

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING
AUGUST 25, 2021
9:00 A.M.**

MINUTES

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

Anthony Bauerle, Verdis
Mason Farrell, Club at Rock Creek

Ben Roberg, Parametric
Lorri Erickson, Greensferry Rd

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 the Agenda

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

Approval of Minutes

Miller MOVED to approve the minutes of the August 11, 2021 regular meeting. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Public Hearing: 2021-2022 Budget

Johnson opened the hearing at 9:01 a.m. Richel indicated that the Proposed Budget was published according to Idaho Statute and shared each line item on the budget. There were no comments from those in attendance.

The proposed budget for fiscal year 2021-2022 was presented as follows:

PROPOSED BUDGET	
October 1, 2021 - September 30, 2022	
<u>ANTICIPATED REVENUE:</u>	
Maintenance & Operation Levy	1,550,106
Special Const/Bridge Levy	1,310,400
Ag. Equip. Tax Replacement	15,435
Tort Levy	34,901
Highway Users Revenue	1,220,000
Forest Reserve Fund	0
State Sales Tax	151,500
CEA Tax	26,000
Interest Income	58,000
Sale of surplus equipment	46,500
Permit Fees	15,000
Federal Share Bridge/Spec. Const.	166,000
Miscellaneous Revenue	108,000
Carry Fwd: Undedicated	638,407
Dedicated: Special Road Const	122,387
Dedicated: Tort	0

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

AUGUST 25, 2021

Page 2

TOTAL BUDGETED REVENUE	<u>5,462,636</u>
<u>ANTICIPATED EXPENDITURES:</u>	
Labor Expense	1,586,970
Administration	492,189
Commissioner's Compensation	28,800
Operating Expense	645,250
Road Maintenance	963,150
Road Construction	1,010,637
Asset Acquisitions	523,200
Tort	34,901
M&O Levy Transferred back to Cities	<u>177,539</u>
TOTAL ANTICIPATED EXPENDITURES	<u>5,462,636</u>

Commissioner Miller MOVED that the proposed budget for fiscal year 2021-2022 be approved as presented. Maynard called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Commissioner Miller, aye; Commissioner Cooper, aye. The motion PASSED UNANIMOUSLY.

Deputy Director Dustin Howe entered at 9:04 a.m.

Johnson closed the hearing at 9:05 a.m.

Public Comments and Guest Introduction

None.

Priority Items for Attendees

Rock Creek Club of Idaho, Variance

Mason Farrell introduced himself, and shared that the Club is requesting approval for a cul-de-sac that does not fully match highway district standard drawing in appearance. Farrell stated that the variance from the drawing would be to allow for a decorative center feature. Howard shared an image of what the cul-de-sac would look like and stated that Fire District equipment would be able to navigate the curve, and snow storage has been accounted for leaving staff with no objections to the request. Cooper asked if the decorative center would impede a driver's ability to see traffic on the other side of the feature. Ben Roberg indicated it would not.

Miller MOVED to approve the variance requested by the Rock Creek Club of Idaho. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Farrell and Roberg exited at 9:10 AM.

Request for Abandonment, HMillhorn Farms LLC

The Board chose to table this issue at the initial Public Hearing, while they individually considered the valuation of the property in question. Johnson shared a recap of the different valuation models for the property. Sandy Young of Verdis sent a letter to the Board, and to be included in the record, noting that assessed property values have decreased, but requesting that the values at the time of petition be used. Cooper commented that while assessed values have decreased, actual property values have not decreased, and are in fact rising. Cooper noted that one of the parcels within this subdivision sold for

\$22,500 per acre, considerably higher than the price per acre proposed. There was extensive discussion in an effort to consider the rights of the public, while being fair to the acquiring property owners. After lengthy deliberations a valuation was agreed upon and Johnson called a break at 9:44 a.m. to allow staff to produce resolutions reflecting the price.

Johnson reconvened the regular meeting at 9:50 a.m.

Cooper MOVED to approve Resolutions 2021-04 and place it in the record. Maynard called the roll with commissioners voting as follows: Cooper "aye", Johnson "aye", Miller "aye". The motion PASSED UNANIMOUSLY.

WORLEY HIGHWAY DISTRICT
RESOLUTION NO. 2021-04

A RESOLUTION AUTHORIZING ABANDONMENT/VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY FOR A PORTION OF ROAD NO. 417, ROCKFORD BAY/STATELINE ROAD.

