

## **TRANSPORTATION COMMISSION OF WYOMING**

The Transportation Commission of Wyoming met via video conference on August 20, 2020. Chairman Newton convened the business meeting at 8:30 a.m. The following members were present constituting a quorum:

Rick Newton, Chairman, Buffalo  
Jim Espy, Commissioner, Savery  
Jon Dolezal, Commissioner, Evanston  
Lee Filer, Commissioner, Cheyenne  
K. Luke Reiner, Director  
Sandra J. Scott, Commission Secretary

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer; Mark Gillett, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Tom DeHoff, Assistant Chief Engineer for Operations; Taylor Rossetti, Support Services Administrator; Brian Olsen, Aeronautics Administrator; Troy Babbitt, Chief Technology Officer; Colonel Kebin Haller, Wyoming Highway Patrol (WHP) Administrator; Mike Kahler, Senior Assistant Attorney General; Ryan Thompson, Assistant Attorney General; Rodney Freier, Budget Program Manager; Bryan Cawley, Division Administrator, Federal Highway Administration (FHWA); and Justin Gentle, Chugwater Economic Development Group.

Other meeting attendees: Co-chairman John Eklund, Joint Transportation, Highways & Military Affairs Committee; Erica Legerski, Senior Policy Advisor to Governor Gordon; Doug McGee, Public Affairs Program Manager; John Davis, Management Services Program Manager; Doug Jensen, State Contracts & Estimates Engineer; Rhonda Holt, Controller; Hank Rettinger, Devon Brubaker, Manager, Rock Springs Airport; Kent Ketterling, State Construction Engineer; and Charlie Bauer, Construction Staff Engineer.

Vice Chairman Phil Schmidt, Commissioner Mike Larson, of Lusk, and Commissioner Greg Venable, of Worland, were absent.

1. Pledge of Allegiance: Chairman Newton led the attendees in the Pledge of Allegiance.
2. G. Clyde Larson Memorial Awards Presentations: The Commission presented G. Clyde Larson awards to Trooper Caleb Hobbs, and maintenance crew members Justin Kiser and Craig Mustard of Elk Mountain.

On Wednesday, June 17, 2020, at about 6:25 p.m., a crash occurred near Milepost 264 on eastbound Interstate 80. Messrs. Kiser and Mustard were first on scene, and Trooper Hobbs arrived moments later. The maintenance workers found a woman folded into a fetal position and compressed under the steering column of her vehicle. She was unresponsive and not breathing. The rescuers acted quickly to pry open the door and move the seat back. She was removed from her the vehicle and she started breathing again. They waited with her until life-flight arrived and she was flown to the hospital for treatment. The woman is expected to make a full recovery.

The actions of Trooper Hobbs, Craig Mustard, and Justin Kiser saved the young woman's life. Trooper Hobbs indicated that if it was not for Mustard and Kiser being there, he was not sure he could have removed her from the vehicle by himself.

Director Reiner and Colonel Haller expressed sincere appreciation for the brave actions of these individuals, they shared their pride, and thanked them for their service as WYDOT employees.

The G. Clyde Larson Memorial Award was established by the Wyoming Highway Commission in 1969 in honor of the late G. Clyde Larson. Mr. Larson was appointed to a six-year Commission term in 1965 by then-Governor Cliff Hansen. Mr. Larson died in July 1968, and his son, Grant C. Larson, who served as a Wyoming State Senator from 1995 until 2010, was appointed to fulfill the remaining three years of the term. The award was established in honor of the senior Mr. Larson, and its purpose is to recognize acts of heroism by Department employees, either on or off the job. Since its inception 51 years ago, 57 WYDOT employees have received the prestigious award.

3. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Filer, seconded by Commissioner Espy, and carried to approve the minutes from the July 16, 2020, business meeting.

4. Correspondence: Secretary Scott presented two correspondence items the Commission received August 17, 2020. The letters were from All Around Towing & Recovery and Gibson's Towing & Recovery, both of Douglas, requesting informal hearings regarding the WHP's recent one-year suspensions of their towing services in Wyoming.

The towing companies each requested at least two weeks' notice before the Commission meeting, so their hearings will be scheduled at the next Commission meeting, currently tentatively scheduled on September 25, 2020.

5. Director Reiner presented the Director's report.

Coronavirus (COVID-19) Update: About 20 percent of WYDOT's workforce continues to telework as the COVID-19 event carries on. Director Reiner believes COVID-19 is going to be prevalent for a while, and the Department is updating its telework policy to clarify when, how, and who the Department allows employees to telework into the future.

Traffic counts have stabilized at about 10 percent below Wyoming's average over the last 3 to 5 years.

The Commission's recent action to close 10 rest areas, along with slowing Department hiring practices and other actions taken by the executive staff, significantly improved WYDOT's ability to balance its FY20 budget.

The FY21 operating budget will be presented for Commission at the September business meeting.

Dye Management Group continues its work to define WYDOT's list of unfunded needs. The study will provide details of the Department's ongoing and growing funding shortfall.

The Snake River Bridge in Teton County remains load-restricted. Director Reiner noted that this particular emergency project is a good example of ramifications and the importance of WYDOT being able to fund its infrastructure upkeep.

The federal infrastructure funding renewal bill remains stalled, with little chance of it materializing before the November elections.

Director Reiner does not anticipate WYDOT receiving any CARES Act funding for surface transportation projects.

Legislative Update: A bill is being drafted for introduction for the road usage charge (RUC). Director Reiner thanked the co-chairs of the Joint Transportation, Highways & Military Affairs Committee (JTC) for their leadership and support in seeking surface transportation funding sources. The draft bill will be presented at the September 21 and 22, 2020, JTC meeting.

Another bill is being drafted to define statutes for autonomous vehicle use in Wyoming.

Wyoming's driving-under-the-influence (DUI) rules and regulations are being revisited. Several legislative bills are being considered this afternoon by the Joint Judiciary Committee. Director Reiner and Colonel Haller will testify before the committee to support those changes. A bill is also being considered by the Judiciary Committee this morning that, if passed, will have a significant impact on WYDOT's bid process. WYDOT will work closely with the committee to address any adverse effects it may have on the Department and its proven good bid practices.

Director Reiner shared that Senator Michael Von Flatern (Gillette), co-chair of the JTC, was not re-elected in the recent primary election. Senator Von Flatern was a long-time advocate of improving Wyoming's transportation infrastructure. Director Reiner thanked him for his steadfast, faithful service to Wyoming and its citizens.

Personnel Update: Director Reiner congratulated Mr. Tom DeHoff on being selected as WYDOT's new assistant chief engineer for operations.

WYDOT continues to fill essential vacant positions, but it is being very judicious in hiring because of budget pressures.

Chugwater Rest Area: The Commission welcomed Mr. Justin Gentle, of the Chugwater Economic Development (CHED) Group, to address his concerns about the Chugwater Rest Area closure.

