

**DISTRICT SIX TOUR AND REGULAR MEETING
OF THE IDAHO TRANSPORTATION BOARD**

August 17-18, 2016

The Idaho Transportation Board met at 8:15 AM on Wednesday, August 17, 2016 in Idaho Falls, Idaho. The following principals were present:

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

District 6 Tour. The Board traveled east on US-20 to the Thornton Interchange, which is currently under construction. District staff talked about projects in the area and highlighted the safety improvements to the US-20 corridor since several interchanges were constructed and a number of at-grade intersections were closed.

The Board returned to Idaho Falls via US-20 west. It toured the Anheuser Busch malt plant. Staff talked about various projects, including an access control and signal warrant project with Bonneville Metropolitan Planning Organization, as the group traveled various state and local routes in the area.

WHEREUPON, the tour ended at 2:15 PM.

August 18, 2016

The Board convened at 8:30 AM on Thursday, August 18, 2016 at the District 6 Office, Rigby, Idaho. All members were present.

Chairman Whitehead welcomed Senator Brent Hill and Representative Del Raybould to the meeting.

Board Minutes. Member Vassar made a motion to approve the minutes of the special Board meeting held on June 8, 2016 and the minutes of the regular Board meeting held on July 27-28, 2016 as submitted. Vice Chairman Gagner seconded the motion and it passed unopposed.

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

September 21-22, 2016 – District 4
October 19-20, 2016 – Boise
November 17, 2016 – Boise

Consent Items. Member DeLorenzo 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-
ITB16-29 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 FY16 account write off; the FY16 local public agencies' end of year plan and prioritized list for redistributed obligation authority; the advance of Off System, Sidewalks and Americans with Disabilities Act Ramps, St. Maries to FY16; modifications to Community Planning Association of Southwest Idaho Transportation Alternatives Program projects; a contract award; and a speed minute entry change.

1) FY16 Account Write Off. ITD policy requires all uncollectible accounts exceeding \$1,000 be reviewed and approved for write off by the Board. The Director or a designee reviews and approves for write off all accounts less than \$1,000. For FY16, staff requests Board approval to write off 21 accounts totaling \$51,874.39, as shown as Exhibit 473, which is made a part hereof with like effect. Thirty-nine accounts in amounts less than \$1,000 have been determined as uncollectible, totaling \$16,863.66. The outstanding receivables are more than four years delinquent. Customers are not allowed to do business with ITD until their deficiencies are paid or the statute of limitations is reached.

2) FY16 Local Public Agencies End-of-Year Plan and Prioritized Project List for Redistributed Obligation Authority. Idaho has received 94.7% of annual obligation authority. Of that amount, local public agencies have remaining federal funding available in the total amount of \$4,216,000. There are also bid savings, prior year released funds, and unused scheduled funds that are available to cover cost increases or to advance projects. Staff requests approval of the local public agencies' end of year plan and prioritized project list of advances and cost increases for use of redistributed obligation authority, as shown as Exhibit 474, which is made a part hereof with like effect, and approval to amend the Statewide Transportation Improvement Program (STIP) accordingly.

3) Advance Off-System, Sidewalks and Americans with Disabilities (ADA) Ramps, St. Maries. Last month several projects were delayed or removed from the Transportation Alternatives Program, freeing up \$284,000. Staff requests advancing the FY17 \$280,000 Off System, Sidewalks and ADA Ramps, St. Maries project, key #18731, into FY16 and amending the STIP.

4) Modify Community Planning Association of Southwest Idaho Transportation Alternatives Program – Transportation Management Area Projects. Staff requests revising key #13909, FY16, FY17 and FY18 Ada County Safe Routes to School, Valley Regional Transit (VRT) Phase 1 to add FY16, Phase 1 and increase the project \$255,000 in construction and merge work with key #13910; revising key #13910, FY16, FY17, and FY18 Ada County Safe Routes to School, VRT Phase 2 to add FY16, Phase 2, and decrease the project \$255,000 in construction and merge work with key #13909; and delaying key #13916, Dry Creek Trail and

Underpass, Eagle from FY16 to FY17 and FY18 for \$258,000 and \$38,000, respectively. Staff also requests approval to amend the STIP to reflect these changes.

