

POST FALLS HIGHWAY DISTRICT

MAY 2024 MINUTES

Regular Board Meeting – May 1, 2024, 6:00 pm
5629 E. Selfice Way, Post Falls, ID 83854

1) Chairman Tyler called the meeting to order at 6:00 pm

Present were:

Commissioners: Jeff Tyler, David Russell, Glen Heape

Director of Highways Michael Lenz, District Clerk Elaine Fox, Deputy Clerk Helen Furbee

Guests in attendance were:

Laura Winter, PE, Ruen-Yeager & Associates (RYA)

Kevin Smith, PE, J-U-B Engineers (JUB)

Susan Weeks, Attorney, James, Vernon & Weeks PA (JVW)

2) PLEDGE OF ALLEGIANCE: Chairman Tyler led in the Pledge of Allegiance.

3) CONFLICTS OR CHANGES: **NONE**

4) APPROVAL OF AGENDA: Commissioner Russell **moved** to approve the agenda as presented. Chairman Tyler **seconded**. **Motion carried.** [5/1/2024 Board Mtg]

5) CONSENT AGENDA: Commissioner Heape **moved** to accept the consent agenda as presented. Commissioner Russell **seconded**. **Motion carried.** [5/1/2024 Board Mtg]

6) PUBLIC COMMENTS: Chairman Tyler called for public comments. As no one present in the audience had any comments and no one was online at this time, Chairman Tyler closed the public comment period at 6:02 pm.

7) OLD BUSINESS: **NONE**

8) CURRENT BUSINESS:

A. Meyer Road Validation Director Lenz reviewed the "Findings of Fact and Conclusions of Law and Order for a road validation of Meyer Road at its intersection with Hayden Avenue," which were a result of the hearing on April 17, 2024. The validation order states "After consideration of the evidence presented at the public hearing, the Board of Commissioners hereby validate Meyer Road as a public highway, 850 feet north of its intersection with Hayden Avenue and 850 feet south of its intersection with Hayden Avenue at a width of 50 feet." Commissioner Russell moved that the board accept the Findings of Fact, Conclusions of Law and Order of Decision for the Meyer Road Validation as presented. **Seconded** by Commissioner Heape. **Motion carried.** [5/1/2024 Board Mtg]

B. Hayden Avenue Validation Director Lenz reviewed the "Findings of Fact and Conclusions of Law and Order for a road validation of Hayden Avenue at its intersection with Meyer Road," which were a result of the hearing on April 17, 2024. The validation order states "After consideration of the evidence presented at the public hearing, the Board of Commissioners hereby validate Hayden Avenue as a public highway, 850 feet west of its intersection with Meyer Road and 850

feet east of its intersection with Meyer Road at a width of 50 feet." Commissioner Heape moved that the board accept the Findings of Fact, Conclusions of Law and Order of Decision for the Hayden Avenue Validation as presented. **Seconded** by Commissioner Russell. **Motion carried.** [5/1/2024 Board Mtg]

C. 2024 Kootenai Electric Cooperative (KEC) – Election Ballot District Clerk Fox explained the seats of At-Large representative and District 2 representative for KEC board are on the ballot for the PFHD board to direct staff to vote on if they choose to do so. After some discussion, Commissioners Heape and Russell deferred to Chairman Tyler. Chairman Tyler chose Curt Nead and John Hoffman. Commissioner Russell then made a motion to cast the PFHD vote in the Kootenai Electric Cooperative board election as Curt Nead for District 2 and John Hoffman for the At Large seat. Commissioner Heape **seconded.** **Motion carried.** [5/1/2024 Board Mtg]

D. 2024 MS4 Agreement – Welch Comer & Associates (WCA) Melissa Comstock with WCA said the new MS4 contract was very similar, but lower cost than last year's contract because there is no wet weather testing, as well as removal of items no longer needed. There was discussion on the use of the new bio-char socks and testing results. They will try the bio-char socks again next year but were disappointed in this year's results. So far, vegetation management has been the most cost effective mitigation. After a question and answer discussion with Ms. Comstock, Commissioner Russell made a **motion** to authorize Chairman Tyler to sign the Professional Services Agreement with Welch Comer & Associates for the management of the MS4 permits for 2024. **Seconded** by Commissioner Heape. **Motion carried.** [5/1/2024 Board Mtg]

