate the crossing and that public notice was never posted, nor is it easily found on the internet. There were no obvious notices of what was planned and signage should have been posted prior to the hearing when the project was approved. Additionally, emergency services response time and commute times for the residents will increase considerably. McGuire is blocked by trains less than 70% of the time, and making the bridge at Pleasant View the only crossing will create a bottleneck like that of Trent and Sullivan. He asked if there been traffic studies to support this and were they recent? The fields in the surrounding area haven't even been built out yet which will add substantially more traffic to the single crossing. West Prairie and Hayden Avenue are inadequate two lane roads. During (Pleasant View) bridge maintenance, the bottleneck created will be huge. When Hayden and Prairie get their inevitable widening, it will be many miles of detours and congestion. Train horns are not an excuse as they can be silenced in other ways such as double gating the crossings.

Heidi Rockstrom (11665 N Church Rd, Hauser, ID) began with reminding the commissioners that they are her representatives to work with the Idaho Department of Transportation. She said that notices were not posted long ago as to the proposed changes nor letters sent which should have been done as these changes will affect the daily lives of hundreds of people in the area. She said that she is coming in late to this issue due to a lack of notification. She said that by her count there are at least 235 homes that access the world via Church Road and Highway 53. Most of those residents will head east or south. She said she was told that she could access I-90 in the future but she does not want to have to go to I-90, because she "hates I-90 as the means to get to anything because it's over crowded." She said that she now understands that there were meetings in 2004, 2012 and 2014 but they and their neighbors were never notified of the proposed changes. She believes that this is a lack of creative thinking on the part of the Idaho Transportation Department (ITD) because their reaction to a dangerous crossing was to just close it, not fix it another way. She asked if a bridge or a tall curve was considered. She asked how many collisions has there been since the arms were installed on McGuire at the railroad crossing, so is it still a hazard? She said making people and emergency services travel much further will cost lives too. She said "don't take my freedom away, don't take our choices away. Too many crossings have already been closed and a lack of alternatives when an unexpected event occurs is frightening to those that live in the area. I have yet to talk to any neighbor in the area who disagrees with me."

Chairman Tyler thanked them for their comments and said that the board can't take any action tonight or have discussion but that they are on record. However, they will talk to the director and can do something in the future meeting. He said that they have moved up the work slated on Church Road due to public comment. He asked if there were additional comments; no one present or online for more comments so he closed the public comments period at 6:11pm.

7) OLD BUSINESS: **NONE**

8) CURRENT BUSINESS:

a. Bodine Building Bids: Director Lenz stated that they had two bids come in on the Bodine building. The first was from Ginno Construction for \$805,000 and the second was from LaRiviere at \$769,114 which was the lowest bid. He then went over some of the architectural drawings of the building for newly appointed Commissioner Heape, noting some of the features as they were displayed on the screen. Commissioner Heape had a few questions and Director Lenz went over what remaining construction items the crew will do themselves and what amenities will be added after completion. There was a question about the low bid contractor and their previous projects. Director Lenz answered that LaRiviere did the ITD facility in Athol which he has good familiarity with and believes the company did a nice job on that facility. He also stated that we do have the funds to cover the bid in the facility account. Completion per the contract is due 145 days after the contractor receives the notice to proceed. Commissioner Heape **moved** to authorize the Director Lenz to accept the lower bid for the construction. **Seconded** by Chairman Tyler. **Motion carried.** [08/02/2023 Board Mtg]

b. Spokane Street River Bridge - State/Local Agreement: Director Lenz asked Daniel Baker (JUB) to go over the project on the bridge. Mr. Baker explained that the project is a rehabilitation of the deck and pier pilings of the bridge. The biggest repair is to use a specialized wax tape to wrap the pilings to prevent oxidation and correct drainage issues. The top of the deck will receive an epoxy overlay. Commissioner Heape asked about the life of the overlay to which Mr. Baker replied would be 5 – 10 years then explained the factors related to that range. Director Lenz explained that with acceptance of the agreement, the district will pay its match construction portion which is \$317,721 to go out to bid for the project. Commissioner Heape then **moved** to authorize the board's signatures on the State/Local Agreement for Project number A018 for the Spokane Street River Bridge. **Seconded** by Chairman Tyler. **Motion carried.** [08/02/2023 Board Mtg]