On March 27, 2020, the Commission voted to close 10 Wyoming rest areas due to budget constraints. Director Reiner advised that all rest areas were carefully evaluated before

recommending that certain ones be closed, and that the evaluation was not taken lightly. Closing the 10 rest areas saves WYDOT about \$197,453 in operating costs through September 30, 2020, and about \$789,812 annually.

Following the rest area closure, the Town of Chugwater partnered with other entities to fund the Chugwater Rest Area throughout the summer. Mr. Gentle asked the Commission to reconsider and reverse its March 27, 2020, decision to close the Chugwater Rest Area for the following reasons.

- The facility is important to the Chugwater community and its economy, and it provides a focal point for the traveling public.
- The Chugwater community has provided stopgap funding to keep the rest area open and exhibit their willingness to participate in the effort. CHED, Platte County Economic Development Group, the Platte County Chamber of Commerce, the Platte County Tourism and Lodging Board, and community members contributed to fund the rest area this summer.
- In addition to the Platte County Tourism Board's initial contribution, the board has offered to contribute additional funds to help keep the rest area open through the winter.
- The CHED believes the rest area closure creates a safety issue for travelers, as it is the only safe place to stop on that 65-mile stretch of I-25 between Cheyenne and Wheatland, particularly during high-wind events during the winter.

Commissioner Filer believes Chugwater's sole gas station is carrying an unnecessary burden to accommodate hundreds of travelers, requiring cleaning of its facilities many times each day. Commissioner Filer noted that in light of the Chugwater community funding the rest area through the summer and wanting to collaborate with WYDOT to keep it open, he would like the Commission to reconsider its decision to close the Chugwater Rest Area.

Mr. Gentle noted that the current caretaker has tracked the number of rest area visitors throughout the summer. The Chugwater Rest Area sees about 50 people per hour using the facility.

Chairman Newton thanked Mr. Gentle, and he advised that the concerns about the rest area closure will be carefully considered by the Commission. The Commission took no action on this topic.

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

Monthly Budget Report: Mr. Freier presented the monthly budget report. The July 2020 budget report revealed that the Commission budget is 76 percent expended, and the Legislative budget is 77 percent expended, which is significantly less than budget tolerances.

Improper Vendor Payment: Mr. Freier shared information about an improper payment of \$47,612.75 made under federal project FT19046 in July. The erroneous check was returned to WYDOT, and a new warrant was issued to the correct vendor for the same amount under federal

project FT19047. A memorandum was written to Mr. Bryan Cawley, FHWA Division Administrator, advising him of the incorrect payment and the corrective action. Mr. Freier shared the same information with the Commission for their information.

7. Procurement Bids: It was recommended by Mr. Byrne, moved by Commissioner Dolezal, seconded by Commissioner Espy, and carried to move Bid Numbers 20-119RE, Items 2 through 13; 20-147AC; 20-149AC; and 20-150AC to a consent list.

It was moved by Commissioner Espy, seconded by Commissioner Dolezal, and carried to approve, by consent, the following bids:

- Bid No. 20-119RE, Item 2, to furnish four each, new, current model, 15-series, four-wheel-drive, crew cab, short box pickup trucks, for delivery at various locations statewide. The bid was awarded to Fremont Motor Casper, of Casper, Wyoming, for the sum of \$100,616.00.
- Bid No. 20-119RE, Item 3, to furnish 11 each, new, current model, 15-series, four-wheel-drive, four door, short box pickup trucks, for delivery at various locations statewide. The bid was awarded to Fremont Motor Casper, of Casper, Wyoming, for the sum of \$272,701.00.
- Bid No. 20-119RE, Item 4, to furnish one each, new, current model, 15-series, four-wheel-drive, four door, long box pickup trucks, for delivery in Cheyenne. The bid was awarded to Spradley Barr Motors, Inc., of Cheyenne, Wyoming, for the sum of \$28,039.00.
- Bid No. 20-119RE, Item 5, to furnish 14 each, new, current model, 15-series, two-wheel-drive, four door, short box pickup trucks, for delivery at various locations statewide. The bid was awarded to Fremont Motor Casper, of Casper, Wyoming, for the sum of \$287,266.00.
- Bid No. 20-119RE, Item 6, to furnish 11 each, new, current model, 15-series, two-wheel-drive, regular cab, short box pickup trucks, for delivery at various locations statewide. The bid was awarded to Femont Chevrolet Buick GMC Casper, of Casper, Wyoming, for the sum of \$209,161.70.
- Bid No. 20-119RE, Item 7, to furnish five each, new, current model, 25-series, four-wheel-drive, four door, long box pickup trucks, for delivery at various locations statewide. The bid was awarded to Spradley Barr Motors, Inc., of Cheyenne, Wyoming, for the sum of \$143,515.00.
- Bid No. 20-119RE, Item 8, to furnish four each, new, current model, 25-series, four-wheel-drive, four door, short box pickup trucks, for delivery at various locations statewide. The bid was awarded to Spradley Barr Motors, Inc., of Cheyenne, Wyoming, for the sum of \$114,064.00.
- Bid No. 20-119RE, Item 9, to furnish one each, new, current model, 25-series, four-wheel-drive, crew cab, long box pickup trucks, for delivery in Laramie. The bid was awarded Fremont Motor Casper, of Casper, Wyoming, for the sum of \$29,073.00.
- Bid No. 20-119RE, Item 10, to furnish one each, new, current model, 25-series, four-wheel-drive, crew-cab, short box pickup truck, for delivery in Lander. The bid was awarded Fremont Motor Casper, of Casper, Wyoming, for the sum of \$28,677.00.

- Bid No. 20-119RE, Item 11, to furnish one each, new, current model, 25-series, two-wheel-drive, crew cab, long box pickup truck, for delivery in Basin. The bid was awarded Fremont Motor Casper, of Casper, Wyoming, for the sum of \$27,752.00.
- Bid No. 20-119RE, Item 12, to furnish two each, new, current model, 35-series, four-wheel-drive, four door, diesel powered, long bed pickup trucks, for delivery in Cheyenne and Basin. The bid was awarded Fremont Motor Casper, of Casper, Wyoming, for the sum of \$77,780.00.
- Bid No. 20-119RE, Item 13, to furnish three each, new, current model, 35-series, four-wheel-drive, four door, gas powered, long bed pickup trucks, for delivery in Cheyenne and Douglas. The bid was awarded Fremont Motor Casper, of Casper, Wyoming, for the sum of \$92,241.00.
- Bid No. 20-147AC to furnish 141,750 tons of on-demand salt/sand maintenance stockpile material, for use in District 1. The bid was awarded to Simon Contractors, of Cheyenne, Wyoming, for the sum of \$1,633,837.50, and 71 Construction, of Rawlins, Wyoming, for the sum of \$2,277,370.00, and for a total sum of \$3,911,207.50.
- Bid No. 20-149AC to furnish 210,000 gallons of category 1 liquid and solid anti-icers/deicers, and 12,490 tons of category 2 liquid and solid anti-icers/deicers, for use at various locations statewide. The bid was awarded to Desert Mountain Corp., of Kirtland, New Mexico, for the sum of \$718,068.00, and Dustbusters Enterprises, Inc., of Evanston, Wyoming, for the sum of \$804,321.50, for a total sum of \$1,522,389.50.
- Bid No. 20-150AC to furnish 6,016 tons of Type 1 sodium chloride in bulk, and 9,410 tons of Type 2 sodium chloride in bulk, for use at various locations statewide. The bid was awarded to Compass Minerals America, of Overland Park, Kansas, for the sum of \$486,421.46, and Broken Arrow, Inc., of Lake Point, Utah, for the sum of \$638,025.00, for a total sum of \$1,124,446.46.

