



Local Highway Technical
Assistance Council
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LHTAC
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NEWSLETTER

LHTACTimes



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Fall Protection Quick Tips

From OSHA

Falls are among the most common causes of serious work-related injuries and deaths. Employers must take measures in their workplaces to prevent employees from falling off overhead platforms, elevated work stations or into holes in the floor and walls.

To prevent employees from being injured from falls, employers must:

- Guard every floor hole into which a worker can accidentally walk by use of a railing and toeboard or a floor hole cover.
- Provide a guardrail and toeboard around every open-sided platform, floor or runway that is 4 feet or higher off the ground or next level.
- Regardless of height, if a worker can fall into or onto dangerous machines or equipment (such as a vat of acid or a conveyor belt), employers must provide guardrails and toeboards to prevent workers from falling and getting injured.
- Other means of fall protection that may be required on certain jobs include safety harness and line, safety nets, stair railings and handrails.

Visit www.OSHA.gov for more information.

Upcoming Calendar of Events

Date	Event	Location
December 26, 2016	Holiday—Office Closure	LHTAC Office
December 31, 2016	Annual Road and Street Financial Report Due	See Below
January 2, 2017	Holiday—Office Closure	LHTAC Office

Annual Road and Street Finance Report

Your Annual Road and Street Finance Report is due by December 31, 2016 to the State Controller. This year you can submit your report online at:

https://nws.idaho.egov.com/forms/itd/road_report for page 1 & 2
<https://nws.idaho.egov.com/forms/itd/hb312> for page 3

Make sure you get your report submitted so you don't have a delay in your Highway Distribution Account (HDA) funds distribution.

If you have any questions on completing the report please contact Susan Lasuen 208-344-0565.

www.lhtac.org

Terry Werner Receives Commissioner of the Year!

In recognition of the many contributions and unwavering dedication for the betterment of transportation systems in the State of Idaho, the Idaho Association of Highway Districts has selected Terry Werner as the 2016 recipient of the Commissioner of the Year award.

Each year at the Association's annual convention, the Idaho Association of Highway Districts selects a commissioner who distinguishes themselves and their highway district in the performance of their duties.

Women in Transportation (WTS) Seeking Nominations

WTS SW Idaho is now seeking nominations for the 2016 Recognition Awards. It's a great way to honor those who support our organization and its goals and to heighten awareness of WTS in the transportation community. The SW Idaho Chapter will select a recipient for each of the categories below so nominate a recipient for any or all the award categories. The local winners will be submitted to WTS International for further consideration for national recognition.

Deadline

January 5, 2017 – Deadline to Submit Nominations

<http://idcounties.org/news/2016-recognition-awards-wts-sw-idaho/>



LRHIP Applications Have Been Received

The LHTAC Council is in process of reviewing and ranking applications. Final ranking will be announced in the spring. Below you will find the breakdown of FY18 LRHIP applications submitted.

- 3 Federal-aid Match Applications
- 10 Sign Applications
- 21 Transportation Applications
- 47 Construction Applications

