

**East Side Highway District Board of Commissioners**  
**May 15, 2023**  
Board Meeting Minutes  
Black Rock Road Validation Hearing Continued

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

Roll Call:

Commissioner Christensen, Commissioner Sieverding, Commissioner Addington (absent)

Staff present: Director of Highways Weymouth, Deputy Director Yerian, Clerk Ham

Professional Staff: Attorney Weeks

Guests: JUB Engineer Bryan Jensen P.E., Jake Kammers, Greg & Leah Beal, John Mahin, Dave Willard, David Gabrielsen, Houtan Raffi

Approval of Agenda: Commissioner Sieverding moved to approve the May 15, 2023 meeting agenda. Commissioner Christensen seconded the motion, and the motion carried.

Declared Conflicts of Interest: none

Black Rock Road Validation Hearing Continued:

Chairman Christensen reconvened the hearing at 9:06 a.m.

Staff was directed at the March 20, 2023 Continued Hearing to seek out any additional parcels not included in the initial mailing but whose access could potentially be affected by the validation process. Subsequently, one parcel, the Butler Family Marital Trust, was identified and notified via certified mail.

Chairman Christensen opened public testimony at 9:08 a.m.

The following items were received, read aloud, and entered into the record:

Exhibit L: April 4, 2023, Idaho Department of Lands letter by Lawson Tate to Bristol-George, Attorneys at Law with subsequent emails dated May 1 & 2, 2023 from Mr. Tate to ESHD; an email dated May 12, 2023, from Rachel Hurd; an email dated May 9, 2023, from Lumarie Lovey

Exhibit M: Hearing Comment Sheets from Jacob Kammers, Leah Beal, Dave Willard

Petitioner Jacob Kammers PO Box 1572, Newport, Washington, testified in favor of the petition.

Leah Beal 19561 Black Rock Road Cataldo, Idaho 83810, testified in opposition to the petition.

David Willard 6705 W. Silverado Rathdrum ID 83858, testified.

Petitioner Jacob Kammers presented a rebuttal.

Chairman Christensen closed the public testimony at 09:27 a.m., and the Board deliberated.

Action: Commissioner Sieverding moved to continue deliberations to the June 19, 2023, Board Meeting at 9:00 a.m. Commissioner Christensen seconded the motion, and the motion carried. Roll call was taken: Commissioner Sieverding – Yes; Commissioner Christensen – Yes.

The General Meeting resumed at 9:37 a.m.

Guests: Houtan Raffi, representing Gozzer Discovery Lands, introduced himself to the Board. He is spending time on follow-up issues, and although he is not asking the Board for any discussion today, he would like to find some common ground in the future to some of the conversations we've had with Gozzer over the last several years.

New Business:

- A. Commissioner Sieverding motioned to enter Executive Session as allowed by I.C. 74-206 (c) Property Negotiations, seconded by Commissioner Christensen. Roll call was taken, and both Commissioners are noted as agreeing to enter Executive Session. Executive Session closed at 10:15 a.m. Upon resuming the general meeting, Commissioner Sieverding made a motion directing staff to proceed as discussed. Commissioner Christensen seconded the motion, and the motion carried.
- B. JUB Project Status: Bryan Jensen P.E. highlighted some of the following items:
- KN22872 Canyon & Fernan Lake Guardrail project is complete and is in the final invoicing stage. He noted that their costs were under budget, which may slightly reduce the District's match requirement.
  - Sub District 2 Shed: We solicited four construction quotes; however, no quotes were received by the May 4<sup>th</sup> deadline despite a six-week window. In this situation, Idaho Code allows us to enter a contract at will.
  - Right-of-way map updates continue in preparation for publication.

Chairman Christensen called for a recess at 10:17; the meeting resumed at 10:21.

