

GOLDEN GATE HIGHWAY DISTRICT
500 GOLDEN GATE AVENUE
WILDER, IDAHO 83676

AGENDA
Regular Meeting
August 11, 2016
11:30 A.M.

1. Review and Approval of Agenda
2. Report of the Secretary on all Agenda Notice Postings
3. Motion to Receive Secretary's Agenda Notice Postings Report
4. Motion to Approve [if necessary] the amended agenda as last posted
5. Call for any motion to amend the agenda following the start of the meeting
6. Approval of Minutes
7. Approval of Meeting Minutes and Resolution Authorizing Secretary's Records Destruction Request of Meeting Audio Tape [Unclassified Record] Subject Meeting Dates: See Attached
8. Treasurer Report: 1. Questions and comments from the Board
2. Approval of bills: including the approval of funds certified as surplus and idle for investment purposes and transfers, and deposits made in the previous month
9. Old Business: Tony Christensen Irrigation Pipe License Agreement
Nate Jackson Hop Poles In ROW
Speed Limit Sign Study
Gravel Road Maintenance
10. New Business: Ben Freeland Drainage
Obendorf Variance
Roller Bid Award
11. Road And Engineer Report:
12. Attorneys Report:
13. Communications: None
14. MOJO Report: None
15. IAHD Report: None
16. ACCHD Report: Gordon Bates
17. Executive Session Pursuant to I.C. § 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, (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student

Posted At: Golden Gate Highway District Office
500 Golden Gate Avenue
Wilder, Idaho 83676

ATTEST: 
Teila Noe, Secretary

August 09, 2016 @ 8:30 a.m.
Date and Time Posted

MINUTES BOARD OF COMMISSIONERS 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.

Wilder, Idaho

August 11, 2016

A regular meeting of the Commissioners of the Golden Gate Highway District No. 3 was held at 11:30 A.M. on Thursday, August 11, 2016 in the District Office at 500 Golden Gate Avenue, Wilder, Idaho.

PRESENT: Commissioners Corby Garrett, David Lincoln and Fred Sarceda; Work Director Gordon Bates, Foreman Casey Percifield, Secretary Teila Noe and Attorney William F. Gigray

ABSENT: None

VISITORS: Pat Colwell, T-O Engineers
Brock Obendorf

AGENDA AMEND- MENT:

Motion: Made By Commissioner David Lincoln: To Amend The Agenda To Accept The Notice Of Public Hearing Regarding Intent To Sell Personal Property, 1984 Caterpillar Model CS563 Vibratory Roller, SN 8XF00302, Seconded By Commissioner Fred Sarceda. The Vote Was Unanimous. The reason is it was just received.

AGENDA

REVIEW: Secretary Teila Noe reported she posted the original agenda for the meeting Tuesday, August 09, 2016 @ 8:30 a.m. **Motion: Made By Commissioner David Lincoln: To Approve The Posting Of The Agenda, Seconded By Commissioner Fred Sarceda. The Vote Was Unanimous.**

MINUTES READ AND

APPROVED: Minutes of the meeting July 14, 2016 and Special Meeting August 02, 2016 were read. **Motion: Made By Commissioner Fred Sarceda: To Approve The Minutes Of The Meeting July 14, 2016 And August 02,**

APPROVED: Minutes of the meeting July 14, 2016 and Special Meeting August 02, 2016 were read. **Motion: Made By Commissioner Fred Sarceda: To Approve The Minutes Of The Meeting July 14, 2016 And August 02, 2016, Seconded By Commissioner David Lincoln.** The Vote Was Unanimous.

**SECRETARY'S
RECORD DE-
STRUCTION**

REQUEST: Review of the meeting Minutes: Secretary Teila Noe presented the Minutes from the Regular Meeting July 14, 2016 and Special Meeting August 02, 2016. **Motion: Made By Commissioner Fred Sarceda: To Approve The Minutes And By Resolution Authorize The Secretary's Record Destruction Request, Seconded by Commissioner David Lincoln.** The Vote Was Unanimous.

