

**FINAL MINUTES  
GOLDEN GATE HIGHWAY DISTRICT NO. 3  
BOARD OF COMMISSIONERS MEETING**

**Caution:** These Draft Minutes have not been approved by the Board of Commissioners and are not therefore an official record relating to the conduct or administration of the District's business and will not be retained. At such time as Minutes of the meeting reflected herein are approved by the Board of Commissioners said Minutes will become the official record of the conduct or administration of its business, as reflected therein and retained by the District.

**March 12, 2020**

A regular meeting of the Commissioners of the Golden Gate Highway District No. 3 was held at 11:30 A.M. on Thursday, March 12, 2020 in the District Office at 500 E. Golden Gate Avenue, Wilder, Idaho.

**PRESENT:** Commissioners Virgil Holsclaw, Fred Sarceda, and David Lincoln, Director/Engineer Gordon Bates, Road Foreman Casey Percifield, Attorney William F. Gigray, and meeting Secretary Joan L. Howell.

**ABSENT:** None

**AGENDA**

**REVIEW:** Director Bates reported for David Lincoln the interim Secretary, he posted the agenda for the regular meeting Monday, March 9, 2020 at 5:05 p.m. at the locations listed on the agenda. **Commissioner David Lincoln moved to approve the posting of the Agenda, seconded by Commissioner Fred Sarceda. The vote was unanimous. Motion carried.**

**PUBLIC**

**INPUT:** None

**VISITORS:** none

**MINUTES**

**READ AND**

**APPROVED:** Minutes of the meetings were read. **Commissioner David Lincoln moved to approve the minutes of the February 25<sup>th</sup>, 2020 Special Meeting, seconded By Commissioner Virgil Holsclaw. The vote was unanimous. Motion carried.**

**SECRETARY'S**

**RECORD DE-  
STRUCTION**

**REQUEST:** After review of the meetings minutes. **Commissioner David Lincoln moved to authorize the Interim Secretary's Record Destruction Request, Seconded by Commissioner Fred Sarceda. The vote was unanimous. Motion carried.**

## **FINANCIAL**

**REPORT:** Director Bates explained that former Secretary/Treasurer Genia Watkins came in and printed the checks and put together the financial reports. Director Bates then gave the financial report as follows. The expenses for February 14, 2020 through March 12, 2020 were \$106,542.66, payroll for February 14, 2020 through March 12, 2020 was \$44,985.90 for a total of \$151,528.56. **Commissioner Fred Sarceda moved to approve the Financial Report and authorize the Disbursement of Funds from the District's Treasury in the sum of \$151,528.56 for the payment of the bills presented by the Treasurer, Seconded by Commissioner David Lincoln, and motion passed unanimous.**

**The public hearing was scheduled to begin at 1 p.m. It was too early to begin the hearing so the Chairman moved ahead to item 10 on the agenda: Old Business.**

## **OLD**

**BUSINESS:** POLICY UPDATES – PERSONNEL POLICY (This is for discussion only. Any changes to the Policy Code will be made by Resolution at a future meeting of the Board and so noted on a future Agenda)

Winter Hours Policy Revision section 8.10.8.1: Director Bate informed the Board that the two-year winter experiment with split crews has gone good overall, with 10-hour days on Tuesday through Thursdays but less successful with the four-man crew on Mondays and Fridays. They discussed the crew's ability to get projects done in 10-hour days, vacation/personal time taken and snow removal history from the last four winters on Fridays, which showed infrequent plowing at best with minimal overtime payment. Director Bates recommended that they go to a four-day work week, each day would be a 10-hour day based on the above results. No change to summer hours. The Commissioners all expressed that they would be willing to try this new winter work week for a couple of years and see how it goes.