It was recommended by Mr. Byrne, moved by Commissioner Filer, seconded by Commissioner Dolezal, and carried to approve purchase for Bid No. 20-159HH to furnish a roof replacement at the WYDOT maintenance facility in Casper, including Alternate 1. The contract, including Alternate 1, was awarded to Big Horn Roofing, of Laramie, Wyoming, for the total sum of \$578,385.00.

8. Federal Funding Redistribution: WYDOT submitted a list of 43 projects totaling about \$43 million for FHWA consideration in the annual redistribution of funds not used by other states. The Department anticipates receiving at least some funds for those projects, but it will have to provide a 10 percent match to qualify for those funds. If approved, matching funds will come from the State Transportation Program (STP).

9. Human Resource (HR) and Payroll Consolidation: In accordance with Governor Gordon's action to consolidate all agency HR and payroll personnel under one umbrella, WYDOT is working closely with the Department of Administration and Information HR Development to overcome some minor issues and complete that transition.

10. Indirect Cost Allocation Plan (ICAP): WYDOT charges some of its indirect costs to projects, which allows some flexibility in how federal funds are used. The Department has requested that

the ICAP rate remain at 11 percent for the next four years, as it has been for the past four years. Keeping the rate consistent will allow WYDOT to sustain its planned indirect cost ratios without being obligated to pay back any federal funds. Changing the percentage now could also adversely affect local governments. The FHWA has approved the 11 percent ICAP rate.

11. FY21 Operating Budget: WYDOT executive staff has prepared a balanced budget, which will be presented for Commission consideration at its September business meeting.

WYDOT's revenue was significantly impacted by the COVID-19 event because of reduced traffic volume and subsequent reduced fuel consumption. Mr. Byrne predicts a \$21 million revenue decrease in FY21. Mr. Byrne shared that WYDOT has had to make difficult decisions about where budget reductions come from. Revenue is tight and needs are great, so snow control policies, the Industrial Road Program, and other areas are being reviewed for potential savings.

12. Mr. Fulton presented the Engineering and Planning report, beginning with the project authorization.

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Espy, and carried to approve the project authorization.

### **ARS PROJECT**

#### Lincoln County

ARSCT PEG3A24; City of Kemmerer; purchase stockpile materials; FY 2021; request preliminary engineering funds of \$1,350; estimated construction engineering and construction cost is \$28,350; to be reimbursed by the City of Kemmerer

13. It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Filer, and carried to approve the following resolution for abandonment.

### **RESOLUTION FOR ABANDONMENT**

WHEREAS, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of state highways upon reconstruction or relocation of an existing state highway; and

WHEREAS, a portion of Wyoming Department of Transportation's right-of-way for Evanston South/Burton and Gerrard, State Line North, Uinta County, Wyoming, established under Project Number 2100-00(020), 036003, and S-36(3), is no longer needed for state highway or public use purposes. Said portion being described as follows, and as shown on attached Exhibit "A":

#### **Parcel 1 – Evanston South – Excess Land**

A parcel of land located in the SE $\frac{1}{4}$ NW $\frac{1}{4}$ , Gov't Lot 5, Gov't Lot 6, Section 6, T12N, R119W, 6<sup>th</sup> P.M., Uinta County, Wyoming, being described by metes and bounds as follows:

Commencing at the West quarter corner of said Section 6, monumented by a 1 $\frac{1}{2}$ " Aluminum Cap – PLS 482 – witnessed per Corner Record No. R69513, from which the southwest corner thereof bears S00°31'01.1"W a distance of 2,650.36 feet, monumented by a 3 $\frac{1}{4}$ " Aluminum Cap – PLS 482 1995, as

shown on that certain Record of Survey prepared by Fred W. Coles, PLS 6927, recorded as Map of Survey No. MS #85, Reception No. R148754 on July 23, 2009, in the Uinta County Records;

Thence N86°28'08.5"E a distance of 964.56 feet to a point on the existing northerly right-of-way boundary of Wyoming State Highway 150 as shown on WYDOT Project S-36(3), THE TRUE POINT OF BEGINNING:

Thence, along said existing northerly right-of-way boundary as shown on said Record of Survey S89°06'27.6"E a distance of 484.08 feet to the beginning of a non-tangent curve concave southeasterly, the radius of which is 1,675.00 feet and a line tangent to said curve bears N89°06'47.7"W, also being a point on the existing northerly right-of-way boundary of Wyoming State Highway 150 as shown on WYDOT Project 2100-00(020), from which a standard WYDOT 6" concrete monument bears S89°06'27.6"E a distance of 0.31 of a foot;

Thence, continuing southwesterly along said curve and said existing northerly right-of-way boundary, through a central angle of 16°03'40.2", an arc distance of 469.54 feet, a chord bearing of S82°51'22.2"W, a chord distance of 468.00 feet to a point on the southerly boundary of said Gov't Lot 5;

Thence, continuing southwesterly along said curve and said existing northerly right-of-way boundary, through a central angle of 16°04'47.4", an arc distance of 470.08 feet, a chord bearing of S66°47'08.3"W, a chord distance of 468.54 to a point on the existing northeasterly right-of-way boundary of East Chalk Creek Road;

Thence, along said existing northeasterly right-of-way boundary N32°55'28.9"W a distance of 44.65 feet to the beginning of a curve concave southwesterly, the radius of which is 450.00 feet;

Thence, northwesterly along said curve and said existing northeasterly right-of-way boundary through a central angle of 14°38'16.9", an arc distance of 114.97 feet, a chord bearing of N40°14'37.3"W, a chord distance of 114.65 feet to the beginning of a curve concave southwesterly, the radius of which is 1,030.32 feet, and a line tangent to said curves bears N61°25'05.7"E, also being a point on the existing northwesterly right-of-way boundary as shown on said WYDOT Project S-36(3);

Thence, northeasterly along said curve and said existing northwesterly right-of-way boundary, through a central angle of 29°29'32.8", an arc distance of 530.35 feet, a chord bearing of N76°09'52.0"E, a chord distance of 524.52 feet, to the point of beginning.

The above described parcel of land contains 70,824 square feet (1.63 acres), more or less.

