

POST FALLS HIGHWAY DISTRICT
APRIL 2017 MINUTES

Regular Meeting – April 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, Vice-Chairman Terry Werner, Commissioner Todd Tondee, Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and District Engineer Darius Ruen. In the audience were Dan Coonce, LHTAC; Dustin Baertsch, Coldwell Banker; Randy Neal, Josh Lupton, and Larry Howell, Post Falls Highway District; Matt Gillis, Welch Comer; and Char Howell.

CONFLICTS OR ADDITIONS

No conflicts were declared; no additions were requested.

CONSENT AGENDA

March 2017 Treasurer's Report was not yet ready and will be placed on the next agenda.

[4/5/2017 Brd Mtg]

SPECIAL PRESENTATION - LHTAC Road Scholar and Road Mater Awards

LHTAC's Dan Coonce was present to present T2's Road Scholar award to Randy Neal and the Road Masters award to Joshua Lupton and Larry Howell. Mr. Coonce stated the benefit this training is to staff which also benefits the District as it provides points for federal funding awards.

[4/5/2017 Brd Mtg]

PUBLIC COMMENTS

There were no public comments.

OLD BUSINESS

Gallop Lane

Road Supervisor Brownsberger reported that Smasnes could not be present tonight, however he reported he spoke with Kootenai County Code Officer and as long as it does not exceed 300 square feet or if there is a home occupation; he asked more questions but has not had them answered yet. He also reported both parties supplied their insurance when requested. This item will be placed on the next agenda. *[4/5/2017 Brd Mtg]*

Field Service Crane Body, Award Bid

The District's attorney determined the low bid by Summit was unresponsive so the Board can now either accept the next lowest bid or go through the bid process from the beginning. Mr. Brownsberger stated he would like to stay with the specs and not reduce the specs. Commissioner Werner **moved** to reject Summit Equipment's bid as being unresponsive for not meeting the specifications and award the bid to Utility Trucking Equipment in the amount of \$58,500. Commissioner Tondee seconded, **motion carried** unanimously. *[4/5/2017 Brd Mtg]*

South Shore Seven Sign, Permit to Use R/W, Fairmont Loop

Dustin Baertsch presented the same proposal for a sign at US95 and Fairmont Loop. He understands the District has been trying to work with Coeur d'Alene Land Company but would like to begin construction now that the weather is better. He stated this is a 10-lot subdivision with the lots owned by Coeur d'Alene Land Company but builders are doing a 'take down' as the lots are sold. The problem was very briefly described to Mr. Baertsch. Commissioner Werner **moved** to allow the sign to be put up on temporary basis while the Coeur d'Alene Lands agreement is finalized. Further discussion ensued regarding the sign being located on right-of-way; if road construction will take place, and further phases of the development. Chairman Humphreys asked if there was a second on the motion for which none was made, therefore the motion died. Mr. Humphreys explained to Mr. Baertsch that the sign would not be allowed, at least at this time.

[4/5/2017 Brd Mtg]

Greensferry Boat Launch Parcel, Set Public Hearing

A resolution was prepared to declare a parcel of land as surplus prior to being transferred to Kootenai County for use as a boat launch. Commissioner Werner **moved** to approve Resolution 2017-02 to set a public hearing for May 3 for the Greensferry Bay property. Commissioner Tondee seconded. [4/5/2017 Brd Mtg]

CURRENT BUSINESS

Seltice Way Reconstruction Update

Matt Gillis of Welch Comer was present to provide an update on this project. Traffic shift begins the week of April 10 with all traffic being routed to the north side of Seltice Way, one lane, each direction. The transition begins just west of Huetter. Once the south side is completed, anticipated for mid-July, traffic will shift to the south side so the north side can be constructed. Traffic from Grand Mill and the call center will have to go west to Huetter, then cross Seltice to go east. Mr. Gillis also discussed the bid amounts and contact information which he will provide. [4/5/2017 Brd Mtg]

Big Rock Road

Zac Eifler could not make the meeting. He will let the District know if can make the following meeting. [4/5/2017 Brd Mtg]

