

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 14, 2016

The Idaho Transportation Board convened at 8:30 AM on Wednesday, December 14, at the Idaho Transportation Department in Boise, 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
Jim Kempton, Member – District 4
Dwight Horsch, Member – District 5
Brian W. Ness, Director
Scott Stokes, Chief Deputy
Larry Allen, Deputy Attorney General
Sue S. Higgins, Executive Assistant and Secretary to the Board

District 3 Member Julie DeLorenzo participated via teleconference.

Chairman Whitehead reported that District 3 employee Byran Bidegain was killed in an accident while on duty yesterday. He expressed sympathy to the family and co-workers.

Board Minutes. Vice Chairman Gagner made a motion to approve the minutes of the regular Board meeting held on November 17, 2016 as submitted. Member Vassar seconded the motion and it passed unopposed.

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

January 18, 2017 – Boise
February 22, 2017 – Boise
March 15-16, 2017 – Boise

Consent Items. Member DeLorenzo made a motion and seconded by Member Horsch to approve the consent calendar.

Member Coleman referenced the request to reject the contract award for the US-95, Ironwood Intersection, Coeur d'Alene project. He understands the complexity of the project and believes the engineer's estimate is too low. Chief Operations Officer (COO) Jim Carpenter suggested approving the rejection with the caveat that staff will review the engineer's estimate. If it supports the estimate, it will reject the bids and re-advertise the project, but if it concurs that the engineer's estimate is too low, staff will request Board approval of the bid next month.

Member DeLorenzo amended the motion to include the contingency on the contract rejection. Member Horsch concurred with the amendment and the motion to approve the following resolution passed unopposed:

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB16-51 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 addition of I-84, East Boise Port of Entry License Plate Readers to FY17; addition of Transit, State Street Corridor Plan, Boise to FY17; the Hammett Business Loop and Union Pacific Railroad Bridge; the consultant agreement exceeding \$1,000,000; the Ora Bridge, Fremont County – HDR extension; the contract awards for approval; and the contract award for rejection with the caveat that staff will review the engineer's estimate and, depending on its findings, may proceed with the rejection or may request Board approval of the contract next month.

1) Addition of I-84, East Boise Port of Entry (POE) License Plate Readers to FY17. Staff requests the addition of the I-84, East Boise POE License Plate Readers, Ada County, to FY17 for \$500,000 and to amend the Statewide Transportation Improvement Program (STIP). The project will allow expedited truck flow for those commercial vehicles not utilizing Idaho Weigh-in-Motion System compatible transponder equipment.

2) Addition of Transit, State Street Corridor Plan, Boise to FY17. Valley Regional Transit was awarded a nationally-competitive grant from the Federal Transit Administration to conduct transit-supportive planning for the State Street corridor, where a bus rapid transit project is being planned. The planning must examine ways to improve economic development and ridership, foster multimodal connectivity and accessibility, improve transit access for pedestrian and bicycle traffic, engage the private sector, identify infrastructure needs, and enable mixed-use development near transit stations. Staff requests the addition of this \$433,000 project to FY17 and to amend the STIP.

3) Hammett Business Loop and Union Pacific Railroad (UPRR) Bridge. The Hammett UPRR Bridge, key #13947, has been companioned with I-84 Business, Hammett Business Loop, key #13930 because of their proximity to each other. The scope of the Hammett UPRR project is to replace the existing railroad bridge. The I-84 Business, Hammett Business Loop project will rehabilitate 3.18 miles of SH-78 and I-84 Business, update guardrail to current standards, and address drainage issues. District 3 negotiated an agreement with HDR for \$1,016,700. Staff requests approval to exceed the consultant agreement amount of \$1,000,000 by \$16,700.

4) Consultant Agreement Exceeding \$1,000,000. Stanley Consultants was selected for the three-phase design of the I-84, I-86 Salt Lake System interchange project, key #18881. Because total project funding is expected to exceed \$1,000,000, staff requests approval to exceed the limit for consultant work up to the \$2,450,000 scheduled in the project.

