

POST FALLS HIGHWAY DISTRICT

MAY 2023 MINUTES

Regular Board Meeting – May 3, 2023, 6:00 P.M., 5629 E. Seltice Way, Post Falls, ID 83854

- 1) Chairman Tyler called the meeting to order at 6:04 P.M.

Present were:

Commissioners: Jeff Tyler, Lynn Humphreys, David Russell
Director of Highways Michael Lenz, District Clerk Elaine Fox, Deputy Clerk Helen Furbee,
Deputy Director Darrel Stevens, Crew: Travis Hall, Michael Ketchum

Guests in attendance were:

Laura Winter: Ruen-Yeager Engineers Susan Weeks: Attorney
Amanda Wolf: LHTAC Ray Kimball: WCI Engineer,
Approximately 10 residents for public comment regarding Star Garnet Road

- 2) PLEDGE OF ALLEGIANCE Commissioner Russell led in the Pledge of Allegiance.
- 3) CONFLICTS OR CHANGES None
- 4) APPROVAL OF AGENDA
Commissioner Humphreys **moved** to accept the agenda as presented. Commissioner Russell seconded. **Motion carried.** [05/03/2023 Board Mtg]
- 5) CONSENT AGENDA
Commissioner Russell **moved** to accept the consent agenda. Commissioner Humphreys seconded. **Motion carried.** [05/03/2023 Board Mtg]
- 6) PUBLIC COMMENTS
Chairman Tyler asked of the group (who were obviously together) if someone would like to start off and Mr. Garth Gaines of 2850 Palomino Rd said he would like to speak regarding the condition of Star Garnet Road. Prior to the meeting, Three slides had been emailed to the office for the meeting and they were then displayed, which Mr. Gaines stated were recent photos of Star Garnet Road. He said that they have a serious problem with the road as they cannot maintain it as it's a public right of way. He said it's in poor condition and they have done \$4,000 of work on it which included crushed asphalt, but because it was once (illegally) paved long ago, the pavement has broken into large chunks. Now, snow and rain runoff go down and through the middle of the road making a deep, hazardous rut. What they would like to request is that illegal material (old pavement) be removed and then they would be able to add rock and grade it so that the local residents can maintain it. He said that this would allow emergency services, propane delivery, etc. a safe access. He stated that they have helped several people out of the ditch including delivery trucks which have blocked the road for hours. He said there are about 25 permanent residents for this road and "that it is a private road is great." Mr. Charles Smith of 2405 S Palomino Road then spoke stating that he completely agreed with everything Mr. Gaines stated, adding that there is now a ravine that has formed because of runoff. He would like the Highway District "to do the work" so that they can maintain the road going forward. Chairman Tyler invited anyone else present with that group to speak, and a woman said: "we're all here just to show our presence." Chairman Tyler added that the Commissioners cannot comment on what was presented tonight but would talk with the staff and attorney and could schedule them as an agenda item for a future meeting. It was asked by someone in the audience if they could be notified when that meeting is scheduled. After brief discussion, it was agreed that Mr. Gaines will be notified when this becomes an agenda item: likely May 17th. Chairman Tyler asked if there were any more public comments; as there were none online or present he closed the public comment period at 6:14pm.
- 7) OLD BUSINESS: **NONE**

8) CURRENT BUSINESS:

A. Amanda LaMott, LHTAC Ms. LaMott was there to present awards to some crew members for outstanding achievement. Darrel Stevens and Taylor Wood were awarded "Road Scholar". Travis Hall and Michael Ketchum had earned "Road Scholar" as well as "Road Master" awards. The Commissioners thanked Ms. LaMott and congratulated the staff on their work and achievements. A photo was taken and they will be recognized in the next edition of the LHTAC newsletter. Commissioner Humphreys noted how well it is that the District invests so much in the training of its staff.

B. Thompson/Satchwell N Crown ZC-22-7 File No. ANN-22-14 This was regarding a land swap agreement and surveys sent to the County which then asked for official comment by the District as required. Director Lenz asked Ray Kimball to explain. Mr. Kimball stated that the City of Post Falls and Jacklin Land Company developed a land swap agreement, proposed zone change and annexation request which will result in the City gaining approximately 100 additional acres for land application. He used the visual on the screen (which was a large aerial view of several properties east of the Hayden/Chase intersection) to explain which areas would be swapped, rezoned and annexed as well as some of the proposed usage of those properties. Commissioner Humphreys asked if traffic studies are scheduled. Mr. Kimball said that until they are closer to the development phase those have not been scheduled. Chairman Tyler said that as he looked into the proposals, it looked like a win-win for everyone and the city (Post Falls) would gain more open space. Director Lenz said that the official comments will read that the Highway District is asking that the annexation go to the northern right of way boundary of parcel 1 and to the southernmost boundary of parcel 5 (meaning the entire sections of Hayden Avenue and Greensferry within those parcels) and to the eastern boundary of parcel 3. There is additional verbiage that when the subdivision is submitted at that time a traffic study would then be performed with an eye to improvements needed for Hayden Avenue and cross streets. Director Lenz said he would like to require that they coordinate with the agency which has that jurisdiction at the time of development. Commissioner Russell asked a few questions as to the future development of areas near Hayden Avenue and was concerned about traffic patterns and the need for longer range planning. He specifically asked which would be housing development vs land application areas. Mr. Kimball explained that there are impact fees and that development would involve determining the additional traffic impacts and they would work to mitigate the impact caused by that development. He also went over (per Commissioner Russell's previous request) what he knew about future development of the parcels involved, of which some are only in the idea or "zoned as" stage at this juncture. Commissioner Russell asked to see the actual comments we would be submitting and Director Lenz said that he has not written them all up yet. Commissioner Russell said that he wanted it stated in the record that he is wary of lots of development on Hayden Avenue and the traffic problems that will result, as well as Greensferry Road. No action was taken, Director Lenz stated he was just looking to inform the Board and get their input.