81 Total Applications



Local Highway Technical Assistance Council Members

Idaho Association of Highway Districts

Terry Werner, Chairman
Commissioner, Post Falls Highway District

Dan Schaeffer
Commissioner, Hillsdale Highway District

Gilbert Hofmeister
Commissioner, Power Co. Highway District

Ex-Officio Members

*Laura Lantz, Associate Director
Idaho Association of Highway Districts*

Idaho Association of Counties

Mark Rekow, Vice Chairman
Commissioner, Gem County

Don Ebert,
Commissioner, Clearwater County

Roger Christensen
Commissioner, Bonneville County

*Caitlin Rusche, Policy Analyst
Association of Counties*

Association of Idaho Cities

Paul Loomis, Secretary/Treasurer
Mayor, City of Blackfoot

Diana Thomas
Mayor, City of Weiser

Mac Pooler
Mayor, City of Kellogg

*Seth Grigg, Executive Director
Association of Idaho Cities*

LHTAC Staff

Jeff Miles, PE, Administrator
Laila Kral, PE, Deputy Administrator
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Odo Grandi, PE, Construction Engineering Manager
Susan Lasuen, Administrative Manager
Dan Coonce, PE, Federal-aid Engineer
Wayne Herbel, PE, Federal-aid Engineer
Muhammad Zubery, PE, Federal-aid Engineer
Bryan Martin, PE, Federal-aid Engineer
G. Daniel Shirilla, Federal-aid Financial Officer
Craig Herndon, Federal-aid Engineer Assistant
Heather Parker, Federal-aid Administrative Assistant
T. Matt Koster, PE, Construction Staff Engineer
Megan Kautz, PE, Construction Staff Engineer
Bev Williams, Construction Records Inspector
Kevin Kuther, PE, Safety Engineer
Steve Sprague, Safety Construction Coordinator
Lorie Cover, T2 Training Coordinator
Matthew Syphus, Database & GIS Analyst
Nancy Ziebarth, Financial Specialist and Council Liaison
Dawn Christensen, Publication Specialist
Marde Mensinger, Financial Assistant
Rebecca Howell, Construction Coordinator (Temporary)
Karissa Hardy, PE, Environmental Engineer (Part-Time)
Roxann Hansen, Environmental Planner (Part-Time)
Susan Kiebert, Local Communication Coordinator (Part-Time)
Lan Smith, Local Liaison (Part-Time)
Doug Chase, PE, T2 Instructor (Seasonal)

T2 Center Advisory Board

Don Barr (Chairman)
Street Superintendent
City of Nampa Street Division

Don Hutson
Director
Bonner County

Kelly Brownsberger
Road Supervisor
Post Falls Highway District

Rich Regnier
Foreman
Hagerman Highway District

Joe Lish
Assistance Operations Manager
Bannock County

Garth Newman
Technical Training Specialist
Idaho Transportation Department

Chris Fredericksen
Public Works Director
City of Idaho Falls

Rich Myers
Broom Crew Chief
Ada County Highway District

Lori Porreca, PhD, Ex-Officio Member
Community Planner
FHWA-Idaho Division

GRS-IBS Workshop—Great Success!

LHTAC hosted a demonstration workshop on Innovative Bridge Construction

The Local Highway Technical Assistance Council (LHTAC) received funding to provide a demonstration workshop on Geosynthetic Reinforced Soil-Integrated Bridge System (GRS-IBS) bridge construction in southeast Idaho.

The two single-day workshops included a morning of class instruction using FHWA experts and an afternoon onsite observation of the construction. We were able to hear firsthand from Chris Pettigrew from J-U-B, Odo Grandi from LHTAC, and Jeff Timbrook of Defiance County, Ohio who has been involved with construction of over 30 GRS-IBS bridges.

We had 2 full classes with 120 attendees and a great response.

November 16

66 Total Head Count
46 Total Individual Locals
21 Total Local Agencies
10 Total Consultants
8 Total Consultant Companies

November 17

54 Total Head Count
39 Total Individual Locals
15 Total Local Agencies
4 Total Consultants
4 Total Consultant Companies



Application Season is HERE!

The Local Highway Technical Assistance Council (LHTAC) manages a variety of funding programs to assist Local Highway Jurisdictions in utilizing available resources for maintenance and construction of Idaho's Local Highway System. Applications are currently posted online and available to download at www.lhtac.org. Below you will find upcoming application deadlines.

Hand Deliver Deadline	Postmark Deadline
January 9, 2017	January 5, 2017
January 9, 2017	January 5, 2017
January 19, 2017	Electronic Application

Program
Federal-aid Rural
Federal-aid Bridge
Local Highway Safety Improvement Program (LHSIP)

OSHA Posts Top 10 “Serious” Violations for FY 2016

	STANDARD	TOTAL VIOLATIONS
1	Fall Protection (1926.501)	5,635
2	Hazard Communication (1926.1200)	3,544
3	Scaffolding (1910.451)	3,535
4	Lockout/Tagout (1910.147)	3,414
5	Respiratory Protection (1910.134)	2,421
6	Ladders (1926.1053)	2,365
7	Machine Guarding (1910.212)	2,147
8	Powered Industrial Trucks (1910.178)	2,043
9	Electrical – Wiring Methods (1910.305)	1,424
10	Fall Protection Training (1926.503)	1,285

A "serious" violation is defined by OSHA as "one in which there is substantial probability that death or serious physical harm could result, and the employer knew or should have known of the hazard."