5) Ora Bridge, Fremont County, Key #12122 – HDR Extension. HDR was selected to perform engineering design services for the replacement of a bridge on East 1300 North west of Ashton in 2010. The environmental document was approved in 2013. In November 2015, Federal Highway Administration (FHWA) questioned environmental issues related to the Ute Ladies Tresses endangered species in the area and required additional studies. The Local Highway Technical Assistance Council requests approval to exceed the \$1,000,000 limit so HDR can perform the additional services, bringing the total contract to \$1,047,400.

6) Contracts for Award. The low bids on the following projects were more than ten percent over the engineer's estimate, requiring justification. Key #19457 – Ashton to Bear Gulch and St. Anthony Business Loop, District 6. The main differences between the engineer's estimate and low bid were in the Special Traffic Control Operation Warranty Seal Coat and Special Warranty Seal Coating items. The engineer's estimate did not account for the urban areas, which will require extra traffic control. Also, a fog coat was added to the seal coat item that could have added to the costs. Staff does not believe a potential for savings exists if the project is re-advertised, so recommends awarding the project. Low bidder: H-K Contractors, Inc. - \$688,333.

Key #11683 – Pence Bridge, Lost River Highway District, District 6. The Mobilization, Granular Borrow, Concrete Class 40-A Schedule Number 1, Special Buck and Pole Fence, and Special Wetland Plantings were the items that varied the most between the engineer's estimate and low bid. The remote project location likely contributed to the higher bids. The project sponsor, Lost River Highway District, recommends awarding the project and is prepared to cover the additional costs. Low bidder: Cannon Builders, Inc. - \$1,781,486.

7) Contract for Rejection. The low bid on key #19509 – US-95, Ironwood Intersection, Coeur d'Alene, District 1, was more than ten percent over the engineer's estimate, requiring justification. The main differences between the engineer's estimate and low bid were in the Excavation, Miscellaneous Pavement, Traffic Signal Installation, Pavement Marking Thermoplastic, Special Multiple Approach Advance Detection System, Special Water-Filled Construction Barrier, and Mobilization items. Two bids were received and were significantly different from one another, creating concern that there was lack of clarity in the bid packet. District 1 recommends rejecting the bids and changing the scope of the project for re-advertisement. Low bidder: Cameron Reilly LLC - \$1,790,145.

Informational Items. 1) State FY17 Financial Statements. Revenues to the State Highway Account from all state sources were ahead of projections by 3.1% at the end of October. Of that total, receipts from the Highway Distribution Account were 2.7% or \$1.8 million more than the forecast. State revenues to the State Aeronautics Fund were ahead of projections by 2%. Operational expenditures were within planned budgets. Personnel costs had a savings of \$5.1 million or 12% due to vacancies and timing between a position becoming vacant and being filled. Contract construction payments of \$117 million to date were the lowest of the past three years.

The balance of the long term investments was \$160.2 million at the end of October. These funds are obligated against construction projects and encumbrances. The combined total of cash and investments is \$224.9 million. FY17 expenditures in the Strategic Initiatives Program Fund were \$29.3 million to date.

2) Monthly Reporting of Federal Formula Program Funding through November. Idaho received obligation authority through December 9 via a continuing resolution. Obligation authority is \$54.4 million. This corresponds to \$54.3 million with match after a reduction for prorated indirect costs. Idaho received apportionments through November 30 of \$294.2 million, which includes Redistribution of Certain Authorized Funds. This is \$2.4 million less than in FY17 Fixing America's Surface Transportation (FAST) Act apportionment tables. Allocations

have not been reduced yet, providing the new congress time to act. Currently, obligation authority is 18.5% of apportionments. Of the \$54.3 million allotted, \$37 million remains.

3) Non-Construction Professional Service Contracts Issued by Business and Support Management (BSM). The BSM Section did not process any professional service agreements in the previous month.

4) Contract Awards and Advertisements. Key #13855 – I-90, District 1 Sign Upgrades, Kootenai County. Low bidder: Pavement Markings Northwest, Inc. - \$1,199,481.

Key #13513 – SH-8, Mill Road Turnbay, Latah County, District 2. Low bidder: Knife River Corporation Northwest - \$581,000.

