

POST FALLS HIGHWAY DISTRICT
FEBRUARY 2018 MINUTES

Regular Meeting – February 7, 2018, 6:00 pm, E 5629 Seltice Way

Chairman Werner called the meeting to order at 6:00 P.M. Present were Chairman Terry Werner, Vice-Chairman Todd Tondee, Commissioner Lynn Humphreys, Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and District Engineer Darius Ruen.

CONFLICTS OR ADDITIONS

Commissioners had no conflicts of interest. No additions to the agenda were requested.

Commissioner Humphreys **moved** to add under Item F the purchase of a pickup to replace the one recently lost. Commissioner Tondee seconded adding it is due to an unforeseen accident.

Motion carried unanimously. [2/7/18 Brd Mtg]

CONSENT AGENDA

Commissioner Humphreys **moved** to approve the January 2018 Minutes as presented on the Consent Agenda. Commissioner Tondee seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

PUBLIC COMMENTS

No guests were present.

CURRENT BUSINESS

W Riverview (Skalan Crk) Invoice

Commissioner Tondee **moved** to authorize payment to Welch Comer for Invoice #24 for the W. Riverview (Skalan Creek) project in the amount of \$2,799.78. Commissioner Humphreys seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

Beck Rd Invoice

Commissioner Humphreys **moved** to authorize payment to Ruen Yeager for Invoice #1 for the Beck Road project in the amount of \$14,716.93. Commissioner Tondee seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

Spokane River Bridge Invoice

Commissioner Tondee **moved** to authorize payment to HDR Engineering for Invoice #5 for the Spokane River Bridge project in the amount of \$2,237.94. Commissioner Humphreys seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

CORRESPONDENCE

No correspondence.

ROAD SUPERVISOR

Prairie / Chase Roundabout Bid Request – Tabled from the last meeting, there still no definitive answer on funding. Chairman Werner shared this is HB442 and has passed the House and has gone to the Senate. Next week it should go to the Governor and he is hearing the Governor will sign. Commissioner Humphreys **moved** to table the Prairie/Chase Roundabout Bid Request until such time we have information from the Legislature that it has passed and then bring forward for action. Commissioner Tondee seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

UPRR Xing Elimination Prairie/Meyer – Road Supervisor Kelly Brownsberger met with ITD, the City of Post Falls and a representative from Union Pacific on January 18. This is proceeding somewhat. UPRR has adjusted their price from earlier reports and is now at \$700,000, up from \$635,000. The railroad will not split out portions to purchase and ITD has offered to do the legal description and move forward with the purchase of AmeriGas. They said they are selling it 'as-is,

so once complete, the District can remove the tracks. Also, UPRR is looking at redoing Wyoming at Huetter and possibly Prairie's crossing. The space they work in was discussed stating they only are responsible for two feet either side of the rail and Mr. Brownsberger reiterated his disagreement that if they break it, they fix it and has asked the District's attorney to review code. The crossing at Idaho was discussed and Mr. Brownsberger stated there has been no talk of that crossing although Huetter is in the STIP but is 4-5 years out. UPRR did think they could widen out the crossing at Wyoming. [2/7/18 Brd Mtg]

Quarterly Subdivision Review – Mr. Brownsberger provided a list of minor subdivision for which he provided comment to the county planning department. Commissioner Tondee asked about Ram River which is serving nine lots and he thought it could be no more than four. Mr. Brownsberger stated that change is part of the changes the Kootenai County Board of Commissioners has directed the planning division to change. [2/7/18 Brd Mtg]

Right-of-Way Acquisition Appraisal Quotes – The Skalan Creek and Huetter Road appraisal quotes were received; Skalan Creeks was sent to LHTAC. They are okay with their portion for Skalan Creek but want to hold off due to their workload. Stan Moe can proceed with the Huetter appraisals. Commissioner Humphreys **moved** to authorize expenditures for both appraisals moving forward with the Huetter appraisal; to move forward with the Skalan appraisals once authorization is received from LHTAC. Commissioner Tondee seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

Updates/Concerns

Skalan Creek Trees – The Road Supervisor met with Dan Coonce from LHTAC. Welch Comer came up with a plan to move back the schedule of removing trees. They will be removed between August 1 and March 3, possibly any time after July 15 rather than Sept 1 and March 31. This will resolve the issue of the migratory bird concern. [2/7/18 Brd Mtg]