c. Spokane Street River Bridge - Certification of Completion of Right of Way Activities: Commissioner Heape **moved** to authorize Chairman Tyler to sign the form for the Certification of Completion of Right of Way Activities. **Seconded** by Chairman Tyler. **Motion carried.** [08/02/2023 Board Mtg]

9) CORRESPONDENCE: **NONE**

- 10) LEGAL: Attorney Susan Weeks said that she spoke to the Cities of Post Falls and Coeur d'Alene attorney regarding the proposed settlement offer on the Associated Highway Districts' lawsuit that the board authorized as far as combining on the settlement offer to the county.
- 11) ENGINEERING: Kevin Smith with JUB said that they will be meeting with Director Lenz and the Local Highway Technical Assistance Council (LHTAC) tomorrow regarding the Prairie Five Lane and Hayden/Meyer roundabout projects to wrap up preliminary engineering stage. He stated that the next step is to proceed with the final design of the project. They have also scheduled an open house from 4 – 6 pm on September 20, 2023, to go over the projects followed by a public hearing from 6 – 6:30 pm. Chairman Tyler asked Mr. Smith and Director Lenz if there was anything else we could do regarding Hayden/Meyer as there have been more accidents there since Prairie is under construction. Director Lenz explained that there is already an advanced warning and a flashing beacon on Meyer for the stop signs. He said that as the capacity fills on Prairie, the traffic on Hayden Avenue increases so he does see Hayden Avenue expanding like Prairie has, although on the east end of Hayden Avenue there are many existing buildings that will make it a challenge.
- 12) DIRECTOR: Director Lenz said that this week they finished chip and fog sealing. Next week the Millview emergency repairs should be completed. Then they will finish up the rest of the striping and remaining chip sealing. The advertisements for the vacant position will start Friday, August 11, 2023, and closing on Monday, August 21, 2023. He has been reviewing project preliminary plans and working on the budget with District Clerk Fox including a review of the new House (State of Idaho) bills. He did have a meeting with the Coeur Terre engineer and the City of Coeur d'Alene regarding the intersection of Poleline and Huetter. Coeur Terre is hoping to get the new section of Hanley paved before winter. They discussed putting the new temporary signal up at that intersection now as Poleline is backing up significantly at times. The City of Post Falls is looking to put in the second roundabout on Prairie next spring which will shut down a section of Prairie again. He asked them to consider putting it in this season to avoid back-to-back years with Prairie shut down. The intent is to get the developer and City (Coeur d'Alene) moving now on the Poleline/Huetter light and get the turn bays in while they are prepping sewer etc.

We now have twenty minor and two major subdivisions with active permits as well as a number of federal projects to be reviewed and commented upon.

13) OFFICE: **NONE**

- 14) COMMISSIONERS: Commissioner Heape had some questions on how to review subdivisions which were answered by Director Lenz. Commissioner Heape said that he was contacted by a resident who recommended that a bike lane or narrower striping be done on Riverview to slow speeders. Director Lenz responded that Riverview is already a somewhat narrow road and that narrowing the striping further would not allow for the width of our plows. Also, bike lanes are typically five feet wide and there is not adequate pavement to accommodate it. Attorney Weeks spoke and suggested that he contact the office with requests like those, after which they might or might not be brought back to the board for action after working with the staff. She offered to go over some of the legal requirements, procedures, current legal items and "things such as the open meeting laws" with Commissioner Heape at no cost to the district to train and help him in his new role as commissioner as she had done with Commissioners Tyler and Russell. He would then receive the Attorney General's open meeting guide and be able to ask questions.