Director Bates then presented to and discussed with the Commissioners a list of recommended changes to the Policy Code dealing with personnel matters. On a few of the changes they consulted with Attorney Gigray and for one Director Bates will follow up with ICRMP. (Appended to these minutes is a list of recommended changes to the Policy Code)

**The discussion was put on hold at 1:00 p.m. to conduct the Public Hearing.**

## **PUBLIC**

**HEARING: BURCH COMPANY, LLC (DON BURCH) – VARIANCE 2020-01 @ 1:00 P.M.**

**Commissioner David Lincoln moved to open the Burch Company, LLC (Don Burch) Hearing for Variance 2020-01 at 1:01 P.M, Seconded by Commissioner Alfred Sarceda. The motion carried unanimously.**



Present at the hearing were: Commissioners Virgil Holsclaw, David Lincoln, and Alfred Sarceda, Director of Highways Gordon Bates, Foreman Casey Percifield, Meeting Secretary Joan Howell, Attorney William F. Gigray, and for the applicant: Don Burch and Dave Robinson.

Chairman Holsclaw read over the Format to Conduct a public Hearing.

Confirmed by Director Bates, the following exhibits have been admitted as evidence:

- Exhibit A – Application for Variance
- Exhibit B – Aerial Photo Parcel R33594201000
- Exhibit C – Notus Road Widening and Striping Plan
- Exhibit D – Staff Report by Gordon Bates

**Motion: Commissioner David Lincoln moved to accept into the record the exhibits as presented by the Director, seconded by Commissioner Fred Sarceda. The motion carried unanimously.**

Director Gordon Bates confirmed that Don Burch and Dave Robinson had signed the Sign-up Sheet.

Director Gordon Bates stated that the staff report was provided to the applicant, Don Burch prior to the Hearing and then presented his staff report for Variance 2020-01, for a Commercial Approach and Traffic Impact Study Waiver. The staff report outlined that the commercial approach onto Notus Road reduces trucks in the double curves and at the Ode Lane/Howe Road/Notus Road intersection which is a site-specific hardship. This is safer for all traveling public. The applicant has offered to construct a right turn lane on Notus Road as shown on Exhibit C. thus the Traffic Impact Study is not necessary. The staff report recommended approval with conditions:

1. Applicant shall design and construct a right turn lane and commercial approach on Notus Road as shown on Exhibit C, Notus Road Widening and Striping Plan by L. Kurt Smith of Intermountain Engineering, dated 3/09/2020.
2. Applicant shall secure a Commercial Approach Permit for work within the Notus road Public rights-of-way prior to construction. Design and work must meet HSDP.
3. Applicant shall dedicate right-of-way as needed by District Engineer for Notus Road and the right turn lane.

Director Bates stated that the concept plan is acceptable, he is satisfied with the design plans, but the construction documents will need more detail before acceptance.

Attorney Gigray suggested that they add that the full construction drawings must be approved by the District Engineer before a construction permit can be secured. He also suggested that the third condition be changed from “needed” to “required” by District Engineer... Director Bates agreed with the attorney.

Commissioner Sarceda asked if the new commercial approach would be too close to the approach for the existing MOJO gravel pit across Notus Road from this subject parcel. Director Gordon Bates referred to Exhibit C which showed that the new approach is 299 feet south of the existing MOJO approach which should give plenty of space.

Commissioner Sarceda wondered if this gravel pit could be expanded in the future when the 18 acres are mined out. Director Gordon Bates pointed out that there is space to expand to the north across a drain ditch or to the west across Ode Lane. This same approach could be used for both or they could apply for a new approach on Notus Road or Ode Lane respectively. Attorney Gigray mentioned that to expand the applicant would have to apply to the County for a new CUP and the District would have an opportunity to express concerns at that time.

Applicant Don Burch, 116 S KCID Road, Caldwell, was asked to address the Board. His company is a small family owned business looking to open up a new gravel pit. He applied for the commercial approach off Notus Road because he is concerned with the safety of his trucks and personnel accessing the roadway. This is why he is offering to build the right turn land. Attorney Gigray asked if he is agreeable with the staff report. Mr. Burch stated that he is agreeable with the staff report and the conditions. The Board did not have any questions for Mr. Burch.

The Commissioners moved on to the Deliberation Worksheet and took a few minutes to review. Attorney Gigray pointed out that for a variance this must pass the hardship requirement. Director Gordon Bates stated that this did meet the hardship requirement; that the commercial approach onto Notus Road reduces trucks in the double curves and at the Ode Lane/Howe Road/Notus Road intersection which is a site-specific hardship. He cited the irrigation ditch to the north and that Ode Lane would have to be rebuilt to accommodate truck traffic. Based on the answers to the questions on the Deliberation Worksheet the Commissioners found that it was favorable to grant the variance.

