

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING
JULY 10, 2019
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 Supervisor Kevin Howard; District Clerk/Treasurer Carol Richel; Administrative Assistant Tomi Maynard; and:

Scott McArthur, H2 Surveying
Linda Rasmussen, Dolliver Rd
Patti Peterson, Midnight Rd

Jay Hassell, JUB
Roger Rasmussen, Dolliver Rd

APPROVAL OF AGENDA

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

Philip W. Cooper Oath of Office - District 1 Commissioner

Philip W. Cooper swore an Oath of Office as elected Commissioner of Sub-District 1 of Worley Highway District. His 4-year term of office commenced July 1, 2019.

George Miller Oath of Office - District 3 Commissioner

George Miller swore an Oath of Office as reelected Commissioner of Sub-District 3 of Worley Highway District. His 4-year term of office commenced July 1, 2019.

Reorganization of Board - Retain or Dissolve Board Positions

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

District Supervisor Howard called for nominations for Chairman of the Board. Miller nominated Corinne Johnson. No other nominations were made. Maynard Called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Commissioner Cooper, aye; Commissioner Miller, aye. The motion PASSED UNANIMOUSLY.

Cooper nominated Miller for Vice Chairman of the Board. No other nominations were made. Maynard called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Commissioner Cooper, aye; Commissioner Miller, aye. 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 June 26, 2019 regular meeting. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

PUBLIC COMMENTS

None.

Roger Rasmussen - Unpaved Portion of Rockford Bay Road

Rasmussen is a resident of the Rockford Bay Road Community. He is in attendance today to request the paving of the currently unpaved portion of Rockford Bay Road, as well as a section of Solitaire

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Road. Rasmussen also provided 18 letters of support from property owners within the Rockford Bay Community. Johnson requested that Howard give his recommendation on the feasibility of paving this stretch of road.

Howard commented that currently, this stretch of Rockford Bay Road is included in the section of the capital improvement plan (CIP) that designates district funds for the purpose of outsourcing work. At this time, the CIP anticipates this stretch being paved in approximately 2024. Because of the significant damage to Rockford Bay Road during inclement weather this spring, there was already considerable work done to the substructure of this stretch of road. For the material that was placed to become more solid and resistant to erosion one of two options exists:

One- Because of the significant damage done during inclement weather experienced this spring, paving the stretch of Rockford Bay Road that was washed out, and subsequently repaired, could be advanced to as early as the 2020 construction season.

Two- This stretch of roadway could remain where it is within the CIP. The crew would follow standard protocol, which would indicate the spraying of magnesium chloride on the new roadway. This serves to bind and stabilize the loose road materials, making the travel way more durable. This process takes approximately 3-4 years to reach full effect, and the crew would need to monitor the roadway and make necessary repairs during that time.

Howard clarified that Solitaire Road is not on the CIP, and only sustained minor erosion during the inclement weather that washed out the portion of Rockford Bay Road being discussed. The Board agreed with Howards position and agreed to table talks on Solitaire Rd until a later date.

Miller MOVED to change the CIP for the paving of Rockford Bay Road from Contracted to Enhanced Maintenance. Cooper SECONDED. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Rasmussen, Rasmussen and Peterson exited at 9:22 AM

Lake Vista Estates, Minor Subdivision, Bennion Rd.:

The Final Plat (Mylar) has been brought to the district with a request for signature. The district's signature is subject to the executed Road Development Agreement and receipt of the Payment in Lieu of Construction Fees. Scott McArthur has legal Power of Attorney to sign on behalf of the developer, and is in attendance today to sign the RDA, and payment in full was received yesterday.

Miller MOVED to sign the Road Development Agreement, as well as the Plat Mylars for Lake Vista Estates. Cooper SECONDED. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

McArthur exited at 9:28 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. Hager Estates, Minor, Status Report, Loffs Bay Rd:
Susan Weeks has begun legal action to settle this matter. No additional information this month.
2. The Club at Rock Creek, Major Subdivision, Loffs Bay Rd:
I met with two of the developers, their engineering representative and a representative of the contractor who built Loffs Bay Road for a "walk through" inspection of Loffs Bay Road. The primary

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concern was the drainage ditches and culverts. I will follow up with a call to their Engineer of Record for the design to see what guidance he was given.

Cooper MOVED to allow District Supervisor Howard to negotiate the repairs on Loffs Bay Rd. Miller SECONDED. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

3. Russu Addition, Minor Subdivision, Vogel Road:
Staff has not heard from Eli since he attended the district meeting on January 30, 2019. No additional information this month.
4. Ritz Ranch, Minor Subdivision, Loffs Bay Rd.:
I checked with Kootenai County as to the status of this subdivision and was told that it is "On Hold" in their office. No additional information this month.
5. Lake Vista Estates, Minor Subdivision, Bennion Rd.:
Addressed previously in the meeting.
6. Black Rock PUD Amendment:
This PUD will not have a plat requiring a signature from the district's board until the developer applies for a Condominium Plat or equivalent. At that time this board will have signature authority. Therefore, the Road Development Agreement will be tied to the subsequent plat application. The agreement is currently being drafted. No additional information this month.