FINANCIAL

REPORT: The Secretary gave the financial report as follows. The expenses for July 15, 2016 through August 11, 2016 were \$270,272.34, payroll for July 15, 2016 through August 11, 2016 was \$43,185.60 for a total of \$313,457.94 **Motion: Made By Commissioner Fred Sarceda: To Approve The Financial Report And Authorize The Disbursement Of Funds From The District's Treasury in the Sum Of \$313,457.94 For The Payment Of The Bills As Presented By The Treasurer, Seconded By Commissioner David Lincoln.** The Vote Was Unanimous.

**PUBLIC
INPUT:**

None

OLD

BUSINESS: TONY CHRISTENSEN IRRIGATION PIPE LICENSE AGREEMENT. Work Director Gordon Bates explained that Tony Christensen is still working on getting the paper work signed by the property owner. This matter will be tabled.

NATE JACKSON HOP POLES IN RIGHT OF WAY. Work Director Gordon Bates reported he has sent a letter to Nate Jackson requesting his removal of the hop poles in the right of way by December 31, 2016.

SPEED LIMIT SIGN STUDY. Director Gordon Bates reported that he is working with Idaho Transportation Department on this matter.

GRAVEL ROAD MAINTENANCE. Director Gordon Bates informed the Commissioners that the current practice of grading roads two times a year is not a policy of the Golden Gate Highway District, but on the annual work plan. Foreman Casey Percifield told the Commissioners that the Wilder Irrigation District is requiring him to turn in a water card and has limited the ditches he can use to fill the water truck.

NEW

BUSINESS: BEN FREELAND DRAINAGE. Work Director Gordon Bates, the Board of Commissioners and Ben Freeland discussed the drainage problem on his property. See the attached. This matter will be tabled for the September meeting.

PUBLIC

HEARING: OBENDORF VARIANCES. Work Director Gordon Bates explained the Variance Requests for Wide Commercial Approaches and Runoff Water Discharge into Public Right of Way. He explained the application, exhibits, and the staff report with photos.

Commissioner Corby Garrett: Brock, do you have any exhibits you would like to enter?

Motion: Made By Commissioner David Lincoln: To Accept The Application And The List Of Exhibits For The Driveway Variance And The Storm Water Run Off Application, Seconded By Commissioner Fred Sarceda. The Vote Was Unanimous.

Work Director Gordon Bates: Read the staff report. See the attached.

Commissioner Corby Garrett: So there was no actual access?

Work Director Gordon Bates: The easterly portion of the sight (Exhibit B): The light colored line in the center corresponds with the topo that was provided with the site plan showing culverts, I assume that would have been a field access. The easterly 110 foot wide approach was built where there has been no historical approach. The center approach built where there used to be gravel, I will get into the change approach and the westerly approach where it used to be gravel on future exhibits. Work Director Gordon Bates read from the staff report.

Commissioner Fred Sarceda: Was there a driveway to the far west of the property, on the west side of the Quonset hut?

Work Director Gordon Bates: This access and this building, there was no work done in this area. This shows a parking lot and that is the same gravel pad area it has always been. As far as the variances go, they made

no changes to the far west of the property gravel approach they have been using. They have not altered the building on the west side. There are four approaches on this property, but only three are subject to new construction.

Work Director Gordon Bates provided exhibit H (see attached staff report)

Commissioner Corby Garrett: Brock, do you have any objection to exhibit H?

Brock Obendorf: No

Motion: Made By Commissioner David Lincoln: To Accept Exhibit H Into Evidence In The Application, Seconded By Commissioner Fred Sarceda. The Vote Was Unanimous.

Work Director Gordon Bates read from the staff report.

Work Director Gordon Bates: These Conditions of Approval just got buried in the permitting process, they didn't realize what they needed to do and where, it appears to be an oversight.

Work Director Gordon Bates read from the staff report.

Commissioner Fred Sarceda: In all fairness, when harvest hits, all three driveways are going to be plugged up, whether it is 10 wheelers or semi's, being a farmer myself, I can see a wider entrance way, which wouldn't show in tracking now because it hasn't been utilized, but I am thinking when harvest hits full gun, that is going to be a benefit from my stand point for safety, so you can swing a little wider and not in the other lane of traffic.