Chairman Tyler said that he would like "to strike agenda comments related to 'Comments related to public hearings should be held for that public hearing' because we don't have that many public hearings and at that was changed at KMPO." He said that he did not want the public to be limited. Attorney Weeks warned that it can be removed, but they need to be cautious because if the public shows up for something scheduled for a hearing because they want to get their comments in early then the district can have a problem. She stated that as a quasi-judicial hearing, all testimony should be held at scheduled sessions or legal problems can result. She said road validations or abandonments are particularly susceptible to the public showing up prior to the hearing to voice an opinion during

the regular public comments period. There was some discussion as to possibly changing the public comments form then discussion was essentially tabled by Chairman Tyler.

- 15) ADJOURNMENT: With no further business, Chairman Tyler closed the meeting at 7:02 pm.
- 16) EXECUTIVE SESSION: (Cancelled at the beginning of the meeting, see agenda revision item #3.)

Regular Board Meeting – August 16, 2023, 6:00 P.M., 5629 E. Selfice Way, Post Falls, ID 83854

- 1) Chairman Tyler called the meeting to order at 6:00 P.M.

Present were:

Commissioners: Jeff Tyler, Glen Heape, David Russell
Director of Highways Michael Lenz, District Clerk Elaine Fox
Administrative Assistant Jonie Anderson

Guests in attendance were:

Laura Winter, Ruen-Yeager & Associates (RYA)
Kevin Smith, J-U-B Engineers (JUB)
Susan Weeks, Attorney, James, Vernon & Weeks PA

- 2) PLEDGE OF ALLEGIANCE: Commissioner Russell led in the Pledge of Allegiance.
- 3) CONFLICTS OR CHANGES: Commissioner Russell **moved** to remove Item 5f from the consent agenda. Commissioner Heape **seconded. Motion carried.** [8/16/2023 Board Mtg]
- 4) APPROVAL OF AGENDA: Commissioner Russell **moved** to accept the agenda as modified. Commissioner Heape **seconded. Motion carried.** [8/16/2023 Board Mtg]
- 5) CONSENT AGENDA: Commissioner Russell **moved** to accept the consent agenda as presented. Commissioner Heape **seconded. Motion carried.** [8/16/2023 Board Mtg]
- 6) PUBLIC COMMENTS **NONE**
Chairman Tyler asked if anyone in the audience or online had comments. Having no one present or online for comments Chairman Tyler closed the public comments period at 6:04 pm.
- 7) OLD BUSINESS **NONE**
- 8) CURRENT BUSINESS:
 - a. **Traffic Counter Recommendation**: Laura Winter with RYA followed up with her May 3rd presentation to the board, and presented her recommendation for the Black Cat II Radar Traffic Counter to the district for traffic counters. The Commissioners and Director Lenz discussed any impact this will have on the crew. Commissioner Russell **moved** to authorize the Director of Highways to proceed with purchasing the Black Cat II Traffic Control System. Commissioner Heape **seconded. Motion carried.** [8/16/2023 Board Mtg]
 - b. **Regence Blue Shield Proposed Rates**: District Clerk Elaine Fox reviewed the current and proposed rates from Regence Blue Shield. Commissioner Heape **moved** to authorize the Director of Highways to sign the renewal forms. Commissioner Russell **seconded. Motion carried.** [8/16/2023 Board Mtg]
 - c. **Medical Benefit – Dependent Premiums**: Director Lenz proposed offering the option for medical coverage for dependents by splitting the cost of the dependent premiums with the employees with the employee and the district each paying 50%. Commissioner Russell **moved** to cover 50% of Employee Dependent Health Care Coverage for Plans Gold 1500 and Silver 3250. Commissioner Heape **seconded. Motion carried.** [8/16/2023 Board Mtg]