- C. Canyon Road Bridge: An update will be provided at the next Board Meeting.
- D. Petition to Vacate: Mr. Jon & Keri Price are petitioning the Board to consider vacating a strip of land abutting ITD right-of-way to the East, and Timothy Lane to the North, West, and South. This land would allow them easier access to their land off Timothy Lane.  
Action: Commissioner Sieverding made a motion setting the Abandonment-Vacation Hearing for August 21, 2023.
- E. Sub 2 Shed Quotes: This topic was already addressed in JUB's project status report.
- F. Resident Cost Share Request: A Carlin Bay Road Project cost-share participant requested the District refund their contribution. After deliberation, Commissioner Sieverding made a motion directing staff to seek Attorney Week's opinion and follow Counsel's recommendation. Commissioner Christensen seconded the motion, and the motion carried.
- G. ZIPLY Communications is pursuing broadband grants to enhance services in our area. After review and discussion, Board Members agreed to endorse the letter of support.

Old Business & Meeting Schedule: The July Board meeting was moved from the 17<sup>th</sup> to the 24<sup>th</sup>.

Correspondence: The Board briefly discussed items 3,4,9,10 & 18 on the correspondence log.

Reports:

Clerk Ham shared that the District received HB 362 Sales Tax funds early this year, indicating the State has met its cap and that the July HB 362 deposit may be considerably higher than last year.

Director Weymouth

- One summer-time temp is scheduled to begin work on May 15th.

- Exploratory drilling on Yellowstone Trail Road is underway.
- Collaborative grant efforts between US Fish & Wildlife and Idaho Fish & Game continue for the River Road Culvert Project (aka Canyon Marsh). Idaho Fish & Game is the designated sponsoring agency for grant applications. The restoration scope of work includes pump stations, hydrology of the upper wetlands, and replacement culverts are a side benefit.
- The F550 and the 2016 RAM 2500 are in the licensing process so we can get them into use.

Deputy Director Yerian:

- The Sunnyside Road project is in full swing, including new culverts, french drains, ditching & armoring, and zipping. Interstate, who was awarded the delivered gravel bid contract, has been busy hauling material.
- We plan on spending the first two weeks of June on overlays and chip seal preparations. Foreman Christensen will start on Thompson Lake Road and Bell Canyon next and there is more base rock that needs hauled to Carlin Bay Road. We were awarded \$100K LHRIP grant for gravel on Bell Canyon. Carlin Bay Road will have the first two shots of chip seal before the end of summer.
- The Road Stabilization Program is going very well this year, and we should be done in the next week and a half.
- He hopes we can build another application truck that will multitask as a water truck, flusher, and deicer unit for Sub 3. Once that is in place, we will be self-applying the product, saving the District additional funds.

Commissioner Sieverding asked for clarification about road name signage for East Lane and Old Lane Roads. There was a brief conversation about accesses, possible abandonment, permits issued, and the DH1510 report related to these two roads.

Commissioner Christensen asked for the status on these previously discussed topics:

- Coeur d Alene Lake Drive: Efforts to lower the speed limit and appropriate delineation between Centennial Trail and the travel way at the base of Bennet Bay Hill. Director Weymouth will see if the flashing sensor units we purchased will also take counts. A speed study should be conducted to defend the change. Support and communications with the KCSO are ongoing.
- Potlatch Hill: Director Weymouth said he is working with Hannah (Langdon Group) on a scope of work to address resident Tate's concerns. He indicated that the dollars were more significant than anticipated for the initial facilitation.
- AHDKC meeting review and the request for Attorney Weeks to clarify voting rules for the By-Laws.

#### Approval of Minutes

Commissioner Sieverding moved to approve the April 17, 2023, Regular Meeting Minutes as presented. Commissioner Christensen seconded the motion, and the motion carried.

#### Approval of Treasury Report

Commissioner Sieverding motioned to approve the Treasury Report. Commissioner Christensen seconded the motion, and the motion carried. The May 2023 Treasury Report Cash Fund Balances are as follows:

Petty Cash	\$200.00
Umpqua Checking	\$79,712
Less Assured Macro-Balance	(\$1,500)
State Treasury Fund 891	\$2,364,348
CDA Lake Dr. DBF Fund 412	\$1,599,041
Traffic Mitigation DBF Fund 369	\$249,538
<b>Total Funds</b>	<b>\$4,291,339</b>

With no further business, the Chairman adjourned the meeting at 11:30 a.m.

---

Graham Christensen, Chairman  
Sub District 1 Commissioner

---

Angela Sieverding  
Sub District 2 Commissioner

---

Mark Addington  
Sub District 3 Commissioner

---

Rosie Ham  
District Clerk