McGuire Park – Tree removal will begin very soon of trees in McGuire Park on Breezy Way. Mr. Brownsberger discussed entering into a lease agreement with Nick Snyder of Kootenai County Parks and Recreation allowing them to manage the District's right-of-way running from Breezy Way parallel to the park down to the river's edge. [2/7/18 Brd Mtg]

Minor Subdivision Review – At the last association meeting with the Highway Districts, the supervisors were asked to put together a letter to the County Commissioners regarding their decision to cut the Districts out of the review process for minor subdivisions. A copy of the letter was provided to the Board and is currently with legal for review. [2/7/18 Brd Mtg]

Weight Restrictions – Weight limits were removed from the prairie on February 6. Roads north of SH-53 and south of the river still remain in effect. [2/7/18 Brd Mtg]

Vehicle Purchase – Monday's vehicle accident in which the Assistant Road Supervisor was hit on SH-41 by a vehicle who failed to yield the right-of-way has totaled P-3 so we are now down one pickup for the crew. Mr. Brownsberger informed the Board a pickup is available at Parker Ford that fits our needs and the cost comes in under code's requirement for quotes. The accident and insurance review was discussed. Commissioner Humphreys **moved** to proceed to buy the pickup on the lot as reviewed by the Road Supervisor at a cost of \$31,383.07. Commissioner Tondee seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

ENGINEER

Retainage Release, Hollister Hills – The project was completed by the end of summer, 2017. The tax documents were received so the retainage can be released. Commissioner Tondee **moved** that the District sign the documents and release the retainage in the amount of \$6,031.37 payable to Coeur d'Alene Paving for the Hollister Hills project. Commissioner Humphreys seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

Big Horn Industrial Park – Mr. Ruen submitted a comment letter to the Board for their approval for Phase 2 of Big Horn. The comments pertain to modification of road plans lying south off of Grange and east to Hargrave. So noted. [2/7/18 Brd Mtg]

Beck Road Bore Holes – Beginning February 15, RYA crews will begin digging bore holes on Beck Road. They will be placed every 15-feet and the project will last up to three days. [2/7/18 Brd Mtg]

Other Updates – The package for W. Riverview Guardrail will be submitted to LHTAC this week; staff is completing the Transportation Plan. [2/7/18 Brd Mtg]

OFFICE

Policy & Procedures Manual Review for 2018 – District Clerk Walson stated the 2017 manual is enclosed for their review. It will be on the next agenda with updated dates for discussion and/or approval. [2/7/18 Brd Mtg]

Treasurer Updates – A Profit and Loss statement was presented showing the status of the current budget. Ms. Walson reported the second quarter Highway User funds with HB312 funds has been received as has the December collection of ad valorem tax. [2/7/18 Brd Mtg]

Fund Transfers - Ms. Walson presented a report of showing current account balances, as well as anticipated receipts and expenditures. Staff has proposed dedicating funds to upcoming projects. Commissioner Tondee asked if the UPRR funding that is in the current budget is for the purchase we discussed earlier and was told no, that was for a crossing that is in ITD's STIP. Commissioner Humphreys **moved** to transfer funds from the General Savings account as follows: Transfer \$118,510 in the Equipment fund; open an account and transfer \$131,000 into an East Riverview Account; open an account and transfer \$200,000 into a Prairie Avenue Phase 3 account; and open an account and transfer \$450,000 into a Pleasant View and SH53 account. Commissioner Tondee seconded. **Motion carried** unanimously. [2/7/18 Brd Mtg]

State Insurance Fund Update – State Insurance Fund representative Joe Guerrinha recently visited the District. The District Clerk explained cost per year as affected by the claims. To date, this year is an extremely small claim year. [2/7/18 Brd Mtg]

COMMISSIONERS

Chairman Werner asked the Board that, assuming Strategic Initiative Funding is received for the Prairie/Chase intersection, then he proposes to move the dedicated funding for that project to Prairie and Greensferry for a signal. He added there are a number of accidents at this intersection but not the type that would put the District high enough on the list to get federal funding. The Board had no objections. [2/7/18 Brd Mtg]

With no further business, Terry Werner made the motion to adjourn the meeting at 6:52 PM.

