

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met via video conference on October 15, 2020. Chairman Newton convened the business meeting at 8:30 a.m. The following members were present constituting a quorum:

Rick Newton, Chairman, Buffalo
Phil Schmidt, Vice Chairman, Casper
Mike Larson, Commissioner, Lusk
Jim Espy, Commissioner, Savery
Jon Dolezal, Commissioner, Evanston
Lee Filer, Commissioner, Cheyenne
Greg Venable, Commissioner, Worland
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; Lieutenant Colonel Shannon Ratliff, Operations Commander, Wyoming Highway Patrol (WHP); 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 Phillip Ellis, of the Chugwater Economic Development Group (CEDG).

Other meeting attendees: Doug McGee, Public Affairs Program Manager; John Davis, Management Services Program Manager; Doug Jensen, State Contracts & Estimates Engineer; Rhonda Holt, Controller; Katie Legerski, Executive Director, Associated General Contractors (AGC) of Wyoming; and Devon Brubaker, Manager, Rock Springs Airport.

Colonel Haller was absent.

1. Pledge of Allegiance: Chairman Newton led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Espy, seconded by Commissioner Larson, and carried to approve the minutes from the September 16, 2020, budget presentation, and the September 17, 2020, business meeting and executive session.
3. Old Business: Mr. Phillip Ellis, of CEDG, thanked the Commission and WYDOT for allowing them to extend the memorandum of understanding to continue operations at the Chugwater Rest Area throughout the summer. The CEDG currently plans to continue managing its operations through at least December 31, 2020.

The Chugwater Rest Area has accommodated over 23,300 visitors from May 29 through August 30, 2020. The CEDG staffed the rest area 25 to 30 hours per week to greet visitors and answer travelers' questions.

Mr. Ellis noted that Wyoming Travel and Tourism provided state lodging tax money to fund the rest area throughout the summer and that the public expressed appreciation for the rest area remaining open for travelers.

Commissioner Espy asked how the number of Chugwater Rest Area visitors compare to the Cheyenne and Sheridan visitor centers. Director Reiner indicated the staff would gather that information for the Commission.

4. Director Reiner presented the Director's report.

North Sheridan Interchange Ribbon Cutting: WYDOT District 4 staff hosted a ribbon cutting ceremony on October 14, 2020, for the grand opening of the North Sheridan Interchange project. Chairman Newton and Director Reiner participated in the event.

Coronavirus (COVID-19) Update: Wyoming COVID cases are rapidly rising. Director Reiner believes WYDOT is postured as well as it can be to face what lies ahead for its workforce. Employees are following proper safety guidelines, and doing so has kept the number of cases to a minimum within the Department.

Federal Reauthorization Update: The federal government recently authorized an extension of Fixing America's Surface Transportation (FAST) Act for one year, with a continuing resolution to fund the Act through December 11, 2020.

Funds were added to the Highway Trust Fund (HTF) to sustain it short term. Future HTF funding will need to be addressed following the November 3, 2020, elections.

State Budget Update: The State of Wyoming is waiting for the release of the next Consensus Revenue Estimating Group (CREG) report to determine what steps Wyoming will take to address its budget.

Director Reiner stressed the importance of WYDOT remaining fiscally prudent.

The Department will soon publish its snowplow priority plan on the WYDOT website. The Department will continue to provide snow removal services to Wyomingites while setting certain limitations or boundaries to reduce expenditures. WYDOT has exceeded usual snow removal services in recent years, but it will scale back snow control operations to a level consistent with the WYDOT Snow Plow Priority Plan.

COVID-19 has led to less fuel consumption, which generated about \$4 million less fuel tax revenue for Wyoming roads in the second half of FY 2020.

Legislative Update: At its September 21, 2020, meeting, the Joint Transportation, Highways & Military Affairs Committee (JTC) passed a bill to implement a road usage charge (RUC) for anyone who travels on Wyoming highways. The JTC will consider some bill revisions at the next interim committee meeting. WYDOT has started the process of reviewing necessary additional rules and regulations to expedite that process, should the bill pass during the 2021 legislative session.

On September 23, 2020, Director Reiner met with the Wyoming Trucking Association's (WTA) board of directors to provide details and answer questions about the proposed RUC. The meeting was a good opportunity to receive WTA input about potential RUC revisions before the legislature considers the bill.

At its September 21, 2020, meeting, the JTC also considered a bill to manage, regulate, and accommodate autonomous vehicles on Wyoming highways.

