

REGULAR MEETING AND DISTRICTS 5 AND 6 TOUR
OF THE IDAHO TRANSPORTATION BOARD

May 20-21, 2015

The Idaho Transportation Board met at 8:30 AM, on Wednesday, May 20, 2015, in Pocatello, Idaho. The following principals were present:

Jerry Whitehead, Chairman
Jim Coleman, Vice Chairman – District 1
Janice B. Vassar, Member – District 2
Julie DeLorenzo, Member – District 3
Jim Kempton, Member – District 4
Dwight Horsch, Member – District 5
Lee Gagner, Member – District 6
Brian W. Ness, Director
Scott Stokes, Chief Deputy
Sue S. Higgins, Executive Assistant and Secretary to the Board

Districts 5 and 6 Tour. The Board traveled I-15 and US-91 north to Idaho Falls. It continued east on US-20 and south on SH-33 to Driggs where it toured the Geotourism Center.

During lunch in Driggs, Mayor Hyrum Johnson welcomed the Board to the Teton Valley. He expressed appreciation for the Department's assistance and the good working relationship. He also offered support to continue efforts to address the state's transportation revenue shortfall, as he believes it is imperative to take care of the existing infrastructure.

The Board returned to Idaho Falls via SH-33 south, SH-31 south, and US-26 west. It continued on I-15 south to Blackfoot. Mayor Paul Loomis welcomed the Board to the City of Blackfoot and discussed several transportation concerns, including West Bridge Street, Riverton Road, Fisher Street, and traffic delays when parked trains block city streets.

The Board returned to Pocatello via I-15 south.

May 21, 2015

The Board convened at 8:30 AM on Thursday, May 21, 2015 at Idaho State University, Pocatello, Idaho. All members and Deputy Attorney General Larry Allen were present.

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on April 29-30, 2015 as submitted. Member DeLorenzo seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

June 15-16, 2015 – District 4
July 23, 2015 – District 3
August 19-20, 2015 – District 1

Consent Items. Member DeLorenzo requested the removal of the Snake River Canyon Scenic Byway extension item. She would like a future presentation on this extension request.

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

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-explanatory
ITB15-17 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 FY16 out-of-state travel; the addition of two National Summer Transportation Institute projects; the addition of the Community Planning Association of Southwest Idaho (COMPASS) Planning, Freight and Performance research project; the addition of COMPASS Planning, Bicycle and Pedestrian Counters project; the delay of A Street, Moscow Stage 2 project to FY20 of the Local Urban Program; the removal of North Middleton Road sidewalk project; the removal of Dayton Railroad Crossing; approval of contract awards; and US-20, Broadway Bridge, Boise.