#### **Parcel 2– Evanston South – Excess Land**

A parcel of land located in Gov't Lot 6, Section 6, T12N, R119W, and the NE¼SE¼ Section 1, T12N, R120W, 6<sup>th</sup> P.M., Uinta County, Wyoming, being described by metes and bounds as follows:

Commencing at the west quarter corner of said Section 6, monumented by a 1½" Aluminum Cap – PLS 482 – witnessed per Corner Record No. R 69513, from which the southwest corner thereof bears S00°31'01.1"W a distance of 2,650.36 feet, monumented by a ¾" Aluminum Cap – PLS 482 1995;

Thence along the west boundary of said Gov't Lot 6 S00°31'01.1"W a distance of 513.27 feet to a point on the existing northwesterly right-of-way boundary as shown on WYDOT Project S-36(3) being monumented by 1½" Aluminum Cap on 5/8" rebar inscribed Ted Taggart PLS 6953, being THE TRUE POINT OF BEGINNING:

Thence, continuing along the westerly boundary of said Gov't Lot 6, Gov't Lot 5, and said existing northwesterly right-of-way boundary S00°31'01.1"W a distance of 62.41 feet, also being a point on a non-tangent curve concave southeasterly, the radius of which is 1,030.33 feet, and a line tangent to said curve bears N22°33'03.7"E, monumented by a 1½" Aluminum Cap on 5/8" rebar inscribed Ted Taggart PLS 6953;

Thence, northeasterly along said curve and existing northwesterly right-of-way boundary, through a central angle of 33°00'28.5", an arc distance of 593.57 feet, a chord bearing of N39°03'18.0"E, a chord distance of 585.40 feet to a point on the existing southwesterly right-of-way boundary of East Chalk Creek Road (Uinta County Road 150), being a point on a non-tangent curve concave southwesterly, the radius of which is 350.00 feet, and a line tangent to said curve bears S52°20'07.2"E;

Thence, southeasterly along said curve and said existing southwesterly right-of-way boundary through a central angle of 19°24'40.6", an arc distance of 118.58 feet, a chord bearing of S42°37'46.9"E, a chord distance of 118.01 feet;

Thence, along said existing southwesterly right-of-way boundary of said East Chalk Creek Road S32°55'28.9"E a distance of 44.72 feet to a point on a non-tangent curve concave southeasterly, the radius of which is 1,675.00 feet and a line tangent to said curve bears S55°19'28.5"W, being a point on the existing northwesterly right-of-way boundary of Wyoming State Highway 150, as shown on WYDOT Project 2100-00(020);

Thence, southwesterly along said curve and existing northwesterly right-of-way boundary through a central angle of 23°47'05.0", an arc distance of 695.33 feet, a chord bearing of S43°25'56.0"W, a chord distance of 690.35 feet, to a point on the westerly boundary of said Gov't Lot 6, monumented by a WYDOT 6" concrete monument;

Thence, continuing southwesterly along said curve and said existing northwesterly right-of-way boundary through a central angle of 07°28'07.9", an arc distance of 218.35 feet, a chord bearing of S27°48'19.5"W, a chord distance of 218.19 feet, to a point on a non-tangent curve concave southeasterly the radius of which is 1,055.33 feet and a line tangent to said curve bears N31°32'23.5"E, also being a point on the existing northwesterly right-of-way boundary of said WYDOT Project S-36(3);

Thence, northeasterly along said curve and said existing northwesterly right-of-way boundary through a central angle of 24°00'28.6", an arc distance of 442.20 feet, a chord bearing of N13°41'22.0"E, a chord distance of 438.97 feet to the point of beginning.

The above described parcel of land contains 105,661 square feet (2.43 acres), more or less.

### **Parcel 3– Evanston South – Excess Land**

A parcel of land located in Gov't Lot 6 and Gov't Lot 7, Section 6, T12N, R119W, and the E½SE¼, Section 1, T12N, R120W, 6<sup>th</sup> P.M., Uinta County, Wyoming, being described by metes and bounds as follows:

Commencing at the southwest corner of said Section 6, being monumented by a 3¼" Aluminum Cap – PLS 482 1995, from which the west quarter corner thereof bears N00°31'01.1"E a distance of 2,650.36 feet, being monumented by a 1½" Aluminum Cap – PLS 482 – witnessed per Corner Record No. R69513 as shown on that certain Record of Survey prepared by Fred W. Coles, PLS 6927, recorded as Map of Survey No. MS #85, Reception No. R148754 on July 23, 2009, in the Uinta County Records;

Thence, along the west boundary of said Gov't Lot 7 N00°31'01.1"E a distance of 452.70 feet to a point on the existing easterly right-of-way boundary of Wyoming State Highway 150 as shown on WYDOT Project 2100-00(020), being a standard WYDOT 6" concrete monument, being THE TRUE POINT OF BEGINNING;

Thence, along said existing easterly right-of-way boundary N11°14'02.9"W a distance of 282.96 feet to the beginning of a non-tangent curve concave easterly, the radius of which is 1,525.00 feet and a line tangent to said curve bears N11°14'01.6"W from which a standard WYDOT concrete monument bears S13°19'03.1"E a distance of 27.85 feet;

Thence, northwesterly along said curve and said existing easterly right-of-way boundary through a central angle of  $38^{\circ}02'06.5''$ , an arc distance of 1,012.35 feet, a chord bearing of  $N07^{\circ}47'01.7''E$ , a chord distance of 993.87 feet;

Thence, along said existing easterly right-of-way boundary to a point on the existing easterly right-of-way boundary of WYDOT Project S-36(3),  $S00^{\circ}15'36.2''W$ , a distance of 1,625.27 feet to a point on said existing easterly right-of-way boundary of Wyoming State Highway 150 as shown on said WYDOT Project 2100-00(20);

Thence, along said existing easterly right-of-way boundary  $N11^{\circ}14'02.9''W$  a distance of 370.09 feet to the point of beginning.

The above described parcel of land contains 161,210 square feet (3.70 acres), more or less.

NOW, THEREFORE BE IT RESOLVED, the Transportation Commission of Wyoming hereby abandons the above-described land as provided for under provisions and authority of W.S. 24-3-126, W.S. 1978, this portion of the existing highway right-of-way is hereby abandoned and all title and interest, except as provided under this law, to the highway right-of-way, shall pass to the adjacent landowners of record.

14. It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Commissioner Espy, and carried to approve the following resolution for relinquishment.

