

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on October 19, 2017. The business meeting was convened at 8:30 a.m. by Chairman Seeton. The following members were present constituting a quorum:

Todd Seeton, Chairman, Jackson
Bob Ruwart, Vice Chairman, Wheatland
Rick Newton, Commissioner, Buffalo
Louie Pfrangle, Commissioner, Worland
Phil Schmidt, Commissioner, Casper
William T. Panos, Director
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were Dennis Byrne, Chief Financial Officer; Gregg Fredrick, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Mark Gillett, Assistant Chief Engineer for Operations; Taylor Rossetti, Support Services Administrator; Colonel Kebin Haller, Highway Patrol Administrator; Amy Surdam, Aeronautics Administrator; Pat Lewis, Chief Technology Officer; Sam Voyles, Assistant Attorney General; Rodney Freier, Budget Program Manager; and Bryan Cawley, Division Administrator, Federal Highway Administration.

Others present: Wayne Herr, Business Partner, McGee Hearne & Paiz, LLC; Kirsten Rigg and Maria Laborde, Senior Auditors, WYDOT Internal Review Services; Rhonda Harsy, WYDOT Financial Services Program Manager; and Lieutenant Colonel Shannon Ratliff, Operations Commander, Wyoming Highway Patrol (WHP).

Commissioners Mike Larson, of Lusk, and Jim Espy, of Savery, were absent.

1. Pledge of Allegiance: Chairman Seeton led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Schmidt, seconded by Vice Chairman Ruwart, and carried to approve the minutes from the September 13, 2017, budget presentation; and the September 14, 2017, breakfast meeting, regular business meeting, and education session.

Commissioner Schmidt expressed his appreciation for the “extraordinarily complete” and comprehensive nature of the monthly Commission minutes. Commissioner Schmidt thanked Secretary Scott and others who play a role in preparing the minutes each month.

At its September 14, 2017, business meeting, Director Panos presented a proposed revised Operating Policy 24-1, Monetary Limitations and Approving Authority, for the Commission’s information. Commissioner Schmidt asked if that policy was indeed revised. Director Panos indicated the policy was revised and implemented on September 22, 2017.

At the September 14 business meeting, Commissioner Schmidt also asked Director Panos to continue his efforts to convey that WYDOT's declining funding stream is not keeping up with the need to maintain Wyoming's highways in their current condition. Commissioner Schmidt asked Director Panos and his executive staff to also be mindful of employee salary needs, and to carry that message to legislators. Chairman Seeton agreed with Commissioner Schmidt's comments.

3. Correspondence: Secretary Scott presented a letter from Ms. Cassie Cross, of Yoder, Wyoming, voicing concerns about the Wyoming Highway Patrol. The Commission directed Director Panos and Colonel Haller to draft a response to the letter on behalf of the Commission.

4. Director Panos presented the Director's report.

Pre-audit Briefing: Mr. Herr briefed the Commission about the intent of the FY 2017 audit. A handout was provided with details of the auditing standards, communications between the auditor and the agency, the time line, and the role of the auditor. The scope of the single audit was also included in the handout.

Reciprocal Driver's License Agreement With Taiwan Government: Director Panos and other state representatives traveled to Taiwan on a trade mission last week with Governor Mead. The purpose of Director Panos' attendance was, in part, to sign a reciprocal driver's license agreement with the Taiwan government. Taiwan is the fifth country to sign such an agreement with Wyoming. The agreements are executed primarily to benefit Wyoming tourism and to build long-term business relationships. Wyoming beef, energy resources, and higher education were also discussed with the Taiwan president.

Wyoming Commercial Air Service: In recent years, it has been difficult for rural states to sustain commercial air service. Wyoming has been exploring possibilities to deal with this issue. Through the Federal Aviation Administration (FAA) funding extension bill, a national task force was established to develop strategies to overcome the complex problems of sustainable air service in rural states.

A proposal has also been drafted at the state level that, if approved, could address the issue in Wyoming. Draft legislation has been prepared and will be presented at the Joint Minerals, Business, and Economic Development Committee meeting on October 23, 2017. Director Panos will keep the Commission informed of the outcome.

Joint Transportation, Highways & Military Affairs Committee Meeting: Director Panos briefed the Commission about the following topics that are slated for discussion at the October 26 JTC meeting.

Revenue Information System (RIS) - The RIS is used by many state agencies to share information, and it is the primary means of processing Wyoming driver licenses. RIS was developed using COBOL (common business-oriented language) programming, a compiled English-like computer language used in legacy business applications deployed on mainframe computers. COBOL-based systems are old, so programmers are becoming difficult to find when

the system fails. WYDOT is working with the legislature to find a solution to upgrading the system.

Yellowstone License Plates - The legislature considered a bill in 2017 that would have created a specialty license plate to commemorate Yellowstone National Park. The bill failed, but it is being discussed during the interim for consideration again by the 2018 legislature.

Move-Over Law - The JTC will also consider a bill that, if passed, will require motorist to move over when WYDOT construction and maintenance crews and other utility companies are working along the highway.

