

**EAST SIDE HIGHWAY DISTRICT
REGULAR MEETING MINUTES
JUNE 25, 2018**

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

Present: Chairman Christensen, Commissioner Austin, Commissioner Addington, Supervisor Pankratz, and Board Secretary Sieverding.

Retract motion from May 21, 2018 board meeting:

Commissioner Austin made a motion to rescind the motion made on May 21, 2018, to accept the Findings of Fact for the Leonard Road Validation. Commissioner Addington seconded the motion, which was unanimously approved.

Previous Minutes:

Commissioner Austin made a motion to approve the following previous minutes:

May 21, 2018, Public Hearing for Vacation/Abandonment Hearing minutes;

May 21, 2018, Board meeting and Public Hearing minutes of Leonard Rd No. 2;

Commissioner Addington seconded the motion, which was unanimously approved.

Guest:

Phil Noel, Molly Obetz, John Kildow, Mike Martin, Matthew Cleverley, Linda Rider, Angela Comstock, Marcus Levesey, Laura Campbell, Regina Higgins, Gloria Palmer, and Art Macomber.

1. Mike Martin (*See below under New Business, Item I*)
2. Angela Comstock, P.E. gave an overview of the Public Comment Summary of the ESHD Transportation Open House held on May 22, 2018, which included the key messages communicated by the public who attended the open house or filled out a comment form. The next Transportation Technical Advisory Workshop will be held at JUB's office on July 11th from 1-3p.m. (*See below under New Business, Items: C, E, G & K*) There will be final public review for comment at the very end of the Transportation Plan Process. A draft transportation plan will be developed for public review sometime this early Fall, in which all public comments are welcomed.

Public Comments:

1. Phil Noel said Angela Comstock, P.E. answered his questions pertaining the Transportation Open House hosted by ESHD. Mr. Noel will be submitting a public comment for next transportation workshop to be held on July 11th.

TREASURY REPORT:

Commissioner made a motion to accept the following Treasurer Report: The general checking account expenses and transfers from checking were in the amount of \$ 269,253.60 covered by checks #16778 through # 16826 (includes DD, PR Tax Pmts to Federal & State, & PERSI.) Commissioner seconded the motion, which was unanimously approved.

Petty Cash	\$	200.00
Umpqua Checking:	\$	122,280.37
State Treasury Account Fund 891.....		
Less Umpqua Assured Macro-Balance	\$	<u>(1,500.00)</u>
Balance of Working Capital this Date	\$	1,372,832.15
Dedicated Funds at State Treasury Office Funds 369 TMF	\$	197,222.61
Designated CDA Lake Dr. Account -DBF Account 412	\$	<u>2,707,000.00</u>
TOTAL OF ALL FUNDS	\$	4,398,035.13

NEW BUSINESS:

- A. Commissioner Austin made a motion to hire **Tyrell Cosson** as a permanent ESHD employee as of July 1, 2018. Commissioner Addington seconded the motion, which was unanimously approved.
- B. Commissioner Austin made a motion to accept the Findings of Fact, Conclusions of Law and Order to **decline to validate Leonard Road No. 2**. Commissioner Addington seconded the motion, which was unanimously approved. (*Instrument No. 2649971*)
- C. The State and Local Agreement for the **Grouped Guard Rail Project** has been executed between LHTAC and District in which the project is funded by 100% Federal dollars. JUB's scope and fee contract/agreement is between LHTAC and ITD. (*No action taken*).
- D. Senate Bill 1274 requires that a records custodian be designated for all agency records; therefore Commissioner Addington made a motion to appoint Angela Sieverding as the ESHD's records custodian and Chairman Graham Christensen at the back-up records custodian. Commissioner Austin seconded the motion, which was unanimously approved.
- E. Commissioner Austin made a motion to enter into an agreement with JUB Engineers for Additional Professional Services for **Fern Creek Road Bridge Project**. Commissioner Addington seconded the motion, which was unanimously approved.
- F. A section of State Highway 97 will be closed for a slope repair project.
Action: Commissioner Austin made a motion for the ESHD to enter into a Road Use Agreement between ITD to use South Asbury and East Half Round Bay Roads for a **Detour Route** for a period from July 1st through September 3rd, 2018 for ITD's Project A020(343), Emergency Slope Repair MP 76.90. Commissioner Addington seconded the motion, which was unanimously approved.
- G. Commissioner Austin made a motion to enter into an agreement with JUB Engineers for Additional Professional Services for **Medimont Bridge Maintenance Project**. Commissioner Addington seconded the motion, which was unanimously approved.
- H. The District received the following two quotes for material and labor to install new windows at the Canyon Road Shop: Shoshone Glass Inc. - \$15,171.22 and CDA Glass, LLC. - \$6,883.06.
Action: Commissioner Austin made a motion to **accept the quote** from **CDA Glass, LLC.** for

\$6,883.06 to replace the windows at the Canyon Road Shop. Commissioner Addington seconded motion, which was unanimously approved.

- I. Michael A. Martin presented the Board with a **Petition for an Exchange Deed** for property adjacent to the Kildow Subdivision.

According to a 1939 quitclaim deed-instrument number 115479- from George M. Stowe to the State of Idaho, that ITD owns the property "simple fee" adjacent to the lakefront land.