Three Forks, Award Bid

Three bids were received and opened on April 4 at 2:00 pm. Bidders and amounts were Interstate Concrete-\$102,086.10; Poe Asphalt Paving-\$136,147; Coeur d'Alene Paving-\$145,863; the engineer's estimate was \$144,502.40. Commissioner Werner **moved** to award the Three Forks Road CRBS Project to Interstate Concrete and Asphalt in the amount of \$102,086.10 and for the Chairman to sign the Notice of Award. Commissioner Tondee seconded. **Motion carried** unanimously. [4/5/2017 Brd Mtg]

Budget/Fund Changes

Current funds, anticipated revenue and anticipated expenditures were reviewed. The District Clerk's projected remaining balance at the end of fiscal year is \$787,120. Road Supervisor Kelly Brownsberger asked the Board to obligate \$500,000 to W. Riverview and to amend this year's budget by adding \$287,000 for the Huetter, Mullan to Prairie. Carry forward amounts, savings and dedicated amounts were discussed. A dedicated account will need to be opened and the budget will need to be amended. The Board asked this be brought back to the next meeting with a proposed amended budget and to set a public hearing. [4/5/2017 Brd Mtg]

Office Staffing, Administrative Support GIS Clerk

Road Supervisor Brownsberger asked the Board to keep this in mind for the upcoming budget as Staff feels extending a new staff member later and with the new budget. Commissioner Werner had asked that comparable pay rates be reviewed which was completed and will be presented to the Board for the new budget. [4/5/2017 Brd Mtg]

Pleasant View and SH53, Hughes Lease

Fran Hughes has asked the Board to lease a 17-acre parcel of land owned by the District. Mr. Hughes would like to run cattle on this parcel. The Board was willing to enter into a two (2) year lease. District Clerk Walson informed the Board Mr. Hughes added "the tenant" to the very last sentence. Commissioner Werner **moved** to sign the lease agreement with Fran Hughes for the Pleasant View/SH53 property at the rate of \$17 per year on the 17 acres. Commissioner Tondee seconded. **Motion carried** unanimously. [4/5/2017 Brd Mtg]

2017 Asphalt Road Oil Contract, Piggyback Approval

Idaho Asphalt has not yet returned the approved contract so this will be looked at when ready. [4/5/2017 Brd Mtg]

CORRESPONDENCE

ICRMP Response, Atlas and Prairie-so noted. *[4/5/2017 Brd Mtg]*

ROAD SUPERVISOR

W. Riverview Guardrail Project – LHTAC and the Road Supervisor have been discussing this project to move the road into bank thus reducing the retaining wall. Acquisition of right-of-way will be necessary which LHTAC has agreed to acquire the right-of-way. *[4/5/2017 Brd Mtg]*

KCATT Bike-Ped Workshop-Board members have been invited to attend a workshop on May 23 and 24. The first day will be a bike ride in Coeur d'Alene and the second day will be a pedestrian ride in Post Falls. Mr. Brownsberger asked if anyone was interest, he needs to register them. *[4/5/2017 Brd Mtg]*

Agate Road Request – A homeowner has asked about paving Agate, a private road on public right-of-way. As the homeowners don't want to bring it up to District Standards, the District is not in favor of allowing them to pave the road feeling they will then want the District to maintain the road. Discussion followed with Commissioner Tondee asking what is the limit of work allowed on a public right-of-way, just asphalt application? Commissioner Werner feels the neighbors will not want to pave it once they receive a quote for the cost. Mr. Brownsberger will discuss with the Kootenai County Community Development director. The Board is requesting the road be brought up to District standards prior to paving. *[4/5/2017 Brd Mtg]*

W. Riverview at St. Dominics – The Road Supervisor and Engineer were asked to contact Robert Roman who thought he wanted the fill from road construction but due to the amount of fill, he has decided he does not want it now. *[4/5/2017 Brd Mtg]*

Crew and Road Update – Weight restrictions have either been lifted or eased in several places. W. Riverview is now open from Spokane Street Bridge to the Washington state line. Hauser Road's closure on the north side has been removed. Summer gravel road projects have begun; Harvest, Cranston, 3rd Street will all receive seals shots. Sweeping is in progress. *[4/5/2017 Brd Mtg]*

ENGINEER

W. Riverview Guardrail Project – It is about ready to wrap up. Due to the right-of-way acquisition discussion, Mr. Ruen feels it will be a much simpler project. *[4/5/2017 Brd Mtg]*

