The Idaho Transportation Board convened at 12:18 PM on Wednesday, April 17, 2019 at Lewis Clark State College in Lewiston, Idaho. The following principals were present:

Jerry Whitehead, Chairman  
Jim Kempton, Vice Chairman – District 4  
James R. Thompson, Member – District 1  
Janice B. Vassar, Member – District 2  
Julie DeLorenzo, Member – District 3  
Dwight Horsch, Member – District 5  
Bob Hoff, Member – District 6  
Brian Ness, Director  
Tim Thomas, Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 12:18 PM to discuss personnel and legal issues as authorized in Idaho Code Section 74-206(b), (c) and (f). Vice Chairman Kempton seconded the motion and it passed 6-0 by individual roll call vote.

The discussions on personnel matters related to disciplinary issues. The discussions on legal matters related to operations.

The Board came out of executive session at 1:30 PM.

Safety Share. Ty Winther, Moscow Maintenance Foreman, explained the “stop the bleed program” that provides first-aid training to employees so they are able to provide medical assistance to injured people.

Chairman Whitehead thanked Mr. Winther for the message.

Review of Subcommittee Assignments. Chairman Whitehead made the following subcommittee assignments: Subcommittee on Adjustments to the State Highway System – Vice Chairman Kempton, chair, and Member Hoff; Subcommittee on Audits - Member DeLorenzo, chair, and Member Vassar; Subcommittee on Policies – Member Vassar, chair, and Member DeLorenzo; Subcommittee on 129,000 Pound Truck Routes – Member Horsch, chair, and Member Thompson. A third member will participate determined on a meeting-by-meeting basis.

Board Minutes. Member DeLorenzo made a motion to approve the minutes of the regular Board meeting held on March 21, 2019 as submitted. Member Vassar seconded the motion and it passed unopposed.
Board Meeting Dates. The following meeting dates and locations were scheduled:
May 15-16, 2019 – District 5
June 19-20, 2019 – District 6
July 17-18, 2019 – District 4

Chairman Whitehead welcomed Senator Dan Johnson to the meeting.

Consent Items. Member DeLorenzo made a motion, seconded by Member Hoff, and passed unopposed, to approve the following resolution:
RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-
ITB19-10 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 revisions to Board Policy 4008 Open Meeting Requirements and concurs with the creation of Administrative Policy 5008 Open Meeting Requirements; the Freight Advisory Committee membership appointment; the distribution of FY19 Highway Infrastructure Program funds; changes to Stoddard Path Extension Phase 2; the removal of Five Mile Creek Pathway and increase SH-55, Bike/Pedestrian Bridge project; modifications to the Transportation Alternatives Program – Urban/Rural; modifications to the Rail-Highway Crossing Program; and consultant agreements.

1) Revisions to Board Policy 4008 Open Meeting Requirements and a New Corresponding Administrative Policy. Board Policy 4008 Open Meeting Requirements is being revised to incorporate changes made to the open meeting law last year and to update the list of groups that are to follow the open meeting requirements. Extensive language in the Board Policy is being removed. It is being updated and placed in a new corresponding Administrative Policy because most of that language is procedural requirements, such as posting meeting notices and agendas. Staff recommends approving revisions to Board Policy 4008 Open Meeting Requirements and concurring with the new corresponding Administrative Policy 5008 Open Meeting Requirements.

2) Freight Advisory Committee (FAC) Membership Appointment. Staff recommends appointing Scott Larson with Union Pacific Railroad to the FAC as the rail industry representative for a term from April 2019 to December 2020; and re-designating current member Winston Inouye from the rail industry representative to a member at large with a term from February 2018 to December 2019.

