

**EAST SIDE HIGHWAY DISTRICT  
MINUTES – OCTOBER 21, 2019**

Chairman Graham Christensen called the board meeting to order at 9:01 a.m.

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

<b><u>Guest:</u></b>	<b><u>Agenda Item</u></b>	<b><u>Wish to speak</u></b>
Susan Weeks	<b>Executive Session</b>	Yes
Mike Martin	K	Yes
Molly Obetz	K	Yes
Angie Comstock	D,H,I	Yes
Ben Weymouth		No

Chairman Christensen moved to call the general board meeting into an **Executive Sessions** at 9:02 a.m. to discuss the following topics. The following roll was taken:

Chairman Christensen..... yes  
Commissioner Austin..... yes  
Commissioner Addington.. yes

**Executive Session Topics:**

- **A....**Idaho Code 74-206 (f) To discuss controversies not yet being litigated but imminently likely to be litigated. (Leonard Road Attorney Fees )
- **B....** Idaho Code 74-206 (f) To discuss controversies not yet being litigated but imminently likely be litigated. (Request of Fee Simple R/W for Easement )

The Executive Session closed at 9:55 a.m., upon reconvening into a Regular Session immediately thereafter.

- **Executive Session B:** Chairman Christensen directed Attorney Weeks to draft a littoral lease agreement. This lease agreement will be similar to Department of Parks and Recreation littoral leases along the CDA Lake Drive for docks including a comparable lease rate for the district's review.

In response Mr. Martin believes he has an easement and claims that he is being taxed for lakeside property. Attorney Weeks implied that her research on the chain of title shows that the property of interest adjacent to CDA Lake was dedicated to ITD for public right-of-way . The Quitclaim Deed-recording #2689710- ITD granted rights, title and interest of the public right-of-way on CDA Lake Drive to the ESHD- *with some exception as indicated within the said deed*. Attorney Weeks said the Board could run a quiet-title through the District Court to declare ESHD has 100% littoral rights in this area of interest.

**Direction :** The Board directed staff to proceed with filing a quiet-title through the District Court for the area of concern; thereafter, if deemed necessary, to proceed with drafting a littoral lease for Mike Martin.



The general comments/issues feedback on the proposed project focused on the poor existing roadway-surface condition, the narrow width of the current roadway, and the lack of ped-bike lanes in the roadway. Many comments were given regarding the expediting of the 2024 completion date because of the current condition of the roadway. The setting of the hearing at the neighborhood golf course near the project area resulted in very high attendance numbers and a very comfortable setting for active dialogue between the stakeholders and the project team. The local sponsor (ESHD) and the contract engineers were very engaged and welcoming to the attendees. The closed public comments period was October 10, 2019.

**Action:**

Commissioner Austin made a motion to move forward with **French/Fernan Hill Rd Project Design Study** to extend the project from Holt Rd to Country Lane with a design of a 24' road width including 1' foot paved shoulder. Commissioner Addington seconded motion, which was unanimously approved.

- E. Commissioner Austin made a motion to continue with **PIOPAC Fidelity** to administer the **District's Cafeteria Plan**. Commissioner Addington seconded the motion, which was unanimously approved.
- F. Commissioner Austin made a motion to enter into **Memorandum of Understanding** between the East Side Highway District and the Idaho Department of Parks and Recreation for the maintenance of public parkway along **Coeur d' Alene Lake Drive**. Commissioner Addington seconded the motion, which was unanimously approved.
- G. Commissioner Addington made a motion to continue with Magnuson, McHugh, and Company, P.A. to conduct the **District's annual fiscal financial audit**. Commissioner Austin seconded the motion, which was unanimously approved.
- H./I. Commissioner Austin made a motion to authorize JUB Engineers to provide the following III **Additional Services:**
  - **Task 010, FY20 Bridge Application** for replacing the **Canyon Road Bridge**
  - **Task 020, LHSIP FY22 Applications**. Application #1) Intersection improvements at **Gozzer Road and Burma Rd intersection**. Application #2) a systemic guardrail installation, which includes a site visit for guardrail locations with the Road Supervisor, detailed cost estimates, cost-benefit ratio analyses and draft applications for review and signature.
  - **Task 030, French Gulch/Fernan Hill/Harrison Alternate Funding Support**. JUB will support the ESHD with a public outreach, facilitation and planning to evaluate alternate funding sources for roadway improvements.Commissioner Addington seconded the motion, which was which was unanimously approved.
- J. Attorney Susan Weeks has filed a declaration of award to cover the cost of the attorney fees for the Leonard Road Validation appeal/ Case No. CV28-18-5678.