9) CORRESPONDENCE: **NONE**

10) LEGAL: **NONE for the regular meeting**

11) ENGINEERING: Laura Winter, PE, (RYA) stated she has been busy with permit reviews. Kevin Smith, PE, (JUB) said he had no updates tonight.

12) DIRECTOR UPDATES: Director Lenz provided the following updates:

- The crew has been spraying for weeds, sweeping, ditching and prepping for this summer's chip seal project.
- The crew also has been preparing the area for the Harbor Drive realignment project.
- The bid opening date for the Beck Road project is May 21, 2024.
- He has been working with JUB for a supplemental on the Hayden/Meyer project for right of way.
- A meeting was held with several agencies to coordinate traffic safety and construction on the Spokane River bridge rehabilitation. Work is scheduled to start on May 6, 2024.
- The new F550 truck is here and is being fitted and prepped for use this upcoming winter.
- We have been approached regarding a potential large development (100 homes on approximately 300 acres) of the Coeur d'Alene Land company property just south of the river (which he went over on a map.) The development group is looking for information as part of their due diligence prior to a final purchase. A public road would be needed and there is a general agreement finalized September 2020 with Coeur d'Alene Land with terms for determining the easement boundaries and trigger points for the required public road. The new development would entail private roads from gated communities which would feed onto the public road. PFHD will help them as is appropriate given that they have minimal plans drawn and a final purchase is still to be completed.
- Candidates for the road maintenance position have been identified.

13) OFFICE UPDATES: District Clerk Elaine Fox said we are receiving applications for the road maintenance and mechanic positions which are both still currently open. We received \$1.175M in highway users' revenue funds. She will be attending the annual Kootenai County Budget and Levy Workshop tomorrow, Thursday, May 2.

14) COMMISSIONERS:

Commissioner Heape: Was invited to and attended a recent Mellick Rd HOA meeting. He is aware that they could apply for an LID which is expensive and unlikely to be feasible for funding the improvements they believe are needed. He believes he may have found a compromise in a "joint participation agreement" but said he needs to do more research. Attorney Weeks told the board that the last joint participation project the District did was for Hidden Valley. Eastside Highway District has done one more recently, and she suggested that we may want to contact them for more details. There was discussion of potential roads for such an agreement but no action taken. Director Lenz said he will contact the Eastside Highway District soon.

Chairman Tyler: Read a thank you letter from a resident of Star Garnet Road.

- 15) EXECUTIVE SESSION: Commissioner Russell **moved** to enter into Executive Session pursuant to the provision in Idaho code Section 74-206 Subsection 1(b) and 1(f) an executive session is being requested for the purpose to discuss a personnel matter and for the purpose to communicate with legal counsel for the public agency to discuss the legal ramifications for pending litigation. Commissioner Heape seconded. **A roll call vote** was requested. **Roll call vote:** Chairman Tyler: **yes**; Commissioner Russell: **yes**, Commissioner Heape: **yes**. The regular session attendees were dismissed at 6:55 pm. The Board entered into Executive Session at 6:58 pm. The Board exited Executive Session at 7:41 pm.

MOTIONS RESULTING FROM EXECUTIVE SESSION: Commissioner Russell **moved** to authorize the Director of Highways to proceed with the personnel matter as discussed in Executive Session. Commissioner Heape **seconded**. **Motion carried.** [5/1/2024 Executive Session]

- 16) ADJOURNMENT: The meeting was adjourned at 7:42 pm.

