

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS
REGULAR MEETING
MAY 9, 2018
9:00 A.M.**

MINUTES

Chairman James Mangan called the meeting to order at 9:00 a.m. with Commissioners George Miller and Corinne Johnson present. Also present were Supervisor Kevin Howard, Assistant Supervisor Dustin Howe, Administrative Assistant Tomi Maynard, and

Angela Comstock, JUB
Marshall MacLeod, La Delcardo Bay

Jay Hassell, JUB
Cindy MacLeod, La Delcardo Bay

APPROVAL OF AGENDA

George Miller MOVED to approve the agenda as presented. Corinne Johnson SECONDED the motion. James Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

CONFLICTS OF INTEREST ON AGENDA

Chairman James Mangan asked if any Board member had a conflict of interest with any item on the agenda. Commissioners Corinne Johnson, James Mangan, and George Miller all indicated no conflicts.

Angela Comstock and Jay Hassell of JUB entered at 9:02 AM

APPROVAL OF MINUTES

Miller MOVED to approve the minutes of the April 25, 2018 regular meeting. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

PUBLIC COMMENTS

None.

La Delcardo Bay- Request to use Right-of-Way

Cindy and Marshall MacLeod recently purchased a secondary lot in La Delcardo Bay. They purchased this lot with the understanding that 4th street was a public ROW that they would be able to obtain potable water as well as beach access through. After the completion of their purchase, and after being issued a permit for utility easement by the district, it was discovered that 4th street was vacated/abandoned in 1934 and is no longer a District Owned public Right-of-Way. The MacLeod's came today to request that the district amend their permit, allowing them to utilize 3rd Street in the manner originally permitted for 4th Street. Additionally, because the use of 3rd street is significantly less convenient, and of far greater distance, they are asking that the district allow them an easement to store, temporarily, items such as kayaks and lawn furniture on the ROW only during summer months. Howard commented that because it is a public ROW the MacLeod's can not be allowed any sort of exclusive access to the area, but they can be granted a special permit to allow for such usage, with the condition that their storage not in any way restrict the publics access to the area.

Miller MOVED to issue a non-exclusive easement on third street for the purposes of positioning beach furniture and watercraft. Johnson SECONDED. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

Marshall and Cindy MacLeod left the meeting at 9:32 AM.

OLD BUSINESS

Staff Report by Supervisor Kevin Howard

Kootenai County Community Development

Unless desired by the board, projects that have seen no activity will not be read in the consideration of time.

1. Hager Estates, Minor: Status Report
Susan Weeks has begun legal action to settle this matter. **No additional information this month.**

2. The Club at Rock Creek, Major Subdivision:
I have been in contact with the developers engineer regarding the reconstruction of the second phase of Loffs Bay Road. The developer has applied for the needed permits through the Army Corp of Engineers for the work over and around Stimson Creek. The district received the plan set early this week and it will be sent to JUB for review.

Mangan inquired if the abandonments and exchanges previously agreed upon are finished and recorded. Howard indicated that they are not. There is still some work to be done on the legal descriptions. Howard is working with the Club's representative to resolve the situation.

3. Russu Addition, MIN17-0021:
The developers engineer has been informed that the district needs a legal description written up of the portion of right-of-way that was requested to be abandoned. Staff is waiting for the needed information to move forward.

4. Harmons Third Addition:
The plat has not reached the district for signature. When it does, it will be brought in front of the board. **No additional information this month.**

5. York Subdivision:
I spoke with Vlad Finkel, Planner for Kootenai County, last week. The district's concerns for the sake of Worley Highway District have been addressed. A couple of the road requirements that Kootenai County has within their subdivision ordinance was discussed and will be addressed prior to the signing of the Final Plat (Mylar). **No additional information this month.**

6. Ritz Ranch, Minor Subdivision:
This proposed subdivision is adjacent to Loffs Bay Road. My preliminary review showed that there is a public right-of-way through a portion of the property. I met with the owner and there will be some adjustments made to the application. When the district receives the revised application, it will be sent out for review by G.E. Siegford. **No additional information this month.**

WHD Construction Projects

1. Rockford Bay Road/Loffs Bay Road (W) Intersection: Status Report
Susan Weeks has placed the right-of-way acquisition for this intersection next on her list of tasks for the district following the Kidd Island Road acquisitions. **No additional information this month.**

2. Kidd Island Road Project: Status Report
I spoke with Jaya Smith, Bionomics, and there has been substantial progress. It has been determined that there is in fact Cutthroat Trout in Kidd Creek. However, they are stream

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residents; noted by the darker color and the fact that there were no fish found in Kidd Creek for about the first 3 tenths of a mile from Lake CDA.

There is a large number of fish in the area immediately up and down stream of Weniger Hill Road. However, only a couple small juvenile fish were found within the project reach; suggesting that the project area is not permanent habitat for the cutthroat. There are springs that feed the pools below the project reach that provide for and create the habitat necessary to sustain the cutthroat in those areas.

Thursday, tomorrow, the pebble and macro invertebrate counts will begin. By the end of the month the riparian (stream bank vegetation) study will be under way. Additionally, data log equipment will be installed to monitor flow rates, temperatures, oxygen levels, etc.

Howard also noted that he has asked Bionomics to look into providing him some preconstruction sedimentary benchmarks. This will protect the District by allowing us to document how much the project impacted sediment levels.

3. Finnebott, Bennion & Sun Up Intersections:

I met with Ron Harvey, RAH Consulting, regarding the right-of-way acquisition. He has indicated a fee for his services of Two Thousand dollars (\$2000) per parcel and will be drafting a contract for the district's signature to acquire the three parcels. I have made initial contact with two of the property owner's and they approve of the project. I left a message with the third owner.

4. Watson Road Slide:

The district has been given approval to complete the repair design.

Jay Hassell commented that previous FEMA funding projects have had a deadline, requiring the completion of repairs 18 months from the time of initial emergency. There is a possibility of obtaining one 18-month extension, but that puts the deadline at spring of 2020 on this project.

WHD Misc. Projects

1. 2018 LHSIP Grant – Delineators & Signage:

The "State/Local" agreement has been signed and the district's match paid. The district will begin installation once the materials have arrived and as time allows

New Business

BILLS PRESENTED FOR APPROVAL AND DISCUSSION OF FINANCES

Miller MOVED that the bills be approved as presented on the check registers. Johnson SECONDED the motion. Mangan CONCURRED. The motion PASSED UNANIMOUSLY.

UPCOMING MEETINGS

The next regular board meeting is May 30, 2018 at 9:00 AM.

Mangan recessed the meeting for a break at 10:11 AM

Mangan reconvened the meeting at 10:21 AM

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Executive Session

Citing Idaho Code 74-206(b) Chairman Mangan MOVED that the Board enter into executive session at 10:22 a.m. Maynard called the roll with the commissioners voting as follows: Commissioner Johnson, aye; Chairman Mangan, aye; Commissioner Miller, aye.

The purpose of the Executive session was to discuss a personnel matter. Kevin Howard, Tomi Maynard and Dustin Howe were asked to stay for testimony.

Mangan reconvened the regular meeting at 10:39 a.m.

In regard to the employee discussed during executive session, the board opted to wait for further information before making a decision.

COMMISSIONER COMMENTS

None.

ADJOURNMENT

Chairman Mangan adjourned the meeting at 10:38 a.m.

RESPECTFULLY SUBMITTED BY:

Tomi Maynard, Administrative Assistant

APPROVED BY:

James Mangan, Chairman

Date