

**EAST SIDE HIGHWAY DISTRICT
 AMENDED MINUTES - June 19, 2017**

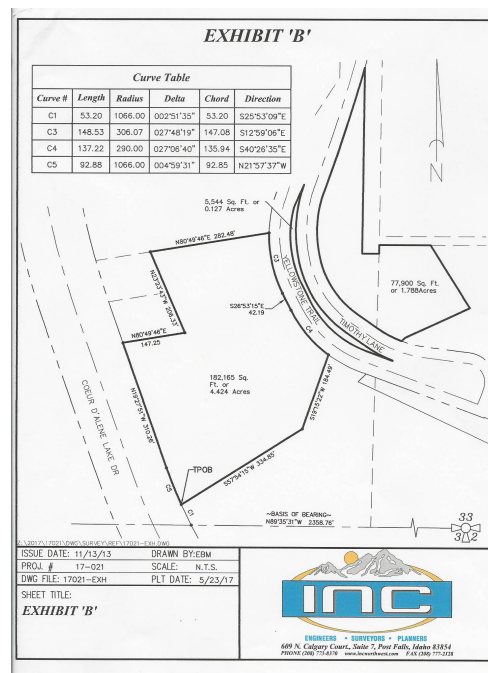
Chairman Sverdsten called the board meeting to order at 9:00 a.m.

Present: Chairman Terry Sverdsten, Commissioner Addington, Commissioner Christensen, Supervisor Pankratz and Secretary Sieverding.

Guest: Marcus Palmer, Craig Amaral, Norman Milem, Jay Hassell, Eric Meurcott, and John Austin.

Public Comment:

1. **Craig Amaral** expressed his concerns with the dust, traffic, and speeding on Reeva Road. The last traffic and speed study taken on Reeva Road was 03/17/2015; therefore, in response the Board agreed to do another updated traffic and speed study on this said road.
2. **Eric Meurott** with Inland Northwest Consultants presented the Board with an exhibit for right of way that his client wishes to dedicate to the ESHD. The dedication includes the below strip of land between Yellowstone Road and Timothy Lane:



The Board directed Eric Meurott to have Victoria Williamson, at Kootenai County Mapping Department review the written legal description of this said right of way. If the KC mapping department approves, the Board agreed to move forward with the legal protocol in accepting written right-of-way.

3. **Norman W. Milem** informed the Board that the meeting minutes for March 2017 were not posted on the District's Website. In response, Secretary Sieverding apologized and said that she would make sure the Website was updated.

Mr. Milem implied that the Board was in violation to his written notice of "Notice of appearance of and/or alleged violation to Idaho Statutes" in his letter dated January 16, 2017. He said the Board was in violation to the fourteen (14) days to respond to his claimed violation.

In response, Mr. Milem was informed the Board turned his allegation over to the Attorney Susan Weeks, the ESHD legal council. Under the direction of Brian Kane, the Chief Deputy Attorney General the Idaho Office of the Attorney General office to cure the error in making a premature appointment to fill the vacancy of Chris Fillios, for Sub District #1 Commissioner on December 19, 2016, the Board was directed to call for a new motion, to fill the vacancy- in which the Board did on January 10, 2017.

According to **Idaho Code 74-208 (7)** On January 3, 2017, the Board did acknowledge violation for not publishing that agenda with the legal notice for a Special Call meeting. The agenda was posted on the District's website and on the District's front door. In all due diligence, the Board called for another Special Call meeting on January 10, 2017 and **publicly responded in a legal notice that was published in the January 6th and 7th issues of the Coeur d' Alene Press -which was within the fourteen (14) days to cure the open meeting and appointment violation.** On the January 10, 2017, the Board made a new motion to appoint Graham Christensen, to fill the vacancy for the office of Sub District #1 Commissioner.

The Board agreed check with Attorney Susan Weeks to see if the District legally responded to Mr. Milem's request for the District's response for a investigation.

4. **Bull Run Bridge Update:**

At the February 13, 2017 board meeting, the Board authorized JUB Engineers to provide additional services to review the pier damage on the Bull Run Bridge just off Highway 3 near Rose Lake, and to provide the Board for recommendations for repair and mitigation measures.

Jay Hassell with JUB said that a construction and hydraulic engineer have worked together to evaluate a fix for the pier damage. What appears to be going on is the sediments are finding a new equilibrium; if so, the bridge repairs could be minimal.

The river in over 60 feet deep, and if a structure repair is required, the cost can be very expensive. JUB is attempting to focus on alternative strategies for a long term fix and possibly do another underwater inspection.

If the bridge needs a structure repair, the District may have to set funds aside to meet the match requirement to repair this bridge with alternative funding sources.

5. **Yellowstone Trail Rd FLAP application update:**

On June 14, 2017, WLFHA, BLM, USFS, ITD, ESHD- had an onsite field review of proposed Yellowstone Trail Rd FLAP application. The staff report from LHTAC indicates the project has scored very high and is currently in "good green category" but that could all change because the Review Team is still doing field inspections on other projects. The Review Team commented on how pleased they were with JUB Engineers efforts in trying to put this FLAP application together to fit into FLAP funding program over a period of time.

