

**MINUTES OF THE
LOCAL HIGHWAY TECHNICAL ASSISTANCE COUNCIL (LHTAC)
COUNCIL MEETING DECEMBER 16, 2022**

Council Members: Mayor Robert (BJ) Berlin, City of Roberts; Mayor Mac Pooler, City of Kellogg; Councilwoman Kari Peterson, City of Fruitland; Commissioner Neal Gier, Buhl Highway District; Commissioner Kevin Renfrow, South Latah Highway District; Commissioner Phil Lampert, Benewah County; Commissioner Todd Smith, Madison County; Commissioner Mark Rekow, Gem County; Nick Veldhouse, Executive Director of IAHD; Kelley Packer, Executive Director of AIC

Council Absent: Commissioner Gilbert Hofmeister, Power County Highway District; Seth Grigg, Executive Director of IAC

LHTAC Staff: Laila Kral, Megan Kautz, Ken Kanownik, Kevin Kuther, Nancy Ziebarth, Dan Coonce

ROLL CALL

Chairman Gier opened the business meeting at 8:30 a.m. and asked for roll call.

AMENDMENTS TO AGENDA

No amendments, however, Member Pooler asked if the Emergency Applications could be presented and voted on earlier in the meeting since he has to leave. Council agreed to adjust the agenda.

COUNCIL and STAFF UPDATES

Laila Kral introduced Lisa Popoff and John Bilderback who both started at LHTAC in August. She also noted that Brenna Shirer also started recently, but will be introduced in March. There are no job openings at LHTAC, however, there are two vacant positions that are not being advertised or filled at this time.

GUEST SPEAKER

Bobbi-Jo Meuleman, Deputy Chief of Staff and Director of Intergovernmental Affairs and Alex Adams, Administrator of Idaho Division of Financial Management for Governor Little spoke about upcoming transportation requests for the upcoming legislative session.

APPROVAL OF MINUTES

Motion by Member Renfrow. Motion: For Council to approve the draft minutes from September 14, 2022; September 15, 2022 and November 9, 2022 as presented. Seconded by Member Berlin. Motion Passes.

MEETING DATES

Nancy Ziebarth reported the 2023 meeting dates currently include: March 10, June 9, September 14 and 15 (location TBD) and December 15. Idaho Association of Counties currently has scheduled the Idaho Association of Commissioners and Clerks Conference for June 6-8 in Moscow.

Discussion: It would be best to move the June meeting so LHTAC's meeting doesn't conflict with the IAC Commissioners Conference. June 16, 2023 was selected as it worked best for everyone at the meeting.

FINANCIAL REPORTS

FY22 Audit

Laila Kral introduced Jordan Zwygart from Zwygart John & Associates who gave the final audit information and results. Jordan Zwygart reported that there were no significant findings or concerns.

Motion by Member Lampert. Motion: For Council to approve the FY22 Audit as presented. Seconded by Member Renfrow. Motion Passes.

Surplus Property Disposal

Laila Kral reported on the items that were destroyed or donated to. Nothing disposed of was of value.

Restated Financial Statements for June and July 2022

Laila Kral reported on the restated financial statements for June and July. Annually, during the audit, recommendations are made for adjusting entries. LHTAC received revenue from the HDA funds which were shown on the July financial statement; the auditors recommended moving it to June since the money was from FY22. Due to moving the funds from July to June, it changed both months of financial statements. The other significant item was LHRIP Grant Distribution expenditures which decreased due to an emergency grant that was approved, but the request was rescinded.

Motion by Member Renfrow. Motion: For Council to approve the Restated Financial Statements for June and July 2022 as presented. Seconded by Member Smith. Motion Passes.

Financial Statements

Laila Kral reported financials for August, September and October 2022.

Items of interest include:

Investment Pool Interest (Revenue) is high due to the bank offering LHTAC a better interest rate due to the amount of money in the Leading Idaho Bridge Program (LILB) account. With the interest money, we are hoping to use this for administrative costs for the LILB program.

LRHIP Grant Distribution is high due to adding all the grants into the financial system, but the checks have not been sent out yet and won't until they are requested.

Discussion: If there are any additional funds due to the interest, will they be used towards another bridge project? The money will stay with the program and used to repair/replace bridges. What is the estimated overage? Mike will bring a projection of cash flow for the LILB program to the March meeting. STAFF ACTION

Total assets as of October 31, 2022 are \$49,187,366; liabilities are \$7,138,530. Net income for LHTAC is \$37,754,454 and T2 is \$46,120.

Motion by Member Smith. Motion: For Council to accept Financial Statements as presented. Seconded by Member Renfrow. Motion Passes.