3) Distribution of FY19 Highway Infrastructure Program Funds. Last month the Federal Highway Administration notified Idaho that its apportionment of the $2.729 billion Highway Infrastructure Program was $19,902,769. These are one-time funds not subject to obligation limitation. The funds are available immediately and are subject to the standard federal participation rates. There are some limits to project eligibilities and some funds are to be sub-allocated by population-based areas. Staff recommends distributing the funds as follows:

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$2,397,468 to the Transportation Management Area; $1,253,874 to Urban areas; $1,253,874 to Rural areas through the Local Highway Technical Assistance Council (LHTAC); and $14,997,552 to ITD.

4) Changes to Stoddard Path Extension Phase 2, Nampa. Last month the Board approved advancing the design funding of the Local, Stoddard Path Extension Phase 2, Nampa project, key #22070 from FY20 to FY19 and adding the funds to the Local, Stoddard Path Extension Phase 1, Nampa project, key #22050 for a total of $132,146. It was discovered that this move created an issue by exceeding the federal aid limit set for these project types. To correct this, staff requests approval to increase the FY19 Stoddard Path Extension Phase 2, Nampa project, key #22070 and decrease the Stoddard Path Extension Phase 1, Nampa project, key #22050 design funds by $66,460. There is no change to the overall cost of the two-phased project.

5) Remove Five Mile Creek Pathway, Meridian and Increase Bike/Pedestrian Bridge Over Boise River, Eagle. The City of Meridian requests the Transportation Alternatives Program (TAP) Transportation Management Area funding of $104,000 be withdrawn from its FY22 Five Mile Creek Pathway project, key #19828. Staff recommends increasing the FY23 SH-55, Bike/Pedestrian Bridge Over Boise River, Eagle project, key #20841 by $104,000 in the TAP.

6) Modify the Transportation Alternatives Program – Urban/Rural. Staff requests the following program modifications in TAP to assist the LHTAC and local sponsor of each project: withdraw the FY17 $395,000 Seltice Way Sidewalk, Coeur d’Alene project, key #18913 and the FY17 $6,000 Core Downtown Sidewalks, Ketchum project, key #18910; and advance the following projects: FY20 $452,252 Cambridge Sidewalk and Drainage, key #22053 to FY19; FY20 $200,000 Depot Street Improvement, Driggs, key #22066 to FY19; FY21 $562,492 Main Street, Avenue C to Avenue A, Kuna, key #20143 to FY20; and FY21 Stoddard Path Extension Phase 2, Nampa, key #22070 for $472,606 to FY20.

7) Modify the Rail-Highway Crossing Program. Staff requests the following changes to the Rail-Highway Crossing Program: delay the FY19 Offsystem, Look Lane Union Pacific Railroad (UPRR) Railroad Crossing, Caldwell project, key #20355 for $575,000 to FY20; advance the FY20 STC-6862, A2 Highway/2nd Street Kilgore Road UPRR Railroad Crossing, Dubois project, key #20410 for $250,000 to FY19; delay the $200,000 FY18 SMA-8433 11th Avenue North Boise Valley Railroad Railroad Crossing, Nampa project, key #20692 to FY19; add the $75,000 FY19 US-26B, Surface Repair Eastern Idaho Railroad Railroad Crossing, Bonneville County project; increase the $190,000 FY21 SH-41, East Prairie Avenue to Lancaster Road, Kootenai County project, key #20098; increase the $30,000 FY16 21st Avenue, Cleveland to Chicago, Caldwell project, key #13052; increase the $25,000 FY18 US-93, Poleline Road Extension RITT Railroad Crossing, Filer Highway District project; and decrease the $195,000 FY16 STC-6803 South Yellowstone Railroad Crossing, Fremont County project, key #13580.

8) Request to Approve Consultant Agreements. In accordance with Board Policy 4001 Authority to Sign Contracts, Agreements, and Grants and Requirement to Report Certain Contracts, staff requests approval to exceed the $1,000,000 agreement limit for the following projects: key #10005, Pleasant View Interchange for supplemental design work with HDR Engineering for $470,000 for a total of $2,400,000; key #12964, Alderson Lane to Kootenai
River/Railroad Bridge for additional construction engineering and inspection services with David Evans and Associates for $150,000 bringing the total to $1,106,000; and keys #19973 and #20191, I-84 Declo Port of Entry Eastbound and Westbound for design work with Stanley Consultants for $1,117,000 for a total of $1,800,000.


