

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING
AUGUST 11, 2021
9:00 A.M.**

MINUTES

Commissioner Corinne Johnson called the meeting to order at 9:00 a.m. with Commissioners George Miller and Phil Cooper present. Also present were Director Kevin Howard; District Clerk/Treasurer Carol Richel; Deputy Director Dustin Howe; Deputy Clerk Tomi Maynard; and:

Karen & James Duddlesten, Swede Bay Rd
Sandy Young, Verdis
Christopher Wiese, Bellgrove Rd
Travis Leavitt, Finnebott Rd
Jan Shano, Bellgrove Rd
Neva Keyes, Canoe Loop

Daniel Keys, James Vernon and Weeks
Dana & Kelly Woudenberg, Canoe Loop
Jerod Bader, Rockford Bay Rd
Josh Young, Bellgrove Rd
Patrick & Darlene McDonald, Rockford Bay

APPROVAL OF AGENDA

Miller MOVED to approve the agenda as presented. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

CONFLICTS OF INTEREST ON AGENDA

Chairman Corinne Johnson asked if any Board member had a conflict of interest with any item on the agenda. Corinne Johnson, George Miller, and Phil Cooper each indicated no conflicts.

APPROVAL OF MINUTES

Miller MOVED to approve the minutes of the July 28, 2021 regular meeting. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Miller MOVED to approve the minutes of the July 29, 2021 budget workshop. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Cooper MOVED to approve the minutes of the August 4, 2021 budget workshop. Miller SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

PUBLIC HEARING: Request for abandonment, HMillhorn Farms, LLC

Commissioner Johnson opened the hearing at 9:03 a.m. and appointed Daniel Keys to act as the Board's hearing officer.

Keys instructed those present to limit testimony to reasons why the petition should or should not be granted, and to direct all testimony to the Board not to others present. He asked Howard to present the staff report and recommendations to the Board.

Howard reported that after the petition was made to the Highway District, staff researched the right-of-way (ROW) in question, as well as nearby public roads and properties. He concluded that the abandonment of these segments of ROW will not leave any adjacent parcels without access. As such he would recommend that the Board consider abandonment. Howard further recommended that if the Board chooses to grant the petition, it should be done with the condition that existing rights-of-way,

easements and franchise rights of any property owner or public utility shall not be impaired by this abandonment and vacation. Howard shared three different methods of determining the value of the ROW that would be vacated, should the petition be granted and indicated that the Board would need to determine the overall value.

Keys invited the petitioner to address the Board.

Sandy Young presented 2 documents to the Board. One to illustrate the rights-of-way in question, and another showing the current Kootenai County assessed market value for the parcels the ROW crosses.

Keys invited members of the public to speak or provide comment sheets to be read aloud. No comments were provided.

Keys closed the hearing at 9:12 am, turning the matter over to the board for deliberations. Cooper asked what the District has historically done to reach a dollar value for abandonments. Howard reported that the District previously used the value of the parcels the abandoned portion of ROW would be absorbed by.

Miller MOVED to table deliberations until the next Board meeting, August 25th. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Young and Keys exited at 9:16 am.

PUBLIC COMMENTS AND GUEST INTRODUCTIONS

No public comments. Johnson asked those in attendance to introduce themselves and indicate if they were in attendance for any particular agenda item.

Priority items for attendees from New Business

Bellgrove Road

Johnson commented that the Board visited Bellgrove road following the last meeting, to evaluate concerns raised by residents in the area. Johnson stated that Bellgrove Road is similar to the other gravel roads within the District. Howard outlined several improvements that the crew has completed since the District agreed to add Bellgrove Road to the maintenance schedule. Johnson concluded that she does not see how the District can justify any substantial work to Bellgrove Road at this time but confirmed that staff would continue to work on Bellgrove and other gravel roads District wide as time and finance allow. Josh Young asked if he could use his personal excavator to widen the road by 5 feet. Johnson and Howard told him the District could not take the risk of having him perform work on the road.

Wiese, Shano and Young exited at 9:26 am.

Speed limit signs, coalition of Rockford Bay Road neighborhoods, Lenz-Lakewood Community

Dana Woudenberg addressed the Board on behalf of several Lenz-Lakewood Community and Rockford Bay residents. Woudenberg shared that this coalition of neighbors would like to pay for 6 additional standard speed limit signs on Rockford Bay Road, three on each side of the road, in an effort to slow traffic. He reported that they would pay for the signs and hire a contractor to install them. The District would issue a permit to allow the work, mark the locations the signs should be placed, provide specification data and ultimately maintain the signs following installation. During discussion from the residents in attendance, the group

further committed to purchasing a flashing frame for the westbound 10 mph speed limit sign near Shooters.

Miller MOVED to accept this donation and direct staff to work with the group to accomplish the installation of 6 additional speed limit signs and one flashing frame. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Woudenberg, Woudenberg, Bader, McDonald, McDonald and Keyes exited 9:44 am.

Karen Duddlesten, Paving Proposal, Swede Bay Road

Karen Duddlesten presented a petition signed by several property owners in the area of Valhalla Road and Swede Bay Road, requesting that Worley Highway District allow the effected private parties to pave several hundred feet of public ROW. These parties outlined a plan to pay for all engineering, materials and labor to accomplish paving, and specifically provided within this plan that Worley Highway District would not be liable for any financial contributions, nor expected to provide any maintenance or upkeep after paving. A copy of this petition and the included plan will be added to these minutes as a matter of record.

Leavitt exited at 9:50 am.