5. Mr. Byrne presented the Chief Financial Officer's report.

Monthly Budget Report: The September 2017 budget report revealed that the Commission budget is 93 percent expended and the Legislative budget is 89 percent expended, which is within the target budget tolerances. The September report closes out FY 2017.

Mr. Freier asked if there was anything new or beneficial that the Commission would like to have included in the monthly report beginning in FY 2018. The Commission did not suggest any changes.

6. It was recommended by Mr. Byrne, moved by Commissioner Schmidt, seconded by Commissioner Pfrangle, and carried to move Bid Numbers 17-264 and 17-265 to a consent list.

It was recommended by Mr. Byrne, moved by Commissioner Schmidt, seconded by Commissioner Newton, and carried to approve, by consent, the following bids:

- Bid number 17-264 to furnish 2,874,000 pounds of reflective glass spheres (Type I) for use in traffic striping statewide. The bid was awarded to Potters Industries, LLC, of Valley Forge, Pennsylvania, for the sum of \$770,232.00.
- Bid number 17-265 to furnish 343,855 gallons of fast-drying acrylic traffic line paint (189,030 gallons of white traffic line paint, 145,825 gallons of yellow traffic line paint, and 9,000 gallons of cold weather paint) for use in traffic striping statewide. The bid was awarded to Vogel Paint & Wax Co., Inc., of Orange City, Iowa, for the sum of \$2,538,809.35.

Appointment of Grants/Contracts Program Manager: Mr. Ken Ledet was recently selected as the WYDOT's new grants and contracts program manager. Mr. Ledet will develop and oversee agency policy regarding grants and contracts agency-wide, seek and apply for available federal grant funds, and act as a clearinghouse for all WYDOT grants and contracts to ensure that all contracts are being handled in a consistent manner. Mr. Ledet will assume his new role on November 1, 2017.

Mses. Rigg, Laborde, and Harsy and Mr. Freier left the meeting.

7. Mr. Fredrick presented the Chief Engineer's report.

Damage Inspection Reports and Landslide Updates: Over the past several months, the Commission has received reports regarding landslides that have occurred statewide. WYDOT has requested approximately \$10.5 million in emergency relief reimbursement funding to repair 23 slides. Nine of the 23 projects are complete, and 3 other projects are underway. The other projects are in various stages of design, and those projects will be presented for approval under the Engineering and Planning report. If approved, design and construction of these projects will be accelerated. Mr. Fredrick anticipates that the remaining damage repair projects will be let to contract in early 2018.

Mr. Cawley noted that he forwarded WYDOT's request for emergency funding to FHWA Headquarters this morning. Reimbursement depends on demand, and historically has taken about two years to process.

Vice Chairman Ruwart asked how the delayed reimbursement impacts WYDOT's budget. Mr. Fredrick noted that WYDOT will have to bear the expense until the reimbursement occurs. The end-of-year federal redistribution may offset some of the expense, but otherwise, some future projects may need to be postponed.

Contractor Fatality and Subsequent WYDOT Safety Plans: On September 14, 2017, Triptych Construction, LLC, was performing slide repair work on US 14/16/20 west of the tunnels near the Buffalo Bill Reservoir outside Cody, Wyoming. One of the workers was on the ground preparing the drill between the roadway and the slope when a rock tumbled down the rock slope and struck Shane Powell, a worker for Triptych Construction, hitting him in the head. WYDOT workers from the Cody construction crew called for emergency medical assistance, and they administered first aid. Mr. Powell was taken to a medical facility in Montana, where he later succumbed to his injuries.

Mr. Fredrick described the actions of Todd Frost, Stuart Eckhardt, and Leslie Thronburg, noting that without hesitation, they reacted appropriately to the situation and that their heroic actions were commendable and should be recognized. Safety meetings were held following the incident, and future safety training and processes will be conducted to avoid future accidents. WYDOT specifications will also be reviewed for additional safety practices to be implemented on projects.

Commissioner Schmidt suggested writing recognition letters to those who rendered assistance during the emergency situation. Chairman Seeton directed Secretary Scott to prepare letters for his signature.

Meetings With County Commissions: Director Panos and Mr. Fredrick have met with many county commissions statewide regarding the statewide transportation program. Mr. Fredrick advised that there are some areas where WYDOT may be able to improve and provide better services to local governments. One area where the Department may be able to assist is to coordinate an Authority for Rendering Services to a local entity when WYDOT is in an adjacent area performing other construction activities. WYDOT plans to expand its outreach to encourage such partnerships in the future.

Mr. Brian Olsen, Aeronautics Division Construction and Engineering Program Manager, entered the meeting.

8. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held October 12, 2017, in Laramie.