C. Scott Hoover Letter – Financial Statement Audit Chairman Tyler introduced the agenda item and Commissioner Humphreys immediately made a **motion** to authorize the signature of the Chairman on the letter of engagement for Mr. Hoover to perform the necessary duties to audit the financial records in accordance with the audit requirements. Seconded by Commissioner Russell, **motion carried** [05/03/2023 Board Mtg].

D. Variance Request – Jacklin Land Co Director Lenz explained that Jacklin has requested a variance and user right of way permit to open cut across Prairie Avenue for the installation of a water line to be used primarily for a new school being built nearby. He gave a brief synopsis of what occurred at the last Board meeting regarding this matter. Then he stated his findings as were requested prior: Prairie Avenue is not a road for which open cuts are allowed (without a variance issued by the Board of Commissioners) per our standards after which he read a lengthy excerpt from the Associated Highway Districts Highway Standards document regarding conditions under which a variance may be granted. Director Lenz then stated that per the Boards' direction, he assembled a list of conditions he felt the District would need for a variance: 1) An open lane of traffic must be maintained at all times. 2) Consistent with the Districts' open cut policy, the applicant shall place a bond with the District in an amount representing 150% of the cost to restore the road surface as determined by the District's engineer, as well as the usual \$500 fee and \$2.40/sq. yd. of disturbed

surface fee. 3) A traffic control plan will be submitted and subject to District approval. Mr. Kimball then explained the need for the cut as providing a water main. He stated that to bore for a 12-inch water main, a 24-inch bore would be required. He said that there is a 6-inch high pressure natural gas main adjacent to the road at an uncertain depth in the range of four to seven feet in the pipe zone. While boring, it can be deflected if it hit a boulder which would be hazardous given the proximity of the gas line. Commissioner Humphreys asked Mr. Kimball why they couldn't just expose enough of the gas line in question to safely bore to avoid hitting it and said that a 24-inch bore is not extraordinarily large. Director Lenz pointed out that since their last meeting, the original plan of coming up the old railroad property has changed since then they (Jacklin) have obtained an easement from the Hughes property which changes the location of the proposed pipe crossing Prairie Ave. Mr. Kimball remarked that since the road is higher than the surrounding ground, if they to bore it would be at a depth of approximately 12-feet deep from the centerline of the road. Director Lenz then said that if you were to expose the gas line, you could still bore. Mr. Kimball said that if they were to bore across with the gas main exposed, to be in conflict with the gas main would be hazardous. He said if they had a problem and had to pull the bore casing back out, the road might collapse. He stated that his experience with boring is that it can be very inaccurate and he has a legitimate concern that when in close proximity with a 6-inch high pressure gas main, boring can cause a safety issue. He also said that the road will be rebuilt before long and there is another large patch nearby where the railroad was. Commissioner Humphreys asked what the plan was if it were an open cut. Mr. Kimball said that he met with Director Lenz to discuss what a full closure of the road would look like for an open road cut. Utilities including the gas line will be located and revealed ahead of time. They will have an excavator and a materials testing inspector at the site to insure proper compaction and plan on having the road open by the next morning. They plan on starting traffic control at 7pm, begin excavation, install pipe and perform compaction and prep for pavement in the overnight hours. Paving will be performed in two runs per Highway standards. He also stated that they would provide a \$10,000 warranty bond. Director Lenz and Commissioner Russell questioned the amount of the bond and Mr. Kimball stated that they would place the warranty bond at whatever amount the Highway District set. Chairman Tyler agreed that there may be a safety issue with a bore and he wasn't concerned with the patch or the short road closure. Commissioner Russell stated that he agrees with the Chairman and that the bore may have a more long term effect and potential for problems than the cut. Commissioner Humphreys stated that he is opposed to an open cut, as the patch for the railroad was not comparable to what they are proposing. The railroad patch was surface only and this endeavor will include up to a 12-foot deep excavation. He also had a concern for the local residents' safety as the road will be completely shut down at least overnight and he believes we need to keep at least one lane open. He said that we are going against our standards and he doesn't believe the gas line hazard if the line is exposed or the possibility of a large rock obstructing is enough to cut instead of bore. Commissioner Russell then spoke and said that given that Spokane Street has been closed for months, a one day detour isn't too much of a hardship. Commissioner Humphreys questioned that it could be done in one day, noting that he is aware of an irrigation water line that runs down the center of Prairie Avenue which they will undoubtedly find and they could have potential for other problems. Commissioner Russell asked if there would be language that if it goes more than overnight could steel plates be put in for the day and work restarted the following night? He said that he would like language to that effect put in as a condition. Mr. Kimball stated that they would be more than happy to do it on a Friday night and pay the asphalt company whatever necessary to be there on a Saturday. Director Lenz suggested that if they are not ready at daylight for paving that it would be steel plated for the remainder of the day until work can restart in the evening. Attorney Weeks suggested that if they are going to allow for a variance, that they recap for the minutes the conditions so that the minutes could reflect the conditions accurately and also the amount of the warranty bond required. Commissioner Russell proposed that they spell out in the conditions the payment of our staff to supervise and amount of the warranty bond and cut off time for work to stop and the road reopened if work cannot be completed in one night. Commissioner Russell moved to grant the variance with the conditions just listed. He said the warranty bond amount needs to be as discussed, the drop dead time be included. The motion was seconded by Chairman Tyler. Chairman Tyler and Commissioner Russell voted for the motion, Commissioner Humphreys stated he is opposed and will not vote to approve a variance for the open cut. **Motion carried.** [05/03/2023 Board Mtg] Director Lenz then "repeated for clarity" the agreed conditions as: A bond will be set at 150% of the cost of repair as determined by our engineer plus fees mentioned earlier. A drop dead time will be established and enforced if paving is not complete to insure that the road