Prairie/Chase Roundabout Advertisement for Bid – Plans will be modified this week; his proposal is to advertise April 15 and 22, open bids on May 2, award on May 3, prepare contracts in May and give notice to proceed in June. *[4/5/2017 Brd Mtg]*

Brautigam Subdivision Response – Engineer Darius Ruen presented the Board with his response for this proposal. Road Supervisor Brownsberger stated he spoke with the engineer who is designing the project and would like to send a review letter to the county asking for additional time for response. Mr. Brownsberger sees this as a good opportunity to redesign the roadway and make a safer intersection. He is asking for the additional time for an engineering evaluation to be completed. Bart North, the design engineer will meet with District personnel next week to discuss obtaining the one lot that would be needed for the redesign of the intersection. *[4/5/2017 Brd Mtg]*

Progress has been being made on the Transportation plan as well as the Greensferry Bridge.

OFFICE

District Clerk Walson presented a profit and loss treasurer's report for the Board's review. *[4/5/2017 Brd Mtg]*

COMMISSIONERS

Chairman Humphreys asked for a new conference phone. [4/5/2017 Brd Mtg]

With no further business, the meeting adjourned at 7:38 p.m.

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

Lynn Humphreys, Chairman, called the meeting to order at 6:00 P.M. Present were Commissioners Lynn Humphreys, Terry Werner, Todd Tondee; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; District Engineer Darius Ruen and attorney Susan Weeks. Brian and Michelle Smasne were present.

CONFLICTS OR ADDITIONS

No conflicts were declared; no additions were requested other than to move the Huetter Road Project item to the top of Current Business as it would affect the Amended Budget item.

CONSENT AGENDA

Items on the Consent Agenda are the March 2017 Treasurer's Report and Minutes and the April 2017 Vouchers. Commissioner Werner **moved** to approve the consent agenda as presented. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

OLD BUSINESS

Gallop Lane

The District has entered into a right-of-way agreement with two neighboring property owners; the parcels are split by District right-of-way. Discussion included terms of the agreement and if they are being met, or an interpretation of the agreement. Neighbors believe property is being leased and a business is being run off the property and asked if that was allowed by the agreement. The Board cautioned that the Board will not settle neighbor disputes but can revisit the agreement to ensure terms are being met. Commissioner Werner **moved** to have our attorney send a letter to Sharon Hill stating the greenhouse needs to abide by county rules and code, and that we set an executive session at the next meeting to have the Board and legal review the Hill/Smasne agreement. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

CURRENT BUSINESS

Huetter Road Discussion/Amended Budget, Set Public Hearing

Road Supervisor Brownsberger explained the District has scheduled an overlay and turn lanes to be done this year on Huetter from Mullan to Poleline. Since right-of-way has not been secured for turn lanes, the overlay was going to be done anyway. Mr. Brownsberger was also asking for a budget amendment at this meeting to add Poleline to Prairie. However, the Seltice rebuild is directing detoured traffic to use Huetter throughout the summer therefore, he is asking to put it off until next year. This will allow time to work on finalizing right-of-way. The addition funding will be set aside in the Huetter account but a budget amendment will not be necessary. Commissioner Werner **moved** to table the budget amendment at this time as it is not needed. Mr. Brownsberger added a fog seal will be done to the new pavement. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

New STO Account, W. Riverview @ St. Dominics

Commissioner Werner **moved** the Chairman sign the new account for Riverview at St. Dominics and to deposit \$500,000 into the new account. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

Release of 2nd Addendum to Development Agreement, Lost Creek

District Clerk Shirley Walson explained the \$15,000 was received for the turn lane and had not released the agreement of record at that time. Upon the inquiry from a title company, Ms. Walson has prepared the release for recordation. Commissioner Werner **moved** to have the Chairman

sign the release of the 2nd Addendum to the Developers Agreement for Lost Creek LLC. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

2017 Asphalt Road Oil Contract

Mr. Brownsberger reports the other Highway District Road Supervisors may wish to go to bid. A meeting will be held in the morning for discussion. Commissioner Werner **moved** to table the 2017 Road Oil Contract to the May 3rd meeting. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