**Commissioner David Lincoln moved to approve the application for Variance 2020-01 with conditions for Burch Company, LLC for a commercial approach on Notus Road and a waiver for the Traffic Impact Study and for Legal Counsel to prepare the Findings, Conclusion of Law and Order with Recommendations as corrected during the Hearing today, seconded by Commissioner Fred Sarceda. The motion carried unanimously.**

**Commissioner David Lincoln move to Continue the Burch Company, LLC (Don Burch) for Variance 2020-01 at 12:00 p.m. at the next Regularly Scheduled Meeting set for April 9, 2020, seconded by Commissioner Fred Sarceda. The motion carried unanimously.**

Public Hearing concluded at 1:47 p.m. and Don Burch and Dave Robinson left the meeting room.



**OLD**

**BUSINESS:** **Continued:** POLICY UPDATES – PERSONNEL POLICY (This is for discussion only. Any changes to the Policy Code will be made by Resolution at a future meeting of the Board and so noted on a future Agenda)

Snow Call Stand-by (call back) Time and Sign Phone pay: Director Bates said that these are currently earned at Straight time that are added to Comp Time. He is wondering if the Board wants to change this to paid over time. He had put together a chart showing what the overtime pay vs straight time pay would be. They discussed the Fair Labor Standards with Attorney Gigray. This time is put in by employees over and above their 40 hours worked per week. The crew members are not aware that there is a choice to be paid overtime for their call back time.

The Board discussed letting crew members choose between overtime or straight time and that they could change due to special circumstances. The Director of Highways could evaluate the special circumstances

**5 YEAR CAPITAL IMPROVEMENT PLAN (CIP)**

Director Gordon Bates went over the 5 year capital improvement plan for the Homedale Rd (west), Chip Seal 8 yr Rotation, Minor Arterial, Bridge, Safety with the Commissioners. The Director gave two options 1) focus on the worst areas in the District or 2) focus on the three minor arterials. The Board expressed that they want to visit these areas on their road tour to help make that decision. Director Bates reminded the Board that the CIP can be amended based on need and District revenue.

**PUBLIC HIGHWAY DRAINAGE WATER RETENTION POND FEE OWNER MAINT. AGREEMENT – BENNETT INDUSTRIES, INC.**

Attorney Gigray had prepared the “Drainage Easement Non-Interference Agreement and Fee Owner Maintenance Agreement” between the Highway District and Black Swan Development, LLC and Bennett Industries, Inc. along with the Resolution to authorize the Chairman to sign the Agreement. Director Bates stated that they have reconstructed their drainage ponds, which is a big improvement to what was there. The easement is in a public right-of-way, not private, and the District is agreeing with the improvements. The Agreement requires maintenance so the pond capacity does not diminish.

**Commissioner Dave Lincoln moved to approve Resolution 2020-03 which authorized the Chairman to sign the “Drainage Easement non-interference Agreement and Fee Owner Maintenance Agreement”, seconded by Commissioner Fred Sarceda. The motion carried unanimously.**

**NEW**

**BUSINESS: SNAKE RIVER SUPPLY CREDIT**

Director Gordon Bates went over his memo with the Board that a piece of equipment that the District paid to be repaired turned out it was defective welds on the main framing that was the problem. Snake River Supply has offered an instore credit for the \$3,850.00 the District paid for this repair. This credit can be used for various items that the District needs. **Commissioner David Lincoln moved to accept the instore credit, seconded by Commissioner Fred Sarceda. The motion carried unanimously.**

**CITY OF NAMPA MOU**

The City of Nampa put together this MOU in hopes that all the Highway Districts and Cities in Canyon County would sign to ask the County to put on the ballot asking voters to increase the vehicle registration fees in the County with the increase going to road improvements. Approximately half of the funds raised would go to the Highway Districts and half to the Cities.

Attorney Gigray went over the memo he had prepared for the Board on the City of Nampa MOU. The Highway Districts will have to work out an Agreement between them on how to use the funds, the public will need to be educated on this increase and why it is needed and the Board of County Commissioners could deny and refuse to put on the ballot.