is reopened in a timely fashion. Steel plates may be needed. The PFHD will have a staff member present and the applicant will compensate PFHD personnel. Work is to commence on a Friday night so as to minimize the impact of a detour for commuting motorists. The repair will be in accordance with Highway District standard SD-7D.

9) CORRESPONDENCE: **None**

10) LEGAL: Attorney Susan Weeks stated that the only issue she had was that the Director had contacted her regarding a gentleman who had made a threat to staff, and she did request it be reported to police, which was done.

11) ENGINEERING: Laura Winter (Ruen Yeager) began with an update on the traffic count plan. She started to explain the three types of traffic counters that were being displayed on the screen. The first type is a pneumatic tube counter, commonly in use, where strips are laid across the roadway. Cost is \$995/unit including software with a lifespan of about 10 years. The second is a microwave type counter which can be used in a median and are bidirectional. The lifespan is approximately five years and cost \$3,200/unit plus software subscription. The third type she presented were radar counters, currently used by LHTAC and the Worley Highway District. These have a 10 – 15 year life span. They cost \$4,595/unit including software but there is a savings of \$300 for multiple units. She said it is yet to be determined how many units would be needed of any of the types. She went over pros and cons of each of the types of units and offered the brochures she had brought. Their plan is to develop a scope and operational plan and let the District decide whether it has the resources/personnel to do it in-house or whether the District needs to hire Ruen Yeager for the work. She eliminated phases 2 and 3 of the original plan presented prior to the Board and lessened the time on other items as per the direction of the District (which might be performing the counter work) which reduced the proposal to \$12,370. Ms. Winter reiterated that until the analysis is done she cannot speculate on how many counters and which type should be ordered. Commissioner Humphreys asked about the risk of theft and she responded that one district reported that two devices had been shot at and destroyed, but insurance had paid for replacements. The Commissioners had more questions but agreed that the purchase need not happen until the plan is more fully developed. Ms. Winter said that given that a three-year rotation on road counts was requested, deciding how many units will be needed and which type will be a goal of the presentation of the operational plan. Director Lenz asked how long phase 1 plan development would take and Ms. Winter replied approximately 80 hours, about four to six weeks to delivery. Director Lenz would like the data so that the equipment purchase could be built into the budget if necessary. Commissioner Humphreys motioned that they accept the traffic count contract with the proposed changes discussed this evening. Commissioner Russell seconded, **motion carried**. [05/03/2023 Board Mtg]

Ms. Winter later added that they have obtained more property use agreements for Beck Road. They have two more which have surrounding issues and LHTAC, Director Lenz and she will be meeting regarding those parcels. Additionally, the Winch Road speed study is complete and she will be going over that with Director Lenz soon.

Chairman Tyler asked about the Harbor Dr / Riverview project and Ms. Winter said that they are having challenges with the alignment, specifically in trying to get a better grade than 12% but so far the terrain has been an issue. The approach will definitely be more west. Chairman Tyler added that the school bus stop is a safety concern that needs to be included in the plan. He asked if there was a possibility for the Island homeowners association to put in a small hut/shelter for the kids and Director Lenz added that there should be room for a pullout for the bus. There were a few more questions and Ms. Winter stated that they should have something back soon.

12) DIRECTOR: Director Lenz stated that the crew has been grading and grooming roads. They have been applying mag and are crack sealing on a number of roads. He contacted the company who is adding items to the new broom and it should be here with a couple of weeks.