Miller MOVED to approve this proposal and direct staff to work with residents as necessary to accomplish paving from the end of pavement on Valhalla Road to the end of Swede Bay Road public ROW. Cooper SECONDED the motion. Johnson abstained from voting.

Duddlesten and Duddlesten exited, and Johnson recessed the meeting for a break at 9:55 am.

Johnson reconvened the regular meeting at 10:00 am.

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. The Club at Rock Creek, Major Subdivision, Loffs Bay Rd.:
JUB has been employed to perform the roadway construction inspections for Worley Highway District. No additional information this month.
2. Jaeger and King, Minor Subdivision, MIN19-0063:
Recap: the financial responsibilities to the district have yet to be met. Once the responsibilities have been met, the district can sign the plat when presented. No additional information this month.
3. Section Twenty One Acres, Minor Subdivision:
Staff has reviewed the plat that is presented to the board for signature and has no objection to the signing of the final plat.

Miller MOVED to approve the final plat. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY. Johnson signed the plat.

4. Axis Cove 1st Addition, Minor Subdivision:
This proposed subdivision is accessed via Hull Loop. The district has completed its review and commented to Kootenai County Community Development. No additional information this month.
5. Ranch at Cougar Creek, Minor Subdivision:
This proposed subdivision is adjacent to Clemetson Road. The district has completed its review and commented to Kootenai County Community Development. No additional information this month.
6. Farup Estates, Minor Subdivision:
This proposed subdivision is accessed via Cottonwood Road. The district has completed its review and commented to Kootenai County Community Development. No additional information this month.
7. Rocky Point Reserve, Minor Subdivision:
This proposed subdivision is accessed via Loffs Bay Road. The district has completed its review and commented to Kootenai County Community Development. No additional information this month.
8. Farris Landing, Minor Subdivision:
This proposed subdivision is accessed via Loffs Bay Road. The district has completed its review and commented to Kootenai County Community Development. No additional information this month.
9. Williams Estates, Minor Subdivision:
This proposed subdivision is adjacent to Weniger Hill Road. The developer has entered into a Road Development Agreement, paid the Payment In Lieu of Construction fee and met all financial responsibilities to the district. Kootenai County Community Development has made known some concerns regarding the boundary description. Once the boundary description has been resolved, the developer will make the plat available for signature.

WHD Construction Projects

1. Rockford Bay Road/Loffs Bay Road (W) Intersection: Status Report
I asked Jay Hassell at JUB to resurrect the file on this project so as to move it out of the proposed federally funded projects and back into a WHD contracted project list.
2. Kidd Island Road Project: Status Report
The pavement ride was evaluated; some minor corrections will need to be made. The stream bed repairs have yet to be performed. Utilities are on notice to complete the relocation of their facilities. The district finally made it to the top of schedule for the appraisers that were hired to finalize the right-of-way acquisition. They began this week to complete the five acquisitions.
3. Watson Road Slide:
Legal Counsel is working to obtain a “right to enter” on one parcel so that the project can be completed. Additionally, a separate parcel that will require some work to reach completion has

sold. The district has reached out to the new owner to discuss what needs to be done there. No additional information this month.

4. Hull Loop Project:

The legal descriptions for the acquisitions are being created by JUB. The acquisition process will begin once they are complete.

5. Sun Up, Bennion, Finnebott Intersection Project:

Traffic is moving on the new Sun Up Bay Road alignment. Bennion Road between Sun Up Bay Road and Finnebott Road is closed to traffic at this time.

6. Watson Bridge Project:

Dustin has called for the survey control points to be installed. Construction will begin near the end of August or shortly after.

7. Wellers Black Rock Park:

To be deleted.

8. Solitaire Road:

This road is to receive enhanced maintenance with financial assistance from the local residence. An agreement will be drafted for signature when the funds are received.

WHD Misc. Projects

1. Koth Road ROW Status:

The district's Attorney, Susan Weeks, would like to visit with the board in executive session when schedules allow. No additional information this month.

2. Validation of Road #20:

JUB has completed the survey of the portion East of the intersection of Sunny Slopes Road and Malone Road. In late summer or early fall the district will rough in the alignment to monument its existence. No additional information this month.

3. Bellgrove Road:

Addressed previously in the meeting.

NEW BUSINESS

1. Speed limit signs, coalition of Rockford Bay Road neighborhoods, Lenz-Lakewood Community
Addressed previously in the meeting.

2. Karen Duddlesten, Paving Proposal, Swede Bay Road
Addressed previously in the meeting.

3. Engage Auditor for Fiscal Year 2021

Richel requested to engage the same auditor that the District has worked with previously for the upcoming audit.

Miller MOVED to engage auditor Scott Hoover for the 2021 Fiscal Year audit. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

4. Deferred Payment Fee Schedule

The Board recently approved an increase to the Payment in Lieu of Construction (PILC) fee assessed during the minor subdivision process. It is necessary to also update the fee schedule for deferred PILC payments, to ensure that they are in line with the new PILC amount. Because the proposed change increases these fees by more than 5% a public hearing is necessary.

Miller MOVED to go to public hearing regarding the Fee Schedule for Deferred Payment. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

5. Accounts Payable and Draw check registers for approval

Cooper MOVED that the bills be approved as presented on the A/P and Draw Payroll check registers. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

6. Upcoming Meetings:

August 25, 2021 Regular Meeting and Budget Hearing

7. Commissioner Comments:

None.

EXECUTIVE SESSION

None.

ADJOURNMENT

Citing no further business, Miller MOVED to adjourn the meeting at 10:20 a.m. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

RESPECTFULLY SUBMITTED BY:



Tomi Maynard, Deputy Clerk

APPROVED BY:



Corinne Johnson, Chairman



Date