

# NAMPA HIGHWAY DISTRICT NO. 1

Commissioners: Dick Smith, Randy Noble, Bryce Millar

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## NAMPA HIGHWAY DISTRICT NO. 1 REGULAR BOARD MEETING September 9, 2021

**LOCATION:** Nampa Highway District Office                      **TIME:** 8:00 a.m.  
Main Conference Room  
4507 12<sup>th</sup> Avenue Road  
Nampa, ID 83686

- **CALL MEETING TO ORDER**
- **PLEDGE OF ALLEGIANCE**
- **ADMINISTRATIVE ACTION ITEMS:**
  - Regular Meeting Minutes from August 31, 2021 and Special Meeting Minutes from August 23, 2021
  - Review and Approve Agenda including Amendments
  - Accounts Payable Review through September 9, 2021
  - **ACTION ITEM:** Decision regarding Costco Membership renewal
- **8:15 A.M.** – City of Nampa
- **9:00 A.M.** – **ACTION ITEM:** Doug Kern – License Agreement for landscaping to allow within the 40-foot right-of-way on Deer Flat Rd
- **930 A.M.-** Kim Gourley (Attorney) – Discussion regarding right of way acquisition for Robinson & Locust Roundabout project
- **11:00 A.M.:** - **ACTION ITEM:** Oleg and Tatyana Chervak – Application to Vary Standards to allow direct lot access for a lot in a platted subdivision to Joe Lane
- **ENGINEER’S REPORT**
  - **ACTION ITEM:** Robinson & Airport Roundabout project – Authorization to make offers for ROW Acquisitions
  - **ACTION ITEM:** Robinson & Locust Roundabout project – Authorization to make offers for ROW Acquisitions
  - **ACTION ITEM:** Approve FY2022-2026 5-Year Work Plan
- **NEW BUSINESS**
- **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**

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PAIGE RHOADES DISTRICT CLERK

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DATE & TIME POSTED



## **NAMPA HIGHWAY DISTRICT NO. 1 REGULAR MEETING**

**PRESENT:** Commissioners Dick Smith, Randy Noble & Bryce Millar, Attorney David Wynkoop, Director Devin Muchow, District Engineer Nick Lehman, District Clerk Paige Rhoades;  
**GUESTS:** Doug Kern; Kim Gourley; Oleg and Tatyana Chervak  
**ABSENT:** Right-of-Way Agent Eddy Thiel

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 August 31, 2021.  
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 September 9, 2021.  
Commissioner Millar SECONDED the motion. MOTION CARRIED.

District Clerk Paige Rhoades advised the Board that Costco memberships should be coming up for renewals and she would like to know if the Board would like to continue paying \$30 for each employee. The Board advised that would be acceptable.

District Engineer Nick Lehman began the Engineer's work report.

For Star & Cherry Roundabout project, Engineer Lehman advised the Board that Idaho Power still needs to install the electrical transformer for the electrical service that will power the street lights. There was a vehicle accident there over the weekend that caused some damages to a sign and the center island brick wall. Knife River submitted their claim letter this week for the utility delays. Their delay cost is \$20,026 for the 62 working days. NHD's liquidated damages would be \$93,000 for those delays. There is a total of 88 days between the original completion date and actual completion date which results in \$132,000 of liquidated damages.

For the Middleton & Orchard Signal Project, Engineer Lehman advised the Board that he received the final construction plans this morning and will need some time to review them. Engineer Lehman advised the Board that the Knight's berm has still not been removed. Attorney Wynkoop advised the Board that NHD might need to contact Mr. Knight to get his landscaping berm moved before NHD is forced to remove it for him.

Engineer Lehman requested that the Board go into Executive Session to discuss details of Property Acquisition for Robinson & Airport Roundabout and Robinson & Locust Roundabout.

EXECUTIVE SESSION: At 8:22 a.m., Commissioner Millar made a MOTION to go into Executive Session pursuant to IC 74-206 (1)(f). Commissioner Noble SECONDED the motion. MOTION CARRIED. Upon roll call, Commissioner Smith voted "aye", Commissioner Noble voted "aye", and Commissioner Millar voted "aye".

The Board concluded Executive Session at 8:42 a.m.

For the Robinson & Locust Roundabout and Robinson & Airport Roundabout, Engineer Lehman advised the Board that John Hill will continue meeting with patrons to reach agreements.

For the Ustick Corridor Study, Engineer Lehman advised the Board he is working on a MOU with CHD and the City of Nampa.

For the Northside & Cherry Intersection, Engineer Lehman advised the Board that he is working on a MOU with the City of Nampa. Engineer Lehman sent over a draft last week. This intersection could be a roundabout, staff is working on the concepts.

For the FY 2022-2026 5-Year Work Plan, Engineer Lehman advised the Board that he is looking for approval of the 5-Year Work Plan. Commissioner Noble made a MOTION to approve and adopt the FY 2022-2026 5-Year Work Plan. Commissioner Millar SECONDED the motion. MOTION CARRIED.

This completed the Engineer's work report.

Director Muchow began his work report

Director Muchow presented the Board with the Shop Report.

Director Muchow advised the Board that the Crusher Crew is currently working on material in the Lola pit.

Director Muchow advised the Board that the Bridge Crew is working on painting stop bars.

Director Muchow advised the Board that the Road Crew is working on Ruth Lane.

Director Muchow advised the Board that the Bridge Crew will be ordering some ecology blocks to pull back the hill on the corner of Ruth Ln and Mountain View Dr to hopefully help with a sight obstruction.

This completed the Directors work report.

At 9:00 a.m., Doug & Rachel Kern appeared before the Board to discuss a license agreement to place some landscaping within the ROW to help with a drainage problem they have on Deer Flat Rd. Engineer Lehman discussed the location and the ROW width for the section of road. Mr. Kern advised the Board that he was hoping to put in some rock to help with the water running off the road and onto his property. Commissioner Noble made a MOTION to approve the license agreement to allow the Kerns to do some drainage improvements in the ROW on Deer Flat Rd. Commissioner Millar SECONDED the motion. MOTION CARRIED.

At 9:30 a.m., Attorney Kim Gourley appeared before the Board to discuss the process of condemnation for a couple of upcoming projects.

Engineer Lehman requested that the Board go into Executive Session to discuss details of litigation.

EXECUTIVE SESSION: At 9:53 a.m., Commissioner Millar made a MOTION to go into Executive Session pursuant to IC 74-206 (1)(f). Commissioner Noble SECONDED the motion. MOTION CARRIED. Upon roll call, Commissioner Smith voted "aye", Commissioner Noble voted "aye", and Commissioner Millar voted "aye".

The Board concluded Executive Session at 10:09 a.m.

Attorney Wynkoop discussed with the Board some legal updates.

At 11:00 a.m., Oleg and Tatyana Chervak appeared before the Board to discuss an Application to Vary Standards to allow for direct lot access for a lot in a platted subdivision to Joe Ln. The Board advised Mr.

Chervak that they were not in favor of another direct access onto Joe Ln but they would be willing to allow the Chervak's to move one of the accesses to allow for two accesses for the three parcels. Mr. Chervak advised the Board that he would like time to consider this option and speak with the fire department and ROW Agent Theil at the same time. Commissioner Noble made a MOTION to table this matter until the next Board meeting on September 30, 2021.

Commissioner Millar made a MOTION to adjourn at 11:24 a.m. Commissioner Noble SECONDED the motion. MOTION CARRIED.

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Chairman, Dick Smith

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Vice Chairman, Randy Noble