13) OFFICE: District Clerk Elaine Fox explained that the document before them is just to update the signature cards and remove Beth Rheinschmidt from them. Commissioner Russell **moved** to authorize their signatures on the cards for the bank to allow Ms. Fox access and update the cards. Commissioner Humphreys seconded; **motion carried**. [05/03/2023 Board Mtg] She said they are starting preliminary

work on the budget and she attended a seminar which was very helpful on the L2 form and budget process.

14) COMMISSIONERS: Commissioner Humphreys mentioned an upcoming fundraiser for the Pleasant View school preservation and Commissioner Russell commented on the recent workshop for the Huetter / Poleline intersection noting that it appeared to be very productive. Chairman Tyler noted that he felt the same way too regarding the workshop.

15) EXECUTIVE SESSION: NONE

16) ADJOURNMENT

With no further business, the meeting was adjourned at 8:12pm.

Regular Board Meeting – May 17, 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, Lynn Humphreys, David Russell
Director of Highways Michael Lenz, District Clerk Elaine Fox
Administrative Assistant Jonie Anderson

Guests in attendance were:

Susan Weeks, Attorney	Darius Ruen, Ruen-Yeager & Associates (RYA)
Daniel Baker, HDR	Paul Nichols, Post Falls
Kyle Brock, Post Falls	Benie Cameron, Post Falls
Rob Bishop, Post Falls	Roberta Bishop, Post Falls
Karen Garner, Post Falls	Garth Gaines, Post Falls
Jason Roland, Post Falls	Hallie Rowland, Post Falls
Chase Roberts, Post Falls	Charles Smith, Post Falls

2) PLEDGE OF ALLEGIANCE

Commissioner Humphreys led in the Pledge of Allegiance.

3) CONFLICTS OR CHANGES **NONE**

4) APPROVAL OF AGENDA Commissioner Humphreys **moved** to accept the agenda as presented. Commissioner Russell **seconded**. **Motion carried.** [5/17/2023 Board Mtg]

5) CONSENT AGENDA

Commissioner Humphreys **moved** to accept the consent agenda as presented. Commissioner Russell **seconded**. **Motion carried.** [5/17/2023 Board Mtg]

6) PUBLIC COMMENTS

- a. Paul Nichols addressed the Commissioners regarding his concerns about a neighbor grading the ROW in his neighborhood and the increased traffic using the ROW as a throughfare.
- b. Kyle Brock addressed the Commissioners regarding the gate on Steinpreis, at the entrance of Edith Spencer's property, blocking the 50' ROW.

7) OLD BUSINESS **NONE**

8) CURRENT BUSINESS:

- a. **Idaho Asphalt Piggyback Bid & Letter**. Commissioner Humphreys **made a motion** to direct staff to accept the bid from Idaho Asphalt. Commissioner Russell **seconded**. **Motion carried.** [05/17/2023 Board Mtg]

- b. **Daniel Baker with HDR.** Daniel Baker gave a presentation on the scope of repair work for the Spokane Street Bridge, explaining changes to the original plan. The new plan will not include the galvanic anodes due to the anodes not being effective with the water in the Spokane River. A Cathodic Protection approach will be used: wax tape pile wrap with protective jacket, down to the mudline. Engineers estimate for change is \$2.9M (old plan was \$2.4M). Mr. Baker provided other examples of wax tape on local bridges, including Blue Creek Bay Bridge and Long Bridge. Commissioner Russell **moved** to accept the modified changes to the plan. Commissioner Humphreys **seconded. Motion carried.** [05/17/2023 Board Mtg]
- c. **Star Garnet / Palomino Homeowners.** Commissioner Tyler offered the floor to the homeowners. Jason Roland stood to address the Board. Commissioner Humphreys requested that Chairman Tyler offer the floor to the Director of Highways to present the staff report as per procedure. Commissioner Tyler apologized and asked the Director of Highways for the staff report. Director Lenz gave background on Star Garnet. The road being discussed is a privately maintained road on public right-of-way. Back in the day, an illegal approach was built. (The encroachment was done by an unknown property owner.) Due to it being an illegal encroachment, the PFHD could have removed the encroachment and put the cost for removal onto the property owner. Today, the thin layer of asphalt is busting up. A letter was sent from the PFHD to the homeowners on Agate and Star Garnet due to multiple inquiries from homeowners over the past couple years. The letter was sent to clarify that Agate and Star Garnet is a public right-of-way not accepted for maintenance when dedicated on the plat because this roadway was not built to Highway District Standards. The letter also identified what maintenance the homeowners can perform without getting a special permit. Commissioner Humphreys asked Director Lenz if the PFHD has ever done any maintenance on the roads. Director Lenz stated that to his knowledge no maintenance has ever been performed on Agate or Star Garnet. Commissioner Tyler stated that the area being discussed is not very big and located close to Highland Drive. The homeowners were invited to address the Board. Several homeowners took turns voicing their concerns regarding the condition of Star Garnet Road and their concerns regarding the safety of the road and that the area cannot be maintained by the homeowners. Regardless of what they do for maintenance, it is ineffective. There is no way to stop the flow of water from Star Garnet onto Highland and in the winter it becomes an ice issue. The homeowners asked for the PFHD to help out by removing the illegal material and put some kind of grade on the road so that the homeowners can maintain it. Another issue that was reported was that trees and vegetation are breaking off and (because the area is narrow) homeowners are required to get out and move the trees from the ditches. One of the homeowners stated that he believes that someone did do maintenance at one time. Commissioner Tyler stated that it might have been Herb (who ran the District years ago) but the policies have changed since then and the District has roads like these scattered all over the District and the PFHD does not maintain the roads; maintenance is up to the homeowners. Commissioner Tyler asked if there were any other attendees that would like to comment before he went on. Another homeowner reiterated the safety concerns presented and mentioned that a homeowner on Agate will block off Agate which causes further safety concerns by leaving Star Garnet the only access. Commissioner Tyler mentioned that he has seen the area and sees how that is a safety concern. Commissioner Russell asked for clarification on the area the homeowners are requesting assistance with. The area was pointed out on the map. Commissioner Tyler asked that if no one else has any questions or comments, he would like to make some comments. Commissioner Russell asked about the roadways in the neighborhood and which were public and private. Director Lenz clarified the road status. Garth Gaines asked why are there public rights-of-way to areas where there is no public land? Commissioner Russell explained that for various reasons the District was put together over the years with jurisdiction coming from different areas. Commissioner Humphreys asked to address the audience. Commissioner Humphreys gave the homeowners options that they could look into. Commissioner Humphreys noted that he does not believe the Highway District will set precedence by sending crew to do work on this privately maintained, unopened right-of-way, stating that if the Highway District does work on this roadway then we are setting precedence for other homeowners on similar roadways in the District to come and ask for the same assistance. The homeowners voiced concerns that attending the meeting was a waste of time. Commissioner Tyler stated it isn't a waste of time, that he has a few points that he wants to state as soon as Commissioner Humphreys finishes. Commissioner Humphreys stated the Board could decide differently, as he is only one voice. Commissioner Tyler recapped a meeting he had with the homeowners last year and stated that there is a legislative issue that he is trying to work on which is related to the current issue. Commissioner Tyler gave some history on the way the area was fixed in his location. Commissioner Tyler stated he is in favor of doing whatever we can to help