Key #13861 – US-95, FY18 District 2 Sealcoats. Low bidder: Knife River Corporation Northwest – \$1,224,000.

Key #13878 – US-95, Lewiston to Thorncreek Road Seal, District 2. Low bidder: Knife River Corporation Northwest - \$1,569,500.

Key #19808 – SH-78 and SH-51, FY17 Owyhee County Sealcoats, District 3. Low bidder: Kloepfer, Inc. - \$3,186,008.

Key #13559 – SH-36, Bear River Bridge, Franklin County, District 5. Low bidder: D L Beck Inc. - \$3,403,618.

Key #13395 – SH-51, Snake River Bridge Milepost 76.9 Owyhee/Elmore County, District 3. Low bidder: Cannon Builders Inc. - \$6,008,757.

Key #13466 – SH-55, Eagle Road; I-84 to SH-44, District 3. Low bidder: Geneva Rock Products, Inc. - \$1,452,425.

Key #13463 – SH-44, Junction I-84 to Star, District 3. Low bidder: Staker & Parson Companies dba Idaho Materials - \$5,223,132.

Key #19074 – I-84, Northside Canal Bridge to Interchange #201 Westbound, Jerome County, District 4. Low bidder: Staker & Parson Companies dba Idaho Materials – \$3,997,997.

Key #13550 – I-15, Arimo City Limits to McCammon Interchange, District 5. Low bidder: Knife River Corporation – Northwest - \$8,943,222.

Key #13999 – I-15 and I-86, FY17a District 5 Bridge Repair. Low bidder: D L Beck Inc. - \$2,886,634.

Key #14006 – US-91, Intersection Hansen Lane, Blackfoot, District 5. Low bidder: Knife River Corporation – Northwest - \$342,751.

The list of projects currently being advertised was provided.

5) Professional Services Agreements and Term Agreement Work Tasks Report. From October 29 through November 27, 28 new professional services agreements and work tasks were processed, totaling \$2,436,196. Six supplemental agreements to existing professional services agreements were processed during this period in the amount of \$132,000.

6) Sponsorship of Department Programs. There are no sponsorship agreements at this time.

7) Annual Report on the Outdoor Advertising Program. At the close of federal FY16, there were 1,153 signs, with 10 illegal and 192 non-conforming signs throughout the state. There were two new sign applications during the fiscal year. An FHWA report noted that the number of illegal signs identified in Districts 3 and 6 were considered to be moderate. It also expressed concern regarding the way ITD has been carrying out its Outdoor Advertising procedures. ITD has expanded responsibilities with the National Highway System routes, including taking inventory of these new routes, measuring the level of compliance with existing policies, and working with the local jurisdictions to bring the system into FHWA standards.

Director's Report. Director Ness emphasized the dangers that many ITD employees face every day as part of their job. He expressed sympathy to Byran Bidegain's family and requested a moment of silence in his honor.

Director Ness summarized the Department's activities in 2016. Some of the highlights included the progress made on the Division of Motor Vehicles' modernization project; the construction of the US-20, Thornton Interchange and US-20, Broadway Bridge; staff's impressive response to the SH-14 slide; the successful Western Association of State Highway and Transportation Officials' Emerging Leaders Program; innovations; and awards. Director Ness also mentioned COO Carpenter's upcoming retirement and thanked him for over 30 years of commendable service.

COO Carpenter said the US-20, Thornton Interchange project has essentially been completed. The administrative record for the legal action for the US-95, Thorncreek to Moscow project should be submitted to FHWA next month. Work on the US-95, Council Alternate Route was delayed because of weather, so it has not been opened to traffic yet. Expenditures are continuing on the revenue from HB312, with \$39 million paid out. Of the \$54.7 million from the Surplus-Eliminator, \$35 million has been paid out. Staff has completed 61% of the project delivery goal and expects to meet the target of having all projects bid by April 1, 2017. COO Carpenter thanked the Board for its support and the opportunities he has had during his career.

Chairman Whitehead thanked COO Carpenter for his exemplary service to ITD.