- 1) FY16 Out of State Travel. The FY16 out-of-state travel request is \$365,322. The budget includes \$299,912 in state funds and \$65,410 in federal funds. The request is \$1,898 less than the FY15 budget.
- 2) Addition of Two National Summer Transportation Institute Projects. ITD received a discretionary grant for Idaho State University (ISU) in Pocatello and Northwest Nazarene University (NNU) in Nampa. The funds will be used for summer camps with hands-on activities that will motivate and educate at-risk students in the areas of Science, Technology, Engineering, and Math with an emphasis on transportation. NNU and ISU will receive \$42,000 and \$33,000, respectively. Staff requests approval to add the two FY15 projects to the Statewide Transportation Improvement Program (STIP) and to amend the Program.
- 3) Addition of COMPASS Planning, Freight and Performance Project. COMPASS received a Strategic Highway Research Program 2 grant of \$225,000 at 100% federal funding. The funds will be used to review freight considerations and implement a performance measure framework enhancing the regional long-range transportation plan. COMPASS and staff request the addition of the Planning, Freight and Performance Strategic Highway Research Program 2 project to the FY15 STIP for \$225,000 and to amend the STIP accordingly.
- 4) Addition of COMPASS Planning, Bicycle and Pedestrian Counters Project. The Federal Highway Administration has awarded COMPASS Technology Deployment funds in the amount of \$15,000 with a 20% match. The money will fund three automated bicycle counters. This will enable COMPASS to receive bicycle demand data on the system at dangerous locations. The counters will provide quantitative data to plan alternative solutions to unsafe roadway conditions. COMPASS and staff request the addition of this \$18,750 project to the FY15 STIP and to amend the STIP accordingly.
- 5) Delay A Street, Moscow Stage 2 Project to FY20 of the Local Urban Program. On behalf of the City of Moscow, the Local Highway Technical Assistance Council (LHTAC) requests the delay of the SMA-7564, A Street, Moscow Stage 2 Project, key #3546 from FY15 to FY20. The current programmed construction amount is \$1.2 million; however, the current cost estimate is \$3.2 million. The City of Moscow would like to delay the project so it can secure the additional funds. To accommodate this request, the Local Urban Committee is requesting increasing SMA-7522, 21st Street Reconstruction, Heyburn, key #9854, by \$1 million and SMA-7895, Schweitzer Basin Cutoff Road, Sandpoint, key #9171, by \$200,000. Additionally, staff requests approval to amend the STIP accordingly.
- 6) Remove North Middleton Road Sidewalk Project. This FY15 project will be completed using local funds. Staff requests the removal of the North Middleton Road Sidewalk, Middleton project, key #14343, from FY15 at a cost of \$53,000, authorization to adjust the FY15 Transportation Alternatives Program, and to amend the STIP accordingly.
- 7) Remove Dayton Railroad Crossing from FY15. This District 5 project to install railroad crossing safety equipment was completed using operating funds. Staff requests removing the SH-36, Dayton Railroad Crossing project, key #14010, from FY15 for \$42,000, increasing the Local, Elmira Railroad Crossing, Bonner County project, key #14372, by \$42,000, and amending the STIP accordingly.
- 8) Contract Awards. The low bid on key #9854, 21st Street Reconstruction, Heyburn, was more than ten percent over the engineer's estimate requiring justification. The Concrete Sidewalk, Combination Curb and Gutter, Urban

Approaches, and Concrete for Urban Approaches account for almost 37% of the difference between the engineer's estimate and low bid. The cost of concrete has been increasing recently. There are no discrepancies indicating the low bid is irregular. The City of Heyburn and LHTAC request approval of the contract award. Low bidder: Staker & Parson Companies dba Jack B. Parson Companies - \$2,825,634.

9) US-20, Broadway Bridge, Boise. Consultant services for the US-20, Broadway Bridge, key #11588, were initially estimated at \$715,000. Since the original agreement with URS was finalized, staff negotiated supplemental agreements to add scope that was identified as the job progressed and a better understanding of the issues became apparent. The third supplemental approved in July 2014 resulted in a cumulative total of \$1,291,900, exceeding the consultant agreement amount of \$1,000,000, requiring Board approval per Policy 4001. Supplemental #4 approved in March 2015 increased the total to \$1,423,500. Staff requests approval of supplemental agreements #3 and #4 and supplemental agreement #5 in the amount of \$300,000. Some of the supplemental agreement #5 tasks includes developing a bridge and project construction schedule, additional work on the socioeconomics report, right-of-way plan revisions, and condemnation exhibits. The fifth supplemental agreement would bring the total cost to \$1,723,500.

Informational Items. 1) State FY15 Financial Statements. Through March, revenues to the State Highway Account from all sources were ahead of projections by 4.5%. Of that total, receipts from the Highway Distribution Account were ahead of forecast by 4.3% or \$6 million. State revenues to the State Aeronautics Fund were ahead of projections by .7%. Expenditures were within planned budgets with the exception of the Facilities Program, which were more than expected due to a timing difference between planned and actual expenditures plus encumbrances for building projects. Personnel costs have a savings of \$7.9 million or 8.7%. At the end of March, the balance of the long-term investments was \$62.7 million. These funds are obligated against construction projects and encumbrances. Expenditures for GARVEE approved projects through the end of March exceeded \$45.9 million and are progressing as planned.