the homeowners with their situation and asked if Director Lenz or Commissioner Russell would like to weigh in on this issue. Commissioner Humphreys asked for a moment to correct misstatements and gave information on the program the Highway District had at one time and is no longer in place. There was more discussion on this past program and the history of the Highway District and the property owners. The homeowners asked the Board/District why they can't just give the right-of-way back. Commissioner Humphreys stated that there is a process they could look into for that option. Commissioner Tyler offered Director Lenz an opportunity to give his suggestions. Director Lenz stated there are two routes he would offer to the Board: #1 the homeowners could form a Local Improvement District (LID), bring the roadway up to Highway District Standards, and ask the District to start maintaining the roadway. #2 the homeowners could follow the encroachment permit process and apply for a Right-of-Way Use permit. Commissioner Russell asked to hear from Attorney Susan Weeks before commenting. Attorney Weeks gave information and descriptions on various terminology; Public Highway, Rights-of-way, Private roadways, Common Drives and what happens when you have roadways that have not been built to Highway District Standards, giving examples of other areas in the District that are in the same situation. Attorney Weeks gave information on options for various types of funding for projects including the Participation Agreement (noting at this time there is no funding for the participation program). Commissioner Russell asked Attorney Weeks, if a Participation Agreement requires the road to be up to Highway District Standards (per Commissioner Humphreys). Attorney Weeks stated that the requirements would be up to the Board, and that the previous Participation Agreements had requirements set by previous boards. Commissioner Tyler stated that we as a Board could have a Participation Agreement anyway the Board would like. Attorney Weeks stated a Participation Agreement is an agreement where the financial burden is shared and gave examples of the shared cost and the pros and cons of participation agreements. Darius Ruen (RYA) gave an example of other neighborhoods that were interested in forming an LID stating that in the end, the cost was the deterrent. Commissioner Tyler stated that an LID is not exactly what is wanted for this situation. Commissioner Tyler stated that he does not feel this is a huge problem (to remove the asphalt). Commissioner Russell stated that the Standards are important and there are many other areas in our District that are in the same situation and we would be setting precedent for future boards if we have the District do the work on a road that is not up to District Standards. Commissioner Russell recommended the homeowners follow Director Lenz' suggestion about a Use of Right-of-Way permit and do the work on their own. Commissioner Russell also addressed concerns about the section of Right-of-Way that is being blocked off by the homeowner on Agate and asked what the District could do to help with that. Attorney Weeks answered by saying an Encroachment Letter could be sent to the homeowner. The homeowners addressed the Board on the District's responsibility for any injury that could happen at the intersection of Star Garnet and Highland. Attorney Weeks clarified that under law, this is a public right-of-way that the public has the right to use but the District has no obligation to maintain and gave an example of what could happen if the District were to do any work on this private road. Commissioner Russell added that he wishes the District could do more to help but that we have to follow our Highway District Standards and the law. The homeowners asked where these laws/standards can be found. Attorney Weeks explained that generally, Highway District Statutes are found under Title 40 of Idaho Code. Commissioner Russell stated that the Board should vote on this and that the Board should take the advice of the Director of Highways. Commissioner Tyler asked to hear from Director Lenz about his thoughts on doing a "double-shot" on some of our gravel roads like other Districts are doing for gravel roads. Director Lenz stated that PFHD also does a "double-shot" on roadways that have been accepted into our road maintenance system and that the goal is to get rid of the gravel roads left in our system. Director Lenz also addressed the Board regarding the Districts Standards, stating that in his opinion the Standards are not too strict as mentioned by the Board. Director Lenz stated that the Standards are in place for the one thing no one has addressed, which is the safety of the crew. Commissioner Tyler addressed the group and recapped the discussion. Commissioner Tyler asked Director Lenz what he thinks the cost would be for the labor for this project and then maybe the homeowners could pay for part and the District could pay for part. Commissioner Humphreys interjected and stated that the Board would be setting precedent if this was to continue as suggested. There was further discussion on money that is available for specific roadways/developments and how and when they could be used. Commissioner Tyler reviewed the options and stated, although not the outcome they wanted, at the minimum, the homeowners will have the Boards permission to work in the right-of-way to do the work but Commissioner Tyler would still like to know how much it will cost and asked Director Lenz if he could give the group an idea on how much it would cost to have PFHD crew do the work, because if they