Key #19324 – FY19 South Bannock County Pavement Preservation, District 5. Low bidder: Kloepfer Inc. - $4,084,537.

Key #20687 – SH-41, Roberts Cutoff Road to Old Priest River Road, District 1. Low bidder: Interstate Concrete & Asphalt Co. - $1,322,771.


The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From March 1 through March 28, 31 new professional services agreements and work tasks were processed, totaling $12,681,594. Nine supplemental agreements to existing professional services agreements were processed during this period in the amount of $687,906.

3) Report of Speed Minute Entry Changes. The following speed minute entry changes were processed in District 3 in April:

<table>
<thead>
<tr>
<th>Route</th>
<th>Beginning Milepost</th>
<th>Ending Milepost</th>
<th>Old Speed Limit</th>
<th>New Speed Limit</th>
</tr>
</thead>
<tbody>
<tr>
<td>SH-21</td>
<td>0.410</td>
<td>0.800</td>
<td>55</td>
<td>45</td>
</tr>
<tr>
<td>I-84</td>
<td>24.240</td>
<td>25.500</td>
<td>80</td>
<td>65</td>
</tr>
<tr>
<td>I-84</td>
<td>24.240</td>
<td>25.500</td>
<td>70 (trucks)</td>
<td>65</td>
</tr>
</tbody>
</table>

4) State FY19 Financial Statements. Revenues to the State Highway Account from all state sources were ahead of projections by 4.9% at the end of February. Receipts from the Highway Distribution Account were 4.4% or $6.3 million more than forecast. State revenues to the State Aeronautics Fund were ahead of projections by 24%, or $468,000. Expenditures were within planned budgets. Personnel costs had savings of $8.4 million or 10% due to reserves for horizontal career path increases, vacancies, and timing between a position becoming vacant and being filled. Contract construction cash expenditures of $325.3 million through February exceeded any from the past three years.
The balance of the long term investments was $136.7 million at the end of February. These funds are obligated against construction projects and encumbrances. The long term investments plus the cash balance of $68 million totals $204.7 million. Expenditures in the Strategic Initiatives Program Fund through February were $13.1 million. Deposits into the Transportation Expansion and Congestion Mitigation Fund were $11.4 million year-to-date.

5) Monthly Reporting of Federal Formula Program Funding through March. Idaho received obligation authority of $289.5 million through September 30. This corresponds to $286.9 million with match after a reduction for prorated indirect costs. Notice of the receipt of $19.9 million of FY19 Highway Infrastructure General Funds was received on March 18. Because Board approval of the distribution of those funds had not occurred before this information was compiled, those funds are not included in this report. Idaho has received apportionments via notices through March 11, 2019 of $321.3 million, which includes Redistribution of Certain Authorized Funds and Highway Infrastructure General Funds carried over from last year. Obligation authority is 90.1% of apportionments. Of the $286.9 million allotted, $140.3 million remains.

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

Shift: Youth Focus. Highway Safety Manager (HSM) John Tomlinson said youthful drivers between the ages of 15 and 19 continue to be overrepresented in motor vehicle crashes. There were 31 people killed in crashes involving youthful drivers in 2017. This year’s Highway Safety Summit included a session dedicated to youthful drivers.

Idaho State Police Officer Richard Adamson elaborated on his outreach to engage youth. He is working on increasing the number of high schools that participate in seat belt challenges and is making a concerted effort to increase participation in the Alive at 25 Program.

Chairman Whitehead thanked the gentlemen for the report and for their efforts on this important program.

Zero Fatalities Award. HSM Tomlinson recognized Clearwater County for recording zero highway fatalities in 2018. He congratulated the County sheriff and commissioners, Idaho State Police, and the Orofino maintenance crew for their efforts and dedication to highway safety.

