

These minutes have been approved by the Board of Commissioners and are the official record relating to the conduct or administration of the District's business, as reflected herein.

MINUTES OF THE REGULAR MEETING OF THE NOTUS-PARMA HIGHWAY DISTRICT NO. 2

A regular meeting of the Commissioners of the Notus-Parma Highway District #2 was held Tuesday, October 11, 2022, at 9:02 a.m. at the office of the District, 106th S. 4th Street, Parma, Idaho.

**Chairman William Hartman proceeded to lead all in the Pledge of Allegiance.*

PRESENT:

Commissioners William Hartman, Tom Sells and Gary Hickman, Director of Highways Lynn Troxel, Secretary/Clerk Genia Watkins, Engineer Tim Blair, and attorney Jay Kiiha

VISITORS:

Scott Wood & Ken Kanownik; LHTAC

APPROVAL OF AGENDA:

Secretary/Clerk Watkins reported that the original agenda was posted on Thursday, October 6, 2022, at 2:15 p.m. **Motion made by Commissioner Tom Sells to approve agenda, seconded by Commissioner Gary Hickman.** Motion passed unanimously.

APPROVAL OF BOARD MEETING MINUTES:

Secretary/Clerk Watkins provided copies of regular minutes for September 13, 2022 for approval. **Motion made by Commissioner Tom Sells to approve minutes, seconded by Commissioner Gary Hickman.** Motion passed unanimously.

TREASURER'S REPORT & BOARD APPROVAL OF BILLS:

Secretary/Clerk Watkins provided copies of financial reports for discussion. Expenses for September 14, 2022, through October 11, 2022, were \$193,593.50 and payroll for the same period was \$39,237.59 for a total of \$232,831.09. **Motion made by Commissioner Tom Sells to approve accounts payable and financial statements as drafted, seconded by Commissioner Gary Hickman.** Motion passed unanimously.

PUBLIC INPUT:

None

**Suggestion made to move New Business – Approve Agreement with LHTAC/LILB for Bridge KN27145 Hexon Road up in the agenda to accommodate visitors.*

NEW BUSINESS:

- **APPROVE AGREEMENT WITH LHTAC/LILB FOR BRIDGE KN27415 HEXON ROAD**

Ken Kanownik described the agreement between Notus Parma Highway District No. 2 and LHTAC. The district has the opportunity participate in project development and construction in the future if desired. Engineer Scott Wood described the process of Hexon Road bridge replacement including in detail all the preliminary steps that will need to be taken before construction can begin.

Motion made by Commissioner Tom Sells to approve agreement with LHTAC and authorize chairman to sign, seconded by Commissioner Gary Hickman. Motion passed unanimously.

OLD BUSINESS:

- **ROAD/BRIDGE REPAIR & MAINTENANCE**

Director Troxel discussed attached report. Crew is working on turn around at end of Goodson Road. City of Caldwell will be requesting a permit soon to work within the highway right of way to install a water line along Farmway Road and Purple Sage Road. Discussion was held regarding what type of agreement will be needed. Director Troxel with work with attorney and engineer to get a draft agreement ready.

- **GOODSON ROAD IMPROVEMENTS**

Engineer Tim Blair presented staff report regarding recommendations for area of Goodson Road in relation to the Stadium Development. Options include additional signage to area and/or straightening one curve on Goodson Road.

Motion made by Commissioner Tom Sells to approve staff report and follow recommendation one as prepared, seconded by Commissioner Gary Hickman. Motion passed unanimously.

- **DISCUSS ATTORNEY RECOMMENDATIONS AND AUTHORIZE CHAIRMAN TO SIGN PROFESSIONAL SERVICES AGREEMENT**

Secretary/Clerk Watkins stated that attorney firm White Peterson updated their service agreement. **Motion made by Commissioner Tom Sells to approve Professional Services Agreement with White Peterson and authorize chairman to sign, seconded by Commissioner Gary Hickman.** Motion passed unanimously.

- **BENEFIT PACKAGE**

Winston Goss with Shandro Group will be here in November to discuss insurance options.

