

NAMPA HIGHWAY DISTRICT NO. 1

Commissioners: Dick Smith, Randy Noble, Bryce Millar

NAMPA HIGHWAY DISTRICT NO. 1 REGULAR BOARD MEETING November 26th, 2019

LOCATION: Nampa Highway District Office
Main Conference Room
4507 12th Avenue Road
Nampa, ID 83686

TIME: 8:00 a.m.

- **CALL MEETING TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ADMINISTRATIVE ACTION ITEMS:**
 - Regular Meeting Minutes from November 12th, 2019
 - Review and Approve Agenda including Amendments
 - Accounts Payable Review through November 26th, 2019 and Payroll for the month of November
- **8:15 A.M. – City of Nampa**
- **8:30 A.M. – Taylor Merrill (West Park Co.); John Carpenter & Joshua Fry (T-O Engineers); Caleb LaClair & Daniel Badger (City of Nampa) – Osprey Meadows Subdivision – Continuation of discussion regarding Private Sewer in Public Right-of-Way**
- **9:00 A.M. to 10:00 A.M. – Taylor Merrill (West Park Co.); John Carpenter & Joshua Fry (T-O Engineers); Mike Black (Blackwater LLC) – Field Trip to observe Britannia Heights Subdivision Private Sewer Facility**
- **ENGINEER'S REPORT**
- **NEW BUSINESS**
 - **ACTION ITEM:** Approval of 2019 Longevity Checks
 - **ACTION ITEM:** Star & Cherry Roundabout Project – Authorization to make offers for Right-of-Way Acquisitions
 - **ACTION ITEM:** Midland & Ustick Roundabout Project – Review and Consideration of counter offer for Right-of-Way Acquisitions
 - **ACTION ITEM:** Sign License Agreement for Winemakers, LLC for pressurized irrigation crossing
 - **ACTION ITEM:** Happy Valley & Victory Roundabout Project – Consider / Accept counter offers for Right-of-Way Acquisition
 - **ACTION ITEM:** Sign Mylars for Britannia Heights Subdivision #4
- **DIRECTOR'S REPORT**
- **UNFINISHED BUSINESS**
- **PUBLIC DISCUSSION**
- **ACTION ITEM: EXECUTIVE SESSION – I.C. 74-206 (1) (a), (b), (c), (d), (e), (f), or (i)**
- **LEGAL COUNSEL REPORT**
- **ACTION ITEM: ADJOURNMENT**

PAIGE RHOADES
DISTRICT CLERK

DATE & TIME POSTED

4507 12th Avenue Road, Nampa, ID 83686



Phone (208) 467-6576 Fax (208) 467-9916

NAMPA HIGHWAY DISTRICT NO. 1 REGULAR MEETING

PRESENT: Commissioners Dick Smith, Randy Noble, & Bryce Millar, Director Devin Muchow, District Engineer Eric Shannon, Attorney David Wynkoop, District Clerk Paige Rhoades, Assistant Engineer Nick Lehman; ROW Agent Eddy Thiel
GUEST: Don Barr, Daniel Badger, Caleb LaClair and Jeff Kasma, with the City of Nampa, John Carpenter, T-O Engineers; Mike Black, Blackwater LLC; Taylor Merrill, West Park Co.

Chairman Dick Smith called the meeting to order at 8:00 a.m. and all present said the Pledge of Allegiance.

Commissioner Noble made a MOTION to approve the Regular Meeting minutes from November 12th, 2019. Commissioner Millar SECONDED the motion. MOTION CARRIED.

Commissioner Millar made a MOTION to approve the agenda as posted. Commissioner Noble SECONDED the motion. MOTION CARRIED.

Commissioner Noble made a MOTION to approve Accounts Payable through November 26th, 2019 and Payroll for the month of November. Commissioner Millar SECONDED the motion. MOTION CARRIED.

Don Barr with the City of Nampa, advised the Board that business is as usual. He advised the Board that Crews laid out some salt this morning due to winter weather and they have been preparing their equipment for the snow that came over night. Mr. Barr also advised that Crews were trying to get all the leaves swept up prior to the snowfall. Mr. Barr advised the Board that their new grader is out working in their pit today as well.

