

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING
JANUARY 11, 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, and Clerk Carol Richel.

Approval of Agenda

Tomorrow, at the AHDKC meeting, there is an agenda item (Weight Restriction Advertising) for the districts to approve. Mangan wanted this item added to the agenda due to the need for board input before the meeting tomorrow.

George Miller MOVED to approve the agenda as presented with the addition of the Weight Restriction Advertising. 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 December 28, 2016 regular meeting. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

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 (RDA) for improvements to Loffs Bay Road has been drafted. It is currently out to the district's attorney for review.
Attorney Weeks has requested copies for the original RDA and the addendums to the RDA. Mangan said this proves that the district has been willing to work with the developer.

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. Lucas Meadowbrook 1st Addition:

This subdivision has been completed. The Mylar was approved and signed at the district's December 28th meeting. Staff recommends removal of this item from the Staff Report.

The board agreed to removal.

5. Variance Request, Larry Eaton:

Larry Eaton was requesting a variance to the front setback of 20 feet. He proposed a 5 foot setback rather than the required 25 feet. Staff conveyed to Kootenai County Community Development that this is an unacceptable distance due to the nature of the use of right-of-way as snow storage. Five feet would be too close to the berm should the district need the space for snow storage. Additionally, a review letter from the Cave Bay Board recommended the request be denied.

Howard said this request is in the area of Cave Bay Road that the home owners association has asked the district to maintain.

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

A telephone conference was held Monday, January 9th to discuss the Kidd Creek alignment and mitigation. It was determined that the most prominent concern was fish habitat. It is, however, undetermined at this time if fish are using the intermittent stream. A study will be conducted this spring to identify the use, or lack thereof, by fish as well as a "Pebble Count" and others.

These concerns have pushed the requirements of the project out of the original scope and will require additional funds for the studies proposed. Staff will look into additional funding from LHTAC to off-set the expenses to be incurred.

Howard believed that LHTAC would require the district to hire another firm that regularly works with fish habitat to complete the habitat. Mangan felt the Corp should have a check list. This would ensure any changes are made in an objective manner. Howard informed the Corp that other than two rights-of-way parcels, this is the only item holding up the project. Mangan asked Attorney Weeks to file a motion to get a date for the taking on one parcel.

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 in the process of producing a drawing showing Bennion Road as the through-road and Sun Up with the STOP condition. At that time, the footprint will be evaluated to see how well the design fits with the topography and adjusted as needed.

Howard said there is one little piece of wetlands and the design will not include this area. Mangan questioned if the amount of traffic on Bennion Road being greater is more of a hazard than vehicles with boats having to stop on Sun Up Road. Howard responded that at looking at possible build out of the area, there is other public access for properties off Ness Road. This access would be for parcels that would be developed above the bay, south of Sun Up Road. Also, the design for the stop would be a flat area for those towing trailers and boats.

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:

JUB has provided a draft of the Transportation Plan for review by the board. A response would be appreciated within one week to meet publishing deadlines for presenting at the February 8th meeting. If the board requires more time for review, there is nothing preventing the district from pushing it out a couple weeks to the following meeting.

Howard said any questions or concerns could be emailed to him and he would give them to JUB. Mangan said most of the projects are considered to have minor to moderate safety impact. It doesn't give a lot of priority when all projects have the same impact. Mangan said there are other factors that contribute to the ratings. The impact ratings are important in deciding which projects get completed with the funds and time available.

Howe left the meeting at 9:28 a.m.

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:

The district received a copy of a letter written by the attorney of the owner of lot 22 that was addressed to the Cave Bay HOA. The owner will not give the district permission to pass over a portion of lot 22 to turn equipment around for the purpose of road maintenance.

Johnson thought the Cave Bay HOA should work with the property owner. Miller felt Attorney Weeks should look at the letter from the property owner's attorney. Mangan believed the district should wait. Howard received some emails before the meeting but has not had an opportunity to look at the emails. After further review, Mangan said that the district could send a copy of the letter to Attorney Weeks just for her information, but did not feel the district should act on this. The board will look at this again next month.

BOARD OF COMMISSIONERS REGULAR MEETING

JANUARY 11, 2017

Page 4

New Business

Break – Mangan recessed the meeting at 9:48 a.m.

Reconvened – Mangan reconvened the meeting at 9:50 a.m.

Bills presented for approval

Miller MOVED that the bills be approved as presented on the Accounts Payable check register dated 1/11/17, the payroll check register dated 12/30/16 and the draw check register dated 1/13/17. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Upcoming Meetings

There will be a KMPO meeting tomorrow followed by an AHDKC Meeting.

Commissioner Comments

Mangan said as of December 31, the district has spent approximately \$3,400 on overtime. The district's budget is \$25,000 for overtime each year. Due to the efficiency of the equipment, the district has been able to stay within this amount for many years.

Mangan said that the district received a letter from Scott Hoover, CPA on the audit. He said there were no findings in the audit. Richel said Hoover will attend the February 8 meeting with a presentation of the audit for the board.

The district received a flyer from Laura Lantz of IAHD. The flyer said there are 289 local highway jurisdictions and 64 of them are Highway Districts. 80% of those jurisdiction received less than \$200,000 from HB312. There were some before and after pictures of work performed. Mangan asked if there was a way to upload pictures when completing the HB312 reporting. Richel said there was not.

Advertising of Weight Restrictions

The district received notice of advertising for the upcoming weight restrictions. The cost of the ¼ page ad is \$393 each time it is published. The 4 highway districts will share this cost. This will be advertised twice. Discussion will be held at the AHDKC tomorrow.

Miller MOVED to approve the expenditure of approx. \$200 for advertising weight restrictions. Johnson SECONDED the motion and Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Executive Session

Citing Idaho Code 74-206 (c) Chairman Mangan MOVED that the Board enter into executive session at 10:09 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. Howard and Richel were asked to stay for testimony.

Regular Meeting reconvened

Mangan reconvened the regular meeting at 10:25 a.m. No motions were made coming out of executive session.

Commissioners Comments

There was more discussion on the Pebble Count and the native fish in the district.

BOARD OF COMMISSIONERS REGULAR MEETING

JANUARY 11, 2017

Page 5

Adjournment

Mangan closed the meeting at 10:37 a.m.

RESPECTFULLY SUBMITTED BY:

Carol Richel

Carol Richel, District Clerk/Treasurer

APPROVED BY:

James Mangan

James Mangan, Chairman of the Board

Jan. 25, 2017

Date