

**East Side Highway District Board of Commissioners  
Regular Meeting Minutes  
June 21, 2021**

1. **Call to Order:** Chairman Christensen called the meeting to order at 9:00 a.m.

**Roll Call:**

Present: Commissioner Christensen, Commissioner Austin, Commissioner Addington  
Also present: Director of Highways Ben Weymouth, Deputy Director Dave Yerian,  
Clerk Rosie Ham

2. **Approval of Agenda:**

Commissioner Austin moved for approval of the June 21, 2021 meeting agenda.  
Commissioner Addington seconded the motion. The motion carried.  
Declared Conflicts of Interest: None declared.

3. **IAHD Scholarship Award to Lars Horning:** Foreman Loren Horning's son applied for and was awarded a scholarship through the IAHD this spring. He plans to pursue a business degree through the College of Idaho in Caldwell, Idaho. Loren, his wife Kate, & son Lars were in attendance to receive this acknowledgment. Congratulations Lars!

4. **Right of Way Exchange PUBLIC HEARING:** Per Idaho Codes 40-1309 & 50-1317 - Vacation and abandonment for exchange of rights-of-way.  
The hearing began at 9:05 am. Mr. and Mrs. Parsons were in attendance for the hearing. Director Weymouth reviewed the documents presented to the Board of Commissioners. It was noted that the utility easements are preserved in the exchange.  
Public comment/testimony: There was no opposition voiced at the hearing nor received by other means prior to the hearing.  
Commissioner Austin made a motion to close the public comment section and moved to accept Resolution 2021-3 and the Rights-of-Way Exchange Deed; Commissioner Addington seconded the motion. The following roll call was taken:  
Chairman Christensen Yes  
Commissioner Austin Yes  
Commissioner Addington Yes  
**ACTION:** Resolution 2021-3 is Adopted and Approved by the Board of Commissioners on this 21<sup>st</sup> day of June 2021.

Commissioner Christensen resumed the meeting into the regular session at 9:18 a.m.

5. **Public Comment:**

- a. Daniel Baker with HDR Engineering shared a Canyon Bridge (Key 23092) update: Meetings with stakeholders presented three significant themes. 1) Resiliency (additional river crossing); 2) Removal of the bridge would increase emergency response time to CCC Road by 6 minutes; 3) Recreation traffic uses Canyon Road (ATVs, bicycles) and would not be allowed on I-90.

Stakeholder meetings should be completed by the end of the month followed by traffic studies for two weeks, then public meetings in September. ITD plans construction on I90 in the spring of 2024.

Commissioner Austin inquired if ITD would be receptive to adding width to their bridge to allow for dual usage. He would like to see government agencies work in tandem to improve the infrastructure but believes it could decrease costs. Director Weymouth wasn't sure if ITD would allow a local road on their system. Canyon Road on the east side of the river could be problematic with the right-of-way, and re-aligning on both sides of Canyon Road would require a significant lift due to flood levels. Action: Director Weymouth and Mr. Baker will share the idea with ITD.

- b. Angie Comstock with JUB provided a project status update:

Key 20094 French/Fernan: She and Director Weymouth have field reviews planned this week to work through some details before the pre-construction, which begins the 2<sup>nd</sup> week of July. More public outreach is planned.

SD 3 Shed: Final request of payment to Ginno Construction has been processed. Some landscaping and finalization of the stormwater permit are all that remain. Director Weymouth clarified that Ginno Construction would pay for the initial propane tank fills that the District was billed for earlier this year.

FLAP: (for Yellowstone Trail Road) Our goal is to have a prepared application for the next segment when the process opens again this fall.

- c. Resident Lorna Casey Kaiser addressed the Board concerning the May 2021 election results. Her complaint to the County Clerk questioned the legitimacy of the voter's registration of candidate Angela Sieverding, who has multiple addresses. She received the post-hearing letter from the County Clerk cited Idaho Code 34-107 and their interpretation of the 'Intent to return' segment of the code. She feels the same 'intent to return' theory should have applied to both addresses. She also shared her concerns about the importance of Commissioners primary residence be within the district they represent. Mrs. Casey Kaiser requested the District seek assistance from the Idaho Association of Highway Districts and legislatively improve definitions of residency.

Attorney Weeks said the District does not have legal standing to challenge an election or to initiate a recall; however, there are mechanisms in place that allows electors to pursue these matters. She has spoken with IAHD Executive Director Nick Veldhouse regarding potential election items and also noted that City Council residency requirements are much stricter than Highway Districts.

6. **Approval of Minutes:** Commissioner Addington moved to approve the May 10, 2021 minutes as presented. Commissioner Austin seconded the motion. The motion carried.
7. **Approval of Treasury Report:** Commissioner Austin moved to approve the Treasury Report as presented. Commissioner Addington seconded the motion. The motion carried.