Delegation – Nez Perce Tribe (NPT). Chairman Whitehead stated that the Board traveled to the Clearwater River Casino and Lodge last night to view the entrances to the facility.

NPT Executive Director Rebecca Miles thanked the Board for its time and for visiting the Clearwater River Casino and Lodge last night. She emphasized the importance of highway safety and asked the Board to temporarily lower the speed limit in front of the casino.

NPT Transportation Planner Mary Beth Frank Clark said she did some research on temporarily lowering the speed limit, and acknowledged that enforcement is important for
compliance with the speed limit. Lowering the speed limit from 65 miles per hour to 55 miles per hour from the casino west to the existing 45 mile per hour limit would delay motorists by approximately 90 seconds. The Tribe realizes that constructing an interchange is the best solution, and has spent almost $2 million so far on that project. It intends to apply for a grant to construct the interchange, although the source of the required match has not been identified.

John Watson with J-U-B Engineers said the design on an interchange started about ten years ago. Due to some environmental concerns, a different alternative had to be considered. The goal is to have the project ready for Plans, Specifications, and Estimates by February 2020. He added that the District 2 staff has been very helpful and good to work with.

Chairman Whitehead thanked the delegation for the remarks.

**US-95 and Clearwater River Casino and Lodge.** District 2 Engineering Manager (EM) Doral Hoff said approximately 12,500 vehicles travel by the Clearwater River Casino and Lodge on US-95/US-12 daily. The casino opened in 1996 and a traffic impact study completed in 1999 identified the need for an interchange. He summarized crash history at the facility, which is mainly related to left turns, and the results of a road safety audit conducted earlier this year.

Division of Engineering Services Administrator (DESA) Blake Rindlisbacher summarized the process to set speed limits. Nationally, the safest speed has been determined as the speed that 85% of motorists travel at or below. Variation in motorists’ speeds generally causes problems. He shared Idaho’s experience when speed limits were not set in accordance with the 85th percentile. He does not recommend lowering the speed limit in front of the casino; however, he proposed another solution that he believes will be more beneficial. Currently, at the east approach, westbound vehicles in the right turn deceleration lane can block the view of through traffic. Motorists turning left out of the casino may not see the shadowed vehicle. By offsetting the deceleration lane by two feet and moving the stop bar up for motorists leaving the casino and turning east onto US-95, drivers should be able to see approaching through traffic. This is a fairly inexpensive project that mainly involves striping activities. EM Hoff added that the District has the resources to do this.

Member Horsch questioned motorists drifting over a solid white line if there is no curb. DESA Rindlisbacher acknowledged that drifting may occur, but curbs are hard on snowplows. He added that staff can monitor the proposed changes and revisit them if drifting is a problem.

Chairman Whitehead expressed support to adjust the deceleration lane and advance the stop bar. He asked if the Sales Tax Anticipation Revenue Act may be a funding source for the interchange because the Tribe collects sales tax. Member DeLorenzo responded that she believes the STAR Act applies to new development, and is not available for an existing business.

Vice Chairman Kempton made a motion to expedite the offset of the westbound US-95 deceleration lane by two feet and move the stop bar up for east-bound motorists leaving the casino. Member Vassar seconded the motion.
Deputy Attorney General Thomas recommended the Board not take action. Although the meeting agenda indicates the item is an action item, the board agenda item that staff submitted in the meeting packet indicates the item is for discussion, not action.

Vice Chairman Kempton withdrew his motion.

Member Vassar noted that the Board appeared to support the project, and Chairman Whitehead added that staff can proceed with the recommended project, as re-striping the highway does not require Board approval.

Threshold for Agreements Requiring Board Approval. DESA Rindlisbacher provided background on the requirement for Board approval for agreements exceeding $1,000,000. Under the current policy, staff anticipates approximately 64 projects in the current 2022-2025 Idaho Transportation Investment Program would exceed the threshold and require Board approval.

The consensus of the Board was that it is important for it to review and approve these consultant agreements, so it did not recommend any changes to the current policy.