Director Gordon Bates welcomes the opportunity to educate the public. He mentioned that the City of Greenleaf denied the MOU because they did not like the cost of education. In the latest version of the MOU they deleted out the education paragraph. He is planning on attending the Greenleaf City Council meeting, as a private citizen, to encourage them to reconsider the MOU.

Commissioner David Lincoln suggested they form a committee to help educate the public and the Board of County Commissioners.

**Commissioner Fred Sarceda moved to authorize Chairman Holsclaw to sign the City of Nampa MOU, seconded by Commissioner David Lincoln. The motion carried unanimously.**

**PIGGYBACK PURCHASE FY2020 PAINT FROM ENNIS-FLINT (ITD CONTRACT)**  
The Highway District has to purchase yellow and white paint and by purchasing through Idaho Purchasing Department Statewide Blanket Purchase it will save the District Money **Commissioner Fred Sarceda moved to authorize the Work Director to order and proceed with the purchasing of Traffic Paint under Statewide Blanket Purchase Order SBPO162401103 with Ennis-Flint, Inc. for the contract unit prices for a total amount of \$19,489.25. The Work Director is also authorized to sign related order/purchase documents administratively. Seconded by Commissioner David Lincoln. The motion carried unanimously.**



## **ROAD TOUR**

**Commissioner David Lincoln moved to set March 19, 2020 as the date for the Road Tour starting at 9:00 a.m., seconded by Commissioner Fred Sarceda. The motion carried unanimously.**

Director Gordon Bates will post an agenda for the Road Tour.

## **ROAD**

**REPORT:** Road Foreman Casey Percifield went over his report and answered question from the Commissioners. Director Gordon Bates had some photos of the Travis Road Bridge Deck Replacement. See the attached road report.

## **ENGINEER**

**REPORT:** Director/Engineer Gordon Bates discussed the attached report.

## **ATTORNEY'S**

**REPORT:** Attorney William F. Gigray went over his report mostly discussing various legislation that will affect the Highway District and some legislation that was not passed that would have negatively impacted all taxing districts.

## **GENERAL**

**MATTERS:** None

## **COMMUN-**

**ICATIONS:** None

## **MOJO**

**REPORT:** The next meeting is scheduled for March 19, 2020. Not sure if this meeting will take place with the Coronavirus social distancing.

## **IAHD**

**REPORT:** Commissioner David Lincoln stated that IAHD postponed their next meeting for 30 days due to the Coronavirus.

## **ACCHD**

**REPORT:** None

## **COMPASS**

**REPORT:** None

**At 3:25 p.m. the Board took a short break**

## **EXECUTIVE**

**SESSION:** The Board of Commissioners, upon a unanimous roll call vote, convened into the Executive Session, pursuant to Idaho Code Section 74-206 (1) (a) to consider hiring a public officer, employee, staff member or individual agent; wherein the respective qualities of individuals are to be evaluated in order to fill a particular vacancy or need. The executive session was convened at 3:35 p.m. All three commissioners were in attendance. Also, in attendance, by request of the Commissioners, was Director Gordon Bates, Road Foreman Casey Percifield, Wm. F. Gigray, III Golden Gate Highway District No. 3 Attorney and meeting Secretary Joan Howell to take the minutes of this executive session. Information was then provided by the Director and Commissioners regarding the subject of the executive session. At 3:48 p.m. Commissioner David Lincoln moved and Commissioner Fred Sarceda seconded to come out of executive session and to reconvene into open session which motion passed unanimously.

**Open session resumed** and Chairman Virgil Holsclaw reported that information was received during the executive session relative to the announced purposes for going into the executive session and no action was taken by the Board of Commissioners.

## **SPECIAL**

**BUSINESS:** SECRETARY/TREASURER POSITION

**Commissioner David Lincoln moved to authorize Director Gordon Bates to offer the position of Secretary/Treasurer to Anita Herman, seconded by Fred Sarceda, motion carried unanimously.**

## **ADJOURN-**

**MENT:** There being no further business to come before the Commissioners, the meeting was adjourned. Next regular meeting is scheduled for April 9, 2020.

  
**CHAIRMAN**

Joan L. Howell  
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**SECRETARY**