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

Flexibility of Federal Formula Funds for the State Highway System. Financial Manager, Financial Planning and Analysis (FMFP&A), Joel Drake summarized the federal formula funds that are available for maintenance, safety, and capacity. Of the over \$243 million available in FY17 with match, over \$228 million can be used for maintenance, \$240 million can be used for safety projects, and \$236 million can be used to increase capacity.

Chairman Whitehead thanked FMFP&A Drake for the summary on the federal funds.

Project Availability and Grant Opportunities. Engineering Services Division Administrator (ESDA) Blake Rindlisbacher said in addition to formula funding, the U.S. Department of Transportation occasionally makes funding available through competitive discretionary grant programs. Two recent programs are Fostering Advancements in Shipping and Transportation for the Long-term Achievement of National Efficiencies (FASTLANE) and Transportation Investment Generating Economic Recovery (TIGER). Both of these programs follow a national prioritization process and the expectation that the funding will be obligated for construction in no more than 18 months. Because ITD does not have a current backlog of projects that are designed and ready for construction, receiving a grant opportunity or the addition of new funding would require an expedited development process and would impose additional strain on ITD's resources. He presented a list of projects that are not currently in the STIP that may be good candidates for grant opportunities. Staff has developed a benefit/cost ratio for the proposed projects.

Some Board members expressed concern with identifying too many projects because that can result in unrealistic expectations that those projects will be constructed; however, they also recognize the importance of having projects ready to utilize additional funding if the opportunity arises.

In response to a question on efforts needed to get the proposed list of projects ready for construction, ESDA Rindlisbacher said there are two main factors: if right-of-way needs to be acquired and if environmental work needs to be completed.

Member Kempton questioned the validity and accuracy of the benefit/cost ratios, especially the economic factors. Vice Chairman Gagner asked if the three criteria – safety, mobility, and economic opportunity – are weighted evenly. The consensus of the Board was to have a future presentation on the TREDIS model that is used to determine the benefit/cost ratio.

Chairman Whitehead thanked ESDA Rindlisbacher for the presentation.

Statewide Freight Strategic Plan. Freight Program Manager (FPM) Jeff Marker said the Department has been working on a Statewide Freight Strategic Plan since July 2015. It was developed partly with guidance from the Freight Advisory Committee (FAC) and participants of the February 2016 Idaho Freight Summit. The Plan provides a multimodal study on freight's impact to Idaho's economy, an analysis of the current network, a highway safety analysis, a discussion on freight related policies, and an implementation plan. The implementation plan includes a budget constrained project list and critical rural and urban freight corridors that help define how ITD utilizes federal freight formula funds. Idaho can nominate 150 miles of roads as Critical Rural Freight Corridors and 75 miles as Critical Urban Freight Corridors. FPM Marker requested approval of the Plan, which is a requirement of the federal FAST Act. He also said the FAC is to provide an annual report to the Board on its activities. The majority of the Committee's time has been devoted to developing the Freight Strategic Plan.

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

RES. NO. WHEREAS, on June 29, 2012, the United States Congress passed the Moving
ITB16-52 Ahead for Progress in the 21st Century (MAP-21); and

WHEREAS, it requires the United States Department of Transportation to encourage each state to develop a comprehensive plan for its immediate and long-range freight-related planning and investment; and

WHEREAS, on July 23, 2015, the Idaho Transportation Department (ITD) and Cambridge Systematics initiated development of the Idaho Statewide Freight Strategic Plan; and

WHEREAS, on December 3, 2015, the United States Congress passed the Fixing America's Surface Transportation (FAST) Act requiring states develop freight plans with a budget constrained project list and critical urban and critical rural freight corridors; and

WHEREAS, Cambridge Systematics, ITD, and the Freight Advisory Committee with stakeholder recommendations from the Idaho Freight Summit, developed a budget constrained freight project list and critical rural and critical urban freight corridors; and

WHEREAS, the Idaho Freight Advisory Committee agreed to the final content and recommendations within the Statewide Freight Strategic Plan; and

WHEREAS, ITD coordinated the critical rural and urban freight corridors with the Idaho Metropolitan Planning Organizations, as required within the FAST Act; and

WHEREAS, the Metropolitan Planning Organizations concurred with the recommended critical rural and critical urban freight corridors.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the Idaho Statewide Freight Strategic Plan with the budget constrained project list and critical rural and critical urban freight corridors.