Regular Meeting – February 21, 2018, 6:00 pm, E. 5629 Seltice Way

Chairman Werner called the meeting to order at 6:00 P.M. Present were Commissioners Terry Werner, Todd Tondee, and Lynn Humphreys; Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson; and Laura Winter, engineer for Ruen Yeager and Associates.

CONFLICTS OR ADDITIONS

Commissioners had no conflicts of interest. Additions to the agenda were requested as follows:

Commissioner Humphreys **moved** to add three items, all due to time restraints.; 1.) A letter to the Kootenai County Commissioners regarding subdivision reviews; 2.) Approval for the agreement for the Chase/Prairie Roundabout; and 3.) Approval to publish the bid for the Chase/Prairie Roundabout. Tondee seconded. **Motion carried** unanimously. [2/7/21 Brd Mtg]

CONSENT AGENDA

Commissioner Humphreys **moved** to approve the January 2018 Treasurer's Report and the February 2018 Vouchers as presented on the Consent Agenda. Commissioner Tondee seconded. **Motion carried** unanimously. [2/21/18 Brd Mtg]

PUBLIC COMMENTS

No guests were present.

CURRENT BUSINESS

Ratification of Litigation Settlement Agreement

Mediation was held February 8, 2018 for a right-of-way purchase to complete the Chase and Prairie roundabout acquisitions. Commissioner Tondee **moved** to approve the ratification of the litigation settlement agreement between Post Falls Highway District and Liesenfeld. Commissioner Humphreys seconded. **Motion carried** unanimously. [2/21/18 Brd Mtg]

Appraisal Review, Epic Land Solutions

Epic Land Solutions Inc. submitted their bid request for the Skalan Creek project and the Huetter Road project. Road Supervisor Brownsberger reported he sent the document to LHTAC who approved the costs. Appraiser Stan Moe reports he can have the appraisals completed by the end of March. Commissioner Humphreys **moved** to approve Epic Land Solutions submittal. Commissioner Tondee seconded. **Motion carried** unanimously. [2/21/18 Brd Mtg]

CORRESPONDENCE

A public hearing will be held by the Kootenai County Board of Commissioners for Case ZON17-0011, a request by BLR Materials, LLC for a zone change from mining to light industrial on 60 acres for parcel 51N06W-36-8600. Discussion followed regarding the location and access. Mr. Brownsberger stated the county had been notified the District was okay with the zone change but would have comments regarding access at the time of development. [2/21/18 Brd Mtg]

ROAD SUPERVISOR

AKCHD to KC Commissioners Letter

The Association of Kootenai County Highway Districts has completed a letter to the Kootenai County Board of Commissioners regarding the proposal by the KCBOCC removing the Districts' input to comment to Kootenai County Community Development prior to building permit approval or subdivision approval. Commissioner Humphreys **moved** to authorize the Chairman to sign the letter that was composed by the road supervisors of the Kootenai County Highway Districts to the Kootenai County Board of Commissioners. Commissioner Tondee seconded. **Motion carried** unanimously. [2/21/18 Brd Mtg]

Strategic Initiative Grant Agreement, LHTAC

The Governor signed and released funding for the previously approved Chase and Prairie Roundabout project. (Although approved, the funding was missed in the state budget and needed action at a later date.) The District will receive \$1,000,000 for the project. Road Supervisor Brownsberger recommended the Board sign the agreement and added there are specific dates to meet. Commissioner Humphreys moved to approve for the Chairman to sign the agreement for the construction of the Prairie and Chase Roundabout. Commissioner Tondee seconded. **Motion carried** unanimously. [2/21/18 Brd Mtg]

Request to Advertise

The Chase and Prairie Roundabout project bid is requested to be advertised. The Road Supervisor stated the engineer can have it ready to go in a couple of days with date changes and the approach changes as agreed upon in the recent mediation. March 10 & 17 for bid open on March 27 and award at the first meeting on April 4. Commissioner Humphreys **moved** to authorize the release of the bid package for advertise on the 10th and 17th of March. Commissioner Tondee seconded. **Motion carried** unanimously. [2/21/18 Brd Mtg]

Updates and Concerns

Radio Licensing – The new license has been received. The radio tech has programed all the radios removing the static. [2/21/18 Brd Mtg]

