

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS  
REGULAR MEETING  
OCTOBER 25, 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, Assistant Supervisor Dustin Howe, Deputy Clerk Susan Kuykendall, and;

Foreman, Kurt Sperber  
Paula Frantz, Hamaker Road

Assistant Foreman, Ed Nichols  
Laura Ward, Hamaker Road

**Approval of Agenda**

George Miller MOVED to approve the agenda as presented. 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 October 11, 2017 regular meeting. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

**Public Comments**

None.

**Old Business**

**Finnebott, Bennion, and SunUp Intersections**

*Kevin reported that he met with JUB Engineers to fine tune the project. They discussed the few small slivers of Right of Way that could be abandoned but the cost seemed extensive. Kevin wanted to work on procurements instead of abandonments. JUB has contacted utilities and discussed construct-ability before, during and after the project. Kevin requested that they extend to the property line of one of the owners. Also, the Rights of Way in old Viewers Reports give 50 feet and we would like to obtain 60 feet plus 10 foot roadway, drainage, and utility easements on either side, which is today's standard. Mangan asked if the utility strip was part of the 60 foot Right of Way. Kevin explained that the 10 foot on either side of the 60 feet is an easement. This would allow the District to work in the easement as necessary for drainage. This would provide an 80 foot total corridor.*

**No Parking – SunUp, Bennion, & Four Echoes Roads**

*Kevin reiterated that Bennion had been removed from the roads considered for project and that he had discussed this project with Dustin and determined that there would not be a parking issue until next summer. Considering the work load now on the crews and that digging the holes for placement of the signs will be easier in the spring, it was decided they would post the signs next spring. Mangan thought it was good to do a little bit on the project when time was available. Kevin asserted that this would be complete when the next boating season came around. It was decided to remove this item from the agenda.*



## BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

OCTOBER 25, 2017

Page 2

### **La Delcardo Bay Rights-of-Way**

Kevin explained that things have settled down some. We are still gathering information to present to the Board. The Board can decide then if we want to approach Kootenai County to rectify these things. Mangan asked about the size of lots that were abandoned by the County. Kevin was unable to give the actual size of lots since there is quite a bit of additional information that we need to acquire in order to understand the situation. Mangan suggested that the abandonments by the County in the 1930's would not be something we would have grounds to protest only the abandonments after 1971. Kevin added that it appeared that the County had abandoned some of the roads as late as 1981, which was far after the County had the legal right to do so. Mangan wondered how easy it would be to resolve this situation. Kevin observed that if the Right of Way was abandoned some legal documents would return the parcel to the original owner or heirs. Kevin recalled a similar situation in a court case where the abandonment resulted in returning the parcel to the original owners. Kevin explained that Susan Weeks has been doing extensive research on this issue. Kevin added that information has been uncovered that Kootenai County may have abandoned roads throughout the county that were not in their jurisdiction after 1971. There may be some action that the Board will choose to take concerning this as we obtain further information. Mangan added that this must be resolved for the property owners.

### **KMPO Board Alternate**

Mangan explained that KMPO is looking for an Alternate member of the KMPO Board and inquired if Commissioner Johnson would consider being the Alternate. Johnson accepted the position as Alternate to KMPO Board.