Adopt-A-Highway (AAH) Presentation. Member Vassar thanked the Orofino Rotary Club for participating in the AAH Program. The group has been picking up litter along two sections of SH-7 for over 20 years.

Public Transportation Advisory Council (PTAC) District 1 Member. Grants/Contracts Officer Drew McGuire said the District 1 PTAC member resigned late last year. Applications to fill the vacated position were solicited and the Department received three. At its meeting last month, PTAC reviewed all applicants and determined that all three are qualified to fill the vacated position. The term will expire June 30, 2021.

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

RES. NO. WHEREAS, Idaho Statute 40-514 establishes the Public Transportation Advisory Council (PTAC); and
ITB19-11 WHEREAS, the PTAC shall be comprised of six (6) members representing the six (6) Idaho Transportation Department Districts to be appointed by the Idaho Transportation Board; 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 position in District 1 with three submitted applications; and

WHEREAS, the Public Transportation Office solicited public comment on the submitted applications from January 3, 2019 to February 2, 2019; and

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WHEREAS, the submitted applications and associated public comments were reviewed by the PTAC at its March 2019 meeting where the council determined all applicants were qualified to fill the vacant District 1 position.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board has determined to appoint Ryan Luttmann for the District 1 PTAC position for a term from April 18, 2019 through June 30, 2021.

Public Transportation One-Time Funding Project Recommendations. Grants/Contracts Officer Juanita Risch said ITD issued a call for projects for the $3,868,727 available in one-time federal funds, with a local match requirement. It recommends funding $2,372,138 for projects at this time and moving the remaining funds to the next application cycle.

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

RES. NO. WHEREAS, the Public Transportation Office is charged with soliciting, ITB19-12 reviewing, and programming public transportation projects in the rural areas of Idaho; and

WHEREAS, the Idaho Transportation Board serves as the final approver of Federal Transit Administration (FTA) funded projects in Idaho before being submitted to FTA; and

WHEREAS, the funding sources include three FTA grants, the 5310 Elderly and Disabled, 5311 Rural Formula, 5339 Bus and Bus Facilities and 5311(f) Intercity Bus; and

WHEREAS, these are one-time funds with a sub-recipient match on all projects; and

WHEREAS, the Public Transportation Office has solicited, reviewed, provided for public comment, presented and received unanimous concurrence from the Public Transportation Advisory Council on the proposed projects.

NOW THEREFORE BE IT RESOLVED, that the Board acknowledges the projects proposed, as shown as Exhibit #507, which is made a part hereof with like effect, and approves them in the amount of $2,372,138 for submittal to the FTA for final approval; and

BE IT FURTHER RESOLVED, that these one-time projects are submitted for modification to the FY19-25 Statewide Transportation Investment Program.

Annual Employee Compensation Plan. Chief Human Resource Officer (CHRO) Brenda Williams said the legislature approved a 3% change in employee compensation for state agencies in FY20; however, a minimum increase of $550 or $0.27 per hour per employee is required and the remaining amount is to be distributed based on merit. The Division of Human Resources and
Division of Financial Management provided additional guidance to state agencies. CHRO Williams outlined ITD’s plan.

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

RES. NO. ITB19-13 WHEREAS, the legislature and Governor have approved funding for a 3% change in employee compensation (CEC) for state agencies in fiscal year 2020 and directed that a portion of that amount be used to provide no less than $550 per year increase for permanent state employees; and

WHEREAS, the Idaho Transportation Department’s FY19 and FY20 CEC plan has been developed in accordance with the guidelines provided by the Division of Financial Management and Division of Human Resources; and

WHEREAS, Department staff presented the details of and implementation plan for the proposed CEC plan, including eligibility requirements, to the Idaho Transportation Board at its April 17, 2019 meeting.