5) Contract Award for Approval. The low bid on key #14018 – Intersection, Benton Street and 2nd Avenue, Pocatello, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and low bid was in the Removal of Catch Basin, Removal of Guardrail/Barrier, Breakaway Steel Sign Post, Raised Channelization End Treatment, and Special Detectible Warning Surface items. The project has very small quantities per item, which increases the cost per unit. Mobilization is higher due to the smaller quantities. This is the second time the project was advertised. The project sponsor, the City of Pocatello, requests awarding the project due to safety concerns, as this intersection has had recent crashes. Additional funds will mostly be used from another safety project in Pocatello that will be cancelled. Low bidder: Mickelsen Construction Company, Inc. - \$231,422.

6) Speed Minute Entry Change. Prior to posting the recently-approved 70 mile per hour speed limit signs on US-95, District 1 recognized that the 70 mile per hour speed limit was not appropriate to the signal spacing. It submits the following speed minute entry for approval:

Route	Beginning	Ending	Speed Limit	
	Milepost	Milepost	Old	New
US-95	437.31	440.30	70	55

Informational Items. 1) Monthly Reporting of Federal Formula Program Funding through July. Idaho's FY16 obligation authority is \$270.9 million. This corresponds to \$267.8 million with match after a reduction for indirect costs. Idaho received its full year of \$289.8 million formula apportionments from the Fixing America's Surface Transportation Act. Obligation authority is 93.5% of apportionments. Of the \$267.8 million allotted, \$54 million in funding remains.

2) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). The BSM Section processed one professional service agreement for \$325,000 during the previous month.

3) Summary of FY16 Budget vs. Actual Out-of-State Travel. FY16 out-of-state travel expenditures totaled \$286,632. The budgeted amount was \$365,322. In comparison, \$273,004 was spent on out-of-state travel in FY15 while \$367,220 was budgeted. In FY16, \$1,269,534 was expended on in-state travel, compared to \$1,107,086 in FY15.

Member Vassar noted that the actual out-of-state travel costs are generally less than the budgeted amount. Chief Deputy Stokes replied that it can be difficult to estimate travel costs several months in advance. He added that a number of those trips were for training. Executive Assistant to the Board Higgins said that she does not know how many members will go to the annual Western Association of State Highway and Transportation Officials' and American Association of State Highway and Transportation Officials' annual conferences, but budgets for two or three members to attend each conference.

4) Return Check Report for FY16. During FY16, \$45,652,524 in checks were received, while 54 checks, or .16%, totaling \$73,830 were returned. Collection of returned checks equaled \$83,127 for an annual collection rate of 112.59%.

5) Contract Awards and Advertisements. Key #18765 – Durable Pavement Markings, Bonner County, District 1. Low bidder: Specialized Pavement Marking Inc. - \$70,836.

Keys #18825 and #18721 – Cow Creek Road Guardrail, Boundary County and East Canyon Road Guardrail, Eastside Highway District #3, District 1. Low bidder: Frank Gurney Inc. - \$225,687.

Keys #19751, #18792, and #19187 – US-12, Peach Lane to Big Canyon Creek Bridge, Cherry Lane Bridge to Lenore Passing Lane, Nez Perce County, and Arrow Bridge to Cherry Lane Road, District 2. Low bidder: Knife River Corporation – Northwest - \$5,345,916.

Key #13523 – I-84, FY17 District 4 Pavement Striping. Low bidder: Interstate Barricades - \$340,338.

Keys #13973 and #13972 – I-84, Wendell to “J” Coulee Canal Bridge, Westbound and Wendell to “J” Coulee Canal Bridge, Eastbound, District 4. Low bidder: Staker & Parson Companies dba Idaho Materials - \$3,693,319.

Key #13974 – SH-75, FY16 District 4 Districtwide Seal Coats #2. Low bidder: Intermountain Slurry Seal, Inc. - \$762,501.

Key #13531 – US-30, FY16 District 4 Districtwide Seal Coats. Low bidder: Staker & Parson Companies dba Idaho Materials - \$1,499,499.

Key #19421 – SH-33, Butte City to Henry’s Fork Bridge, District 6. Low bidder: H-K Contractors, Inc. - \$1,755,690.

Key #14040 – US-20/26, Arco to Idaho Falls West City Limits, District 6. Low bidder: H-K Contractors, Inc. - \$1,877,777.

Key #14032 – US-93 – Trail Creek Road to Junction SH-75, Custer County, District 6. Low bidder: H-K Contractors, Inc. - \$905,777.

Key #14050 – US-20, FY16 District 6 Signals Upgrade. Low bidder: Wheeler Electric, Inc. - \$1,803,786,

The list of projects currently being advertised was provided.