The FLAP Review Team asked if the ESHD would be in the financial position to meet the match requirement if the Environmental Study is done first for the three proposed segment phases. In response, Supervisor Pankratz informed the FLAP Team historically the ESHD has been able to come up with the match funds.

- 6. Marcus Palmer is currently having a survey done on Viewer Report Leonard Road #231. The Board asked for Supervisor Pankratz to seek legal advice on what the District should do with the trees if the Leonard Road is reopened.

Previous Minutes: Commissioner Sverdsten made a motion to approve the following meetings minutes: May 8, 2017; May 18th, May 30th, June 6th, and June 13th.

Treasury Report:

Commissioner Christensen made a motion to accept the following Treasurer Report: The general checking account expenses and transfers from checking were in the amount of \$233,914.83 covered by checks # 16202 through # 16259 (includes DD, PR Tax Pmts to Federal & Sate, & PERSI.) Commissioner Addington seconded the motion, which was unanimously approved.

Petty Cash	\$	200.00
Umpqua Checking:	\$	
Umpqua Checking	\$	85,216.87
State Treasury Account Fund 891.....	\$	1,093,798.39
Less Umpqua Assured Macro-Balance	\$	(1,500.00)
Balance of Working Capital this Date	\$	1,177,715.26
Dedicated Funds at State Treasury Office Funds 369 TMF	\$	175,710.57
TOTAL OF ALL FUNDS	\$	1,353,425.83

DISCUSSION ON CORRESPONDENCE, REPORTS, PERMITS: (See attached)

Items:

- 1. In an email sent this morning, Supervisor Pankratz assured Anne Kannegaard that the District was aware of slope between her driveway and Litten Lane, and the District is monitoring the issue.
- 29. On June 7, a public meeting was held with the Black Lake residents and the Black Watershed Advisory Group to further discuss Idaho Fish and Game's recent purchase 1,012 acres of (former) Black Lake Ranch. A portion of IFG acquired property is adjacent to Black Lake Rd; therefore, in a letter Supervisor Pankratz wrote on March 16, 2016 addressed the District's concerns regarding the potential impacts of increased traffic and environmental issues.

OLD BUSINESS: (Follow-up List)

- 1. Supervisor Pankratz agreed to pursue getting a copy of the contract between ITD and POE for the Fernan Lake Chip Seal Project.

NEW BUSINESS:

- A. Yellowstone Rd ROW dedication. (See above under public comment line item #2.)

- B.** At the Board is request, Secretary Sieverding presented the Board with a AHDKC Sick Leave and Vacation Benefits Comparison. The Board will further discuss at the July 17, 17 budget workshop.
- C.** The Board was given a written assurance that Boy Scouts of American is in a position to proceed with the funding reimbursement for the Camp East Underpass.

Action: Commissioner Addington made a motion to authorize Supervisor Pankratz to draft a letter of support to ITD indicating the District is in favor of advancing the Boy Scouts of America Camp Easton Pedestrian Under Pass Project. Commissioner Addington seconded the motion, which was unanimously approved.

SUPERVISOR PANKRATZ:

1. Harlow Point Rd had it's first shot of penetration this year. Supervisor Pankratz implied that it will need at least one more shot this year.
2. Idaho Department of Lands is working on a contract to log ITD's right-of-way along the Interstate which will incorporate a portion to Canyon Road. IDL was looking for a place to deck the logs, so Pankratz recommended for IDL to meet with Foreman Day to discuss this activity.
3. A FEMA tour has been scheduled for Wednesday, June 21st, to review this year's **flood damage** area- this will not be a one day deal. The Board agreed to hire a consultant to put some of these flood projects together and to assist in the technical design for culvert flow rates.
4. Sub District #2 is working on flood repair; Sub District #3 is scheduled to start tomorrow on Burma Rd Erosion Repair; and Sub District #1 is patching and mowing.
5. The Solid Waste Site "dumpsters" is proposed for an area at the junction of Highway 3. Supervisor Pankratz agreed to dig some test holes with the condition the material is not contaminated, and the District has access to the surplus material to use on the roads.

COMMISSIONER CHRISTENSEN:

1. Commissioner Christensen said ITD has done a lot of recent work in ditching and fixing an slide area on CDA Drive. ITD's second offer to take over the maintenance is significantly much higher than the first offer.

Supervisor Pankratz said the he would caution the Board in considering any offer at this time. ITD's report included just the pavement condition, the analysis didn't address other items of concern. The Board agreed to revisit ITD's last proposal and add as an agenda item for the July 17th board meeting.

COMMISSIONER ADDINGTON:

CHAIRMAN SVERDSTEN:

Commissioner Addington made a motion to adjourn the board meeting at 10:55 a.m. Commissioner Christensen seconded the motion, which was unanimously approved.

**COMMISSIONER CHRISTENSEN
SUB-DISTRICT #1**

**CHAIRMAN SVERDSTEN
SUB-DISTRICT #2**

**COMMISSIONER ADDINGTON
SUB-DISTRICT #3**

**SECRETARY/TREASURER
SIEVERDING**