

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING
FEBRUARY 8, 2017
9:00 A.M.**

MINUTES

Chairman James Mangan called the meeting to order at 9:00 a.m. with Commissioners George Miller and Dave Johnson present. Also present were Supervisor Kevin Howard, Assistant Supervisor Dustin Howe, Foreman Kurt Sperber, Assistant Foreman Ed Nichols, Clerk Carol Richel, and;

Attorney Susan Weeks
Angela Comstock, JUB Engineers
Scott Hoover, CPA

Brian Wood, Woods Crushing
Jay Hassell, JUB Engineers

Approval of Agenda

George Miller MOVED to approve the agenda as presented. Dave Johnson SECONDED the motion. James Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Conflicts of Interest on the Agenda

Chairman James Mangan asked if any board member had a conflict of interest with any item on the agenda. Commissioners Dave Johnson, James Mangan, and George Miller all indicated no conflicts.

Approval of Minutes

Miller MOVED to approve the minutes of the January 25, 2017 regular meeting. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Open Bids for Crushing in Johnson Quarry

Chairman Mangan opened three bid envelopes as follows:

Bids to Crush Gravel in Johnson Quarry
Worley Highway District
Bids open February 11, 2017 9:00 a.m.

Peak Sand & Gravel	DeAtley Crushing Co.	Wood's Crushing & Hauling, Inc.
Sandpoint	Lewiston	Sandpoint
\$386,700.00	\$499,740.00	\$357,500.00

Miller MOVED that the district award the bid to crush gravel in Johnson Quarry submitted by Wood's Crushing & Hauling Inc., subject to a review by Supervisor Howard, that the bid meets the minimum bid specifications. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Brian Wood left at 9:06 a.m.

Public Comments

None.

Old Business

Staff Report by Supervisor Kevin Howard

Kootenai County Community Development

Unless desired by the board, projects that have seen no activity will not be read in the consideration of time.

1. Hager Estates, Minor: Status Report

The tasks related to this subdivision are being performed by the district's attorney. I would recommend removal from the Staff Report and monitor this within the attorneys report. No activity.

2. The Club at Rock Creek, Major Subdivision:

A Fourth addendum to the Road Development Agreement for improvements to Loffs Bay Road has been drafted. It is currently out to the district's attorney for review. Additionally, the resolutions for the old rights-of-way within the boundaries of the development are ready for review.

3. Kidd Island Estates, Major Subdivision:

The developer has two years to install the infrastructure before applying for final subdivision approval. The developer will need to bring current the review fee deposit before the district can move forward. This subdivision has not moved forward. It is still in preliminary review. No activity.

4. Variance Request, Larry Eaton:

Kootenai County denied the request for the proposed 5 foot setback rather than the required 25 feet. The request has been amended to a 10 foot setback. Staff recommends approval of the request due to the residential nature of this portion of Cave Bay Road.

Miller MOVED to approve the request for an amended setback of 10 feet. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

WHD Construction Projects

1. Rockford Bay Road/Loffs Bay Road (W) Intersection: Status Report

Susan Weeks has placed the right-of-way acquisition for this intersection next on her list of tasks for the district following the Loffs Bay Road acquisitions. No additional information this month.

2. Kidd Island Road Project: Status Report

I spoke with Dan Coonce, P.E., Local Highway Technical Assistance Council, and I was informed that LHTAC will be hiring a consulting firm to address the needs for the design for Kidd Creek. The district will be receiving an agreement for signature for this additional consulting firm. Once the concerns have been addressed, the recommendations will be given to JUB to be implemented in the design. A supplemental agreement will need to be made with JUB to continue as the current funding for the design has been exhausted. The district will be responsible for the 7.34% match for the two new agreements. District Clerk Carol Richel has affirmed the district has the funds for the additional match.

Mangan said this should answer the questions about the location of the creek and any fish and rocks in the creek.

Miller MOVED to engage the services of Anderson Environmental Consulting, LLC and Terra Graphics Environmental Engineering Inc. for consulting on the Kidd Island Road Project. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

3. Tall Pines Road/Loffs Bay Road Intersection: Status Report
As a reminder, this project is slated on the district's Capital Improvement Plan for construction in 2017. **No additional information this month.**
4. Finnebott, Bennion & Sun Up Intersections:
JUB is here today with a new draft design of the intersections. The research into the future buildout of the area, topography and material needs (cuts and fills) were the primary contributing factors to the design.
Angela Comstock presented the board with the design. She explained the changes to the roadway. There are no environmental impacts due to the reconstruction. These intersections will have a "T" configuration. Jay Hassell said what appeared to be a wetland turned out not to be classified as a wetland. They are just waiting confirmation from the Corp. of Engineers. Howard said the profile on Finnebott shows a 9.41% slope. This grade can be lessened and, if the soils are suitable, will provide more materials for the other intersection. Jay Hassell suggested taking more samples to determine the type of material. Mangan said the board would like to have time to look through the design.

