

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS  
REGULAR MEETING  
DECEMBER 9, 2020  
9:00 A.M.**

**MINUTES**

Commissioner Corinne Johnson called the meeting to order at 9:02 a.m. with Commissioner George Miller and Commissioner Phil Cooper present. Also present were Supervisor Kevin Howard; Assistant Supervisor Dustin Howe; District Clerk/Treasurer Carol Richel; Deputy Clerk Tomi Maynard; and:

Mark Koth, Koth Road  
Pam Hodoka, Koth Road  
Angela Comstock, JUB

Steve Copp, Koth Road  
Jay Hassell, JUB

*Some participants utilized Zoom to attend the meeting. Any participants who attended electronically and did not identify themselves will not be listed.*

**APPROVAL OF AGENDA**

Cooper MOVED to approve the agenda as presented. Miller SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

**CONFLICTS OF INTEREST ON AGENDA**

Chairman Corinne Johnson asked if any Board member had a conflict of interest with any item on the agenda. Corinne Johnson, Phil Cooper, and George Miller each indicated no conflicts.

**APPROVAL OF MINUTES**

Miller MOVED to approve the minutes of the November 24, 2020 regular meeting. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

**PUBLIC COMMENTS AND GUEST INTRODUCTIONS**

None.

**Priority items for attendees from New Business**

**Koth Road ROW Status**

Mark Koth, Steve Copp and Pam Hodoka were in attendance today to address this issue. Koth, Copp and Hodoka updated the Board regarding some changes to the ongoing situation on Koth Road. Howard has also received calls and correspondence from Stimson Lumber recently because access is being further restricted to all parcels beyond the Pennie property. Susan Weeks, the District's Attorney, was already planning to be present for an executive session on this issue during the January 13 meeting. Howard also reminded Koth, Copp and Hodoka that the ongoing litigation between Pennie and Worley Highway District does not in any way bar them from seeking their own legal representation.

Koth, Copp and Hodoka exited at 9:25 a.m.

**Old Business**

**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, Loffs Bay Rd.:  
The unpaid funds owed to the district per the Road Development Agreement is tied to the previous owners and not to the property. Attorney Weeks is working to collect from those that are named in the RDA. No additional information this month.
2. The Club at Rock Creek, Major Subdivision, Loffs Bay Rd.:  
Staff has sent to the developer the outline for a performance bond on a segment of the pavement that extends beyond the customary one (1) year, adding 4 additional years in a single area of concern. Staff has yet to hear back from the developer regarding the bond.
3. Jaeger and King, Minor Subdivision, MIN19-0063:  
Recap: the financial responsibilities to the district have yet to be met. Once the responsibilities have been met, the district can sign the plat when presented.
4. The Ridge at Sun Up Bay, 2<sup>nd</sup> Addition, MIN19-0069:  
Before the board today is the final plat for signature. All obligations to the district have been met. Staff has no objection to the district's signing of the plat.  
  
*Miller MOVED to approve and sign the plat. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY. Johnson signed the plat.*
5. Fields of Grace, Minor Subdivision, MIN20-0043:  
This plat was signed November 11, 2020 and is complete. It will be removed from the staff report.
6. Whelan's Tracts #2, Minor Subdivision:  
This proposed plat is adjacent to Elder Road. The review is complete, and the district's comments have been sent to Kootenai County Community Development.
7. Fitting Estates, Minor Subdivision:  
This proposed plat is adjacent Kidd Island Road and is currently under review.

#### **WHD Construction Projects**

1. Rockford Bay Road/Loffs Bay Road (W) Intersection: Status Report  
This project ranked in the ninth position for the STP - Rural Funding. The ranking is for Fiscal Years 2021 – 2027. Sponsors will be notified as funding comes available and by order of ranking. No additional information this month.
2. Kidd Island Road Project: Status Report  
The reconstruction project has been shut down for winter. The project had been planned for completion in the fall of 2020 but did not make that deadline. LHTAC is currently drafting a supplemental agreement for JUB to cover tasks through the winter. Utility moves (relocations) are in process. Planning, survey staking, and review of engineering are a few of the tasks

underway. Move may happen if the winter is open but will most likely be performed in the spring of 2021.