ROW Agent Eddy Thiel advised the Board that he has the license agreement for Winemakers LLC prepared and ready for Board signature. Commissioner Noble made a MOTION to approve and authorize the Chairman to sign the license agreement to allow a pressurized irrigation crossing on Surrey Lane. This project is to be installed during the Surrey Lane road rehab project for FY2020 by the Nampa Highway District. Commissioner Millar SECONDED the motion. MOTION CARRIED.

ROW Agent Eddy Thiel advised the Board that he has received the mylars for Britannia Heights Subdivision phase #4 for signature. Commissioner Millar made a MOTION to approve and authorize the Chairman to sign the mylar for Britannia Heights Subdivision phase #4. Commissioner Noble SECONDED the motion. MOTION CARRIED.

Daniel Badger with the City of Nampa, advised the Board that the City of Nampa has met with the Engineers handling the new Amazon project regarding all the proposed changes with the roads and traffic signals that will be coming along with the new distribution center. Mr. Badger also advised the Board that the standard projects for the year are under design and they are

working on bids for some of them. The Middleton Road irrigation improvement project will be out to bid somewhere between December and January.

Engineer Eric Shannon began his work report.

For the Middleton & Orchard Signal project, Engineer Shannon advised the Board that the Supreme Court oral arguments are currently scheduled for February 19th through the 28th, 2020.

For the Happy Valley & Airport Signal project, Engineer Shannon advised the Board that the equipment has arrived and is currently being installed. Engineer Shannon advised the Board that the contractor is expected to be completed by December 13th, 2019.

Engineer Shannon reported that the City of Melba has requested the NHD seal coat the City's streets in FY 2020. NHD has done this in years past. He and Director Muchow will proceed, unless the Board has any objections or concerns; there were none.

For the Midland & Ustick Roundabout project, Assistant Engineer Nick Lehman reported that all needed parcels have been acquired, except the one on the northwest corner. That parcel is being platted, and the City of Caldwell is negotiating the right-of-way acquisition as part of the development agreement. The agreement will include the project relocating an irrigation well, and replacing a concrete irrigation ditch with gated pipe. He hopes to have a finalized agreement to present at the next Board meeting.

Director Devin Muchow began his work report.

Director Muchow presented the Board with the 2019 Longevity Checks report. He asked the Board for a motion to approve the Longevity Checks. Commissioner Millar made a MOTION to approve the 2019 Longevity Checks for staff. Commissioner Noble SECONDED the motion. MOTION CARRIED.

He presented the Board with a copy of the shop department report. He discussed that the new pup trailer will need new tires.

The Crusher Crew has crushed 4,440 yards of 1-inch road mix with the goal of having 10,000 yards once finished.

The Bridge Crew has been working on washouts on Sinker Road. They have also been doing replacing culverts on Ruth Lane. The crew set a box culvert on Ruth Lane yesterday and the Director from Notus-Parma Highway District and the Road Foreman from Golden Gate Highway District came to watch for ideas to accomplish these types of projects in their Highway Districts. Director Muchow advised the Board that he offered both Highway Districts to let him know if they would like a bridge crew employee of NHD to come help them. Director Muchow advised the Board that the Bridge Crew will be relocating to Surrey when they finish Ruth Lane.

The Road Crew has been working on brushing and crack sealing. They will move to Surrey Lane soon for the rehabilitation project as scheduled.

Director Muchow stated that he would like to start training a 3rd employee on the roadside weed spraying as a backup. The Board agreed that keeping up someone trained would be a good idea.

Director Muchow asked the Board if they would like to continue obtaining the gift cards that NHD provides the employee spouses at the Christmas party. The Board advised to get the gift cards for the employee spouses.

Director Muchow provided the Board with a list of the Road and Bridge scheduled projects for the year.

This completed Director Muchow's work report.