6) Professional Services Agreements and Term Agreement Work Tasks Report. From July 1 through July 29, 30 new professional services agreements and work tasks were processed, totaling \$1,731,858. Five supplemental agreements to existing professional services agreements were processed during this period in the amount of \$135,550.

7) Report of Speed Minute Entry Changes. The following speed minute entry changes were processed in District 4 in July:

<u>Route</u>	Beginning <u>Milepost</u>	Ending <u>Milepost</u>	Speed Limit <u>Old</u>	Speed Limit <u>New</u>
SH-75 ascending	102.260	102.645	45	55
SH-75 descending	101.595	101.980	45	55
US-93 both directions	52.648	53.287	45	60

8) FY16 End of Year and Redistribution Plan for State Highway System Projects. The list of projects to be delivered in August was provided to demonstrate the full use of ITD's annual obligation authority of federal aid funding. The list also includes projects that are available to use unused obligation authority and redistribution of obligation authority received.

9) Performance Measurement Report for Division of Financial Management. Idaho Code requires each state agency to submit an annual Performance Measurement Report by September 1. The document is to include an overview of the agency, core functions, revenues and expenditures, cases managed and key services provided, and performance measures and benchmarks.

Director's Report. Director Ness thanked District 6 for its hospitality. He reported on his recent employee visits in the District and its innovations. District 5 is constructing a weigh-in-motion system at the Inkom Port of Entry, which should improve safety, decrease congestion, and improve efficiency. A Federal Motor Carrier Safety Administration grant helped fund the project. ITD received a \$5.1 million federal FAST LANE grant to help fund the District 1 US-95 access improvement project. A Western Transportation Institute at Montana State University research project on ITD's culture change was completed recently. It indicates the Department is making progress on improving its culture, resulting in improvements in areas like organizational structures, systems, technology, and qualities and skills. He also mentioned that the Division of Motor Vehicles recently celebrated its employee recognition program's 20th anniversary.

Chief Deputy Stokes said staff is reviewing an alternative energy project recently published in the federal register. An alternative energy corridor is being designated and departments of transportation are encouraged to participate in this project. He also mentioned the Office of Highway Safety's plan to post safety messages on dynamic message signs.

Chief Operations Officer (COO) Jim Carpenter said the US-95, Council Alternate Route project is three weeks ahead of schedule and back on budget. Staff is working on an innovative approach to acquire the right-of-way for the US-95, Thorn Creek to Moscow project. The projects funded with the 2015 revenue increase and Surplus Eliminator are progressing well. Last month, the turnover rate for the transportation technician series was questioned. He said prior to implementing the horizontal career path, the turnover rate was about 45%. Today the non-retirement turnover rate is 4.7%, which is below the Department turnover rate of about 6%. He believes the horizontal career path has been successful.

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

Resume 129,000 Pound Trucking Request Process. Chief Engineer (CE) Kimbol Allen said the Board suspended processing 129,000 pound truck route requests at the Subcommittee on 129,000 Pound Truck Routes level in March due to the negotiated rulemaking process for all permitted commercial vehicles operating on Idaho highways. Last month, the Board approved proposed rules to be advanced to the formal rulemaking process, which completed the negotiated rulemaking process. CE Allen recommended resuming the 129,000 pound truck route designation process. He also informed the Board that Arlo G. Lott Trucking Inc. has withdrawn its request to designate portions of US-12, SH-13, SH-162, SH-16, and US-20 as 129,000 pound truck routes because of legislation allowing commercial vehicle combinations up to 129,000 pounds to operate on Idaho's interstate system and due to the closing of a mill in Kamiah.

Chairman Whitehead asked if resuming the truck route designation process would have any impact to the local system. DAG Allen replied that no, ITD's route designation process does not have any impact on the local road system.