d. New LGIP Account – Monte's Acres 2nd Addition: District Clerk Elaine Fox requested to set up a new LGIP for Monte's Acres 2nd Addition. Commissioner Russell **moved** to authorize Chairman Tyler's signature on the LGIP Account Application for Monte's Acres. Commissioner Heape **seconded**. **Motion carried.** [8/16/2023 Board Mtg]

e. Parking Issue – Fay Place (Hauser Lake): Director Lenz described concerns that the Hauser Lake fire chief shared with him regarding the parking situation on Fay Place. Due to the lack of parking options at Hauser Lake/Park, people are parking their vehicles and trailers along both sides of Fay Place. As a result, emergency vehicles are not able to access the lake and some residences due to narrowed roadway caused by the vehicles parked on the side of the road. Director Lenz suggested No Parking signs be placed along Fay Place from the lake to Rice Rd. Commissioner Heape **moved** to set a public hearing on October 18, 2023. Commissioner Russell **seconded**. **Motion carried.** [8/16/2023 Board Mtg]

9) CORRESPONDENCE **NONE**

10) LEGAL: Legal will be discussed during executive session

11) ENGINEERING: Laura Winter (RYA) provided the board updates on the Strategic Initiative Grant (Huetter / I90). Ms. Winter explained that what we are going after is part of the fiscal year 2024 local transportation project grant. Our project will improve Huetter at I90 to five lanes from Seltice Way to approximately 1500 ft to the north. The application is due September 1, 2023. There was a brief discussion regarding the Huetter Bypass project. Ms. Winter gave some background to the board regarding the history and challenges of the project.

12) DIRECTOR UPDATES

- Received the executed copy of the State Local Agreement from the Idaho Transportation Department (ITD) Board.
- Working with Cities of Post Falls and Coeur d'Alene on the Prairie Trail Extension. We will need Memos of Understanding (MOUs) with both.
- Spot patching on Beck Road to get through until next spring.
- Working with Thorco on costs for temporary signal to put at Hayden/Meyer intersection.
- Prairie Avenue at the new roundabout (west of Meyer) will be opened on August 21, but then they will be starting a second roundabout which will close Prairie Avenue from the second roundabout location to Hwy 41.
- Riverview Drive was reopened from Rio Vista to Signal Point for first time since the Park Fire. Director Lenz read a thank you letter received by PFHD from Kootenai County Fire & Rescue (KCFR) Fire Chief Christopher Way for our assistance and coordination with the fire (along with many other agencies).
- Millview Lane emergency repairs have been completed.
- We will be widening the radius at McGuire and Hayden Avenue to accommodate big trucks so that they don't keep busting out the asphalt.
- Developer for Coeur Terre submitted a use of right-of-way permit for work on the Huetter intersection.
- City of Post Falls will be closing Prairie at Greensferry for utility work.
- Contract for the Bodine building has been sent to LaRiviere.
- ITD will be performing bridge maintenance work during the night; intermittently closing the on/off ramps.
- Avista is replacing old gas lines per government requirements. Currently working south of the river and will move to the Royal Highlands next.
- District Clerk Fox and Director Lenz are working on the budget and preparing for the workshop.

13) OFFICE UPDATES: District Clerk Fox made a request to set a Public Hearing for the Proposed FY 20234 Budget. Commissioner Heape **moved** to authorize staff to set a Public Hearing on September 6, 2023 at 6:00 pm for the proposed FY 2024 Budget and Foregone Reserve. Commissioner Russell **seconded**. **Motion carried.** [8/16/2023 Board Mtg]

District Clerk Fox notified the board that Idaho Association of Highway Districts state convention will be held in Boise on October 31 – November 3 and asked commissioners to let her know if they are planning to attend.

