

District Meeting Mary's River Estates Road

Date: December 8, 2022 Zoom meeting hosted by John

Attendees: John Patterson (president) Debbie Jackson (treasurer) Sandy Chapman: (secretary), Joe Chambers (President in waiting), Kevin Cornelius

Call to order: 7:00 by John

Additions/Deletions to agenda: Information on overhead limbs and mowing and policy for same.

Review RD minutes: John screenshares Yvette's corrections to the November minutes. John has added Yvette's changes concerning the multi-modal area on Columbine to the minutes. After a brief discussion and agreement by the other commissioners about these changes, John moves that the MRERD minutes for the November 9, 2022 meeting be approved with these changes. Debbie seconds the motion. John will send out corrected minutes.

Mail and Financials: Report by Debbie, Treasurer

Mail received: Yes;

We received emails for renewal of accounting software, Quick Books Deluxe version for \$60.00.

Email for annual billing ending in June 30, from the Office of Secretary of State for Government Ethics Committee for funding of investigations for \$40.00.

Email for insurance proposal from WHA. Debbie already turned in the renewal package to SDIS.

CPI Bill

Financial:

ACTION ITEM: Debbie will pay the quick books bill by Debit card and send checks for the other bills.

John asks if the bill has come in for ED Hughes? Debbie says no bill has come in yet.

Debbie screenshared:

1) MRERD Income/Expenses by Category YTD: 07/01/2022 through 12/06/2022

Account balances as of: 12/06/2022

Interest \$ 587.03

Taxes received \$115,932.20

TOTAL INCOME \$116,519.23

Citizens Bank Balance \$ 1,174.46

LGIP Balance \$168,857.82

Total bank accounts \$ 170,032.28

MRERD Transaction report 11/08/2022 through 12/06/2022

Bills	CPI (Debit)	\$ -	15.83
INCOME	Interest	\$	248.06
	Taxes received	\$	<u>90,935.70</u>
TOTAL	Income		\$91,183.76

Debbie needs to transfer money from LGIP into Citizens bank to keep up our balance. Joe is asking the reason we keep two bank accounts? Discussion on LGIP is the government investment pool and gives a better interest rate. Taxes go directly into this fund. Citizens Bank is where our checking account is at for debit and checks. This has \$0 interest. LGIP needs one person on the account. Citizens has all three Commissioners. **ACTION ITEM:** Debbie adds we need to designate a second debit card since John is retiring as President.

Debbie asks for motion to pay the bills. Sandy makes motion for Debbie to pay current MRERD bills. John seconds the motion.

Open Forum:

Review of Action Items: none

Review of Projects:

Gravel Repair:

The pot hole/gravel repairs have been done on Iris Circle from the pavement end of Iris and at the end of Columbine paved area on Iris Circle. Discussion: Joe says that it is very nice not having to worry about the pot holes on the road. Sandy says she thinks the pothole that is at the very edge of Columbine pavement on Iris gravel, is already starting to slough out onto the pavement.

Snow Plowing Contract:

John has been diligently trying to get the contract back from ED Hughes for snow removal. Stephanie the office manager is out of the office and we not able to get the contract. John will talk with James with ED Hughes directly (as he lives in the estates). It may not be a problem if we don't have a contract and it snows, but we need it. Debbie adds that one person needs to call in the plow. Joe and Debbie volunteered as they will be up earlier than Sandy. Sandy adds she will take responsibility for this if needed. As President, Johns' rule of thumb for calling the plow was, "If it snows and warms up do not call the plow. If it snows and does not thaw; then call the plow". The sooner we call the sooner we get in line for plowing as there are other districts using the same services.

Sweeping of Fog Lines:

Sweeping did not get done. John talked with Jeff and the broom sweeper was not working and needs repairs. He will try and get it done next week December 12-19. Question was asked if we know if the gravel on multi-modal Columbine can be swept? John says he does not know yet, he was going to go with the sweeper when he came to look at the area and then a decision would be made.

New Commissioner:

John wants to welcome our new Commissioner Joe Chambers. He will be taking the president position John is vacating.

John asks if we remaining commissioners want to talk about Board Member Roles now or later? Joe says he will need clarification on what a President does. Sandy says we have a Yearly scheduling list that can be sent to Joe. **Action Item:** John will get together with Joe and tell him about his role as President for a guideline on how he was running things. **Action Item:** Sandy and Debbie will get

together with Joe at a later date and talk about the running of things also. Debbie says she can continue with what she is doing now, but since going back to work fulltime she will not be able to do much else. Sandy feels that staying on as Secretary she can be of more assistance to the group and do more calling and ground work. Joe and Debbie are both working full time and she is not and has more time for the grunt work. Sandy and Debbie will help Joe as the new president stay on top of things.

John has turned in Joes name to the County and the County assigned him as President. **Action Item:** Joe still needs to sign and say the oath of Office for the County records.

Overhead Branches and Mowing Policy:

Sandy has information from Steve Silva from our WHA Insurance. She talked with him on December 1, 2022. I received a return call from Steve Silva from WHA insurance in regards to questions of liability of overhead limbs and trees falling on people of the area of Marys' River Estates.

Steve informed me that if any trees or branches falling onto the roadway and injury occurs, it is the PROPERTY OWNERS' INSURANCE that covers such events. It is not a claim against the Road District. The Road District is not in the business of trimming trees. We maintain the roads. It is an arborist job to trim and or cut down trees and not the responsibility of the Commissioners.

I told him we were wanting to write up a policy for the Road District for mowing and limb/tree cutting. Steve said a policy would inform the owners of what needs to be done with a recommendation to trim the trees or brush at the roadside. He said to approach the property owner to maintain roadway first. We cannot cut down anything we want to.

I told him that when Benton County did the mowing and clearance they just came on through and did it. They maintained everything.

Steve said then we may have an option to just cut if there is a right of way.

He said to check with the Benton County Road Dept. on issues with shrubs or trees near the roadway. Ask about easements or right of way, clearance amounts. Figure that all out through the County. Steve will keep an ear out for more information. He wanted me to get back with him the first week of January.

Discussion: John says that we have a right of way on our roads that is there. Sandy agrees.

In regards to a policy for mowing and tree/brush trimming on December 7, 2022, I spoke with Rich Scofferd with Benton County Road Maintenance

At first, he said there was no specific protocol, but then as the conversation went on, he says there is a manual called **Uniform Control Manual** that can be bought. There is a copy at the public works office. I can go down and look at that copy and makes copies from it for our use. Rich basically said the County mows the right of way with 2 passes approx. 10 feet off the road edge. And this can change in regards to sight distancing, bends in the road etc. The county limbs up to the height of a logging truck or the height of an open elevated dump truck, 16-20 feet approximation.

ODOT has different setbacks for right of way clearance.

I also have gone on Benton County website and downloaded information on road maintenance for Road Districts specifically. **Action Item:** I will send this information to all of the Commissioners to look over and we can talk about a mowing/brush/tree trimming policy at a later meeting.

Discussion: Sandy wonders if we need a lawyer to do the policy? John has bias on lawyers because of problems with trying to use them in the past and the person did not seem to know much about what needed to be done. Joe has a link to Uniform Traffic Control and this may be the same as the Uniform Control Manual Rich Scofferd with Benton Co. was talking about.

Keven wants to thank Joe for coming on as Commissioner.

7:42 Meeting adjourned by John