COMMISSION DISTRICT 2
Jim Espy - Commissioner

Federal project NHPPI-I803146, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, plant mix wearing course, lane rental, bridge rehabilitation, and miscellaneous work on approximately 13.00 miles of the eastbound lane of Interstate 80, beginning at reference marker (RM) 186.62, between Creston Junction and Rawlins, in Sweetwater County. Completion date: October 31, 2018

Engineer's Estimate	\$6,555,902.50	
Simon Contractors and its subsidiaries, Cheyenne, WY	\$6,560,324.16	+0.1%
McGarvin-Moberly Construction Co., Worland, WY	\$6,703,938.10	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$6,731,161.00	
Croell, Inc., Sundance, WY	\$6,773,798.25	
Riverside Contracting, Inc., Missoula, MT	\$6,907,606.00	
H-K Contractors, Inc., Idaho Falls, ID	\$7,201,777.00	
Mountain Construction Company, Lovell, WY	\$7,320,445.14	
A & S Construction Co. & Affiliated Co., Canon City, CO	\$8,454,126.00	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Vice Chairman Ruwart, and carried that Simon Contractors and its subsidiaries, Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

State project SCP-TC-N211061, involving grading, milling plant mix, hot plant mix, chip seal, alternates A and B bidding, and miscellaneous work on approximately 11.00 miles of US 287, beginning at RM 2.17, between Rawlins and Muddy Gap, in Carbon County. Completion date: October 31, 2018

Engineer's Estimate	\$4,431,770.00	
McGarvin-Moberly Construction Co., Worland, WY	\$3,950,836.78	-10.9%
Mountain Construction Company, Lovell, WY	\$4,039,430.36	
Riverside Contracting, Inc., Missoula, MT	\$4,109,225.00	
Plus 5% for Comparison	\$4,314,686.25	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$4,375,216.95	
Simon Contractors and its subsidiaries, Cheyenne, WY	\$4,390,192.57	
Croell, Inc., Sundance, WY	\$4,451,581.70	
H-K Contractors, Inc., Idaho Falls, ID	\$4,531,777.00	
Plus 5% for Comparison	\$4,758,365.85	
A & S Construction Co. & Affiliated Co., Canon City, CO	\$5,659,950.00	
Plus 5% for Comparison	\$5,942,947.50	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Schmidt, and carried that McGarvin-Moberly Construction Co., Worland, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Federal project STP-PM-B181009, involving crack sealing and miscellaneous work at various locations in Transportation District 1, including Albany and Carbon counties. Completion date: April 30, 2018

Engineer's Estimate	\$561,468.00	
Z & Z Seal Coating, Inc., Laurel, MT	\$553,073.38	-1.5%
AMPM Sweepers and Stripes LLC, Montrose, CO	\$636,172.00	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Vice Chairman Ruwart, and carried that Z & Z Seal Coating, Inc., Laurel, Montana, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 3
Todd Seeton - Chairman

Federal projects STP-BROS-0C22034 and ARS3894 combined, involving grading, draining, placing crushed base and bituminous pavement surfacing, removal and replacement of a bridge, and miscellaneous work, beginning at RM 5.92 for 0.2 mile on Spring Gulch Road, north of Jackson, in Teton County. Completion date: October 31, 2018

Engineer's Estimate	\$3,658,184.00	
Reiman Corp., Cheyenne, WY	\$3,843,397.70	+5.1%
Wadsworth Brothers Construction Co., Draper, UT	\$3,859,049.50	

It was recommended by Mr. Fulton, moved by Commissioner Pfrangle, seconded by Commissioner Newton, and carried that Reiman Corp., Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

State project SCP-TC-P114037, involving grading, profile milling plant mix, hot plant mix (recycle), bridge rehabilitation, and miscellaneous work on approximately 8.00 miles of US 189, beginning at RM 119.50, between Big Piney and Daniel Junction, in Sublette County. Completion date: October 31, 2018

Engineer's Estimate	\$2,970,365.56	
McGarvin-Moberly Construction Co., Worland, WY	\$2,824,657.97	-4.9%
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$2,880,176.86	
H-K Contractors, Inc., Idaho Falls, ID	\$2,920,877.00	
Plus 5% for Comparison	\$3,066,920.85	
Mountain Construction Company, Lovell, WY	\$3,197,920.80	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Pfrangle, and carried that McGarvin-Moberly Construction Co., Worland, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

COMMISSION DISTRICTS 3, 4, and 7
Todd Seeton - Chairman
Rick Newton - Commissioner
Phil Schmidt - Commissioner

Federal projects STP-2001018, STP-0710027, and STP-1004009 combined, involving grading, placing sub-base, plant mix wearing course, chip seal, hot in-place recycling, electrical work, fencing, and miscellaneous work on approximately 24.00 miles of various roads between Wilson and Grand Teton National Park, between Buffalo and Ucross and Riverton East, in Fremont, Johnson, Sheridan, and Teton counties. Completion date: October 31, 2018

Engineer's Estimate	\$4,089,273.45	
C. M. Owen Construction, LLC, Jackson, WY	\$6,823,408.95	+66.9%
H-K Contractors, Inc., Idaho Falls, ID	\$6,945,677.00	
Riverside Contracting, Inc., Missoula, MT	\$7,082,152.00	

Mr. Fulton noted that this project involves hot in-place pavement recycling that requires specialized equipment, and that this project is the first of its kind for WYDOT. The project also has a tight time frame for completing the work because of some environmental issues. The subcontractors' portions of these bids were significantly higher than what WYDOT anticipated.

