

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS  
REGULAR MEETING  
OCTOBER 13, 2021  
9:00 A.M.**

**MINUTES**

Commissioner Corinne Johnson called the meeting to order at 9:00 a.m. with Commissioner George Miller and Commissioner Phil Cooper present. Also present were Director Kevin Howard; District Clerk/Treasurer Carol Richel; Deputy Director Dustin Howe; Deputy Clerk Tomi Maynard; and:

Richy Schoener, Hull Loop  
Steve Copp, Koth Road  
Angela Comstock, JUB

Mark Koth, Koth Road  
Kevin Frederick, Koth Road  
Jeremy Russell, JUB

**APPROVAL OF AGENDA**

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

**CONFLICTS OF INTEREST ON AGENDA**

Chairman Corinne Johnson declared an apparent conflict of interest on the agenda item labeled "Swede Bay Road Paving" and indicated that she would leave the room if that item came up for discussion. George Miller and Phil Cooper each indicated no conflicts.

**APPROVAL OF MINUTES**

Cooper MOVED to approve the minutes of the September 29, 2021 regular meeting. Miller SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

**PUBLIC HEARING: Fee Schedule for Public Records Requests**

Johnson opened the public hearing at 9:01 am. Maynard briefly went over the changes to the Fee schedule. Johnson requested that Resolution 2021-09 be placed in the record:

**WORLEY HIGHWAY DISTRICT  
RESOLUTION 2021-09**

**Fee Schedule for Public Records Request**

**WHEREAS** the WORLEY HIGHWAY DISTRICT Board of Commissioners has determined the need to establish a fair and impartial policy on access to public records of the District, and

**WHEREAS** WORLEY HIGHWAY DISTRICT is a public agency, and as such, is subject to the provisions of Idaho Code wherever the term public agency is used, and

**WHEREAS** Idaho Code Title 74, Chapter 1 spells out the requirements relating to the public's access to records of public agencies,

**NOW THEREFORE BE IT RESOLVED** that Worley Highway District Board of Commissioners adopts the following Public Records Policy:

BOARD OF COMMISSIONERS REGULAR MEETING MINUTES

OCTOBER 13, 2021

Page 2

- (1) Any person applying to examine and/or take a copy of any public record in the possession of Worley Highway District will be required to make a written request (I.C. 74-102(4)). A REQUEST TO EXAMINE/COPY PUBLIC RECORDS form will be provided by the District.
- (2) Worley Highway District will respond to any written request for examination of public records, as required by I.C. 74-102. The response will be in writing on a Worley Highway District RESPONSE TO REQUEST TO EXAMINE AND/OR COPY PUBLIC RECORDS form.
- (3) The following copying fee schedule shall be established (I.C. 74-102(10)).

WORLEY HIGHWAY DISTRICT FEE SCHEDULE  
FOR PUBLIC RECORDS REQUEST

I.C. reference	Type of work involved	Costs
<b>74-102(10)(a)</b>	<b>Photocopying/manpower costs</b>	
74-102(10)(b)	Photocopying not more than 100 sheet pages within 10 days-Standard 8 ½" x 11"	Free
74-102(10)(b)(i)	Request is for more than 100 pages photocopying-Standard 8 ½" x 11"	\$.02 /page
74-102(10)(b)(ii)	Request includes records from which nonpublic information must be deleted	Deputy Clerk loaded wage rate per hour + \$.02/page
74-102(10)(b)(iii)	Where actual labor associated with locating and photocopying documents for a request exceeds two (2) person hours	Deputy Clerk loaded wage rate per hour + \$.02/page
74-102(10)(c)	Photocopying information on sheets other than Standard 8 ½"x11" sheet (ex. Maps)	Varies, depending on size
<b>74-102(10)(d)</b>	<b>Electronic information retrieval/other information retrieval than photocopying</b>	
74-102(10)(d)(i)	Where WHD has an out of pocket cost	Actual out of pocket cost
74-102(10)(d)(ii)	If WHD has a standard that it charges for selling same information in form of a publication	Standard charge

74-102(10)(f) WHD will not charge any cost or fee for copies or labor if the requesting party shows an inability to pay or that the public's interest or understanding of the operation of WHD would suffer by assessment or collection of any fee. To show the requested meets this section, a written document, signed by the requester stating the basis the requester is seeking a waiver of fees must be presented to WHD. Copies of tax returns for the past two years may be required if the basis is that of inability to pay or any other document reflective of financial capability may be required. The Board of Commissioners will make the determination whether or not the basis as set forth by the requester is sufficient to waive some or all of the fees or costs assessed.

**BE IT FURTHER RESOLVED** that this policy will take effect upon adoption by the Commission and shall supersede any prior policy relating to the public's access to records of Worley Highway District.

There were no comments from the public.