2) Monthly Reporting of Federal Formula Program Funding for April. Idaho received Redistribution of Transportation Infrastructure Finance and Innovation Act funds and Associated Obligation Limitation of \$4.7 million on April 24, 2015. Obligation authority through May 31 is \$177.2 million, which corresponds to \$173.7 million with match after a reduction of prorated indirect costs. The Moving Ahead for Progress in the 21st Century (MAP-21) federal transportation act was extended through May 2015. The partial-year level of funding provides a prorated share of \$204.4 million with match. Obligation authority is currently 93.8%. Of the \$173.7 million allotted for all programs, \$17.7 million remains.

3) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). The BSM Section processed four professional service agreements from April 1 to April 30 in the amount of \$29,149.

4) FY16-19 Strategic Plan for the Division of Financial Management. Idaho Code requires state agencies to submit a Strategic Plan covering a minimum of four years to the Division of Financial Management by July 1. The document is to include the Department's vision and/or mission statement, goals, objectives, performance measures and benchmarks, and external factors.

5) Contract Awards. Key #13467 and #13468 – SH-16 and SH-52, Junction SH-44 to Emmett and Hamiltons Corner to Junction SH-16, District 3. Low bidder: Knife River Corporation - Northwest - \$1,272,662.

Key #13469 and #13470 – SH-55, Payette River Bridge to Boise National Forest Boundary and FY16 Sealcoats, Valley County, District 3. Low bidder: Poe Asphalt Paving, Inc. - \$2,398,906.

The following projects are currently being advertised:

Key #12937 – Eastriver Road Milepost 11.3, Bonner County, District 1;

Key #13515 – Upper Middle Fork Road, Atlanta Highway District, District 3;

Key #11495 – Cheney Drive; Washington Street to North College Road, College of Southern Idaho, District 4;

Key #14349 – Complete Streets, Pocatello, District 5; and

Key #13563 – Turner Road Penstock Bridge, Caribou County, District 5.

6) Professional Services Agreements and Term Agreement Work Tasks Report. From April 1 through April 30, 24 new professional services agreements and work tasks were processed, totaling \$2,885,110. Two supplemental agreements to existing professional services agreements were processed during this period in the amount of \$26,600.

7) Speed Minute Entry Changes for May 2015. The following speed minute entry was processed in February 2015 for District 4:

<u>Route</u>	<u>Beginning Milepost</u>	<u>Ending Milepost</u>	<u>Speed Limit Old</u>	<u>Speed Limit New</u>
US-93	48.425	48.875	35	45

8) Dealer's Principal Place of Business Declared Business Hours. To address legislative and business concerns, staff will utilize the negotiated rulemaking process for Administrative Rule 39.02.03 Governing Vehicle Dealer's Principal Place of Business. Staff plans to conduct stakeholder outreach, gather input, and prepare the final rule by the end of June.

Director's Report. Director Ness expressed appreciation for District 5 Engineer (DE) Ed Bala's hospitality this week during his annual visit to the District. He also commended DE 5 Bala and DE 6 Kimbol Allen for the interesting tour yesterday. With the extension of MAP-21 set to expire at the end of this month, the U.S. House of Representatives passed a two-month extension earlier this week and sent it to the U.S. Senate. Efforts are continuing on a long-term bill. Plans to host the Western Association of State Highway and Transportation Officials' (WASHTO) annual conference in Boise in July are progressing well. He also recognized staff members for awards, including the Office of Communications' 12 press club awards.

The Director's entire report can be viewed at <http://itd.idaho.gov/Board/report.htm>.

Chief Deputy Scott Stokes elaborated on the WASHTO plans, recognizing Contracting Services Engineer Monica Crider for her lead in organizing the conference. The annual Highway Safety Summit was held in Pocatello earlier this month. He commended staff's efforts on hosting another successful conference with over 200 participants. The Idaho Traffic Safety Commission (ITSC) met in conjunction with the Summit.