Many of these violations are safety topics covered at various Safety Fest Locations around Idaho. Don't miss an opportunity for yourself, or your team, to take a training or refresher on important safety topics.

See the 2017 Safety Fest dates listed below. Please note the Boise Safety Fest Registration has already closed. Many Safety Fest locations start registration a month or two prior to the actual event.

*Data current as of Oct. 11 <http://www.safetyandhealthmagazine.com/articles/14927-2016-oshas-top-10-most-cited-violations>

2017 Safety Fest Dates

Boise, ID
Dates: January 24-27, 2017
<http://www.safetyfest-boise.org/>

Post Falls, ID
Dates: February 22-24, 2017
<http://www.nic.edu/websites/default.aspx?dpt=195&pageId=6356>

Twin Falls, ID
Dates: March 20-22, 2017
<http://safetyfest.csi.edu/>

Pocatello, ID
Dates: April 4-6, 2017
<http://safetyfest-pocatello.org/>

The Local Highway Technical Assistance Council hosts the Pocatello Safety Fest and manages the vendor show for the Boise Safety Fest. For information on being a sponsor or vendor at the Boise or Pocatello contact dchristensen@lhtac.org. For questions regarding the other Safety Fests please visit their websites listed above.



Safety Fest

These conferences provide safety and health training to the Northwest Region's front line workers while gearing classes towards the transportation and construction industry. Local highway jurisdictions and any business looking to improve the safety performance of their employees are encouraged to attend.

HOT OFF THE PRESS

The Idaho Supreme Court, on November 1, 2016, issued a decision in the case of *City of Sandpoint v. Independent Highway District*.

The Court held that a 2003 “perpetual” agreement entered into between the City and IHD violated the Joint Powers Act. This closely follows the *Greater Boise Auditorium District* decision which reaffirmed that multi-year agreements violate Idaho’s Constitution if they fail to include an “opt-out” clause.

History

This is the fourth time these two agencies have been before the Idaho Supreme Court. For most of its history, IHD boundaries were the same as Sandpoint’s and IHD maintained City streets. Sandpoint repeatedly sued IHD to acquire City jurisdiction over City streets. The Supreme Court twice held that IHD had primary jurisdiction over Sandpoint streets.

In 2003, the City and IHD entered into an agreement transferring jurisdiction over Sandpoint streets to the City. The parties also agreed that IHD would transfer all IHD property taxes collected from City properties to the City, including IHD’s statutory 50%, under I.C. §40-801. IHD had annexed areas outside of Sandpoint such that IHD would maintain streets outside Sandpoint and operate on tax revenue collected outside of Sandpoint.

By 2013, none of the IHD Commissioners who signed the 2003 agreement were in office. The new Commissioners repeatedly attempted to renegotiate the agreement with the City. The City declined to modify the agreement based on the language that the agreement was “perpetual”. When IHD threatened to terminate the agreement, the City sued IHD. The district court upheld the agreement. The Supreme Court reversed the lower court and held the agreement to be void in violation of Idaho law.

Lesson Learned

Multi-year agreements cannot tie the hands of future elected officials, but must include an opt-out clause to allow termination or renegotiation of the agreement. Any purportedly “perpetual” agreement will likely not be upheld by Idaho Courts based on both Idaho statutes and Idaho’s Constitution. When entering into Joint Powers Act agreements, the Act must be strictly followed.

