

IN THE SUPREME COURT OF THE STATE OF IDAHO

HAWKINS COMPANIES, LLC, an Idaho limited liability company; PACIFIC WEST COMMUNITIES, INC., an Idaho corporation; and FJ MANAGEMENT INC., a Utah corporation,

Petitioners,

v.

STATE OF IDAHO, acting by and through its DEPARTMENT OF ADMINISTRATION, acting as the statutory agent for the STATE OF IDAHO TRANSPORTATION DEPARTMENT; and IDAHO STATE BOARD OF EXAMINERS,

Respondents.

Docket No. 51788-2024

RESPONDENTS STATE OF IDAHO AND STATE BOARD OF EXAMINERS' VERIFIED ANSWER

RAÚL R. LABRADOR
ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
P.O. Box 83720
Boise, ID 83720-0010
(208) 334-2400
alan.hurst@ag.idaho.gov

ALAN HURST, ISB #12425
Solicitor General

JAMES E. M. CRAIG, ISB #6365
Chief, Civil Litigation and
Constitutional Defense
BRIAN V. CHURCH, ISB #9391
Lead Deputy Attorney General

Attorneys for Respondents

Respondents the State of Idaho and the State Board of Examiners (collectively “Respondents”) offer the following Verified Answer.¹ *See* Order (filed May 1, 2024) (directing Respondents to file a verified answer).

RESPONDENTS STATE OF IDAHO AND STATE BOARD OF EXAMINERS’ ANSWER

Respondents answer Petitioners’ Verified Petition for Writ of Prohibition and Writ of Mandate as follows. For the convenience of the parties and the Court, Respondents utilize the headings in the Verified Petition, but such use does not mean that Respondents agree to the subject of the headings or concede any fact as a result. To the extent one or more Respondents offer a differing response, such response is noted.

I. Response to “Introduction”

Petitioners include an introduction, for which Respondents do not understand a response is required. To the extent a response is required, Respondents deny that Petitioners are entitled to relief.

II. Response to “Statement of Jurisdiction”

1. In response to paragraph 1, Respondents admit that Petitioners accurately quote a portion of the article V, section 9, of the Idaho Constitution. That constitutional provision speaks for itself. Petitioners also cite Idaho Code § 1-203 and

¹ This Verified Answer is only submitted on behalf of the State of Idaho and the State Board of Examiners. It does not represent the answer of the Department of Administration or the Idaho Transportation Department.

Idaho Code § 7-402. Those statutory provisions speak for themselves. This paragraph is otherwise denied.

2. In response to paragraph 2, Respondents admit that Petitioners accurately quote a portion of Idaho Appellate Rule 5(a). Petitioners cite *Ybarra v. Legislature by Bedke*, 166 Idaho 902, 466 P.3d 421. The *Ybarra* case speaks for itself. Respondents admit that Petitioners accurately quote a portion of *Reclaim Idaho v. Denney*, 169 Idaho 406, 497 P.3d 172 (2021) (in turn quoting *Sweeney v. Otter*, 119 Idaho 135, 804 P.2d 308 (1999)). Those cases speak for themselves. This paragraph is otherwise denied.

III. Response to “Parties”

3. In response to paragraph 3, Respondents admit that “Hawkins Companies LLC” is a limited liability company registered with the Secretary of State² as an entity organized under the laws of Idaho. Respondents lack knowledge or information sufficient to form a belief as to the state or states in which “Hawkins Companies LLC” does business. Respondents admit that “Pacific West Communities, Inc.” is corporation registered with the Secretary of State as an entity organized under the laws of Idaho. Respondents lack knowledge or information sufficient to form a belief as to the state or states in which “Pacific West Communities, Inc.” does business. Respondents admit that “FJ Management Inc. is a corporation registered with the

² The filings before the Secretary of State indicate that “Hawkins Companies LLC” does not have a comma preceding the LLC designation.

Secretary of State as an entity organized under the laws of Utah authorized to do business in the State of Idaho. Respondents lack knowledge or information sufficient to form a belief as to the state or states in which “FJ Management Inc.” does business.

4. Respondents admit only that Petitioners ultimately submitted the largest monetary bid after several rounds of revised bids. This paragraph is otherwise denied.

5. In response to paragraph 5, Respondents state that Idaho Code § 67-5709A speaks for itself and that the Department of Administration and State Board of Examiners are referenced in the statute. This paragraph is otherwise denied.

IV. Response to “General Allegations”

6. In response to paragraph 6, Respondents admit only that the Idaho Transportation Department, and its predecessor agency, have occupied the property located at 3311 West State Street, Boise, Idaho, and that the ITD Campus includes the long-time headquarters of the Idaho Transportation Department, the Phil E. Batt Building. Title to the property has, since August 2005, been vested in “The State of Idaho, Transportation Department, acting by and through the Idaho Transportation Board.” This paragraph is otherwise denied. Respondents attach as **Exhibit 1** a true copy of minutes from the May 26, 1958 meeting of the Board of Highway Directors; **Exhibit 2** a true copy of minutes from the February 25, 1961 meeting of the Board of Highway Directors; **Exhibit 3** a true copy of minutes from the Idaho Transportation Board meeting on April 20 and 21, 2022, and **Exhibit 4** a true copy of minutes from the Idaho Transportation Board meeting on August 5, 2022.

7. In response to paragraph 7, Respondents admit only that the State of Idaho purchased its Chinden Office Complex/Chinden Campus in 2017 and since that time, some State of Idaho agencies moved to the Chinden Campus. This paragraph is otherwise denied.

8. In response to paragraph 8, Respondents admit a flood was discovered in the Idaho Transportation Department headquarters building on January 3, 2022, the flood was caused by a burst water pipe and damaged all three floors of the building, and the Idaho Transportation Department thereafter needed to temporarily relocate its headquarters. The referenced Idaho Transportation Board meeting minutes speak for themselves. This paragraph is otherwise denied.

9. In response to paragraph 9, Respondents admit, through HB 779 § 7 (2022), the Department of Administration was appropriated \$37,000,000 for “Chinden Campus Improvements” and admit Petitioners accurately quote HB 779 § 9 (2022). HB 779 (2022) speaks for itself. This paragraph is otherwise denied.

10. In response to paragraph 10, Respondents admit the Idaho Transportation Board met on April 21, 2022, and the meeting minutes contain a resolution number ITB 22-33 entitled “ITD Relocation to Idaho Chinden Campus”. The meeting minutes and resolution speak for themselves. Respondents also admit the Idaho Transportation Department headquarters is currently in a temporary location in Building 8 at the Chinden Campus. This paragraph is otherwise denied.

11. In response to paragraph 11, Respondents admit the Idaho

Transportation Board met on August 5, 2022, and the meeting minutes contain a resolution number ITB 22-52, a portion of which was accurately quoted by Petitioners. The meeting minutes and resolution speak for themselves. Respondents admit that Exhibit A is a true copy of Resolution ITB22-52. This paragraph is otherwise denied.

12. In response to paragraph 12, Respondents state the Idaho Transportation Board's August 5, 2022 meeting minutes and Idaho Code § 67-5709A speak for themselves. Respondents admit that Exhibit B is a true copy of Idaho Code § 67-5709A as it appears on the Idaho Legislature's website. This paragraph is otherwise denied.

13. In response to paragraph 13, Respondents admit that the Idaho Transportation Board transferred custody and control of the ITD Campus to the State Board of Examiners and, pursuant to Idaho Code § 67-5709A, authority for the disposition of the property immediately transferred from the State Board of Examiners to the Department of Administration for the purposes set forth in statute. This paragraph is otherwise denied. Respondents attach as **Exhibit 5** a true copy of the minutes of the State Board of Examiners meeting on August 16, 2022, and as **Exhibit 6** a true copy of the State Board of Examiners materials packet related to the ITD Campus and associated with item no. 7 in the August 16 minutes.

14. In response to paragraph 14, Respondents admit the Department of Administration sent a memorandum dated August 17, 2022 to "State Agency and Institution Leadership and Real Estate Managers" which notified the recipients that

the property was available for purchase and informed them, if they were interested in acquiring the property, to contact their Governor's Officer liaison and then the Department of Administration. Respondents attach as **Exhibit 7** a true copy of the Department of Administration's memorandum. No recipient contacted the Department of Administration. This paragraph is otherwise denied.

15. In response to paragraph 15, Respondents admit the Department of Administration issued a request for proposal for real estate brokerage services in November 2022 and in January 2023 entered a contract with the winning bidder, TOK LLC d/b/a TOK Commercial, to provide marketing and sales services related to the Idaho Transportation Department property. This paragraph is otherwise denied.

16. In response to paragraph 16, Respondents admit, through Senate Bill 1197 (2023), the Department of Administration was appropriated \$15,000,100 for the "ISHS Preservation Facility" capital project. Respondent denies that Senate Bill 1189 (2023) contains the specific appropriations referenced by Petitioners. Respondents, however, note that the Joint Finance Appropriations Committee motion that led to Senate Bill 1189 provided as part of the "FY 2024 Program Maintenance" budget \$999,1000 for "Chinden Campus Lease" and \$2,000,000 for "State Street Campus Replacement." The Senate Bills speak for themselves. This paragraph is otherwise denied.

17. In response to paragraph 17, Respondents admit, on May 2, 2023, the Department of Administration issued a call for offers for the potential purchase of

the Idaho Transportation Department property.

18. In response to paragraph 18, Respondents admit nine bidders responded to the call for offers; the Department of Administration received initial and several rounds of revised offers from the bidders; Petitioners ultimately bid the largest monetary sum of \$51,750,000; Petitioners' bid was greater than the appraisal from a year earlier. The referenced appraisal and letter speak for themselves. Respondents admit that Exhibit C is a true copy of the Valbridge Property Advisers Appraisal Report. Respondents admit that Exhibit D is a true copy of a September 25, 2023 letter to Petitioners. This paragraph is otherwise denied.

19. In response to paragraph 19, Respondents admit the Department of Administration and the Idaho Transportation Department engaged in negotiations with Petitioners for the purchase, sale, and lease-back of the ITD Campus and exchanged several versions of draft agreements. The draft agreements and redlines thereto speak for themselves. This paragraph is otherwise denied.

20. In response to paragraph 20, Respondents only admit the Petitioners executed one of the versions of the draft agreements and specifically deny that a mutually agreeable form of the draft agreements were ready for execution by the parties. This paragraph is otherwise denied.

21. In response to paragraph 21, Respondents only admit the Department of Administration and the Idaho Transportation Department did not execute the draft agreements and deny the parties reached an agreement. Respondents further note that

no payment contemplated by the draft purchase and sale agreement has been made to them. This paragraph is otherwise denied.

22. In response to paragraph 22, Respondents state they do not have sufficient information to admit or deny the intent or state of mind of individual legislators. Respondents only admit that BoiseDev published the titled article and state such article speaks for itself. This paragraph is otherwise denied.

23. In response to paragraph 23, Respondents state they do not have sufficient information to admit or deny the intent or state of mind of individual legislators and only admit House Bill 409 was introduced during the 2024 legislative session and did not become law. The House Bill and legislative history speak for themselves. This paragraph is otherwise denied.

24. In response to paragraph 24, Respondents state they do not have sufficient information to admit or deny the intent or state of mind of individual legislators. Respondents admit that House Bill 726 (2024) (“HB 726”) is an appropriations bill that became law, and state the House Bill and legislative history speak for themselves. This paragraph is otherwise denied.

25. In response to paragraph 25, Respondents admit Petitioners accurately quoted the text of HB 726, § 4, with emphasis added by them. HB 726 and the legislative history speak for themselves. This paragraph is otherwise denied.

26. In response to paragraph 26, Respondents state they do not have sufficient information to admit or deny the intent or state of mind of individual

legislators. Respondents admit House Bill 770 (2024) (“HB 770”) is an appropriations bill that became law, and state the House Bill and legislative history speak for themselves. This paragraph is otherwise denied.

27. In response to paragraph 27, Respondents admit Petitioners accurately quoted the text of HB 770 § 7. HB 770 and the legislative history speak for themselves. This paragraph is otherwise denied.

28. In response to paragraph 28, Respondents admit the referenced budget bills became law without the Governor’s signature and the Petitioners accurately quote the text of two sentences from the Governor’s letter, with emphasis added by them. The house bills, legislative histories, and Governor’s letter speak for themselves. This paragraph is otherwise denied.

V. Response to “Claims for Relief”

29. In response to paragraph 29, Respondents incorporate their answers to paragraph 1 through 28.

30. In response to paragraph 30, Respondents admit that Idaho Code § 67-5709A was not amended during the 2024 legislative session. Idaho Code § 67-5709A speaks for itself. This paragraph is otherwise denied.

31. In response to paragraph 31, Respondents only admit the quoted language contains accurate snippets from Idaho Code § 67-5709A but denies Petitioners’ commentary is an accurate representation of the plain meaning of the statute. Idaho Code § 67-5709A speaks for itself. This paragraph is otherwise denied.

32. In response to paragraph 32, Respondents only admit the quoted language contains accurate snippets from Idaho Code § 67-5709A but denies Petitioners' commentary is an accurate representation of the plain meaning of the statute. Idaho Code § 67-5709A speaks for itself. This paragraph is otherwise denied.

33. In response to paragraph 33, Respondents deny. The statute, Idaho Code § 67-5709A, speaks for itself.

34. In response to paragraph 34, this paragraph is directed to the Department of Administration, and therefore no response by the State of Idaho and State Board of Examiners is required. The State of Idaho acknowledges that the Department of Administration informed the Petitioners during the negotiation process that the Idaho Transportation Department property sale may not occur if the Idaho Transportation Department did not receive the requested \$50,300,000 appropriation to relocate its headquarters.

35. In response to paragraph 35, Respondents admit only that the Joint Finance Appropriations Committee ("JFAC") is a combined meeting of the Senate Finance Committee and House Appropriations Committee, which are standing committees of the respective houses of the Idaho Legislature. HB 726 and HB 770 were introduced by the House Appropriations Committee. *See* House Journal at 274, 365 (Mar. 21 and Apr. 3, 2024). Any applicable law or rule concerning appropriations and the process for appropriations bills speaks for itself. This paragraph is otherwise denied.

36. In response to paragraph 36, Respondents admit only that Petitioners accurately quote Article III, section 16 of the Idaho Constitution. This paragraph is otherwise denied.

37. In response to paragraph 37, Respondents state *Hailey v. Huston*, 25 Idaho 165 (1913) speaks for itself. This paragraph is otherwise denied.

38. In response to paragraph 38, Respondents state the cases cited by Petitioners speak for themselves. This paragraph is otherwise denied.

39. In response to paragraph 39, Respondents admit Petitioners accurately quote HB 726 section 4 and the first two sentences of HB 770 section 7, with emphasis added by them.

40. In response to paragraph 40, Respondents deny.

41. In response to paragraph 41, Respondents admit only that a sentence in HB 726 § 4 and HB 770 § 7 reads as follows, “Notwithstanding any provision of law to the contrary, custody and control of the state administrative facility and property at 3311 W State Street, Boise, Idaho 83703 shall be transferred back to the Idaho Transportation board.” The paragraph is otherwise denied.

42. In response to paragraph 42, Respondents deny.

43. In response to paragraph 43, Respondents deny.

44. In response to paragraph 44, Respondents deny.

45. In response to paragraph 45, Respondents state they do not have sufficient information to admit or deny the intent or state of mind of individual

legislators. This paragraph is otherwise denied.

46. In response to paragraph 46, Respondents admit only that Petitioners ultimately submitted the largest monetary bid after several rounds of revised bids. This paragraph is otherwise denied.