Adopt-A-Highway Presentation (AAH). District 5 AAH Coordinator Sharon Short thanked the University of Idaho Skills USA Club for participating in the AAH Program. The group has been picking up litter along the I-15/I-86 Flying Wye for 25 years.

FY16 Highway Safety Performance Plan. Highway Safety Manager (HSM) Brent Jennings presented the draft FY16 Highway Safety Performance Plan. The document, required by the National Highway Traffic Safety Administration, identifies the state's most critical driver-related highway safety problems and projects to address them. The goal of the program is to eliminate highway fatalities, serious injuries, and economic losses resulting from traffic crashes by implementing programs to address driver behaviors.

The Plan was developed with highway safety data. It identifies Idaho's problem areas, goals and performance measures, grant selection process, and projects to be funded at the state and community level through grants. The ITSC approved it on May 7, 2015; however, it added a project that was not incorporated into the draft document. The Board will be asked to approve the Plan next month.

Member Whitehead asked about legislative efforts to address highway safety, such as strengthening Idaho's seatbelt law and enacting a motorcycle helmet law. HSM Jennings said Idaho's culture needs to change. Its citizens have to support efforts and encourage legislation. He believes people with a personal stake in and/or professional ties to highway safety would be effective in leading this change. He added that a public perception survey is conducted every year, providing data on citizens' opinions on various highway safety topics.

The Board members congratulated HSM Jennings on his upcoming retirement and thanked him for his service. They commended him for his extensive efforts to improve highway safety. Member Horsch said he attended part of the Highway Safety Summit in Pocatello earlier this month. He commended HSM Jennings and staff on the excellent

conference.

Drugged Driving and Drug Recognition Expertise. Idaho State Police Officer Nick Walker said drugged driving is an increasing component of the impaired driving problem. Detecting drugs as an impairment is more challenging than alcohol. An evaluation that takes approximately 45 minutes is performed on suspected impaired drivers. An opinion on impairment and the cause of the impairment is then submitted. Training is required to perform this evaluation. In response to questions, Officer Walker provided additional information. He has not noticed an increase in drivers impaired with marijuana, but he believes impairment due to heroine and prescription drugs has increased. If a blood test is required, a phlebotomist is called. If a motorist has medical issues, those are addressed before an evaluation is conducted.

Chairman Whitehead thanked Officer Walker for the informative presentation.

Project Advancement. Chief Operating Officer (COO) Jim Carpenter said additional funding is available due to the passage of House Bill 312; however, the Department does not have spending authority for the new revenue. It will seek legislative authority in January. He requested approval to advance projects from the STIP. The priorities are bridge restoration and preservation and pavement restoration and preservation projects, which were selected based on project readiness. Staff developed a cash flow management plan to advance these projects.

COO Carpenter said ITD's share of the expected \$81 million in FY16 is \$47.6 million. Starting in FY17, ITD will receive an estimated \$55.3 million from this revenue increase. Bid openings for the 27 projects totaling \$46.8 million are expected to run from June 30 through August 25 with between two and seven projects bid weekly except for holiday weeks. Construction is expected to start around August 20. He added that staff also identified four projects to advance utilizing \$4,987,000 remaining in the FY15 Board Unallocated Account.

Member Vassar noted the legislation included a Surplus Eliminator, or additional funding from surplus General Fund revenue. She asked if the same process will be used for those funds. COO Carpenter said staff will brief the Board on that funding recommendation later. That revenue is directed to the Strategic Initiatives Program, which is for projects that address safety, mobility, and economic opportunities.

Chairman Whitehead asked how many of the state's 112 commerce-restricting bridges are on the list. COO Carpenter said about one-third of those bridges are in the current STIP. He will address the other bridges as part of the future Strategic Initiatives Program discussion.