Amended FY23 Budget

Laila Kral reported that due to the changes in revenues from the LILB program and House Bill 772 appropriations which were recognized in FY22, the amounts were removed from the FY23 budget and an amended budget for FY23 was needed.

Motion by Member Berlin. Motion: For Council to accept the Amended FY23 Budget as presented. Seconded by Member Peterson. Motion Passes.

ADMINISTRATOR REPORT

Laila Kral reported that LHTAC hosted a delegation from Montana to talk about how LHTAC functions and what options there are to establish a Technical Assistance and Project Administration Agency that would be similar to LHTAC.

Winter 2021/2022, Western Federal Lands did a call for Federal Lands Access Program proposals where 25 applications were submitted, 20 of them were from local agencies. The Program Decision Committee (PDC) approved adding five projects to the program, four of five are local projects. Also, the PDC is waitlisting two additional projects to advance if additional funds become available. LHTAC was asked to administer one project for Shoshone County.

Several LHTAC staff members attended the Idaho Association of Highway District and Idaho Association of County Engineers and Road Supervisors Local Transportation Conference. Laila Kral, Scott Wood and Karissa Nelson presented sessions at the conference.

Laila noted that with many new people at the Legislature, she will be spending much of her time during the session meeting the new committee members and introducing them to LHTAC.

At LHTAC's fall workshops, Brian Wright introduced some challenges LHTAC has gaining State Historic Preservation Office (SHPO) expedient approval for certain types of safety projects, specifically the group sign projects that include flashing signs. LHTAC has temporarily removed flashing signs from group sign eligibility on safety projects because they require SHPO review. Recently, we have had some discussions and are hopeful we can find resolution prior to the next application cycle.

The Idaho Transportation Board continues to consider the proposed changes to Policy 4028 which includes making an adjustment to the urban amount of funding every year based on population changes and the amount that is directed to the Transportation Management Area. This item is scheduled to be voted on at the December ITB meeting.

Currently, the Federal government is funded through December 16, 2022, this limits the projects we can advertise for construction or kick-off the design for which is due to limited obligation authority.

LHTAC submitted six projects for consideration of the Excellence in Construction Partnering awards. Three of our projects received silver awards and two projects received gold awards.

Laila read written recognitions received for Karissa Nelson and Craig Herndon.

DEPUTY ADMINISTRATOR REPORT

Ken Kanownik reported that out of four projects awarded in Idaho for the Federal Discretionary RAISE grant, LHTAC will administer one project for the City of Nampa. The awards also come with some additional administrative tasks which have been included in the Idaho Transportation Investment Program and COMPASS Regional Transportation Improvement Program.

Regarding Promoting Resilient Operations for Transformative Efficient and Cost-Saving Transportation (PROTECT), ITD approved two new planning projects to start putting together state-wide plans. The Carbon Reduction program is also new and LHTAC has been asked to help build a strategy along with ITD.

Staff continues to provide technical assistance of Federal discretionary applications. Nine of the seventeen programs identified in the Bipartisan Infrastructure Law were issued Notice of Funding Opportunities. Ken has been acting as an additional reviewer for Local Transportation Plans and is guiding LHJs to include revenue/funding projections while matching projects in Capital Improvement Programs or unfunded project lists to available and eligible competitive funding opportunities. He is also assisting LHJs with available free resources to help contribute a better understanding of existing or future conditions to include in the planning process.

STAFF TRAINING

Nancy Ziebarth reported that staff attended 10 training opportunities from September 1 through November 30, 2022.

AIC, IAHD AND IAC UPDATES

Kelley Packer noted that during Legislative session, they are planning to support the Governors priorities on the additional funding for transportation.

Nick Veldhouse noted they are working on reconciling the Convention information and is meeting with many of the new Legislators.

PROGRAM UPDATES

Efficiency Measures:

Design Closeout achieved 50% of the 85% goal; Design Consultant Agreement achieved 100% of the 90% goal; PS&E Delivery achieved 18% of the 75% goal; Construction Change Orders achieved 90% of the 80% goal; Construction Closeout achieved 100% of the 70% goal; Construction Consultant Agreement achieved 89% of the 90% goal.

Federal-aid Design:

Kevin Kuther reported on the Federal-aid Rural program noting the statuses of four projects that refer to the PS&E efficiency measure and why that dashboard was not met. Four projects were bid since September 2022 with one bid being justified for award.

Kevin reported that there are two projects in the Small Urban/Urban program that were bid, one project had a State/Local Agreement sent to the sponsor and one project was advanced. There are three projects that were bid with one bid being justified for award.

The Local and Off-system Bridge program had four projects he noted the status of and one project bid.