47. In response to paragraph 47, Respondents admit only that HB 726 § 7 went into effect upon HB 770 becoming law, that the remaining sections of HB 770 take effect on July 1, 2024, and that HB 726 takes effect on July 1, 2024. This paragraph is otherwise denied.

VI. Response to “Prayer for Relief”

48. In response to Petitioners’ Prayer for Relief, Respondents deny that Petitioners are entitled to a writ of mandate against the Department of Administration, and deny that Petitioners are entitled to writs of prohibition against the State Board of Examiners, the Department of Administration, and the Idaho Transportation Department. Respondents assert that issuing declaratory relief is unnecessary to adjudicate the writ of mandate and writ of prohibition claims. Respondents otherwise deny that Petitioners are entitled to declaratory relief. Respondents further deny that Petitioners are entitled to costs, and further deny that Petitioners are entitled to any other relief.

VII. General Denial

49. To the extent not otherwise addressed, Respondents deny any allegation in the Petition.

RESPONDENTS' PRAYER FOR RELIEF

Respondents request that the Court deny Petitioners' request for a writ of mandate and for writs of prohibition. Respondents request that the Court dismiss Petitioners' request for declaratory relief for want of jurisdiction. Respondents otherwise request that Petitioners' Petition be denied.

RESPONDENTS' AFFIRMATIVE DEFENSES AND OTHER DEFENSES

Respondents assert the following affirmative defenses and other defenses:

1. The Court lacks jurisdiction to grant the declaratory relief requested.
2. The Petition fails to state a claim.
3. Petitioners lack standing.
4. The Surplus Statute no longer applies to the ITD Campus.
5. Petitioners have not identified a clear legal duty on behalf of the Department of Administration to "conclude the sale," they do not have a "clear legal right" to have the ITD Campus sold to them, and any sale is discretionary.
6. Petitioners have not shown that the Department of Administration, State Board of Examiners, and the Idaho Transportation Department, are, are about to be, or have been, in excess of their "jurisdiction."
7. Petitioners have not shown that they lack an adequate remedy at law.
8. The Court should exercise its discretion and deny the requested writ of mandate and writs of prohibition.

DATED: May 15, 2024

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Alan Hurst
ALAN HURST
Solicitor General
BRIAN V. CHURCH
Lead Deputy Attorney General

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on May 15, 2024, I filed the foregoing electronically through the iCourt E-File system, which caused the following parties or counsel to be served by electronic means, as more fully reflected on the Notification of Service:

T. Hethe Clark
hclark@clarkwardle.com

Daniel Bower
dbower@hbhslaw.com

Geoffrey M. Wardle
gwardle@clarkwardle.com

Erica Evancic
eevancic@hbhslaw.com

Attorneys for Petitioners

Jayme Danner
jadnner@hbhslaw.com

Mark Hilty
mhilty@hbhslaw.com

*Attorneys for Proposed-Intervenor Idabo House of
Representatives*

s/ Alan Hurst

Date: May 15, 2024

VERIFICATION – STATE OF IDAHO

Under Idaho Code § 9-1406, I, PHIL BROADBENT, Chief Deputy Attorney General of the Office of the Attorney General, declare that I have read the foregoing Verified Answer, that I know the contents of such Verified Answer, and that the facts stated on behalf of the State of Idaho are true to the best of my knowledge and belief.

DATED: May 15, 2024

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL

By: /s/ Phil Broadbent
PHIL BROADBENT
Chief Deputy Attorney General

VERIFICATION – STATE BOARD OF EXAMINERS

Under Idaho Code § 9-1406, I, Brian Benjamin, the Deputy Chief of Staff for the Idaho State Controller, and the Assisting Secretary of the Subcommittee to the State Board of Examiners, declare that I have read the foregoing Verified Answer, that I know the contents of such Verified Answer, and that the facts stated on behalf of the State Board of Examiners are true to the best of my knowledge and belief.

DATED: May 15, 2024

STATE OF IDAHO
OFFICE OF THE STATE CONTROLLER

By: /s/ Brian Benjamin
BRIAN BENJAMIN
Deputy Chief of Staff

EXHIBIT 1

MINUTES OF THE REGULAR MEETING OF THE IDAHO BOARD OF HIGHWAY DIRECTORS

May 26, 27 & 28, 1958

The regular meeting of the Idaho Board of Highway Directors convened at 8:00 a.m., Monday, May 26, 1958 at 603 Main Street, Boise, Idaho.

Present were: David P. Jones, Director, District No. 1
 Roscoe C. Rich, Director, District No. 2
 Leonard K. Floan, Director, District No. 3
 G. Bryce Bennett, State Highway Engineer
 Wayne Summers, Secretary of the Board

Minutes. The Minutes of the Regular Meeting of the Idaho Board of Highway Directors held March 29 & 31 and April 1 & 2, 1958 were read and approved.

Bids. The Board reviewed the results of the bid openings held April 8, 15 & 22, and May 13 & 20, 1958 and concurred in the action of the State Highway Engineer on the following:

STOCKPILE PROJECT NO. 241 - Consisting of furnishing crushed gravel and cover coat material in stockpile north of Oakley, opposite M.P. 8.0, State Highway No. 27 in Cassia County - State financed. The contract was awarded on April 9, 1958 to the low bidder, Western Construction Company, Pocatello, Idaho, in the amount of \$22,602.50, the Engineer's Estimate being \$33,550.00.

I-5041(14) - Consisting of constructing the grading, 4 concrete underpasses, 4 concrete overpasses and pertinent ramps and detours on 0.301 mile of U.S. Highway No. 10, Coeur d'Alene Belt Line Route in Kootenai County - Federal Aid Interstate and State financed. The contract was awarded on April 16, 1958 to the low bidder, Henry Hagman, Spokane, Washington, in the amount of \$721,533.70, the Engineer's Estimate being \$943,313.00.

S-3840(2) - Consisting of constructing the roadway, drainage structures and a roadmix bituminous surfacing on 2.543 miles of the Montour-Ola Road, Ola South, in Gem County - Federal Aid Secondary and County financed. Subject to the concurrence of the Gem County Commissioners, the contract was awarded on April 24, 1958 to the low bidder, Allington Construction, Boise, Idaho in the amount of \$107,866.95, the Engineer's Estimate being \$103,085.50.

I-1024(9) Section "A" & STOCKPILE NO. 236 - Consisting of constructing a 4-lane divided roadway, a bituminous surface treatment, two 245' concrete underpasses and a 26.5' and a 108' concrete overpass on 4.464 miles of U.S. 30N, Rockland Jct.-Igo Overhead, and furnishing crushed gravel in stockpile in Power County - Federal Aid Interstate and State financed. The contract was awarded on April 18, 1958 to the low

May 26, 1958

bidder, Cherf Bros., Inc., and Sandkay Contractors, Inc., Ephrata, Washington, in the amount of \$1,537,334.50, the Engineer's Estimate being \$2,016,495.25.

F-4151(2) & F-5152(6) - Consisting of constructing a roadmix bituminous surface on 28.265 miles of U.S. Highway No. 95 Alt., Potlatch Jct.-Emida, in Latah and Benewah Counties - Federal Aid Primary and State financed. The contract was awarded on May 2, 1958 to the low bidder, United Paving Company, Inc., Spokane, Washington, in the amount of \$524,624.65, the Engineer's Estimate being \$462,520.50.

STOCKPILES NOS. 250, 251, 254 & 255 - Consisting of furnishing crushed gravel, crushed rock, and cover coat material in various stockpiles, known as Idaho Stockpile Projects Nos. 250, 251, 254 & 255, in Benewah and Kootenai Counties - State financed. The contract was awarded on May 16, 1958 to the low bidder, Lewiston Pre-Mix Concrete, Inc., Lewiston, Idaho, in the amount of \$78,820.00, the Engineer's Estimate being \$81,000.00.

STOCKPILES NOS. 215, 218 & 219 - Consisting of furnishing crushed gravel and cover coat material in stockpiles in the vicinity of Strawberry Glenn, Horseshoe Bend, Banks and New Plymouth, in Ada, Boise and Payette Counties - State financed. The contract was awarded on May 15, 1958 to the low bidder, Richard Beshey, Baker, Oregon, in the amount of \$56,250.00, the Engineer's Estimate being \$68,125.00.

STOCKPILE NO. 237 - Consisting of furnishing crushed gravel surfacing and cover coat material in stockpiles near Bancroft, on U.S. Highway 30-N, in Caribou County - State financed. The contract was awarded on May 15, 1958 to the low bidder, Fife Construction Company, Brigham City, Utah, in the amount of \$16,950.00, the Engineer's Estimate being \$17,000.00.

I-82-3(2)214 - Consisting of constructing two 981' concrete bridges over the Snake River, on 0.189 mile of Interstate Highway No. 82, in Cassia and Minidoka Counties - Federal Aid Interstate and State financed. The contract was awarded on May 15, 1958 to the low bidder, W. R. Cahoon Construction Company, Pocatello, Idaho, in the amount of \$435,811.75, the Engineer's Estimate being \$497,870.00.

ST-3022(518) - Consisting of widening the roadway and constructing a plant mix bituminous surface and channelization on 0.263 mile of U.S. 20, 26 and 30, Capitol Boulevard-Depot Hill, in Ada County - State financed. The contract was awarded on May 21, 1958 to the low bidder, Morrison-Knudsen Company, Inc., Boise, Idaho, in the amount of \$18,709.00, the Engineer's Estimate being \$16,933.00.

Public Bypass Hearings. The Board approved the setting of public bypass hearings regarding the relocation of highways as follows:
U.S. 95 in Coeur d'Alene, S.H. 41 in Old Town and U.S. 95 in Parma.

21
Site for Highway Department Headquarters Office and Law Enforcement Administration Buildings. The Board reviewed the W. E. Johnston, Mildred Ashley and Bernice Fisher properties in the 3200 to 3600 block on West State Street measuring approximately 36½ acres, more or less, for the proposed buildings site. After meeting with Governor Smylie and receiving his approval, the Board authorized State Highway Engineer, G. Bryce Bennett, to proceed with the purchase of the buildings site.

Other locations under consideration were: 20 acres known as the Evergreen Motel site on Capitol Boulevard, and 19½ acres between Federal Way and the Railroad in the 1700 to 1900 block. Average acreage costs were \$10,000 to \$6,000 per acre respectively.

The West State Street site figured \$2100 per acre on the unimproved portion, and including improvements total consideration would be \$107,665.74. It was noted that when the improvements on the West State Street site are sold and removed and the property is squared up and odd lots disposed of, the investment will approach favorably the \$75,000 figure realized by the Department in its recent sale of its surplus property consisting of 1.32 acres, more or less, at 27th, Main and Fairview Streets in Boise.

The Board authorized the State Highway Engineer to proceed with arranging interviews of interested Boise architects at its next meeting for the purpose of selecting and engaging the services of a suitable architect to proceed with the buildings plans.

The Board also authorized the re-engagement of the EBASCO Space Organization Consultants to assist in counseling the Board in the selection of a suitable architect and to assist the Department and architect in counseling during the planning and construction stages of the buildings.

Out of State Travel. Out of State travel was authorized for:

William Padgett to go to Chicago, Illinois, June 8-11, 1958 to attend the annual National Attorney General's Conference.

Ellis Mathes and Marvin Lotspeich to attend the Western Institute of Traffic Engineers in Sacramento, California, June 14-21.

G. Bryce Bennett and Wayne Summers to attend the Council of State Governments Western Interstate Committee on Policy of Interstate Highway Problems in Seattle, Washington, July 24 & 25.

The following personnel to attend the Western Association of State Highway Officials Conference in Salt Lake City, Utah, June 3-6, 1958: G. Bryce Bennett, James H. Cairns, Wayne Summers, Roy Jump, N. L. McCrea, Frank Leonard, L. F. Erickson, Don Walker, Del Klaus, Marion Whaley, Charles Ulrich, Charles Glasby, P. A. Marsh and A. J. Sternling.

Utility Facility Relocation Determinations. Upon reviewing the following listed projects plans, the Board decided in the affirmative regarding the necessity of the relocation of utility facilities on said projects:

Those appearing for hearing were:

South Side Electric Lines, Inc., on Project No. I-82-3(1)214, Raft River-Snake River in Minidoka County.

Rural Electric Company on Project No. F-2441(6), Greenwood School -Paul, in Jerome and Minidoka Counties.

Those waiving hearings were:

Mountain States Telephone & Telegraph Company, Utah Power & Light Company and Idaho Power Company on Project No. F-1032(6), Blackfoot-Firth in Bingham County.

Mountain States Telephone & Telegraph Company on Project No. DF-2441(10), Greenwood-School-Paul in Jerome and Minidoka Counties.

Mountain States Telephone & Telegraph Company on Project No. I-8203(1)214, Raft River-Snake River in Minidoka County.

American Telephone & Telegraph Company on Project No. I-6033(11), Montana South in Clark County.

Mountain States Telephone & Telegraph Company on Project No. S-1753(2), Buist Jct.-Bannock County Line in Oneida and Power Counties.

Those not appearing for hearing were:

Raft River Electric Co-op, Inc., and the U.S. Bureau of Reclamation on Project No. I-82-3(1)214, Raft River-Snake River, in Minidoka County.

Extensions for Personnel over Age 65. The Board approved extensions for personnel over age 65 as follows:

In District No. 1: L. S. Gray, Project Chief; B. A. Empey, Janitor Class I - both to July 1, 1959.

In District No. 2: J. F. Harris, Engineering Aide Class I, Edgar Obenchain, Maintenance Superintendent; W. A. Satchwell, Maintenance Man - all to July 1, 1959.

In District No. 3: Virgil Roberts, Carpenter - to July 1, 1959.

In District No. 4: D. M. Jones, Project Chief; Tom Harmer, District Clerk; Oliver Johnson, Janitor; C. Ray Thompson, Equipment Operator;

Ira Staley, Maintenance Man; Alex Sprouse, Maintenance Man - all to July 1, 1959.

In District No. 5: C. D. Mills, Inspector Class II; J. H. Thomas, Janitor; H. A. Stevens, Mechanic; Paul Donart, Equipment Operator Class III - all to July 1, 1959.

In District No. 6: S. K. Warnberg, Maintenance Man; A. J. Christensen, Senior Right of Way Agent - both to July 1, 1959.

In District No. 9: William P. Hughes, Urban Engineer; Guy Wood, Janitor Class II; H. E. Turner, Draftsman Class IV; H. C. Dumbolton, Statistician Class III; Wassil Ostrogorsky, Draftsman Class II - all to July 1, 1959.

Also in District No. 9: Perry Oxley, Assistant Construction Engineer, extended to December 31, 1958 at \$650.00 per month for seven hours per day.

Personnel - Change of Classification and Promotions. Mr. A. J. Sachse of District No. 5, change in classification from District Engineer to Assistant Construction Engineer at the same salary.

Promotion for E. E. Harden, from Highway Designer Class III to Assistant Chief Design Engineer, \$675.00 to \$700.00 per month.

Promotion for H. L. Wingfield from \$700.00 to \$725.00 per month as Bridge Engineer Class III.