It was recommended by Mr. Fulton, moved by Vice Chairman Ruwart, seconded by Commissioner Schmidt, and carried to reject all bids and to let the project again later.

COMMISSION DISTRICTS 4 and 6

Rick Newton - Commissioner

Mike Larson - Commissioner

Federal project STP-PM-B184019, involving crack sealing and miscellaneous work at various locations in Transportation District 4, in Campbell, Crook, Johnson, and Sheridan counties. Completion date: May 15, 2018

Engineer's Estimate	\$271,620.00	
Hardrives Construction, Inc. and subs, Billings, MT	\$265,923.00	-2.1%

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Pfrangle, and carried that Hardrives Construction, Inc. and subs, Billings, Montana, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project STP-B184021, involving sign installations at various locations in Transportation District 4, including Campbell, Crook, Niobrara, Sheridan, and Weston counties. Completion date: November 30, 2018

Engineer's Estimate	\$168,800.00	
Traffic Safety Services, Inc., Bismarck, ND	\$134,850.00	-20.1%
S & L Industrial, Cowley, WY	\$199,200.00	
CC Enterprises Traffic Control Spec., Grand Junction, CO	\$214,200.00	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Newton, and carried that Traffic Safety Services, Inc., Bismarck, North Dakota, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 6

Mike Larson - Commissioner

State project SCP-TC-N442077, involving grading, draining, milling plant mix, removal and replacement of sidewalk, curb and gutter, placing crushed base and bituminous pavement surfacing, plant mix wearing course, concrete pavement, and miscellaneous work on approximately 5.00 miles of US 16, beginning at RM 250.82, between Osage and Newcastle, in Weston County. Completion date: June 30, 2019

Engineer's Estimate	\$5,480,252.50	
Simon Contractors and its subsidiaries, Cheyenne, WY	\$5,625,000.00	+2.6%
Croell, Inc., Sundance, WY	\$5,829,147.37	
S & S Builders, LLC, Gillette, WY	\$5,854,723.50	
Northern Improvement Company and Sub, Fargo, ND	\$5,631,569.90	
Plus 5% for Comparison	\$5,913,148.40	
Border States Paving, Inc., Fargo, ND	\$5,740,678.00	
Plus 5% for Comparison	\$6,027,711.90	
Century Companies, Inc., Lewistown, MT	\$5,999,720.70	
Plus 5% for Comparison	\$6,299,706.74	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Vice Chairman Ruwart, and carried that Simon Contractors and its subsidiaries, Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

COMMISSION DISTRICT 7
Phil Schmidt - Commissioner

Federal project NHPP-N212118, involving grading, draining, milling plant mix, removal and replacement of sidewalk, curb and gutter, placing crushed base and bituminous pavement surfacing, plant mix wearing course, bridge rehabilitation, and miscellaneous work on approximately 0.4 mile of WYO 220, beginning at RM 116.50, in the city of Casper, in Natrona County. Completion date: June 30, 2019

Engineer's Estimate	\$5,079,199.50	
Reiman Corp., Cheyenne, WY	\$5,058,945.40	-0.4%
Hamilton Construction, Co., Springfield, OR	\$5,615,640.75	

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Newton, and carried that Reiman Corp., Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

9. It was recommended by Mr. Fredrick, moved by Commissioner Newton, seconded by Commissioner Pfrangle, and carried to approve the following project authorizations:

Fremont County

NHPP 40.10 DR51873; Moran Junction to Dubois, Togwotee Pass; RM 40.10 and 40.20; drainage repair; FY 2018; request federal preliminary engineering funds of \$300,000; request federal construction engineering and construction funds of \$751,426

NHPP 102.00 DR51892; Diversion Dam to Riverton, Diversion Dam Area; RM 102.00 to 104.50; drainage repair; FY 2018; request federal preliminary engineering funds of \$33,000; request federal construction engineering and construction funds of \$597,504

Hot Springs County

DR 116.00 DR51886; Shoshoni to Thermopolis, Wind River Canyon; RM 116.00 to 127.00; slide repair; FY 2018; request state construction engineering and construction funds of \$40,539

DR 118.00 DR51890; Shoshoni to Thermopolis, Wind River Canyon; RM 118.00, 122.40, and 125.80; drainage repair; FY 2018; request state construction funds of \$576,529

Laramie County

DR 362.03 DR15111; Cheyenne to Pine Bluffs; RM 362.00; structure repair; FY 2018; request state construction engineering and construction funds of \$16,346

Lincoln County

DR 10.70 DR34585; WYO 233, Ham's Fork Road, Red Barn Slide; RM 10.70 and 12.50; slide repair; FY 2018; request state construction engineering and construction funds of \$416,378