### **New Business**

#### **Request for Speed Limit Change on Hamaker Road**

Pauline Frantz of 9831 W. Hamaker Road presented to the Board pictures of other sections of roads with lower speed limits. She explained that there have been many situations of speeding cars on Hamaker Road and requested a reduced speed limit. She further described the situation of blind corners and a gravel surface reducing the ability to come to a stop on Hamaker. Johnson asked what speed limit they would request, reducing it from the current 35 mph. Laura Ward of 9615 W. Hamaker spoke up and stated as a mother of small children who use the road to catch the School Bus she would request the speed limit be reduced to 10 or 15 mph, especially at corners, then possibly 25 mph on the remainder of the road. Not only children but animals and adults who utilize the road for walking, jogging or riding have been at risk of high speed vehicles on Hamaker Road. Laura Ward observed that city residential roads have reduced speed limits of 25 mph. Kevin stated that Idaho State Law indicates you do not drive beyond your stopping distance ability, too fast for conditions, and that you can call the Sheriff's office anytime with that concern of speeding traffic on Hamaker Road. Howard added that posting a warning sign for curves ahead or bridge ahead may be preferred to reducing speed to 10 or 15 mph. Engineers have done speed studies on many roads and determined the speed limit based on road conditions and other criteria. Kevin agreed to consider reducing the speed limit to 25 mph as this would improve the stopping distance to 105 feet and create greater safety. Laura Ward asked if the District could post other warning signs. Kevin explained the District does not post 'children at play'. Johnson asked Kevin why 25 mph versus 20 mph. Kevin explained the previous sign grant and study that was used to determine the proper speed postings. Johnson further inquired about the residents' ability to put up a sign 'children at play'? Kevin explained that Kootenai County ordinance prohibits posting of private signs that look like a legal regulatory sign. Private signs must not look like road signs. Mangan confirmed that the District has the ability to post a reduced 25 mph speed limit. Kevin agreed siting use and safety of the area. Mangan inquired about adding 'Curve Ahead' sign. Kevin explained they would use the 'Ball Bank' to determine the need for 'Curve Ahead' sign. Pauline Frantz asked about the width of the bridge and possible need for 'One Lane Bridge Ahead' sign. Kevin said they would get a measurement to determine need for sign. Kevin presented the CIP to indicate Hamaker



## BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

OCTOBER 25, 2017

Page 3

*Road was on the list for enhanced maintenance in 2020. Laura Ward asked what Enhanced Maintenance would accomplish. Kevin explained the maintenance would include structural build up and surface improvements.*

*Dustin added that too many signs may cause more confusion and be less beneficial. Kevin agreed.*

*Pauline Frantz reiterated her concern about speeding traffic dangers to those on Hamaker Road.*

*Mangan said they would study this request and make a decision at the November 29<sup>th</sup> Commissioner's Meeting. Commissioner Johnson restated the legality of calling the Sheriff's Office if motorists are driving too fast for conditions and that the residents of Hamaker Road have that option in any event.*

Pauline Frantz and Laura Ward left the meeting 9:34 am

### **WORK PROGRESS REPORT by Supervisor Howard**

#### **ON THE ROAD**

The crew has been working diligently on the Burton Road Bridge project. Large amount of time was spent on the construction of the reinforced soil foundation. Sometimes the entire crew was needed and other times the crew split up to accomplish other tasks. The structural portion of the bridge is complete. The approaches to the bridge should be finished by the end of next week. Sandra Raskell P.E. from the Coeur d'Alene Tribe said that she will provide a slideshow for the Board when the project is complete.

A large culvert on Meadowbrook Loop and another on Cottonwood Road were rusted out on the bottom. Concrete was placed to fill the voids, seal the bottom and stop further erosion.

The new heaters were installed at the Mica Shop and the Worley Shop.

Many of the gravel roads were graded.

Some hot-mix patches were done in a couple places where there were abrupt edges that were best not left over winter. These could have caused damage to a snowplow.

Several from the crew attended a couple of classes; Pavement Management I and SEEP Training.

#### **Vehicle and Equipment Repair**

(ST) Shop truck

(DS) Dealer Service

##### Pickups

#30 - Replaced windshield wipers. (ST)

#80 - Serviced.

##### Trucks

#165 - Repaired the snowplow.

#170 - Replaced the supply and return fuel lines.

#180 - Repaired the snowplow.

#185 - Replaced the engine oil pressure switch and the power steering lines.

#205 - Replaced the PTO and dump bed hydraulic valve.

#210 - Mounted the sander for the winter, serviced and readied for the winter season.