know how much it will cost, then they can have a better idea on where to get the money through budget and/or funding to help out the homeowners. Commissioner Humphreys asked Commissioner Tyler if there was a motion by the Board to approve anything. Commissioner Tyler said there will be a motion soon he was just trying to help the group out. Commissioner Humphreys **made a motion** to deny the request to have the PFHD participate on Star Garnet or Agate and that the homeowners follow the guidance that was presented to them to form an LID or something funded by the homeowners to perform the work to bring the roadway up to District Standards and ask that it brought into the PFHD system. Commissioner Russell agrees with much of what Commissioner Humphreys said but feels the motion needs to be simpler as there was no mention of the homeowners wanting the roadway maintained by the PFHD. Commissioner Humphreys **rescinded his motion** in favor of Commissioner Russell making a motion. Commissioner Russell **moved** that the Board direct Director Lenz to work with the homeowners to obtain a Use of Right-of-Way permit, with the homeowners bearing the cost of doing the work so that they can establish the road in a functional state and it remains outside the District network and that the homeowners bear the cost and the PFHD do none of the work. Commissioner Humphreys **seconded. Motion carried.** [05/17/2023 Board Mtg]

The homeowners asked about how to handle the encroachment on Agate. Attorney Weeks directed them to contact the office and suggested they provide emails with photos if possible as they are very helpful.

- d. **Millview Lane Emergency Repairs.** Commissioner Tyler stated that he had met with Director Lenz out at Millview Lane the other day and it does look like an emergency situation. Director Lenz gave history on the roadway and how it came to be part of our jurisdiction for maintenance. Director Lenz showed the Board photos of the roadway and presented the District's plan and the cost for repairs. Commissioner Russell **moved** to approve the repairs for Millview Lane. Commissioner Humphreys **seconded. Motion carried.** [05/17/2023 Board Mtg]

9) CORRESPONDENCE: **NONE**

- 10) LEGAL: Attorney Susan Weeks addressed the Board regarding two items for public and one for Executive Session. One item regarding Julia Drive in which the City of Huetter (Hauser) sued somebody that was illegally developing and requested the Highway District provide assurances that no damage to the roadway would happen. Director Lenz told the City that he could not give an unqualified opinion but he could say that at this point in time no damage has been caused to Julia but the silt fence is only temporary. Attorney Weeks told the City that if they want to go back to Court and modify this they would need to be in touch with the Board as to what conditions they would agree to. Item two: Steinpreis gate. Attorney Weeks stated that a letter had been sent to the property owner and Director Lenz has a copy of the letter to post on the gate (which he showed to the Board).
- 11) ENGINEERING: Darius Ruen (RYA) stated that he and Laura Winters (RYA) had met with the designer and have a couple offers on Millview Lane. Laura will meet with Director Lenz when she returns to town.
- 12) DIRECTOR: Director Lenz gave details on the Prairie open-cut, beginning on Friday night. Access road to Hayden Pit has been paved by Scarcella (for ITD). Vacuum broom should be here tomorrow. Equipment Storage Facility drawings should be ready by the June 7th Board meeting. All road restrictions have been lifted. Crew has been crack-sealing, brooming, stenciling and when it's raining, trimming trees. We will be going out to remove a tree from Carole Washburn's property in Hauser. Next week we will continue crack-sealing and getting ready for paving and washing chips for chip sealing.
- 13) OFFICE: District Clerk Elaine Fox presented the Washington Trust Bank (WTB) signature card (to remove District Clerk Beth Rheinschmidt from the accounts) to the Board. Commissioner Humphreys **made a motion** to sign the signature card removing District Clerk Beth Rheinschmidt from the WTB accounts as a signer. Commissioner Russell **seconded. Motion carried.** [05/17/2023 Board Mtg]
District Clerk Fox updated the Board on receipt of the audit report from Scott Hoover, that all staff and crew attended CPR training and brought their bi-annual CPR requirements up to date. Ms. Fox also requested a volunteer for a check signer for the payroll. Commissioner Russell volunteered to come in on Thursday, June 1st.