CONTINUED NEW BUSINESS:

➤ CONTINUE APPLICATION FOR VARIANCE 2022-02 KM ENGINEERING

Secretary/Clerk Watkins stated that at attorney's recommendation, KM Engineering provided additional evidence for the variance 2022-02.

Motion made by Commissioner Tom Sells to accept additional evidence for Variance 2022-02 for KM Engineering, seconded by Commissioner Gary Hickman. Motion passed unanimously.

- Affidavit of Legal Interest / Blake T. Fotheringham
- Property profile R3855501200
- Property profile R3855501300
- Property profile R3855501400
- Property profile R3855501800

➤ APPROVE FINDINGS OF FACT/CONCLUSIONS OF LAW & ORDER VARIANCE 2022-02 KM ENGINEERING

Attorney William F. Gigray prepared the Finding of Fact/Conclusions of Law & Order for Variance 2022-02 for KM Engineering. **Motion made by Commissioner Tom Sells to approve Findings of Fact/Conclusions of Law and Order for Variance 2022-02 for KM Engineering, seconded by Commissioner Gary Hickman.** Motion passed unanimously.

➤ APPOINT CHAIRMAN OF THE BOARD

Motion made by Commissioner Tom Sells to elect William Hartman to serve as Chairman, seconded by Commissioner Gary Hickman. Motion passed unanimously.

➤ APPOINT VICE-CHAIRMAN OF THE BOARD

Motion made by Commissioner Gary Hickman to elect Tom Sells to serve as Vice-Chairman, seconded by Commissioner William Hartman. Motion passed unanimously.

➤ APPROVE RESOLUTION 2022-07 FIRST AMENDED & REFORMED AGREEMENT FOR DISTRICT ATTORNEY CIVIL LEGAL SERVICES

Secretary/Clerk Watkins stated Resolution is needed to amend first agreement made with White Peterson. **Motion made by Commissioner Tom Sells to approve Resolution**

2022-07 First Amended & Reformed Agreement for District Attorney Civil Legal Services, seconded by Commissioner Gary Hickman. Motion passed unanimously.

ACCHD/IAHD REPORT:

Next ACCHD meeting will be held at Canyon Highway District on Thursday, October 20, 2022, at 1:30 p.m.

Secretary/Clerk Watkins stated that IAHD has made available draft convention agenda.

MOJO REPORT:

Director Troxel stated that Notus Parma Highway District will be borrowing pit run from Canyon Highway District until the district's pit run can be extracted from MOJO. Once that is done, CHD's material will be replaced.

ENGINEERS REPORT

Engineer Tim Blair discussed the attached report.

CORRESPONDENCE:

None

EXECUTIVE SESSION UNDER IDAHO CODE § 74-206 (1) (a), (b), (c), (d), (e), (f), or (i):

Motion made by Commissioner Tom Sells at 10:24 a.m. to go into executive session under Idaho Code §74-201 (1) (f) *To communicate with legal counsel for the public agency to discuss the legal ramification of and legal options for pending litigation, or controversies not yet being litigated but imminently likely to be litigated*, seconded by Commissioner Gary Hickman. Motion passed unanimously.

Roll Call:

- Chairman William Hartman – Here
- Commissioner Gary Hickman – Here
- Commissioner Tom Sells – Here
- Secretary/Treasurer Genia Watkins – Here
- Director of Highways Lynn Troxel – Here
- Attorney Jay Kiiha - Here

Motion made by Commissioner Tom Sells at 10:31 a.m. to come out of executive session, seconded by Commissioner Gary Hickman. Motion passed unanimously. No action was taken during Executive Session.

NEXT BOARD MEETING:

These minutes have been approved by the Board of Commissioners and are the official record relating to the conduct or administration of the District's business, as reflected herein.

Next regular board meeting is scheduled for November 8, 2022, at 9:00 a.m.

ADJOURNMENT:

With no further business to come before the Commissioners, meeting is adjourned. **Motion made by Commissioner Tom Sells to adjourn at 10:32 a.m., seconded by Commissioner Gary Hickman.** Motion passed unanimously.


CHAIRMAN


CLERK