

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING
OCTOBER 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 Corinne Johnson present. Also present were Supervisor Kevin Howard, Clerk Carol Richel, and;

G.E. Siegford, HMH

Jay Hassell, JUB

Approval of Agenda

George Miller MOVED to approve the agenda with the addition of an executive session to discuss confidential information that was provided by Attorney Susan Weeks. Corinne 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 Corinne Johnson, James Mangan, and George Miller all indicated no conflicts.

Approval of Minutes

Miller MOVED to approve the minutes of the September 27, 2017 regular meeting/amended budget hearing. 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
Susan Weeks has begun legal action to settle this matter.
2. The Club at Rock Creek, Major Subdivision:
The review of Phase two of this subdivision has been completed and the response sent to the developer. Once the recommended changes are made, the plans will be sent to the district for another review.
3. Russu Addition, MIN17-0021:
This proposed four lot minor subdivision is near the intersection of Vogel Road and Finnebott Road. The application was sent out for review by GE Siegford at HMH. I checked the review against the application and concur with Mr. Siegford. The review has been sent to Kootenai County Community Development.
Mangan asked Siegford if there was anything unusual in his review. Siegford said there were a couple of issues with right-of-way. Finnebott Road goes outside the right-of-way at one location. There is a wetland adjacent to Vogel Road. Siegford requested the developer provide a profile on one of the proposed driveways, since it may not meet district standards.

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 Kidd Island Road acquisitions. No additional information this month.

2. Kidd Island Road Project: Status Report

The district is in negotiation with a new property owner of one of the parcels.

The district was provided with a resolution granting staff and its attorney the authorization to proceed with eminent domain if negotiations cannot be reached on parcel 36 on Kidd Island Road.

The following resolution was put into the record.

**WORLEY HIGHWAY DISTRICT
RESOLUTION NO. 2017-10**

WHEREAS, the Worley Highway District has certain enumerated powers pursuant to State law to acquire real property for public purposes;

WHEREAS, Idaho Code § 7-701 *et seq.* allows the District to use the power of eminent domain to acquire easements for road purposes;

WHEREAS, the District is engaged in the acquisition phase on Kidd Island Road Project No. A012(315) Key No. 12315 which is for a public use authorized by law;

WHEREAS, Michael R. Sullivan and Solana I. Sullivan, husband and wife, are the owners of Kootenai County Parcel No. 49N04W-03-4600 (AIN 120552), identified as Project Parcel No. 36, located at 5211 W. Kidd Island Road Coeur d'Alene, Idaho.

WHEREAS, Michael R. Sullivan and Solana I. Sullivan have been offered fair market value for lands, easements and improvements, if any.

WHEREAS, attempts to acquire the necessary additional public rights of way through negotiations from Michael R. Sullivan and Solana I. Sullivan to this date have been unsuccessful.

WHEREAS the subject property consists of approximately 30 acres contained in a single tax parcel. Plans for this project indicate that the area required for this project is 0.725 acres for right-of-way, 0.395 acres for permanent easement, 0.028 acres for a temporary easement, and 0.100 acres for a permanent storm water easement.

WHEREAS, Idaho Code requires an order of condemnation, or resolution, or other official and binding document entered by the District which sets forth and clearly identifies all property rights to be acquired including rights to and from the public way, and permanent and temporary easements known or reasonably identifiable to the condemning authority;

NOW, THEREFORE, BE IT RESOLVED that that the Worley Highway District is hereby authorized to exercise the power of eminent domain to acquire right of way and easements across the strip(s) of property legally described and depicted in the documents attached hereto, containing 0.725

acres for right-of-way for road purposes; 0.395 acres for permanent easement including drainage, slopes and utilities; 0.100 for a permanent storm water easement, and 0.028 acres for a temporary construction easement.

BE IT FURTHER RESOLVED that the District's staff and its attorney are hereby directed to take those steps necessary to acquire the above property utilizing such powers, including but not limited to requesting early possession of the parcel.

Mangan MOVED to approve Resolution 2017-10. Richel called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Chairman Mangan, aye; Commissioner Miller, aye. The motion PASSED UNANIMOUSLY.

3. Tall Pines Road/Loffs Bay Road Intersection: Status Report

The job is complete. The sight distance has approximately doubled. It is a much safer intersection now. Staff recommends removal of this item from the staff report.

Mangan said this was a nice project. Mangan asked how the connection was made to use the rocks in the Sgt. Moore Memorial. Howard stated the contractor was also working on the memorial and thought these rocks would work great for that project. Worley Highway District will be included on the plaque for the Memorial. The board agreed to removal of this item from the staff report.

4. Finnebott, Bennion & Sun Up Intersections:

JUB has resumed work on this project. Right-of-way needs and utilities are the two primary emphases at this point.

Mangan inquired if the right-of-ways were firm enough to allow the utilities to be moved. Hassell said they are sending the information to the utility companies to get their feedback.

