

POST FALLS HIGHWAY DISTRICT  
MAY 2017 MINUTES

Regular Meeting – May 3, 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. Guests present were Sharon Hill and Jessica Nash.

CONFLICTS OR ADDITIONS

There were no conflicts stated. Commissioner Werner **moved** to add the contract between LHTAC, the Post Falls Highway District and Ruen Yeager for the work on W. Riverview to keep the W Riverview Guardrail project moving forward. Commissioner Tondee seconded. **Motion carried** unanimously. *[5/3/17 Brd Mtg]*

CONSENT AGENDA

The only item was the April 2017 minutes. Commissioner Werner **moved** to approve the consent agenda as presented. Commissioner Tondee seconded. **Motion carried** unanimously. *[5/3/17 Brd Mtg]*

PUBLIC COMMENTS

There were no requests for public comments.

OLD BUSINESS

2017 Asphalt Road Oil Contract

Commissioner Tondee asked about previous discussions of re-bidding this contract. Assistant Road Supervisor Mike Monette stated if the price comes in lower, they will give us that price; if it comes in higher, we are locked in at the current cost. Commissioner Werner **moved** to approve the piggyback of Idaho Asphalt's Supply Inc/Peak Asphalt LLC contract and have the Chairman sign the contract. Commissioner Tondee seconded. **Motion carried** unanimously. *[5/3/17 Brd Mtg]*

Gallop Lane

The problems continue over the issue of two neighbors using a right-of-way under a mediated settlement agreement and permits agreements. Sharon Hill has concerns about incurring costs to erect a fence if it will need to come out. The Board and staff continue to review this area. Commissioner Tondee reminded Ms. Hill the greenhouse cannot be built larger than 300 square feet without permission from the county. Ms. Hill stated she has permission and it falls under the 'circus tent clause'. She was requested to send that documentation to the District. Commissioner Werner brought up the intent of the agreement and seeing vehicles and trailers being parked at this area. He feels both parties are pushing the intent of the use; they are using the District as a referee and warned her, as he had the neighbors prior, that they are in danger of having the permits pulled if the behavior persists. *[5/3/17 Brd Mtg]*

CURRENT BUSINESS

W Riverview Drive, KN 13874 Payments

Commissioner Werner **moved** to approve payment #13 in the amount of \$3,231.04; payment #14 in the amount of \$3,374.79; payment #15 in the amount of \$2,261.81 and payment #16 in the amount of \$9,213.79 for a total of \$18,081.43 for project KN 13874, W Riverview Drive (Skalan Creek). Commissioner Tondee seconded. **Motion carried** unanimously. *[5/3/17 Brd Mtg]*

Harbor Drive Land Acquisition Approval

A purchase agreement is readied but the sellers have not yet been in contact with the District. Discussion followed regarding needed steps. Commissioner Werner moved to table the Harbor Drive Land Acquisition until the Road Supervisor is back from vacation. Commissioner Tondee

seconded. **Motion carried** unanimously. [5/3/17 Brd Mtg]

#### Ruby Road at Highland – Entry Permission and Hold Harmless Agreement

Mr. Monette explained every spring, a property owner grades the road and pushes snow onto Ruby Road dumping it onto Riverview. Cross culverts have been installed and maintained so the road, field, and front of a garage continue to be washed out. An overflow area had been established but was being plugged up. Mr. Monette plans to paving up to the top of the hill, approximately 75 to 100 feet, and stabilizing the grade on both sides with basalt so the water flow can be controlled. He will contact the property owner to inform him he cannot drag the silts and gravel down the road because it destroys the drainage. Chairman Humphreys asked if this will set a precedence of putting pavement on a private road. Attorney Susan Weeks answered that a one-time fix can be done for safety and preservation the road. Commissioner Werner **moved** the Chairman sign the Entry Permission and Hold Harmless Agreement and it be noted this is a one-time action to preserve the W. Highland Drive right-of-way. Commissioner Tondee seconded.