Rural Speed Control Zones in District Three (Corrected Minute Entry). The Board approved and signed the following Minute Entry, rescinding that Minute Entry of the Idaho Board of Highway Directors dated April 2, 1958, with respect to prima facie speed limits upon rural sections of the State Highway System in District No. 3, specifically State Highway 71 from Cambridge to the Snake River Brownlee Bridge:

WHEREAS, by virtue of Section 49-702, Idaho Code, the Department of Highways may, upon the basis of an engineering and traffic investigation, determine and declare a reasonable and safe prima facie speed limit at any intersection or other place or upon any part of the State Highway System; and,

WHEREAS, upon the basis of an engineering and traffic investigation, it is deemed advisable that the prima facie speed limits on the hereinafter described rural portions of the State Highway System be altered to the hereinafter described limits;

NOW THEREFORE, it is hereby determined and declared that the hereinafter designated prima facie speed limits, over and upon the hereinafter described rural portions of the State Highway System be and hereby are the reasonable and safe prima facie speed limits thereon and shall henceforth be effective at all times during hours of daylight or darkness:

Item No.	Hwy. No.	From Milepost	To Milepost	Description	Prima Facie Speed Limits (M. P. H.)
1	SH 71	117.8	—	Cambridge to Snake River Bridge at Brownlee	35

IT IS FURTHER ORDERED that the State Highway Engineer procure appropriate signs in conformance with Section 49-512.2 and cause the same to be erected on the appropriate sections, at reasonable intervals, to advise the traveling public of said prima facie speed limits.

Sale of Surplus Property - Terteling Property, Twin Falls. The Board declared a parcel of land acquired in connection with Project No. F-2361(9), Twin Falls East, Parcel No. 3, Terteling Property, declared surplus, and authorized the Right of Way Department to sell it at public auction, asking a minimum price of \$100,000.00; the purchaser to move the front of the building back to the proposed right of way line.

Rights of Way Parcels in Excess of \$20,000.00 - William Clark, et al and Axel Oberg, et al. Upon the recommendation of the Chief Right of way Agent in connection with Project I-90-1(10)62, formerly I-5041(11), Wallace-Mullan, the State Highway Engineer presented to the Board for consideration a settlement of \$24,000.00 to William Clark, et al, for 1.4 cares of right of way and improvements located thereon. The acquisition also includes the severed area. The Board directed acceptance of this instrument and authorized payment to Mr. Clark.

Also, payment was authorized in the amount of \$26,000.00 to Axel Oberg, et al, for 5.62 acres of right of way and severed remainder including improvements on the property. Grantor to remove all buildings and pertinences by September 1, 1958; otherwise, title to be vested in the State of Idaho. The Board directed acceptance of this instrument and authorized payment to Mr. Oberg.

Acquisition of Abandoned Railroad Right of Way - West of Post Falls, Kootenai County. Upon the recommendation of the Chief Right of Way Agent, the State Highway Engineer presented to the Board the possibility of the State's acquiring abandoned Great Northern Railroad right of way, extending approximately 2.25 miles west of Post Falls in Kootenai County, for the interstate right of way under Route No. 5041. The Board approved the acquisition of the abandoned right of way, subject to satisfactory negotiations with the Great Northern Railway Company.

Condemnation Orders. The Board executed in duplicate Orders of Condemnation covering the following:

On Project No. F-1032(3): Parcel No. 31 - E. E. Apgood, subject to Contract of Sale to J. M. Lytle and Alice J. Lytle, his wife.

On Project No. FG-5121(4): Parcel No. 1 - A. R. Nelson, also known

as Axel R. Nelson, and Dotty G. Nelson, his wife. Parcel No. 7 - Bernard Deubel and Rose F. Deubel, his wife. Parcel No. 5 - S. Holderness and Ruby C. Holderness, his wife. Parcel No. 6 - True's Oil Company, a Washington Corporation. Parcel No. 4 - Stella R. Barenz and her husband.

On Project No. S-1721(4): Parcel No. 20 - Orville Bowers and his wife. Parcel No. 18 - Arch Morris and Ilene Morris, his wife.

On Project No. F.H.P. 16-A7: Parcel No. 5 - Frank Bowles and Butler Bowles, his wife.

On Project No. F-4113(10): Parcels Nos. 4 and 4-P-1 - Henry O. Rhett and Maxine Rhett, his wife. Parcels Nos. 2 and 3 - Homer K. Rhett and Mary Rhett, his wife.

Authority to Purchase Rights of Way. The Board granted authority to the Right of Way Department to proceed with the purchase of rights of way as follows:

- Project I-6033(17), Sage Junction to Hamer - Access to be controlled.
- Project S-4771(1), Ahsaka-Kendrick - Access not to be controlled.
- Project S-3754(2), Nampa-South - Access not to be controlled.
- Project FU-3281(7), Blaine Street (Caldwell) - Access not to be controlled.
- Project ST-6354(508), 5 Mi. South of Salmon - Access not to be controlled.
- Project F-6471(10), Johns Hole Connection - Access to be controlled.
- Project F-2353(2), Arco to Moore - Access to be controlled.

Request of Camas County Commissioners for Surplus Culvert Pipe. The Board granted the request of the Camas County Commissioners for used surplus culvert pipe for use on a Camas County Secondary road.

Request of District No. 3 for Additional Three Acres to District Site. Upon the recommendation of State Highway Engineer, G. Bryce Bennett, and Maintenance Engineer, N. L. McCrea, the Board approved the purchase of five acres, more or less, of land adjoining District 3 headquarters, for a purchase price of \$8,000.00.

Training Veterans of Foreign Wars Reserve Teams for Civil Defense. The request of the State Highway Engineer to train Veterans of Foreign Wars reserve teams for civil defense was approved by the Board, insofar as it does not interfere with the scheduled routine of the Department's program.

Urban Speed Control Zones in Cambridge (Corrected Minute Entry.) The Board approved and signed the following Minute Entry:

WHEREAS, by virtue of Section 49-702 and Section 49-524.3 Idaho Code the prima facie speed limit upon urban extensions of the State Highway System may be altered; and,

WHEREAS, an engineering and traffic investigation is the basis upon which such alterations are to be determined; and,

WHEREAS, an engineering and traffic investigation has been made on the hereinafter described urban portions of the State Highway System within the corporate limits of the Village of Cambridge; and,

WHEREAS, that Minute Entry of the Board of Highway Directors dated June 19, 1954, with respect to prima facie speed limits upon urban extensions of the State Highway System in the Village of Cambridge should be revised; and,

WHEREAS, the hereinafter designated speed limits have been found to be reasonable and safe prima facie speeds on the respective urban portions of the State Highway System within the corporate limits of the Village of Cambridge; said urban portions of the State Highway System and prima facie speed limits being as follows:

Item No	Highway No.	Street Name	Zone Limits	Prima Facie Speed Limits (M. P. H.)
1	US 95	Central Blvd.	East City limits to Superior St.	35
2	US 95	Superior St.	Central Blvd. to Washington St.	25
3	US 95	Superior St.	Washington St. to South City Limits	35
4	SH 71	Hopper Ave.	Superior St. to West City Limits	25

NOW THEREFORE, it is hereby ordered that the Minute Entry of the Board of Highway Directors dated June 19, 1954, with respect to prima facie speed limits upon urban extensions of the State Highway System in the Village of Cambridge, is herewith rescinded. It is further determined and declared that the hereinabove designated prima facie speeds on the hereinabove described urban portions of the State Highway System within the corporate limits of the Village of Cambridge shall henceforth be effective at all times during hours of daylight or darkness.

THEREUPON, the Board adjourned, to reconvene again at 8:00 a.m., Tuesday, May 27, 1958.

TUESDAY, May 27, 1958

The Board reconvened at 603 Main Street, Boise, Idaho at 8:00 a.m., Tuesday, May 27, 1958, with all members of the Board, the State Highway Engineer and the Secretary present.

Aberdeen Delegation. The Board heard a delegation from Aberdeen composed of State Representative Frank Westfall and Aberdeen City Officials regarding early construction of State Highway 39 from American Falls to Aberdeen. They were informed that the section from American Falls to the Bingham County line would be let shortly, and as soon as right of way matters are cleared, the Board would be in a position to consider programming the remaining mileage.

May 27, 1958

44
American Falls Delegation. Mr. Ralph Wheeler, City Councilman of American Falls, next appeared before the Board inquiring as to what American Falls should do to make ready their participation in the improvement of U.S. Highway 30 through American Falls. He was advised as to what is necessary in the way of replacing needed water mains and participation in storm sewers according to our municipal policy.

U.S. Highway 30 Association. The U.S. Highway 30 Association next appeared before the Board as to improvements contemplated in the Twin Falls area; U.S. 30 in particular. After recounting the anticipated projects, they offered assistance in any right of way problems that are immediately confronting the Department on the Kimberly Road improvement.

Parma-Council U.S. 95 Delegation. The U.S. 95 delegation with delegates from Parma and Council next appeared before the Board on behalf of the improvement of U.S. 95, with particular emphasis on the Mann Creek Hill and Mesa Hill sections, and lastly, the Homedale to Wilder section of U.S. 95. No promise was made as to timing, but the Board agreed to give their request consideration in future programming.

THEREUPON, the Board adjourned, to reconvene at 8:00 a.m., Wednesday, May 28, 1958.

WEDNESDAY, May 28, 1958

The Board reconvened in the Board Room at 603 Main Street, Boise, Idaho, with all members of the Board, the State Highway Engineer and the Secretary present.

YELLOWSTONE Highway Association. The Yellowstone Highway Association appeared before the Board inquiring as to emergency moneys that could be used in the improvement of State Highway 46, since other counties had inquired as to the possibility of combining their emergency Federal Aid allocations into one job. Mr. Bennett informed them that such would not be permitted under this emergency program.

Camas County requested that their allocation of emergency funds be used on a county road north of Fairfield. C. W. Short, Secondary Roads Engineer, is attempting to assist them in expediting this project.

Albion-Malta Delegation. A delegation from the Albion and Malta areas next appeared before the Board requesting that the Albion-Malta County Road be placed on the State Highway System. The Board advised that a traffic count could best answer the problem, and that such a count should be taken during the school term next year at Church College in Albion, and that consideration would be given the results of the traffic count at that time.

Nampa, Caldwell, Meridian and Boise Interstate "Ridge Route" Delegation. A delegation from the Nampa, Caldwell, Meridian and Boise areas appeared before the Board requesting designation of the Interstate "Ridge Route". Officials from those cities, and others in the delegation of eleven,

May 28, 1958

pleaded with the Board for an early determination of the route across Boise Valley so that development in their towns need no longer be hampered awaiting that decision.

The lack of an adequate Boise planning traffic study to determine a point of entrance into Boise for a large per cent of the Interstate traffic as well as a point of exit for outbound traffic is causing the extended time necessary in determining the location of the Interstate Route across the Boise Valley.

The delegation was informed that all possible speed would be undertaken in the completion of a traffic study, at least from the city limits of Boise west through the valley.

City of Glenns Ferry. The City of Glenns Ferry, represented by Mayor Wells and Councilman Alvin Joslyn and Dick King next appeared before the Board requesting early construction of the U.S. 30 business route through Glenns Ferry. They also inquired as to an adequate notice of construction date in order that they may relocate some of their city water mains before the contract is let.

Franklin County Commissioners. The Franklin County Commissioners with County Clerk, Leo Swensen, appeared before the Board asking for emergency highway funds for two 18-foot culverts on the Preston-Dayton Road. Chairman Rich suggested they check with Secondary Roads Engineer, C. W. Short, for consulting engineer's services in expediting the project in order to come under the deadline of August 1 contracting on their requested project.

Bonner County Commissioners. Bonner County Commissioner, Glenn Reed, and a delegation of nine from Bonner County, next appeared before the Board asking for an outline of anticipated programming of highways in that area. The present program was outlined and Commissioner Reed expressed the delegations' appreciation of the Highway Department's cooperation in the present and past years in their area.

Designation of State Highway 88 - East of Arco to Rexburg. The Board approved and signed the following Resolution:

WHEREAS, investigation has revealed the inadequacy of present highway communications between the Rexburg area and facilities of the Atomic Energy Commission at the N.R.T.S.: and,

WHEREAS, adequate communications between these areas is vital to the economy of the State and to the national defense; and,

WHEREAS, the necessary facility is deemed to possess the requisites of a State Highway as set forth in Section 16, Chapter 260, Idaho Session Laws, 1955,

NOW THEREFORE BE IT RESOLVED, that there be, and hereby is, designated a highway to be known as State Highway No. 88, described as beginning at a junction with State Highway No. U.S. 20-26 east of Arco and extending easterly via Howe, Terreton and Sage Junction to a junction with U.S. 191 at Rexburg all as shown on the sketch map attached hereto.


BE IT FURTHER RESOLVED, that the State Department of Highways assume responsibility for the maintenance of said State Highway 88 only on those sections thereof as may be improved to State Highway Standards and at such time as said improvements are accomplished.

Bid. The Board reviewed the results of the bid opening held May 28, 1958, and concurred in the action of the State Highway Engineer on the following:

I-82-3(1)214 & I-82N-1(2)0 - Consisting of constructing the grading and drainage on a 4-lane divided roadway on 20.751 miles, a 26.33' concrete overpass and a 51.75' concrete bridge on Interstate Highways Nos. 82 and 82N Snake River-Raft River, in Cassia County; Interstate and State financed. The contract was awarded on May 28, 1958 to the low bidder, Eagle Construction Company, INC., Boise, Idaho in the amount of \$1,648,885.39, the Engineer's Estimate being \$1,864,158.00.

Expense Vouchers. Expense vouchers were approved by the Board as follows: D. P. Jones, covering March 23 to April 2, 1958 - \$120.50; R. C. Rich, covering March 28 to April 16, 1958 - \$78.00, and L. K. Floan, covering February 11 to April 2, 1958 - \$201.60.

THEREUPON, the Board adjourned, to reconvene for their next regularly scheduled meeting June 17 through 20, 1958.



 R. C. RICH, Chairman

Read and Approved: 6-17-58
 Boise, Idaho

May 28, 1958

EXHIBIT 2

Idaho, to Day Mines, Inc., in exchange for a Stockpile Site, less mineral rights thereunder.

Administrative and Legislative matters were discussed by the Board.

Expense Vouchers. The Board approved the following expense vouchers for January:

R. C. Rich, \$65.89; W. C. Burns \$121.10; Ernest Gaffney, \$84.50.

WHEREUPON, the Board adjourned until its next meeting to be held February 27, 28, March 1 & 2, 1961.

Read and Approved February 27 1961
Boise, Idaho



R. C. RICH, Chairman

MINUTES OF THE REGULAR MEETING OF THE IDAHO BOARD OF HIGHWAY DIRECTORS

February 25, 27, 28, March 1 & 2, 1961

The Board convened at 10 a.m., Saturday, February 25, 1961, at 3211 West State Street, Boise, Idaho.

Present were:

Roscoe C. Rich, Chairman, Director, District 2
W. C. Burns, Vice-chairman, Director, District 1
E. F. Gaffney, Member, Director, District 3
G. Bryce Bennett, State Highway Engineer
Wayne Summers, Secretary of the Board

Building Dedication Ceremonies. The new Highway Department-Law Enforcement building dedication ceremonies were held at 2 p.m. Previous Board members Jones, Floan, and Ellsworth were present. Chairman R. C. Rich presided as Master of Ceremonies. Governor Robert E. Smylie received the keys of the building from R. E. Rice General Contractors' General Manager Fred Beck and delivered the dedicatory address before a group of 300 interested citizens and State officials. Open house of the building continued until 5 p.m., and also the next day, Sunday, the 26th, from 2 to 5 p.m. Approximately 1300 people inspected the building Saturday and approximately 2300 Sunday.

February 25, 1961

The 1951 Special Legislature committee assigned to study Highway Law revisions and who recommended to the 1951 Session the adopting of the present highway law were present, with the exception of Melvin Snook. They were Representatives Paul Vernon, L. M. Gwartney, Ernest Gaffney, and Senators John Bahr and W. Cotty Lowry.