WHEREAS, a petition to abandon and vacate a portion of public right-of-way consisting of Road No. 417, Rockford Bay/Stateline Road as described in Exhibit "A" and depicted in Exhibit "C" attached hereto and incorporated herein was received by Worley Highway District;

WHEREAS, all required notices were given in accordance with Idaho Code § 40-203;

WHEREAS, public notice was properly published in accordance with Idaho Code § 40-203;

WHEREAS, the public hearing was conducted August 11, 2021;

WHEREAS, following the closing of the public hearing, the Board of Commissioners entered into deliberations; and

WHEREAS, in accordance with Idaho Code § 40-203, the Commissioners make the following findings of fact and conclusions of law following such deliberations;

FINDINGS OF FACT:

1. The District received a written petition for abandonment and vacation on June 3, 2021 from Sandy Young, President/Principal Planner Verdis as an agent for HMillhorn, LLC and Dan and Maureen St. John, husband and wife. Thereafter, the District scheduled a public hearing for August 11, 2021 to hear the request.

2. Property owners within 300 feet of the subject right of way and utilities were notified of the public hearing by certified mail on July 9, 2021.

3. A Notice of Public Hearing was published in the Coeur d'Alene Press on July 9, July 28 and August 4, 2021, and a confirmation of publication was received by the Worley Highway District.

4. Any and all comments received are on file with the Worley Highway District.

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

AUGUST 25, 2021

Page 4

5. The Board has determined that the fair market value of the subject right-

of-way is \$28,737.70 (Twenty-eight thousand seven hundred thirty-seven dollars and seventy cents).

6. The abandonment of the subject public right-of-way () will **OR (X)will** not leave any adjacent parcel of property without access to a public right-of-way.

7. It **(X) is OR () is not** in the public interest to abandon and vacate the subject right-of-way and reserve an easement for any existing public or private utilities.

8. The abandoned right of way **(X) does OR () does not** have a value in excess of Two Thousand Five Hundred Dollars (\$2,500.00.)

CONCLUSIONS OF LAW:

1. The proposed portion of public right-of-way () is **OR (X)is not** needed by the Worley District.

2. Consideration for the fair market value of the right-of-way being abandoned **is** required in the amount of \$28,737.70 (Twenty eight thousand seven hundred thirty-seven dollars and seventy cents). The abandonment of the right-of-way is contingent upon petitioner paying this amount to Worley Highway District within 30 days of execution of this Resolution.

3. Existing rights-of-way, easements and franchise rights of any property owner or public utility shall not be impaired by this abandonment and vacation, as provided by law, and that the underlying property owner shall in no manner pave or place any obstruction over any public utilities.

NOW THEREFORE, BE IT RESOLVED, in accordance with Idaho Code § 40-203, and based upon the preceding findings of fact and conclusions of law, the proposed abandonment/vacation of the public right-of-way described in Exhibit "A" attached hereto and incorporated herein **is** hereby authorized, and Worley Highway District staff is hereby directed to record this resolution upon receipt of payment from the petitioner of the amounts set forth herein.

Johnson MOVED to approve Resolutions 2021-05 and place it in the record. Maynard called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Commissioner Miller, aye; Commissioner Cooper, aye. The motion PASSED UNANIMOUSLY

WORLEY HIGHWAY DISTRICT
RESOLUTION NO. 2021-05

A RESOLUTION AUTHORIZING ABANDONMENT/VACATION OF A PORTION OF PUBLIC RIGHT-OF-WAY FOR A PORTION OF ROAD NO. 418, FIGHTING CREEK ROAD.

WHEREAS, a petition to abandon and vacate a portion of public right-of-way consisting of Road No. 418, Fighting Creek Road as described in Exhibit "B" and depicted in Exhibit "C" attached hereto and incorporated herein was received by Worley Highway District;

WHEREAS, all required notices were given in accordance with Idaho Code § 40-203;

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

AUGUST 25, 2021

Page 5

WHEREAS, public notice was properly published in accordance with Idaho Code § 40-203;

WHEREAS, the public hearing was conducted August 11, 2021;

WHEREAS, following the closing of the public hearing, the Board of Commissioners entered into deliberations; and

WHEREAS, in accordance with Idaho Code § 40-203, the Commissioners make the following findings of fact and conclusions of law following such deliberations;

FINDINGS OF FACT:

1. The District received a written petition for abandonment and vacation on June 3, 2021 from Sandy Young, President/Principal Planner Verdis as an agent for HMillhorn, LLC and Dan and Maureen St. John, husband and wife. Thereafter, the District scheduled a public hearing for August 11, 2021 to hear the request.
2. Property owners within 300 feet of the subject right of way and utilities were notified of the public hearing by certified mail on July 9, 2021.
3. A Notice of Public Hearing was published in the Coeur d'Alene Press on July 9, July 28 and August 4, 2021, and a confirmation of publication was received by the Worley Highway District.
4. Any and all comments received are on file with the Worley Highway District.
5. The Board has determined that the fair market value of the subject right-of-way is \$16,262.30 (Sixteen thousand two hundred sixty two dollars and thirty cents).
6. The abandonment of the subject public right-of-way will **OR** will not leave any adjacent parcel of property without access to a public right-of-way.
7. It is **OR** is not in the public interest to abandon and vacate the subject right-of-way and reserve an easement for any existing public or private utilities.
8. The abandoned right of way does **OR** does not have a value in excess of Two Thousand Five Hundred Dollars (\$2,500.00.)

CONCLUSIONS OF LAW:

1. The proposed portion of public right-of-way is **OR** is not needed by the Worley District.
2. Consideration for the fair market value of the right-of-way being abandoned is required in the amount of \$16,262.30 (Sixteen thousand two hundred sixty two dollars and thirty cents). The abandonment of the right-of-way is contingent upon petitioner paying this amount to Worley Highway District within 30 days of execution of this Resolution.

3. Existing rights-of-way, easements and franchise rights of any property owner or public utility shall not be impaired by this abandonment and vacation, as provided by law, and that the underlying property owner shall in no manner pave or place any obstruction over any public utilities.

NOW THEREFORE, BE IT RESOLVED, in accordance with Idaho Code § 40-203, and based upon the preceding findings of fact and conclusions of law, the proposed abandonment/vacation of the public right-of-way described in Exhibit "B" attached hereto and incorporated herein **is** hereby authorized, and Worley Highway District staff is hereby directed to record this resolution upon receipt of payment from the petitioner of the amounts set forth herein.

Bauerle exited at 9:59 a.m.

Resolution 2021-08 Delegating Authority to Director of Highways

The Board voted earlier this year to change Howard's title to Director of Highways in an effort to bring uniformity among the Associated Highway Districts of Kootenai County. Per the District's Attorney the Board must officially delegate specific authorities to the Director of Highways by Resolution. Johnson read the following Resolution for the record:

WORLEY HIGHWAY DISTRICT RESOLUTION NO. 2021-08
A RESOLUTION OF THE WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
DELEGATING CERTAIN AUTHORITY TO THE DIRECTOR OF HIGHWAYS.

WHEREAS, Idaho Code § 40-1319 allows for the appointment of a Director of Highways;

WHEREAS, the Worley Highway District Board of Commissioners appointed a Director of Highways; and

WHEREAS, the Board of Commissioners desire to delegate certain authority to the Director;

NOW, THEREFORE, BE IT RESOLVED by Board of Commissioners that the Director of Highways is delegated the authority to:

1. Employ employees for approved positions, subject to the approval of the commissioners as to salaries or other compensation to be paid.
2. Purchase or lease equipment necessary for highway purposes subject to the approval of the commissioners as to the price, rental, or cost of replacement.
3. Cause to be erected and maintained on county highways, whenever necessary for public safety and convenience or protection of the highways, suitable signs, markers, signals and other devices to control, guide and warn pedestrian and vehicular traffic.
4. Cause surveys, maps, plans, specifications and estimates to be made for Board approved construction and reconstruction projects.
5. Forbid, restrict or limit the erection of unauthorized signs, billboards or structures on the right-of-way of any district right-of-way or highway, and remove and destroy any unauthorized signs.

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

AUGUST 25, 2021

Page 7

6. Take all steps necessary to implement any policy or action passed by the Board of Commissioners.
7. To oversee and supervise the daily operation of the District and its employees.
8. To execute addendums reducing the amount of any required bonds to reflect the work performed to the date of the addendum.
9. To execute agreements approved by the Board.

Lorri Erickson was in attendance via Zoom to inquire why this resolution is necessary at this point when Howard has held the position for 12 years. Johnson clarified that this is a matter of housekeeping as a result of Howard's title change. Cooper further clarified that there is no change to Howard's responsibilities or authority as a result of this resolution, this resolution simply puts them in writing.

Miller MOVED to approve Resolution 2021-08. Cooper SECONDED the motion. Johnson CONCURRED.

Erickson exited at 10:08 a.m.

