

**WORLEY HIGHWAY DISTRICT BOARD OF COMMISSIONERS  
REGULAR MEETING  
DECEMBER 30, 2020  
9:00 A.M.**

**MINUTES**

Chairman Corinne Johnson called the meeting to order at 9:00 a.m. with Commissioner Phil Cooper and Commissioner George Miller present. Also present were Supervisor Kevin Howard, District Clerk/Treasurer Carol Richel, Deputy Clerk Tomi Maynard; and:

Rick Witt, Koth Road	Steve Copp, Koth Road
Mark Koth, Koth Road	Don Witt, Koth Road
Jeff Connaway, Erie Road	Pam Hodoka, Koth Road
Susan Weeks, James Vernon & Weeks	

*Some participants utilized Zoom to attend the meeting. Any participants who attended electronically and did not identify themselves will not be listed.*

**Approval of Agenda**

George Miller MOVED to approve the agenda as presented. Phil Cooper SECONDED the motion. Corinne Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

**Conflicts of Interest on the Agenda**

Chairman Corinne Johnson asked if any board member had a conflict of interest with any item on the agenda. Commissioners Corinne Johnson, Phil Cooper, and George Miller each indicated no conflicts.

**Approval of Minutes**

Miller MOVED to approve the minutes of the December 9, 2020 regular meeting. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

**Public Comments**

None.

**Old Business**

**Koth/Kioth Road**

Rick Witt, Steve Copp, Mark Koth, Don Witt, Jeff Connaway and Pam Hodoka are in attendance today to address this item. Koth provided a document that he believes Susan Weeks does not have establishing Right-of-Way near the Pennie property. Copp asked if the Board has discussed the possibility of seeking a court order to require that Pennie leave the gates open. Howard answered that the Board plans to discuss that option and others with Attorney Susan Weeks during today's executive session. Copp added that both of the gates that have been erected most recently are well outside the area of contention and in his opinion the District would be within its jurisdiction to remove those gates from the ROW. Rick Witt mentioned previous meeting minutes in which the Board has mentioned that property owners have the right to seek their own legal counsel regarding this conflict. It is his request that the District act rather than forcing property owners to police a public ROW. Howard responded that it has never been the Districts intention to force the public to police any ROW, however the public has rights that tend to be more quickly upheld court proceedings, than the proceedings that the District is required to go through. Johnson confirmed that the Board would be looking at every avenue of resolution available to the District during executive session later during this meeting.

S. Witt, Copp, Koth, Connaway and Hodoka exited at 9:33 a.m.

**Wellers Black Rock Park, Public Right-of-Way**

Staff received a letter this week from the property owners engineer stating that everything in the original set of plans lines up with the requirements of the Fire District. Howard will review the accuracy of that as soon as time allows.

Miller MOVED to allow Howard to approve or deny the request to build this approach on the ROW, pending his review. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

R. Witt exited at 9:35 a.m.

**The Club at Rock Creek, Loffs Bay Rd discussion**

The Club has agreed to a 5-year warranty for a portion of the recent paving that was impacted by a hydraulic fluid spill. Howard will review the RDA and confirm that all of the District's requirements have been met. If they have the board will be asked to accept the work as completed at a future meeting.

**Kidd Island Road Project**

Construction will remain on hold in the existing construction zone until spring. Utility companies are still making progress towards getting utilities relocated for the next phase of this project. ROW negotiations are being finalized.

**New Business**

**iWorQ**

In late 2019 the Board approved acquiring 3 applications within the iWorQ suite in addition to what staff was already using through an agreement with LHTAC. After staff implemented these programs it became apparent quickly that 2 of the programs were not going to fit the District's needs. Attempts to rework several features to fit the District's needs were unsuccessful. At the completion of the initial contract with iWorQ, staff requested to cancel the 2 programs that were not a good fit. At that time a manager at iWorQ cancelled all 5 of the programs that the District was using to store data and indicated they would be sending a legal letter to the District. Staff has been in contact with LHTAC as well as the District's attorney and will update the Board as the situation progresses.

**Watson Road**

No update at this time.

**Work Progress Report** by Supervisor Kevin Howard

**ON THE ROAD**

Crewmen erected a light pole in the office parking lot which later was wired and lights installed by a contractor.

Gravel roads with potholes had them filled in the most troubled areas throughout the district.

Road signs were inspected and repaired as needed.

The crew cleared brush and trees from the roadsides, within the right-of-way as needed.

The crew moved the gravel pile in the Deno Quarry to prepare for the crushing contract.

The crew plowed snow, sanded roads, and applied anti-icing material as needed. Some of this work was accomplished over the weekend with callouts and overtime.

One crewman is off for knee surgery therefor temporary help has been hired to fill in for 6 weeks.

Heavy rains came on the 21<sup>st</sup>. The crew checked roads for damage.

### **IN THE SHOP**

- Tractor #595 – had transmission fixed at dealer
- Truck #200 – being outfitted for summer use as a road stabilization material applicator.
- Truck #115 – being outfitted for summer use as a water truck.
- Chipper #810 – had the trailer tongue extended.
- Truck #115 – moved the mag applicator from #100 to #215. #100 is failing.

### **Planned work for this coming Month**

- Winter maintenance.

As weather permits:

- Brush cutting.

### **Bills presented for approval**

Miller MOVED that the bills be approved as presented on the A/P check register, and the payroll check register. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

### **Upcoming Meetings**

January 13, 2021 9:00 a.m. WHD regular meeting.

January 14, 2021 1:30 p.m. KMPO

January 14, 2021 3:00 p.m. AHDKC

### **Commissioner Comments**

None.

Johnson called a break at 10:04 a.m.

Johnson reconvened the regular meeting at 10:09 a.m.

### **Executive Session**

Siting Idaho Code 74-206 (f) Pending litigation, Miller moved to enter executive session. Maynard called the roll, with the commissioners voting as follows: Commissioner Miller, “aye”; Commissioner Johnson, “aye”; Commissioner Miller, “aye”. The Board entered into executive session at 10:10 a.m.

Johnson reconvened the regular meeting at 11:11 a.m.

Coming out of executive session Miller MOVED to direct District Supervisor to work with legal to proceed as discussed during executive session to resolve the Pennie/Koth Road issue. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY.

### **Adjournment**

Citing no further business, Miller MOVED to adjourn the meeting at 8:42 a.m. Cooper SECONDED the motion. Johnson CONCURRED. The motion PASSED UNANIMOUSLY. Meeting adjourned.

RESPECTFULLY SUBMITTED BY:

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Tomi Maynard, Deputy Clerk

APPROVED BY:

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Corinne Johnson, Chair

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Date

DRAFT