

Flathead County Road and Bridge Advisory Committee
Advisory Committee Meeting
January 24, 2008 – **5:00 pm**
Solid Waste District Board Room – County Landfill

1. Roll Call

Committee Members Present: Charles Lapp – Chairman, Mike Schlegel – Vice Chairman, David Hilde, Karl Schrade

Committee Members Absent: Dan Siderius

Staff Present: Administrative Assistant Mike Pence, Deputy County Attorney John Smith, Public Works Director Dave Prunty, Operations Manager Guy Foy, Recording Secretaries Patti Vernarsky and Karen Rogers

Public Attendees: Paul Abel, Mike Felde, Leroy Stevens, Terence Richmond, Denise Hanson, Alan Wendt, Dan Lozar, Whitey Boughton, Mark Leighty, Rich Lapp, Tom Kern

2. Introductory Remarks

No remarks.

3. Comments from Public (15 Minutes Maximum)

Paul Abel - 301 Farm Road. He wanted to reiterate the appreciation he has for the committee, but he still feels there is an inequity and unequal treatment of the citizens. He feels the suburban people receiving road repairs for free. He would like to see the 2 million used in overlays to be spent to lower the costs of RSID.

Mike Felde - 136 Green Briar Dr. He stated he owns property in the Creston area and doesn't feel there is a fair treatment in the RSID plan for Creston. He stated he has been paying taxes for years, but feels that people that already have pavement don't have to pay for an RSID. He feels that roads getting paved increases traffic, which causes other people to take advantage of that and these people are not having to help pay for costs of the RSID. He felt the costs of RSID are extraordinary, and questioned why the different standard for crush and asphalt costs for different RSID's.

Leroy Stevens – He asked if the public can make comments as the meeting progresses. Leroy asked about the proposed method of assessments for RSID. Charles Lapp stated these meeting haven't been set up as a workshop yet, but feel free to write down the questions for the next meeting. Charles stated that questions might be answered as the RSID information is supplied.

4. Approval of the Board Meeting Minutes – **Action Required**

Mike Schlegel moved to approve the minutes from January 10, 2008 meeting. David Hilde seconded the motion. All in favor; motion passed, minutes approved.

5. Action Agenda – **No Items Requiring Action**

6. Director's Report

- a. Sieve and Proctor Report for Four Corners Gravel Pit – ¾ inch crush material

Dave Prunty stated he had been conferring with Dan Lozar from TD&H about the latest material calculations. He stated the first sample is still outside of MPWSS specifications, while the newest calculations meet the specifications. Dan Lozar stated that after recalculations the material did meet MPWSS specifications. He also went through and made modifications to forms. He stated the terms of the sample done in October showed it was high in fines, the sample would be good as a surface material but not for an asphalt base. He stated the second sample taken in December meets MPWSS.

- b. RSID Information Packet

Dave Prunty introduced the experts on RSID's Mike Pence, John Smith, and Terry Richmond of Morrison Maierle.

Mike Pence stated an RSID is a neighborhood project for what the people want. He stated the easiest way is to get together, front the money for the project and this would eliminate a good part of the extra expense included in RSID's. The county does not initiate RSID's; they just follow the process as prescribed by state law.

Jonathan Smith started with the history of RSID's in the county years ago there had to be a petition of 60% of the landowners. Since then laws have changed petitions are no longer required by law. In the 1980's real estate market fell, the county was left holding the bag on RSID's, so in the early 90's the county tightened the policy which made it very burdensome for people to create an RSID. Now the Commissioners make a resolution of intent. County policy requests a petition, but there isn't a specific requirement for number of signatures, the county would like to see at least half, but if only 30% of the landowners have signed, the county is not going to spend a whole lot of time on it because the percent of protest is possible. After the petition is submitted, then legal description and designation of an engineer is needed. The engineer is the biggest up front cost, which is an expense the county doesn't want to bear. Commissioners then start the process for creating a district through resolution. In

the resolution it has to be set how the property is going to be assessed. The different ways are assessable area, assessed value, lineal feet abutting road, or equal amount. From this point, the engineers name is submitted with the estimate of cost coming from the engineer. After all the hearings and everything is approved the commissioners adopt a resolution to create the RSID. The engineer then designs the improvements, in which bonds are issued for the improvements. After another hearing, the commissioners adopt another resolution to sell the bonds. Typically there needs to be bond council, financial advisors, and underwriters in order to get any buyers for the bonds. Recently the county has gotten some buyers that are willing to look at the projects without having the advisors, which brings the costs down by 30-40%. There are other costs, such as the revolving fund, which state statute requires the county to have 5% of bond sold. A revolving fund is a security for delinquent taxes in with in that RSID. The County also charges 5% administrative fee for all of the accounting, clerk & recorder to make bond payments. If a neighborhood wants pavement this is a great way for them to do it.

Charles Lapp stated that at the bond council meetings the lots have to abut the road. John Smith replied not necessarily abut, but benefit from the improvement. Mike Pence stated if the road is the main access to their property, those lots would be included.

Charles Lapp questioned the maintenance of roads after the RSID is done, where one RSID states the county will continue to maintain, while as others state the landowners will maintain. John Smith replied if the county is already fixing culverts or plowing snow, etc, the county will continue to maintain them. Mike Pence stated that private roads that have RSID, the intent was the private road would not be maintained by county, but a county road would still be maintained by the county.

Karl Schrade asked at what point during the process you can protest. John Smith replied just the one time, once the RSID is created it can't be protested. He stated if the bids come in over budget, the county does not have to proceed. The process could be started over.

Mike Schlegel asked about having an alternative RSID like a double chip seal. Mike Pence stated yes it is possible. Mike Schlegel asked where the decision comes from. Mike Pence stated the decision would be in the initial proposal, as long as the engineer said its ok. Dave Prunty stated as long as the engineers stamp is on the plans, the county is willing to work with the people.

Terry Richmond of Morrison Maierle explained the current RSID project he is working on Lodgepole Road near Bitterroot Lake. He explained the differences for assessments and the fairness for each of the lot owners. He explained some of the costs and why RSID's are not necessarily the cheapest way. Some costs

included are the engineering costs, surveys, design of the road. State law requires 1% tax on bids, plus insurance, contractor has to pay state prevailing wages which can raise the price. He went on to explain that a double chip seal would require a maintenance agreement, because typically they only last 6-7 years, where as pavement would last a lot longer.

c. 2007 Traffic Counts

Dave Prunty just wanted to update the committee with the 2007 traffic counts.

d. Jeff Key, Peccia & Associates, February 28, 2008 meeting

Dave Prunty just wanted to remind the committee that Jeff Key will be here for the February 28, 2008 meeting, and he is urging everybody to read the scope of work and for us to provide input. He stated that Mike Pence had commented on having a third party review of what roads to overlay, chip seal or whatever. He discussed about building a tree for criteria, reasons why, prioritize. Dave stated that Jeff will talk to Lewis and Clark County to see if their prioritization program will work for us.

7. Comments from Committee Members

Dave Prunty stated the next meeting will be February 14th. There were questions about move the time to 7:00 p.m. on that meeting. John Smith stated notice would have to be given. Dave Prunty stated it will be posted on the agenda and advertised in the paper. It was agreed to move the February 14th meeting only to 7:00 p.m.

8. Adjournment

Mike Schlegel made the motion to adjourn, Karl Schrade seconded, all in favor, motion passed. Meeting adjourned at 7:10 p.m.