8. **New Business**

A. **Key 22872 State & Local Agreement for the Canyon Road & Fernan Lake Road Guardrail project:** The total project is estimated at \$689K, with the District's portion of (7.34%) at \$50.5K. Our portion is already set aside and we are pushing for shovel-ready status. The design is scheduled for 2023 and construction planned in 2024.  
**Action:** After deliberations, Commissioner Austin moved to approve the SLA. Commissioner Addington seconded the motion. The motion carried.

B. **JUB Job Status Report** (addressed earlier under the Visitor's section)

C. **JUB Project #20-21-0003 Task 030:** Director Weymouth explained that the District has a solid foundation for our GIS data. However, it is a single-user application, which presents inherent limitations. JUB Engineering reviewed and assessed the existing system to provide the Board with recommendations for multi-faceted usage. By moving to a web-based platform with multiple applications to include right-of-way information, mapping, pavement management, sign management, culvert management, and right-of-way permits. This platform would provide access to all administrative personnel and the Foreman both in the office/shops as well as in the field, thereby increasing efficiencies and productivity.

Engineer Hassell said transitioning from a right-of-way repository to full system utilization could provide more efficient staff time. He added that other agencies/ Highway Districts employ GIS with 20 data sets vs. 1 data set.

Attorney Weeks recalled that the original GIS grant was limited to right-of-way with the intent to expand to additional layers, including infrastructure and utilities.

**Action:** Motion by Commissioner Austin to approve JUB Project #20-21-0003 Task 030. Commissioner Addington seconded the motion. The motion carried.

D. **MIN21-0036 Hidden View Plat Review:** Director Weymouth presented this proposed two-lot residential minor subdivision on Skyview Road (#304B). His review determined the following: The plat dedication and easements shall comply with the AHDKC Standards. The adjoining roadway is already built to AHDKC Standards, so Road Development Agreement will not be necessary. Access permits to Skyview Road must meet AHDKC Standards.

**Action:** Commissioner Addington made a motion to approve MIN21-0036 and, pending no changes, that the Chairman to sign the final plat. Commissioner Austin seconded the motion. The motion carried.

E. **MIN20-0091 Barrett's Acres Plat Review:** Director Weymouth presented this proposed three-lot residential minor subdivision on Arrow Road (#303). His review determined the following: Arrow Road does not meet the Fire District nor AHDKC Standards; furthermore, our right-of-way and maintenance jurisdiction ends prior to this development. The applicant will need a Road Development Agreement to mitigate the impact. Access shall comply with all the requirements of ESHD Ordinance 2019-02.

Action: Commissioner Addington made a motion approving MIN20-0094 and authorizing staff to proceed with the Road Development Agreement. After the RDA is in place, the Chairman may sign the final plat. Commissioner Austin seconded the motion. The motion carried.

- F. MIN21-0047 Lago Vista Plat Review:** The developer asked for our review prior to us receiving the Agency Comment Packet from KCCD, as per the usual process. Director Weymouth informed the applicant another review fee would be required if there are differences between what we initially reviewed and what we receive from the County. Director Weymouth's initial review determined the following: The proposed development is accessed from a private road that connects to SH 97; therefore, we have no conditions of approval.

Action: Commissioner Addington made a motion to approve MIN21-0047 and, pending no changes, that the Chairman to sign the final plat. Commissioner Austin seconded the motion. The motion carried.

- G. Administrative Fees:** All the fees in Exhibit G are increasing by various amounts and more than 5%; therefore, a public hearing is required by Idaho Code. It was noted that a verbiage change in the "proposed deposits" section of the exhibit should be updated prior to the hearing that specifies 'Minimum deposit'. The minor subdivision Fee-In-Lieu-Of Construction was discussed at length. Recent engineer's estimates range from \$15-35K, and the Consumer Price Index indicates \$5K on the lowest end. Although it will not be enough, the Commissioners believe an increase to \$7.5K with an annual re-evaluation would be a start in the right direction.

Action: Commissioner Austin moved to approve scheduling a public hearing for the proposed fee increase on July 19, 2021. Commissioner Addington seconded the motion. The motion carried.

Chairman Christensen called a short recess at this time. The agenda items continued upon reconvening to the regular session.

- H. Resolution 2021-4 Director of Highways Authorities:** Attorney Weeks drafted this resolution that recognizes and clarifies the existing authority structure. Commissioner Austin said it is the Board's position to set policies, and since we have invested in the expertise of the Director of Highways and Deputy Director positions, it is important to further establish their authorities, roles, and delegations within the District as indicated in I.C. 40-619. Commissioner Austin moved to adopt Resolution 2021-4 and Commissioner Addington seconded the motion. The motion carried. The following roll call vote was taken.

