

ORIENTATION AND TRAINING AND  
REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 20-21, 2019

The Idaho Transportation Board met at 2:00 PM on Wednesday, November 20, 2019 at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Bill Moad, 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 W. Ness, Director  
Larry Allen, Lead Deputy Attorney General  
Sue S. Higgins, Executive Assistant and Secretary to the Board

The Board participated in training and orientation sessions on the Board's authority as outlined in Idaho Code and the Division of Purchasing's increased delegated authority of \$100,000 to procure goods and services. The Board also discussed the joint meeting with the Local Highway Technical Assistance Council (LHTAC) next month, the annual District tours, and interaction with advisory boards.

WHEREUPON, the training and orientation sessions ended at 4:50 PM.

November 21, 2019

The Idaho Transportation Board convened at 8:00 AM on Thursday, November 21, 2019 at the Idaho Transportation Department in Boise, Idaho. All members were present except Member DeLorenzo.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 8:00 AM to discuss personnel issues as authorized in Idaho Code Section 74-206 (b) and legal issues as authorized in Idaho Code Section 74-206 (f). Member Horsch seconded the motion and it passed 5-0 by individual roll call vote.

The discussion on legal matters related to operations. Member DeLorenzo joined the meeting during that discussion. The discussions on personnel matters related to the performance of employees.

The Board came out of executive session at 9:25 AM.

November 21, 2019

Safety Share. Emergency Preparedness Coordinator Neal Murphy explained the procedures in case of an emergency during the meeting, and the importance of situational awareness, such as identifying the nearest exit, so you can react appropriately in an emergency.

Board Minutes. Member Horsch made a motion to approve the minutes of the regular Board meeting held on October 17, 2019 as submitted. Member Vassar seconded the motion and it passed unopposed.

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

December 12, 2019 – Boise

January 22, 2020 – Boise

February 19, 2020 – Boise

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

RES. NO. WHEREAS, consent calendar items are to be routine, non-controversial, self-ITB19-38 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 certification of receipts and disbursements; the FY19 Annual Report; the addition of the Competitive Highway Bridge Program grant for eight bridge projects in FY21; the addition of the Midland Boulevard Railroad Crossing, Nampa project; and a consultant agreement.

1) Certification of Receipts and Disbursements. The FY19 certification of receipts and disbursements cash basis, as shown as Exhibit #517, which is made a part hereof with like effect, was submitted for Board approval in conformance with the requirements of Section 40-708, Idaho Code. Total receipts were \$746,935,400, disbursements were \$752,148,200, and the cash balance as of June 30, 2019 was \$76,456,200.

2) FY19 Annual Report. The FY19 Annual Report, which is required by Idaho Code, reports on the financial condition and management of the Department.

3) Add Competitive Highway Bridge Program (CHBP) Grant for Eight Bridge Projects in FY21. In August, the U.S. Department of Transportation awarded Idaho a CHBP grant. The \$6,289,000 award is to replace eight local bridges, support the economy, and improve the connectivity of local roads in southern Idaho. The total cost of the projects is \$8,287,827. The additional funding will come from other federal aid, local jurisdictions, and LHTAC. Staff requests approval to add the South 4<sup>th</sup> Avenue, Indian Creek Bridge, Caldwell; North Fork Boulder Creek Bridge, Owyhee County; Little Wood River Bridge, Shoshone Highway District; 4200 North Road, Deep Creek Bridge, Buhl Highway District; West Carson Street, Portneuf River Bridge, Pocatello; St. Charles Creek Bridge, Bear Lake County; East 121<sup>st</sup> Street, Idaho

Canal Bridge, Bonneville County; and South Higbee Drive, Butte Arm Canal Bridge, Idaho Falls to FY21 in the amount of \$8,287,827.

4) Add Midland Boulevard Railroad Crossing Nampa to FY20. The scope of the Midland Boulevard Railroad Crossing project, key #22034, is to install a center/median barrier on Midland Boulevard at the active railroad crossing. Curbing will be installed to serve as an additional safety feature to deter motorists from driving around lowered gates. Staff requests approval of the addition of STC-8233, Midland Boulevard Railroad Crossing, Nampa to FY20 in the amount of \$70,000.

5) Request to Approve Consultant Agreement. 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 million agreement limit for key #22154 – I-84, Ustick and Middleton Road Overpasses, Canyon County, District 3 for construction engineering and inspection services of approximately \$1.6 million.