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

RES. NO. WHEREAS, at the Idaho Transportation Board's March 24, 2016 meeting, the
ITB16-30 Board determined that due to pending negotiated rulemaking concerning all
permitted trucks on Idaho highways, including 129,000 pound vehicles, and other
considerations, that it would be prudent to hold pending requests in abeyance until
the negotiated rulemaking process has been completed; and

WHEREAS, the Board also unanimously approved a motion that all pending
129,000 pound truck route requests be held in abeyance until the negotiated
rulemaking has been completed; and

WHEREAS, staff asked for clarification about the Board's motion to hold
requests in abeyance. Specifically, staff asked whether it should accept or reject
applications for 129,000 pound truck routes; and

WHEREAS, the Board determined that 129,000 pound truck route applications
may be submitted to the transportation department during this time, and directed
staff to follow the process for route applications received during this time,
including the review, analysis, and public hearing if appropriate; and

WHEREAS, that a route application may be submitted to the Board
Subcommittee on 129,000 Pound Truck Routes, but the Subcommittee will not
take any action on the application until after the negotiated rulemaking process
has been completed; and

WHEREAS, in May 2016 the Idaho Transportation Department initiated
negotiated rulemaking for all permitted commercial vehicles on Idaho highways;
and

WHEREAS, on July 28, 2016, the Board approved advancement of the proposed
rules to the formal rulemaking process, completing the negotiated rulemaking.

NOW THEREFORE BE IT RESOLVED, that the Department will resume consideration and potential actions of proposed 129,000 pound truck routes.

Member Coleman expressed concern with the general public's misinformation on 129,000 pound truck issues. He asked staff to prepare a white paper to address that misinformation and to be used for educational purposes.

Chairman Whitehead mentioned that he has heard concerns regarding the Board's action last month approving revisions to IDAPA 39.03.15, Rules Governing Excess Weight Permits for Reducible Loads, establishing a statewide permitting system with an opt-out clause for local public agencies. He will establish a Board subcommittee comprised of Members Vassar and Coleman, local representatives, and ITD staff to address those concerns and develop an implementation plan for a statewide permitting system.

The motion passed unopposed.

State FY16 Financial Statements. Controller Dave Tolman said ITD's revenues exceeded the FY16 forecast. Revenues to the State Highway Account from all state sources were ahead of projections by 6%. Of that total, receipts from the Highway Distribution Account were ahead of forecast by 5.8% or \$13.9 million. State revenues to the State Aeronautics Fund were ahead of the forecast by 21.2% or \$460,000. Expenditures and encumbrances were less than planned. Savings of \$15 million in personnel costs were transferred to contract construction. Expenditures in Contract Construction were below last year for the time period July 1 through June 30 by 7%. Expenditures for projects funded with the Strategic Initiatives Program Fund totaled \$2.56 million for the year. The cash balance in that fund was \$51.8 million as of June 30.

The balance of the long-term investments at the end of the fiscal year was \$109.7 million. These funds are obligated against construction projects and encumbrances. This investment amount and the \$103.8 million in cash are the largest combined cash/investments balance as of the end of June in any of the previous four years. Factors contributing to this include reduced construction payouts, personnel savings, the new revenue approved by the Legislature in 2015, and revenue coming in ahead of the forecast in both FY15 and FY16. Expenditures for GARVEE projects through the end of June were \$18.4 million. This concludes the payout of all of the legislatively-authorized bond proceeds. Any additional final project closeout related expenditures will be from the federal formula funding.

Chairman Whitehead thanked Controller Tolman for the report.

August 2016 Revenue Forecast and FY18 Proposed Budget Request. Economist Bob Thompson presented the revised revenue forecast. The projected FY18 state revenue was increased by \$4.4 million from the June draft. Total revenue to ITD from all sources is estimated at \$652.4 million.

Financial Manager Joel Drake summarized the proposed FY18 budget request. The Department intends to request an FY17 supplemental request for spending authority for the \$11 million General Fund transfer to the Strategic Initiatives Program Fund. Other highlights of the proposed budget include an increase of \$3.2 million for a 1% change in employee compensation

and health insurance; \$58.2 million for debt service; and \$24.8 million for equipment replacement. The request also includes 14 line items totaling \$37.2 million, including \$24.7 million for contract construction.

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

RES. NO. WHEREAS, the FY18 Idaho Transportation Department budget request will be ITB16-31 prepared in accordance with instructions in the Division of Financial Management's Budget Development Manual; and

WHEREAS, the Idaho Transportation Board has reviewed the proposed FY18 budget request summary.

NOW THEREFORE BE IT RESOLVED, that the Board has reviewed the budget request estimates reflected in the Department Summary and Certification, submitted for approval August 18, 2016, as shown as Exhibit 475, which is made a part hereof with like effect, and authorizes the estimates and guidance provided to serve as the basis for the FY18 budget request submitted to the Division of Financial Management and Legislative Services Office.

Toward Zero Deaths Award. Highway Safety Manager (HSM) John Tomlinson congratulated Idaho State Police and Teton County for having zero traffic fatalities in Teton County in 2015. He expressed appreciation for their partnership.