5. Burton Road Bridge:

Construction is moving forward. The two abutments are constructed to the required elevation and forming of the spread footing is underway. The forms and reinforcement bar will be completed today and the concrete placed tomorrow. The concrete mix was upgraded to allow the crew to set the bridge beams two days sooner, thus, setting the beams on Monday as opposed to Wednesday.

6. Watson Road Slide:

Staff is still working toward the FEMA funding as the primary plan. However, the plan for using the district forces to restore the roadway with a lesser design is an option. Staff will continue to look into additional funding sources for more options.

Howard said the additional funding could come from the Coeur d'Alene Tribe Lake Management group. They are receiving \$150,000,000.00 for lake cleanup. Howard will gather more information as to how this funding would be obtained for the district. Mangan said the district would need to know how much the group would fund and how quickly the district would be reimbursed. He stated that going through FEMA could tie up the district funds for many months, rendering the district unable to complete other projects. Mangan questioned a zero interest loan from LHTAC. Hassell said he is not aware of any funding options like that through LHTAC. He thought the funding through the tribe may be the best route to get reimbursed quickly and complete the project. He reiterated there are 3 options, FEMA, Coeur d'Alene Tribe Lake Management, and an in-house option. Mangan said he discussed the project with Hassell and Angela Comstock to understand the liability of going with the in-house option. The road will be blocked this winter. Howard discussed the funding with Rebecca Stevens of the Coeur d'Alene Tribe Lake Management. It is unclear at this time if the project would qualify for their funding. Howard will be in contact with her in the next few days to see if this project qualifies.

7. Greensferry Road Slide:

The repairs have been completed. Payment has been made to the contractor less the retainage. Once the contractor has shown the district that all of its financial responsibilities for this project have been taken care of, the retainage will be released.

WHD Misc. Projects

1. 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.*

2. Validation of Road #20:

Through Susan Weeks, the district has lodged the remand record with the district court. The attorneys for either party have 14 days from that point to lodge any objection to the record. The record will then be settled and the Court will likely set a briefing schedule.

3. No Parking, Sun Up, Bennion and Four Echoes Roads:

A new Resolution is needed to expand the area to be posted. Staff has prepared for you Resolution 2017-11 with Exhibit "A" attached for your consideration. Bennion is not included at this time due to the expense of implementation. Additionally, there has been no cause to include Bennion Road at this time.

Howard explained the need of the resolution.

Mangan read the resolution.

**WORLEY HIGHWAY DISTRICT
RESOLUTION NO. 2017-11
RESOLUTION AUTHORIZING "NO PARKING" SIGNS**

WHEREAS, on February 11, 2015 the Worley Highway District Board of Commissioners passed Ordinance No. 2015-001, an ordinance regulating parking within the Worley Highway District and,

WHEREAS, Worley Highway District is dedicated to providing a safe and efficient system of roadways for the use of the public within its boundaries and within its means and,

WHEREAS, the parking of vehicles and trailers within the Sun Up Bay Road right-of-way and Four Echoes Road right-of-way in the vicinity of the Sun Up Bay Boat Launch impedes traffic and,

WHEREAS, a location plan has been submitted by staff for the placement of "No Parking" signs in lieu of the current area posted, attached hereto as Exhibit "A".

NOW, THEREFORE, BE IT RESOLVED by the Worley Highway District's Board of Commissioners the recommendation by staff for placing "No Parking" signs along the right-of-way described within the location plan, is hereby accepted and approved.

Mangan MOVED to approve Resolution 2017-11, authorizing No Parking Signs. Richel called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Chairman Mangan, aye; Commissioner Miller, aye. The motion PASSED UNANIMOUSLY.

Howard requested this item be removed from the staff report. The board agreed.

New Business

Review CIP

Richel recommended moving the Burton Bridge, Tall Pines sight distance, Hull Loop, Cougar Gulch Road, and Rockford Bay from Solitaire Road to Loffs Bay Road projects to the Enhanced Maintenance category. She also suggested moving the Greensferry Road Slide to the WHD/Contracted category. She also noted that the cash flow was not calculating the adjusted project costs correctly. She added a column to include the date of the estimate and a new tab with a table to calculate the adjusted costs based on the year of the estimate.