### **RESOLUTION FOR RELINQUISHMENT**

WHEREAS, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of a state highway upon reconstruction or relocation of an existing state highway; and

WHEREAS, portions of Wyoming Department of Transportation's right-of-way for Evanston South/Burton and Gerrard, Uinta County, Wyoming, established under Wyoming State Highway Federal-Aid Project No. 2100-00(020) is no longer needed for state highway purposes. Said portion being described as follows:

A parcel of land situated in Gov't Lot 5, Gov't Lot 6, Section 6 T12N, R119W, 6th P.M., Uinta County, Wyoming, lying between parallel right-of-way lines 100.00 feet apart, being 50.00 feet on each side when measured at right angles or radially to the following described centerline of East Chalk Creek Road (Uinta County Road 150), said parallel right-of-way lines begin on the westerly boundary of said Section 6, and end on the proposed northwesterly right-of-way boundary of said Wyoming State Highway 150;

Commencing at the northwest corner of said Section 6, monumented by a 3/4-inch aluminum cap, LS 3887, from which the west quarter corner thereof bears  $S0^{\circ}21'23.5''W$  a distance of 2,674.96 feet, monumented by a 1 1/2 aluminum cap per Corner Record No. R6951; thence  $S0^{\circ}21'23.5''W$ , along the westerly boundary of said Section 6 a distance of 2,671.10 feet to the TRUE POINT OF BEGINNING;

Thence, with said parallel lines  $S89^{\circ}14'31.4''E$  a distance of 155.09 feet to the point of beginning of a circular curve concave southwesterly, the radius of which is 400.00 feet;

Thence, with said parallel lines southeasterly along said curve through a central angle of  $56^{\circ}18'45.8''$ , a distance of 393.14 feet, the chord being  $S61^{\circ}05'08.5''E$ , a chord distance of 377.51 feet;

Thence, with said parallel lines  $S32^{\circ}55'45.6''E$  a distance of 43.93 feet to the proposed northwesterly line of right-of-way of said Wyoming State Highway 150 and the point of ending.

The described parcel of land contains 59,242 square feet (1.36 of an acre), more or less.

NOW, THEREFORE BE IT RESOLVED, the Transportation Commission of Wyoming hereby relinquishes the above-described land to the County of Uinta, Wyoming, as provided for under provisions and authority of W.S. 24-3-126.

15. Teton Pass Vehicle Arrestor System Update: The vehicle arrestor system on Teton Pass remains open. Sand barrels have been placed in the arrestor until permanent repairs are made to the system.

Research determined that the reason for the arrestor concerns is that vehicles were not entering the center of the arrestor, hitting and scraping the barrier wall(s), and causing vehicles not to fully engage with the arrestor's steel nets. WYDOT has worked with the arrestor designer to redesign the system to funnel vehicles through the arrestor for better connectivity with the nets. The steel net design was also modified.

Repairs are critical for traveler safety. The emergency project will be advertised through Procurement Services, bids will be analyzed and a recommendation will be made to the chief engineer for the project award.

16. Mr. Gillett presented the Chief Engineer's report.

Appointment of Assistant Chief Engineer: Mr. Gillett formally announced that Mr. Tom DeHoff was selected as WYDOT's new assistant chief engineer for operations. Mr. DeHoff assumed his new position on August 1, 2020.

Change Order Update: A change order was processed for landslide mitigation on a cutback section of US 191 on the Hoback Junction to Jackson project in Teton County. The change order was for \$1,967,000. The original repair estimate was about \$3 million, but WYDOT was able to obtain material from an old pit adjacent to the project owned by the Wyoming Game & Fish Department, saving WYDOT about \$1 million.

17. WYDOT 2021 Standard Specifications for Road and Bridge Construction (Spec Book): Mr. Gillett presented the 2021 Spec Book for Commission consideration. Fifty-five of the 115 subsections were updated. Numerous supplemental specifications were also included in the revised publication. Significant changes were made to the contract amendment, culvert, and bridge deck specifications.

The Associated General Contractors (AGC) of Wyoming was encouraged to provide input. Changes were discussed at cooperative meetings, and they were informed of revisions as they were developed.

The FHWA reviewed each draft section. WYDOT has requested a letter of acceptance from the FHWA for the new Spec Book to use in conjunction with projects beginning with the October 2020 bid letting.

It was recommended by Mr. Gillett, moved by Commissioner Filer, seconded by Commissioner Espy, and carried to adopt the WYDOT Standard Specifications for Road and Bridge Construction, 2021 edition.

Mr. Gillett thanked Mr. Kent Ketterling, State Construction Engineer, and his staff for their tireless work to update the Spec Book.

18. Teton Pass Truck Arrestor System Repair: In addition to what Mr. Fulton shared earlier in the meeting about repairing the truck arrestor system, Mr. Gillett added that the estimated cost for the repair is between \$300,000 and \$400,000.

Director Reiner added that, although WYDOT is currently faced with a budget shortfall, he feels moving forward with the truck arrestor repair is critical to the safety of the traveling public. Chairman Newton agreed.

Economic Impact of Highway Construction in Wyoming: At its July 16, 2020, business meeting, the Commission requested information about the economic impact of highway construction and development in Wyoming.

Mr. Gillett explained that there is little information available about this topic regarding the impacts to Wyoming's economy, but he was able to find information about other states. The AGC of Wyoming provided a one-page handout depicting the following statistics:

- Construction employment in 2019 averaged 22,700, or more than 10 percent of Wyoming's total private sector employment (220,700).
- Construction jobs are good paying. Weekly earnings for construction employees in Wyoming averaged \$1,160, or 24 percent more than for all private sector employees (\$936) in 2019.
- An investment of \$100 million in Wyoming highway projects in 2020 would support 956 in-state construction, mining, manufacturing, and service jobs. Those jobs would increase output by \$157 million, according to a model created by the University of Colorado (UC) Boulder for AGC of America. WYDOT awards about \$300 million in construction projects annually. Using the UC Boulder model, WYDOT construction projects generate about 2,900 jobs each year.

WYDOT Public Affairs also gathered information about job growth and creation from highway projects in Wyoming. According to the Council of Economic Advisers Infrastructure Investment

report (2011), every \$1 billion in federal highway and transit investment funded by the American Jobs Act would support 13,000 jobs for one year. The total jobs number includes the number of direct, indirect, and induced jobs.

The FHWA's \$1 billion infrastructure investment in federal-aid highway capital expenditures supported 27,800 jobs in 2007.

Mr. Gillett also shared a detailed report titled, "The Economic Impact of Highway & Bridge Construction Investment in Virginia" with the Commission. Although Virginia's economy and infrastructure are not like Wyoming's, Mr. Gillett noted that the report was the most robust information found regarding the economic benefits of highway construction on a state. In summary, Virginia received 2.6 times its highway infrastructure investment in return for every dollar spent. Additional considerations of Virginia's infrastructure investment was federal, state, and local income and sales taxes generated by the investment.

FY21 Operating Budget: WYDOT's construction and maintenance budgets were cut significantly next fiscal year, particularly snow control, which was reduced by 10 percent. The cut will result in a change in WYDOT's snow removal philosophy. Mr. Gillett met with district maintenance engineers to discuss better ways to manage snow control by closely following WYDOT's established snow removal plan.

WYDOT will also delay purchasing any light duty vehicles in FY21, which will save about \$3 million.

19. Mr. Cawley presented an update on FHWA topics.

National Topics: Future HTF funding remains uncertain and the federal government may have to implement cash management measures soon.

The Fixing America's Surface Transportation (FAST) Act is set to expire September 30, 2020. The FHWA has no other federal funding resource in place after that date.

The Office of Management and Budget published the final rule making for 2CFR 200.216 Guidance for Grants and Agreements. On August 13, 2020, grant recipients and sub-recipients are prohibited from obligating and expending federal funds for telecommunications or video surveillance equipment from Huawei Technologies, ZTE Corporation, Hytera Communications Corporation, Hangzhou Hikvision Digital Technology Company, and Dahua Technology Company or its subsidiary or affiliates.