Child Passenger Safety. Statewide Child Passenger Safety Coordinator Carma McKinnon elaborated on her efforts to ensure children are safe while traveling in motor vehicles. She has done extensive outreach throughout the state to recruit trainers and certified technicians. Another focus has been on children with special needs and ensuring people know what resources are available. She also started publishing a newsletter and plans to review other states' activities to identify best practices.

Chairman Whitehead thanked Ms. McKinnon for the report and for her efforts on this important program.

Highway Safety 2015 Crash Data. Steve Rich, Research Analyst Principal (RAP), said there were 24,013 total highway crashes in Idaho last year. The crashes resulted in 216 fatalities and 1,351 serious injuries. This compares to 186 fatalities and 1,273 serious injuries in 2014. He emphasized that crashes fluctuate, so it is important to look at five-year data. Unrestrained fatalities increased almost 35% in 2015. Other notable increases were youthful driver fatalities, 70%; intersection related fatalities, 41.9%; and drowsy driving fatalities, 325%. Pedestrian fatalities decreased almost 43%, mature driving fatalities decreased 10.4%, and bicycle fatalities decreased from two in 2014 to zero last year. He noted that the statistics are not mutually exclusive, as there may be several contributing factors to each crash.

Member Kempton said it is important to note that there may be several factors that resulted in a crash. At a recent local transportation committee meeting, law enforcement said crashes at intersections increased; however, that could be caused by behaviors such as

distractions, impairment, or drowsiness. If these contributing factors are identified, it is easier to focus on the problem. HSM Tomlinson concurred. He noted that impaired driving was a big focus a few years ago and the impaired-related crashes decreased. The emphasis now is on distracted driving. It is important to analyze the data to identify what areas should be targeted. COO Carpenter added that all crashes on the state highway system are reviewed by the district engineers. They focus on fatal crashes and determine if infrastructure improvements can be made to prevent future crashes at those locations.

Representative Raybould believes education is needed for pedestrians. He sees pedestrians walking with traffic and sometimes walking two or three abreast. He encouraged the Department to raise awareness about pedestrian laws.

Chairman Whitehead thanked RAP Rich for the informative report.

654 Design Build. Technical Engineer 1 Michael McKee said two teams were established in response to the Board's action in April to use Board Unallocated Funds to develop bridge replacement projects in anticipation of receiving Strategic Initiative Program Funds. He is the project leader for the 654 Design Build team, which is working on developing bridge projects in Districts 6, 5, and 4. Districts 1, 2, and 3 also established a team. The 654 Team's scope is to group several bridges into a single design-build project for more efficient design and construction staging. It identified 28 potential bridges that are single span and at least 50 years old. Work will include design of new crossings to meet modern design standards, context sensitive design elements and innovative construction techniques. He added that the team members also have their regular daily duties to perform while working on the 654 Team.

The Board thanked Technical Engineer McKee for the informative presentation and commended staff for its collaboration and innovative approach.

District 6 Report. District 6 Engineer (DE) Jason Minzghor noted that the District's culture has been improving the past several years. Mobility has improved significantly, which he believes is a result of the more constructive culture. In addition to delivering District 6's FY16 projects on time, staff delivered an additional \$34 million worth of projects. The FY17 delivery is on schedule, as five projects have been delivered and the remaining three are expected to be delivered by September. The final construction cost as a percentage of the contract bid amount was 108% in 2015. The 2016 percentage is estimated at 102. DE Minzghor elaborated on the US-20 safety improvements between Idaho Falls and Sugar City. Since the corridor improvements started in 2001, \$85 million has been spent to close 18 at-grade intersections and construct 7 interchanges. These efforts reduced injury crashes from 80 per year to 20, a 75% reduction. The fatalities were reduced from two per year to less than one annually.

The Board commended DE Minzghor for the report and for his leadership.

Executive Session on Legal Issues. Member Vassar made a motion to meet in executive session at 11:25 AM to discuss legal issues as authorized in Idaho Code Section 74-206 (d) and (f). Member DeLorenzo seconded the motion and it passed 6-0 by individual roll call vote.

Discussions were held on legal matters.

The Board came out of executive session at 1:40 PM.