3. Watson Road Slide:

The district is discussing construction easement extensions with an affected property owner. There is a possibility that the subject property may sell before spring when work is to resume. If so, a construction easement will then need to be negotiated with the new owner.

4. Hull Loop Project:

J-U-B will provide staking for one of the property owners so that they have a better idea as to the needed right-of-way for the project. No additional information this month.

5. Sun Up, Bennion, Finnebott Intersection Project:

The district is in receipt of the required documents from the contractor, i.e., insurance, etc. Contract documents are before the board for signature today. At this time, it is recommended to the board to set a date for a Public Hearing for utility moves on this project. This would be made in a motion setting the date for a "Utility Hearing for Finnebott, Sun Up Bay, Bennion Intersection Project."

*Miller MOVED to direct staff to set a date for a utility hearing for the Sun Up, Bennion, Finnebott intersection Project. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.*

6. Watson Bridge Project:

J-U-B is working to finish plans, then submit for District review, submit permit applications, bridge rating gets submitted to ITD when project is complete and as-built drawings are done.

**WHD Misc. Projects**

1. Koth Road ROW Status:

Today there are guests in the audience that wish to address the board. *Addressed previously in the meeting.*

2. Validation of Road #20:

Jeremy Russell, JUB engineers is making every effort to ensure that the survey of the original road is properly depicted. To date, no work has been done in the field. No additional information this month.

**NEW BUSINESS**

1. Peak Sand and Gravel crushing contract for signature

Johnson signed the contract as previously approved by the Board.

2. Kootenai County Community Development 20-acre parcel splits

Currently Kootenai County regulations allow property owners to split large parcels into 20-acre parcels free of any cost as long as the parent property stays at 20 acres or more. This regulation was written with the interest of families in mind but was written in such a way that any entity can take advantage of it. This is being leveraged by developers, who are buying



hundreds of acres and splitting them down to 20-acre parcels entirely free of any financial obligation to the District. These 20-acre parcels are then being broken down into minor subdivisions which generates a fee of \$3,500 to the district for each newly created lot. This \$3,500 per lot fee is miniscule compared to the responsibility a developer normally carries during the major subdivision process. Developers typically have to bring the subdivision's adjacent public road up to District Standards. There is a public hearing at Kootenai County tomorrow, December 10 at 6:00 p.m. to discuss this regulation and determine how to address the situation going forward.

Miller MOVED to direct Howard to attend the Kootenai County meeting and advocate for the District's best interests. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

3. Accounts Payable and Draw check registers for Approval  
Miller MOVED that the bills be approved as presented on the A/P and Draw Payroll check registers. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

4. Upcoming Meetings:  
KMPO December 10, 2020 1:30 p.m.  
WHD Regular Meeting Wednesday, December 30, 2020 8:00 a.m.

Miller MOVED to cancel the employee Christmas potluck due to Covid concerns. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

5. Commissioner Comments:  
None.

#### **EXECUTIVE SESSION**

None.

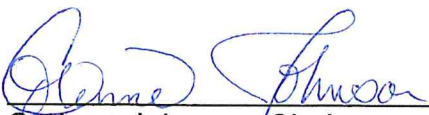
#### **ADJOURNMENT**

Citing no further business, Miller MOVED to adjourn the meeting at 10:35 a.m. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

RESPECTFULLY SUBMITTED BY:

  
\_\_\_\_\_  
Tomi Maynard, Deputy Clerk

APPROVED BY:

  
\_\_\_\_\_  
Corinne Johnson, Chairman

12.30.2020  
\_\_\_\_\_  
Date