In response to Member Gagner's question on cash flow management, COO Carpenter said the intent is to utilize the funding for roads and bridges as soon as possible. With construction expected to commence on August 20, the first payments on those projects would not be made until September. He noted that the Department's cash balance will decrease until legislative spending authority is received. Because he is not the expert on cash flow management, he said a more detailed presentation can be scheduled in the near future.

The Board commended staff for its work to get projects ready for construction.

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

RES. NO. WHEREAS, House Bill 312 was approved with the Idaho Transportation
ITB15-18 Department's portion being \$47.6 million in FY16 State funds; and

WHEREAS, it is in the public's interest for the Department to advance projects to utilize these funds;
and

WHEREAS, projects were selected by staff to best utilize these funds based on the criteria of project readiness, bridge restoration, bridge preservation, pavement restoration, and pavement preservation; and

WHEREAS, Idaho Transportation Board Policy 4076 states that the balance of Board Unallocated funds

not committed by May 1 of each year shall be used to advance current Idaho Transportation Investment Program projects in accordance with Board Policy 4011.

NOW THEREFORE BE IT RESOLVED, that staff is authorized to advance the projects shown on Attachment A, as shown as Exhibit 453, which is made a part hereof with like effect, using the HB312 (Tax/Fee Increases) funds and to adjust the Program accordingly and proceed with advertising, awarding, and constructing these projects; and

BE IT FURTHER RESOLVED, that Attachment B, as shown as Exhibit 454, which is made a part hereof with like effect, provided information to the Board showing the use of the FY15 Board Unallocated funds.

District 1 Public Transportation Advisory Council (PTAC) Nomination. Mark Bathrick, Public Transportation Manager (PTM), said the District 1 PTAC member's appointment expires at the end of this month. The incumbent, George Eskridge, was the only applicant for the next term. At its April meeting, the PTAC moved Member Eskridge's application to the Board.

Member Gagner asked for clarification on the process to fill PTAC vacancies. PTM Bathrick said a 30-day public notice on the vacancy is issued to solicit interested candidates. Information on the candidates is then available for public review and comment for 30 days. Information on the applicants and all of the comments received are submitted to PTAC for review. The information and PTAC's comments are then submitted to the Board for consideration. PTAC does not rank qualified applicants, nor does it vote on the candidates.

Member Vassar asked about the status of the District Coordinating Councils (DCCs) and mobility managers. PTM Bathrick said the DCCs have been eliminated. The Department is transitioning to coordinators who will provide a forum to address public transportation needs and allow interested parties to participate. Similarly, the mobility managers are being replaced with a contract process for individuals or entities to provide mobility support services in each District. He believes the contracts were awarded yesterday, so that transition is also underway.

Vice Chairman Coleman made a motion, seconded by Member Gagner, and passed unopposed, to approve the following resolution:

RES. NO. ITB15-19 WHEREAS, Idaho Statute 40-514 states that public entities that use public funds to provide public transportation services within the state shall report not less than semiannually to the department the amount of funding expended, audits conducted, the number of passengers carried, the agency vehicles used and the vehicle miles driven to provide transportation for Idaho Citizens. This group was created as the Public Transportation Advisory Council (PTAC) to advise the Idaho Transportation Department on issues and policies regarding public transportation in Idaho. The PTAC shall participate in planning activities, identify transportation needs, and promote coordinated transportation systems. Before setting programs and priorities, the PTAC shall seek pertinent information, facts and data from local government agencies and providers regarding the rural public transportation issues; and

WHEREAS, the PTAC shall be comprised of six (6) members appointed by the Idaho Transportation Board. These members shall be representatives for local governments and agencies, private organizations, citizens groups and private providers that have an interest in public transportation, and people with disabilities and the elderly who utilize public transportation; and

WHEREAS, the Board shall appoint said members from recommendations submitted by said organizations, groups' providers, users and state agencies in each district. One (1) member shall be appointed from each of the six (6) transportation department director districts as provided in section 40-303, Idaho Code; and

WHEREAS, the term of each member shall be three (3) years and the initial appointments to the council shall be such that two (2) members shall be appointed each year thereafter; and

WHEREAS, applications were solicited from interested parties to fill the vacated position in District 1 and the Department received one application. The application for George Eskridge was brought forward to PTAC members in April 2015 for review; and

WHEREAS, the ITD – Public Transportation Manager hereby brings forth one nomination that has been reviewed by the seated members of the PTAC and found by unanimous consensus to be a fit candidate for the seat in District 1.