P-3 Insurance Coverage – The adjuster has valued the Ford pickup involved in the February 8 accident at \$24,008.44. Funds will be received in that amount less the \$500 deductible. [2/21/18 Brd Mtg]

Aspen Homes Proposed Subdivision - On US95 south of the Ridge at Cougar Bay, Aspen Homes spoke with Mr. Brownsberger about access. Discussion involved the 2004 easement and continuation of access. [2/21/18 Brd Mtg]

Riverview Heights 25-Lot Subdivision – Mr. Brownsberger updated the Board on a major subdivision that has had comment sent on behalf of the District and after the engineer's review. [2/21/18 Brd Mtg]

Millview Lane files – Drew Dittman requested CAD files for Millview Lane. RYA provided information to the District as requested; the District cares about the answer from the engineer, not how the engineer got the answer, therefore the CAD files are the property of RYA, not the District so they do not fall under public record request rules. Mr. Ruen is okay with turning over the CAD files as long as the Board is okay. The Board was okay with the release of CAD files from a District standpoint. [2/21/18 Brd Mtg]

McGuire Park – Just off Breezy Lane, tree removal has been completed working with Kootenai County Parks and Recreation and with Grace Tree Service. A lease with the county for the right-of-way from Breezy Lane to the water has been discussed and the county has directed staff to draft a lease agreement. [2/21/18 Brd Mtg]

Road Restrictions – All restrictions have been lifted with the cold weather. This is not expected to be permanent for the season. [2/21/18 Brd Mtg]

ENGINEER

No items for discussion.

OFFICE

2018 Policy and Procedures Manual – District Clerk Walson stated no changes were made from the 2017 manual and if the Board had no requests for changes, it was ready to sign.

Commissioner Humphreys **moved** to accept the Policy and Procedures Manual for 2018.

Commissioner Tondee seconded. **Motion carried** unanimously. [2/21/18 Brd Mtg]

Health Fair Savings – Ms. Walson reported that due to the Regence/Blue Shield requirements for cost savings, the employees created accounts and had lab work done in a recent health fair, not only did Regence give each participating employee a \$100 Amazon gift certificate, but the District saved \$575.82 on the March billing because there was 98% participation. [2/21/18 Brd Mtg]

COMMISSIONERS

No items for discussion.

Executive Session

Commissioner Humphreys **moved** to enter into Executive Session pursuant to the provisions of Idaho Code 74-206, Subsection 1(b), to discuss personnel issues and requested a roll call vote.

Commissioner Tondee seconded. **Motion carried** by majority vote.

Commissioner Humphreys – aye

Chairman Werner – aye

Commissioner Tondee - aye

Regular Session resumed at 6:58 pm. No motions were made. With no further business, Chairman Werner adjourned the meeting at 6:58 pm.

SPECIAL MEETING: February 21, 2018 – 5:00 P.M.

Chairman Werner called the meeting to order at 5:00 pm. Also present were Commissioner Tondee, Commissioner Humphreys, Road Supervisor Kelly Brownsberger, District Clerk Shirley Walson, and Laura Winter, engineer for Ruen Yeager and Associates.

Laura Winter, staff engineer for Ruen Yeager and Associates, provided an update on the Greensferry Bridge proposal. Currently, she is working with FEMA and Kootenai County to show if the pilings cause a rise and should know by the end of April. The Board discussed the timeline to proposing a levy to the voters needing time to hold public meetings and other information distribution.

With no further discussion, Chairman Werner adjourned the meeting at 535 pm.

SPECIAL MEETING: February 7, 2018 – 1:00 pm. – Executive Session

Chairman Werner called the meeting to order at 1:00 p.m. Also present were Commissioner Tondee, Road Supervisor Kelly Brownsberger, Attorney Susan Weeks, Engineer Darius Ruen, Drew Dittman, Jim Magnuson, and John Magnuson.

Commissioner Tondee **moved** to enter into executive session pursuant to the provisions of Idaho Code 74-206, Subsection 1 (c). The purpose of the Executive Session was to discuss land acquisition and requested a roll call vote.

Chairman Werner – aye

Commissioner Tondee – aye

Regular Session resumed at 1:35 pm. No motions were made. With no further business, Chairman Werner adjourned the meeting at 1:35 pm.

ORIGINAL SIGNED AND DATED 3/7/2018

Submitted by:

Shirley Walson, District Clerk