Chairman Whitehead thanked FPM Marker for the presentation and for his efforts to develop this important Plan.

Member Horsch left the meeting at this time.

Member DeLorenzo discontinued the teleconference at this time.

129,000 Pound Truck Route Request. Chief Engineer (CE) Kimbol Allen expressed appreciation to FPM Marker for compiling the Freight Strategic Plan and congratulated him for finalizing it approximately one year ahead of the federally-required submission date.

CE Allen said Transystems submitted an application to designate SH-39, milepost 1.72 to 52.92 as a 129,000 pound truck route. The applicant expects a reduction of 8,000 truck trips annually if it can haul up to 129,000 pounds. The Division of Motor Vehicles confirmed that SH-39 falls under the red route category allowing 115-foot overall vehicle length and a 6.5-foot off-track. The bridge analysis determined that the 16 bridges on the route will safely support vehicle combinations up to 129,000 pounds, assuming the axle configuration conforms to the legal requirements.

CE Allen said District 5's analysis of the route indicates the roadway is generally in good to fair condition; although 21% of the route is considered deficient based on cracking, roughness or rutting. Projects are scheduled in 2018 and 2020 to address those deficiencies. He does not believe designating this route for commercial vehicles up to 129,000 pounds would adversely affect safety nor have a significant effect on the life of the pavement. Four comments were received with three in support of the route request and one in support with conditions on enforcement and local road approval. CE Allen said he recommends approving the route.

Member Vassar said she participated in the Subcommittee on 129,000 Pound Truck Routes' review of the application yesterday. Although there was some concern with safety, that should be mitigated by the reduction in truck trips. She said that the Subcommittee supports the designation of SH-39 as a 129,000 pound truck route.

Member Vassar made a motion, seconded by Member Coleman, and passed 4-0, to approve the following resolution:

RES. NO. WHEREAS, Senate Bill 1117 was enacted in 2013 allowing the Idaho
ITB16-53 Transportation Board to designate state highways for permitted vehicle
 combinations up to 129,000 pounds upon request; and

WHEREAS, the Board established a Subcommittee on 129,000 Pound Truck Routes to implement provisions of the legislation; and

WHEREAS, the Idaho Transportation Department has received a request for a 129,000 pound route in District 5: SH-39, Milepost (MP) 1.72 to 52.92; and

WHEREAS, the Chief Engineer and ITD staff received the application and reviewed the proposed route by conducting an engineering and safety analyses of the route; and

WHEREAS, upon completion of the engineering and safety analyses, a 30-day public comment period was held, including an opportunity for verbal testimony, and four comments were received with three in support, and one in support with conditions on enforcement and local road approval; and

WHEREAS, the Chief Engineer presented his analysis to the Board Subcommittee on 129,000 Pound Truck Routes at its meeting on December 13, 2016, with a recommendation to approve the route; and

WHEREAS, after the Board Subcommittee reviewed the Chief Engineer's analysis and public comments, it passed a motion to approve the route request; and

WHEREAS, the Chief Engineer and the Board Subcommittee presented their analyses and recommendations to the full Board at the regularly scheduled Board meeting of December 2016.

NOW THEREFORE BE IT RESOLVED, that the Board accepts the Chief Engineer's analysis and recommendation on the SH-39, MP 1.72 to MP 52.92 route and the recommendation of approval from the Board Subcommittee; and

BE IT FURTHER RESOLVED, that the Board directs the Chief Engineer to issue a Letter of Determination that approves the referenced route request in District 5.

Member Horsch rejoined the meeting at this time.