NHPP 46.50 DR34586; US 30, Kemmerer to Cokeville; RM 46.50; slide repair; FY 2018; request federal preliminary engineering funds of \$10,115; request federal construction engineering and construction funds of \$228,163

STP 10.70 DR34696; WYO 233, Ham's Fork Road, Lake Naughton Slide; RM 16.70; slide repair; FY 2018; request federal preliminary engineering funds of \$30,000; request state construction engineering and construction funds of \$430,000

NHPP 126.80 DR34759; Alpine Junction to Hoback Junction, Snake River; RM 126.80; slide repair; FY 2018; request federal preliminary engineering funds of \$18,857; request federal construction engineering and construction funds of \$414,810

Park County

STP 46.00 DR51839; WYO 296, Chief Joseph Highway; RM 46.00; drainage repair; FY 2018; request construction funds of \$5,916

STP 26.00 DR51885; WYO 296, Chief Joseph Highway; RM 26.00 to 26.10; slide repair; FY 2018; request federal preliminary engineering funds of \$200,000; request federal construction funds of \$165,515

Sheridan County

NHPPU 25.94 N601043; Sheridan Streets, Coffeen Avenue; RM 25.94 to 29.31; advance right-of-way purchase, Whitney Benefits; FY 2018; request federal funds of \$320,000

NHPPI 5.10 DR42891; I-90, eastbound lane; RM 5.10; slide repair; FY 2018; request federal construction engineering and construction funds of \$23,379

NHPPI 6.80 DR42892; I-90, eastbound lane; RM 6.80; slide repair; FY 2018; request federal construction engineering and construction funds of \$22,318

NHPPI 12.90 DR42894; I-90, eastbound lane; RM 12.90; slide repair; FY 2018; request federal preliminary engineering funds of \$65,000; request federal construction engineering and construction funds of \$796,150

DR 85.13 DR42900; Sheridan County; Lovell to Burgess Junction, Guardrail Wall Slide; RM 85.13; slide repair; FY 2018; request state construction engineering and construction funds of \$216,000

DR 81.50 DR42937; Sheridan County; Dayton to Burgess Junction, White Barn Slide; RM 81.50; slide repair; FY 2018; request state construction engineering and construction funds of \$240,000

Sublette County

DR 133.70 DR34584; Daniel Junction to Bondurant, Spud Slide; RM 133.70; slide repair; FY 2018; request state construction engineering and construction funds of \$367,152

DR 147.60 DR34621; Daniel Junction to Hoback Junction, Black Powder Turnaround and Hoback River; RM 147.60 and 149.60; slide repair; FY 2018; request state construction funds of \$50,141

Sweetwater County

ARSCT 0.00 PEG3A20; Town of Wamsutter; purchase material; FY 2018; request preliminary engineering funds of \$100; request construction engineering and construction funds of \$1,600; to be reimbursed by Town of Wamsutter

Teton County

NHPP 9.50 DR51866; Moran Junction to Dubois, Togwotee Pass; RM 9.50; drainage repair; FY 2018; request federal construction funds of \$23,167

NHPP 2.70 DR51938; Moran Junction to Dubois, Togwotee Pass; RM 2.70; slide repair; FY 2018; request federal preliminary engineering funds of \$13,034; request federal construction engineering and construction funds of \$137,505

10. Resolution for the Exercise of Eminent Domain, Project N103103, Thayne to Alpine Road, Lincoln County: Mr. Fulton presented the following resolution for the exercise of eminent domain.

The resolution relates to a road construction project along U.S. Highway 89 near the town of Etna, beginning at Milepost 108.13 and extending north to the west city limits of Alpine, Wyoming, at Milepost 117.38.

The current scope of work includes the total reconstruction of the roadway from the existing two-lane roadway to four travel lanes, with a continuous center turn lane, for a total of five lanes, along the full length of the project.

Negotiations are ongoing with each landowner in the path of this project. This resolution was brought before the Commission in accordance with WYDOT policy. Condemnation will be enforced only in the rare case that the Department is not able to come to an agreement with a landowner.

It was recommended by Mr. Fulton, moved by Commissioner Schmidt, seconded by Commissioner Newton, and carried to approve the following resolution where property for public use cannot be acquired through good faith negotiation by purchase or gift.

RESOLUTION FOR EXERCISE OF EMINENT DOMAIN

WHEREAS, pursuant to W.S. 1-26-512, 1-26-801, and 24-2-102, the Transportation Commission of Wyoming is authorized to institute condemnation proceedings where property for public use cannot be acquired through good faith negotiation by purchase or gift; and

WHEREAS, the public interest and necessity require the construction of Project N103103, the Thayne-Alpine Road, in Lincoln County, and that the property shown on the right of way plans for this project is required for highway purposes; and

WHEREAS, the Transportation Commission of Wyoming has determined that the aforementioned project is planned or located to be most compatible with the greatest public good and the least private injury; and