David E. Wynkoop has actively practiced as an Idaho attorney for 37 years. He represents approximately 40 Idaho highway agencies as well as the Local Highway Technical Assistance Council. Mr. Wynkoop previously served as General Counsel and Commissioner of the Ada County Highway District and Chairman of the Government Attorneys Section of the Idaho State Bar. He is a partner in the firm of SHERER & WYNKOOP, LLP, 730 N. Main St., Meridian, Idaho 83642, phone 208-887-4800.



New Member Joins LHTAC

After six years as a member of the Local Highway Technical Assistance Council, Commissioner Lee Staker is stepping down from his role on the Council. Replacing him is Commissioner Roger Christensen. Commissioner Christensen has been serving as a Bonneville County commissioner since 1995. We look forward to working with him on our Council.



Road Scholar and Master Graduates



Richard Moran and Mike Low (Scholars)
Not pictured Lorin Jeffers (Scholar)
Bonner County Road & Bridge
Pictured with Dan Brower



Bob Ohmie (Scholar)
Twin Falls Highway District
Pictured with Scott Ellsworth, LHTAC Federal-aid Manager



John Douglas (Road Scholar)
City of Post Falls



Tim Sturman, Tim Carr, Keith Becker, Russ Petersen, Gary Sanderson, John Menter, and Steve Fairley (All Scholars)
North Latah Highway District
Pictured with Laila Kral, LHTAC Deputy Administrator

Over-Legal Permits

Instructions for Completing a State/Local Over-Legal Permit Agreement

LHTAC worked in cooperation with the Idaho Association of Highway Districts (IAHD), the Association of Idaho Cities (AIC) and the Idaho Association of Counties (IAC) to negotiate with the Idaho Transportation Department (ITD) to develop a process to assist local jurisdiction in issuing permits for Over-Legal loads. As a result ITD has adopted an “Opt-in” process that allows Local Highway Jurisdictions (LHJ’s) to enter into an agreement that will allow ITD to issue permits on routes approved by the local jurisdictions.

LHTAC has compiled a valuable collection of information regarding this topic on our website under our **Resources** tab, <http://lhtac.org/resources/over-legal-truck-resources/>. There you will find a Draft Resolution and Draft Scope of Work which can aid your jurisdiction in approving Over-Legal routes including those designated for 129,000 pound vehicles. Also on the website you will find “State-Local Over-Legal Permit Agreement” which is the agreement your jurisdiction would sign to “Opt-in” allowing ITD to issue permits valid within your jurisdiction. Per Idaho Code, ITD will charge and keep an administrative fee for the issuance of these permits.

The following steps are intended to allow your jurisdiction to efficiently issue permits for Over-Legal permit requests.

1. Review the “Opt-in” agreement in its entirety so you understand (as a Local Highway Jurisdiction) what you are signing and what the agreement covers.
2. Present the agreement to your Commissioners or Council Members for their approval.
3. Submit the signed agreement to the Idaho Transportation Department (ITD). It may take 6-18 months to incorporate your jurisdiction into their system.
4. Determine what routes you will allow Over-Legal vehicles to use in your jurisdiction.
 - a. Review and approve each route request. You may reference the “Guide to Assist Idaho Local Highway Jurisdictions in Evaluating Route Requests for Trucks up to 129,000 Pounds” which is found on the LHTAC website.
5. Provide a list of approved routes to ITD that your jurisdiction has designated for Over-Legal vehicle use. ITD will then include these on the route maps available on their website.
6. ITD will issue permits only on APPROVED routes.

This is a great opportunity for LHJ’s to promote good freight shipping in Idaho while better protecting the local roadways of Idaho.

If your jurisdiction chooses to “Opt-in” please be aware you may cancel the agreement at any time. LHTAC can assist you in this process.

If you have any questions on the approval process or the “Opt-in” agreement, please feel free to contact Kevin Kuther, kkuther@lhtac.org, (208) 344-0565.

Make your request now for spring T2 Center classes!

The 2017 spring class schedule will be announced January 31, 2017 and registration will open the beginning of February.

The schedule is in the process of being created so if you would like to request a course for your area, now is the time! Use the **Course Request** feature under the **Account Info** tab on our T2 Center website <http://t2.lhtac.org/>.