Regular Board Meeting – May 15, 2024, 6:00 pm
5629 E. Seltice Way, Post Falls, ID 83854

- 1) Chairman Tyler called the meeting to order at 6:00 pm

Present were:

Commissioners: Jeff Tyler, Glen Heape, David Russell

Director of Highways Michael Lenz, District Clerk Elaine Fox, Jonie Anderson

Guests in attendance were:

Steve Copp, 3328 E Remington Rd

Kevin Smith, PE, J-U-B Engineers (JUB)

Laura Winter, PE, Ruen-Yeager & Associates (RYA)

Jeramie Terzulli, Olson Engineering

Eric Olson, Olson Engineering

Online Guests:

Susan Weeks, Attorney, James, Vernon & Weeks PA (JVW)

"Land Owner"

Unknown (509) XXX-XX46

- 2) PLEDGE OF ALLEGIANCE: Commissioner Russell led in the Pledge of Allegiance.
- 3) CONFLICTS OR CHANGES: Director Lenz requested to remove 1(f) from item 15, as legal counsel will not be in attendance tonight. Commissioner Russell **moved** to change item 15 on the agenda

to: "pursuant to the provision in Idaho code Section 74-206 Subsection 1 (b) an executive session is being requested for the purpose to discuss a personnel matter". Commissioner Heape **seconded. Motion carried.** [5/15/2024 Board Mtg]

- 4) APPROVAL OF AGENDA: Commissioner Russell **moved** to accept the agenda as modified. Commissioner Heape **seconded. Motion carried.** [5/15/2024 Board Mtg]
- 5) CONSENT AGENDA: Commissioner Heape **moved** to accept the consent agenda as presented. Commissioner Russell **seconded the motion. Motion carried.** [5/15/2024 Board Mtg]
- 6) PUBLIC COMMENTS: Chairman Tyler called for public comments. As no one present in the audience or online had any comments, Chairman Tyler closed the public comment period at 6:03 pm.
- 7) OLD BUSINESS: **NONE**
- 8) CURRENT BUSINESS:

A. Set Public Hearing: Road Validation for a segment of South Idaho Rd – [Steve Copp, Applicant]

Director Lenz provided the Board a summary of the request and invited Mr. Copp to address the Board. Mr. Copp stated he was here to officially request the validation of a segment of South Idaho Road that traverses his property. Mr. Copp requested that the Public Hearing be scheduled in October 2024 or later and that he be notified when we plan to be on his property. Director Lenz suggested October 2, 2024 for the Public Hearing. Commissioner Heape **moved** to authorize staff to schedule a Public Hearing for the Validation of a portion of South Idaho Road to be held on Wednesday, October 2, 2024 at 6:00 pm Commissioner Russell **seconded** the motion. **Motion carried.** [5/15/2024 Board Mtg]

B. Lawrence Estates 1st Addition – Road Development Agreement (RDA)

Director Lenz reviewed the RDA with the Board. Commissioner Russell **moved** to authorize Chairman Tyler's signature on the Lawrence Estates 1st Addition Road Development Agreement. Commissioner Heape **seconded** the motion. **Motion carried.** [5/15/2024 Board Mtg]

C. Lawrence Estates 1st Addition – Mylars

Director Lenz reviewed the mylars with the Board. Commissioner Heape **moved** to authorize Chairman Tyler's signature on the Lawrence Estates 1st Addition Mylars. Commissioner Russell **seconded** the motion. **Motion carried.** [5/15/2024 Board Mtg]

D. Olson Engineering:

[Staff engagement for proposed acquisition of property from Coeur d'Alene Land Company]

Director Lenz gave a brief summary of Olson Engineering's request to be on the agenda and gave the floor to Olson Engineering. Jeramie Terzulli introduced himself and Eric Olson to the Board. Jeramie detailed the request being presented on behalf of their client. Jeramie explained the concerns and challenges with obtaining the necessary rights-of-way from the Dodge Legacy land owners in order to move this acquisition forward. Director Lenz gave further explanation on the process and the impact on staff's time. Commissioner Tyler stated Director Lenz has the PFHD bases covered well and Olson Engineering has done due diligence and feels we should move this forward. Commissioner Russell asked if the results [of the research that will be done] will come back before the Board. Director Lenz assured the Board that this is going to be a long process and the Board will be informed throughout. Commissioner Russell **moved** to authorize staff to work with the contract buyer under the condition that the contract buyer compensates the Post Falls Highway District for legal, engineering and personnel costs associated with establishing the location of the rights-of-way. This motion pertains to the afore-mentioned road for the contract buyer for the Coeur

d'Alene Land Company and working with the Dodge Legacy land owners. Commissioner Heape **seconded. Motion carried.**