Information Items. 1) Contract Awards and Advertisements. Key #19188 – I-90, Pennsylvania Avenue Overpass, East Bound Coeur d’Alene, District 1. Low bidder: N A Degerstrom Inc. - \$6,476,215.

Key #19851 – SH-6, Benewah County Line to Santa Junction, District 1. Low bidder: Central Washington Asphalt Inc. – \$727,727.

Key #20115 – FY21 District 5 Revegetation. Low bidder: Snake River Reclamation LLC - \$106,560.

Key #19404 – SH-75, Four Mile Bridge over Big Wood River, District 4. Low bidder: Cannon Builders Inc. - \$2,236,032.

Key #21805 – I-84, FY21 District 4 Rest Area Seal Coats. Low bidder: Emery Inc. - \$319,242.

Key #20048 – FY21 Americans with Disabilities Act Improvements. Low bidder: LaRiviere Inc. - \$376,566.

The list of projects currently being advertised was provided.

2) Professional Services Agreements and Term Agreement Work Tasks Report. From September 27 through October 31, 19 new professional services agreements and work tasks were processed, totaling \$3,030,276. Six supplemental agreements to existing professional services agreements were processed during this period in the amount of \$438,733.

3) Annual Report on Rail-Highway Crossing Program. ITD receives \$250,000 annually from the State Railroad Grade Crossing Protection Fund for projects in the Rail-Highway Crossing Program. The goal of the program is to reduce the number and severity of vehicle-train collisions at public rail-highway crossings. The Fund also provides \$25,000 to support public

education and safety programs that promote awareness of public safety at railroad grade crossings. The five-year fatality rate at railway-highway crossings for 2014-2018 was 1.6.

4) State FY20 Financial Statements through September. Revenues to the State Highway Account from all state sources were ahead of projections by 5.6%. Receipts from the Highway Distribution Account were 4.2% or \$2.3 million more than forecast. State revenues to the State Aeronautics Fund were ahead of projections by 16%, or \$145,000. Expenditures were within planned budgets. Personnel costs had savings of \$2.9 million or 9.3% due to reserves for horizontal career path increases, vacancies, and timing between a position becoming vacant and being filled. Contract construction cash expenditures of \$174.8 million exceeded any from the past three years.

The balance of the long term investments was \$138.4 million at the end of September. These funds are obligated against construction projects and encumbrances. The total of the long term investments and the cash balance of \$39.8 million is \$36 million less than the end of June. Expenditures in the Strategic Initiatives Program Fund were \$8.5 million. Deposits into the Transportation Expansion and Congestion Mitigation Fund were \$4.7 million year-to-date.

5) Monthly Reporting of Federal Formula Program Funding through October. Idaho received obligation authority through November 21 via a continuing resolution of \$44.2 million, which corresponds to \$44.3 million with match after a reduction for prorated indirect costs. This includes \$936,200 of Highway Infrastructure General Funds carried over from last year in the Transportation Management Area. Idaho has received apportionments via notices through October 1, 2019 of \$315.7 million, including the carryover of \$936,200 of Highway Infrastructure General Funds. Obligation authority is currently 14% of apportionments. Of the \$44.3 million allotted, \$25.6 million remains.

6) Status: FY21 Appropriation Request. A number of revisions to the FY21 appropriation request have been made: moved the \$25,000 annual payment to the Department of Commerce for the Gateway Visitors Center to a line item; removed the \$955,200 Information Technology Service Management line item; updated compensation rates for full-time equivalent positions in the Division of Motor Vehicles by \$1,200; updated Statewide Cost Allocation by \$75,700; eliminated the \$12,500,000 District 4 Office Building line item; increased the construction line item \$12,500,000 due to the removal of the District 4 Office Building, \$29,232,800 due to various grants and other projected revenue, and \$3,255,200 for the removal of change in employee compensation reserve and the Information Technology Service Management line item. The revised appropriation request is \$785,460,100.

7) 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.

Board Subcommittee on Adjustments to the State Highway System Report. Vice Chairman Kempton said the referenced subcommittee met yesterday. It directed District 6 to negotiate with Madison County on the relinquishment of a portion of SH-33 within Sugar City's

city limits and on the Farm/Field Road, which was established to address access issues due to the construction of the US-20 Thornton Interchange and the closure of at-grade crossings.