#255 - A mounted the slide-in sander body, serviced and readied for the winter season.

### **Planned work for this coming Month**

- Loffs Bay Road shoulder repair.
- Burton Rd. place culverts with short bridge.
- Fall grading.
- Ditching.

*Mangan asked about the approaches for the Burton Road Bridge. Dustin explained the work that was being accomplished and that the approaches were being worked on. They are looking into obtaining used guardrails. Kevin added it is a good opportunity to get used guardrails. Mangan was enthusiastic about the opportunity. Mangan inquired about an estimate on rock being used? Dustin explained the amounts and use of rock. The Tribe has purchased the rock for the project and the District is attempting to haul out of the Fighting Creek pit the rock that was purchased.*

### **Bills presented for approval**

*Mangan inquired about the Kidd Island Road stream engineering. Are we still waiting on their final opinion? Kevin explained the fish run and the short time frame to obtain that count. The consultants have been encouraged to work for the District in obtaining this count. Johnson asked about the counting of fish. Kevin confirmed that they do count the fish. Kevin explained the studies that need to be completed and that the coming of winter will push some study completion out to spring next year. Mangan stated the time frame and getting past the requirements and acquisitions could slow down the ability to proceed with the project. It could push the project out to another year.*

*Johnson asked about the AFLAC payment. Kevin explained it was withheld from employee wages at employee's request.*

*Mangan asked if JUB was the engineer on the Kidd Island Road project. He would like to know what requirements are left to complete for the study on the stream. Are they finished, is there anything else we need to do? Who is responsible for bionomics? Kevin explained that JUB was not responsible. Dan Koontz of LHTAC is working with the sub-consultants to satisfy the Army Corps of Engineers. Mangan asked Kevin to get in touch with LHTAC to determine where we are with the details.*

*George asked about the shower downstairs. Kevin explained the use of the shower and that the water volume was way down. The flow restrictors were repaired by the company that installed them.*

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

### **Upcoming Meetings**

Mangan and Howard will attend an LHTAC meeting in Sandpoint this afternoon. The next Board meeting will be November 8.

*Since the convention was moved to the week of the 13<sup>th</sup>, the Board meeting will be held November 8.*

### **Commissioner Comments**

None.

### **Executive Session**



BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

OCTOBER 25, 2017

Page 5

Citing Idaho Code 74-206 (b) and (c) Chairman Mangan MOVED that the Board enter into executive session at 9:56 a.m. Kuykendall 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 a personnel matter. Kevin Howard, Dustin Howe, Kurt Sperber and Ed Nichols were asked to stay for testimony.

**Regular Meeting reconvened**

Mangan reconvened the regular meeting at 10:49 a.m.

*Mangan stated he would entertain a motion to proceed with Termination of the Employee that was discussed during Executive Session; his termination would be effective at the end of work day, October 26<sup>th</sup>, 2017.*

Miller MOVED to terminate the previously discussed employee. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

**Item**

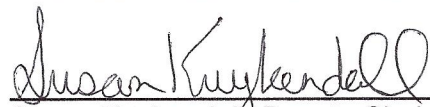
Mangan continued discussion on CIP Cash Flow. Mangan was concerned with the ending balance and having a good method with estimating cost. Kevin stated that JUB is working on projected cost and two other CIP projects to come up with an average cost per mile. Mangan stated that we will wait for that to occur. George added that inflation has not increased much. Mangan agreed that at around 2%, inflation has been somewhat stable. Mangan stated we need a model that does a passable job of estimating future cost.

Mangan indicated to Commissioner Johnson that Carol had compiled the Pennie vs Worley Highway District lawsuit information into a folder for a more convenient source to read.

**Adjournment**

Mangan adjourned the meeting at 11:00 a.m.

RESPECTFULLY SUBMITTED BY:



Susan Kuykendall, Deputy Clerk

APPROVED BY:



James Mangan, Chairman

November 8, 2017  
Date