E. 2024 Audit Engagement Letter from Scott Hoover, CPA

District Clerk Fox presented the 2024 Audit Engagement Letter from Scott Hoover, CPA and reviewed the rates with the Board. Commissioner Russell **moved** to authorize Chairman Tyler's signature on the 2024 Audit Engagement Letter. Commissioner Heape **seconded. Motion carried.** [5/15/2024 Board Mtg]

9) CORRESPONDENCE: District Clerk Fox shared an email with the Board from Bruce McCrae [Hwy 2, lot 18, property owner] thanking the District for efforts in improving Star Garnet.

10) LEGAL: **NONE**

11) ENGINEERING: Laura Winter, PE (RYA) informed the Board that they are still working on a number of projects. Kevin Smith, PE (JUB) received news to proceed with the pedestrian undercrossing at Prairie with the goal of 2024 design and 2025 construction. JUB is also moving forward with right-of-way acquisition for the Hayden Meyer roundabout.

12) DIRECTOR UPDATES: Director Lenz provided the following updates:

- Installed a drywell on Glasgow to fix drainage issues.
- Ditching and replacing culverts.
- We will start moving material at Harbor and Riverview on Monday.
- Start building mailbox turnouts on Hayden Avenue.
- Spokane Street Bridge updates.
- Background and update given to the Board on a meeting that has been set up with Rand Wickman regarding the Family Subdivision Exemption.
- Director Lenz is hoping to meet with Michael Powers out at Skalan Creek regarding the culvert. Director Lenz gave background on the residents' concerns. Commissioner Heape would like to go with Director Lenz to meet with Mr. Powers.
- Finished the 1st Amendment to the Road Development Agreement for the Ridge at Hauser. This will come before the Board at the next meeting.
- RYA has reviewed the variance requests regarding Elkview Pines. This will come before the Board at the next meeting.

13) OFFICE UPDATES: District Clerk Fox reviewed the supplemental attachment to the Treasurer's Report. She will be attending the Idaho Association of Highway Districts (IAHD) regional meeting Tuesday, May 21, 2024 along with Director Lenz and Commissioners Tyler and Heape. District Clerk Fox requested a volunteer to sign payroll checks on Monday morning. Commissioner Heape volunteered.

14) COMMISSIONERS:

Commissioner Heape: Asked if a workshop for Big Rock Road has been scheduled. Director Lenz said it has not been scheduled and asked Attorney Weeks for input. Attorney Weeks has met with Darius Ruen and believes we are ready to schedule the workshop.

Commissioner Russell: Will not be in attendance at next week's IAHD meeting. Inquired with Director Lenz about possibly observing some of the chip sealing this summer. Stated for the record that as interest rates come down, we should be ready for a flood of people moving to the area and to bear this in mind with all of our planning and focusing on projects.

15) EXECUTIVE SESSION: Commissioner Russell **moved** to enter into Executive Session pursuant to the provisions of Idaho Code 74-206, Subsection 1(b) an executive session is being requested for the purpose to discuss a personnel matter. Commissioner Heape **seconded. A roll call vote** was requested. **Roll call vote**: Commissioner Heape: **yes**; Chairman Tyler: **yes**; Commissioner Russell:

yes. The regular session attendees were dismissed at 7:05 pm. The Board entered into Executive Session at 7:06 pm. The Board exited Executive Session at 7:37 pm.

MOTIONS RESULTING FROM EXECUTIVE SESSION: **NONE**

16) ADJOURNMENT: The meeting was adjourned at 7:38pm.