- 14) COMMISSIONERS: Commissioner Tyler stated, for the record, that as the elected official representing for our district at KMPO, Commissioner Tyler was elected by the other commissioners to stop the traffic management center, based on the public's comments. Commissioner Russell congratulated Commissioner Tyler's work.
- 15) ADJOURNMENT: With no other business, Chairman Tyler adjourned the regular meeting at 7:16 pm.
- 16) EXECUTIVE SESSION: Commissioner Russell **moved** to enter into Executive Session pursuant to the provisions of Idaho Code 74-206, Subsection 1(b) an executive session is being requested for the purpose to communicate with legal counsel for the public agency to discuss the legal ramifications for pending litigation. A roll call vote is required. Commissioner Heape **seconded and requested a roll call vote**. Roll call vote: Commissioner Heape: aye; Chairman Tyler: aye; Commissioner Russell: aye. The Board entered into Executive Session at 7:16pm. Board exited Executive Session at 7:25pm
- 17) ADJOURNMENT: Chairman Tyler closed the meeting at 7:26 pm

	<u>Num</u>	<u>Name</u>	<u>Amount</u>
Aug 23	47560	DARREL STEVENS	-2,782.74
	47561	DAVID A TUCKER	-2,111.17
	47562	DAVID RUSSELL	-505.12
	47563	EDWARD F. MAEL	-2,105.86
	47564	ERIC PRESTEGAARD	-2,586.51
	47565	HELEN A FURBEE	-1,825.20
	47566	JAMES B WINES	-3,036.91
	47567	JASON B COFFMAN	-2,585.73
	47568	JEFFREY TYLER	-677.03
	47569	JONIE ANDERSON	-1,513.92
	47570	LARRY P HOWELL, JR	-2,090.62
	47571	LESLIE R LIKES	-2,502.35
	47572	LUCAS A BICANDI	-2,462.38
	47573	MICHAEL C LENZ	-2,977.36
	47574	MICHAEL J KETCHUM	-2,518.99
	47575	MIRIAM E FOX	-2,233.78
	47576	RANDY L NEAL	-2,314.98
	47577	TRAVIS A HALL	-2,121.09
	47578	TUEKOTA TATE-VANDEVER	-2,286.91
	47579	ZANE A. KLEIN	-2,328.14
	47580	GLEN HEAPE	-685.12
	47581	MOTION AUTO SUPPLY	-262.51
	47582	NEW YORK LIFE	-20.00
	47583	CREDIT UNION	-725.00
	47584	GORDON TRUCK CENTERS, INC	-5,234.47


47585	SIX ROBBLEES	-276.42
47586	765TECH INC	-200.99
47587	ABOVE AND BEYOND JANITORIAL INC	-650.00
47588	ACE HARDWARE	-96.81
47589	ADD ELECTRONICS	-109.29
47590	ADVANCED COMPRESSOR & HOSE, INC.	-149.30
47591	ALSCO	-471.48
47592	AMERICAN ON-SITE SERVICES	-248.20
47593	AUTOCENTER CDA LLC	-140.36
47594	ARROW CONSTRUCTION SUPPLY	-152.16
47595	COUNTRY CLEANERS	-231.75
47596	CULLIGAN	-15.90
47597	DELTA DENTAL	-1,339.03
47598	EVERGREEN ELECTRIC	-819.99
47599	H & E EQUIPMENT SERVICES, LLC	-345.00
47600	JMT PETROLEUM	-4,422.50
47601	JONIE L ANDERSON REIMBURSEMENT	-9.49
47602	IDAHO ASPHALT	207,121.60
47603	COLEMAN OIL COMPANY	-1,986.98
47604	KENWORTH SALES - SPOKANE	-22,019.76
47605	KOOTENAI COUNTY SOLID WASTE	-156.00
47606	LES SCHWAB	-123.26
47607	MIKE WHITE FORD OF CDA	-17.50
47608	MODERN MACHINERY	-142.62
47609	NCPERS	-320.00
47610	NORTH 40 OUTFITTERS	-64.98
47611	NORTHWEST TRAFFIC CONTROL LLC	-4,699.44
47612	POE ASPHALT	-12,647.60
47613	ROMAINE ELECTRIC	-798.12
47614	SPECTRUM BUSINESS	-139.99
47615	SWS EQUIPMENT, LLC	-2,654.70
47616	ULTRA-LAWN	-594.40
47617	VERIZON WIRELESS	-370.90
47618	VSP dba VISION SERVICE PLAN	-230.72
47619	WELCH COMER & ASSOCIATES	-3,860.00
47620	WESTERN STATES EQUIPMENT - CAT	-48,777.46
47621	ZANE KLEIN REIMBURSEMENT	-12.74
47622	ZIPLY FIBER	-304.53
47623	ITD-BOISE	317,721.00
47624	AVISTA UTILITIES - WWP	-2,669.80
47625	WTB - CREDIT CARD DIV.	-796.50
47626	KEC	-442.31
47627	ADD ELECTRONICS	-191.03
47628	ADVANCED COMPRESSOR & HOSE, INC.	-28.62