WHEREAS, the right-of-way and/or temporary construction easements to be acquired are identified as being located in the $W\frac{1}{2}$ of Section 2, $E\frac{1}{2}$ of Section 3, $NE\frac{1}{4}NE\frac{1}{4}$ of Section 10, $NW\frac{1}{4}NW\frac{1}{4}$ of Section 11, T35N, R119W; the $N\frac{1}{2}$ $SW\frac{1}{4}$, $SE\frac{1}{4}SW\frac{1}{4}$, and Government Lots 4,5, and 6 of Section 3, Government Lot 1 of Section 4, $E\frac{1}{2}$ $SW\frac{1}{4}$ and $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 10, $E\frac{1}{2}$ $SW\frac{1}{4}$ and $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 15, $W\frac{1}{2}$ $SE\frac{1}{4}$, $SE\frac{1}{4}SE\frac{1}{4}$, $SW\frac{1}{4}NE\frac{1}{4}$, and $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 22, $W\frac{1}{2}$ $SW\frac{1}{4}$ and $SW\frac{1}{4}NW\frac{1}{4}$ of Section 26, $E\frac{1}{2}$ $E\frac{1}{2}$ and $NW\frac{1}{4}NE\frac{1}{4}$ of Section 27, $E\frac{1}{2}$ $E\frac{1}{2}$ of Section 34, and $W\frac{1}{2}$ $W\frac{1}{2}$ of Section 35, T36N, R119W; the $SW\frac{1}{4}SW\frac{1}{4}$ and Government Lot 5 of Section 29, $S\frac{1}{2}$ $SE\frac{1}{4}$ of Section 30, $W\frac{1}{2}$ $E\frac{1}{2}$, $SE\frac{1}{4}SE\frac{1}{4}$, and $E\frac{1}{2}$ $NW\frac{1}{4}$ of Section 31, T37N, R118W, of the 6th P.M., Lincoln County, Wyoming and constitute approximately 38.31 acres of property for additional right-of-way and approximately 26.45 acres of property for temporary construction easements.

NOW, THEREFORE, BE IT RESOLVED, that the property sought to be acquired is necessary and appropriate for the proposed project and in the event successful negotiations cannot be effectuated with any owners thereof, condemnation proceedings are authorized to be commenced and prosecuted to acquire the necessary additional right-of-way and/or temporary construction easements.

11. Mr. Gillett presented the Operations report.

Construction Activity Update: Mr. Gillett reported that construction activities are beginning to wrap up for the season. There are currently 16 active projects in District 1, 6 in District 2, 13 in District 3, 6 in District 4, and 10 in District 5, for a total of 51 projects where contractors are

actively performing work. This is an increase of two projects compared to September. The increase is primarily due to emergency slide repair work that recently began in District 5.

All WYDOT's surfacing projects are now complete, with one exception, which will require the contractor to finish the work next spring.

Maintenance Operations Update: District maintenance crews have already experienced three snow storms this year, one of which produced about 15 inches of snow in the Arlington area. That storm event resulted in the closure of I-80 in early October.

Maintenance crews are performing mowing operations, removing litter, repairing fence, hauling sand to remote stockpiles, placing tall delineators across mountain passes and snow-prone areas, and making other preparations for winter.

Striping crews are placing centerline and edge-line stripes, as weather permits, and Mr. Gillett anticipates them finishing all of their budgeted work for this season.

Mechanic shops are making the transition to a new priority, repairing snow removal equipment. Their second priority is performing annual inspections of other equipment, and their third priority will be to tend to any repairs that are needed to summer equipment.

WYDOT Facilities Update: The Department continues to work toward securing employee housing in Jackson. WYDOT has received conceptual drawings from the architect, which contain options for 27 two- and three-bedroom, multiple and single family units, with garages. Mr. Gillett indicated he and other staff members will provide comments on the drawings in the near future.

12. FHWA Briefing: Mr. Cawley updated the Commission about some FY 2017 activities and accomplishments. The FHWA obligated over \$261 million in federal funds in Wyoming last fiscal year, and reimbursed about \$217 million to WYDOT for its construction activities. The FHWA also authorized the advancement of about 65 federally funded construction projects in FY 2017.

For FY 2018, the federal obligation limit is \$42.7 million through December 8, 2017. Congressional authorization is pending for additional obligation limitation beyond December 8, 2017.

The FHWA and the Federal Transit Administration reviewed and approved WYDOT's State Transportation Improvement Program (STIP). The FHWA reviewed and found that WYDOT's Title 6 Implementation Plan of the Civil Rights Act appears to meet FHWA's guidelines.

13. Lieutenant Colonel Ratliff presented the Highway Patrol report in Colonel Haller's absence. The Fatal Crash Summary through September 30, 2017, includes 93 fatal crashes involving 109 deaths. The fatalities include 37 rollover crashes, 44 multi-car crashes, 4 fixed objects, 15 motorcycles, 5 ATV/snowmobiles, and 4 pedestrians. Of the 93 fatal crashes that occurred so far this year, 14 involved commercial vehicles.