- 14) COMMISSIONERS: Commissioner Tyler stated that Commissioner Humphreys has had a great run of 28 years as a Commissioner and he has learned a lot from listening to the history he has provided.
- 15) EXECUTIVE SESSION: Commissioner Russell **moved** to enter into Executive Session pursuant to the provisions of Idaho Code 74-206, Subsection 1(f) 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. Commissioner Humphreys **seconded** and requested a roll call vote. Roll call vote: Commissioner Humphreys: aye; Chairman Tyler: aye; Commissioner Russell: aye. The Board entered into Executive Session at 20:14 pm. Board exited Executive Session at 20:50 pm with no motions made.
- 16) ADJOURNMENT: The meeting adjourned at 20:51 pm.

POST FALLS HIGHWAY DISTRICT
VOUCHERS TO DATE

May 2023

<u>Num</u>	<u>Name</u>	<u>Amount</u>
May 23		
47194	BETH L RHEINSCHMIDT	-1,994.20
47195	DARREL L HUMPHREYS	-647.03
47196	DARREL STEVENS	-1,868.67
47197	DAVID A TUCKER	-1,896.91
47198	DAVID RUSSELL	-501.52
47199	EDWARD F. MAEL	-1,755.73
47200	ERIC PRESTEGAARD	-1,897.60
47201	HELEN A FURBEE	-1,172.13
47202	JAMES B WINES	-1,856.66
47203	JASON B COFFMAN	-2,002.71
47204	JEFFREY E BRATON	-1,817.44
47205	JEFFREY TYLER	-677.03
47206	JONIE ANDERSON	-1,353.18
47207	LARRY P HOWELL, JR	-1,221.55
47208	LESLIE R LIKES	-1,921.56
47209	LUCAS A BICANDI	-1,873.55
47210	MICHAEL C LENZ	-2,971.73
47211	MICHAEL J KETCHUM	-1,868.81
47212	MIRIAM E FOX	-2,025.59
47213	RANDY L NEAL	-1,809.59
47214	TRAVIS A HALL	-1,902.43
47215	TUEKOTA TATE-VANDEVER	-1,868.81
47216	ZANE A. KLEIN	-1,819.66
47217	NEW YORK LIFE	-20.00
47218	CREDIT UNION	-725.00
47219	ROSA MONTIS SUBDIVISION	-28.32
47220	DELTA DENTAL	-1,555.24
47221	NCPERS	-384.00
47222	765TECH INC	-60.00
47223	ACE HARDWARE	-118.50
47224	ADS DIESEL PRODUCTS	-58.56
47225	ADVANCED COMPRESSOR & HOSE, INC.	-177.18
47226	ALLWEST TESTING & ENGINEERING INC.	-679.30
47227	ALSCO	-470.43
47228	ARROW CONSTRUCTION SUPPLY	-3,485.51
47229	CLUTCHES PLUS LTD	-50.00
47230	COLEMAN OIL COMPANY	-2,074.14
47231	COUNTRY CLEANERS	-270.00
47232	CDA METALS	-175.61

POST FALLS HIGHWAY DISTRICT
VOUCHERS TO DATE

May 2023

<u>Num</u>	<u>Name</u>	<u>Amount</u>
47233	GORDON TRUCK CENTERS, INC	-697.69
47234	INTERMOUNTAIN SIGN & SAFETY	-1,042.00
47235	JMT PETROLEUM	-7,653.04
47236	LACAL EQUIPMENT INC	-736.13
47237	LES SCHWAB	-376.77
47238	MOTION AUTO SUPPLY	-330.70
47239	NAPA - POST FALLS	-798.27
47240	NORCO	-63.70
47241	NORTHWEST TRAILER CENTER	-110.00
47242	SPECTRUM BUSINESS	-139.99
47243	SPOKANE HOUSE OF HOSE	-225.97
47244	STATE INS. FUND	-29,308.00
47245	THORCO INC.	-148.50
47246	ULTRA-LAWN	-196.60
47247	VERIZON WIRELESS	-370.85
47248	WESTERN STATES EQUIPMENT - CAT	-147.66
47249	ZIPLY FIBER	-304.77
47250	ABOVE AND BEYOND JANITORIAL INC	-650.00
47251	RUSH DELIVERY	-32.50
47252	TITAN TRUCK EQUIPMENT	-177.27
47253	BETH L RHEINSCHMIDT	0.00
47254	DARREL STEVENS	-2,107.72
47255	DAVID RUSSELL	0.00
47256	EDWARD F. MAEL	-1,975.41
47257	ERIC PRESTEGAARD	-1,998.50
47258	HELEN A FURBEE	-1,820.86
47259	JAMES B WINES	-2,076.37
47260	JASON B COFFMAN	-2,248.33
47261	JEFFREY E BRATON	-2,016.19
47262	JONIE ANDERSON	-1,520.05
47263	LARRY P HOWELL, JR	-1,477.08
47264	LESLIE R LIKES	-2,134.24
47265	LUCAS A BICANDI	-2,070.25
47266	MICHAEL C LENZ	-2,986.82
47267	MICHAEL J KETCHUM	-2,065.52
47268	MIRIAM E FOX	-2,233.75
47269	RANDY L NEAL	-2,046.03
47270	TRAVIS A HALL	-2,121.13
47271	TUEKOTA TATE-VANDEVER	-2,065.51
47272	ZANE A. KLEIN	-2,104.38

