

**CITY OF HAYDEN LAKE  
MINUTES OF REGULAR MEETING  
MAY 16, 2011**

CALL TO ORDER

Mayor Morris called the meeting to order at 6:00 p.m. Councilmen present were Chris Beck, Bob Grant, Todd Walker and Tom Gorman. Code Enforcement Officer Dick Pelton and Attorney Pete Bredeson were also present as representatives of the council. City Clerk Lynn Hagman recorded the minutes of the meeting. A list of visitors is attached to these minutes.

Mayor Morris led in the pledge of allegiance.

AGENDA

**Councilman Gorman moved to approve the agenda for this meeting, seconded by Councilman Grant. The motion carried.**

**Councilman Walker moved to amend the consent agenda to hold the payment for The Sweep until the job could be looked at. Councilman Beck seconded the motion. The motion carried.**

**Councilman Beck moved to approve the amended consent agenda including the minutes of May 3, 2011 and the list of bills for payment. Councilman Gorman seconded the motion. The motion carried.**

NORTH KOOTENAI WATER DISTRICT PROJECT

Councilman Gorman informed the council that he had received a punch list of the things that need to be done on the project. Councilman Gorman suggested holding payment until the punch list is complete and the work is satisfactory to the city. Council agreed and payment will be held.

10181 GIBSON RD

Councilman Gorman informed the council that he has been in contact with the Parry's and they have reached a settlement with their insurance company and will begin restoration on the home as soon as possible.

HAYDEN LAKE COUNTRY CLUB FENCE APPLICATION

Clerk Hagman informed the council that Mr. Hintz from the Hayden Lake Country Club had called and asked to have the application for the fence permit pulled.

Attorney Bredeson explained the court case from 1971 and stated that the city does have a prescriptive easement.

## CITIZENS ISSUES

Mr. William Bentz addressed the council asking if Welch Comer will identify this access as a prescriptive easement. Attorney Bredeson stated that it would be identified as such and included in the legal as such.

Mr. Bentz asked if the easement is a 20' (foot) easement. Attorney Bredeson replied that it was. Mr. Bentz questioned if the dock builders will still be able to build their docks in the easement and will the no trespassing signs be removed. Attorney Bredeson stated that this is a designated lake access and other issues regarding dock building and signs will need to be discussed.

Angela Hutchinson questioned why they park where there are signs that say no parking. Mayor Morris explained that the Country Club owns the property on either side of the easement and they can park on their own property.

Mr. Kopriva asked if the signs say no trespassing, will citizens have any problems when they want to use the access. Mayor Morris explained that the city will be having discussions with the Country Club regarding the signs.

Jennifer Rova spoke to the council in praise of Chief Johnson for his diligence in security checks that he does. Mrs. Rova also praised Dick Pelton for his politeness and grace when dealing with the public. Mrs. Rova added that she is happy with the water line repair in Pt. Hayden.

Mr. Bentz voiced his concern that there was a conflict of interest with council members and the Country Club. Mr. Bentz recommended the council think about forming an ethics committee. Attorney Bredeson explained that he discusses these issues with council members and in this issue there has been no conflict of interest. Mayor Morris stated that council members have abstained from voting when there is a monetary value involved. Mr. Bentz replied that the council members have voted on the Country Club issues and in his opinion; there was a conflict of interest.

Councilman Grant stated that Attorney Bredeson has responded to Mr. Bentz letter regarding this issue and Attorney Bredeson says there is no conflict. Attorney Bredeson informed the council that he had also discussed this with the Attorney General's office and they agreed.

Mr. Bentz felt that at times there should be ethical decisions made by council members. Councilmember Beck felt that Mr. Bentz had made some good points; however, Attorney Bredeson has told the council there was no conflict. Councilman Beck assured Mr. Bentz that in the future he will be mindful of the issues and how the public may perceive things.

## RESOLUTION 103

Mayor Morris introduced Resolution 103, a resolution approving the State/Local Agreement between the City and the Idaho Transportation Dept. stating the obligations of the City and ITD for the construction of Miles Ave. from Strahorn Rd. to N. Lakeview Dr. Attorney Bredeson explained the requirements of the agreement to the council. **Councilman Gorman moved to approve the agreement, seconded by Councilman Walker. A roll call vote was taken; Councilman Gorman, “aye”, Councilman Walker, “aye”, Councilman Grant, “aye” and Councilman Beck, “aye”. The motion carried.**

## PLANNING AND ZONING

Councilman Walker gave the Mayor and council an update on the dam. The Corp of Engineers has placed 15' of rock on the back side of the dam for reinforcement and the sewer line has been re-routed.

## FINANCIAL

Clerk Hagman reviewed the financial report for March, 2011 with the council. Finding everything in order, **Councilman Grant moved to approve the financial report, seconded by Councilman Walker. The motion carried.**

## STREETS

Councilman Gorman addressed the Pt. Hayden storm water and drainage. Matt Gillis has looked at the drainage in Pt. Hayden and felt the city needed to re-establish the ditch and plant grass. This could possibly be done by MDM Construction as they are working on the punch list for North Kootenai Water District.

Councilman Grant questioned if the patch in from of Mr. White's home could also be done by MDM. Councilman Gorman will look into this.

Councilman Gorman reviewed the quote from Chipmaster for the work to be done in Pt. Hayden. The quote was \$59,722 and did not include the duro patch. Councilman Gorman informed the council that the Chipmaster does not have a duro patch machine any longer so the quote is for chip sealing only with some repairs and double chip sealing in the bad areas.

Councilman Beck questioned if Lakes Highway District had been contacted. Lakes Highway District does chip sealing at \$1.67 sq. yd. Councilman Beck stated they do not have the resources to do repair work. Mayor Morris continued this discussion to the next meeting.

Councilman Gorman stated that the pot holes need to be marked for patching and he will talk to Matt Gillis from Welch Comer Engineers about having MDM Construction to the ditching and the street repair in front of Mr. White's residence.

Councilman Gorman felt that the striping around the city was fine and did not need to be done again this year. Councilman Beck felt that the striping was fine except Lakeview hill that was faded and the centerline on the Strahorn one-way. If any more striping is done, it will be after all the chip sealing is done first.

Mayor Morris voiced her concern with standing water again on Morris Rd. Councilman Beck and Councilman Gorman will look into this problem.

ADJOURN

With no further business before the council, at 7:50 p.m. **Councilman Gorman moved to adjourn, seconded by Councilman Grant. The motion carried.**

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Nancy E. Morris, MAYOR

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Lynn M. Hagman, CITY CLERK