

**East Side Highway District Board of Commissioners**  
**Regular Meeting Minutes**  
**September 20, 2021**  
**Meeting was held via Zoom**

1. Call to Order

Chairman Christensen called the meeting to order at 9:05 a.m.

2. Roll Call

Present: Commissioner Sieverding, Commissioner Christensen, Commissioner Addington

Absent: none

Also present: Director of Highways Weymouth, Deputy Director Yerian, Clerk Ham, Secretary Dixon, Engineer Daniel Baker with HDR, and Engineer Angie Comstock with JUB Engineering

3. Approval of Agenda

Commissioner Addington moved to approve of the September 20, 2021 meeting agenda.

Commissioner Sieverding seconded the motion. The motion carried.

Declared Conflicts of Interest: none

4. Visitors/ Public Comment

KN 23082 Canyon Road Bridge Feasibility Study Project Status Report: Mr. Baker P.E. with HDR Engineering reminded the Board that the public meeting is scheduled for Tuesday September 21, 2021 from 6-8p.m. at the Shoshone Fire District #2 in Kellogg. The open house style will allow for better social distancing with masks and hand sanitizers available. Display boards throughout the room and comment forms will hopefully encourage interactions with visitors about the project. Mr. Baker will share ITD's project weblink with the District so project information will be available to the public via either website.

Mr. Baker will share an informal summary of the public meeting at the Special Call Meeting scheduled Monday, September 27, 2021 at 9 a.m.

JUB Project Status Update: Angie Comstock P.E. with JUB Engineering highlighted some of the following items:

- KN20094 French /Fernan reconstruction project. The construction is substantially complete, with one item (culvert repair) remaining on the punch list. She thanked Director and Deputy Director for all their help. The original project was 3.4 miles; however, current funding and increased material costs reduced the distance to 1.2 miles. Director Weymouth said Minor clean-up and preparation work for next season's chip seal will begin this week.
- GIS Assistance is ongoing.
- SD 3 Shed is in the final closeout document stage. Warranty documents are currently under Director Weymouth's review.
- FLAP 2021-2022 grant applications are due in December. Additional feedback from the kickoff meeting held earlier this month will enable them to define the project by the close of September. Traffic counts are scheduled this week for that area. Segment 1 has been fully funded, so pending a few items like data collection, this grant application could be for

Segment 2. Our match portion was estimated several years ago and has most likely changed. Updated costs should be available by the November board meeting.

5. Approval of Minutes

Commissioner Sieverding moved to approve the August 30, 2021, and September 8, 2021 Special Call Minutes meeting minutes as presented. Commissioner Addington seconded the motion. The motion carried.

6. Approval of Treasury Report

Commissioner Addington moved to approve the Treasury Report as presented. Commissioner Sieverding seconded the motion. The motion carried.

7. New Business

A. JUB project status update: (Already discussed under Visitor/ Public Comment section)

B. 2019 AHDKC Standards Addendum #3: At the September 9, 2021 AHDKC meeting, this item was presented to members. Changes to the standards are initiated through AHDKC meetings, and any action taken to the Standards is conducted via each District's board meetings. This addendum works conjunctively with the recent fee increases which all four highway districts have adopted. The proposed language specifies that each District has its own subdivision fee instead of referring to a common fee. Direction from that meeting included Directors to begin working on a 2022 Standards edition incorporating all of the changes since the 2019 edition. Action: Commissioner Sieverding made a motion to adopt 2019 AHDKC Standards Addendum #3. Commissioner Addington seconded the motion. The motion carried.

C. Amended Budget Hearing Moved to September 27, 2021. Commissioner Sieverding said the hearing publication in this morning's paper was premature and felt the Board should approve it before publication. She understands that staff was complying with 5-day minimum publication requirements; however, she preferred the hearing to be scheduled a day later so the Board could approve it at the September Board Meeting.

Action: Sieverding made a motion to move the FY2021 Amended Budget Hearing to September 27, 2021. Commissioner Addington seconded the motion. The motion carried.

D. Personnel Policy: Director Weymouth presented a staff report proposing to shift the fiscal year benefit payouts to a calendar schedule. This shift would allow employees to use time more in the fall and holiday seasons instead of feeling pressured to do so during August and September, which is also the height our construction season. The Director and Clerk conferred with our auditor, Korby Baker of Magnuson McHugh. She agreed that this could present some one-time accounting challenges and otherwise had no major concerns. Commissioner Christensen asked if by implementing this policy change this year would cause any difficulties to any employee. Clerk Ham agreed to take a census and share her findings with the Board. No Board action was taken.