A Notice of Proposed Rulemaking (NPRM) for Broadband Infrastructure Deployment was published August 13, 2020. The Consolidated Appropriations Act of 2018 (Pub. L. 115-141), Division P, Title VII ("Mobile Now Act"), Section 607, Broadband Infrastructure Deployment (47 USC 1504), directs the Secretary of Transportation to promulgate regulations to ensure states meet specific registration, notification, and coordination requirements to facilitate broadband infrastructure deployment in rights-of-way of applicable federal-aid highway projects.

Accordingly, the FHWA proposes revising its regulations governing the accommodation of utilities to implement Section 607 requirements. The requirements, which will apply to each state receiving Federal funds under Chapter 1, Title 23, United States Code (USC), aim to facilitate the installation of broadband infrastructure. Individuals are encouraged to visit the Federal Register and provide comments.

Director Reiner recently issued a directive that, based on federal guidance, WYDOT will not purchase drones made by certain foreign manufacturers. The decision will affect Wyoming's WyoLink towers and other related equipment.

Local Topics: WYDOT recently received a federal allocation of \$88,067 for Wyoming's On-the-Job Training Supportive Service Program. The funds will support certified training programs within the construction industry trades.

WYDOT received an allocation of \$1,680,000 in support of the Better Utilizing Investments to Leverage Development (BUILD) Grant for the Dry Piney Creek Wildlife Habitat Connectivity project. This allocation of the grant will assist with the preliminary design and project development.

WYDOT and FHWA finalized and signed a grant agreement for the Surface Transportation System Funding Alternatives grant for developing a Road User Charge (RUC) in Wyoming. The \$250,000 is allocated to Wyoming and will be obligated soon.

On July 27, 2020, the FHWA determined that WYDOT has implemented their Transportation Asset Management Plan (TAMP). The Department will work with the FHWA in FY21 to improve and refine the TAMP to align with WYDOT's Long Range Transportation Plan and its guiding principles.

On July 27, 2020, WYDOT notified Uinta County that a load posting sign was missing on Structure ERJ on County Road 222, about 2 miles northwest of Fort Bridger. The misplaced sign was discovered during a routine structural inspection. Signs are posted to communicate safe load configurations for the structure.

On August 4, WYDOT bridge inspection crew also identified a critical finding on a bridge located on US 20/WYO 789, between Shoshoni and Thermopolis. One of the bearing plate bolts was sheared, anchor rods were sheared, and sole plates had shifted at different points on the structure. The entire superstructure was out of tolerable alignment. The Bridge Program immediately contacted district maintenance, which placed temporary shoring until the structure can undergo permanent repairs.

Mr. Cawley thanked WYDOT's Bridge Program for its diligence in inspecting and keeping Wyoming structures operational and safe.

20. Mr. DeHoff presented the Operations report.

Construction Update: Operations are progressing smoothly through this construction season, with very few COVID-19-related issues. WYDOT has 87 active construction projects statewide, including twenty-five in District 1, eighteen in District 2, seventeen in District 3, ten in District 4, and seventeen in District 5. Many of these projects involve bridge replacements, bridge and pavement rehabilitations, slab repairs, and other work. Construction activities will wind down soon as fall and winter are approaching.

Districts are hosting annual State Transportation Improvement Program (STIP) meetings to share information and gain public input about planned construction projects. The Department has also developed a new online STIP map to facilitate public comments.

Maintenance Update: WYDOT collaborated with Wyoming Department of Health to relay COVID-19 supplies from mid-March through late-July. The Department ceased relay services August 1, 2020. To date, WYDOT has spent about \$300,000 in labor costs, expended almost 4,600 work hours, and driven about 187,000 miles to assist with COVID-19 deliveries. WYDOT is still delivering personal protective equipment biweekly to various county health departments statewide.

Rest Area Updates: Maintenance crews worked to re-open the Meriden and Wagon Hound Rest Areas. The Meriden Rest Area re-opened August 15, 2020, after a lengthy closure caused by water well issues. The Wagon Hound Rest area re-opened July 24, 2020, following water system upgrades.

The Shirley Rim Rest Area also has water system issues, requiring a temporary closure. That rest is open again.

The Sand Turn Lookout on US 14, west of Dayton, is closed because of an incident that occurred August 12, 2020. A semi-truck lost its brakes, crashed, severely damaging the guardrail at the site. Repairs should be complete within a week.

District maintenance crews continue with paving, patching, fencing, and mowing operations. WYDOT recently moved its hot plant to Casper for District 2 patching operations.

The Rigging and Fabrication Shop has built and delivered 7 of the 26 new tandem-axle snowplow trucks to several districts. Employees will continue to work to rig the trucks in time for delivery before winter strikes.

The Colorado Department of Transportation (CDOT) recently contacted WYDOT about a large wildfire that closed I-70 in western Colorado. CDOT alerted the Department that it was recommending I-80 in Wyoming as an alternate route. Colorado Highway 14, from Walden to Rustic Walden, Colorado, is also closed due to fires. WYDOT has seen a noticeable increase in traffic on I-80, WYO 230, and US 287 since the Colorado closures were implemented.

21. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through July 31, 2020, includes 53<sup>1</sup> fatal crashes involving 62<sup>1</sup> deaths. The fatalities include 25 rollover crashes, 23 multi-car crashes, 5 fixed objects, 7 motorcycles, and 2 pedestrians. Of the 53 fatal crashes that have occurred in 2020, 14<sup>2</sup> involved commercial vehicles.

Another 12 fatalities have occurred since July 31, 2020, many of which whom were traveling to or from the 2020 Sturgis Motorcycle Rally.

There were 15<sup>3</sup> fatal crashes deemed drug or alcohol related, resulting in 19<sup>3</sup> deaths. Of those deaths, 12 were attributed to not using occupant restraints. Thirteen were rollover crashes, 3 were multi-car crashes, 2 involved motorcycles, and 1 involved a pedestrian. Of the 19 drug- or alcohol-related fatalities, 2<sup>2</sup> involved commercial vehicles.

Of the 62 deaths this year, 28 can be attributed to the non-use of occupant restraints, with 20 involving rollover crashes, 6 involving multi-car collisions, and 2 involving fixed objects. Twenty of those who died from the non-use of occupant restraints were Wyoming residents. Four of those who perished were under 21 years old, and 3 of those fatalities were attributed to the failure to use proper occupant restraints.

Colonel Haller noted that information regarding the effects of seat belt use has been shared with the JTC for its consideration in drafting a primary seat belt use law. The Commission's resolution supporting a primary seatbelt law was also provided to the JTC.

Of the 53 fatal crashes so far this year, it was deemed that 11 of those drivers had no distractions, none had a distraction from outside the vehicle, but 3 drivers were distracted by an object from inside the vehicle. In 35 of the 53 fatal crashes, it was unknown whether a distraction caused the incident.

Of the 53 fatal crashes that have occurred this year, 32 occurred on primary/secondary highways, 10 occurred on interstate highways, and 11 occurred on city/county roads.

