

**EAST SIDE HIGHWAY DISTRICT
MINUTES – NOVEMBER 18, 2019**

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

Present: Chairman Graham Christensen, Commissioner John Austin, Commissioner Mark Addington, Supervisor John Pankratz and Secretary Angela Sieverding.

<u>Guest:</u>	<u>Company</u>	<u>Request to speak</u>	<u>Agenda Item</u>
Chad Johnson	Johnson Surveying	Yes	
Marc Levesey	HMH	No	
Angie Comstock	JUB	Yes	E
Fauna Estep	Blue Creek Community	No	
Sandra Sakaguchi	Boothe Park area	Yes	
Phil Noel	Carlin Bay Rd	No	

1. Resident Sandra Sakaguchi who accesses her property off Boothe Park Road entertained the possibilities of vacating and abandoning a portion of public right-of-way on Coeur d' Alene Lake Drive adjacent to her property to extend her driveway and to build an garage. Surveyor Chad Johnson said that he would provide the Board with a site plan if necessary.

Supervisor Pankratz informed the Board the agreement between ITD and ESHD to assume Control of **Coeur d' Alene Lake Drive**, under Section 1, b. indicates "If the highway district Vacates the right of way in accordance with I.C. 40-203, is shall transfer it to the Idaho Transportation Board pursuant to I.C. 67-2322 or successor statute." The Board directed staff to check with the ITD to see if the ESHD can pursue vacating and/or exchanging CDA Lake Dr. public right-of-way in which ITD has relinquished, abandon, and quitclaimed to the ESHD.

2. Phil Noel said the crew have done a good job in keeping up with the maintenance. The ESHD Road Stabilization Program has made a huge improvement to **Carlin Bay Rd.**

Previous Minutes:

Commissioner Addington made a motion to accept the October 21, 2019 and November 13, 2019 minutes as presented. Commissioner Austin seconded the motion, which was unanimously approved.

Commissioner Addington made a motion to accept the following Treasury Report: The general checking account expenses and transfers from checking were in the amount of \$ 352,940.51 covered by checks #17610 and #17663 (includes DD, PR Tax Pmts to Federal & State, & PERSI.) Commissioner Austin seconded the motion, which was unanimously approved.

TREASURY REPORT:

Petty Cash	\$200.00
Umpqua Checking Acct	\$157,141.81
Less Umpqua Assured Macro-Balance	-\$1,500.00
State Treasury Account Fund 891	\$899,103.96
Designated CDA Lake Dr. - DBF Fund 412	\$1,982,022.22
Traffic Mitigation Fees - DBF Fund 369	\$206,577.48
Total Balance of All Fund Accounts	\$3,243,454.47

DISCUSSION ON CORRESPONDENCE, REPORTS, PERMITS Received/Sent:

(See attached)

Item

OLD BUSINESS: (Follow-up List)

New fee structure will be a topic for discussion at December 16th ESHD meeting.

NEW BUSINESS:

- A. Commissioner Addington made a motion to enter into a Road Development Agreement for **Covan Lots Subdivision** and to sign off on the plat. Commissioner Austin seconded the motion which was unanimously approved.
- B. Commissioner Austin made a motion to approve the Hangover Handicap 5 Mile Fun Run set for Wednesday, January 1, 2020 from 7:30 a.m. to 11:00 a.m. starting at 203 East Coeur d' Alene Lake Drive. Commissioner Addington seconded the motion which was unanimously approved. Supervisor Pankratz said that he is working with IDPR on creating a Joint Event Permit Application for event these types of events.
- C. Commissioner Addington made a motion to accept the Delta Dental renewal for January - December 31, 2020. Commissioner Austin seconded the motion which was unanimously approved
- D. **Beauty Bay Homeowners Association**, Jacob Family Trust, and Floyd Flowers petitioned the ESHD Board to exchange Right-of-Way on parcels 49N03W-11-0125 and 0-0520-006-001-A Owned by Floyd Flowers and 49N03W-12-2800 owed by Jacobs Family Trust. This request would connect the existing access from Hwy 97 to Beauty Bay Drive without crossing over private property.