NOW THEREFORE BE IT RESOLVED, that the Board has determined to appoint George Eskridge as the District 1 PTAC member for a term from June 1, 2015 through May 31, 2018.

District 4 PTAC Nominations. PTM Bathrick submitted two nominations to represent District 4 on PTAC with a term to commence on July 1, 2015. At its April meeting, PTAC moved to forward both applicants, the incumbent John Hathaway and Kevin Dugan, to the Board. The Council found both applicants to be fit candidates.

Member Kempton noted that each candidate has one letter of support, including from the District 4 Coordinating Council that no longer exists. He asked if the change to the DCC was discussed in District 4. PTM Bathrick replied that yes, he did extensive outreach on the change after the Texas A&M study on the mobility management program was released and ITD reorganized the public transportation office.

Member Kempton asked if Mr. Dugan's public transportation inexperience was a concern expressed at the PTAC meeting. PTM Bathrick said that a comment was made noting the lack of experience and that he had not been involved in the DCC.

Member Kempton made a motion to appoint Kevin Dugan as the District 4 PTAC member. He said it was a difficult decision. The incumbent, Mr. Hathaway, has been very involved in the DCC. The Department's public transportation re-organization and elimination of mobility managers and the DCC may be viewed as a negative move and cause a conflict. The other candidate, Mr. Dugan, has no public transportation experience. Vice Chairman Coleman seconded the motion.

Member Gagner asked if PTAC believes Mr. Dugan's lack of experience is a hindrance. PTM Bathrick said one comment was made on Mr. Dugan's inexperience; however, by consensus, PTAC moved both applications to the Board for consideration.

Member Vassar asked if Member Kempton's motion was to approve the proposed resolution.

Member Kempton amended his motion to approve the following resolution. Vice Chairman Coleman concurred with the amendment and the motion passed unopposed:

RES. NO. WHEREAS, Idaho Statute 40-514 states that public entities that use public funds
ITB15-20 to provide public transportation services within the state shall report not less than semiannually to the department the amount of funding expended, audits conducted, the number of passengers carried, the agency vehicles used and the vehicle miles driven to provide transportation for Idaho Citizens. This group was created as the Public Transportation Advisory Council (PTAC) to advise the Idaho Transportation Department on issues and policies regarding public transportation in Idaho. The PTAC shall participate in planning activities, identify transportation needs, and promote coordinated transportation systems. Before setting programs and priorities, the PTAC shall seek pertinent information, facts and data from local government agencies and providers regarding the rural public transportation issues; and

WHEREAS, the PTAC shall be comprised of six (6) members appointed by the Idaho Transportation Board. These members shall be representatives for local governments and agencies, private organizations, citizens groups and private providers that have an interest in public transportation, and

people with disabilities and the elderly who utilize public transportation; and

WHEREAS, the Board shall appoint said members from recommendations submitted by said organizations, groups' providers, users and state agencies in each district. One (1) member shall be appointed from each of the six (6) transportation department director districts as provided in section 40-303, Idaho Code; and

WHEREAS, the term of each member shall be three (3) years and the initial appointments to the council shall be such that two (2) members shall be appointed each year thereafter; and

WHEREAS, applications were solicited from interested parties to fill the vacated position in District 4 and the Department received two applications. The applications from Kevin Dugan and John Hathaway were brought forward to PTAC members in April 2015 for review; and

WHEREAS, the ITD – Public Transportation Manager hereby brings forth two nominations that have been reviewed by the seated members of the PTAC and both found by unanimous consensus to be fit candidates for the seat in District 4.