**Motion carried** unanimously. Commissioner Tondee asked the costs be tracked then share it with the property owner so he will know what kind of cost he could expect. Attorney Weeks added under Idaho law, this would be considered a public nuisance. [5/3/17 Brd Mtg]

#### CORRESPONDENCE

Easement Corrections – The Kootenai County Assessor's Office notified the District of needed legal corrections for easements from Walter and Grace Singer to the Post Falls Highway District. The recording information is instrument numbers 1735107 and 1735108 recorded May 29, 2002. Engineer Darius Ruen states his office is aware of the situation and is reviewing it. [5/3/17 Brd Mtg]

Notice of Funding Approval, LHTAC – So noted.

District 1 Project List, LHTAC – So noted.

#### LEGAL

Greensferry Area Boat Launch – The County has decided against accepting the transfer of property. However, county crews are working in our right-of-way and we need either a lease or a hold harmless agreement. The County's attorney will follow up. [5/3/17 Brd Mtg]

Patent – The patent attorney will meet with the Road Supervisor when he is back to begin doing a deconstruct drawing. The patent attorney also needs a list of all names involved in the project [5/3/17 Brd Mtg]

Harborview Drive – Ms. Weeks stated she will need a legal description for the condemnation. Mr. Ruen stated the developer's engineer, Bart North, was to provide that as he had already wrote the legal for the entire subdivision. [5/3/17 Brd Mtg]

#### ROAD SUPERVISOR

Frontage Road – Assistant Road Supervisor stated builders on Frontage Road by Riverview have moved two buildings up to the top of the lot by and onto the road in order to build a 10,000 square foot house. Construction vehicles are also parked along the road and the residents are upset about having problems not being able to get through the road. Plowing was also an issue over the winter being very accommodating throughout the season. Chairman Humphreys feels is appropriate to red tag the buildings and provide a time limit to remove them. Commissioner Werner **moved** to red tag the buildings giving them a date of June 1, 2017 to have the houses off the right-of-way. Commissioner Tondee seconded. **Motion carried** unanimously. [5/3/17 Brd Mtg]

Mellick Road Easement – Mr. Monette meets with personnel from Idaho Department of Lands regarding the Mellick Road easement. Other interested parties are expected to be present. IDL has assured Mr. Brownsberger the District has precedence over any other interest. Fixing the drainage was discussed and the installation of a culvert and Mr. Monette feels that will not be a problem. [5/3/17 Brd Mtg]

## ENGINEER

W Riverview Guardrail Project – Mr. Ruen explained the final contract negotiations which are now back and ready for signatures. The timeline to complete the project so Mr. Ruen would like it signed so the project can go forward. Commissioner Werner **moved** that the Chairman sign the Riverview Guardrail documents between Ruen Yeager, Idaho Transportation Department and Post Falls Highway District. Commissioner Tondee seconded. **Motion carried** unanimously. Commissioner Tondee stated his concern of not reviewing a contract prior to approval. So noted. [5/3/17 Brd Mtg]

King's Addition – This is a two-lot subdivision on Hidden Valley Road. Mr. Ruen asked for an additional five feet for right-of-way plus a ten foot drainage easement. The owners certificate included wording that clarified it is dedicated to the District. [5/3/17 Brd Mtg]

Prairie to Chase Roundabout – Bids are being advertised with an opening date of May 16 with contract documents ready for pick up on May 8. Specs include that water cannot be shut down prior to May 17 due to the 45-day requirement. The right-of-way has been staked. Frontier is anxious to complete their work. [5/3/17 Brd Mtg]

Cedar Creek Subdivision – Roadway Plans for this subdivision off of Greensferry were reviewed by the engineering staff. They are the same as last year so he will just share the same letter to Drew Dittman. The waterline is proposed to come down Greensferry and across Riverview Drive to tie in; there are two open cuts and they will need a permit and pay fees and bond for the cuts. The engineer wants a detail on the asphalt repair, for the cut, and a traffic control plan. There will also be a statement that a District inspector is to be provided and paid out of the project. [5/3/17 Brd Mtg]