MONDAY, FEBRUARY 27, 1961

The Board reconvened at 8 a.m., Monday, February 27, in the Board Room at 3211 West State Street, Boise, with all Board members, the State Highway Engineer, and the Board Secretary present.

Minutes. The Minutes of the Regular Meeting of the Board of Highway Directors, January 30, 31, February 1 & 2, 1961, were read and approved.

Bids. The Board concurred in the action of the State Highway Engineer on the following highway construction bids:

ST-3022(528) - The work consists of furnishing and installing steel beam handrail on the Fairview Bridge and Slough across the Boise River west of Boise, known as Idaho Project No. ST-3022(528), in Ada County - State financed. Contract was awarded to Watkins Construction Company, Boise, Idaho, the low bidder, on February 9, 1961, in the amount of \$4,120.00.

STOCKPILE 1353 - The work consists of furnishing crushed gravel surfacing and cover coat material in stockpiles adjacent to M.P. 405.1 (US-30N) approximately 7 miles southeast of Montpelier in Bear Lake County - State financed. The Board recommended the awarding of this contract be subject to further analysis and determination by State Engineer Bennett, it being a small project and over the Engineer's Estimate. The low bidder was Peter Kiewit Sons' Company, Idaho Falls, Idaho, in the amount of \$15,400.00, 13.23% over Engineer's Estimate.

S-6731(1) - The work consists of constructing the roadway, drainage structures, a 23' and a 25' concrete bridge and a bituminous surface treatment on 6.977 miles of the County Line Road, in Bonneville and Jefferson Counties - Federal Aid Secondary and County financed. Contract was awarded to Pickett & Nelson, Inc., Idaho Falls, Idaho, the low bidder, on February 23, 1961, in the amount of \$131,159.90.

STOCKPILES 6337 & 6339 - The work consists of furnishing crushed gravel surfacing and cover coat material in stockpiles in the vicinity of Monida and Spencer, in Clark County - State financed. Contract was awarded to Aslett Construction Company, Twin Falls, Idaho, the low bidder, on February 24, 1961, in the amount of \$21,350.00.

ST-2441(522) & Stockpiles 2367 & 2294 - The work consists of constructing a half-sole roadmix bituminous surfacing on 7.35 miles of SH 25, Rupert-West, and furnishing crushed gravel and/or rock surfacing and cover coat material in stockpiles in the vicinity of Malta and Rupert, in Minidoka and Cassia Counties - State financed. Contract was awarded to Mountain States Construction Company, Inc., Pocatello, Idaho, the low bidder, on February 24, 1961, in the amount of \$69,980.00.

I-15-2(7)96 - The work consists of grading 4-lane divided roadway, constructing drainage structures, 1-grade separation, 1-interchange and 4-concrete bridges on 7.841 miles of Interstate Highway No. 15, in Bingham County - Federal Aid Interstate and State financed. The Board concurred in the recommendation of the State Highway Engineer to award the contract to the low bidder, subject to the approval of the Bureau of Public Roads. The low bidder was Earl L. McNutt Company, Boise, Idaho, in the amount of \$1,421,583.95.

Utility Facility Relocation Determinations. Upon reviewing the following listed projects plans, the Board decided in the affirmative in the matter of the necessity of relocation of utility facilities in the following projects:

FHP 40 A4, SH 34, Wayan-Freedom, Caribou County, Silver Star Telephone Co., Inc.,

FHP 40 A4, SH 34, Wayan-Freedom, Caribou County, Lower Valley Power & Light, Inc.

Right of Way in Excess of \$20,000. The Board approved the following purchase of right of way in excess of \$20,000:

Project I-90-1(9)34, Parcel No. 28, from Mr. McKivor, in the amount of \$26,350.00.

Permanent Easement. City of Lewiston, Widening of 21st Street, Nez Perce County, District No. 4 - We have this 27th day of February, 1961, executed in duplicate a Permanent Easement to the City of Lewiston over existing highway right of way for the purpose of allowing said city to improve one of its streets.

Easement for Culdesac Road. Bonneville County, District No. 6 - We have this 27th day of February, 1961, executed in duplicate, an Easement to the City of Idaho Falls, Idaho, for the purpose of constructing thereon a Culdesac Road to Texas Avenue in exchange for a Cooperative Agreement to be executed by the City of Idaho Falls.

Access Resolution. S-1778(7), Preston to Riverdale, Idaho, Franklin County, District No. 1 - We have this 27th day of February, 1961, executed an Access Resolution for captioned project relative to control of access with certain exceptions.

February 27, 1961

Order of Condemnation. I-15-1(5)17, Deep Creek to Colton Lane, (near Malad), Parcel 1 - Morgan Tovey & Gwenford Tovey, also known as Gwenfred Tovey, husband and wife; Parcels 6 and 6-E-1, D. L. Evans. We have this day executed in duplicate an Order of Condemnation covering the above-listed parcel numbers of captioned project.

Special Warranty Deeds. I-90-1(9)34, Kootenai County, District No. 5, Parcel No. 35A - We have this 27th day of February, 1961, executed, in duplicate, a Special Warranty Deed to the Sverdsten Logging Company as partial exchange for Parcel No. 35 conveyed to the State of Idaho for captioned project.

F-1032(3), Blackfoot Streets, Bingham County, District No. 1, Parcel No. 15A - We have this 27th day of February, 1961, executed, in duplicate, a Special Warranty Deed to Afton Scogings, Paul Merritt and LaFawn Merritt in exchange for Parcel No. 15 from aforementioned parties for captioned parcel and project.

Speed Control Zones in District Three.

WHEREAS, by virtue of Section 49-702 Idaho Code, the Department of Highways may, upon the basis of an engineering and traffic investigation determine and declare a reasonable and safe prima facie speed limit at any intersection or other place or upon any part of the State Highway System; and,

WHEREAS, it has been found that certain revisions to the Minute Entry of the Board of Highway Directors dated August 24, 1955, are in order; and,

WHEREAS, upon the basis of an engineering and traffic investigation it is deemed advisable that the prima facie speed limits on the hereinafter rural portions of the State Highway System be altered to the hereinafter described limits,

NOW THEREFORE, it is hereby ordered that Items 1 through 5 pertaining to US Highway No. 20, 26 of the Minute Entry of the Board of Highway Directors dated August 24, 1955, is herewith rescinded. It is further determined and declared that the hereinafter designated prima facie speed limits, over and upon the hereinafter described rural portions of the State Highway System be and hereby are the reasonable and safe prima facie speed limits thereon and shall henceforth be effective at all times during hours of daylight or darkness:

Item No.	Highway No.	From Milepost	To Milepost	Description	Prima Facie Speed Limits (M.P.H.)
1.	US 20,26	0.0	1.55	Oregon St. Line to Jct. with US 95	60-55

February 27, 1961

Item No.	Highway No.	From Milepost	To Milepost	Description	Prima Facie Speed Limits (M.P.H.)
2.	US 20,26	1.55	7.50	Entered as US 20-26 and US 95	--
3.	US 20,26	7.50	8.55	Parma Urban Extension	--
4.	US 20,26	8.55	15.80	Parma to Notus	60-55
5.	US 20,26	15.80	16.60	Notus Urban Extension	--
6.	US 20,26	16.60	22.25	Notus to Jct. 20-26 & 30	60-55
7.	US 20,26	32.40	33.90	Entered as 20-26 & 30	--
8.	US 20,26	33.90	34.35	Caldwell Urban Extension	--
9.	US 20,26	34.35	50.35	Caldwell to Jct. with Hwy 69	60-55
10.	US 20,26	50.35	54.85	East of Jct. with Hwy 69	60-55
11.	US 20,26	54.85	55.55	To Garden City	45
12.	US 20,26	55.55	57.30	Garden City Urban Ext.	--
13.	US 20,26	57.30	102.40	Entered as US 20,26,30	--
14.	US 20,26	102.40	143.05	Entered as US 20T,26,30	--

IT IS FURTHER ORDERED that the State Highway Engineer procure appropriate signs in conformance with Section 49-602 and cause the same to be erected on the appropriate sections, at reasonable intervals, to advise the traveling public of said prima facie speed limits.

WHEREAS, by virtue of Section 49-702 Idaho Code, the Department of Highways may, upon the basis of an engineering and traffic investigation determine and declare a reasonable and safe prima facie speed limit at any intersection or other place or upon any part of the State Highway System; and,

WHEREAS, it has been found that certain revisions to the Minute Entry of the Board of Highway Directors dated August 24, 1955, are in order; and,

WHEREAS, upon the basis of an engineering and traffic investigation it is deemed advisable that the prima facie speed limits on the hereinafter rural portions of the State Highway System be altered to the hereinafter described limits,

NOW THEREFORE, it is hereby ordered that Item 10 pertaining to U.S. Highway No. 95, 20, 26 of the Minute Entry of the Board of Highway Directors dated August 24, 1955, is herewith rescinded. It is further determined and declared that the hereinafter designated prima facie speed limits, over and upon the hereinafter described rural portions of the State Highway System be and hereby are the reasonable and safe prima facie speed limits thereon and shall henceforth be effective at all times during hours of daylight or darkness:

February 27, 1961

Item No.	Highway No.	Milepost	Milepost	Description	Prima Facie Speed Limits (M.P.H.)
1.	US 95, 20, 26	49.30	49.70	Parma Urban Extension	--
2.	US 95, 20, 26	49.70	55.5	Parma to Jct. with US 20-26	60-55

IT IS FURTHER ORDERED that the State Highway Engineer procure appropriate signs in conformance with Section 49-602 and cause the same to be erected on the appropriate sections, at reasonable intervals, to advise the traveling public of said prima facie speed limits.

Designation of State Highway

WHEREAS, the road extending easterly and northerly from a junction with State Highway No. US 30S at Malta via Albion and Declo to a junction with State Highway No. US 30N, east of Rupert is deemed to possess the characteristics of a State Highway as set forth by Section 40-120, Subsection 3, Idaho Code,

NOW THEREFORE BE IT RESOLVED, that there be and hereby is, designated a highway to be known as State Highway No. 77, described as beginning at a junction with State Highway No. US 30S at Malta and extending westerly and northerly via Albion and Declo to a junction with State Highway No. US 30N east of Rupert, said designation to be effective April 1, 1961.

WHEREAS, the Troy-Kendrick Road extending from a junction with State Highway No. 42 at Kendrick to a junction with State Highway No. 8 near Troy is deemed to have the characteristics of a State Highway as set forth by Section 40-120, Subsection 3, Idaho Code.

NOW THEREFORE BE IT RESOLVED, that there be, and hereby is, designated a highway to be known as State Highway No. 99, described as beginning at a junction with State Highway No. 42 at Kendrick and extending northwesterly to a junction with State Highway No. 8 near Troy, said designation to be effective April 1, 1961.

Hagerman Route Study. The Board reviewed the location study of US 30 through Hagerman and reserved decision until the two routes can be looked at and compared on the ground sometime this summer.

TUESDAY, FEBRUARY 28, 1961

The Board reconvened at 8 a.m., Tuesday, February 28, in the Board

Room at 3211 West State Street, Boise, with all Board members, the State Highway Engineer, and the Board Secretary present.

Whitebird Route Study. The Board viewed the location study of the two routes down the river between Whitebird and Cottonwood ranging from \$19 million to \$15 million; and five alternate routes from Whitebird to Grangeville over the summit were considered ranging from \$26 million to \$13 million, with two routes involving tunnels - one 2700 feet long, costing \$15 million, and another 7800 feet long, costing \$19 million.

The Board ruled out further consideration of routes down the Salmon River from Whitebird because of:

1. Possible flooding of the route by future dams proposed; in such event, possible reconstruction of highway at State expense.
2. Traffic studies indicate approximately 700 of the 1100 anticipated daily traffic would desire to continue to use the present route to Grangeville. This would necessitate further improvements on the existing highway.
3. First costs comparisons of the various alternates entered into it.

The costs-benefits ratios of the various Grangeville routes not being available at this time, the Board decided to wait until a future meeting to determine the routing between Whitebird and Grangeville between the five alternates presented.

It was pointed out the projected 1980 traffic count reflects only 1186 average daily traffic, of which 482 would be destined to Cottonwood by way of the river routes and 704 would still be destined for Grangeville on any of the five alternates over or through Whitebird Hill.

Out-of-State Travel authorized by the Board:

To Portland, Oregon, to attend the Pacific Northwest Materials Conference, Harry Day and John Cosho, Materials Division.

To Sacramento, California, to evaluate California's Profile-O-Graph to consider applying to Idaho's road roughness analysis - Fred H. Anderson, Materials Division.

To Utah State University, Logan, Utah, for Concrete Conference, Harry Day, Materials Engineer, one day to go and return.

State Engineer Bennett to Louisville, Ky., June 27-28, to attend AASHO Executive Committee.

WEDNESDAY, MARCH 1, 1961

The Board reconvened at 8 a.m., Wednesday, March 1, in the Board Room, 3211 West State Street, Boise, with all Board members, the State Highway Engineer, and the Board Secretary present.

Bids. The Board concurred in the action of the State Highway Engineer on the following highway construction bids:

STOCKPILE NOS. 1362 & 1364 - The work consists of furnishing crushed gravel surfacing and cover coat material in stockpiles in the vicinity of Banida and Grace, in Franklin and Caribou Counties - State financed. The Board concurred in the recommendation of the State Highway Engineer that the contract be awarded to Carl E. Nelson Construction Company, Inc., Logan, Utah, the low bidder, in the amount of \$25,300.00. (The contract was awarded March 7, 1961.)

STOCKPILE NOS. 2300, 2365 & 2366 - The work consists of furnishing crushed gravel surfacing and cover coat material in various stockpiles in the vicinity of Hollister, Jct. US 93 and SH 79, and South of Stanley adjacent to US 93, in Twin Falls, Jerome and Custer counties - State financed. The bids were rejected, the lowbidder being 39.15% over the Engineer's estimate.

Order of Condemnation. F-5121(5), Priest River, Parcel No. 15- Subject to the Chief Right of Way Agent's requirements, the Board did authorize the above parcel to be taken into condemnation. The condemnation is subject to the feasibility of the Plans Division to eliminate this parcel from the project.

Public Hearing Dates Set. The Board approved public hearing dates at Pocatello for the afternoon of Monday, March 27, regarding Benton Street Overpass and the 4th and 5th Street one-way couplet; and at Malta the afternoon of March 28, regarding locating the Interstate Route 80N between Cotterell Junction and the Utah line.

Board Room Furniture. The Board approved the purchase of a line of furniture for the Board Room made by the Johnson Chair Company and Marble Furniture Company, which will be subject to open bidding to the State Purchasing Office.

Morrison-Knudsen Company Claim. Mr. D. W. Lutes and Mr. Len Stoddard of the Morrison-Knudsen Company appeared regarding the claims concerning the Weiser Overpass, Project F-FG-3112(8).

The first claim presented was changes in concrete footings on the railroad structure, which the contractor claims materially affected the over-all cost for placing concrete by the yard.

March 1, 1961

The concrete in the two highway structures and the massive railroad structure was not separated for bidding of the concrete item. Because of this, the basis of this claim is justifiable under the formula as presented by Walter Albrethsen, the Bridge Engineer, amounting to approximately \$1,714.90.

The second claim was the membrane seal on the railroad structure. The contractor claimed that the contract called for deck water proofing, and that he was made to put in a membrane seal. Inasmuch as the highway bridge plans called for the membrane water proofing and the plans over-rule the specifications, this claim was denied.

The contractor claimed that on the select borrow item that the proposal which showed cubic yards was in error. It should have been shown as tons. The plan quantities and the proposal quantities support the claimant's position. It is apparent that an error was made in using cubic yards in place of tons on the proposal.