NOW THEREFORE BE IT RESOLVED, that the Board approves the Department’s FY19 and FY20 CEC Plan, with the basic components as follows:
- A $550 per year ($0.27 per hour increase) permanent increase to employees;
- A performance-based merit increase for employees that have an Achieves Performance Standards or higher performance rating ranging from 1% to 3.4% based on the performance rating and the compa-ratio;
- An additional 10% increase to employees in classifications with compression, high turnover, or retention difficulties: and
- A step rate (dollar amount) increase to the classification of Transportation Technician and Transportation Technical, Apprentice; and

BE IT FURTHER RESOLVED, that due to a 3% pay line adjustment, employees that are under 80% when the pay line is adjusted will be brought up to the Department’s new 80% compa-ratio regardless of their performance or if they are still on probation; and

BE IT FURTHER RESOLVED, that the Board approves the Department to implement the CEC plan as early as May 5, 2019 funded with FY19 salary savings; and

BE IT FURTHER RESOLVED, that the Board directs staff to submit the FY19 and FY20 CEC Plan to the Division of Financial Management.

District 2 Report. District 2 Operations Engineer (OE) Bob Schumacher reported on performance metrics: staff achieved a winter mobility metric of roads being clear of ice and snow 85% of the time; the winter road reports were submitted on time 99% of the time; eight of the nine FY19 projects were delivered on time plus two additional projects; and the final

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construction cost as a percentage of the contract award was 104%, within the goal of 95% to 105%.

OE Schumacher mentioned other activities. The Department still needs the 404 environmental permit for the US-95, Thorn creek to Moscow project, but right-of-way is being acquired. Staff makes a concerted effort to prepare trucks for winter maintenance operations in advance to reduce problems and avoid downtime. The maintenance crews have been addressing road closures due to flooding, mudslides, and rockslides recently. The District meets monthly with Idaho State Police to discuss fatalities and safety issues.

The Board thanked OE Schumacher for the excellent report and his leadership.

Director’s Monthly Report on Activities. Director Ness said the legislature adjourned last week and several transportation bills have been signed into law, including removing Idaho State Police from the Highway Distribution Account incrementally, which will result in an additional $15-18 million annually; the ability of the Board to bond Transportation Expansion and Congestion Mitigation funds; and the requirement for all motorists to move over when approaching a vehicle with hazard lights on. Chief Operations Officer McGrath, CHRO Williams, Governmental Affairs Manager (GAM) Mollie McCarty, and he met with White House officials last week. The discussions focused on emerging transportation technology, formula funding, reducing regulatory burdens, and ITD’s efficiencies and innovations. ITD recommended maintaining formula funding for highways and transit, long-term solvency of the federal Highway Trust Fund, eliminating or simplifying Federal Highway Administration’s stewardship oversight agreements, and federal protection for automated connected vehicle technology. The goal was to help the administration understand impacts on rural states.

Director Ness reported on other activities, including highway safety events, promoting the REAL ID drivers’ license, and addressing flooding and other weather-related maintenance issues.

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

Chairman Whitehead thanked Director Ness for the report.

Legislative Report. GAM McCarty said due to action during the legislative session, all administrative rules will expire on June 30. The House of Representatives would like both bodies to approve the rules. She believes Governor Little will take action to address this and keep the rules in effect. She added that staff is already looking at potential rule changes and proposed legislation for the 2020 session.

Chairman Whitehead thanked GAM McCarty for the report.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting recessed at 5:05 PM.
The Idaho Transportation Board met at 7 AM on Thursday, April 18, 2019 in Lewiston, Idaho. All members were present except Member Thompson.

District 2 Tour. The Board traveled east on US-12. It stopped at the East Kooskia Bridge to view the Reach-All truck as employees inspected the bridge and the Fish Creek Bridge to see the recently-completed project. It also visited the Powell Maintenance Shed.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting and tour of District 2 adjourned at 2:00 PM at the Lolo Pass Rest Area.

signed

JERRY WHITEHEAD, Chairman
Idaho Transportation Board

Read and Approved
May 16, 2019
Pocatello, Idaho