Of the multiple-fatality crashes occurred on Wyoming highways in 2020, of which 3 involved rollovers, 5 involved multiple vehicles, 2 involved a commercial vehicle, and 4 were alcohol related.

In locations where rumble strips/strips were present, there were 18<sup>4</sup> crashes. There were 28<sup>4</sup> crashes where rumble strips/strips were not present.

Inclement weather or road conditions contributed to 7 vehicle crashes in 2020, resulting in 7 deaths. Speed was considered a factor in 10 of the vehicle crashes, causing 10 deaths.

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<sup>1</sup> Numbers at the time of reporting; final numbers may change.

<sup>2</sup> Number not included in total deaths (sub-crash data).

<sup>3</sup> Not all chemical tests were available at the time of reporting.

<sup>4</sup> Numbers at the time of reporting from submitted crash reports.

The days of the week for fatal crashes in 2020 were as follows:

Sunday	8 crashes
Monday	5 crashes
Tuesday	6 crashes
Wednesday	6 crashes
Thursday	7 crashes
Friday	13 crashes
Saturday	8 crashes

The times of day for fatal crashes in 2020 were as follows:

12:00 a.m. to 6:00 a.m.	6 crashes
6:00 a.m. to 12:00 p.m.	12 crashes
12:00 p.m. to 6:00 p.m.	21 crashes
6:00 p.m. to 12:00 a.m.	14 crashes

The Commission also heard the following statistics:

- 80 percent of those who died in rollover crashes were unbelted.
- 26 percent of those who died in multi-vehicle crashes were unbelted.
- 40 percent of those who died in fixed-object crashes were unbelted.
- 74 percent of the fatalities in 2020 were drivers.
- 23 percent of the fatalities in 2020 were passengers.
- 67 percent of the resident fatalities were unrestrained.
- 35 percent of the non-resident fatalities were unbuckled.
- Alcohol and/or drug impairment was a factor in 31 percent of the fatalities.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 3,168<sup>(5)(6)</sup> crashes statewide, of which 930<sup>(5)(6)</sup> involved commercial vehicles.

National Center for Missing and Exploited Children (NCMEC) Recognition: The National Center for Missing and Exploited Children (NCMEC), the nationwide Amber Alert hub, recently contacted the WHP regarding its issuance of an April 10, 2020, Amber Alert involving four children who were recovered successfully. The NCMEC has confirmed that the recovery of those children pushed the total number of successful Amber Alert rescues nationwide to over 1,000.

Donation to the WHP: The WHP recently received a \$25,000 donation from a Cheyenne resident to support the Patrol and their enforcement K-9s. The WHP's K-9 leader met with the donor to discuss her intent. The donation will be used to replace K9s in the future. Some funds are earmarked for supplies, such as food, and veterinarian expenses.

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<sup>5</sup> Does not include all crashes worked; some reports are still pending.

<sup>6</sup> Total number of commercial vehicles involved. Some crashes may contain multiple commercial vehicles.

Colorado I-70 Closure: Wyoming has seen increased traffic on I-25 and I-80 from the recent closure of I-70 in Colorado. The diversion has caused about 5,000 vehicles per day to travel north on I-25 from Colorado and head westbound on I-80. The fire is only about 4 percent contained, so the impacts may continue for some time.

WHP Body Cameras: The WHP has considered purchasing body cameras for its troopers for a long time. Dash-mounted cameras were installed in patrol cars about 15 years ago. Activities are not always in the line of sight with those devices, and the WHP's camera equipment has reached the end of their lifespan. The executive staff believes body cameras are critical safety gear for today's law enforcement.

The WHP will begin field testing shoulder-mounted body cameras and possibly eyewear-mounted cameras. The body or eyewear cameras will eventually replace all dash-mounted cameras currently used in patrol vehicles. Colonel Haller noted that body cameras typically cost about half of what a dash camera.

Request for an Informal Hearing: On August 17, 2020, the Commission received two requests for informal hearings. All Around Towing & Recovery and Gibson's Towing & Recovery, both of Douglas, will come before the Commission to contest the WHP's recent one-year suspensions of their towing services in Wyoming.

The Towing Advisory Board and the Dispute Resolution Committee reviewed the offences before issuing the suspensions.

All Around Towing & Recovery and Gibson's Towing & Recovery will come before the Commission at its next meeting to contest the suspensions.

Transporting Oversize Dump Beds on Wyoming Highways: Colonel Haller provided the Commission a handout with information about transporting oversize dump beds on Wyoming highways.

Effective August 1, 2020, the Department implemented a new rule that non-divisible loads over 26 feet wide are not permitted on Wyoming highways less than 32 feet wide. The new width restriction is a result of recent crashes involving mega-loads.

The WHP continues to work closely with the industry transporting those loads to ensure safety on Wyoming highways. Companies are encouraged to break down mega-loads. The WHP is closely monitoring the situation.

22. Service Award Presentations: Director Reiner led the service award presentations for 4 WYDOT employees with 25, 30, 35, and 40 years of service.

23. Mr. Olsen presented the Aeronautics report beginning with the July 2020 Aeronautics Flight Operations Passenger Summary Report.

COVID-19 Update: The airline industry has been significantly impacted by the COVID-19 pandemic. Wyoming's passenger enplanements are about 45 percent less than this time last year. Nationally, enplanements are about 58 percent lower than normal. In July, Wyoming saw about 53 percent fewer enplanements compared to 73 percent fewer enplanements nationally.

Wyoming is seeing stronger bookings in August than the national average. The Aeronautics Division will monitor future flight demand and make schedule adjustments as needed in FY21.

Coronavirus Aid, Relief, and Economic Security (CARES) Act Funding: Reduced enplanements, due to COVID-19, increased airfare in Wyoming. The Aeronautics Division applied for and received about \$4.2 million in CARES Act funding to compensate for the shortfall under the Capacity Purchase Agreement (CPA). The CARES Act funding will be distributed soon.

Cheyenne Regional Airport Update: Cheyenne Regional Airport will resume commercial air service on November 11, 2020. United Express, operated by SkyWest Airlines, will provide one daily flight to Denver.

Airport Projects Update: The Wheatland runway reconstruction is complete and the airport is operational. The Wheatland Airport will host a ribbon cutting at 10:00 a.m., August 29, 2020.

There are about 20 other active airport construction projects statewide. A contractor's employee on one of those projects tested positive for COVID, which slightly delayed its progress, but the project should still be complete before winter.

Permissible Drones in Wyoming: On August 19 2020, Director Reiner signed a memorandum restricting WYDOT drone purchases and/or using drones made by certain foreign manufacturers. The directive was issued because of the requirement that an account must be created for drone data storage, and data is then stored in the country of origin. These accounts create a security risk.

24. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,932 personnel as of July 30, 2020, compared to 1,949 a month ago and 1,936 one year ago. There are currently 22 WYDOT positions advertised statewide. Another 30 to 40 seasonal worker vacancies await approval by the Department of Administration and Information (A&I) Human Resource Division (HRD) to be filled. Other position vacancies are being filled as needed.