Commissioner Christensen	<u>Yes</u>
Commissioner Austin	<u>Yes</u>
Commissioner Addington	<u>Yes</u>

The resolution was approved and adopted by the East Side Highway District Board of Commissioners with unanimous approval.

- I. Executive Session: Commissioner Austin made a motion to enter into Executive Session at 10:55 a.m., as authorized by Idaho Code section(s) 74-206 (I) to discuss Boothe Park and 74-206 (B) to discuss Risk Management. Commissioner Addington seconded the motion. A roll call vote was taken whether to enter into an Executive Session. Commissioner Addington voted in favor, Commissioner Austin voted in favor, and Commissioner Christensen voted in favor. The motion carried, and the Board entered into an executive session.

The Board reconvened to its regular session at 11:20 a.m. following the executive session. The Board took no action..

9. Old Business

1. SD3 Shed: Commissioner Austin reiterated his offer to assist with financing should the District pursue a lease option.
2. KC Land Use & Development Code: Ongoing
3. CDA Road Master Plan & Speed Signage: Director Weymouth connected with City of CDA Engineer Chris Bosley. He believes the City is still determining specific design options, so a cooperative speed reduction effort where the jurisdictions adjoin may be delayed. Commissioner Christensen said Welch Comer Engineering Study recommended a 35mph speed limit. He would like price quotes for flashing speed limit signs and asked staff to work with the Sheriff's Department to determine the best sign placement. Director Weymouth shared information with the Commissioners about a potential development/project at the existing Tony's Restaurant.
4. Road Validations: Ongoing

Upcoming Meetings: Commissioner Christensen will be attending the next KMPO meeting. The Special Call for swearing-in will be moved from July 1<sup>st</sup> to the 6<sup>th</sup> per the request of Commissioner Elect Angela Sieverding.

10. Correspondence - no discussion

11. Staff Reports

Clerk's Report: none

Director of Highways Report:

- Integrated Personnel sent us Josh Atkins for our Sub 1 Shop crewman position to start on June 28th.
- 765-Tech is assessing several old computers and a laptop to determine the usability and upgrading possibilities to Windows 10. We want to get internet at the Sub 2 & 3 shops. Considering their age, it is likely we will purchase two new basic computers for the Foreman. Once we get internet at all locations, we can discontinue the fax lines.
- We recently purchased office furniture and shop supplies from Federal Surplus at a significant savings.
- HDR Engineering is doing an incredible job of staying on task with the Canyon Bridge project.

- Since the last board meeting, we have chip sealed (first shot) Latour Creek Road, Parker Ave, and Wolf Lodge Creek Road.

Deputy Director's Report:

- The foremen and crew are doing a fantastic job. He is impressed with their performance and communication - everyone is professional.
- Chip seal projects should be completed by the July 4<sup>th</sup> weekend.
- Normal summer maintenance projects and helping Worley HD with their chip seal projects are next on the agenda.
- The Road Stabilization Program is complete for this year, and with that being said, we are getting more requests from residents to add their road to the program. This would be assessed on a case-by-case basis with cost and budgetary considerations.

Commissioners' Report:

Commissioner Addington reported a conversation with resident David Bertsch regarding road stabilization on Sunset Drive (325B). Foreman Christensen said there are portions of the road that will need work before it would be a candidate for the program.

He also said it was really nice to witness the progress on Parker Ave.

Commissioner Austin talked about Lakes Highway District's use of a 550 vs. dump truck. Deputy Director Yerian said they are a useful vehicle in urban settings; however, they are high maintenance and lack longevity. Commissioner Austin said the upgraded staff positions were a positive move, and he is proud of the long-range budget plans and grant success.

Commissioner Christensen said he appreciates all the work getting done. He thanked Commissioner Austin for his contributions to the District and the Board.

Chairman Christensen called a short recess at this time. The budget workshop began upon reconvening to the regular session.

12. **Budget Workshop:** The District Director and Clerk attended the Budget Levy Workshop recently. Legislative changes rendered the existing L2 form and formula non-useable. The new form, formula, and data are not quite available yet. Staff and the Commissioners worked their way through the line items of the draft budget and reviewed the CIP for any updates. Staff asked if the annual wage comparison between AHDKC members was helpful. Commissioner Christensen said the wage portion is helpful. Staff will obtain updated data from the other districts to share with the Board.

13. **Adjournment**

There being no further business to come before the Board, Commissioner Austin made a motion to adjourn. Commissioner Addington seconded the motion. The motion carried.

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Commissioner Addington, Sub District 3

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Rosie Ham, District Clerk