Delegation – Yellowstone Bear World. Michael Ferguson, Chief Executive Officer, Yellowstone Bear World, said access is very important to his business, but safety is the highest priority. He provided history on Yellowstone Bear World, which started in 1988 and has experienced about 15% growth annually. In 2014 Yellowstone Bear World entered into an agreement with ITD and Madison County for a westbound access from US-20 to 4300 West Road. Mr. Ferguson said he is committed to proceeding with that agreement; however, he has not seen the final design for that off ramp. He does not know how much land he needs to donate. He requested that the current at-grade intersection remain open until the end of October when his business closes for the season. He thanked the Board for its time.

Chairman Whitehead thanked Mr. Ferguson for his comments.

Yellowstone Bear World Access/US-20, Thornton Interchange Project. COO Carpenter provided background on the US-20 Thornton Interchange project and planned closure of the 4300 West Road intersection. The location for the interchange was selected through the National Environmental Policy Act (NEPA) process. Via a 2014 agreement, ITD was to construct an off ramp to 4300 West Road upon Yellowstone Bear World's donation of the needed right-of-way and Madison County's agreement to maintain the off ramp. COO Carpenter said that at a meeting last month, Mr. Ferguson indicated dissatisfaction with the off ramp agreement because it does not address access from both sides of US-20 and requested that the 4300 West Road intersection remain open until another interchange can be constructed by ITD at that location.

At Mr. Ferguson's request, ITD reviewed the NEPA Process to ensure that Yellowstone Bear World's impacts were considered when the interchange location was selected. In the recent review, staff found that the Thornton site was selected for an interchange over the 4300 West Road location based on minimizing impacts to adjacent farmland and wetlands, avoiding a bald eagle winter area and a fish-bearing stream, and minimizing negative impacts to Thornton area businesses and residences. Additionally, the community favored the Thornton location over the 4300 West Road location by a margin of 6:1. Staff analyzed the feasibility of constructing another interchange at 4300 West Road. The analysis indicates there would be no safety improvements over the current plan to close the at-grade intersection. The economic impacts show an interchange at this location would result in a benefit cost ratio of 0.42. The model was based on the traveler costs to Bear World visitors using the access route from the new Thornton Interchange. For comparison, projects selected for Strategic Initiatives funding for FY21 had benefit cost ratios ranging from 3.2 to 15.55. COO Carpenter recommended closing the 4300 West Road as planned and not construct the 4300 West Road off ramp without agreement from Madison County and Yellowstone Bear World as outlined in the 2014 agreement.

Vice Chairman Gagner acknowledged the difficult decision. He referenced the extensive discussions that have taken place on this issue over the years and also the resources that have been committed to improve safety along this corridor. As a businessman, he understands the access issue, but motorists' safety is the highest priority.

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

RES. NO. WHEREAS, Yellowstone Bear World has sought action from the Board to stop the Idaho Transportation Department's plan to permanently close the 4300 West Road intersection upon completion of the Thornton Interchange, but not earlier than October 20, 2016; and

WHEREAS, the Idaho Transportation Board approved the Thornton Interchange, key #8454 and the closure of the 4300 West Road intersection by resolution ITB05-59; and

WHEREAS, the safety on US-20 is a principal concern; and

WHEREAS, certain safety deficiencies exist at the at-grade intersections on US-20; and

WHEREAS, the elimination of these at-grade intersections will improve safety; and

WHEREAS, the elimination of US-20 at-grade intersections is consistent with the June 2000 corridor plan for this route; and

WHEREAS, the Department has conducted public meetings and a public hearing in conformance with the National Environmental Policy Act (NEPA), providing information to the public and receiving comments from the public; and

WHEREAS, Headquarters Environmental staff reviewed the NEPA document and found that Thornton was selected over the 4300 West Road based on minimizing impacts to adjacent farmland and wetland impacts, avoiding bald eagle winter area and a fish-bearing stream, and minimizing negative impacts to Thornton area businesses and residences; and

WHEREAS, the community/public involvement favored the Thornton location over an alternative at the 4300 West Road by a margin of 6:1 in the form of public comments and votes held in public meetings; and

WHEREAS, the construction of the Thornton Interchange and closure of at-grade intersections is consistent with the outcome of the public hearing; and

WHEREAS, the Department entered into a 2014 Cooperative Planning Agreement with Madison County and Yellowstone Bear World for the construction of an off ramp from US-20 westbound to connect to 4300 West Road; and

WHEREAS, Yellowstone Bear World has withdrawn its support of the agreement without access from 4300 West Road to both directions on US-20; and

WHEREAS, construction of an interchange at 4300 West Road does not improve safety; and

WHEREAS, an economic analysis of motorists' travel costs associated with the construction of an interchange at 4300 West Road yields a benefit cost ratio of 0.42.

