

## LAKES HIGHWAY DISTRICT MINUTES

November 6, 2023

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The regular scheduled meeting of the Lakes Highway District Board of Commissioners was called to order by Vice Chairman Adams at 5:30 p.m. on November 6, 2023 at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Adams and Montgomery, Director Shanley, District Clerk Hendry and Attorney Weeks. Commissioner Twete attended by phone. Nick Snyder attended regarding the Kootenai County Validation Hearing and Laurin Scarcello attended for Public Comment. Donna Montgomery observed.

Vice Chairman Adams called the meeting to order and led the Pledge of Allegiance.

Vice Chairman Adams asked if any Board member has a conflict of interest with any item on the agenda? Commissioner Twete no, Commissioner Adams no and Commissioner Montgomery no. Has anyone had any oral or written communication with an applicant, or anyone opposing an application? Commissioner Twete no, Commissioner Adams no and Commissioner Montgomery no. Has anyone visited a site that is on the agenda for a Board decision regarding an application related to the site? Commissioner Twete no, Commissioner Adams no Commissioner Montgomery no. Commissioners Twete, Adams and Montgomery confirmed that they had each been out to visit the site of the 5<sup>th</sup> Avenue Road Validation.

**Item 3** – Commissioner Montgomery moved to approve the November 6, 2023 agenda as presented with Commissioner Twete seconded the motion, which carried unanimously.

**Item 4 – Public Comment** – Vice Chairman Adams asked if there was any public comment. Laurin Scarcello addressed the Board regarding the speed limit on Scarcello Road, requesting it be reduced to 45 mph.

**Item 5** – Commissioner Twete moved to approve November 6, 2023 Consent Agenda as presented with Commissioner Montgomery seconding the motion, which carried unanimously.

### Old Business

**Item 6a – Re-convene Public Hearing for the abandonment and vacation of a portion of Viewer Report Road No. 55, Nelson Road in Section 18, Township 52 North, Range 4 West.**

Vice Chairman Adams stated this was the time and place for the continuation of the public hearing on the petition to abandon and vacate a portion of Viewer's Report Road No. 55, Nelson Road in Section 18, Township 52 North, Range 4 West, Boise Meridian, Kootenai County, Idaho along their western boundary, which is approximately Station 10 to Station 12 of the Viewer's Report as petitioned by Michael and Stephanie Mailhot. At this time, Vice Chairman Adams appointed Attorney Susan Weeks as the hearing officer to conduct the public hearing.

Attorney Weeks stated the public hearing is now reconvened.

To allow additional time for all parties to respond, Commissioner Twete moved to continue the Public Hearing to December 18, 2023 with Commissioner Montgomery seconding the motion, which carried unanimously.

**Item 6b – Re-convene Public Hearing for – 5<sup>th</sup> Avenue Site Validation.**

Vice Chairman Adams stated this is the time and place set to reconvene the public hearing on the petition to validate Fifth Avenue located in Spokane Valley Commercial Orchards, lying in Sections 7 & 8, Township 52 North, Range 3 West, Boise Meridian, Kootenai County, Idaho as petitioned by Kootenai County Parks and Waterways. Vice Chairman Adams addressed the audience regarding any public comment and asked for all public comment forms be turned in to the Board. At this time, Vice Chairman Adams appointed Attorney Susan Weeks as the hearing officer to conduct the public hearing.

Director Shanley presented a memo from District legal counsel as well as an updated staff report to the Board for review and discussed the information outlined in the memo and report.

Nick Snyder with Kootenai County Parks and Waterways addressed the Board explaining his request for Validation.

Commissioner Montgomery stated I find it in the public interest to validate 5<sup>th</sup> Avenue located in Spokane Valley Commercial Orchards plat which is recorded in Kootenai county Records in Book C, Page 120, lying in Sections 7 & 8, Township 52N, Range 3 West, Boise Meridian, Kootenai County, Idaho as a public right-of-way per Idaho Code §40-203 (1) (a). Motion also includes authorization for the Chairman or Vice Chairman to sign the Findings-of-Fact when presented contingent upon legal counsel's review. Commissioner Twete seconded the motion which carried unanimously.