E. Hogwartz Minor Subdivision Plat Review: Director Weymouth presented this proposed simple lot split off Grouse Meadow Road. The applicant submitted their proposal to

agencies and the County concurrently; however, the County's permit process is backlogged so no case number is assigned yet. We will reserve our comment letter until the full application is available; then, pending no changes to their proposal, we will submit it to the County. A Road Development Agreement is required for the additional lot with a \$7,500 traffic mitigation fee and compliance with our access ordinance.

Action: Commissioner Addington made a motion to approving the comment letter and authorize Director Weymouth to make minor amendments as needed once their complete application is available. Should there be significant changes, the Board will review those changes at a future meeting before submitting the comment letter. Commissioner Sieverding seconded the motion. The motion carried.

#### 8. Old Business

SD3 Shed: Ongoing

KC Land Use & Development Code: Ongoing

CDA Lake Drive Master Plan & Speed Sign Policy: Director Weymouth is meeting with ITD regarding a conceptual development request involving a potential vacation abandonment.

Future development proposals may lead to more corridor-type improvements. Deputy Director Yerian checked with the City of Post Falls regarding the data collected before and after installing flashing speed signs. The signs are expensive and there was some impact; however, it was short-lived. He didn't have anything concrete to support a yea or nay. Director Weymouth consulted with the manufacturer's representative, who said some agencies periodically relocate the signs to various sections of the roadway. LHTAC recently sent literature discussing the sign's effectiveness. Hopefully, that information will be helpful in making a decision.

Road Validations: We will re-group this fall with Attorney Weeks.

Grimm's Addition: The applicant and adjoining property owner neighbor, Bob Courtemanche, met with District staff on September 8<sup>th</sup> to discuss the possibility of a joint petition that would extend the proposed area through the full extent of the un-opened right-of-way on 2<sup>nd</sup> & 3<sup>rd</sup> Street. On Friday September 17<sup>th</sup>, Mr. Courtemanche notified Director Weymouth that things had changed. He is withdrawing his letter of support to the original petition and will not be participating in a joint petition.

Action: In light of this new development, Commissioner Sieverding made a motion to rescind the original hearing date of October 18, 2021. Commissioner Addington seconded the motion. The motion carried.

Per the Commissioner's discussion, the following checklist must be complete before a new hearing date can be established:

- A new petition should be submitted to the Highway District.
- The \$1,000 Abandonment Vacation Petition minimum fee is paid.
- A full legal description, that Kootenai County approves, is received.
- The applicant(s) must provide a sales comparison real estate appraisal for the portion of land described in the petition (approximately 0.5 acres). Idaho Code 40-203 allows the District the right to obtain the value of the land (if over \$2,500). Pending the results of the appraisal the applicant may decide to post-pone or cancel their petition.

Upcoming Meetings: Commissioners decided to shift the December board meeting from the 3<sup>rd</sup> Monday to Monday December 13, 2021. Public notice of these meeting dates will be on the District's website and posted in the CDA Press.

9. Correspondence Permits and Reports: no comment

10. Staff Reports

Director of Highways Weymouth

- We have three active grant applications in process.
  1. The Yellowstone FLAP grant that JUB is working on.
  2. DEQ announced a \$2M Phosphorus Reduction projects. We spent quite a bit of time last week preparing the pre-applications due tomorrow (September 21, 2021). The preliminary scope of work proposes ditch work on Marmot, ditch work and paving Rocky Canyon, paving Segment 2 of Yellowstone Trail, and potentially some sediment /treatment basins in the Blue Creek area on BLM Land.
  3. LHTAC found that FEMA has an active grant application process for floodway projects, and the Canyon Bridge Project may fit that qualification. It has a 25% match requirement which reduces to 10% for economically disadvantaged communities. LHTAC is looking into that opportunity for us over the next few months.
- ICRMP denied Daylene Dewey's tort claim. She filed a small claims suite against the District for the cost of the culvert. That court hearing is tomorrow.
- KN 22872 Canyon-Fernan Lake Guardrail consultant RFP's are expected next week.
- Two large culverts were replaced on Yellowstone Trail Road (close to Bonnell Road). The large culvert order (HB 308 funded) was delivered last week.
- Coordination efforts continue with the City of Coeur d Alene on a chip seal plan for CDA Lake Drive. He requested permission from ITD to stock pile chips at the end of CDA Lake Drive where it goes under the freeway (no public access).
- Garnet Road: We received a letter from resident Harold Wadley on Garnet Road. In response to that letter, Director Weymouth, Deputy Director Yerian, and Foreman Christensen met with Mr. Wadley, Rusty Young and other neighbors last week. There is a significant switchback and above that switchback the road narrows to one lane with more blind corners. The switchback presents a significant challenge to loggers carrying long loads. Initial estimates indicate costs of \$600-700K and a full construction season to change the switchback and widen the road properly. In the last ten years we have invested over \$100K into repairs/maintenance of Garnet Road, and almost half of that was to a slough off in that switchback area. Hauling shorter loads, and using an alternative route may also be a consideration.