Surplus Real Property. Justin Pond, Right-of-Way Program Manager, said ITD's property has been reviewed and identified as surplus as appropriate. Efforts are underway to dispose of surplus parcels. In the future, a concerted effort will be made to dispose of surplus property in a timely manner, as continued ownership of unused property adds to the maintenance and management responsibilities and consumes valuable resources. It is also important to dispose of these properties to reduce liabilities, realize potential revenue, and put properties back on the tax rolls. He presented revisions to Board Policy 4005 Management of Department-Owned Property and a new corresponding Administrative Policy 5005 Management of Department-Owned Real Property. Policy 5005 requires a biennial report to the Board on the status of surplus properties.

Member Coleman made a motion to approve revisions to Board Policy 4005 Management of Department-Owned Property. Vice Chairman Gagner seconded the motion and it passed unanimously.

Member Coleman made a motion to concur with Administrative Policy 5005 Management of Department-Owned Property. Member Kempton second the motion and it passed unopposed.

Policy Introduction. ESDA Rindlisbacher presented Administrative Policy 5542 Asbestos Management – Structure Renovation and Demolition, a new policy to provide guidance on structures that contain or may contain asbestos.

Vice Chairman Gagner made a motion to concur with Administrative Policy 5542 Asbestos Management – Structure Renovation and Demolition. Member Coleman seconded the motion.

Member Kempton questioned allowing a 30-day review period for the proposed policy. Due to the importance of this subject, Chairman Whitehead supported a review period. Member Coleman concurred and suggested having a consultant review the policy.

Chief Administrative Officer Char McArthur proposed revisions to Board Policy 4017 Office of Internal Review and Administrative Policy 5017 Office of Internal Review in response to an earlier briefing to the Board Subcommittee on Audits. The intent is to change the Office's focus to risk assessment.

Member Kempton requested more information before taking action on the policy changes, including the proposed structure of the Office of Internal Review.

Intra-state Air Service Improvement Opportunities. Aeronautics Administrator (AA) Mike Pape provided a historical overview on intra-state commercial air service. Currently, the only route is between Lewiston and Boise, even though the state has seven commercial airports. Although Idaho Falls expressed some interest in establishing commercial air service with Boise, generally the commercial airports are more interested in adding frequency to existing routes, adding new routes, and starting new services. Considerations for airlines are the pilot shortage; the fact that many small, rural communities are seeking air service; the lack of regional carriers; and small aircraft result in small profits.

AA Pape acknowledged the difficulty of expanding intra-state air service, but added that there are some options that airports can explore. Chambers of Commerce may be receptive to subsidizing service, some federal grants are available through the Small Community Air Service Development Program, and a local option tax is available for some communities.

Chairman Whitehead thanked AA Pape for the report.

Annual Dealer Advisory Board (DAB) Report. DAB Member Grant Petersen Jr. provided an update on the Idaho Consumer Asset Recovery Fund. The Fund's balance as of November 30, 2016 was over \$1 million. Based on the current fees received, the fund should reach its maximum funding level of \$2 million in approximately August 2019. To date, there have been no claims to the Fund, which requires a court judgment to be awarded to the consumer. The DAB is looking into the issue of insurance payouts for vehicles that have been totaled. The insurance company usually makes the total loss payout directly to the vehicle owner, ignoring the fact that there may be a lien on the vehicle, making it difficult for the lien holder to recover any money. The DAB also provided assistance with the implementation of a number of odometer practices in an attempt to combat odometer fraud and rollbacks. It has also been working on ways to increase the industry's credibility by exploring ways to keep disreputable dealers and unlicensed dealers out. It will continue to look for means to streamline and improve the industry and motor vehicle programs.

Chairman Whitehead thanked DAB Member Petersen for the report and for his service on this important board.

Informal Luncheon with the Trucking Advisory Council (TAC). The Board visited informally with the TAC members during lunch. Some of the topics of discussion were the Strategic Freight Plan, roundabouts, 129,000 pound truck routes, and concern with language in an administrative rule related to oversize vehicles operating in hazardous conditions.

TAC Annual Report. TAC Chairman John Pocock said overall the Council supports 129,000 pound truck routes, which enhances the industries' competitiveness. He expressed appreciation to staff for reviewing and addressing the safety concerns at some roving port of entry sites. He relayed concerns with bicyclists on highways, especially on windy roads with limited sight distance and/or no shoulders. He encouraged educating bicyclists and motorists on sharing the road and raising awareness about the dangers. Other topics of concern are the round-about in Caldwell and hazardous conditions for oversize vehicles. The TAC is working on language to modify the administrative rule to address the latter issue.