At 8:30 a.m., John Carpenter (T-O Engineers) and Caleb LaClaire and Daniel Badger (City of Nampa) appeared before the Board to discuss the Osprey Meadows Subdivision. This discussion had been continued from the previous meeting. The Board asked the following questions:

1. Would the City of Nampa have any reservations about annexing a subdivision in the future with a private sewer under the public streets? Mr. Badger answered "no". The City has done this in the past, and cited the Castleton Subdivision as an example.
2. Can the private sewer be installed under the sidewalk rather than under the road? Mr. Badger said the City would prefer it go under the road. If it ever needs to be dug up, it would be much easier and less expensive to have it under the road.

At 9:00 a.m., Taylor Merrill (West Park Co.) and Mike Black (Blackwater LLC) joined the discussion, and the Board continued questioning.

3. Does the City have any situations where it charges a fee for private use of the public right-of-way? Mr. Badger said Norco pays a "use fee" to run a nitrogen line in the City's public right-of-way. This is covered by a License Agreement, and he will send a copy to NHD staff for reference.
4. Can the sewer company and/or users pay NHD an on-going annual fee or "rental" for having their system in the public right-of-way? Mr. Merrill said he prefers not to do this. Instead he proposes the following:
 - a. The contractor will warrant the work for two years after completion of construction. This is typical for contract work.
 - b. Each residential subdivision lot will pay \$500 into a fund to guarantee repairs of public infrastructure resulting from any sewer failures. The fund will remain in place for 10 years after completion of the final subdivision phase. Since it will likely take 10 years for the subdivision to build out, this will likely result in the fund being in place for a 20-year period. At the end of that period, the fund will go to the developer.

- c. By the end of the 20-year period, when the guarantee fund goes away, the private sewer LLC will have built up enough reserves to be solely responsible for the financial risk.
5. The Board questioned Mr. Black about his experience with operating private sewer systems. He said it is extremely unlikely that any type of system failure would result in damage to the public infrastructure. He said his companies have always been able to fund all needed maintenance and repairs. They have never caused collateral damage to other infrastructure, but if it were to happen, he has funds to deal with it.

At 9:28 a.m., the Board, NHD staff, Mr. Carpenter, Mr. Merrill, and Mr. Black did an on-site tour of the Britannia Heights subdivision private sewer system. It is owned and operated by Mr. Black's company, Blackwater LLC.

The Board and NHD staff returned to the meeting at 10:40 a.m. Engineer Shannon advised the Board that he will contact the parties to discuss the next step for the Osprey Meadows Subdivision.

Engineer Eric Shannon requested the Board go into Executive Session to discuss Right-of-Way Acquisition for the Star & Cherry Roundabout project and Happy Valley & Victory Roundabout project.

EXECUTIVE SESSION: At 10:46 a.m. Commissioner Millar made a MOTION to go into Executive Session pursuant to IC 76-206 (1) (c). Commissioner Noble SECONDED the motion. Upon roll call, Commissioner Millar voted "aye", Commissioner Smith voted "aye and Commissioner Noble voted "aye". MOTION CARRIED.

The Board concluded Executive Session at 11:13 a.m.

Assistant Engineer Nick Lehman requested authorization to make offers based on the appraised valuation for Parcels 5, 9, 20, 21, 22 and 23 for the Star & Cherry Roundabout project. Commissioner Noble made a MOTION to authorize Staff to make offers based on the appraised valuation for Parcels 5, 9, 20, 21, 22 and 23 for Star & Cherry Roundabout project. Commissioner Millar SECONDED the motion. MOTION CARRIED.

Engineer Eric Shannon requested authorization to accept the counter-offer made for Parcel #20 for the Happy Valley & Victory Roundabout project.

Commissioner Millar made a MOTION to accept the counter-offer made for Parcel #20 for Happy Valley & Victory Roundabout project. Commissioner Noble SECONDED the motion. MOTION CARRIED.

This completed Engineer Shannon's work report.

Commissioner Millar made a MOTION to adjourn at 11:16 a.m. Commissioner Noble SECONDED the motion. MOTION CARRIED.

Chairman, Dick Smith

Vice Chairman, Randy Noble