WHD Construction Projects

1. Rockford Bay Road/Loffs Bay Road (W) Intersection: Status Report
Discussion: shall the district try for STP-Rural funding again or shall staff explore other means of funding and/or construction?

Hassell reported that LHTAC only funded 2 projects in this round of applications. Because of this he is no longer optimistic at the possibility of the project being funded in the second round of this application period. Miller raised the question of applying for federal aid to realign this intersection. Hassell further commented that if federal aid was applied it would not be approved until 2022, and it would be an additional 7-10 years before any work would actually begin. Howard commented that it would be in the public and district's best interest to explore options allowing the realignment to move forward sooner.

2. Kidd Island Road Project: Status Report
The draft PS&E delivered to LHTAC and WHD for review 6/25/19; no comments received thus far. A review meeting with LHTAC has been tentatively scheduled for July 30 (location TBD).

Purchase contracts and warranty deeds are beginning to come in from property owners that the District is obtaining ROW from on this project. These will need to be signed as quickly as reasonably possible, to allow the project to move forward within the timeframe imposed by deadlines related to the funding source.

Miller moved to allow the Worley Highway District Chairman of the Board to sign any purchase contracts and warranty deeds pertaining to the right-of-way construction of Kidd Island Road Project, Key Number 12315. Cooper SECONDED. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

Johnson read the following resolution into the record:

RESOLUTION 2019-03
RIGHT-OF-WAY ACQUISITION FOR KIDD ISLAND ROAD
AS IT PERTAINS TO PROJECT KN 12315

WHEREAS, the Worley Highway District is engaged in the improvement of Kidd Island Road, Federal Aid Project No. A012(315), Key No. 12315;

WHEREAS, Idaho Code § 7-702 allows the District to use the power of eminent domain to acquire easements for road purposes;

WHEREAS, the District has determined the improvement to Kidd Island Road outlined in Project No. A012(315) serves the public interest;

WHEREAS, the District has sought in good faith to purchase the lands sought to be taken and was unable to make a reasonable bargain therefor with certain landowners;

WHEREAS, other owners have agreed to a bargain to sell the lands sought and other claimants, including lienholders and mortgagees, have an interest which must be addressed through litigation,

NOW, THEREFORE, BE IT RESOLVED that the District's legal counsel is authorized to proceed with all necessary litigation to finalize all takings related to the Kidd Island Road improvement project identified as Federal Aid Project No. A012(315), Key No. 12315, and acquire the property rights identified in the J-U-B Right-of-Way plans prepared in conjunction with this project.

Chairman Johnson moved to approve Resolution 2019-03 Right-of-Way acquisition for Kidd Island Road as it pertains to Project KN 12315. Maynard called the roll with the Commissioners voting as follows: Commissioner Johnson, aye; Commissioner Miller, aye; Commissioner Cooper, aye.

3. Finnebott, Bennion & Sun Up Intersections:
No additional information this month.
4. Watson Road Slide:
District Staff and JUB Engineers held a Pre-Construction meeting for this project last Monday (7-1-2019) here at the district office. Big Sky ID Corporation is scheduled to begin the repairs August 14th with a possible early start of August 1st.
5. Hull Loop Project:
The concept preparation and environmental review are ongoing.
6. Rockford Bay Road STP-Rural Funding Application:
This application had been submitted. The district ranked just below the funding cut-off for funding. Staff recommends removal of this item from the staff report.

WHD Misc. Projects

1. Koth Road ROW Status:
The district has yet to hear of the assigning of an arbitrator for this issue following the passing of the previous.
2. Validation of road #20:
Both Ms. Buell and the Richel Family Trust want the "blue line" alignment as they had discussed for an easement. One party is willing to consider the other alignments, one party will not.

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The only alignment that both parties can agree on, would remove the secondary public access to Heyburn State Park. Johnson commented that she understands from the property owner's standpoint why they do not want a state park access fronting their properties, but feels that it would be a disservice to the public to allow that to be lost. Cooper commented that the public's interest can not be removed from the equation, and the access should be maintained. Miller agreed.

Miller MOVED to instruct Howard to inform Susan Weeks that the Board is unwilling to give up public access to Heyburn State Park through the realignment. Cooper SECONDED. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

New Business

1. Roger Rasmussen - Unpaved Portion of Rockford Bay Road
Addressed previously in the meeting.
2. Worley Highway District Board of Commissioners Handbook
Staff prepared and presented a handbook outlining the Commissioners basic responsibilities and restrictions.

Miller MOVED to adopt the new Board of Commissioner's handbook. Cooper SECONDED. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

3. Bills Presented for Approval, and Discussion of Finances:
Miller MOVED that the bills be approved as presented on the A/P and Draw Payroll check registers. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.
4. Upcoming Meetings:
Regular Meeting Tuesday July 30
Budget Workshop Wednesday July 31
5. Commissioner Comments:
IACERS and IAHD are doing a combined convention this year from November 20-22.
Susan Kuykendall has officially submitted her letter of retirement, effective September 1.

EXECUTIVE SESSION

None.

ADJOURNMENT

Miller MOVED to adjourn the meeting at 10:19 a.m. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

RESPECTFULLY SUBMITTED BY:



Tomi Maynard, Administrative Assistant

APPROVED BY:



Corinne Johnson, Chairman



Date