Beck, Seltice to Prairie State/Local Agreement

Mr. Brownsberger reports this is a standard agreement to get the project development started on this project. Commissioner Tondee asked if, when completed, this will be an all-weather road and received an affirmative answer. Commissioner Werner **moved** that the Board sign the State/Local Agreement for Beck Road, Key Number 19288. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

Prairie and Chase Settlement Agreement

Commissioner Werner **moved** to ratify the settlement agreement with David and Marnie Fair and Umpqua Bank. Commissioner Tondee seconded. **Motion carried** unanimously. In later discussion, Mr. Brownsberger reports in under 'Road Supervisor' he has been in contact with Alamo Excavation regarding Fair's water line. He does not have a cost as yet and Alamo is aware the work must be done by April 30. [4/19/17 Brd Mtg]

Hargrave Avenue Access

Chairman Humphreys reported that Don Nulph contacted him regarding access to property he has that originally had access from Grange. Through the transfer of property and a dispute, he no longer has that access and wants to ensure he has access from Hargrave, an undeveloped public right-of-way. After much discussion, Attorney Susan Weeks suggested the Board meet in a workshop for the Board to come to a consensus on how to handle unopened right-of-way where there is no existing driveway and the people want to extend the right-of-way or start using it. That protects the District from being arbitrary and capricious as well as creating a memory and recollection of how we are treating unopened right-of-way. She also suggests putting it into a resolution. A meeting is set for June 7 at 4:30 pm. [4/19/17 Brd Mtg]

CORRESPONDENCE

Atlas and Prairie Crash, Settlement – Final reimbursement was received. Road Supervisor Brownsberger explained the steps that led up to the total amount. Previously \$19,656.68 was received from ICRIMP and an additional amount of \$4,987 received April 18. The amount includes hardware and employee wages less deductible. [4/19/17 Brd Mtg]

Spokane River Bridge Inspection Report – ITD's underwater inspection report was received. Dated 10/2/2016, the corroding was mentioned in the report. To answer Commissioner Tondee's inquiry, Kelly Brownsberger explained the condition of the upcoming bridge and stated the District has a federal aid project that may replace the cathodic protection and apply some type of coating to protect the metal pilings, no decision has yet been made. The consultant selection process has been completed. [4/19/17 Brd Mtg]

LEGAL

Prairie and Chase Roundabout Update– Regarding the Fair parcel, now that mediation is complete and a settlement has been reached for the right-of-way acquisition, the court will dismiss this case. Regarding the Liesenfeld parcel, the court wants to determine the amount but Mr. Liesenfeld would like to have an appraisal done. Commissioner Werner stated the District would like to move forward and would like a counter offer before May 3, 2017. [4/19/17 Brd Mtg]

Greensferry Boat Launch – Kootenai County Commissioners have not yet made a decision on the proposed public hearing schedule, therefore the public hearing will be rescheduled at such time the County is ready. [4/19/17 Brd Mtg]

Millview Lane – Ms. Weeks reports Mr. Magnuson stopped in to her office and they discussed the Millview Lane situation for which he has a few concerns. However, she will draft a Road Developers Agreement for the District to review. It seems Magnuson and Dodge are working with each other. [4/19/17 Brd Mtg]

Broom Patent – Ms. Weeks will check with the patent attorney to see where this currently sits in the process. [4/19/17 Brd Mtg]

ROAD SUPERVISOR

Ground Force Lease – Mr. Brownsberger informed the Board the lease is up in July. Discussion followed regarding renewing and if we do, the conditions. Mr. Brownsberger is to make contact with Ground Force to begin the discussion. [4/19/17 Brd Mtg]

P-9 Equipment Upgrade – A quote for an upgrade to a mag unit on pickup P-9 is \$21,250 which is the original \$19,100 plus \$2,150 for a temp sensor. Currently, the unit is being run off a Honda motor which puts down X amount times Y speed. Mr. Brownsberger feels mag was over-applied. This system will allow the application to be programmed and shoot it based on the speed. Commissioner Werner **moved** to approve the quote from Utility Truck for the mag quality control in the amount of \$21,250. Commissioner Tondee seconded. **Motion carried** unanimously. [4/19/17 Brd Mtg]

Noxious Weeds Application – Mr. Brownsberger provided spray costs for the 2017 application year. He noted the higher and lower costs for different applications. [4/19/17 Brd Mtg]