Work Director Gordon Bates: The applicant, in their application form spoke to that issue. When it comes to the public input they can talk about how they will utilize those approaches. Brock, you will have an opportunity in a few minutes. Are there any other questions about exhibit G? The staff recommendation, subject to the Board receiving public input, would be to deny the approach width variance, based on the information I received today, a hardship does not seem to exist. Work Director Gordon Bates read from the staff report. The Board will receive public testimony and determine if they agree with that staff recommendation after public testimony is received.

With regards to the runoff water into the roadway public right of way variance, I would recommend approval, subject to conditions of approval. Work Director Gordon Bates read from the staff report.

Commissioner Fred Sarceda: It looks like, in the past, the way the property lays, the trucks could come in off the road at any given place, so there wasn't any per say "marked driveways," so I don't know, I struggle with trying to keep these guys at a minimum when we look across the street at Asumendi's and they are the same way, wide open and Doug Gross is the same way. I think if we have some drainage issues that is our biggest issue that we are facing. The road is not traveled that much, as like highway traffic, it is more agricultural. I think there are other instances around the district and we need to be a little lenient, yet still take care of the storm water. I think that is the biggest issue here.

Work Director Gordon Bates: Yes, in my opinion yes, we need to do our best to manage the storm water. It is not the storm water coming from the road pavement into that ditch, it is the storm water coming downhill from the site and entering into the roadway, this is the bigger issue. With regards to the width of the approaches, the historical use, I have contacted Nampa Highway District, they have a lot of commercial development in their area and asked their recollection of 40 foot wide commercial approaches and variances that they had dealt with, and asked Eric Shannon, their District Engineer, what history they might have with 40 foot Commercial approaches, he didn't recall any issues with the 40 foot approaches. Work Director Gordon Bates commented that there are drainage issues at Doug Gross's facility on Travis Road with standing water in the winter. He wasn't aware of any accidents at this point with trucks coming and going.

Commissioner David Lincoln: Mr. Chairman, I have some comments I would like to make.

Commissioner Corby Garrett: Brock, would you like to speak your mind?

Work Director Gordon Bates: State your name for the record and if there is an exhibit or photo you would like me to get to.

Commissioner Corby Garrett: State your name and who you represent.

Brock Obendorf: Brock Obendorf, representing Obendorf Farms, maybe just go back to the entrances. The reason I think we need the variances for the truck traffic

Work Director Gordon Bates: Exhibit G

Brock Obendorf: Look at the traffic flow, the hop trucks enter this way and leave this way. When we are harvesting we will have two sets of

trucks that are going to come in and leaving, traffic in and out, I do realize it is a little wide, but I do think it will be safer for the trucks to get off the road. I think our main issue is the drainage. I don't see the wide entries being a big problem, but I do see the drainage being a problem, and we are willing to do whatever to fix it.

Attorney Wm. F. Gigray: Point of clarification. If Brock is OK with this, just so you are identifying the exhibit you are pointing too and which of the accesses you are pointing to, then the record will make sense with what he is saying, because if he just says pointing to this or that, if you had to review this you wouldn't know what he is referring to. I don't mean to interrupt what you had to say

Work Director Gordon Bates: This is exhibit G, and Brock if you could reference west, central and east approaches.

Brock Obendorf: OK, the west entrance, the central entrance, 75 foot and the east entrance, 110 feet.

Work Director Gordon Bates: Which one were you referencing when you pointed to the busiest one on the site?

Brock Obendorf: Equally, the most truck traffic will be at the central entry with the empty hop trucks coming out and the laborers going in and out, they will use both and the big truck traffic at the eastern entrance.

Commissioner Corby Garrett: Was there a reason to have the east entrance that wide?

Brock Obendorf: It just kind of ended up that way and we figured it would be better to have that much more pavement and space, just level it off on that side.

Commissioner David Lincoln: For operations sake too,

Brock Obendorf: When we are doing onions, trucks will pull in and line up and get off the road that way and unload, whatever, having that wide entrance is a lot better.

Work Director Gordon Bates: And Brock you reference the wide entry?

Brock Obendorf: The Eastern

Attorney Wm. F. Gigray: You might ask Mr. Obendorf what his position is in regards to the staff recommendation of the drainage? I don't know if he is planning on addressing that, he may agree.