NOW THEREFORE BE IT RESOLVED, that the Board has determined to appoint Kevin Dugan as the District 4 PTAC member for a term from July1, 2015 through June 30, 2018.

District 5 Report. DE5 Bala reported on some of the District's performance metrics. The winter mobility goal of 55% was exceeded, as the District's roads were not significantly impeded 71% of the time. It delivered 78% of the FY17 program on time, which was below the goal of 100%. The I-15, Cheyenne construction project is proceeding well. Phase 1A has been completed and Phase 1B is under contract with an expected completion date of December 2015. He elaborated on the 2020 organizational plans. The District has completed its review to determine what positions and job skills will be required in 2020. The plan calls for 142 positions. Currently, the District has 145 employees. He also reported on achievements and innovations, including an ITD Excellence in Transportation Award for the I-86, Chubbuck Interchange project, the publication of District 5 Engineer Dan Harelson's research on "Intersection Safety Audits", and a new contracting method using a warranty for a pavement overlay project.

Chairman Whitehead thanked DE Bala for the informative report. Member Horsch commended DE Bala for his responsiveness and leadership.

Administrative Rule 39.03.01 Definitions. Motor Vehicles Administrator (MVA) Alan Frew said the passage of House Bill 70 resulted in the requirements of 600 pounds per inch width of tire no longer apply to the tires on the steer axle, but are still required to be met for all the remaining tires on a vehicle or vehicle configuration. Staff proposed modifications to IDAPA 39.03.01 Governing Definitions to reflect this change and eliminate any conflict between Idaho Code and the administrative rule.

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

RES. NO. WHEREAS, Section 40-312 Idaho Code provides the Idaho Transportation Board
ITB15-21 with authority to prescribe rules and regulations affecting state highways; and

WHEREAS, the Board has authority to approve requested changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the change to IDAPA 39.03.01 necessary to comply with the passage of HB70.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rule to be submitted for change:

Rule 39.03.01 Governing Definitions

Requires a modification to the definition of excess weight with minor modifications to the definitions of overweight and special permit change to overlegal permit; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the change as listed above for Rule 39.03.01 and directs staff to promulgate a temporary rule effective April 1, 2015 and concurrently proceed with the regular rule making process.

Administrative Rule 39.03.22 Extra Length, Excess Weight and Up to 129,000 Pounds. MVA Frew said the passage of House Bill 70 also resulted in the need to modify IDAPA 39.03.22 to address the tire limitations and the 129,000 pound route colors.

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

RES. NO. WHEREAS, Section 40-312 Idaho Code provides the Idaho Transportation Board
ITB15-22 with authority to prescribe rules and regulations affecting state highways; and

WHEREAS, the Board has authority to approve requested changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the change to IDAPA 39.03.22 necessary to comply with the passage of HB70.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rule to be submitted for change:

Rule 39.03.22 Governing Extra Length, Excess Weight and Up to 129,000 Pound Vehicle Combinations Requires a modification to 300.08 the tire limitations with a minor modification to 200.03 129,000 pound route colors; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the change as listed above for Rule 39.03.22 and directs staff to promulgate a temporary rule effective April 1, 2015 and concurrently proceed with the regular rule making process.

Executive Session on Personnel and Legal Issues. Vice Chairman Coleman made a motion to meet in executive session at 11:30 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345 (b) and (f). Member Gagner seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on personnel and legal matters.

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

New Business. Member Horsch said Franklin County is concerned with the City of Preston's non-attainment status. It would like ITD's assistance with paving gravel roads; however, no funding is available in the Congestion Mitigation/Air Quality Program. Additionally, the data indicates the sand used for winter maintenance is the cause of the air quality problem, not dust from the gravel roads.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 1:25 PM.

signed

JERRY WHITEHEAD, Chairman
Idaho Transportation Board

Read and Approved
June 16, 2015
Shoshone, Idaho