Miller MOVED to approve resolution 2021-09 as presented. Maynard called the roll with the commissioners voting as follows: Commissioner Cooper, aye; Commissioner Johnson, aye; Commissioner Miller, aye. The motion PASSED UNANIMOUSLY.

Johnson closed the hearing at 9:04 a.m.

### **PUBLIC COMMENTS AND GUEST INTRODUCTIONS**

Kevin Frederick, Mark Koth and Steve Copp introduced themselves and indicated their desire to discuss the Koth Road agenda item. Richy Schoener introduced himself and asked the Board why Hull Loop didn't get paved all the way up to Kidd Island Road. Johnson responded that Hull Loop is slated to be paved in the future and requested that Howard comment further. Howard explained that a project is scheduled to realign several curves on Hull Loop that will require rebuilding the road bed in multiple places. If the roadway was paved now the pavement would have to be removed when the planned project begins.

### **Priority items for attendees from New Business**

Jeremy Russell joined via Zoom at 9:15 a.m.

### **Koth Road**

Koth requested an update on the litigation pertaining to this ROW. Howard informed the group that the District's attorney has directed no substantial updates be given in an effort to prevent giving away the District's legal strategy. Howard added that he has a meeting scheduled with Susan Weeks next week. Johnson commented that the Board knows that waiting is a painful process, and the District is also anxious to have a resolution on the matter. Koth, Copp and Frederick asked questions regarding the plans for opening the road once a resolution has been reached. Johnson deferred that discussion until the litigation is resolved.

### **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. The Club at Rock Creek, Major Subdivision, Loffs Bay Rd.:  
JUB has been employed to perform the roadway construction inspections for Worley Highway District. [No additional information this month.](#)
2. Axis Cove 1<sup>st</sup> Addition, MIN20-0103:  
Approved. Under appeal to hearing examiner Kootenai County Community Development (KCCD).  
[No additional information this month.](#)
3. Ranch at Cougar Creek, MIN09-0019:  
Approved. Under appeal to hearing examiner at KCCD. [No additional information this month.](#)
4. Farup Estates, MIN20-0099:

Listed as “On Hold” at KCCD. No additional information this month.

5. Rocky Point Reserve, MIN20-0088:

This subdivision has been approved by KCCD on 7/15/2021. No additional information this month.

6. Farris Landing, MIN20-0089:

This subdivision has been approved by KCCD on 7/15/2021. No additional information this month.

**WHD Construction Projects**

1. Rockford Bay Road/Loffs Bay Road (W) Intersection: Status Report

I signed a professional services agreement with JUB to move forward on this item.

2. Kidd Island Road Project: Status Report

The Kidd Creek repair and replanting of the trees and other vegetation is complete. LHTAC is working on an agreement for monitoring of the stream.

3. Watson Road Slide:

The contractor will be moving in this month to complete the project.

4. Hull Loop Project:

Right-of Way Acquisition is underway for one parcel.

5. Sun Up, Bennion, Finnebott Intersection Project:

The punch list is being completed this week. (Hydro seeding, drainage concerns, road name signs, etc.)

6. Watson Bridge Project:

The remaining work to be completed on this project is: roadway approaches, bridge surfacing, overflow/backwater culvert to be installed.

7. Solitaire Road:

The agreement has been signed and the financial assistance has been received from the community. This project is tentatively set for next summer.

**WHD Misc. Projects**

1. Koth Road ROW Status: *(Addressed earlier in the meeting.)*

The district’s Attorney, Susan Weeks, would like to visit with the board in executive session when schedules allow. No additional information this month.

2. Validation of Road #20:

Jeremy Russell, JUB, has sent a copy for the record of survey to Attorney Weeks for review prior to recording.

3. Rockford Bay Road, Speed Limit signs:

The signs have been installed.

4. Swede Bay Road Paving:

Telephone discussions regarding design and topographical limitation has happened. A drawing has yet to be produced for staff's review. **No additional information this month.**

### **NEW BUSINESS**

1. November Meeting Schedule

Johnson suggested moving the first meeting in November back to the standard 2<sup>nd</sup> Wednesday in November which falls on November 10<sup>th</sup>. All parties indicated it would work better.

Cooper MOVED to schedule the meeting for November 10<sup>th</sup> instead of November 8<sup>th</sup>. Miller SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

2. Director's Job Description

A formal description of the Director's job is before the board for approval.

Miller MOVED to approve the Directors job description as presented. 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:

October 27, 2021 WHD Regular meeting

5. Commissioner Comments:

None.

### **EXECUTIVE SESSION**

None.

### **ADJOURNMENT**

Citing no further business, Miller MOVED to adjourn the meeting at 9:36 a.m. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

RESPECTFULLY SUBMITTED BY:

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Tomi Maynard, Deputy Clerk

APPROVED BY:

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Corinne Johnson, Chairman

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Date