

LAKES HIGHWAY DISTRICT MINUTES

August 28, 2023

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The regular scheduled meeting of the Lakes Highway District Board of Commissioners was called to order by Chairman Twete at 5:30 p.m. on August 28, 2023 at the District Office, 11341 N. Ramsey Road, Hayden, Idaho 83835. Those in attendance were Commissioners Twete and Adams, Director Shanley, Deputy Clerk Hendry and Attorney Weeks. Commissioner Montgomery joined the meeting at 5:45 p.m. Drew Dittman attended on behalf of Lake City Engineering. Alan Soderling and Wade Holecek attended on behalf of the City of Hayden. Donna Montgomery observed.

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

Chairman Twete 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 absent. 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 absent. 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 stated he and Director Shanley took a drive to Cape Horn Road and Commissioner Montgomery absent.

Item 3 – Commissioner Adams moved to approve the August 28, 2023 agenda as presented with Commissioner Twete seconding the motion, which carried unanimously.

Item 4 – Public Comment – Chairman Twete asked if there was any public comment. There was none.

Item 5 – Commissioner Adams moved to approve August 28, 2023 Consent Agenda as presented with Commissioner Twete seconding the motion, which carried unanimously.

Old Business

Item 6a – Cape Horn Road Walls 4 & 5 Change Order. Director Shanley discussed with the Board the need for additional base material and the options presented by HMM for walls 4 and 5 which are change order additions to the contract. The Director explained that this was due to unsuitable material onsite necessary to backfill the walls. After discussion and deliberations, Commissioner Adams moved to approve the change order as recommended by Director Shanley and authorized the Director to sign. Commissioner Twete seconded the motion, which carried unanimously.

Current Business

Item 7a – Hoodoo Valley North 1st Addition Turn Lanes. Director Shanley discussed with the Board a request from the developer to consider allowing the cash out of the agreed development improvements which include turn lanes at the access points. Developer representative Drew Dittman presented his case to the Board for his request. Upon discussion Commissioners Adams and Twete expressed that they found the request not to align with the best interest of the taxpayer and Lakes Highway District therefore declining the developer's request to allow for a cash out of the required improvements.

Item 7b – Public Hearing – FY2023-2024 Budget. Chairman Twete stated this was the time and place for the 2023-2024 budget hearing and declared the hearing open for any public comments.

Director Shanley stated the public hearing was advertised in accordance with Idaho Statutes and the District had not received written comments regarding the budget. Director Shanley presented the public notice for this hearing and budget for the Board to consider. Budgets presented for consideration include the final budget for 2022-2023 and the proposed 2023-2024 budget in the amount of \$21,125.792.00. The Director indicated if the Board chooses not to take a tax increase that this will create foregone taxes for this budget cycle. Additionally, if the Board chooses not to reserve those foregone taxes, that the Board will need to authorize District staff to send a letter to the County stating the Board's position.

Chairman Twete asked for any further public comment. There was none.

The Board proceeded to deliberations which outlined that the District was taking new construction funds only with a zero increase in property taxes. Upon conclusion, the following motion was made.

Commissioner Adams moved to approve and adopt the FY2023-2024 Lakes Highway District budget as presented and authorized the Chairman or Vice Chairman to sign the L2 Dollar Certification and authorized District staff to submit the budget to the Coeur d'Alene Press for advertisement. Commissioner Twete seconded the motion, which carried unanimously.

Item 7c – FY2023 L2 Certification. Director Shanley discussed with the Board the District's L2 form and published proposed budget. After deliberations, Commissioner Adams moved to approve the L2 Certification as presented. Commissioner Twete seconded the motion, which carried unanimously.

Item 7d – Foregone Letter. Director Shanley presented the Foregone Letter to the Board for the Commissioners' consideration to notify the County that the District will not reserve any foregone taxes. After discussion the Commissioner Adams moved to submit the letter as presented by the Director. Commissioner Twete seconded the motion, which carried unanimously.

Commissioner Montgomery entered the meeting at approximately 5:45 p.m.

Item 7e – Public Hearing – Surplus Grader & Sakai Roller. Chairman Twete stated this is the designated time and place set for the public hearing on surplus equipment to hear testimony why the property may still be useful to the District and the sales should not be made for one (1) CAT 140H Grader, Serial # 2ZK05652 and one (1) Sakai Roller SV91D, Serial #30120/ST-6828 and stated that the public hearing is now open. At this time the Board will take testimony from the public and staff. Please proceed to the podium and state your name and address for the record. Only testimony pertaining to the surplus equipment will be accepted.

Director Shanley stated that he had received interest from other public agencies and is interested in allowing sealed bids.

Alan Soderling of the City of Hayden addressed the Board expressing interest in the Grader.

Chairman Twete asked if there was any further testimony. Seeing none, Chairman Twete stated that the public hearing in the matter before the Board was now closed. The Board proceeded to deliberations and upon conclusion, the following motion was made.

Chairman Twete stated, since there were no objections raised in the public testimony of said hearing, I find it is in the public’s interest to declare the following equipment as surplus: one (1) CAT 140H Grader Serial # 2ZK05652 and one (1) Sakai Roller SV91D, Serial #30120/ST-6828 and offer the surplus equipment for sale based on the Serial #'s previously stated at the opening of the public hearing. Commissioner Adams seconded the motion, which carried unanimously.

Commissioner Adams moved to amend the motion to include revisions to address the Exchange or Sale of the Grader to the City of Hayden and Resolution 2023-12 Surplus Equipment as directed by Attorney Weeks for Exchange or Sale with Commissioner Montgomery seconding the motion, which carried unanimously.

Item 7f – Consider Award of Surplus Equipment. Director Shanley presented the single bid received for PU 22. Director Shanley stated no bids were received for PU 27 or TR130 to the Board. After deliberations, Commissioner Adams moved to approve the award of PU 22 to Ron Brons in the amount of \$7,011.00. Commissioner Montgomery seconded the motion, which carried unanimously.

Item 7g – Salt Quote. Director Shanley presented a salt quote submitted by Compass Materials. After deliberations, Commissioner Montgomery moved to accept the salt quote from Compass Minerals with a request for an additional 100 tons to total 500 tons for FY2024 with Commissioner Adams seconding the motion, which carried unanimously.

Item 7h – Williamson Ranch Plat Review. Director Shanley presented this two (2) lot minor subdivision located off Custer Street to the Board for review. After deliberations, Commissioner Montgomery moved to approve and accept the dedications that shall be shown on the final plat and authorized District staff to submit a letter of comment to the County outlining numbers 1 through 3 of Director Shanley’s review. Commissioner Adams seconded the motion, which carried unanimously.

Item 8 – Executive Session. Commissioner Montgomery moved to enter into executive session at 6:03 p.m. under Idaho Code §74-206 (1) (b) & (f). Commissioner Adams seconded the motion. Deputy Clerk Hendry called the roll as follows: Commissioner Twete Aye, Commissioner Montgomery Aye and Commissioner Adams Aye. Motion carried unanimously.

Commissioners reconvened regular session at 6:33 p.m.

Item 9 – Executive session motions: Upon deliberations Commissioner Montgomery moved to authorize the Director to move ahead with the separation agreement with the employee as discussed in the Executive Session. Commissioner Admas seconded the motion, which carried unanimously.

As there was no further business, Chairman Twete adjourned the meeting at 6:34 p.m.

Respectfully Submitted:

Aliesha Hendry
Deputy Clerk

Approved:

Rodney A. Twete
Chairman