47629	CANNON HILL INDUSTRIES	-1,020.00
47630	CDA GARBAGE	-161.75
47631	CDA REDI MIX & PRECAST, INC.	-15.82
47632	CITY OF POST FALLS.	-245.37
47633	ELJAY OIL COMPANY, INC.	-524.55
47634	EVERGREEN ELECTRIC	-310.08
47635	H & E EQUIPMENT SERVICES, LLC	-5,915.42
47636	H & H INC DOCUMENT MANAGEMENT SOLUTIONS	-111.63
47637	HRA VEBA TRUST	-10,500.00
47638	IDAHO ASPHALT	-41,609.10
47639	JMT PETROLEUM	-5,351.80
47640	JUB	-13,413.76
47641	NORTHSTAR CLEAN CONCEPTS	-298.24
47642	NORTHWEST TRAFFIC CONTROL LLC	-6,485.52
47643	PACWEST MACHINERY LLC	-1,424.79
47644	REHN & ASSOCIATES	-50.00
47645	RUEN-YEAGER & ASSOC, INC	-7,862.61
47646	DARREL STEVENS	-2,116.83
47647	DAVID A TUCKER	-2,028.35
47648	EDWARD F. MAEL	-1,974.36
47649	ERIC PRESTEGAARD	-2,315.36
47650	HELEN A FURBEE	-1,825.20
47651	JAMES B WINES	-2,359.42
47652	JASON B COFFMAN	-2,254.48
47653	VOID JONIE ANDERSON NEW CK 47665	0.00
47654	LARRY P HOWELL, JR	-1,502.59
47655	LESLIE R LIKES	-2,230.66
47656	LUCAS A BICANDI	-2,190.71
47657	MICHAEL C LENZ	-2,993.25
47658	MICHAEL J KETCHUM	-2,215.09
47659	VOID MIRIUM FOX NEW CK 47664	0.00
47660	RANDY L NEAL	-2,064.20
47661	TRAVIS A HALL	-2,121.09
47662	TUEKOTA TATE-VANDEVER	-2,099.60
47663	ZANE A. KLEIN	-2,026.32
47664	MIRIAM E FOX	-2,233.77
47665	JONIE ANDERSON	-1,513.93
47666	AFLAC	-104.52
47667	CREDIT UNION	-725.00

	47668	REGENCE BLUE SHIELD	-17,540.39
	EFT	WASHINGTON TRUST BANK	-15,549.56
	EFT	PUBLIC EMPLOYEES RETIREMENT	
		SYSTEM	-12,118.15
	EFT	PUBLIC EMPLOYEES RETIREMENT	
		SYSTEM	-10,569.44
	EFT	WASHINGTON TRUST BANK	-12,865.92
	EFT	STATE TAX COMMISSION	-4,403.00
	EFT	Funds Transfer Montes Acres LGIP	-7,500.00
Aug			-
23			<u>903,806.75</u>

APPROVED _____


ATTEST _____
 9/10/2023

DATE _____
 9-6-2023