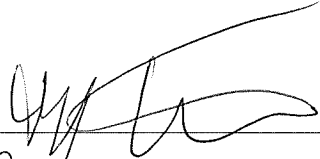
VOUCHERS MAY 2024

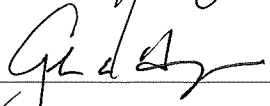
	<u>Num</u>	<u>Name</u>	<u>Amount</u>
May 24			
	48661	MOTION AUTO SUPPLY	-826.78
	48662	NAPA - POST FALLS	-421.77
	48663	A-V SUPPLY	-345.00
	48664	ACE HARDWARE	-25.77
	48665	ADD ELECTRONICS	-2,717.96
	48666	ADS DIESEL PRODUCTS	-24.18
	48667	ADVANCED COMPRESSOR & HOSE, INC.	-934.06
	48668	ADVANCED PEST CONTROL	-86.00
	48669	DARREL STEVENS	-2,284.77
	48670	DAVID A TUCKER	-2,401.57
	48671	DAVID RUSSELL	-505.12
	48672	EDWARD F. MAEL	-2,169.19
	48673	ERIC PRESTEGAARD	-2,107.79
	48674	GLEN HEAPE	-685.12
	48675	HELEN A FURBEE	-1,659.26
	48676	JAMES B WINES	-2,425.10
	48677	JASON B COFFMAN	-2,248.42
	48678	JEFFERY N FERGUSON	-2,100.53
	48679	JEFFREY TYLER	-677.03
	48680	JONIE ANDERSON	-1,586.88
	48681	LARRY P HOWELL, JR	-1,447.52
	48682	LESLIE R LIKES	-2,319.58
	48683	LUCAS A BICANDI	-2,179.53
	48684	MICHAEL C LENZ	-3,279.60
	48685	MICHAEL J KETCHUM	-2,174.79
	48686	MIRIAM E FOX	-2,344.65
	48687	RANDY L NEAL	-2,121.36
	48688	TUEKOTA TATE-VANDEVER	-2,102.79
	48689	NEW YORK LIFE	-20.00
	48690	ICCU	-725.00
	48692	GORDON TRUCK CENTERS, INC - FREIGHTLINER	-700.27
	48693	FORSGREN ASSOCIATES INC	-152.50
	48694	JUB	-15,961.19
	48695	ALSCO	-735.62

48696	ABOVE AND BEYOND JANITORIAL INC	-650.00
48697	ARROW CONSTRUCTION SUPPLY	-613.39
48698	CDA CRANE	-462.50
48699	CDA PRESS	-121.94
48700	CEM LIFTS	-225.00
48701	CONSOLIDATED SUPPLY CO.	-132.43
48702	COUNTRY CLEANERS	-234.00
48703	COUNTRY LOCK & KEY INC.	-42.50
48704	CULLIGAN	-47.70
48705	DELTA DENTAL	-1,322.24
48706	FASTENAL	-39.06
48707	H & H EXPRESS	-48.44
48708	JMT PETROLEUM	-5,364.64
48709	KOOTENAI COUNTY SOLID WASTE	-170.40
48710	LAKE CITY GLASS	-129.00
48711	LAWSON PRODUCTS	-249.66
48712	LES SCHWAB	-129.48
48713	MIKE WHITE FORD OF CDA	-146.82
48714	NOVUS GLASS	-59.95
48715	RODDA PAINT	-8,703.83
48716	SPECTRUM BUSINESS	-139.99
48717	STATE INS. FUND	-22,818.00
48718	TECHNICHEM	-1,634.00
48719	TITAN TRUCK EQUIPMENT	-561.52
48720	TRANSPORT EQUIPMENT	-63.93
48721	TRUCKPRO	-56.50
48722	VERIZON WIRELESS	-398.56
48723	VSP dba VISION SERVICE PLAN	-242.40
48724	WESTERN STATES EQUIPMENT - CAT	-2,241.12
48725	SPRAY CENTER	-424.86
48726	COLEMAN OIL COMPANY	-2,287.76
48727	ADD ELECTRONICS	-1,568.18
48728	ADVANCED COMPRESSOR & HOSE, INC.	-157.64
48729	AMERICAN MOBILE DRUG TESTING	-245.00
48730	AMERICAN ON-SITE SERVICES	-335.00
48731	ARROW CONSTRUCTION SUPPLY	-103.48
48732	AUTONATION INC	-64.87
48733	AVISTA UTILITIES - WWP	-3,153.50
48734	CDA GARBAGE	-161.75
48735	CITY OF POST FALLS,	-362.93
48736	H & H INC DOCUMENT MGMT SOLUTIONS	-163.06
48737	KENWORTH SALES - SPOKANE	-408.43
48738	LHTAC	-140.00
48739	KEC	-530.09
48740	MIKE WHITE FORD OF CDA	-113.75