WHD Misc. Projects

1. Validation Request, Unmaintained Rights-of-way – Koth Road:
Susan Weeks office has found substantially more documentation for this road than anticipated. Additionally, a public record request was made to Kootenai County for all documents pertaining to this road. **No additional information this month.**
2. Transportation Plan:
I sent my review comments to JUB yesterday.
Comstock has updated the plan after receiving the comments. Mangan said the board has discussed the transportation plan and it is comfortable with the plan. The district will set a date for an open house in conjunction with a board meeting.
3. 2018 LHSIP Grant – Delineators & Signage:
Dustin and I began preparing for this project. We are making a materials list as they pertain to the nine locations in which the district will improve signage and delineation. This is a bit early but the district will be able to order the materials the moment the funding cycle allows the purchase to be made. **No additional information this month.**
4. Cave Bay Road within Cave Bay Community:
I have received calls from the attorneys representing the HOA and the owner of Lot 22. They are working together to draft easements to allow the district to pass over represented properties so that the district can turn equipment around as needed to maintain Cave Bay Road. Once the district receives the easement, the district will request review by legal staff.
5. Conkling Road Speed Study
Howard said Conkling is next in the schedule for roads needing speed studies to validate the posted speeds. This study is in the process. Once the snow has melted, they can drive the road and provide an analysis.

New Business

Scott Hoover, CPA 2016 Annual Audit Review

Scott Hoover, CPA presented the board with the 2016 annual audit report. Hoover went through the audit with the board. He said that it was a clean audit. He felt the financial statements are presented fairly. This is the highest level of assurance he can give. He found no material weaknesses or deficiencies. He also looked at the district's bidding, budgeting, and levying procedures. He had no findings there as well. Mangan said he was delighted with another quality audit. She (Richel) has an unbroken string of clean audits. He stated it is important to have accurate numbers presented to the board for them to make key decisions.

Hoover left at 9:30 a.m.

May 2017 Election

Richel reminded the board of the upcoming May 16 highway district election. This year sub-district 2 is up for election. Dave Johnson is the incumbent for this position. Declaration of Candidacy forms must be turned in by 5 p.m. March 17.

Bills presented for approval

Mangan expressed a concern for the overtime budget. He said staff has been looking at moving funds to cover the additional overtime.

Miller MOVED that the bills be approved as presented on the accounts payable check register and the draw check register. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Executive Session

Citing Idaho Code 74-206 (c) and (f), Chairman Mangan MOVED that the Board enter into executive session at 9:36 a.m. Richel called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Chairman Mangan, aye; Commissioner Miller, aye.

The purpose of the executive session was to discuss right-of-way acquisition and imminent litigation. Weeks, Howard, Howe, and Richel were asked to stay for testimony.

Regular Meeting reconvened

Mangan reconvened the regular meeting at 10:36 a.m.

Kidd Island Road Project Consulting

Miller MOVED to amend the previous motion for consulting on Kidd Island Road. If one or the other consultants are not available, the district will go to the next available. For the water, these are West Consultants Inc. and Biota Research and Consulting. For the fish, the firms are Bionomicx Environmental Inc. and Parametrix. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Kidd Island Road Right-of-way Acquisition

Miller MOVED to authorize staff to take all legal action on any Kidd Island Road right-of-way they are unable to negotiate with the approval of the Road Supervisor. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Rockford Bay/Loffs Bay Road Intersection Right-of-way

Miller MOVED to ratify the road supervisor permission to engage Columbia Valuation to do an appraisal on the Jerry Shriner parcel and engage Ron Harvey to conduct the right-of-way negotiation. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Koth/Kioth Road Validation

Miller MOVED to authorize Attorney Weeks to inform Attorney Christopher Wright that the board rescinds its previous decision to hold a validation and authorizing him to move forward with quiet title. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Commissioner Comments

Mangan said he has been receiving compliments on the roads in his district.

Upcoming Meetings

The next highway district meeting is on February 22.

Adjournment

Mangan closed the meeting at 10:40 a.m.

RESPECTFULLY SUBMITTED BY:

Carol Richel
Carol Richel, District Clerk/Treasurer

APPROVED BY:

James Mangan
James Mangan, Chairman of the Board

March 8, 2017
Date