In addition, the petition would ask the ESHD Board to formally dedicate a portion of what was dedicated in 1996 by the Beauty Bay Homeowners Association a portion of public road that BBHA did not own to Mr. Flowers. This exchange would clean up the Flowers parcel lot line adjustment that was previously recorded in error.

Secretary Sieverding informed the Board that Attorney Susan Weeks has been asked to work on the legal notice and exchange agreement for this request.

Action: Commissioner Austin made a motion to set a Hearing Date for the **Beauty Bay Exchange/Vacation/Abandonment** on **January 20, 2020 at 9:00 a.m.**, with the condition that Attorney Susan Weeks provides the District Clerk with the legal notice in time for this said proposed hearing. Commissioner Addington seconded the motion, which was unanimously approved.

- E. Angie Comstock with JUB Engineering presented the Board with 4 options for a 2019/2020 Grouped Guardrail Improvements LHSIP application through LHTAC. The project will include erosion and sedimentation controls, and traffic control; preliminary and construction engineering costs; and construction mobilization and contingencies.

Action: Commissioner Austin made a motion to select **Option 1** of the **Guardrail Projects** which includes **Canyon Road** and short length of **Fernan Lake Road** with an estimated cost of \$503,000. Commissioner Addington seconded the motion, which was unanimously approved.

- F. Executive Session. (See below)

SUPERVISOR PANKRATZ:

1. Staff is in the process of seeking a structural architect to assist with a design for the office space add-on.
2. The earth excavation is in progress for the Harrison D-3 Shed site. The District's engineer will be working on the site plan concept. Engineer Angie Comstock said the goal is to start construction on the building next year.
3. Supervisor Pankratz and Foreman Horning were both subpoenaed to Court to testify on the Bradley Reed Logan case. No testimony was required at that hearing but Pankratz will provide a voluntary Victim Impact Statement for the next Arraignment Hearing to be announced.
4. **Cedar Creek Ranch CUP19-0007:** Supervisor Pankratz is working on drafting a letter to Kootenai County Community Development to request the following: The proposed access requires a commercial approach permit; to bring Carlin Bay Road up to Highway District Standards; and to dedicate additional right-of-way.
5. The board approved selling four surplus grader tires for casing price to a private party.

SECRETARY REPORT

1. Secretary Sieverding informed the Board that all the District's office computers has been upgraded to Window 10 Pro and all the District's Clerk/Secretary operating applications including Microsoft products, ArcView GIS 10.7, and Houston Radar software have been updated.
2. The East Side Highway District's 2018 Geo Local Road Mileage was not updated; therefore, Secretary Sieverding has contacted Will Thoman at ITD to check into this matter.

COMMISSIONER ADDINGTON: (No comment)

COMMISSIONER AUSTIN:

1. KMPO voted to accept the city of Dalton's rejection of its \$4.6 million project on 4th Street. The Board directed staff to acquire for additional clarification from KMPO to see if this funding source could be available to assist with the **French Gulch/Fernan Hill Project** or one of the other District's projects.

CHAIRMAN CHRISTENSEN:

1. Chairman Christensen discussed the impact of the phosphate in our local lakes and asked if the District had any monitoring in place for water run-offs. DEQ and the Tribe are currently monitoring water outlets in certain places, but ESHD does not have a system in place. Chairman Christensen asked staff to reach out to the DEQ and the Tribe, so see what device is in place for monitoring the run-off of phosphates into our lakes.

New Business

- F. Commissioner Austin made a motion to call the meeting into an **Executive Session** at 10:25 a.m. as authorized under Idaho Code 74-206 (a) to consider hiring an employee and Idaho Code 74-206(f) to discuss pending litigation. The following roll call was taken:
Chairman Christensen ... yes; Commissioner Addington... yes; Commissioner Austin... yes.
The motion was unanimously approved.

The Executive Session was closed at 11:20 a.m., upon reconvening into a Regular Session immediately thereafter.

No Action Taken.

Commissioner Austin made a motion to adjourn the board meeting at 11:11 a.m. Commissioner Addington the motion, which was unanimously approved.

**CHAIRMAN CHRISTENSEN
SUB-DISTRICT #1**

**COMMISSIONER AUSTIN
SUB-DISTRICT #2**

**COMMISSIONER ADDINGTON
SUB-DISTRICT #3**

**SECRETARY/TREASURER
SIEVERDING**