POST FALLS HIGHWAY DISTRICT
VOUCHERS TO DATE

May 2023

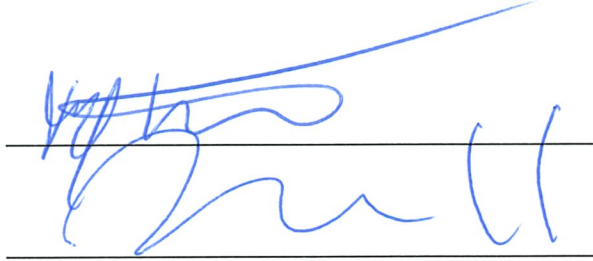
<u>Num</u>	<u>Name</u>	<u>Amount</u>
47273	DAVID A TUCKER	-2,013.83
47274	BETH L RHEINSCHMIDT	-2,223.87
47275	INSIDE OUT CONSTRUCTION LLC	-625.00
47276	ZANE MEEKS -MEEKS FAMILY TRUST	-250.00
47277	AFLAC	-132.99
47278	CREDIT UNION	-725.00
47279	JUB	-19,954.34
47280	JUB	-35,750.91
47281	ADVANCED COMPRESSOR & HOSE, INC.	-549.80
47282	ALLIED WELDERY INC	-192.50
47283	AMERICAN ON-SITE SERVICES	-274.70
47284	AUTONATION INC	-64.87
47285	AVISTA UTILITIES - WWP	-2,870.01
47286	BADGER BUILDING CENTER	-76.99
47287	CDA GARBAGE	-161.75
47288	CITY OF POST FALLS.	-338.79
47289	CULLIGAN	-23.85
47290	CDA METALS	-114.89
47291	DRIVELINES, INC.	-203.21
47292	FISHER ROOFING SERVICES	-12,600.00
47293	GMCO CORPORATION	-10,904.48
47294	GREASE MONKEY-ROLLING STOCK	-62.70
47295	H & H INC DOCUMENT MANAGEMENT SOLUTIONS	-172.72
47296	HRA VEBA TRUST	-11,500.00
47297	INTERMOUNTAIN SIGN & SAFETY	-722.00
47298	JERRY JM MOREAU JR.	-791.28
47299	JMT PETROLEUM	-4,664.99
47300	KEC	-487.18
47301	KENWORTH SALES - SPOKANE	-106.60
47302	NORCO	-98.63
47303	NORTH 40 OUTFITTERS	-15.99
47304	PANHANDLE SPRAY SERVICE	-3,812.00
47305	RUEN-YEAGER & ASSOC, INC	-12,911.98
47306	SPALDING AUTO PARTS	-150.00
47307	SPRAY CENTER	-228.22
47308	TECHNICHEM	-127.77
47309	UTILITY TRAILER SALES OF SPOKANE	-66.63
47310	WTB - CREDIT CARD DIV.	-966.92
47311	765TECH INC	-75.00
47312	REGENCE BLUE SHIELD	-19,060.71

POST FALLS HIGHWAY DISTRICT VOUCHERS TO DATE

May 2023

<u>Num</u>	<u>Name</u>	<u>Amount</u>
EFT	WASHINGTON TRUST BANK	-12,298.62
EFT	PUBLIC EMPLOYEES RETIREMENT SYSTEM	-11,804.90
EFT	WASHINGTON TRUST BANK	-20.00
EFT	STATE TAX COMMISSION	-3,700.00
EFT	PUBLIC EMPLOYEES RETIREMENT SYSTEM	-12,239.99
EFT	WASHINGTON TRUST BANK	-13,803.06
EFT	INSURANCE TRANSFER	-414.21
EFT	SPOKANE BRIDGE: TRF DESIGN REIMB TO FUND CONSTRUCTION	-3,789.06
EFT	HAYDEN & MEYER: TRF DESIGN REIMB TO FUND CONSTRUCTION	-12,925.02
EFT	PRAIRIE PH 3: TRF DESIGN REIMB TO FUND CONSTRUCTION	-24,237.69
N/A	RWC GROUP (CREDITS APPLIED TO INVOICES)	0.00
N/A	TRANSPORT EQUIPMENT (CREDITS APPLIED TO INVOICES)	0.00
May 23		<u><u>-370,940.08</u></u>

APPROVED



ATTEST:

DATE:

6-7-23