There have been 35 fatal crashes to date deemed drug or alcohol related, resulting in 41 deaths. Twenty-nine of the 41 fatalities were attributed to not using occupant restraints. Of those deaths, 19 were rollover crashes, 15 were multi-vehicle crashes, one involved a fixed object, 3 involved motorcycles, and 3 involved pedestrians. Commercial vehicles were a factor in 2 of the drug or alcohol-related crashes.

Of the 109 deaths that have occurred to date this year, 49 can be attributed to the non-use of occupant restraints, with 29 involving rollover crashes, 18 involving multi-car collisions, and 2 involving fixed objects. Thirty-five of those who died from non-use of occupant restraints were Wyoming residents. Twelve of those who perished were under 21 years of age, and 2 of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 93 fatal crashes that have occurred to date this year, 42 of them occurred on primary/secondary highways, 25 occurred on interstate highways, and 26 occurred on city/county roads.

Eight multiple-fatality crashes have occurred on Wyoming highways as of September 30, 2017, of which 5 involved multiple vehicles, 1 involved a commercial vehicle, and 3 were alcohol related.

In locations where rumble strips/stripes were present, there were 34 crashes, 12 crashes where rumble strips/stripes were applicable, and 47 crashes where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to 6 vehicle crashes so far this year, which resulted in 6 deaths. Speed was considered a factor in 10 of the vehicle crashes that caused 14 deaths.

The days of the week for fatal crashes in 2017 are as follows:

Sunday	12 crashes
Monday	14 crashes
Tuesday	11 crashes
Wednesday	12 crashes
Thursday	13 crashes
Friday	17 crashes
Saturday	14 crashes

The times of day for fatal crashes in 2017 are as follows:

12:00 a.m. to 6:00 a.m.	15 crashes
6:00 a.m. to 12:00 p.m.	13 crashes
12:00 p.m. to 6:00 p.m.	33 crashes
6:00 p.m. to 12:00 a.m.	32 crashes

The following statistics were also provided to the Commission:

- 78 percent of those who died in rollover crashes were unbelted.
- 41 percent of those who died in multi-vehicle crashes were unbelted.
- 72 percent of the fatalities so far this year have been the drivers of those vehicles.
- 50 percent of Wyoming residents who died were not wearing seat belts.
- 50 percent of the 70 resident fatalities were unbuckled (where a seat belt was available).
- 36 percent of the non-resident fatalities were unbelted.
- Alcohol and/or drug impairment was a factor in 38 percent of the fatalities.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 4,696 crashes statewide, of which 3,766 involved non-commercial vehicles, and 930 involved commercial vehicles.

Department of Justice/Drug Enforcement Administration/El Paso Intelligence Center Award: The Wyoming Highway Patrol was recently recognized and received an award for its efforts in interdicting vehicles and drivers engaged in major ongoing criminal activity in 2016. Lieutenant Colonel Ratliff indicated he is very proud of the WHP for its efforts, and he was glad they have been recognized for their hard work.

A press release will be made that will include the statistics of the 2016 arrests made by the WHP.

New Trooper Commissioning: The WHP will commission eight new troopers before the Wyoming Supreme Court on November 2, 2017. The Commission was invited to attend the swearing-in ceremony.

14. Ms. Surdam presented the Aeronautics report, beginning with the September 2017 Aeronautics Flight Operations Passenger Summary Report and the Wyoming Aircraft Accident Monthly Report.

Air Service Enhancement Program (ASEP): The WYDOT Aeronautics Division recently completed a return-on-investment study, which shows that for every dollar spent on Wyoming air service, \$24 is realized in economic impacts. The study also shows that even when Jackson air service is removed from the equation, the state realizes \$8 in economic impacts.

The Department currently operates the ASEP, established in 2004, and historically well funded, but now appropriated only \$2.4 million per biennium. The program received more funding in its earlier years, which allowed the ASEP to sufficiently sustain Wyoming's community airports. In the last biennium, the program supported five community airports at a cost of \$7 million for the

state with \$5.5 million in local matching funds. Effective July 1, 2019, the ASEP will no longer have carry-over funds to enhance the program, and it will have only \$2.4 million per biennium to grant for commercial air service. Ms. Surdam noted that this funding reduction will dramatically change air service in Wyoming's smaller communities.

Ms. Surdam proposed a new means of diversifying Wyoming's air service is to establish a long-term contract with one airline to provide air service for all communities, with three flights per day to one major hub, Denver International Airport (DIA). The proposed Commercial Air Service Improvement Plan (CASIP) would guarantee sustainable air service in existing communities for future statewide economic diversification. With the program, a Commercial Air Service Council would be established to influence local airfares, flight times, and marketing efforts throughout Wyoming. The Commercial Air Service Council would be comprised of individuals from the Aeronautics Commission, Economically Needed Diversity Options for Wyoming (ENDOW) Initiative, Wyoming Business Council, Wyoming Office of Tourism, Wyoming Association of Municipalities, Wyoming County Commissioners' Association, the Governor's office, and the public.