Also the contractor's bid for this work compared to the other bidders on the project and the Engineer's estimate supports his claim of bidding it by the ton. The Board accordingly allowed this item to be changed to the payment on the ton basis rather than the cubic yard.

The final claim was for asphalt paving of extra islands. The contractor claimed that the plans very definitely specified each island to be paved and as the quantities for paving islands was included with the roadway paving quantities, the increasing the number of islands to be paved changed the plans and would cost the contractor additional handwork over what was specified on the plans. Inasmuch as the plans definitely showed the islands to be paved and due to the fact that the paving quantities for islands were not separated for bidding purposes, the Board agreed that this extra handwork should be paid on a force account basis.

The adjustment of the above four claims in detail is reflected in a letter to the Morrison-Knudsen Company from the State Highway Engineer dated March 7, 1961.

Olds Ferry Route on State Highway System. A group of 22, consisting of State Legislators, County officials, and interested citizens, next appeared regarding a request of Washington County and John Lloyd, Mayor of Weiser, for the State to put the Olds Ferry Route on the State Highway System, and accept approximately \$97,000 of County-Federal Aid 1961-62 allocated moneys to Washington County to be applied towards improvement of the road with ultimately a bridge across the Snake River affecting a connection with Oregon's State Highway System near the Interstate in the vicinity of Olds Ferry. It was pointed out by Chairman Rich that much had to be done before this could be accomplished:

March 1, 1961

1. That the Oregon Highway Department would have to be in agreement with such a connection and participate in the cost of the river crossing.
2. That there is nothing on the State Construction Program in Idaho during the next five years contemplating this route.
3. It should be pointed out that the Board does not regard the project as an impossible accomplishment; but a lot of doing, negotiating, planning, and money will be required before the request can be realized.

Mr. Bennett indicated that he had informally discussed this project with the Oregon State Highway officials and that they indicated a lack of interest in the proposition.

The Board indicated they would be down to view the Olds Ferry Route before long and go over the improvement Washington County has made on the route and view the suggested connection with Oregon's highway system.

Cambridge South Right of Way Court Litigation. The above group from Washington County and Weiser indicated they would like very much to participate in any way they can to affect a reconciliation in the matters of the Nina Potter and Burton parcels. State Engineer Bennett indicated that should Burton and Potter grant the State possession of the parcels involved and agree to litigating the matter after the Department deposited with the Court the sum of money offered by the Department for the parcels, that the bid openings of the proposed construction project could be expedited immediately.

The group indicated they would return to Weiser and pursue locally the matter to that end.

Glenn Pickett Claim. Mr. Glenn Pickett, of Pickett and Nelson, appeared regarding Project F-FG-1024(10), Van Ness Underpass, Bannock County.

This project overran the contract time, due to causes beyond the contractor's control. Therefore, additional railroad liability insurance had to be obtained by the contractor. The contractor claims that the additional extension of insurance should be on the basis of his bid item rather than on his actual cost plus 10 per cent. The Highway Board agreed that the Department should stay with the bid items and the extension of this item should be based upon the proportionate amount of the bid item.

Twin Falls Chamber of Commerce. A delegation from the Twin Falls Chamber of Commerce composed of Bill Grange, Art Shrank and John Hahn,

appeared before the Board requesting early attention to the expediting of the 1962 projected construction in the vicinity of Twin Falls, so that change or delays could be minimized, reciting what a small percentage of construction the Twin Falls section had been allotted in recent years compared to other populous sections in the State. The Board indicated there was no set formula for the allocation of construction moneys in any given section of the State, but rather strictly on a basis of need, and on that comparison Twin Falls section did not receive the construction moneys in recent years; the fact that the Interstate has been held up since 1957 through court action has caused a disparity of construction moneys in the Magic Valley area.

Improvement of SH 68. State Senator Wetherell, Elmore County, delivered a communication in which the Senator states the Elmore Board of County Commissioners wishes to transfer all of the current and 1962 fiscal year allotted Federal Aid moneys to the State for applying to highway improvement of SH 68 in Elmore or Camas County at the discretion of the future State construction programing.

State Secondary Roads Engineer Short is contacting the County Commissioners for their views in writing regarding the transferring of the above-mentioned Federal Aid allocated funds.

Mr. Dwayne Nef, of Arco, appeared before the Board requesting permission to use a culvert crossing Highway 20-26 to carry irrigation water to his farmland at Butte City, east of Arco. After considering the request, the Board authorized the Department to grant the request providing elevations and capacity of the culvert would in no way jeopardize the base or any part of the highway.

The District Engineer's report indicated there was ample gradient for flow and get-away of the water on each side of the highway.

THURSDAY, MARCH 2, 1961

The Board reconvened at 8 a.m., Thursday, March 2, in the Board Room at 3211 West State Street, with all Board members, the State Highway Engineer, and the Board Secretary present.

Appraisal on Project I-15-1(13)66, Pocatello Bypass, University Park Corp., and Empire Investment Corp. The Board met with Mr. C. R. Salmen, Bureau of Public Roads; Mr. Joseph Keely, Appraisal Reviewer; Mr. Mix, Chief Right of Way Agent; L. I. Passmore, Appraisal Supervisor; and Rod Johnston, Review Appraiser for the Department of Highways, regarding appraisal figures concerning Parcel Nos. 15 and 15½ in connection with the above project.

The Bureau of Public Roads was invited to attend as a result of their letter expressing dissatisfaction with the appraisals for this

parcel. The Bureau's dissatisfaction appeared to be based on insufficient information in the appraisals to explain why certain so-called comparable subdivisions were not used by the appraisers in their determination of value.


After discussion and analysis, it was agreed unanimously by the Board, Mr. Bennett, Mr. Salmon, and Mr. Mix that the hiring of an additional appraiser would not accomplish anything. Additional information should be secured from each of the three "outside" appraisers engaged to appraise the subject property to supplement their appraisals by the addition of explanations as to why other "so-called" comparable subdivision properties were not used. This additional information will be presented to the Board at their April 14 meeting and the subject property principles will be notified accordingly.

Expense Vouchers. The Board approved the following expense vouchers for February:

R. C. Rich, \$140.88; W. C. Burns, \$122.15; E. F. Gaffney, \$150.68.

WHEREUPON, the Board adjourned until its next meeting to be held April 12, 13, & 14, 1961.

Read and Approved _____ April 13 _____ 1961
Boise, Idaho



R. C. RICH, Chairman

March 2, 1961

EXHIBIT 3

REGULAR MEETING AND DISTRICT FIVE TOUR AND OUTREACH WORKSHOP
OF THE IDAHO TRANSPORTATION BOARD

April 20 - 21, 2022

The Idaho Transportation Board met at 10:30 AM on Wednesday, April 20, 2022, at the Grand Idaho Inn in Pocatello, Idaho. The following principals were present:

Bill Moad, Chairman
James R. Thompson, Member – District 1
Gary Osborn, Member – District 2
Julie DeLorenzo, Member – District 3
Jim Kempton, Member – District 4
Dwight Horsch, Vice Chair - District 5
Bob Hoff, Member – District 6
Brian Ness, Director
Scott Stokes, Chief Deputy
Dan McElhinney, Chief Operations Officer
Lorraine Dennis, Executive Assistant to the Board

District 5 Tour and Outreach Workshop. The Board toured the Savage Railport. Following the tour, the Board convened at the Grand Idaho Inn for the Idaho Transportation Investment Outreach Workshop. Chairman Moad and Vice Chair Horsch gave opening remarks. District 5 Engineer Todd Hubbard introduced recent District 5 partnering successes and major District 5 priority projects, and COO Dan McElhinney presented an update on new funding from the Governor's Leading Idaho Initiative and the Federal IJA for local and state infrastructure. Participants had time to review several project displays arranged around the room and interact with ITD staff and the Board. The Workshop concluded with comments from local transportation officials.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting recessed at 3:30 PM.

April 21, 2022

The Idaho Transportation Board convened at 8:30 AM on Thursday, April 21, 2022 in Pocatello, Idaho. All members were present. Lead Deputy Attorney General Tim Thomas was in attendance.

Safety Share. Operations Engineer Wright presented safety information regarding driving the wrong way. In 2020, there were 88 incidents of wrong way driving with 5 fatalities. A study done by AAA showed that 87% of those driving the wrong way were alone. A few tips include avoid distractions and stay engaged.

Chairman Moad thanked OE Wright for the important message.

April 21, 2022

Board Minutes. Member DeLorenzo made a motion to approve the minutes of the regular Board meeting held on March 23-24, 2022, as submitted. Member Hoff seconded the motion and it passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled:
September 21 & 22, Boise November 16 & 17, Boise
October 19 & 20, Boise December 14 & 15, Boise

Consent Items. Member Thompson made a motion and seconded by Vice Chair Horsch to approve the consent calendar resolution and it passed unanimously.

The motion to approve the following resolution passed unopposed:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB22-29 explanatory items that can be approved in one motion; and

WHEREAS, Idaho Transportation Board members have the prerogative to remove items from the consent calendar for questions or discussion.

NOW THEREFORE BE IT RESOLVED, that the Board approves the 2021 Transportation Alternatives Program (TAP) rankings, to advance existing and add new TAP projects to FY22-28 ITIP, consultant agreements, contract awards and contract rejection.

1) 2021 Transportation Alternatives Program (TAP) Rankings. The Local Highway Technical Assistance Council (LHTAC) requests approval for TAP application rankings. They received 41 infrastructure applications requesting over \$21M. Another nine non-infrastructure applications were also submitted for \$993K. Three scorers reviewed and scored the applications – one from ITD, one from LHTAC, and one from the Twin Falls School District. With increased funding to the TAP program due to the Infrastructure Investment and Jobs Act (IIJA) funding, all 41 infrastructure and 9 non-infrastructure projects will be funded in FY22-25.

2) Advance Existing and Add New TAP Projects to FY22-28 ITIP. Per Board Policy 5011, LHTAC requests the addition of ten new projects to the FY22-28 ITIP and advance the FY23 construction funding for two projects for a total increase of \$4.86 million to the FY22 TAP. With approval of the new IIJA bill, the annual funding for the TAP program more than doubled in size starting with current FY22 year. Previously, the program funded approximately \$3.5 million in infrastructure and non-infrastructure projects, but the funding target with the new bill increases to more than \$7.5 million for the life of the bill.

3) Request to Approve Consultant Agreement. In accordance with Board Policy 4001, staff request's approval to exceed the \$1 million agreement limit for key #23090 – US-95, Aht'Wy Interchange and Plaza, Nez Perce County for construction, engineering and inspection services of \$2.25 million and key #23340 – US-93, Third River Crossing PEL Study, Twin Falls for project development services of \$2.4 million.

4) Contracts for Award. The low bids on the following projects were more than ten percent over the engineer's estimate, requiring justification. On key # 19358, US-20, Intersection SH-47 improvements, Ashton, District 6, the difference between the low bid and engineer's estimate is mainly in excavation and granular borrow. On key #19973, I-84, Declo POE eastbound, District 4, the difference between the low bid and engineer's estimate was mainly in SP POE building, SP infiltration trench and illumination.

The engineer's estimate were developed using the average bid costs of previous projects in the area and assumed price increases. The District does not believe re-advertising the projects would result in lower bids, and recommends awarding the contracts. Low bidder, for key # 19358: H-K Contractors - \$5,778,888.00 and key #19973: Knife River Corporation-Mountain West - \$16,810,162.00.

5) Contract for Rejection. In accordance with Board Policy 4001, staff requests approval to reject the more than 10% over the engineer's estimate for key #20704 – US-12, Orofino to Greer, District 2. Contractor – Knife River Corporation-Mountain West, \$10,730,800.00.

Informational Items.

1) Contract Awards and Advertisements. Key #22593-22596, Boulder Creek Bridge, Little Wood River Bridge, 4200 N Road, Deep Creek Bridge, LHTAC (3 & 4). Low bidder: Braun-Jensen, Inc. - \$7,680,000.00

Key #20643, 21977, I-15/I-86, FY22 bridge repair, District 5. Low bidder: Cannon Builders Inc. – \$5,558,034.76.

Key #21990, RRX Near Sandpoint, LHTAC (1). Low bidder: Razz Construction, Inc. – \$688,387.05.

Key #20597, US-26/SH-39, FY22 W Bingham County pavement preservation, District 5. Low bidder: Kloefer, Inc. – \$4,100,935.04.

Key #18770, STC-4792, Beech/Chestnut Street reconstruction, Genesee, LHTAC (2). Low bidder: ASCORP, Inc. DBA Debco Construction - \$2,191,219.10.

Key #20589, I-86/I-15 System IC, Pocatello, District 5. Low bidder: Sundt-Cannon, A Joint Venture - \$111,919,576.17.

The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From March 4, 2022 to March 30, 2022, 30 new professional services agreements and work tasks were processed, totaling \$6,295,151. Five supplemental agreements to existing professional services agreements were processed during this period in the amount of \$474,445.

3) Non-construction professional services report. In accordance with Board Policy 4001, there are no agreements to report.

April 21, 2022

4) State FY22 Financial Statements. Revenues to the State Highway Account from all state sources were ahead of projections by 1.1% as of February 28. Receipts from the Highway Distribution Account were \$8 million more than forecast. State revenues to the State Aeronautics Fund were ahead of projections by 39%, or \$737,000. The Department's expenditures were within planned budgets. Personnel costs had savings of \$2.7 million or 3.3% due to less vacancies and pay increases appropriated by the Legislature. Contract construction cash expenditures were \$279.8 million for July through February.

The balance of the long-term investments was \$173.3 million at the end of February. These funds are obligated against construction projects and encumbrances. The cash balance was \$124.1 million. Expenditures in the Strategic Initiatives Program Fund through the end of February were \$0.9 million. Deposits into the Transportation Expansion and Congestion Mitigation Fund of \$7.5 million is the eighth month of revenues exceeding forecast. Funds are from the 4.5% of Sales Tax authorized during the last Legislative session. Expenditures in this fund were \$16.1 million year-to-date. The federal CARES Act provided \$27 million for public transportation. Expenditures totaled \$3.1 million year-to-date.

5) Monthly Reporting of Federal Formula Program Funding through April 4. Idaho received obligation authority of \$391.2 million through September 30, 2022 via an Appropriations Act signed on March 15, 2022. It includes \$2.0 million of Highway Infrastructure General Funds carried over from last year in the local urban and off-system bridge programs, \$45 million of Infrastructure Investment and Jobs Act (IIJA) Bridge Formula funds, and \$39 million COVID Relief funds carried over from last year in the Transportation Management Area, Local Urban and SHS Programs. The IIJA was signed on November 15, 2021. Additional apportionments were allocated via the Appropriations Act. Idaho will receive apportionments of \$426.5 million. Currently, obligation authority is 92.5% of apportionments. As of April 4, 2022, \$449.97 million was allocated with \$368.1 million remaining program funding.

Board Subcommittee on Adjustments Update. Member Kempton reported on the March 30 subcommittee meeting. Two resolutions were passed. The first regarding reconstruction of US-20 and I-15, authorizing staff to develop the alternatives identified as a result of a PEL study, and start negotiations to relinquish existing routes, with Bonneville County and the City of Idaho Falls. The second resolution allows District 3 staff to engage in discussions on a southern alternate route concept for SH-69. He added the concept analysis is appropriate and falls in line with the subcommittee's purview. Staff will keep the subcommittee advised.