Federal-aid Construction:

Megan Kautz reported that Jayme Coonce is working on nine projects, Matt Koster is working on six projects and Megan is working on six projects. They are working on several bridge projects, which is keeping them busy this winter. She highlighted that on projects that have bid, she noted the Engineer's estimate as well as the low bid. She also noted that the low bid for key number 19028 was \$4.4M rather than the \$2.7M listed. Two projects were completed this quarter. She noted they attended several partner meetings with ITD, ACEC, FHWA, AGC, USACE and Idaho SHPO.

Two contractor surveys were sent with one response received. Overall rating for 2022 out of five is CE&I – 3.9 and LHTAC is 4.3. The 5-year average is CE&I 4.4 and LHTAC 4.5.

Items of note: In the Eastern bridge bundle, Bear Lake County Bridge is behind schedule and delayed which could create a domino effect on the other three bridges. The Western bridge bundle has two bridges that are progressing nicely and once they are done they will move on to the next two bridges.

Inflation is still affecting the economy, but this past quarter it seems to have less impact on our construction projects.

Local Highway Safety Improvement Program (LHSIP):

Kevin Kuther reported that safety projects are typically smaller in nature and designed one year and constructed the next year, so the limits to Obligation Authority (OA) really affect the safety program projects. Kevin reviewed the projects in the safety program and how the efficiency measures were affected. There are ten new FY23 design projects. Kevin noted that there are two active construction projects that represent \$493,107.43 in LHSIP funds. One project was closed out this quarter. One contractor survey was returned with LHTAC receiving a 2, 3 and 4 in all areas.

T2 Center:

Dan Coonce reported that fall classes began on September 13, 2022 and finished on December 8, 2022 with 76 scheduled classes, 19 cancelled and 6 requested private classes being held.

After the fall classes completed, we have 62 Road Scholars in 28 agencies and 44 Road Masters in 22 agencies to present awards to. We will begin presenting these awards after the new year.

LHTAC and ITD have met to update and modify the Memo of Understanding (MOU) which ends on December 31, 2022. Additional money was received from FHWA for the program, so there was discussion about how to provide the match through ITD. The new MOU will take effect on January 1, 2023 and go through December 31, 2025.

The Advisory Board met on August 2, 2022 where the FY22 work plan was reviewed, the FY23 work plan was approved. The next meeting will be held February 8, 2023.

From September 1, 2022, there were 26 logged technical assistance calls. To combine with this effort, we will also report hours based on time logged through our timekeeping software.

Children Pedestrian Safety:

Ken Kanownik reported that with the FY21 funding, eight projects were awarded, three of those projects are complete with two closed out. Five of the projects were delayed to start construction until spring of 2023 due to bidding issues.

Forty-five projects were awarded with FY22 funding. Payments have been issued to all 45 sponsors as of this meeting. While some sponsors expressed intent to complete projects this fall, no final reports have been submitted.

Leading Idaho Local Bridge:

Ken Kanownik reported that in September, LHTAC Council approved Round 2 awards. Progress includes all five construction ready projects have executed project agreements with Local Highway Jurisdictions (LHJ) and have been issued notice to proceed. He reviewed the status of the five bridge projects noting that Bridge KN 23955 in Camas County is the first bridge to be completed.

Round 2 project agreements have been sent to LHJs with most returned and executed. Several Round 2 larger bridges will require an elevated level of coordination. All round 1 design and geotechnical contracts are executed with consultants approved for the program. There are eight Round 1 environmental contracts in place.

Round 1 estimated cost for testing, repair, design and construction is \$38M. Round 2 estimated cost for design and construction is \$64.5M; a total estimated cost to date of \$102.5M. Current negotiated and/or executed contracts total \$10.3M.

A total of 24 contracts with consulting firms have been executed in the categories of testing and analysis, design, environmental and geotechnical engineering. Staff is currently negotiating a final repair contract from Round 1 and eight design contracts for bridges awarded in Round 1. For both rounds, staff will be managing approximately 40 active consultant contracts related to the investigation and design of replacement bridges and an additional five agreements for the round 1 Construction Ready projects.

Upcoming actions include executing the remaining Round 2 project agreements with LHJs, execute design contracts for all Round 2 bridges, communicate testing and analysis results with LHJs, provide cost benefit results for Round 1 repair projects and determine action, contractor outreach and develop bidding and award process for construction of program projects.

The Silver Bridge, Hexon Bridge and Boise Street Bridge will be under contract through preliminary design. At that time, these bridges may have alternatives to consider due to their complexity and a full design contract will be awarded upon selection of preferred alternatives. Final designs and Plan, Specification and Estimate

packages on Round 1 bridges will begin to be submitted January 2023 and continue through August.