NOW THEREFORE BE IT RESOLVED, that the Board re-confirms the decision to close the at-grade intersection of US-20/4300 West Road upon completion of the Thornton Interchange, but not earlier than October 20, 2016; and

BE IT FURTHER RESOLVED, that the Department will not construct an off ramp from US-20 westbound to connect to 4300 West Road; and

BE IT FURTHER RESOLVED, that the Board will enter an agreement with Madison County to provide \$500,000 in federal funds for local system improvements by mutual agreement of the Department and Madison County.

US-12 Administrative Rule 39.03.11, Governing Overlegal Permittee Responsibility and Travel Restrictions. Ramon Hobdey-Sanchez, Governmental Affairs Program Specialist, presented modifications to IDAPA 39.03.11 to address current issues regarding overlegal commercial vehicles traveling on US-12. The rule specifies what "oversize" loads are in the Nez Perce – Clearwater Forest, from milepost 74 to 174, and the requirements for those loads.

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

RES. NO. WHEREAS, the Idaho Transportation Department has presented draft
ITB16-33 modifications to IDAPA 39.03.11 – Rules Governing Overlegal Permittee
Responsibility and Travel Restrictions – to the Idaho Transportation Board
regarding US-12 in northern Idaho; and

WHEREAS, Department staff has presented the historical context as to why this rule is being modified; and

WHEREAS, the Division of Financial Management has approved the draft rule changes and its advancement to the proposed rulemaking process.

NOW THEREFORE BE IT RESOLVED, that the Board directs staff to submit a Notice of Proposed Rulemaking to the Idaho Office of Administrative Rules regarding modifications to IDAPA 39.03.11, publish it in the September Bulletin, and hold a public hearing.

2017 Proposed Draft Legislation. Mollie McCarty, Governmental Affairs Manager (GAM), presented draft legislation for the License Plate Cost Recovery and Clean-up of Expired Special Plate Programs concept that the Board advanced last month. Based on direction from the Governor's Office, revisions authorizing the Board to set the license plate fee were not incorporated in the draft legislation.

GAM McCarty reported that the Governor's Office discouraged the market-driven fee for commercial drivers' license skills test and motorcycle skills test, so legislation for that concept

was not prepared for the Board's consideration. Staff reviewed the Dealer Advisory Board's (DAB) concept regarding prohibiting individuals who lose their dealers license from obtaining a salesman license. GAM McCarty recommends working with the DAB on this concept to determine if other solutions are available.

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

RES. NO. WHEREAS, the Idaho Transportation Board and the Idaho Transportation
ITB16-34 Department work in concert to develop legislation for the upcoming 2017 Idaho
legislative session; and

WHEREAS, the Board, at the July 28, 2016 Board meeting, reviewed the legislative concepts developed by the Department's staff for advancement in the legislative process; and

WHEREAS, staff submitted the "License Plate Cost Recovery & Clean-up of Expired Special Plate Programs" idea to the Division of Financial Management (DFM) for approval; and

WHEREAS, DFM approved the idea to be advanced to the draft legislation stage of the process.

NOW THEREFORE BE IT RESOLVED, that the Board directs staff to submit the draft legislation for DFM approval.

The consensus of the Board was to work with the industry, particularly the Idaho Trucking Association, to determine its preference for a fixed fee or a market-driven fee for commercial drivers' license skills tests. Chairman Whitehead also suggested checking with other states to determine how their skills test fees are established.

Review of Subcommittee Assignments. In addition to the establishment of the Subcommittee on Local Coordination and Permitting, Chairman Whitehead made changes to the Subcommittee on 129,000 Pound Truck Routes. Member Kempton will continue to chair that subcommittee and Member Horsch will continue to serve on it. A third, rotating member will serve on the subcommittee. Member Coleman will be the main rotating member; however, if the route request is in District 2, 3, or 6, Members Vassar or DeLorenzo or Vice Chairman Gagner would serve, respectively.

New Business. COO Carpenter said ITD works closely with the Department of Commerce on economic opportunities via a Rapid Response Team. The Team is currently working on a major proposal with an out-of-state manufacturing company. The project was given the code name BRICK. He asked the Board to support this potential opportunity by funding improvements to the state highway system. All improvements would be determined by ITD staff and the funding commitment would be not to exceed the current available balance in the Board Unallocated Program for FY17.