Flights could be searched on the internet through Expedia and Orbitz. The CASIP would also allow passengers who board in Sheridan and Riverton to make connections in Denver without having to recheck baggage and revisit the security checkpoint at DIA.

The proposed contract will be for 10 years, which will encourage, recruit, and retain business development throughout Wyoming. The estimated cost is \$29 million to \$37 million for the 10-year period, depending on how many communities participate. This is the total price and does not account for potential community matches or potential profits from some markets. Ms. Surdam noted that this cost is much less than what is being expended for the ASEP program today, and it would also allow the Cheyenne and Laramie airports to participate later if they choose.

The proposed plan will be discussed at the Joint Minerals, Business & Economic Development Committee on Monday, October 23, 2017.

State of Aviation Conference: WYDOT's Aeronautics Division will host a State of Aviation Conference at WYDOT Headquarters in Cheyenne, November 14, 2017. The half-day conference will focus on aviation and what it means to Wyoming today and in the future. Wyoming Secretary of State Ed Murray will be a featured keynote, and he will speak about the economic impacts of aviation in Wyoming. Attendees will be consultants, airport representatives, county commissioners, mayors, state government, and the public.

Casper/Natrona County International Airport Snow Removal Equipment Building: The Casper/Natrona County International Airport snow removal equipment building is now complete. Mr. Olson advised that site planning began in 2012, and a grand opening will be held November 9, 2017.

Ms. Surdam explained the process for airport project approval. A statewide priority rating model is used to prioritize projects.

Airport Pavement Management Program: A few years ago, Aeronautics embarked upon a more comprehensive pavement management program that could be used by airports statewide. Federal grant assurance requires that each airport has a pavement management plan in place. The program is also used as a tool for the Aeronautics Division to evaluate projects for its annual Capital Improvement Plan.

Mr. Olsen demonstrated how the program works.

15. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,869 personnel as of October 1, 2017, compared to 1,928 one month ago. There are currently 69 jobs posted on the website, with 51 of those postings from outside Cheyenne.

WYDOT is beginning to see a reduced number of qualified applicants to fill vacant positions. It is not known whether other state agencies are also experiencing this trend. The last publicized economic analysis showed Wyoming's unemployment rate was 4.1 percent, which can lead to this issue.

Digital Driver's License Pilot Study: Wyoming is participating a digital driver's license pilot study. The study is funded by the National Institute for Standards and Technology. The vendor is Gemalto, an international digital security company that provides software applications. Other participating states are Idaho and Colorado. If digital driver's licenses are deployed, drivers will have the option of obtaining a digital license that can be used to board a plane, for photo and age identification, or for law enforcement identification purposes.

Mr. Rossetti noted that participating in the study does not obligate WYDOT to deploy digital driver's licenses in Wyoming. It merely allows Gemalto to study the application's feasibility.

Registration of Vehicles in Yellowstone National Park: WYDOT continues to work with Xanterra to register its vehicles in Wyoming. Other commercial vehicles are also being investigated for compliance.

16. Mr. Lewis presented the Chief Technology Officer's report.

WyoLink Update: A contract was signed with Motorola Corporation on September 30, 2017, for the final capitalization phase of WyoLink. A handout was provided to the Commission depicting the results of the contract negotiations. Mr. Lewis explained that the cost to design and construct the towers will be \$12,515,406, and the right-of-way, utility, and environmental costs are anticipated to be \$3,484,594, for a total cost of \$16 million for the final tower build-out.

Mr. Lewis noted that hiring a consultant to handle the contract negotiations resulted in saving the state \$3,042,699.62. The consultant fee was \$115,439.13.

WYDOT Telecommunications Program staff has begun the process of defining specific tower locations and making other necessary strides toward the final build-out of the 84-tower WyoLink system.

Appointment of Information Technology (IT) Program Manager: Mr. Lewis advised that Mr. Dan Tolman has been named as WYDOT's new IT program manager. Mr. Tolman comes to WYDOT from the Wyoming Game & Fish Department, and he has an extensive IT background.

WYDOT Website: On the afternoon of September 26, 2017, WYDOT's web site was taken offline. A series of substantial events that occurred within a very short time frame caused the shutdown. It is unknown what specific event was the cause. Because of the shutdown, WYDOT posted a make-shift web page that contained links to seven different topics that are most used by the public on WYDOT's website. WYDOT IT continues to work through a process to ensure the site is stable and in good working order going into the future.

17. It was moved by Commissioner Schmidt, seconded by Vice Chairman Ruwart, and carried to move into executive session. The Commission went into executive session at 12:07 p.m., on Thursday, October 19, 2017.

18. It was moved by Vice Chairman Ruwart, seconded by Commissioner Newton, and carried to come out of executive session. The Commission came out of executive session at 12:17 p.m., on Thursday, October 19, 2017.

19. It was moved by Commissioner Newton, seconded by Commissioner Pfrangle, and carried to adjourn the meeting. Chairman Seeton adjourned the meeting at 12:17 p.m., on Thursday, October 19, 2017.