

**EAST SIDE HIGHWAY DISTRICT BOARD OF COMMISSIONERS  
 REGULAR MEETING MINUTES - April 15, 2019**

**Present:** Chairman Graham Christensen, Commissioner John Austin, Commissioner Mark Addington, Supervisor John Pankratz, District Secretary/Treasurer Rosie Leake and Board Secretary Angela Sieverding.

<u>Public Comment:</u>	<u>Association</u>	<u>Request to Speak</u>	<u>Agenda Item</u>
Angela Comstock	JUB Engineer	Yes	C and K
Phil Noel	Resident	No	
Marc Levesey	HMH	No	
Kris Mayhew	M.M. & Co.	Yes	A
Korby Baker	M.M. & Co.	No	A
Matt Gillis	Welch Comer	Yes	G
Tracey Yost	Advanced Benefits	No	
Joe Jenicek	Resident	Yes	
Amy Manning	IIIA	Yes	E

**Public Comments:**

1. Avista Utilities removed a fence owned by Joe Jenicek from public right-of-way off Canyon Road while working on a power line project. Supervisor Pankratz informed Mr. Jenicek that he had the following options for replacing his fence at the same location:
  1. Petition the Board to vacate and abandon the underline public right-of-way if Jenicek desires to place the fence at the same location (or)
  2. Apply for an encroachment permit which would be the most simple remedy.
 Mr. Jenicek's agreed to obtain an encroachment permit.

**PREVIOUS MINUTES :**

Commissioner Austin made a motion to approve the March 18, 2019 ESHD Board meeting minutes. Commissioner Addington seconded the motion, which was unanimously approved.

**TREASURY REPORT:**

Commissioner Addington made a motion to accept the following Treasurer Report: The general checking account expenses and transfers from checking were in the amount of \$ 372,662.76 covered by checks #17274 through #17314 (includes DD, PR Tax Pmts to Federal & State, & PERSI.) Commissioner Austin seconded the motion, which was unanimously approved.

Petty Cash	\$200.00
Umpqua Checking Acct	\$135,181.93
Less Umpqua Assured Macro-Balance	-\$1,500.00
State Treasury Account Fund 891	\$952,757.71
Designated CDA Lake Dr. - DBF Fund 412	\$2,753,174.56
Traffic Mitigation Fees - DBF Fund 369	\$200,863.01
<b>Total Balance of All Fund Accounts</b>	<b>\$4,040,676.91</b>

**NEW BUSINESS:**

- A. Kris Mayhew with Magnuson & McHugh and Company presented the Board with the District's 2018 Fiscal Audit. At Board's recommendation, a **Management Discussion and Analysis "MDA"** was included in this year's audit. Commissioner Austin implied that the MDA was a much easier version of the audit for the public to understand.

During the audit, M.M.& Co. encountered many questions pertaining to the District's Sick Leave Payout Policy. It was M.M.& Co recommendation to work with an attorney and/or ICRMP to clearly document the policy so that all had a thorough understanding of the calculation and how it's derived for Option 2.

Supervisor Pankratz and Secretary Leake thanked Accountant Korby Baker and M.M. & Co. group for their cooperation and for performing the audit at the District's main office.

- B. The Board elected not to pursue with IWorQ's offer of \$10,000 to perform a pavement condition assessment on all the District's paved roads.
- C. Commissioner Addington made a motion to approve the "**Change Order**" for the **Blue Lake and Anderson Lake Roadway Repair project**. Commissioner Austin seconded the motion, which was unanimously approved. (The change order incorporates final quantity adjustment-constructed quantities of crushed aggregate, ballast and loose rip rap based on actual field conditions encountered and incorporates WCD#1 adding 8 working days to contract's substantial completion date requirement based on weather conditions. The ESHD will be reimbursed at 90%.)
- D. Dan Palmer had requested to be on the agenda, but was not present at today's meeting; therefore, there was not any further discussion on the Medimont Vacation/Abandonment (Recorded Document #2685446.)
- E Amy Manning, Executive Director of the Board Idaho Independent Intergovernmental Authority "IIIA" presented the Board an Annual Financial Report for IIIA; Legislation update; and a summary of additional medical benefits.

The "IIIA" Board is projecting a 6% increase for insurance premium through Blue Cross of Idaho for next year's fiscal budget.

Ms. Manning also mentioned, that IIIA self funded insurance can be carried through a Voluntary Employees Beneficiary Association Plan (VEBA) to fund post-retirement health insurance premiums or a Cobra Healthcare Insurance.

- F. Commissioner Austin made a motion to accept 2019 Ironman Race permit for the use of Coeur d' Alene Lake Drive (previously issued by ITD and IDPR). Commissioner Addington seconded the motion, which was unanimously approved.

- G.** At the March 18, 2019 ESHD meeting, the Board agreed to order a Geotechnical Study on the Redmond Hill slide area off **CDA Lake Drive**.

The Agreement (line 4.) between ITD and ESHD includes that "the ESHD shall have no responsibility for repair and remediation of any future catastrophic slide event in the Redmond Hill slide area. ITD shall remain liable for stabilizing the slope and remediating any major slide event in this area."

Matt Gillis with Welch Comer Engineers reviewed the Redmond Hill slide area with a geotechnical engineer and confirmed that it wasn't a \$5K to \$6K effort to come up with a solution to the slide problem. Mr. Gillis also did some research to see if ITD had put any efforts into studying the same issue. In 2006 a piezometer was installed to measure the slope water activity. ITD's geo-tech team diagnosed that the water issue was not within the top 4 to 5 feet of the surface but more like 35 to 40 feet underground. The fix could cost more than \$500K to mitigate the problem.