## OFFICE

Hayden and McGuire Intersection Light Costs – As directed, District Clerk Walson contacted Avista and received a transformer cost estimate of \$2,000-\$3,000 and monthly costs of \$13-\$22. He suggested the District contact Kootenai Electric as they have a transformer on the southeast corner. Ms. Walson contacted KEC and provided a few costs depending on wattage and the style of pole that would be installed. The Board discussed if the southeast corner was the best location due to the t-intersection, would it light up the end of the road enough. Assistant Road Supervisor Monette was directed to review the intersection and report to the Board at the next meeting. [5/3/17 Brd Mtg]

Conference Phone Update – Ms. Walson spoke with Access Unified out of Spokane and they provided costs and information. The Board would like to try them prior to purchase even if we need to borrow one from another agency. [5/3/17 Brd Mtg]

## COMMISSIONERS

No comments.

## EXECUTIVE SESSION

Commissioner Werner moved to enter into Executive Session at 6:59 PM pursuant to the provisions of Idaho Code 74-206, Subsection 1(b); 1(c); and 1(f). The purpose of the executive session is to discuss personnel matters, land acquisition, and pending legal issues.

Commissioner Tondee seconded. Roll call:

Chairman Humphreys: aye

Vice-Chairman Werner: aye

Commissioner Tondee: aye

Commissioner Werner made the motion to come out of the executive session at 7:34 PM.

Commissioner Tondee seconded. Motion carried unanimously.

With no further business, the meeting adjourned at 7:35 PM.

Regular Meeting – May 17, 2017, 6:00 pm, E. 5629 Seltice Way – Cancelled due to lack of agenda items.

SPECIAL MEETING: May 15, 2017– 1:00 P.M. Chairman Humphreys, Commissioner Werner, Assistant Road Supervisor Mike Monette, District Clerk Shirley Walson, Engineer Darius Ruen met for a District Workshop. Eric Olson of HMH Engineering was a guest.

Taylor Subdivision Proposal – Eric Olson of HMH Engineering was present to discuss a proposed subdivision. He is representing owner Scott Olson for this 140+/- acre parcel located in in the southwest corner of Cloverleaf and Kathleen. It is in the impact area of the City of Hauser. The current proposal is approximately two to four acre lots. As Kathleen is public right-of-way for the Post Falls Highway District but not maintained by the District. Chairman Humphreys stated Kathleen will be a connector road at some point and voiced his concerns of the number of approaches asking for joint approaches (one approach to serve two lots). Commissioner Werner concurred but added that a variance may be allowed for the 330' spacing requirement if he would get as much use as he could with the joint approaches. ARS Monette added that drainage could be an issue if approaches were too close. Right-of-way width was discussed; although the first 250+/- feet of Kathleen is not included in this parcel so by widening the right-of-way to standards, the developer would not be able to provide right-of-way at this portion. Native soils were discussed for road fill with Mr. Ruen adding that a geotech report would be required showing the soils can work. A hill crest was discussed which may be a problem for site distance. Mr. Olson stated there is a denser proposal which he believes the developer will favor with Mr. Ruen adding a traffic study or something similar may be required. *[5/15/17 Wkshp]*

#### ENGINEER

Lawrence Subdivision – This proposal is off of Pleasant View butting up to Riverview. Mr. Ruen asked the Board if they want his response to include additional right-of-way. Discussion followed as to the width, the intersection, a future bridge, etc. Mr. Ruen will prepare a draft letter for the Board. *[5/15/17 Wkshp]*

#### ROAD SUPERVISOR

Mellick Road Easement - Mr. Monette provided an update on the easement acquisition. The local Department of Lands contact has enough to send the proposal to her superiors. *[5/15/17 Wkshp]*

#### OFFICE

Rebecca Lamb parcel – Ms. Walson informed the Board the Ms. Lamb signed the purchase agreement. An email was sent to Attorney Susan Weeks to ask if she had what she needed to begin the condemnation and is waiting to hear back from her. *[5/15/17 Wkshp]*

With no further discussion, the Meeting adjourned at 1:35 pm.

MAY 2017 MINUTES APPROVAL PAGE

ORIGINAL SIGNED AND DATED 6/7/2017

Submitted by:  
Shirley Walson, District Clerk