Laila Kral noted that these agreements are Lump Sum contracts for all of design, geotechnical and environmental and in the agreement. Agreements specify that the consultant will submit an invoice based on milestone deliverables. For the Federal-aid program, we have between 90-100 invoices to review monthly, which is one person's job, with some help as needed. Lump sum agreements reduce the efforts of processing the additional invoices and payments. Ken noted that payments are being made once milestones have been met on the bridge program.

Discussion: Out of the \$102.5M, how much do we have from the State and what is the process to get the money? Ken noted that we have received the \$38M, but have not requested the \$64.5M for Round 2. LHTAC sends a formal request which includes a breakdown of phases for each bridge and when the expenditure will take place.

Will the advertisements go through ITD? Ken noted we are looking at a software service to allow LHTAC to distribute bid documents, but we are looking at only accepting paper bids.

NEW BUSINESS

Council Policies:

Laila Kral reviewed the six updated Council policies. Only minor changes were made which included updating the Council Chair, extending time periods and updates to align with current practice including Policy #009 which updated the LRHIP emergency balance which at the beginning of a FY shall not exceed \$800K.

Motion by Member Lampert. Motion: For Council to approve the updated Council Policies as presented. Seconded by Member Rekow. Motion Passes.

Administrative Policies:

Laila Kral reviewed the 12 administrative policies that help the organization run efficiently and layout policies for staff.

Application Scoring Teams:

Megan Kautz reported that LHRIP applications were due December 1, 2022 with sixty-seven applications received. She is asking that Members Gier, Berlin, Peterson, Lampert and Rekow score these applications that will be due to LHTAC on February 13, 2023.

Kevin Kuther reported that Federal-aid Rural/Urban applications are due by January 12, 2023 and is requesting Member Hofmeister, Renfrow, Pooler and Smith to score these applications that will be due to LHTAC on February 20, 2023.

Leading Idaho Local Bridge Program Round 2 Adjustments:

Ken Kanownik reported that since September when the Council approved Round 2 awards, staff reviewed and recommends the addition of two bridges. Bridge KN 24300, ranked 36, was initially passed for Round 2 because it was a multi-span bridge, however, the bridge could be replaced as a single span bridge and would match with existing bundles for environmental, geotechnical and design contracts. Bridge KN 27610, ranked 87, would replace Bridge KN 26795 for the City of Caldwell due to several complications that make the project beyond the scope of a bridge replacement project. If the City of Caldwell agrees to close this bridge, then we recommend replacing Bridge KN 27610 in Round 1 projects.

Motion by Member Smith. Motion: For Council to add Bridge KN 24300 and conditionally add Bridge KN 27610 if the City of Caldwell elects to close Bridge KN 26795. Seconded by Member Renfrow. Motion Passes.

Draft Annual Report:

Laila Kral reviewed the draft annual report which reports for the state fiscal year of 2022. It showcases the LHTAC team efforts and accomplishments including progress made with the Leading Idaho Local Bridge Program, updates on the T2 Center, technical assistance provided, partnering efforts and updates to the Federal-aid programs. A final copy will be presented to the Executive Council for approval prior to distribution to the Legislature.

2022 LHTAC Funding Workshops:

Laila Kral reported that Brian Wright, Kevin Kuther, Megan Kautz and herself traveled throughout Idaho presenting information on funding opportunities, loaner equipment, T2 Center and LHTAC updates. One hundred seventeen people attended the nine in person workshops and 63 people attended live during the virtual workshop. The recording has had 78 views and the workshop presentation is also posted on our website for local agencies to review.

***LRHIP Emergency Applications**

Megan Kautz reported that there were two Emergency Applications received.

- Nez Perce County is requesting \$20,000 for Lenore Bridge Deck Repair. Damage was likely caused by a vehicle exceeding posted weight restrictions and crossed the bridge.

Motion by Member Pooler. Motion: For Council to approve \$20,000 for the Nez Perce County Emergency Application as presented. Seconded by Member Berlin. Motion Passes.

- City of St. Maries is requesting \$34,241.10 for the Railroad Avenue project that encountered a substantial amount of contaminated soil and groundwater.


Motion by Member Berlin. Motion: For Council to approve the City of St. Maries Emergency Application as presented. Seconded by Member Renfrow. Motion Passes.

Roundtable Discussion

Discussion about Legislative Session and introducing LHTAC to the new members. Another question was if we get additional money for programs, will this exhaust the pool of consultants? Both Laila and Ken responded that projects will be completed by that time, so it will not cause any issues.

With no further business, the meeting was adjourned at 1:15 p.m.

RESPECTFULLY SUBMITTED BY:



Mac Pooler, Secretary/Treasurer



Neal Gier, Chairman

March 10, 2023

All Staff Reports can be seen in the Council Book on our website at <http://lhtac.org/resources/council-meetings/>

*Items are listed in order of agenda, however, may have been presented in a different order.