Vice Chairman Kempton also said the Subcommittee reviewed revisions to Board Policy 4061 State Highway System Adjustments. The proposal changes the Subcommittee to three members with one member designated as a “floater”. The “floater” would step down when there is a system adjustment under consideration in a non-Subcommittee member’s District. The intent is to ensure the District with a route on the agenda is represented by his/her Board member. Vice Chairman Kempton added that he is the current chairman of the Subcommittee, Member Hoff is the permanent member, and Member Thompson will be the “floating” member. The policy will be presented for the Board’s consideration next month.

Member Horsch added that the Subcommittee on 129,000 Pound Truck Routes has a similar issue and its membership needs to be revisited.

Director’s Monthly Report on Activities. Director Ness reviewed the past ten years, noting he was hired as ITD’s director on November 19, 2009. He summarized his philosophy that government agencies should serve its citizens, not itself and the best decisions are made closest to the work. He highlighted activities over the years and emphasized the focus on the mission of your safety, your mobility, and your economic opportunity and efforts to ensure employees know how their job ties to the mission; customer service; looking for ways to say yes if possible; and innovations. He also commended the employees, noting the Department’s numerous successes the past decade would not have been possible without their efforts.

The Board congratulated Director Ness on his ten years of service and thanked him for his leadership.

Annual Dealer Advisory Board (DAB) Report. DAB Chairman Grant Petersen said there are 1,496 active automobile, boat, recreational vehicle, motorcycle, and specialty vehicle dealers and manufacturers in the state, and they reported \$3.5 billion in sales in 2018. The DAB is concerned with unlicensed individuals selling more than six vehicles annually. Almost 400 unlicensed dealers were identified, resulting in the loss of revenue to licensed dealers and presumably lost tax revenue to the state. He commended the effort to privatize titles, which has improved the turnaround time, quality, communication, and dealer support. Plans are to release an innovative technology dealer portal in spring. The National Highway Traffic Safety Administration is now allowing for electronic records, which is something Idaho needs to pursue. In closing, DAB Chairman Petersen said there is over \$2 million in the Idaho Consumer Asset Recovery Fund. The first claim was paid out of that fund earlier this month.

Chairman Moad thanked DAB Chairman Petersen for the report and his service.

Economic Hardship Permit Applications. Motor Vehicle Program Supervisor (MVPS) Craig Roberts said an administrative rule requires the Board to review and act on permit applications for economic hardships. These commercial motor vehicles exceed the required restrictions on designated routes. The applications are for emergencies and/or economic hardships. He requested approval for permits to haul cattle on an approximate four-mile section

of SH-52 near Emmett in District 3. Without the hardship permit, the rancher would have to find a different means of transporting the cattle. District 3 evaluated the route for factors such as line of sight, road curvature, traffic volume, and accident data, and supports approving the permits.

Chairman Moad noted the permit is to operate on about four miles of SH-52. He does not believe there are any curves on that section that create off-tracking issues. He asked if the Extra Length/Excess Weight up to 129,000 Pounds map could be changed to indicate that portion is a red route, allowing the operation of 53-foot trailers. MVPS Robert said he believes that change could be made if the District's evaluation concurs with that assessment. He added that conditions may be imposed, such as a requirement to use a pilot car.

In response to additional questions, MVPS Roberts replied that routes are evaluated when the Department receives permit applications, and the off-tracking map is updated as needed. He added that staff is looking at ways to improve that update process.

Chief Deputy Stokes asked if the requested section of SH-52, milepost 7.5 to 11.33 has a curve or some restriction for 53-foot trailers. District 3 Engineer Amy Revis said there are no concerns with that segment of highway. Staff will evaluate the route and determine if additional mileage allowing for 53-foot trailers could be added to the map or, if there are restrictions, determine if changes could be made to the highway to allow the longer combination vehicles.

Member DeLorenzo asked how long the haulers would utilize the permits. Chairman Moad believes the haulers are typically done moving cattle in January; however, the request is for an annual permit, so the truckers would need permits in spring to haul the cattle back. He asked if the permit could be issued for a shorter period now and then have staff evaluate the route before spring. Staff said that proposal was feasible.

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

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested ITB19-39 economic hardship petitions; and

WHEREAS, the Idaho Transportation Department has collected and presented said petitions for travel on SH-52 from milepost 7.5 to milepost 11.33 to the Board; and

WHEREAS, these existing rules or limitations do result in an economic hardship.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the economic hardship petitions submitted for approval on SH-52, milepost 7.5 to milepost 11.33 effective until January 31, 2020.