Chairman Whitehead thanked Chairman Pocock for the report and for the valuable service the TAC provides.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 1:50 PM to discuss personnel and legal issues as authorized in Idaho Code Section 74-206 (a), (b), and (f). Member Horsch seconded the motion and it passed 5-0 by individual roll call vote.

The legal matters discussed related to agencies' authority, access issues, a construction contract, and operations.

The personnel matters related to the hiring of an employee and the performance of an employee.

The Board came out of executive session at 3:00 PM.

Resolution Number ITB16-32. COO Carpenter referenced Resolution Number ITB16-32. The resolution authorized a cooperative agreement with Madison County and required ITD to provide \$500,000 in federal funds for local system improvements by mutual agreement of the Department and County. The two entities have agreed to use these funds to construct a frontage road between the Thornton Interchange and 4300 West Road. The frontage road will enhance access to the local community and businesses. He requested approval to increase the amount to \$700,000 and to permit an exception to the Surface Transportation Program Rural Exchange Program by a one-time increase in the cap for FY17 from \$4,540,295 to \$5,240,295. This will provide Madison County increased flexibility in funding its project.

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

RES.NO. WHEREAS, the Idaho Transportation Board approved ITB16-32 on August 18,
ITB16-54 2016; and

WHEREAS, ITB16-32 authorized an agreement with Madison County to provide \$500,000 in federal funds for local system improvements by mutual agreement of the Idaho Transportation Department and Madison County; and

WHEREAS, Madison County and the Department have developed a mutual agreement to enhance access in the County for the local community and businesses.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes an increase in the amount of federal aid by \$200,000 to complete the cooperative agreement and complete Board Resolution ITB16-32; and

BE IT FURTHER RESOLVED, that the Board will authorize a one-year increase on the cap on funds that may be exchanged under Board Policy 4030 to \$5,240,295 to permit flexibility in funding for Madison County's construction of a frontage road per the cooperation agreement.

FY16 Redistribution Funds, Safety Projects. Caleb Lakey, Transportation System Manager (TSM), said \$6.4 million of the FY16 federal redistribution funds were targeted for safety projects. Staff and the Local Highway Technical Assistance Council developed a list of recommended projects based on the benefit/cost ratio. The recommendation includes funding Transportation Alternatives Program projects in the amount of \$1,534,726 with match, cooperative Highway Safety Improvement Program and Local Highway Safety Improvement Program projects for \$2,625,789, Local Highway Safety Improvement Program projects for \$1,198,000, and \$1,359,100 for Strategic Initiatives Program projects.

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

RES.NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
ITB16-55 to publish and accomplish a current, realistic, and fiscally constrained five year
Idaho Transportation Investment Program; and

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

WHEREAS, the Idaho Transportation Board approved Resolution 16-39 on September 12, 2016; and

WHEREAS, Department staff has worked cooperatively with Local Highway Technical Assistance Council staff to call for, compare, and recommend appropriate safety projects; and

WHEREAS, the list of qualifying projects has been compiled based on safety, capital improvements, and benefit to cost ratio; and

WHEREAS, the ITD staff is prepared to incorporate these projects into the approved Statewide Transportation Improvement Program.

NOW THEREFORE BE IT RESOLVED, that \$6,424,000 of the total \$21,748,000 FY16 August Redistribution, be approved to fund the projects presented, with the Local Highway Safety Improvement Program projects shown as Exhibit 478, which is made a part hereof with like effect; and

BE IT FURTHER RESOLVED, that the Board approves the staff request that the adjustments be made to FY17 of the program and that the FY17 – 21 Statewide Transportation Improvement Program be amended accordingly.

Chairman Whitehead thanked TSM Lakey for the presentation.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:15 PM.

signed

JERRY WHITEHEAD, Chairman
Idaho Transportation Board

Read and Approved
January 18, 2017
Boise, Idaho