**SECRETARY REPORT** Secretary Sieverding will be attending the IAHD Convention held in Boise November 20th through 22nd.

**SUPERVISOR PANKRATZ:**

1. On October 14, 2019, the ESHD's Mullan Trail Shop was broken into. Unit 126 a 2007 Dodge Ram 3500 was stolen and later recovered on October 16th. Authorities were notified and the police report is expected. Security cameras will be put up in the shop area.
2. Supervisor Pankratz will reach out to the employee's to see what their choice is for a safety award this year.
3. A **Canyon Road Guardrail Project** letter of completion has been sent to LHTAC. The contractor did a real nice job.
4. The original contract for the Medimont Bridge required a color pigment in the concrete. It will take more pounds of pigment to get the right color needed than anyone has tested. Supervisor Pankratz said it may degrade the strength of the concrete; therefore, he would recommend using natural concrete without the color, which will reduce the cost of the project.
5. The site work for the storage shed at the Harrison Shop is almost ready for a topographical survey.
6. The board directed staff to move forward with the design for office expansion to enclose the front porch. The approximate cost of \$25,000 - \$30,000 of this expansion is in this year's budget.
7. There was some guardrail damage on Fernan Lake Rd. bridge.
8. Crews will change to the winter work schedule on Tuesday, November 12, 2019.
9. Supervisor Pankratz will be driving down to IAHD Convention in Boise on November 19th.
10. JUB will be holding a Local Low Volume Roads luncheon on November 5 @ 11:30 a.m. at JUB Engineers.
11. One of new trucks the District ordered is now in Kentucky and having the new all-wheel drive system installed.

**COMMISSIONER ADDINGTON:**

1. ITD is repairing the slide area on Hwy 97. The detour routes traffic onto Half Round Bay Road and Asbury Rd. Commissioner Addington said he is seeing washboards on Asbury Road and Half Round Bay Road.

**COMMISSIONER AUSTIN:** The Watson Tavern is the process of being sold. The District may want to speak with the new owner about using the parking lot as a turn-around area.

**CHAIRMAN CHRISTENSEN:**

The barricades at the end of Higgins point are edge to edge which is a detriment to the bike cyclist. Supervisor Pankratz said is was his goal to off set these barricades to make it more conducive for the public using this area.

Commissioner Austin ask for a motion to called the meeting into an **Executive Session** at 11:47 a.m. to discuss hiring an employee as authorized under **Idaho Code 74-206 (a)**

Commissioner Addington seconded motion, in which the following roll call was taken:

Chairman Christensen..... yes

Commissioner Austin..... yes

Commissioner Addington yes

The Executive Session closed at 12:29 p.m., upon reconvening into a Regular Session immediately thereafter.

Commissioner Austin moved to adjourn the board meeting at 12:30 p.m. Commissioner Addington seconded the motion, which was unanimously approved.

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**CHAIRMAN CHRISTENSEN  
SUB-DISTRICT #1**

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**COMMISSIONER AUSTIN  
SUB-DISTRICT #2**

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**COMMISSIONER ADDINGTON  
SUB-DISTRICT #3**

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**SECRETARY/TREASURER  
SIEVERDING**