Monthly Report on Activities. In continuation of a three-part series, Director Ness reported his remarks would focus on the future – potential opportunities and challenges, and what can be done to take advantage of them. Highlights include, change driver behavior and system modernization, innovative solutions to attract and retain employees, listen to employees and measure culture, use sound business principles, continue to reduce bureaucracy and regulations, and develop bold solutions to deliver projects on time and moving forward.

Chief Deputy Stokes reported the department entered the bond market on March 31. They bonded \$126 million securing a 3.55% rate. There were 55 investors – nine times the bonds

April 21, 2022

available in Idaho, showing the high level in confidence. He reported on bid opening delays on I-15, SH-16, I-90 and Chinden Blvd. CD Stokes also discussed the proposed annual funding distribution targets for the FY24 – FY29 ITIP. It will serve as a guide on how to invest funds as projects are advanced and added, and building in flexibility to accommodate shifts in economic factors, industry capacity, and revenue trends.

Chief Human Resources Officer Brenda Williams reported on workforce development efforts. The highway construction training program for concrete, welding and heavy equipment jobs, offers 22 subjects and six certifications. Today 16 students are graduating. The program increases the pipeline for workers. The next round of training sessions start this month in Boise and Northern Idaho in June. She also reported on the Engineers-in-Training program that hosted 36 employees at its conference last week. The program was recently revamped and provides a forum to network, problem solve and cultivate leadership skills.

Chief External Affairs Officer Mollie McCarty reported on outreach efforts on the TECM program, various one-on-one meetings with stakeholders, local officials, and Association of Loggers regarding bridges on US-95 and SH-97. She also stated the Freight Advisory Council met this month under its new format – aligning to the department’s statewide district representation. She received great feedback from council members.

Chief Operations Officer Dan McElhinney highlighted the Work Zone Safety Task Force progress and ITD National Work Zone Awareness Month. He shared an ITD media video clip and outlined the various activities – including an online ITD podcast recorded for public awareness and to address improvements for driver and highway workers safety in the maintenance/construction work zone. He also reported community outreach meetings held with our District Engineers for solutions on the SH-75/Ohio Gulch Road Intersection near Hailey, the SH-39/Pocatello Blvd Green T Intersection with American Falls, the Snake River third crossing with Twin Falls, and various contractors’ outreach sessions discussing our new 18-month ahead report on projects to bid on.

Chairman Moad thanked staff for their report.

Adopt-A-Highway Presentation. Program Specialist Sharon Short, District 5, presented the award to Grace Grizzlies High School from Caribou County. The football team and student body have been removing debris from SH-34 from milepost 46 to 48 for many years. Former Head Coach Brandon Sanchez accepted the award. Vice Chair Horsch thanked Coach Sanchez for serving their community.

District Engineer Report. District 5 Engineer Todd Hubbard gave his annual report focusing on achievements, projects, partnerships, and people. He reported on two projects the district advanced to FY23, the Fort Hall Interchange and I-86/I-15 System Interchange. The I-86/I-15 System Interchange is a 3-year project designed in house with expected minimal road closures. He showed a directional video for the improved interchange to help educate the traveling public. DE-5 Hubbard highlighted partnerships with the office of civil rights’ training program where they provided concrete for students to lay sidewalks, and building snowplow

turnarounds on each side of Idaho and Utah borders. He also reported Ryen Johnson was named Surveyor of the Year.

Office of Communication 2021 Review. Chief External Affairs Officer McCarty introduced John Tomlinson who is the new Public Affairs Manager. Public Information Officer Aubrie Spence reported on various public outreach and community engagement, and the Guide to Public Involvement and Office of Communication's Manual updates. Other highlights include social media efforts, in-person and virtual public engagement, internal communications to keep staff informed, and plans for 2022-2023 – which includes finalizing ITD's Strategic Plan.

Chairman Moad thanked PIO Spence for her report.

Request to Increase Consultant Services Agreement on Transportation Expansion & Congestion Mitigation Projects. Transportation Program Manager Amy Schroeder reported on the request to exceed the \$1 million threshold for consultant services agreements per Board Policy 4001 for ten TECM-funded projects. She reviewed the Board's actions timeline beginning with the \$9 billion list of projects reviewed in February 2021 and provided an overview of each of the projects. The initial agreements allowed fieldwork, analysis and value engineering to proceed on an accelerated schedule last fall, which provided clarity on scope of work for these projects.

In response to concerns Members Hoff and Kempton expressed about costs, TPM Schroeder stated she did several cross-checks with this size of project in the GARVEE Program and the costs are comparable to past agreements and within proportion to developing \$2.5 billion worth of work.

In response to Member Horsch's question if all the TECM projects are using state funds, TPM Schroeder stated yes; however, to provide for funding flexibility most TECM projects are producing federal-level NEPA to leave future funding options open. Member Kempton also inquired about federal regulation and what impacts it might have to the program. COO McElhinney stated there is some concerns in not knowing specifics as instructions have yet to be released. However, he has met with FHWA Administrator Pete Hartman who will work with ITD, and continues to meet quarterly with the eight prime firms regarding scope, costs and monitoring projects.

Member Kempton made a motion, seconded by Member Horsch, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board approved multiple TECM corridors
ITB22-30 and projects to be added to the Idaho Transportation Investment Program (ITIP)
 in May 2021 and another in January 2022 in order to advance their development
 and readiness; and

WHEREAS, the Board previously approved exceeding the threshold in Board Policy 4001 for initial phases of work on some of these projects in July 2021 and the next phase of work has been negotiated and is needed to continue to move the following projects through the development phase; and

April 21, 2022

WHEREAS, three corridors have had high priority projects split out and are ready to be negotiated and advanced; and

WHEREAS, Board Policy 4001 requires Board approval to exceed \$1 million on professional services agreements.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following list of projects to exceed the amount previously approved for supplemental agreements and new requests to exceed \$1 million on other projects, up to the amount shown in the “Total Authorized By The Board” column.

Key Number	Project	Type	Additional Being Requested	Total Authorized By The Board
20442	90/41 Engineer of Record	new agreement	800,000	9,500,000
22293	I-90 Environmental (WSL to Sherman)	supplemental	1,000,000	7,200,000
23607	I-90 Design (Spokane St to US-95)	new agreement	17,000,000	17,000,000
20788	SH-16 Phase 2 Design	supplemental	500,000	17,000,000
20788	SH-16 Phase 3 Design	supplemental	4,000,000	19,000,000
23336	Karcher IC	supplemental	500,000	3,500,000
23346	I-15 Environmental (Northgate to Blackfoot)	supplemental	5,500,000	10,500,000
23579	I-15 Design (Northgate to Fort Hall)	new agreement	14,000,000	14,000,000
23608	I-15 Environmental (5th to Northgate)	new agreement	2,000,000	2,000,000
23474	South St. Anthony IC	new agreement	2,500,000	2,500,000

Inflation and Rising Construction Cost Trends Update. Chief Operations Officer Dan McElhinney reported on inflation and trends that the department is tracking and managing. From April 2020 to February 2022 diesel fuel is up by 237% and steel 122% since last September. From October 2021 to March 2022, there were 46 projects bid totaling \$381.5 million of which 2% were under the engineer’s estimate and 1% over the planned budget. Over the next 90 days, staff will be monitoring 18 project estimates and unit prices of projects planned for bid openings totaling \$370 million. As of April 2022, asphalt is indexed at \$667.50 per ton, fuel \$4.33 per gallon, asphalt pavement \$120.96 per ton, metal \$1.97 per pound, and concrete \$1,019.41 cubic yard. COO McElhinney reported on the efforts being done by staff and teaming with industry. Some highlights include contractor and pre-bid outreach and partnering, national and statewide analysis, regular budget updates and all contractors monthly outreach with an 18-month look ahead.

In response to Chairman Moad’s question if there is a standard fuel charge, COO McElhinney stated the department adjusts after 10% - if it is indexed ITD will cover the cost, and 20% for asphalt. Chairman Moad suggested contractors should consider implementing fuel saving strategies.

April 21, 2022

Chairman Moad thanked COO McElhinney for the update.

State Highway System ITIP Project Advancement, Additions and Funding Distribution.

Chief Engineer Blake Rindlisbacher reported on the increased State and Federal funding as a result of Governor Little's Leading Idaho initiative and the passage of the Federal Infrastructure Investment and Jobs Act (IIJA). There are two major funding streams \$120 million (ITD's 60%) from the Governor's Initiative and \$60.95 million from IIJA after set-asides available for projects on the State Highway System. ITD is waiting on guidance from the FHWA for formula funded projects. The additional funding allows ITD to advance about \$250 million worth of projects.

ITIP Program Manager Randy Gill stated the goal is to deliver projects early, and reviewed the proposed projects that are currently ready or will soon be ready that can be advanced or added in the program in FY22 and FY23 totaling \$250 million. He also reviewed the funding opportunities made available in the ITIP if the project advancements were approved totaling \$273 million.

CE Rindlisbacher summarized the additional FY24 – FY29 ITIP annual funding increase of \$195.45 million for the State Highway System from the Governor's Leading Idaho Initiative and IIJA. He also highlighted the proposed annual distribution funding targets that includes \$100 million for TECM corridors, \$10 million for operations, and a \$13 million reserve for future buying power to address inflation.

In response to Member Osborn's question about inflation and the decision to move forward with a project, CE Rindlisbacher stated it is a joint decision amongst the district and staff as to whether or not they want to proceed with bidding the project. Each project is reviewed on a case-by-case basis and evaluated based on timing and need.

In response to Member Horsch's question about competitive employee compensation, CD Stokes stated it is difficult because the state cannot compensate the same as the private sector. In addition to recent compensation adjustments, the department is trying to find other innovative ways to compensate employees. Chairman Moad added he met with ITD's executive team to encourage recruitment and creative compensation ideas.

Member DeLorenzo made a motion, seconded by Member Hoff, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Department to publish and
ITB22-31 accomplish a current, realistic, and fiscally constrained Idaho Transportation
Investment Program (ITIP); and

WHEREAS, it is the intent of the Transportation Board to effectively utilize all available federal, state, local, and private capital investment funding; and

WHEREAS, the Board has authority to select projects for additional Leading Idaho funds and Federal Infrastructure Investment and Jobs Act (IIJA) funds; and

WHEREAS, staff has delivered a list of projects, Attachment No. 1, shown as in Exhibit 546, which is made a part hereof with like effect, from the approved FY22-28 ITIP that are ready and available to utilize available funding in FY22 and FY23; and

WHEREAS, staff has developed and is recommending funding distribution targets, Attachment No. 3, shown as in Exhibit 547, which is made a part hereof with like effect, for the added Infrastructure Investment and Jobs Act (IIJA) and Leading Idaho Funds for FY24-29 that will support ITD's pavement, bridge, and safety performance metrics.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the list of projects presented for the Infrastructure Investment and Jobs Act (IIJA) and Leading Idaho Funds available for FY22 and FY23 for advancements, additions, supplemental cost updates, change orders and a reserve to account for inflation risks for bid openings on Attachment No. 1,

BE IT FURTHER RESOLVED, the Board approves proposed annual funding distribution targets for the added Infrastructure Investment and Jobs Act (IIJA) and Leading Idaho Funds for FY24-29 shown on Attachment No. 3 to be used to guide the FY23-29 ITIP update process, which will be presented to the Board for approval in September 2022.

Board Unallocated Funds, US-20 MP 353 to South Ashton, District 6. Traffic & Materials Manager Wade Allen reported on the request to use FY22 Board Unallocated Funds to construct a mill and inlay project in the driving lanes of US-20 from MP 353.05 to MP 360.10 in District 6. The intent was to include it in the Chester to Ashton reconstruction project planned for completion by FY26. However, this section of US-20 deteriorated faster than expected developing severe pavement breakup and potholes. Because US-20 experiences a large volume of traffic, the project is being added to the FY22-28 ITIP. The estimated cost of the project is \$2,035,000.

Member Hoff made a motion, seconded by Member Thompson, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board supports the Idaho Transportation
ITB22-32 Department mission of safety, mobility, and economic opportunity; and

WHEREAS, it is in the public interest for ITD to fund US-20 MP 353 to South Asthon Project; and

WHEREAS, ITD is prepared to incorporate this project into the approved Idaho Transportation Investment Program (ITIP).

NOW THEREFORE BE IT RESOLVED, that US-20 MP 353 to South Ashton project be added to the ITIP at a cost of approximately \$2,035,000.00 using FY 2022 ITD Board Unallocated Funds; and

April 21, 2022

BE IT FURTHER RESOLVED, that the Idaho Transportation Board approves staff to adjust the Program and amend the approved FY 2022-2028 Statewide Transportation Investment Program accordingly.

Zero Fatalities Award. Grants/Contracts Officers Lisa Losness reported Franklin and Power Counties were the only two counties in Idaho to have zero traffic related fatalities in 2021. Representatives from Franklin County, Franklin County Sheriff's Office, Power County, Power County Sheriff's Office, Idaho State Police - District 5, and the ITD sheds in Preston and American Falls were recognized for their dedication to saving lives.

Chairman Moad thanked the award recipients for their commitment and dedication.

Executive Session on Legal and Personnel Issues. Member DeLorenzo made a motion to meet in executive session at 12:00 PM to discuss issues as authorized in Idaho Code Section 74-206 (b) and in Idaho Code Section 74-206 (f). Vice Chair Horsch seconded the motion and it passed unanimously by roll call vote.

The discussion on legal matters related to highway and department operations and personnel matters.

The Board came out of executive session at 1:15 PM.

State Street Headquarter building update. Chief Deputy Scott Stokes reported on the two resolutions regarding the relocation to the Idaho Chinden Campus and the disposition of the State Street Headquarter property.

CD Stokes stated the relocation is based on the assumptions that the \$37 million line item appropriated by the Legislature will be used for renovating Building 3 on the Chinden Campus, and the Department of Administration's allowance for significant input from ITD on the design and renovation. Staff will propose options to the Board for the relocation of the central lab and other existing ITD industrial functions that cannot be accommodated in the Building 3 renovation.

CD Stokes outlined the second resolution regarding the disposition of over 44 acres of the State Street property. He stated handling of the proceeds has yet to be defined. The intent language from Idaho Code gives an agency the first option to use the funds to replace or refurbish its facilities. CD Stokes emphasized the funds need to be appropriated by the Legislature regardless of what fund the proceeds are deposited into. The funds would allow ITD to modernize facilities and address needs in Districts 3 and 4.

Member DeLorenzo made a motion, seconded by Member Hoff, and passed unopposed, to approve the following resolution:

ITD Relocation to Idaho Chinden Campus

RES. NO. WHEREAS, the Governor of Idaho issued EXECUTIVE ORDER NO. 2019-03
ITB22-33 to identify opportunities to create efficiencies in state regional offices; and

April 21, 2022

WHEREAS, the ITD campus on State Street in Boise is the central location for all ITD business support for DMV and Highways and houses approximately 600 people; and

WHEREAS, the January 3, 2022, flood event has rendered the largest building on campus uninhabitable and would require extensive renovation to reoccupy; and

WHEREAS, the state Department of Administration has a facility available as of July 1, 2022, to begin renovating that could suit ITD needs with significant renovation on the Chinden Campus in Building 3; and

WHEREAS, the Idaho Legislature has appropriated a \$37,000,000 line item to be used for renovating facilities on Chinden Campus for ITD's use; and

WHEREAS, the Department of Administration has agreed to allowing ITD substantial and significant influence over the design and renovation of a facility to suit their preferences

WHEREAS, by relocating to the Idaho Chinden Campus, ITD can reduce the state footprint and create efficiencies throughout state government through shared resources.

NOW, THEREFORE BE IT RESOLVED, that based upon the above assumptions the Idaho Transportation Board commits to relocating office staff into Building 3 on the State of Idaho Chinden Campus.