Mr. Martin requested now that the ESHD has recently taken over the ownership of CDA Lake Drive, the adjacent land owners of Kildow Subdivision would like to acquire individual titles to the corresponding land adjacent to each of their parcels in exchange for a perpetual easement. If the petition is approved by the Board, the adjacent land owners would like to have the properties professionally surveyed to provide the Board with the legal descriptions, at the petitioners expense.

Supervisor Pankratz informed the Board that Attorney Susan Weeks is currently working on the documentation that will serve both Kootenai County Assessor/Mapping Departments notice of ITD right-of-way transfer to the East Side Highway.

Commissioner Austin questioned the monetary value of the areas in which are being petitioned. Mr. Martin said the landowners have been paying taxes on the adjacent right-of-way as depicted in quitclaim deed #115479 and the landowners have been taxed as waterfront tax rate and have docks permitted from Idaho Dept. of Lands.

Resident John Kildow was concerned on the potential devaluation of his property now that it has been discovered that he doesn't own the property "fee simple" adjacent to Coeur d' Alene Lake.

Action: Commissioner Austin agreed to **proceed with the process** in exchanging the quitclaim deed, instrument #115479 -"Fee Simple" right-of-way for a "Permanent Perpetual Easement" adjacent Kildow Subdivision. Commissioner Addington seconded the motion, which was unanimously approved. (*A public hearing date has not been set at this time*)

- J. The Board agreed for Secretary Sieverding to draft a publication to satisfy the requirements to impose a new fee for a deposit for processing Right-of-way Road Validation/Vacations/ Abandonments/Exchanges .
- K. The Board agreed to go out to bid on the **Newell Road Culvert Repair Project** once the permits are in place. It is Angela Comstock goal to prepare for the final specifications and bidding documents in advance of the next board meeting.

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

Items:

19. Trevor Stone filed a Tort Claim through ICRMP for damages to an unpermitted power line to his well.

24. It is Idaho State Parks and Recreation responsible of issuing docks permits. Attorney Susan Weeks is reviewing draft IDPR agreement at this time.

OLD BUSINESS: (Follow-up List)

1. Secretary Leake is working on scanning all the old highway district minutes. So far she has scanned five years. Indexing will be done later.

SECRETARY:

1. Secretary Sieverding said that Coeur d' Alene Lake Drive has been added to the current ESHD Map and the additional 4.2 miles will be included in the 2018 Local Road Mileage Report.

SUPERVISOR PANKRATZ:

1. Supervisor Pankratz, LHTAC, and Poe Construction met to discuss the strategy in redoing the warranty seal coat on Fernan Lake Road. LHTAC agreed that the ESHD removing the deteriorating first seal coat application was a perfect solution. Weather permitting is it scheduled to start the project on the second week in July.
2. The Asphalt Zipper Training Session at the upper end of Wolf Lodge Road went very well. Pankratz will be working on a time frame to calculate the equipment and man hours it takes to grind up one mile of road.

Pankratz decided not to seal coat Dredge Road this year due to the condition of the road. This road will be a perfect candidate for using the asphalt zipper.

3. Matt Peak had hauled 2,000 tons of crushed Class B chips to the Harrison Y for a State Highway 3 Chipseal Project. Over the course of the winter the chips accumulated some dirt and now doesn't meet ITD's specification; therefore, the District accepted the offer to purchase the chips at \$8.00 a ton.
4. Supervisor Pankratz officially thanked Post Falls Highway District for the use of their crack sealer which was used on Hawk Road.
5. Supervisor Pankratz applauded employee Jerry Horn for initiating the landscaping improvement at the Mullan Trail office. He replaced bark with rock and added drain to improve the drainage in front of the office.
6. Pankratz would like for the Board to consider an office expansion to include a reception area to separate the rest of offices.
7. Kootenai County Community Development Revised Comprehensive Plan have omitted the highway districts from their comments process on subdivisions/building permit which has raised some highway district's concerns.
8. Sprint's "draft" Lease Agreement is now under the review of Attorney Susan Weeks.

COMMISSIONER AUSTIN:

1. The Board approved closing the office on both July 4th and 5th.
2. Commissioner Austin would like to implement a Franchise Fee to all utility companies using public right-of-way. Pankratz said he would talk with Nick Veldhouse to see if he would draft the language for a new Franchise Fee Bill to review at our upcoming IAHD Convention.

COMMISSIONER ADDINGTON:

1. There has been no word on the **Camp Easton Pedestrian Undercrossing Project**.
2. There has been no response from the Forest Service in regards to participating in the cost-share to improve East Point Road. If the District paves the last section of East Point Road the estimated cost is \$250,000 with a \$50,000 contingency. The current traffic mitigation fees available for East Point Road is \$36,600.

CHAIRMAN CHRISTENSEN:

1. Chairman Christensen suggested including a Road Stabilization Program in our upcoming Budget workshop for next fiscal year.
2. The best time to bring in some part time staff is after Attorney Susan Weeks office has reviewed and indexed all Kootenai County minutes and journals. Once this task has been completed, the Board will start on reviewing the status of all the viewer reports in the ESHD.
3. ITD went through the OBS process on Coeur d' Alene Lake Drive and it is now being reviewed by Attorney Susan Weeks to see if the District has to go through this process again. If needed, the District will go through the R.F.P. process for the Pavement Rehabilitation Project before next summer.

Commissioner Austin made a motion to adjourn the board meeting at 11:15 a.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/DISTRICT CLERK
SIEVERDING**