Commissioner Corby Garrett: Have you had a chance to review that?

Brock Obendorf: We have been working with T-O Engineers on that, what they are going to do with that and with Gordon Bates as well, I believe whatever we need to do to comply.

Commissioner Corby Garrett: On the drainage issue?

Brock Obendorf: We would like it to be as simple as possible.

Work Director Gordon Bates: For the record. Brock, if the entrances were narrowed to 40 feet in lieu of what they are now, can you help the board understand how that would, your application has verbiage in there regarding the negativity, the negative impact to your operation that perhaps you can help the board understand now, if it would cause some hardship issues with your operations if those approaches were narrowed?

Brock Obendorf: I figure it would constrict on the truck traffic, the cost to remove the asphalt would be substantial and it would be a lot of work to do all of that.

Work Director Gordon Bates: If they were 40 feet would you say you wouldn't have enough access on your frontage to handle the truck and harvest traffic, I don't want to put words in your mouth?

Brock Obendorf: No, that is what I am saying. I believe these widths can handle it all and make it much easier for us to do that.

Commissioner Corby Garrett: Do you have any idea how much traffic we are talking about?

Brock Obendorf: A lot of hop trucks.

Commissioner Corby Garrett: And you are shipping finished, baled hops as well, so you have semis, 40 foot trailers coming out of here as well?

Brock Obendorf: Yes, and this being steeper, when we do the onion stuff we usually come in the east entrance, so that is why we need the width there.

Work Director Gordon Bates: T-O Engineers has provided a trip generation letter which does address one of our conditions of approval. It has been reviewed and modified and additional information has been provided and finally approved by myself on August 08, 2016

We did not feel it warranted a traffic impact study, their peak hour trips highest 54 employees coming in, 54 employees going out plus hop trucks coming in all at the same time and that point and time in peak harvest the trips would be 108 trips, on normal non harvesting on peak hours you would be about 39, about 111 during non harvest annual daily average, 824 would be the annual harvest daily traffic. This is based on 40 days during peak harvest.

Commissioner Corby Garrett: So one of my concerns is, probably geared more for T-O, is why they didn't address this early on when they are aware of what highway district standards are for new facilities, was it just something overlooked?

Brock Obendorf: Well, we just kept going on our entries and didn't really ask anybody, we didn't mean too.

Commissioner Corby Garrett: Right, I understand the need for it, with all the different facilities going in out here, if we don't address the standards of the highway district and other agencies.

Work Director Gordon Bates: Your comment regarding other hop facilities, I would like to point out that this facility is vastly different in its layout and design compared with the other facilities I have been working with permitting. All the other hop facilities are coming off the road with one single commercial approach, they are going into their site several hundred yards before they start making turning maneuvers for ways in to pickers, dryers, etc. This facility, because the parcel isn't very deep, they have a structure that is approximately 100 feet off the right of way that they are trying to make maneuvers for, so their layout is vastly different than all the others I have worked with. It does impact how they can maneuver those trucks going in and off of the right of way.

Attorney Wm. F. Gigray to Commissioner Corby Garrett: You might ask Gordon if he knows if the other facilities he is working on have the same amount of traffic volume that this site will have.

Commissioner Corby Garrett: Do you know this Gordon, their traffic volume?

Work Director Gordon Bates: This is off of recollection, their trip generation is approximately half of this facility, the reason being this facility has two pickers, for lack of a better term, the other facilities have one. So the other facilities have less employees, less capacity during harvest, smaller structures, etc.

Commissioner Corby Garrett: Anymore questions for Brock?

Attorney Wm. F. Gigray: Is there anyone else that wants to testify?

Pat Colwell: If you want to talk about the storm water, we have already submitted plans and I think we are pretty close.

Work Director Gordon Bates: It would have already been approved if the application for variance on the approaches hadn't come in first.

Commissioner David Lincoln: Do you want my comments now or after we close the hearing? I am opposed to the recommendation as far as the width, the staff recommendation as far as the width, the historical entries out there. This is a unique facility compared to anything else we have in our district. I really feel like if we were asked to narrow the entry ways that there would need to be acceleration and deceleration lanes out on the roadway out of those accesses. Everything we are talking about now should have happened when this was built. I am not in favor of changing the width. I am in favor of both variances.