State Employee Furloughs: WYDOT has 230 employees involved in the one-day-per-month furlough mandated by Governor Gordon, effective August 1, 2020, through February 28, 2021. Mr. Rossetti noted that the savings from WYDOT employee furloughs does not revert to the State General Fund. A summary of the Department's savings from the furlough will be shared with the Commission next month.

Human Resource Staff Consolidation: Governor Gordon's directive to consolidate all state human resource personnel under A&I HRD includes 17 WYDOT Human Resource employees: 5 field positions, 8 in Human Resources, and 3 in WYDOT's Payroll office. HRD has started the process of one-on-one interviews with WYDOT employees for appropriate role placement. So far, the process is working smoothly and business is as usual.

25. Mr. Babbitt presented the Chief Technology Officer's report.

FY21 Budget Preparations: Mr. Babbitt advised that WYDOT applied for CARES Act funding for the Revenue Information System (RIS) and WyoLink upgrades, but received no funding to date. The executive staff continues its work to find funding for equipment upgrades and to establish a radio replacement cycle over the next three biennia.

Emergency Communications: On August 13, 2020, WYDOT received a directive from the FHWA to discontinue using China-made antennas. The WyoLink system currently uses antennas made by Hytera Communications Corporation, one of the companies banned by the FHWA's directive, including the 16 newly planned tower sites. Mr. Babbitt noted that the antennas are not collecting any data, and they are merely transmitting data to and from the sites. WYDOT is working to address the issue on any future tower projects.

WyoLink Tower Build-Out Update: The remaining 13 WyoLink towers are progressing well. Mr. Nate Smolinski, Emergency Communications Program Manager, has attended some State Transportation Improvement Program (STIP) meetings and the tower projects have been well received.

Construction will begin on the Lusk tower site on August 24, 2020. Equipment has been delivered to the Jackson/Teton Pass tower site, and it will be installed soon. Construction is underway at the Alva and Greybull sites, and the Natrona County Commission recently approved the zoning change for the Alcova tower site.

Sublette County chose not to connect with WyoLink, and it is using the Inter-Subsystem Interface (ISSI) for interoperability between Motorola, WyoLink's radio system, and their system. Extensive coordination and troubleshooting has occurred between Sublette County, WYDOT, State of Wyoming Enterprise Technology Services, Motorola, and Visionary to make Sublette County's system operable. Some functionality is lost using ISSI, but it will provide some interoperability in case of an emergency in Sublette County.

Graphical Information Systems/Intelligent Transportation Systems (GIS/ITS) Update: WYDOT is working with Google to alleviate the issue of Google Maps rerouting traffic to other roads when the Department closes a primary route that is impassible. Some of the routes are not adequate for certain vehicles, causing potentially dangerous situations for those drivers. WYDOT hopes to work out the glitches for travelers this winter.

GIS/ITS is also developing the new WYDOT travel approval program (WYTAP): A new WYTAP application is being developed for use this winter. WYTAP permits local residents to travel to their home on closed roads.

The Transportation Management Center (TMC) will soon hire 10 temporary employees and train them for winter operations.

An RFP is being drafted for the RIS and is expected to be finalized in late October 2020. MathTech, the vendor responsible for developing a RIS replacement plan, is actively communicating with various county clerks and treasurers to establish the need. A statewide meeting is planned to educate all relevant county officials about the proposed system and to gain input from all Wyoming counties.

Information Technology (IT): About 20 percent of WYDOT employees continue to teleworking during the COVID-19 event. A new telework policy is being drafted to provide direction to individuals who will continue to telework in the future.

WYDOT's IT Program staff is working with Driver Services to develop a software application that will notify customers of when service is available in the Driver Services building. The software will send a text notification to the customer while they wait in their car, rather than waiting in a crowded room.

Wyoming Broadband Expansion: The Wyoming Business Council received \$87 million in CARES Act funds for 37 different COVID-19-related items. A portion of that funding is for installing additional broadband infrastructure statewide. WYDOT will be involved in rights-of-way and utility clearances for the new broadband installation. The additional broadband service will benefit WYDOT and WyoLink tower sites.

Select Committee on Blockchain, Financial Technology and Digital Innovation Technology (Blockchain Committee) Meeting: The Blockchain Committee will meet August 25, 2020. WYDOT is not scheduled to testify at the meeting, but executive staff members have been significantly involved in better understanding the technology, the process, and what it means for WYDOT. The future of digital driver licenses will become more important, as it contains the information needed for Blockchain, should customers choose to make their personal information available for that purpose.

On July 27, 2020, Director Reiner presented information to the Blockchain Committee about autonomous vehicles in Wyoming, specifically licensing. An autonomous vehicle demonstration is planned in Yellowstone National Park in the spring 2021. Technology coverage and weather will be key hurdles to overcome in that area.

26. September Commission Business Meeting: It was moved by Commissioner Filer, seconded by Commissioner Espy, and carried to hold a hybrid of in person and video conference for the FY21 Operating Budget presentation and business meeting in September.

27. Resolution for Electronic Official Commission Seal: It was recommended by Secretary Scott, moved by Commissioner Espy, seconded by Commissioner Filer, and carried to approve the following resolution.

### **RESOLUTION**

WHEREAS, Wyoming Statute 24-2-101 requires the Transportation Commission of Wyoming to have a seal bearing the words “Transportation Commission of Wyoming, Official Seal,” and all copies of all records and other instruments in the office of the commission, certified under the hand of its secretary, must have the official commission seal affixed to them as prima facie evidence of the original record or instrument; and

WHEREAS, the COVID-19 emergency has created a unique situation for the Wyoming Department of Transportation (WYDOT) that has led the Department to change its processes to accommodate electronic signatures on contracts and other documents; and

WHEREAS, WYDOT desires to go paperless and generate electronic contracts and electronic signatures as its preferred method for conducting business from now on; and

WHEREAS, contracts and documents requiring the Commission Secretary’s attestation can include the text, “Pursuant to Wyo. Stat. 24-2-101(f), and by Resolution of the Commission, the Commission’s seal has been affixed to this document by its Secretary on this \_\_\_ day of \_\_\_\_\_, 20\_\_\_. Said seal has been affixed by electronic means and shall be valid and possess the same force and effect as though manually affixed. Signed, <<Secretary>>”; and

WHEREAS, the official seal can be pasted or inserted onto the document electronically at the time of the Secretary’s signature or at the time the document is drafted;

NOW, THEREFORE, BE IT RESOLVED, that the Transportation Commission of Wyoming officially supports going paperless by generating electronic contracts and signatures, and hereby approves using an electronic official Commission seal in the manner described above.

28. Signature Authorization: It was recommended by Secretary Scott, moved by Commissioner Filer, seconded by Commissioner Espy, and carried to add Thomas M. DeHoff as an authorized signatory, effective August 1, 2020.

29. It was moved by Commissioner Espy, seconded by Commissioner Dolezal, and carried to adjourn the meeting. Chairman Newton adjourned the meeting at 12:20 p.m., on Thursday, August 20, 2020.