FURTHER BE IT RESOLVED, that staff is directed to develop and propose options to the Board for the relocation of the central lab and other existing ITD industrial functions that cannot be accommodated in a Building 3 renovation.

The Chairman called for a motion on the second resolution, Member Kempton made a motion, seconded by Member Thompson, and passed unopposed, to approve the following resolution:

ITD Disposition of State Street Campus

RES. NO. WHEREAS, the ITD campus on State Street in Boise consists of over 44 acres of
ITB22-34 property close to downtown; and

WHEREAS, the January 3, 2022 flood event has rendered the largest building on campus uninhabitable and would require extensive renovation to reoccupy; and

WHEREAS, there is currently market conditions that make timing of a sale as soon as possible more advantageous to the ITD; and

WHEREAS, ITD has agreed to begin the process of relocating into a renovated Building 3 at the State of Idaho Chinden Campus; and

April 21, 2022

WHEREAS, the intent language from Idaho Code Section 67-5709A was enacted in 2000 with the express legislative intent to “either replace the facility sold, refurbish other facilities occupied by the agency or used for other state-owned building purposes in the most cost-effective manner possible.” The Statement of Purpose further stated that “[a]n agency that has an administrative facility that is sold has the first option to use the funds to replace or refurbish its facility(s)”; and

WHEREAS, proceeds from the sale of the ITD State Street Campus would be essential to the Board for other major facility needs within ITD, including but not limited to, a new District 4 Headquarters facility subject to legislative appropriation; and

NOW, THEREFORE BE IT RESOLVED that staff should define and initiate the process of disposing of the ITD State Street Property and work with the Department of Administration to sell the State Street Property with the contingency of a lease arrangement until complete relocation can be achieved.

Chairman Moad thanked CD Stokes for the update.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting adjourned at 1:35 PM.

Read and Approved
May 19, 2022
Rigby, Idaho

Signed
WILLIAM H. MOAD, Chairman
Idaho Transportation Board

April 21, 2022

EXHIBIT 4

SPECIAL SESSION OF THE IDAHO TRANSPORTATION BOARD

August 5, 2022

Idaho Transportation Board Chairman Bill Moad called a special session of the Idaho Transportation Board at 9:36 AM on Friday, August 5, 2022. The following principals were present at the Idaho Transportation Department Chinden Campus in Boise, Idaho:

Bill Moad, Chairman

Scott Stokes, Director

Dan McElhinney, Chief Deputy/Chief Operations Officer

Tim Thomas, Lead Deputy Attorney General

Lorraine Dennis, Executive Assistant to the Board

The following participated remotely:

James R. Thompson, Member – District 1

Gary Osborn, Member – District 2

Julie DeLorenzo, Member – District 3

Jim Kempton, Member – District 4

Dwight Horsch, Vice Chair – District 5

Bob Hoff, Member – District 6

Chairman Moad called the meeting to order. All board members were present via roll call vote.

ITD Headquarters at State Street – Declare Surplus. Director Stokes reported on ITD's request to declare the Headquarters State Street building surplus. The building that was dedicated in 1961 has been the topic of relocation for the past 10-years. The January flood accelerated the process in finding a different headquarters building. In April 2022, the Board approved ITD to move the headquarters facility to the Idaho Chinden Campus, Building 3. The design process is going well as reported to the Board last month.

Director Stokes stated the Boise real estate market is favorable right now. By declaring the building surplus, the Department of Administration will start the disposal process. Staff will advance options as they become available for the other campus facilities such as the materials lab, print shop and motor pool.

Director Stokes read the proposed resolution.

Member DeLorenzo commented that a lot of effort has gone into this decision and recognized there are better and more efficient buildings for ITD to work.

Member DeLorenzo made a motion seconded by Member Kempton and passed unanimously by roll call vote, to approve the following resolution:

RES. NO. WHEREAS, the ITD campus on State Street in Boise consists of over 44 acres of
ITB22-52 property close to downtown; and

August 5, 2022

WHEREAS, the January 3, 2022 flood event has rendered the largest building on campus uninhabitable and would require extensive renovation to reoccupy; and

WHEREAS, there is currently market conditions that make timing of a sale as soon as possible more advantageous to the ITD; and

WHEREAS, ITD has committed to relocating its Headquarters facilities to a renovated building 3 at the State of Idaho Chinden Campus; and

WHEREAS, the intent language from Idaho Code Section 67-5709A was enacted in 2000 with the express legislative intent to “either replace the facility sold, refurbish other facilities occupied by the agency or used for other state-owned building purposes in the most cost-effective manner possible.” The Statement of Purpose further stated that “[a]n agency that has an administrative facility that is sold has the first option to use the funds to replace or refurbish its facility(s)”; and

WHEREAS, proceeds from the sale of the ITD State Street Campus would be essential to the Board for other major facility needs within ITD, including but not limited to, a new District 4 Headquarter facility subject to legislative appropriation; and

WHEREAS, the Governor’s Office has expressed support for the Department’s vacating and surplusizing the State Street Campus via transmittal dated July 14, 2022, indicating that “upon ITD’s completion of a comprehensive facilities plan, the Governor’s Office will support ITD’s further use of all or a portion of the proceeds [of the sale of the State Street property] to replace or refurbish other ITD administrative facilities”; and

NOW, THEREFORE BE IT RESOLVED that the Idaho Transportation Board hereby declares the ITD HQ campus located at 3311 State Street in Boise, along with its 44 acres and other improvements, to be surplus property for the purpose of allowing the Department of Administration to transfer the property to the Idaho State Board of Examiners in preparation of disposal of the property in accordance with law.

WHEREUPON, the Idaho Transportation Board’s special session adjourned at 9:46 AM.

Signed

WILLIAM H. MOAD, Chairman
Idaho Transportation Board

Read and Approved
September 22, 2022
Boise, Idaho

August 5, 2022

EXHIBIT 5

STATE BOARD OF EXAMINERS
MINUTES – Regular Meeting
August 16, 2022 – 8:55 a.m.
Lincoln Auditorium, Idaho State Capitol
700 W Jefferson Street, Boise ID 83702

Meeting will be streamed live via IPTV:
<https://www.idahoptv.org/shows/idahoinsession/>

The regular meeting of the State Board of Examiners was called to order pursuant to Idaho Code §67-2002 and by the order of the chair 8:57a.m.

The following board members were present: Governor Brad Little, Secretary of State Lawrence Denney and State Controller Brandon Woolf.

State Controller Woolf introduced the consent agenda items.

Secretary of State Denney then moved to approve the consent agenda. Governor Little seconded the motion. The motion passed by unanimous voice vote.

State Controller Woolf introduced the informational agenda items.

Secretary of State Denney moved to adjourn the meeting. Governor Little seconded the motion.

There being no further business before the board and on motion duly made and seconded, THE MEETING OF THE STATE BOARD OF EXAMINERS WAS ADJOURNED at 9:01 a.m.

CONSENT AGENDA

1. Minutes- Action Item- Approved

Approval of official minutes for the meeting of the Subcommittee to the Board of Examiners on July 19, 2022.

2. Office of Emergency Management – Action Item – Approved

ID#	Description	Amount	Comments	Date to Board
2022-00076	Mercury	\$3,526.67	Response to unmarked pesticides on private property (BEAR LAKE COUNTY)	08/04/2022
	TOTAL	\$3,526.67		

3. Department of Administration- Division of Public Works – Action Item- Approved

Request for recognition of assignment from Hepworth Family Landholdings, LLC to Kilmainham Airport Plaza, LLC, an Idaho limited liability company. A transfer of interest in the real property lease of the State of Idaho, by and through the Commission of Pardons and Parole, as “Lessee,”

and Lessee's occupancy of 3125 Shoshone Street, Suites 101A, 101B, 102, 103, 104, 105 and 106, Boise Idaho 83705-4766.

4. Office of The Attorney General – Action Item – Approved

Request approval to pay the court-awarded attorneys' fees in F.V., et al. v Jeppesen, et al., Case No. 1:17-cv-00170-CWD (D. Idaho), in the amount of \$321,224.50 plus accrued interest and refer payment of the claim to the legislature.

A full copy of the agenda item documents can be found on the Controller's Website

<https://www.sco.idaho.gov/LivePages/board-of-examiners.aspx>

INFORMATIONAL AGENDA

5. State Controller's Office

a. Reports of overtime paid on FLSA exempt employees by agencies, which was approved by the Board of Examiners.

- State Controller's Office –Exemption End Date - December 31, 2022

b. Reimbursement to the State of Idaho (Idaho Innocence Fund) in the amount of \$1,248,980.58, previously paid to Mr. Christopher Tapp (see Tapp v State of Idaho, No. CV01-21-03719). Mr. Christopher Tapp is reimbursing the State of Idaho, pursuant to Idaho Code 6-3503(5), after receiving a monetary settlement of his civil action for wrongful conviction and accompanying wrongful incarceration.

6. State Insurance Fund

a. Estimate of the State Insurance Fund expenses to be paid by sight drafts for the month of July 2022.

Estimated expenditure for workers compensation claim costs, dividends and premium refunds	\$20,000,000.00
---	-----------------

Funds Expended in June 2022:

Workers Compensation Claim Costs	\$13,785,073.07
Dividends	\$0.00
Commission	\$-7,861.14
<u>Policy Refunds</u>	<u>\$40,076.57</u>
Total	\$13,817,288.50

b. Estimate of the Idaho Petroleum Clean Water Trust Fund expenses to be paid by sight drafts for the month of July 2022.

Estimated expenditure for Idaho Petroleum Clean Water Trust Fund	\$750,000.00
--	--------------

Funds Expended in June 2022:

Payroll	\$63,505.06
Operations	\$17,070.84
<u>Claim Costs</u>	<u>\$121,942.48</u>
Total	\$202,518.38

7. Disposition of State Administrative Facility

In accordance with Idaho Code §67-5709A, Idaho Department of Transportation transferred custody and control of vacant/surplus administrative facility (ITD Headquarters Complex) located at 3311 W State Street, Boise, Ada County, to the Idaho State Board of Examiners, who in accordance with Idaho Code §67-5709A, immediately transferred authority for its disposition to the Department of Administration as allowed by law for administrative facilities.

EXHIBIT 6



**Your Safety • Your Mobility
Your Economic Opportunity**

IDAHO TRANSPORTATION DEPARTMENT

P.O. Box 7129 • Boise, ID 83707-1129

(208) 334-8000 • itd.idaho.gov

August 11, 2022

Board of Examiners
Attn: Jackie McCleze
700 W. State Street, 5th Floor
P.O. Box 83720
Boise, Idaho 83720-0011

Re: Disposition of surplus HQ Complex Site

Dear Board of Examiners:

On January 1, 2022, the Idaho Transportation Department HQ Complex at 3311 W. State Street was flooded causing substantial damage to the building and making the primary building uninhabitable. It has been determined that the Idaho Transportation HQ Complex is no longer a viable option for further use as the Idaho Transportation Department's headquarters facility. The Idaho Transportation Board has relocated most of the Idaho Transportation Department headquarters functions to the State of Idaho Chinden Campus with the intent of occupying a permanent facility in the future.

On Friday, August 5, 2022, the Idaho Transportation Board voted to declare the real property and improvements at 3311 W. State Street as surplus and directed its disposition consistent with Idaho Code and the attached Board Resolution.

To begin the process outlined in Idaho Code Section 67-5709A for disposition of state administrative facilities, the Department is transferring custody and control of the facility to the State Board of Examiners. I look forward to working with your team on this project for the benefit of Idaho's highway resources.

Sincerely,

L. Scott Stokes, P.E.
Director

cc: Bill Moad, Chairman ITB

State of Idaho
DECLARATION AND REQUEST FOR DISPOSAL OF STATE ADMINISTRATIVE FACILITIES

TO: State Board of Examiners


DISPOSAL NO. _____

The undersigned Idaho state agency hereby declares the below described real property to be a state administrative facility that is no longer needed or is unsuitable for its purposes and is requesting custody and control to be transferred to the State Board of Examiners to transfer authority for its disposition to the Department of Administration in accordance with Idaho Code 67-5709A.

General Property Description: 3311 West State Street and contiguous real property.	Estimated Value: Unknown.
Legal Description of Property: (please attached additional sheets if necessary) Ada County Parcel No. R3786000159. Also see attached.	

A “state administrative facility” is any real property and improvements, including administrative office buildings, structures and parking lots, used by any state agency to assist it in its operation as a state agency. It does not include the real property or improvements owned or occupied by a state agency where such ownership, operation, or occupying is a function of the agency’s purpose (i.e. real property under the jurisdiction and control of the Idaho transportation department, the department of fish and game, the department of parks and recreation, and the department of lands. Idaho Code Section 67-5709A.

Original – Board of Examiners
Copy – Originating Agency

Requesting Agency Idaho Transportation Department	Address P.O. Box 7129, Boise ID 83707-1129	Phone (208) 334-8027	Agency Director or Administrator Signature	Date
Requesting Person's Name (Print or type) L. Scott Stokes, P.E.			Board of Examiners Secretary Signature	
Requesting Person's Signature 	Date 8/11/22	__ APPROVED __ DISAPPROVED		Date

A "state administrative facility" is any real property and improvements, including administrative office buildings, structures and parking lots, used by any state agency to assist it in its operation as a state agency. It does not include the real property or improvements owned or occupied by a state agency where such ownership, operation, or occupying is a function of the agency's purpose (i.e. real property under the jurisdiction and control of the Idaho transportation department, the department of fish and game, the department of parks and recreation, and the department of lands. Idaho Code Section 67-5709A.

Resolution

WHEREAS, the ITD campus on State Street in Boise consists of over 44 acres of property close to downtown; and

WHEREAS, the January 3, 2022 flood event has rendered the largest building on campus uninhabitable and would require extensive renovation to reoccupy; and

WHEREAS, there is currently market conditions that make timing of a sale as soon as possible more advantageous to the ITD; and

WHEREAS, ITD has committed to relocating its Headquarters facilities to a renovated building 3 at the State of Idaho Chinden Campus; and

WHEREAS, the intent language from Idaho Code Section 67-5709A was enacted in 2000 with the express legislative intent to "either replace the facility sold, refurbish other facilities occupied by the agency or used for other state-owned building purposes in the most cost-effective manner possible." The Statement of Purpose further stated that "[a]n agency that has an administrative facility that is sold has the first option to use the funds to replace or refurbish its facility(s)"; and

WHEREAS, proceeds from the sale of the ITD State Street Campus would be essential to the Board for other major facility needs within ITD, including but not limited to, a new District 4 Headquarter facility subject to legislative appropriation; and

WHEREAS, the Governor's Office has expressed support for the Department's vacating and surplus the State Street Campus via transmittal dated July 14, 2022, indicating that "upon ITD's completion of a comprehensive facilities plan, the Governor's Office will support ITD's further use of all or a portion of the proceeds [of the sale of the State Street property] to replace or refurbish other ITD administrative facilities"; and

NOW, THEREFORE BE IT RESOLVED that the Idaho Transportation Board hereby declares the ITD HQ campus located at 3311 State Street in Boise, along with its 44 acres and other improvements, to be surplus property for the purpose of allowing the Department of Administration to transfer the property to the Idaho State Board of Examiners in preparation of disposal of the property in accordance with law.



Robert H. McQuade
Ada County Assessor
 190 E Front Street Suite 107
 Boise, ID 83702-7300
 adacountyassessor.org

2022
ASSESSMENT NOTICE
 PROPERTY ROLL

THIS IS NOT A BILL
DO NOT PAY.