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

RES. NO. WHEREAS, the Idaho Transportation Department has yearly funding under ITB16-35 the Unallocated Idaho Transportation Investment Program Fund; and

WHEREAS, these funds are to be used in accordance with Board Policy 4076, Use of Unallocated Idaho Transportation Investment Program Funds; and

WHEREAS, one of the allowable uses is for highway improvements that will enhance Idaho's economic goals; and

WHEREAS, the Department of Commerce is pursuing an economic generator to Idaho's economy through project "BRICK".

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board supports the pursuit of the BRICK project in accordance with Board Policy 4076; and

BE IT FURTHER RESOLVED, that the Board commits currently available FY17 funds up to the amount in the current balance in the Unallocated ITIP fund for state highway improvements as determined by ITD staff for the BRICK project.

CE Allen requested the addition of the Salmon River Road Rock Fall Mitigation project to FY17 of the Federal Land Access Program. Western Federal Lands Highway Division (WFLHD) requested this project, estimated at \$897,000 for mitigation of the rock fall, erosion, and slides. WFLHD will provide \$831,160 and the United States Forest Service will provide the \$65,840 match. ITD will act as the administrator of the project with the Local Highway Technical Assistance Council executing all details of the project via the Stewardship Agreement currently in place.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to ITB16-36 accomplish a current, realistic and fiscally constrained Idaho Transportation Investment Program; and

WHEREAS, the Fixing America's Surface Transportation Act or "Fast Act" requires a list of projects covering a minimum four year period be provided in a federal approved statewide transportation improvement program; and

WHEREAS, the Programming Decisions Committee on which ITD has representation has been actively involved in the process to solicit, review, prioritize, and recommend projects for award of Federal Land Access Program funding; and

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

NOW THEREFORE BE IT RESOLVED, that the Board approves the addition of \$897,000 for Forest Highway 60, Salmon River Road Rock Fall Mitigation to FY17 of the Federal Land Access Program; and

BE IT FURTHER RESOLVED, that staff is authorized to amend the FY16–20 Idaho Transportation Improvement Program accordingly.

Division of Engineering Services Administrator Blake Rindlisbacher said the low bid on key #19779 – S-Canal Bridge 300 North 95 East, Jerome County, was more than 10% over the engineer's estimate, requiring justification. The project is a new form of bridge construction in Idaho, Geosynthetic Reinforced Soil-Integrated Bridge System. Prestressed Slab is one item that appears to be higher than the engineer's estimate. There appears to be an upward trend in the industry towards cost escalations. There have not been enough projects through the bidding process to get good statistical information on this item. Another item that varied was the Removal of Bridge. The engineers' estimate might have under estimated this item. As part of this construction project, there will be two Technology Transfer training classes for the local jurisdictions to see how this type of bridge can be constructed. The classes are using federal grant funds and need to be completed this calendar year. The project will provide an opportunity for local jurisdictions and the industry to learn more about this form of bridge construction. The project sponsor, Jerome Highway District, supports the award of the project and is prepared to cover the additional costs.

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

RES. NO. WHEREAS, the bid opening for the S-Canal Bridge, Jerome Highway District,
ITB16-37 Jerome County project, key #19779, was opened on August 16, 2016 for 2016
construction; and

WHEREAS, the low bid was more than 110% of the engineer's estimate, requiring justification and Idaho Transportation Board approval; and

WHEREAS, due to the timing of the bid opening date and the due date for Board agenda items, the request for this contract award was not available for inclusion in the regular Board packet, but to accommodate the request to seek Board approval as soon as possible, the contract information was presented as a new business item; and

WHEREAS, the Local Highway Technical Assistance Council (LHTAC) has provided justification for the bid and LHTAC and the Jerome Highway District have the necessary funding and would like to expedite the project and move forward with construction as soon as possible.

NOW THEREFORE BE IT RESOLVED, that the Board has determined that it is important to the project and in the best interest of the public to proceed with approval to award the S-Canal Bridge, Jerome Highway District project at 15% over the engineer's estimate to the apparent low bidder: Cannon Builders, Inc. - \$585,763.

Vice Chairman Gagner requested a future presentation on the Transportation Alternatives Program, including the dispensation of unused funds, the make-up of the advisory committee, and the project solicitation process.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:55 PM.

signed

JERRY WHITEHEAD, Chairman
Idaho Transportation Board

Read and Approved
September 22, 2016
Shoshone, Idaho