McGuire Hayden Light Request – Although there are no reportable accidents at this intersection, Mr. Brownsberger believes there are non-reportable accidents based on track marks. A resident has requested a light. In checking with Avista, a transformer install is \$2,900 or less and monthly costs are \$13.33. Mr. Brownsberger will get costs fine tuned for a Board decision. [4/19/17 Brd Mtg]

Amerigas at Prairie and Huetter – Bill Roberson from ITD reports they plan to buy out the Amerigas rail service. Possibly the crossing will get closed. [4/19/17 Brd Mtg]

SH53 and Pleasant View – Mr. Brownsberger spoke with Glenn Miles from KMPO regarding SH53 improvements. Turn lanes will be put in at Hollister Hills this year and the Pleasant View Interchange will hopefully be funding in two to four years. [4/19/17 Brd Mtg]

Huetter Track Crossing – In regards to the teenage traffic accident at the Huetter crossing on April 13, Trafficom has offered to donate their basic sign alert system to put on the Stop sign at this crossing. It is the same type of sign as the one at Chase and Hayden with two lights, however Mr. Brownsberger asked to upgrade to the four-light system and the District will pay for it. Other functions of their signs were discussed. [4/19/17 Brd Mtg]

Skalan Creek Update – Welch Comer has asked for an extension to the completion date to October 30. The changes were for a change in alignment. LHTAC has approved the October 30, 2017 date. [4/19/17 Brd Mtg]

Lunch Meeting – The annual lunch for Administrative Assistant's Day is set for April 25 at 11:30. [4/19/17 Brd Mtg]

Weight Restrictions –Hauser Lake, Schilling Loop, and south of the river have some restrictions, most will be lifted next week. Nelson Loop remains restricted. [4/19/17 Brd Mtg]

Crew Update – Winter cleanup is being done, prep for the 'bst' applications and drainage on Three Forks. The summer flagger will be brought in on Monday, April 24. [4/19/17 Brd Mtg]

ENGINEER

Seltice and Huetter – A walk through was done with Thoreco earlier in the day. Pavement repair is needed and more information was requested for additional flagging pay. The tax release form was requested so the retainage can be paid when all is complete. *[4/19/17 Brd Mtg]*

Prairie and Chase – The waterline is extended 260-feet to tie in to the valve adding to the plans so advertising for bid was set back. Mr. Ruen is hoping the May 3rd deadline can be met for award. If fall does not fall in to place as expected, the award will be at the following meeting. *[4/19/17 Brd Mtg]*

Greensferry Bridge – The contractor fell off this review for other work so it is behind.

Three Forks Project – The contracts will come to the Board once the signed documents are returned to Ruen Yeager. *[4/19/17 Brd Mtg]*

Riverview Guardrail Project – Progress is being made. *[4/19/17 Brd Mtg]*

OFFICE

IAHD Conference dates – This year's date may change based on an email, the Clerk will update the Board. *[4/19/17 Brd Mtg]*

Conference Phone – Ms. Walson informed the Board she has looked into conference phones. The Board would also like information on hard wired microphones. *[4/19/17 Brd Mtg]*

COMMISSIONERS

Commissioner Werner informed the Board the IAHD's Regional Meeting will be held June 6 at the Best Western Coeur d'Alene Inn. So noted. *[4/19/17 Brd Mtg]*

Chairman Humphreys asked the Road Supervisor to check into construction at Seltice Way and Ante Lane. Rocks have been spilling out onto Ante Road. *[4/19/17 Brd Mtg]*

EXECUTIVE SESSION

Commissioner Werner moved to enter into Executive Session at 7:52 PM pursuant to the provisions of Idaho Code 74-206, Subsection 1(c). The purpose of the executive session is to discuss land acquisition. Role call:

Chairman Humphreys: aye

Vice-Chairman Werner: aye

Commissioner Tondee: aye

Commissioner Werner made the motion to come out of the executive session at 8:10 PM.

Commissioner Tondee seconded. Motion carried unanimously.

The Regular Meeting reconvened at 8:10 PM. With no further business, the meeting was adjourned.

ORIGINAL SIGNED AND DATED 5/3/2017

Submitted by:
Shirley Walson, District Clerk