Miller MOVED to approve the changes as recommended. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Potential Funding	Rankin	Points	Project/Roadway	Project Type	Project Description	Sum of Total District Cost
Federal	1	46	Kidd Island Rd. (Construction)	Rebuild	US 95 to Hull Int. 2 miles (\$2,572,557 with 7.34% match for the 1st 2 mi.)	\$188,826.00
	2	42	Rockford Bay Rd	Rebuild	Marina to 95 2.5 miles (\$1,900,000 fed, 7.34% match)	\$139,460.00
	3	39	Kidd Island Rd. (ROW)	Right of way	US 95 to Hull Int. 2 miles (\$334,947 with 7.34% match for the 1st 2 mi.)	\$24,585.00
			Kidd Island Rd. (Design)	Engineering	US 95 to Hull Int. 2 miles (\$507,000 with 7.34% match for the 1st 2 mi.)	\$37,214.00
	5	34	Rockford Bay Rd	Engineering	Marina to 95 2.5 miles (\$1,900,000 fed, 7.34% match)	\$46,517.25
	6	26	Rockford Bay Rd	Right of way	Marina to 95 2.5 miles (\$1,900,000 fed, 7.34% match)	
	7	21	Bitter Rd	Rebuild	End of asphalt to Cave Bay Rd (\$1,930,000 federal, 7.34% match)	\$141,662.00
	8	19	Sun Up Bay Road	Rebuild	Rebuild: Ness Rd. to Boat Launch (3.3 miles) \$2,970,000	\$217,998.00
Federal Total						\$796,262.25
WHD/Contracted	1	48	Rockford Bay/Loffs Bay Intersection	Right of way	Intersection reconstruction	\$50,000.00
	2	46	Greensferry Road Slide	Engineering	Engineering	\$1,830.00
	3	45	Transportation Plan	(blank)	Transportation Plan	\$50,000.00
	4	44	Sun Up Bay and Bennion Rds Int.	Engineering	Engineering	\$90,000.00
	5	43	Bennion and Finnebott Int.	Engineering	Engineering	\$90,000.00
	6	41	Greensferry Road Slide	Repair	Repair Slide	\$5,297.10
	7	33	Bennion and Finnebott Int.	Rebuild	Sight dist. Improvement	\$650,000.00
			Sun Up Bay and Bennion Rds Int.	Rebuild	eliminate "Y" configuration	\$406,000.00
	9	28	Williams Bridge	Bridge	Replace bridge	\$17,000.00
	10	26	Watson Road	Rebuild	Reconstruct	\$571,980.00
	11	24	Watson Bridge Replacement	Bridge	Replace bridge with purchased bridge under 20 feet	
	12	18	Conkling Park Dr	Rebuild	f/end of pavement along Carey Bay, 50 miles	\$725,000.00
	13	10	Loffs Bay Rd	Rebuild	f/Tall Pines Rd for .41 miles	\$328,000.00
WHD/Contracted Total						\$2,985,107.10
Enhanced Maint.	1	49	Loffs Bay Slide	Repair	Repair Slide	\$50,000.00
	2	46	Watson Road Slide	Engineering	Engineering	\$10,000.00
	3	39	Burton Road	Culvert	culvert replacement raise roadway to reduce flooding	\$42,000.00
				Engineering	Engineering	\$45,000.00
			Tall Pines Road at Loffs Bay Int.	Safety	Sight dist. Improvement	\$5,000.00
	6	38	Watson Road Slide	Repair	Repair Slide	\$160,000.00
	7	33	Hull Loop	(blank)	.5 miles	\$70,000.00
	8	32	Clemetson Rd	Rebuild	Meadowbrook Lp to Reynolds Rd. modified	\$145,250.00
			Cougar Gulch Road	(blank)	Station 75+50 to 89+00	\$194,967.00
	10	31	Cougar Gulch Road	(blank)	Station 31+00 to 45+00	\$202,188.00
	11	28	Carnie Rd	Rebuild	0.6 miles from 95	\$210,000.00
	12	18	Dower Road	(blank)	.76 miles	\$106,400.00
			Hamaker Road	(blank)	.84 miles	\$117,600.00
	14	14	Rockford Bay Rd	Rebuild	f/Solitaire Rd to Loffs Bay Rd 1 mile	\$600,000.00
	15	10	Thompson Rd	Safety	Improve base, sight dist, curve radii 1.8 miles	\$252,000.00
	16	7	Rolling Hills	(blank)	Larson to Bloomsburg 3.0 miles	\$420,000.00
Enhanced Maint. Total						\$2,630,405.00
Grand Total						\$6,411,774.35

Bills presented for approval

The board discussed some of the larger bills. Most of these were for construction projects.

Miller MOVED that the bills be approved as presented on the A/P check register and the payroll check register. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

BOARD OF COMMISSIONERS REGULAR MEETING

OCTOBER 11, 2017

Page 6

Upcoming Meetings

There is a KMPO meeting tomorrow. The next highway district meeting is scheduled for October 25.

Executive Session

Citing Idaho Code 74-206 (c) and (f) Chairman Mangan MOVED that the Board enter into executive session at 10:01 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 confidential information that was provided by Attorney Susan Weeks. Howard and Richel were asked to stay for testimony.

Regular Meeting reconvened

Mangan reconvened the regular meeting at 10:52 a.m. No motions were made coming out of executive session.

Commissioner Comments

Miller asked if there has been any work completed to improve the drainage on the Watson Slide. Howard said they will work on the drainage once the Burton Bridge is complete.

Johnson said she followed the paint truck and asked why Valhalla Road was not paint striped the whole way. Howard said most of the district roads do not have the traffic to warrant paint lines according to ASHTO Standards.

Adjournment

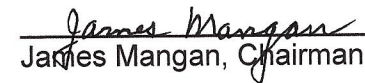
Mangan adjourned the meeting at 10:52 a.m.

RESPECTFULLY SUBMITTED BY:



Carol Richel, Clerk/Treasurer

APPROVED BY:



James Mangan, Chairman

October 25, 2017
Date