Clerk Hendry called the roll as follows: Commissioner Twete aye, Commissioner Adams aye, Commissioner Montgomery aye.

**Item 6c – 2024 Road Safety Projects.** Director Shanley discussed with the Board adding a new site on Ohio Match Road which can be added to the LHTAC grant (KEY No. 23284) with the Board's approval. After deliberations, Commissioner Twete moved to authorize staff to pursue having the design development of the site on Ohio Match to be included in this grant. Commissioner Montgomery seconded the motion, which carried unanimously.

**Current Business**

**Item 7a – Resolution 2023-14 – Dolan's Deal 2<sup>nd</sup> Addition, Road Acceptance.** Director Shanley presented the request from Michael Wendland for the District to accept Wendland Way located in Dolan's Deal, 2<sup>nd</sup> Addition into the District's maintenance jurisdiction. After deliberations, Commissioner Twete moved to adopt Resolution 2023-14 accepting Wendland Way located in Dolan's Deal, 2<sup>nd</sup> Addition into the District's maintenance jurisdiction. The motion also included authorization for the Chairman or Vice Chairman to sign the resolution. Commissioner Montgomery seconded the motion, which carried unanimously.

**Item 7b – 2024 Health Insurance Renewal.** Director Shanley presented the 2024 health insurance renewal information to the Board for consideration. After deliberations, Commissioner Twete moved to accept and sign the 2024 Health Insurance renewal forms. Commissioner Montgomery seconded the motion, which carried unanimously.

**Item 7c – 2024 De-Icer Chemical Quote.** Director Shanley presented the 2024 De-Icer Quote from GMCO Corporation with a unit price of \$183.89 per ton plus delivery at \$11.84 per ton per load. After deliberations, Commissioner Montgomery moved to approve and sign the 2024 De-Icer Quote from GMCO Corporation as presented. Commissioner Twete seconded the motion, which carried unanimously.

**Item 7d – Thriving Communities Grant.** Director Shanley presented to the Board the Thriving Communities Grant through LHTAC for consideration. After deliberations, Commissioner Montgomery moved to accept this proposal to work with the Thriving Communities Program through LHTAC with authorization for the Chairman to sign the letter. Commissioner Twete seconded the motion, which carried unanimously.

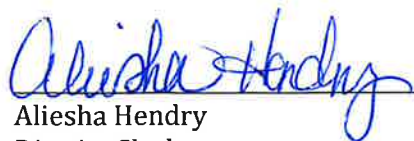
**Item 7e – Pay Application #2 Garwood Facility Construction.** Director Shanley presented Pay Application # 2 for the Garwood Facility Construction submitted by Kilgore Construction for work through October 31, 2023 in the amount of \$412,340.12 to the Board for review. After deliberations, Commissioner Twete moved to approve and authorize payment to Kilgore Construction representing Pay Application #2, work through October 31, 2023 in the amount of \$412,340.12 for the Garwood Facility Construction Project. Motion also included authorization for the Chairman or Vice Chairman to sign the pay request. Commissioner Montgomery seconded the motion, which carried unanimously.

**Item 8a – Executive Session.** The Board convened into executive session at 6:08 p.m. upon a unanimous roll call vote of the Board of Commissioners to discuss matters exempt from public disclosure pursuant to I.C. § 74-206(1)(i).

The Board returned to the regular meeting at 6:27 p.m. Commissioner Twete moved to authorize Director Shanley to purchase supplemental builder’s risk insurance to cover the new facility construction, seconded by Commissioner Montgomery and unanimously carried.

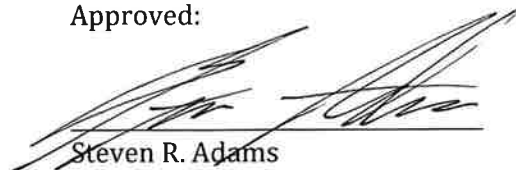
As there was no further business, Vice Chairman Adams adjourned the meeting at 6:29 p.m.

Respectfully Submitted:



Aliesha Hendry  
District Clerk

Approved:



Steven R. Adams  
Vice Chairman