**Action:** Commissioner Austin made a motion to **rescind the motion** made at the ESHD Board meeting, on March 18, 2019 to authorize Welch Comer Engineers to enter into a supplemental agreement with Strata, Inc.-not to exceed \$6,000- to perform a geotechnical study on the CDA Lake Dr. slide area. Commissioner Addington seconded the motion, which was unanimously approved.

The timeline for CDA Lake Drive Overlay Project should start after CDA Lake Triathlon.

- H.** Commissioner Addington made a motion to approve Attorney Susan Weeks to proceed with drafting a Validation Process Resolution for the District. Commissioner Austin seconded the motion, which was unanimously approved.
- I.** Commissioner Austin made a motion to direct Attorney Susan Weeks to draft an Ordinance for Minor Subdivisions with private roads. Commissioner Addington seconded the motion, which was unanimously approved.
- J.** Commissioner Addington made a motion to sign off on the **Diamond Estates Plat**. Commissioner Austin seconded the motion, which was unanimously approved.
- K.** Angela Comstock with JUB said the cost projection for the Medimont Bridge Maintenance Project funded under the FY20 LRHIP application is estimated to be under \$200,000. This project includes subcontracting a specialty contractor to remove loose bedrock and debris from within the eroded bedrock valleys, construct drained and anchored shotcrete to prevent further erosion, and stabilize the undermined foundations. The coordination with the Park and Rec. and load limits is primary factor to when the District can get started on this project.
- Action:** Commissioner Austin made motion to solicit for three direct bids for the **Medimont Bridge Maintenance Project** as authorized under IC: 67-2805. Commissioner Addington seconded the motion, which was unanimously approved.

- J.** Chairman Christensen moved to call the general meeting into an Executive Session at 11:43 a.m., pursuant to the provisions of Idaho Code 74-206 (a) to consider hiring an employee, upon the following roll was taken.
- |                        |         |
|------------------------|---------|
| Chairman Christensen   | ... yes |
| Commissioner Austin    | ... yes |
| Commissioner Addington | ... yes |

The Executive Session closed at noon, 12 p.m., Upon reconvening into a Regular Session at 12:01 p.m.

**No Action taken.**

**OLD BUSINESS:**

1. Due to a schedule conflict, John F. Magnuson attorney for Greg Delavan will not be able to attend the Supreme Court Hearing scheduled in April 2019, in Moscow Idaho.

**CORRESPONDENCE RECEIVED AND SENT:**

10. Supervisor Pankratz investigated DEQ's complaint brought forth of the dumping of manure along the Turner Bay shoreline. Pankratz said he had a good idea of where the source came from but wasn't sure if the individual contaminating the shoreline or ditch line on Burma Road would confess to their actions.

**SECRETARY SIEVERDING:**

1. Secretary Sieverding has almost completed tracking all the Vacation/Abandonment on the District's ROW Map. Attorney Susan Weeks' interns are under the process of researching all the County records for all the Vacation/Abandonment records that may have been missed. Once those records are incorporated into the District's ROW Map, the Board will have a better view of all their active right-of-ways.

**SUPERVISOR'S REPORT**

1. Supervisor Pankratz has been working with the Department of Park and Recreation on a MOU for Coeur d' Alene Lake Drive. The "draft" MOU is currently under Attorney Susan Weeks review.
2. Supervisor Pankratz and Foremen Bill McCorkle have a meeting this Wednesday, at 9a.m. with Department of Lands, the contractor, and ITD to further discuss the I-90 right-of-way logging clearing sale.
3. A preconstruction meeting has held for the **Camp Easton Underpass**. The plans include to close Hwy 97 and detouring the traffic onto Burma Road- continuant on the load limits being lifted.
4. This has been the worst year that Supervisor Pankratz can remember for bad frost heaves district-wide. Pankratz suggested using some HB 312 Funds to purchase more gravel- possibly contracting out some of the hauling and having the crew do the grading.

East Side Highway District

April 15, 2019

Minutes- Page 5 of 5

5. The supervisors and director from other highway districts met with the Kootenai County Commissioners to further discuss the importance of having the highway districts involved in the minor subdivision comment and review process.
6. Pankratz will be taking April 22, 23, and 25th off work- if all goes well.
7. The new water truck has arrived.
8. Bill McCorkle has adapted very well to his new foreman's position as Sub District #2.

**COMMISSIONERS:**

The next Commissioner Election for Sub District 1 and 3 on May 21, 2019.

**COMMISSIONER AUSTIN:**

1. Commissioner Austin said that a resident living at the back end of **Killarney Lake Rd** complimented the crew's effort put forth on grading this road last year. This is a very highly used road due to the location of the boat launch and has been included in the 3-Year ESHD Road Stabilization Program.

**COMMISSIONER ADDINGTON:**

1. Commissioner Addington said that he hadn't been able to view the conditions of all roads due to spring breakup but he was able to witness the bad condition of Indian Mountain Road and Gem Rd. Supervisor Pankratz added that Bell Canyon Rd, Sunrise Rd, and Van Dusen Rd and many others are all in bad shape due to spring breakup.

**CHAIRMAN CHRISTENSEN:**

1. It is the goal to use the new asphalt zipper on Marmot Trail and possibly Harrison Ave and others if time allows.

Commissioner Austin made a motion to adjourn the board meeting at 12:15 p.m. Commissioner Addington seconded the motion, which was unanimously approved.

---

**CHAIRMAN CHRISTENSEN  
SUB-DISTRICT #1**

---

**COMMISSIONER AUSTIN  
SUB-DISTRICT #2**

---

**COMMISSIONER ADDINGTON  
SUB-DISTRICT #3**

---

**SECRETARY/TREASURER  
SIEVERDING**