Maynard called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Commissioner Miller, aye; Commissioner Cooper, aye. The motion PASSED UNANIMOUSLY.

Old Business

Koth/Kioth Road

No updates on this item.

Kidd Island Road Project

The asphalt ride repair has been completed. Repair of the creek channel and utility moves are still in process.

iWorQ

The attorney for the District is working with iWorQ's attorney to try and arrange for District staff to have temporary access to the iWorQ system to allow them to extract pertinent data.

Sunny Slopes Road – Road #20 Survey

Miller noted that the only reason the board had directed staff to scratch in this roadway was to monument the existence of a public ROW and recording the survey in question has the same legal effect. Johnson requested that this item remain on the agenda until that survey has been recorded.

Miller MOVED to table this item, but leave it on the agenda, until the survey has been recorded. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

New Business

Request for Abandonment, HMillhorn Farms LLC

Addressed previously in the meeting.

Resolution 2021-08 Delegating Authority to Director of Highways

Addressed previously in the meeting.

Commissioners Handbook Update

Richel presented updates to the District's handbook for Commissioners. Johnson read those updates, and discussion ensued regarding updates to the conflict of interest portion of the handbook.

Cooper MOVED to table this item until the next meeting, and direct staff to resolve the verbiage issues discussed. Miller SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Williams Estates, Plat for signature

This plat still has not been presented for signature.

Annual Employee Breakfast

Maynard requested direction from the Board on scheduling and location details for the annual employee breakfast.

Miller MOVED to hold the employee breakfast on Monday, October 4th at 7:00 a.m. at the Breakfast Nook in Coeur d'Alene. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Resolution 2021-09 Fee Schedule for Public Records Requests

Maynard highlighted changes to the Fee Schedule for Public Records Requests and asked for the Board's approval to move forward with scheduling a public hearing for these fees.

Miller MOVED to move forward with proposed changes to the Public Records Request fee schedule and direct staff to advertise a public hearing. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Boardroom Desk Remodel

Miller MOVED to approve the modifications as suggested to the Boardroom desk. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Rock Creek Club of Idaho, Variance

Addressed previously in the meeting.

Clerk's Report to the Board By Carol Richel

Current work

Continue work on 2022 budget, L-2 forms, and send notice for publication.

Tomi worked on Deferred Fee proposals, resolution, and hearing notice.

Continue with setting up the new PubWorks software.

Tracking the application of the Chip Seals for the 2021 season.

Tomi has worked on updating the Fee Schedule for public record requests.

Coordinated the benefits meeting.

Planned work

Enter budget information in accounting system.

Prepare resolutions and forms for wage changes.

Coordinating the employee breakfast.

Work on the employee presentation.

Cut bonus checks.

Work Progress Report By Kevin Howard

ON THE ROAD

The Chip Seals and Fog Seals were completed this month.

The pavement markings are well underway. The striping and other pavement marking will continue through this month and be completed next month.

Gravel was hauled to Rolling Hills Road as it needed some repairs. The gravel was graded to blend with the existing material.

As directed, the signage marking the "Primitive Road" was installed on Missile Base Road and the "Dead End/ No Outlet" signs were placed on Espinazo Drive.

Gravel was hauled from Ford Pit to Mica Pit in preparation for crushing at Ford Pit and also Winter maintenance (sanding material) as needed in the Mica and Cougar Gulch areas.

A hole developed in Cougar Gulch Road. Further investigation indicated that a deteriorating stump was the cause. Crewmen removed the stump and repaired the roadway.

The Watson Bridge project has begun. The crew installed a bypass culvert to carry the little bit of water that is running and more recently have been installing construction fence and silt fence.

IN THE SHOPS

- Minor Repairs as needed on the active chip seal equipment.

Planned work for this coming Month

- Construct the Watson Bridge Replacement Project.
- Paint Pavement Markings.

Accounts payable and payroll check registers presented for approval

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

Upcoming Meetings

September 8, 2021 WHD Regular Meeting

September 9, 2021 KMPO and AHDKC meetings.

September 28, 2021 KCATT meeting.

September 29, 2021 WHD Regular Meeting

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

AUGUST 25, 2021

Page 10

Commissioner Comments

None.

Adjournment

Citing no further business, Miller MOVED to adjourn the meeting at 10:47 a.m. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY. Meeting adjourned.

RESPECTFULLY SUBMITTED BY:




Tomi Maynard, Deputy Clerk

APPROVED BY:



Corinne Johnson, Chair



Date