PARCEL DESCRIPTION:
 PAR#0159 HUBBELL HOME ADD &
 EASTMAN TRACT&CITHERO SUB
 R/S 6945 EXC R/W
 #0157-B

For any questions, please notify the Assessor's Office immediately
 Assessor's Telephone Number: (208) 287-7205
 rderoesjr@adacounty.id.gov

Parcel Address: 3311 W STATE ST
 BOISE ID 83703

IDAHO TRANSPORTATION DEPARTMENT GENERAL SERVICES
 ATTN CHERYL DEARBORN
 PO BOX 7129
 BOISE ID 83707-1129

Appeals of your property value must be filed in writing on a form provided by the County, by: June 27, 2022

Tax Code Area: 01-6

Parcel Number: R3786000159

Urban Renewal

ASSESSED VALUE OF YOUR PROPERTY			
CURRENT DESCRIPTION	LOTS/ACRES	LAST YEAR'S VALUE	CURRENT YEAR'S VALUE
COM LOT OR TRACT	44.565	0	0
COM LOT OR TRACT UR INCR		0	0
TOTAL ASSESSED VALUE:		0	0
LESS HOMESTEAD EXEMPTION:	44.565	0	0
NET TAXABLE PROPERTY VALUE:		0	0

These values may not include personal property values. Taxes are based on the values shown on this Notice and on the Budgets of the taxing districts.

HISTORICAL ASSESSED VALUES & TAXES

Property Roll
 Black = Total Assessed Value
 Gray = Taxes
 Current Year Tax not yet available

TAXING DISTRICTS	PHONE NUMBER	DATE OF PUBLIC BUDGET HEARING
ADA COUNTY	(208) 287-7000	7-27-2022
EMERGENCY MEDICAL	(208) 287-2975	7-27-2022
ADA COUNTY HIGHWAY DIST	(208) 387-6100	8-24-2022
SCHOOL DISTRICT NO. 1	(208) 472-2607	6-13-2022
BOISE CITY	(208) 972-8147	7-19-2022
MOSQUITO ABATEMENT	(208) 577-4646	7-27-2022
COLLEGE OF WESTERN IDAHO	(208) 562-3291	6-9-2022

Tax dollars generated by the Increment Value are distributed to the Urban Renewal & School Districts

THIS IS NOT A BILL. DO NOT PAY.

See the back of this Notice for details

Assessments reflect MARKET VALUE as of 1/1/22; for Homestead and Property Tax Reduction questions call (208) 287-7200.



(For Recorder's Use)

STATE OF IDAHO
QUITCLAIM DEED NO. 13641

THE STATE OF IDAHO, DEPARTMENT OF LANDS, 954 W. Jefferson St., Boise, Idaho 83720-0050, acting by and through the STATE BOARD OF LAND COMMISSIONERS, as party of the first part (Grantor) for Good and Valuable Consideration does hereby release and quitclaim to THE STATE OF IDAHO, TRANSPORTATION DEPARTMENT, acting by and through the IDAHO TRANSPORTATION BOARD, 3311 W. State St., Boise, Idaho 83703 (Grantees), their successors and assigns, all present right, title and interest of Grantor in and to the following described parcel of land, being situated in the NW¼ of Section 4, Township 3 North, Range 2 East; the SE¼ of Section 32, and the SW¼ of Section 33, Township 4 North, Range 2 East, Boise Meridian, and being part of the HUBBELL HOME ADDITION (Vacated); CLITHERO SUBDIVISION and THE EASTMAN TRACT as shown on the plats on file in the office of the Recorder, ADA COUNTY, Idaho, more particularly as follows:

Commencing at the brass cap monument marking the southeasterly corner of said SE¼ of Section 32; thence N 42°18'03" W along the southwesterly boundary of said CLITHERO SUBDIVISION a distance of 344.30 feet (of record as N 42°22' W a distance of 345.50 feet) to a 5/8 inch diameter iron pin; thence leaving said southwesterly boundary N 15°25'14" E along the northwesterly boundary of said CLITHERO SUBDIVISION a distance of 230.07 feet to a ½ inch diameter iron pin; thence leaving said northwesterly boundary S 89°48'13" E a distance of 246.32 feet to a 5/8 inch diameter iron pin on the centerline of Clithero Street; thence S 0°11'47" W along said centerline a distance of 24.43 feet (of record as SOUTHERLY a distance of 25 feet) to a 5/8 inch diameter iron pin; thence leaving said centerline S 89°48'13" E a distance of 145.36 feet to a 5/8 inch diameter iron pin on the easterly boundary of said CLITHERO SUBDIVISION; thence N 0°11'47" E along said easterly boundary a distance of 200.04 feet to a ½ inch diameter iron pin; thence leaving said easterly boundary S 89°21'28" E a distance of 189.79 feet to a 5/8 inch diameter iron pin; thence N 30°19'56" E a distance of 48.39 feet to a 5/8 inch diameter iron pin; thence N 0°35'56" E a distance of 42.00 feet to a 5/8 inch diameter iron pin; thence N 44°24'04" W a distance of 62.23 feet to a 5/8 inch diameter iron pin on the easterly right-of-way of Vine Street; thence N 0°35'56" E a distance of 185.89 feet to a 5/8 inch diameter iron pin; thence S 89°16'37" E a distance of 134.13 feet (of record as 134 feet) to a 5/8 inch diameter iron pin on the easterly boundary of said THE EASTMAN TRACT; thence N 0°35'56" E along last said easterly boundary a distance of 363.60 feet (of record as N 0°16' E a distance of 361.90 feet) to a ½ diameter iron pin on the southwesterly right-of-way of State Street; thence S 46°41'18" E along said southwesterly right-of-way a distance of 1431.52 feet (of record as S 47°20' E a distance of 1429 feet) to a 5/8 inch diameter iron pin on the northwesterly right-of-way of Rose Street; thence leaving said southwesterly right-of-way S 43°20'34" W along said northwesterly right-of-way a distance of 123.02 feet (of record as 123 feet) to a 5/8 inch diameter iron pin on the northeasterly right-of-way of the alley in Block 4 of said HUBBELL HOME ADDITION (Vacated); thence leaving last said northwesterly right-of-way N 46°40'54" W along last said northeasterly right-of-way a distance of 242.00 feet to a 5/8 inch diameter iron pin; thence leaving last said northeasterly right-of-way S 43°20'34" W a distance of 12.00 feet to a 5/8 inch diameter iron pin on the southwesterly right-of-way of the alley in said Block 4; thence S 46°40'54" E along last southwesterly right-of-way a distance of 242.00 feet to a 5/8 inch diameter iron pin on the northwesterly right-of-way of said Rose Street; thence S 43°20'34" W along last said northwesterly right-of-way a distance of 444.43 feet (of record as 445 feet) to a 5/8 inch diameter iron pin on the northeasterly right-of-way of Jordan Street (formerly known as Sherman Street) as shown on said plat of HUBBELL HOME ADDITION (Vacated); thence leaving last said northwesterly right-of-way N 46°31'25" W along last said northeasterly right-of-way a distance of 127.00 feet to a 5/8 inch diameter iron pin; thence leaving last said northeasterly right of way S 43°20'34" W a distance of 60.00 feet to a 5/8 inch diameter iron pin on the southwesterly boundary of said Jordan Street; thence S 46°31'25" E along last said southwesterly boundary a distance of 127.00 feet to a 5/8 inch diameter iron pin on the northwesterly right-of-way of said Rose Street; thence leaving last said

southwesterly right-of-way S 43°20'34" W along last said northwesterly right-of-way a distance of 685.40 feet (of record as 685.35 feet) to a 5/8 inch diameter iron pin on the northeasterly right-of-way of Resseguie Street as shown on said plat of HUBBELL HOME ADDITION (Vacated); thence leaving last said northwesterly right-of-way N 40°57'33" W along last said northeasterly right-of-way a distance of 32.29 feet to a 5/8 inch diameter iron pin; thence leaving last said northeasterly right-of-way S 43°20'34" W a distance of 40.20 feet to a 5/8 inch diameter iron pin on the southwesterly right-of-way of said Resseguie Street; thence S 40°57'33" E along last said southwesterly right-of-way a distance of 62.44 feet (of record as SOUTHERLY a distance of 61.29 feet) to a 5/8 inch diameter iron pin on the centerline of said Rose Street; thence leaving last said southwesterly right-of-way S 43°20'34" W along last said centerline a distance of 100.50 feet (of record as 101.27 feet) to a 5/8 inch diameter iron pin; thence leaving last said centerline S 40°57'33" E a distance of 101.06 feet to a 5/8 inch diameter iron pin on the southeasterly boundary of said HUBBELL HOME ADDITION (Vacated); thence S 54°05'29" W along last said southeasterly boundary a distance of 150.66 feet (of record as 150.6 feet) to a 5/8 inch diameter iron pin; thence continuing along last said southeasterly boundary S 53°06'47" W a distance of 69.83 feet (of record as S 52°58'49" W a distance of 68.18 feet) to a brass cap monument; thence leaving last said southeasterly boundary N 84°08'32" W a distance of 70.41 feet (of record as N 84°29'11" W a distance of 70.38 feet) to a brass cap monument; thence N 77°59'21" W a distance of 80.86 feet (of record as N 78°18'11" W a distance of 80.85 feet) to a brass cap monument; thence N 70°34'40" W a distance of 72.71 feet (of record as N 70°48'11" W a distance of 72.76 feet) to a brass cap monument; thence N 81°00'44" W a distance of 78.74 feet (of record as N 81°11'11" W a distance of 78.79 feet) to a brass cap monument; thence N 61°45'03" W a distance of 62.99 feet (of record as N 61°44'11" W a distance of 62.82 feet) to a brass cap monument; thence N 44°33'11" W a distance of 180.00 feet (of record as N 44°49'11" W a distance of 186.46 feet) to a 5/8 inch diameter iron pin on the westerly boundary of said NW¼ of Section 4; thence N 0°03'07" E a distance of 734.02 feet (of record as N 0°47' E a distance of 733 feet and N 0°02'49" E a distance of 728.60 feet) to the POINT OF BEGINNING.

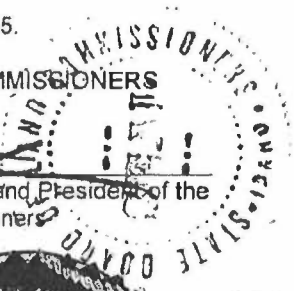
This parcel contains 45.52 acres and is subject to any easements existing or in use.

Prepared by: Glenn K. Bennett, PLS
Civil Survey Consultants, Incorporated
June 16, 2005

EXECUTED This 11 day of August, 2005.

STATE BOARD OF LAND COMMISSIONERS

Dirk Kempthorne
Governor of the State of Idaho and President of the
State Board of Land Commissioners



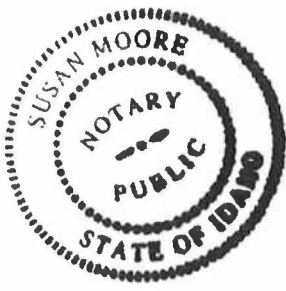
COUNTERSIGNED:
Ben Yursa 8-11-05
Secretary of State Date
Winston A. Wiggins 8-11-05
Director, Idaho Department of Lands Date



STATE OF IDAHO)
(ss.
County of Ada)

On the date set forth by each of the above signatures, before me, a Notary Public in and for the said State, personally appeared DIRK KEMPTHORNE, known to me to be the Governor of the State of Idaho and President of the State Board of Land Commissioners; BEN YURSA, known to me to be the Secretary of State of the State of Idaho; and WINSTON A WIGGINS, known to me to be the Director of the Department of Lands of the State of Idaho, that executed the said instrument and acknowledged to me that such State of Idaho and State Board of Land Commissioners executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and seal on the day and year last written above.



Susan Moore
NOTARY PUBLIC for the State of Idaho
Residing at: Boni
My Commission expires: 10-29-2007



Idaho Statutes

Idaho Statutes are updated to the web July 1 following the legislative session.

TITLE 67

STATE GOVERNMENT AND STATE AFFAIRS

CHAPTER 57

DEPARTMENT OF ADMINISTRATION

67-5709A. SALE, TRANSFER OR DISPOSITION OF STATE ADMINISTRATIVE FACILITIES. The provisions of sections 58-331 through 58-335, Idaho Code, shall not apply to state administrative facilities in the custody, or control of the state of Idaho. When a state agency declares that a state administrative facility is not needed or is unsuitable for its purposes, custody and control shall be transferred to the state board of examiners, which shall immediately transfer authority for the disposition of the property to the department of administration which shall send a notice to all state agencies and institutions that the property is available for other state use. Any state agency interested in leasing or buying the property shall notify the department of administration within the time the department specifies.

If no state agency or institution is interested, the department shall obtain an appraisal and commence procedures to sell the property for the highest price possible. All proceeds from the sale or lease of administrative facilities acquired by the department of administration pursuant to this section, other than proceeds required by law to be deposited in a special fund, less the department of administration's cost of selling or leasing, shall be deposited into the permanent building fund for the purpose of holding such proceeds. Such proceeds in the permanent building fund acquired pursuant to this section may be expended pursuant to appropriation.

As used in this section, "state administrative facility" shall mean any real property and improvements, including administrative office buildings, structures and parking lots, used by any state agency to assist it in its operation as a state agency. State administrative facilities shall not include the real property or improvements owned or occupied by a state agency where such ownership, operation or occupying is a function of the agency's purpose, such as real property and improvements, other than the administrative office buildings, structures and parking lots described above, under the jurisdiction and control of the Idaho transportation department, the department of fish and game, the department of parks and recreation and the department of lands.

History:

[67-5709A, added 2000, ch. 300, sec. 1, p. 1031.]

How current is this law?

Search the Idaho Statutes and Constitution

EXHIBIT 7



BRAD LITTLE
Governor
KEITH REYNOLDS
Director


State of Idaho

Department of Administration

650 West State Street, Room 100
Boise, ID 83702
Telephone: (208) 332-1824
www.adm.idaho.gov

MEMORANDUM

TO: State Agency and Institution Leadership and Real Estate Managers

FROM: Keith Reynolds, Director 

SUBJECT: Surplus Property in Ada County "ITD Headquarters"

DATE: August 17, 2022

With this memo, the Department of Administration is notifying Idaho State agencies and institutions of surplus property available for purchase located at **3311 W State St., Boise, Idaho 83703**.

The Idaho Department of Transportation declared this property described below and on the attached documents as surplus on August 5, 2022. The State Board of Examiners approved the transfer of the property to the Department of Administration for disposition of the property.

As required by Idaho Code §67-5709A, the Department of Administration wishes to ascertain if such property is suitable for other state use before offering the property to others.

If your agency or institution has a need for this property and if you are interested in acquiring it, please consult with your agency Governor's Office liaison prior to contacting the Department of Administration. Once your liaison has been notified of your interest, you can contact me at phone 208-332-1812 or email me at Keith.Reynolds@adm.idaho.gov. You must reply to this inquiry in time for your letter of interest to be received by the Department of Administration on or before **August 24, 2022**.

ITD Headquarters Brief Description:

Located at **3311 W State Street, Boise, Idaho 83703**. The property consists of six primary buildings; a 102,000 square foot office building built in 1961, 3,200 square feet building, 42,700 square feet industrial lab, 33,600 square feet mixed use office building, and two warehouse buildings on approximately 44.6 acres located in Boise in Ada County Idaho. The property is currently utilized and being maintained by ITD and the Idaho Historical Society. The improvements are situated along the south side of State Street between White Water Park Blvd. and N Vine St. The property is zoned A-1, open lands, by Ada County.