48741	NCPERS GROUP LIFE INS.	-320.00
48742	PANHANDLE SPRAY SERVICE	-3,900.25
48743	RODDA PAINT	-121.63
48744	ROMAINE ELECTRIC	-288.06
48745	RUEN-YEAGER & ASSOC, INC	-13,630.39
48746	SCOTTY'S BACKFLOW LLC	-680.88
48747	SIX ROBBLEES	-123.30
48748	TRAFFICALM	-454.00
48749	ULTRA-LAWN	-262.90
48750	ZIPLY FIBER	-264.70
48751	WTB - CREDIT CARD DIV.	-676.70
48752	DARREL STEVENS	-2,306.06
48753	DAVID A TUCKER	-2,237.83
48754	EDWARD F. MAEL	-2,169.19
48755	ERIC PRESTEGAARD	-2,107.79
48756	HELEN A FURBEE	-1,659.26
48757	JAMES B WINES	-2,182.64
48758	JASON B COFFMAN	-2,378.01
48759	JEFFERY N FERGUSON	-1,344.34
48760	JONIE ANDERSON	-1,586.88
48761	LARRY P HOWELL, JR	-1,447.53
48762	LESLIE R LIKES	-2,319.56
48763	LUCAS A BICANDI	-2,179.53
48764	MICHAEL C LENZ	-3,296.36
48765	MICHAEL J KETCHUM	-2,323.88
48766	MIRIAM E FOX	-1,983.67
48767	RANDY L NEAL	-2,121.36
48768	TUEKOTA TATE-VANDEVER	-2,102.80
48769	AFLAC	-104.52
48770	ICCU	-725.00
48771	HRA VEBA TRUST	-10,000.00
48772	REGENCE BLUE SHIELD of IDAHO	-18,519.68
EFT	WASHINGTON TRUST BANK	-13,004.54
EFT	PUBLIC EMPLOYEES RETIREMENT SYSTEM	-11,250.98
EFT	STATE TAX COMMISSION	-3,984.00
EFT	PUBLIC EMPLOYEES RETIREMENT SYSTEM	-11,222.70
EFT	WASHINGTON TRUST BANK	-12,197.46
TFR	KN23028 REINVEST JUB PYMT #2-1	-17,924.37
TFR	KN 23028 REINVEST JUB PYMT #1-11	-18,391.26
TFR	KN 23028 REINVEST JUB PYMT #1-12	-9,935.84
TFR	INSURANCE AD VALOREM	-630.34
TFR	KN22435 REINVEST FORSGREN PYMT #1	-3,880.14
TFR	KN22435 REINVEST FORSGREN PYMT #2	-141.31
TFR	KN22435 REINVEST JUB PYMT #1-12	-7,855.59

TFR	KN22435 REINVEST JUB PYMT #2-1	-2,214.62
TFR	KN22435 REINVEST JUB PYMT #2-2	<u>-4,719.42</u>
	May 24	<u><u>-322,937.27</u></u>

APPROVED 

ATTEST 

DATE 8/12/2024