Work Director Gordon Bates: Once we finish public testimony, the deliberation worksheets are at the back of your packet.

Commissioner David Lincoln: I am in favor of issuing a license agreement that would let the owners go ahead and utilize and use the access as they are set up and that would give us an avenue in the future if we would have to do something with the width. Right now just leave them alone. Just issue a license agreement.

Commissioner Corby Garrett: Is there any more public input on that?

Attorney Wm. F. Gigray: You could move to close the receipt of testimony and exhibits and go into deliberation. As a follow up on your comment you could make a license agreement. The license agreement could be tied to the ownership of the property and its continued use in this type of facility. So if the use would change then the issue would be are you in the history and the future going to allow those wide accesses or would that come back on the table again as properties change or hops evaporate at some point, something else comes up, you would get another look at it.

Commissioner David Lincoln: So Brock, you know what I am talking about?

Brock Obendorf: Yes, you are saying

Commissioner David Lincoln: You would have an agreement with the highway district, if we ever have to come back and look at it.

Brock Obendorf: I think that would be fine and the easiest.

Commissioner Fred Sarceda: Motion: I move that we close the public hearing, Seconded by Commissioner David Lincoln. The Vote Was Unanimous.

Commissioner Corby Garrett: We will deliberate over these two variances

Work Director Gordon Bates: The deliberation sheets, you have two sets, the first three pages will deal with the commercial approach width more than 40 feet and question 3 does not involve fences and walls so you can go on to question 4 and 5 and then make a recommendation. Separately you will have 3 sheets that will deal with the discharge of water into rights of way conveyance in roadside ditch. You will want to deliberate these separately, this will make the Findings of Fact, Conclusion of Law and the Meeting Minutes much more clear for anybody that needs to utilize them.

Attorney Wm. F. Gigray: To assist you, question one is do we have a completed application for variances and have fees been paid, which gives you jurisdiction to act and I am not aware that there is anything in the record that contests that.

Work Director Gordon Bates: Yes, we do have a complete application. Question 4

Commissioner Corby Garrett: Do we just put this to a vote?

Work Director Gordon Bates: We will need to answer each question on the record.

Attorney Wm. F. Gigray: I think what you can do is provide your comment about what you see or the merits of this. I can put them together in Findings from the record before us and bring them back for your approval and I will do that. I just think you can announce what you see are the major facts or the basis of how you want to decide this and I can put it together.

Commissioner Corby Garrett: Let's address the width.

Commissioner David Lincoln: I think the fact that one, we are just now addressing it and it is already existing and two, that it currently, I don't see any traffic impairment there. I feel that the use of the accesses needs to be by a license agreement.

Attorney Wm. F. Gigray: And, I would imagine, is that you are tying physical issues associated with this, that are unique to this property, by its current use and intended use by the applicant. I think we talked about tying a license agreement to that use and the applicant. It doesn't mean we would revoke it at some point, but if they would ever sell it or the use of the property changes, then it could come back for review.

Commissioner David Lincoln: Right, if there was ever an expansion out there or an addition, then we would look at it again.

Commissioner Fred Sarceda: I would agree with the width even though it might not meet the highway standards, with the truck traffic today, you see it all over, things are getting bigger and heavier, if you can get them off the road like Brock stated. When you have onion harvest and hop harvest at the same time it can get crazy. I think it will be a safety issue from their standpoint. I agree a license agreement is a good idea, it would have been better if we could have been on board from the start, maybe we could have alleviated some of this, but that is behind us, so I think we have to move forward, so I think we should leave the widths stand as they are.

Commissioner Corby Garrett: I am in favor of it. I, like Fred, would have liked to see this come before the Board before things were done, but we don't live in a perfect world, so we are dealing with it now. The other facilities going in, around, like we said, this is definitely a different situation with the proximity of the road and everything. Look at S.S.I. with those trucks turning onto the road out of their single 40 foot entrance, to me it is a pretty big problem, I don't know how many times I have waited for a truck to pull out while they pull out into the other lane. To me that is a safety issue, right there. They are close to a busy highway and intersection. I see the benefit of the wide entrances. I feel it is the public's best interest to have plenty of room for this many trucks to be turning and keeping off the roadways.