We are already working on cost share projections next year for residents on Potlach Hill Road, East Point, Sunrise, Half Round Bay Road, and Alder Creek.  
Commissioners agreed to provide Mr. Wadley a cost share estimate. They also agreed that our cost share funding is limited and asked Director Weymouth to prioritize the list based on cost, ADT estimate, and a cost /benefit ratio.
- Impact Fees: Direction from the AHDKC meeting on September 9, 2021 was for the Directors to establish a plan to pursue impact fees and to draft an RFP for consultant selection for presentation purposes at the January AHDKC meeting. Commissioner

Christensen said we should talk to IAHD about adding an Impact Fee class/session at the convention, and that may be a good time to talk to the Canyon County folks about their experience since they are in the final stages of implementation.

- We received an informal request from Gozzer Development for a potential vacation pertaining to the old right-of-way between Gozzer Road and Buckrail Road (a private road within the subdivision). We need to review our records because there may have already been a right-of-way exchange agreement between the old and new right-of-way. Director Weymouth presented the idea of trading right-of-way for a portion of land on Arrow Road that is in need of realignment. Commissioners were receptive to the idea pending more information about comparable land value and benefit to the public.
- All three trucks and the 550 chassis have been ordered and are 30 weeks out. As discussed in previous meetings, we will pay for them upon receipt, which is in next year's budget.
- The transmission in one of the graders failed. This will cost \$20-25K to repair.

Deputy Director Yerian: On Wednesday we will begin the overlays on French Gulch and Yellowstone Trail Road (from CDA Lake Drive to Timothy Lane). This will reduce time and materials for cold patching this winter/spring season allowing adequate time in the spring to prepare for the chip seal season. Additional benefits to a fall overlay are eliminating sand sealing them in the spring before chip sealing. This overlay application is less expensive than using the Asphalt Zipper. The amended budget accounts for the expenses- and this is a good use of the HB 308 funds received earlier this year.

Commissioner Addington asked about the proposed widening of Thompson Lake Road. Director Weymouth said Commissioner Addington owns a parcel of land adjacent to Thompson Lake Road that the District has wanted to widen for a long time- about a 250-foot stretch. For the sake of transparency, Attorney Weeks is drafting a letter of intent that clarifies the District's intent to widen as a road improvement in exchange for right of way.

Commissioner Sieverding requested that the Board Members be given the proposed budget detail for approval before submitting it to the Coeur d Alene Press.

Although this was not an agenda item, she asked for clarification regarding some budget line items.

Why are we grouping the property tax and sales tax? She would either like to see the breakout on the website or on the publication. Director Weymouth said that other Districts do that and it is for simplicity in the publication form. This year it allowed us to make changes to the budget without changing the bottom line for that category when the County notified us of a change on the L2 Form at the last moment.

Why did we lower the grant source income? Director Weymouth explained that was largely because Yellowstone Trail Project was delayed another year and the match obligation was directly tied to that.

Why was the base and fill amount lowered? Director Weymouth clarified that this year most of the normal amount assigned to that code were connected with the Parker Ave and Latour Creek Road improvements so it was reassigned to the asset section. This was a one-time adjustment, and moving forward we would return to the normal anticipated expenses in that category.

Why did we increase the patching and hot mix amount? Director Weymouth said that is directly connected with the HB 308 funds we are using towards specific projects discussed in previous and recent budget workshops.

Commissioner Christensen directed staff to submit a proposed budget procedure to be used as a guideline/policy.

Commissioner Sieverding asked who was doing the daily time sheet entry. Director Weymouth understands our obligation to track work done on each road and has been investigating web-based platforms to allow multiple staff to enter the data, and one that has better reporting mechanisms.

In closing, Commissioner Sieverding wanted to know who would be completing the annual DH 1510 Mileage Report to the State. Director Weymouth said he is responsible for that report.

Commissioner Christensen said the work completed French Gulch was a great improvement and that Wolf Lodge Creek Road also looked much better.

#### Adjournment

There being no further business to come before the Commissioners, the Chairman adjourned the meeting at 11:15.

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Graham Christensen, Chairman  
Sub District 1 Commissioner

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Angela Sieverding  
Sub District 2 Commissioner

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Mark Addington  
Sub District 3 Commissioner

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Rosie Ham  
District Clerk