Human Resources Annual Report. Chief Human Resources Officer (CHRO) Brenda Williams summarized the division's strategic goals, including attracting the best candidates for employment, developing ITD as an ideal workplace, continually developing employees, and promoting employee safety. Staff reported on highlights from FY19. Including internal

promotions and transfers, 315 positions were filled; 154 employees left, including 48 due to retirement; and voluntary separations were 4% while the state as a whole experienced voluntary separations of 7.9%. A concerted effort is being made to survey employees that leave ITD and also interview employees intending to stay with the Department. This data will help establish an ideal workplace. New programs to develop leaders and train equipment operators were developed. The Department partnered with the construction industry to standardize training and help contractors find skilled employees. A critical incident stress management program was also established to provide assistance to employees dealing with stressful situations because maintenance employees are often the first ones to respond to vehicle crashes.

Vice Chairman Kempton asked for more information on the recruiting process and the additional positions the Department acquired. CHRO Williams said ITD generally experiences a vacancy rate of 90 to 100 positions because of turnover and the process to fill positions. Because 20 additional positions were approved, staff will be able to hire employees faster. This should also lower the vacancy rate, possibly to between 60-80 positions on a regular basis. ITD cannot exceed the authorized total of 1,648 employees, nor can it exceed the allotted personnel budget.

In response to Vice Chairman Kempton's question on the main reasons employees leave voluntarily, CHRO Williams responded that pay is the biggest factor for the departure of transportation technicians. Retirements are also a main reason. The Department is just starting to gather more in-depth information on separations. Staff will be analyzing the data and determining if steps can be taken to prevent some voluntary separations.

Chairman Moad thanked staff for the informative presentation.

Child Passenger Safety. Highway Safety Manager John Tomlinson reported that there have been 212 highway fatalities to date this year. Last year there were 217 at this time.

Boise Police Corporal Kyle Wills summarized the child passenger safety program. In the past two years, 119 new child passenger safety technicians were certified and 81 inspection sites were established throughout the state. A concerted effort is underway to train law enforcement officers on the basics of child protection safety. Nurses are eligible to get credits for attending child passenger safety technician training. Permanent child safety check sites are being established at fire stations, and the Meridian Fire Department is requiring child passenger safety technician certification for all of its new recruits. Corporal Wills also mentioned the valuable partnership with the Office of Highway Safety, and concluded with a summary on the recommendations for children to use various safety restraints.

Chairman Moad thanked Corporal Wills for the overview and for his service.

Annual Update on State Planning and Research (SPR) Program. Ned Parrish, Research Program Manager (RPM), said federal statutes require 2% of federal funding for roads and bridges be used for planning and research and a 20% match. A minimum of 25% of those funds must be devoted to research-related activities. Some of the planning activities funded with FY20 SPR funds include developing the Idaho Transportation Investment Program, statewide transportation plans, the Statewide Freight Plan, and the Transportation Asset Management Plan;

overseeing decision-making for 129,000 pound truck route requests; collecting pavement condition data; and producing annual average daily traffic maps.

RPM Parrish said the FY20 Research Program budget is \$1,770,072. Some of the projects completed in FY19 include developed and evaluated performance measures to augment asphalt mix design, evaluated skid resistance of pavements at different speeds, and analyzed statewide freight data and commodity supply chains. Some of the projects planned in FY20 are integration of weed-suppressive bacterial with herbicide and seeding, real-time bridge scour monitoring to improve scour equations, and development of a web-based environmental document preparation and data management system to support project delivery.

Chairman Moad thanked RPM Parrish for the overview on the Research Program.

FY20 Rescission of Federal Contract Authority. Joel Drake, Financial Manager – Financial Planning and Analysis (FM-FP&A) said the federal rescission of contract authority was going to remove \$7.6 billion nationally from the balance of unobligated contract authority for Federal Highway Administration programs funded by the Federal Highway Trust Fund in July 2020. The reduction to each state would have been based on the state’s proportion of unobligated contract authority that existed nationwide on September 30, 2019. However, this morning the U.S. Senate approved a continuing resolution through December 20, 2019 that included revocation of the rescission, so the issue is now moot.

Chairman Moad thanked FM-FP&A Drake for the update.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting officially adjourned at 12:35 PM.

Read and Approved  
December 12, 2019  
Boise, Idaho

signed  
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BILL MOAD, Chairman  
Idaho Transportation Board

November 21, 2019