Work Director Gordon Bates: Commissioners, subject to Mr. Gigray's wordsmithing, this perhaps Condition of Approval for wider commercial approaches could read, "The applicant shall enter into a license agreement to leave the approaches as constructed, but subject to review if the land use is revised. If you go to Canyon County Development Services land use for them might mean rezoning, more buildings, more permits being issued, these types of things that would trigger title of the land. As long

as they operate the same facility and same width this would alleviate any issues of Mr. Gigray.

Commissioner Corby Garrett: Would you clarify what you just said, would that actually be denying the variance?

Attorney Wm. F. Gigray: No, you would grant the variance and it would be a condition of the variance, that they would enter into a license agreement and it would allow the continuance of the existing accesses and it would come back for review if there was a change of land use or ownership. The reason that is a good idea is that you would want to acquaint the new owner, if there is a new owner, that this is a license agreement that is here and you get a chance to determine are we going to use the facility we have and if we have then we continue. If there is a significant change of use that involves these accesses then you at least get another look at it.

Work Director Gordon Bates: Clarification Bill. The assessor and assignees of the ownership of the parcel or would it be for the current owner?

Attorney Wm. F. Gigray: Well, it would be issued to the current ownership with the possibility it could be assigned, but it would come back here for review and approval. It would be like getting a consent to an assignment which you see frequently anymore in matters that involve contracts.

Commissioner Fred Sarceda: If I understand Gordon, you say that if they come forward with another building permit going through Planning and Zoning, you say they would have to readdress this again?

Work Director Gordon Bates: Good point of clarification Commissioner. Vacant pad is currently shown with Canyon County Development Services as a future building site and I would think you would not require a review of these approaches if that building was added. If they bring more land around this to come in and use these approaches and more structures in use, that is when you will want to come in. Two structures and the building pad that is already constructed. I think it would be appropriate for the Board to ask the applicant if the public hearing is closed, but I think you could ask the applicant their opinion on it.

Attorney Wm. F. Gigray: You can open it back up to accept additional testimony.

Commissioner David Lincoln: Ask the applicant if he does have additional comment?

Brock Obendorf: I have one comment.

Commissioner David Lincoln: Mr. Chairman, I move that we open the public hearing up for more testimony, seconded by Commissioner Fred Sarceda. The vote was unanimous.

Brock Obendorf: If we sell this, say to another hop grower, they would have to come in and redo this?

Attorney Wm. F. Gigray: Not redo this, they would provide notice to the district and identify to the district what their intended use of the facilities are and they would agree to abide by the terms and conditions of the license agreement.

Commissioner Corby Garrett: The license agreement is essentially attached with deed to the property, if it was sold it would be transferred to the new owner.

Attorney Wm F. Gigray: The older you get the more you realize that history is easily forgotten and sometimes sales are very meticulous and everyone knows exactly what is in place and sometimes the people don't have a clue.

Brock Obendorf: Ok, That is why I asked.

Commissioner David Lincoln: It protects the highway district.

Attorney Wm. F. Gigray: It ties it to the unique circumstances you have found.

Commissioner Corby Garrett: Brock, you guys don't own the property to the east, right?

Brock Obendorf: No

Commissioner Corby Garrett: Let's go ahead and close the public testimony.

Commissioner Fred Sarceda: Mr. Chairman, I move that we close the public testimony, seconded by Commissioner David Lincoln. The vote was unanimous.

Commissioner Corby Garrett: Back to deliberation on the width variance, I guess we are at a point that we could vote on this.

Attorney Wm. F. Gigray: If you wish, and you are through deliberating, you could just simply announce for the reasons stated on the record by each of you, if you all agree, that you would grant this application for a variance for access, subject to the conditions that were stated inclusive of the license agreement, and direct Attorney Wm F. Gigray to prepare Findings of Fact, Conclusions of Order and a draft license agreement for your consideration for the continuance of this hearing at your next meeting. I believe that is all you need to do at this point and time.

Commissioner David Lincoln: I would like to disclose that I do business with Obendorf Farms both personally and through Wilder Housing Authority.

Commissioner Corby Garrett: For the record I would like to make that same statement, and for that reason I will abstain from voting on the actual variance decision.

Commissioner David Lincoln: Mr. Chairman, I move that we approve the variance application VAR2016-04 for commercial approach width more than 40 foot with a request for Findings of Fact, Conclusions of Order be submitted and a draft license agreement, seconded by Commissioner Fred Sarceda. The Vote Was Unanimous.

Commissioner Corby Garrett: Deliberations on VAR2016-05.

Attorney Wm. F. Gigray: If I am not mistaken, it sounds to me that there really isn't a dispute about this is there? As I understood it, the applicant agrees with the recommendation of staff, if that is true and it meets your review of the record, you could approve the staff recommendation and direct that Attorney Wm. F. Gigray do findings in accordance with the staff recommendation, but if I am misreading what is said here today, you go by your memory not mine. That makes that one much easier.

Commissioner David Lincoln: I move that we approve the staff recommendation VAR2016-05 for the discharge of water into rights of way convey water in roadside ditch, subject to conditions of approval, Findings of Fact, Conclusions of Order and a draft License Agreement, seconded by Commissioner Fred Sarceda. The vote was unanimous.

Attorney Wm. F. Gigray: One more action, to continue the hearing on both applications to a time certain for the receipt of Findings of Fact, Conclusions of Law and Order of Decision and License

Agreement. I assume this will be the next meeting, September 08, 2016.

Commissioner David Lincoln: Mr. Chairman, I move that we continue the public hearing to September 08, 2016 for the receipt of Findings of Fact, Conclusions of Law and Order of Decision and License Agreement, Seconded by Commissioner Fred Sarceda. The vote was unanimous.

NEW

BUSINESS: ROLLER BID AWARD. Director Gordon Bates explained this is in regards to the FY2016 Vibratory Roller Award contract. See the attached. The Commissioners agreed that this should not be awarded until after the public hearing declaring the 1984 Caterpillar Model CS563 Vibratory Roller as surplus property. This matter will be tabled for the Special Meeting August 25, 2016. **Motion: Made By Commissioner David Lincoln: To Authorize The Publication Of The Notice Regarding Intent To Sell Personal Property, Seconded By Commissioner Fred Sarceda. The Vote Was Unanimous.**

**ROAD AND
ENGINEER**

REPORT: Work Director Gordon Bates discussed the attached report.

ATTORNEY'S

REPORT: See the attached report.

PUBLIC

HEARING: None

**COMMUN-
ICATIONS:**

None

IAHD

REPORT: Commissioner David Lincoln reported the Convention starts November 09, 2017.

ACCHD

REPORT: Work Director Gordon Bates reported he was working with the other highway district directors and engineers to update the Highway Standards and Development Procedures for the ACCHD. They hope to have this on the agenda for the December 15, 2016 meeting.

MOJO

GRAVEL

PIT: Work Director Gordon Bates reported he was working on plans for the FY 2017 gravel crushing project.

EXECUTIVE

SESSION: Motion: Made By Commissioner David Lincoln: To Go Into Executive Session At 2:20 P.M. Under I.C. §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, (b) To consider the evaluation, dismissal or disciplining of, or to hear complaints or charges brought against, a public officer, employee, staff member or individual agent, or public school student, Seconded By Commissioner Fred Sarceda, And To Include In That Executive Session In Addition To The Commissioners, Secretary Teila Noe, Foreman Casey Percifield, Work Director Gordon Bates, P.E. And District Legal Counsel Wm. F. Gigray, III.

A roll call voice vote was taken by Secretary Teila Noe.

Commissioner Corby Garrett	Yes
Commissioner Fred Sarceda	Yes
Commissioner David Lincoln	Yes

Motion: Made By Commissioner Fred Sarceda: To Close The Executive Session At 2:50 P.M., Seconded By Commissioner David Lincoln. The Vote Was Unanimous.

NEW

BUSINESS: Open session resumed and Chairman Garrett reported that information was received and no action was taken in the executive session just concluded.

**ADJOURN-
MENT:**

There being no further business to come before the Commissioners, the meeting was adjourned.



CHAIRMAN



SECRETARY