WYDOT Employee Safety: WYDOT has increased its efforts to provide employee safety training. Districts now provide quarterly safety reports to executive staff to keep them informed of mishaps and ongoing training.

WYDOT Comp Time Policy: WYDOT fully implemented its revised compensation time policy on September 30, 2020. The Department's various employee advisory teams reviewed, shaped, and wrote the new policy, and executive staff members support it.

Town Hall Meetings: Director Reiner will host online WYDOT town hall meetings October 26-29, 2020. Commissioners were encouraged to attend.

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

Monthly Budget Report: Mr. Freier presented the monthly budget report. Overall, the budget report revealed that the Commission budget was 94 percent expended, and the Legislative budget was 91 percent expended at the end of FY 2020.

6. It was recommended by Mr. Byrne, moved by Commissioner Espy, seconded by Commissioner Filer, and carried to move Bid Numbers 20-186CS and 20-187CS, to a consent list.

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

- Bid No. 20-186CS to furnish 338,970 gallons of fast-drying acrylic traffic line paint for use at various locations statewide. The bid was awarded to Vogel Paint & Wax Co., Inc., of Orange City, Iowa, for the sum of \$2,722,165.05.
- Bid No. 20-187CS to furnish 2,548,000 pounds of reflective glass spheres (Type 1), for use at various locations statewide. The bid was awarded to Potters Industries, LLC, of Malvern, Pennsylvania, for the sum of \$762,664.00.

7. Mr. Byrne advised that WYDOT has met its obligation limitation and formula funding requirements for FY 2020. Mr. Byrne thanked those involved in identifying projects and obligating the redistributed federal formula funds by the deadline.

8. Code of Federal Regulations (CFR) Changes: The CFRs regulates how WYDOT spends federal funds. A recent change to the CFRs requires state departments of transportation to close projects within 12 months of the issued project end date. After 12 months, the Department can no longer charge to that project. As of October 7, 2020, the notification date of the CFR change, WYDOT had no open projects remaining that would jeopardize federal funds.

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

North Sheridan Interchange Ribbon Cutting Ceremony: Mr. Gillett thanked District 4 staff for their efforts to host a successful ribbon cutting ceremony for the North Sheridan Interchange on October 14, 2020.

State Transportation Improvement Program (STIP): The FHWA recently approved the FY 2021 STIP.

Legislative Update: During the September 21, 2020, JTC meeting, the committee approved an amendment to the current statute requiring Wyoming communities to notify WYDOT when they desire to close a local state highway for celebrations. The change would require the community to include WYDOT personnel when determining an adequate in-town detour.

Wyoming Rest Area Closures: Nine Wyoming rest areas remain closed due to budget constraints. The rest areas are Fort Steele, Lusk, Guernsey, Orin Junction, Star Valley, Sundance, Moorcroft, Upton, and Greybull. WYDOT plans to pursue winterizing and turning off power to those facilities until budgets can support reopening them.

Teton Pass Truck Arrestor Repair: WYDOT has received the newly designed CatchNet system and canisters from the manufacturer. The contractor has until November 30, 2020, to complete the concrete barrier work. WYDOT will install the canisters and catch nets soon thereafter for the reopening for the truck arrestor.

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

On September 30, President Trump signed a continuing resolution to extend the FAST Act through September 30, 2021. The continuing resolution appropriates funding at FY 2020 levels through December 11, 2020.

The continuing resolution also transferred \$13.6 billion from the General Fund to the HTF, with \$10.4 billion going to general surface transportation and \$3.2 billion going to the Mass Transit account. The FHWA is recalculating the estimated solvency of the highway trust fund, based on income and expenditures.

The continuing resolution increases the “multimodal cap” for the U.S. Department of Transportation’s Infrastructure for Rebuilding America (INFRA) Discretionary Grant program from \$500 million to \$600 million. The continuing resolution also extends the 2017 and 2018 Better Utilizing Investments to Leverage Development (BUILD) Grant program obligation deadlines through September 30, 2021.

Wyoming has received a full year’s apportionment of contract authority at FY 2020 levels, which is \$280.4 million. Wyoming also received \$46.6 million in obligation limitation for October 1, 2020 through December 11, 2020. WYDOT’s 2017 and 2018 BUILD grants were also fully obligated.

The FHWA has reviewed and found WYDOT’s Transportation Performance Management Measures to be complete, accurate, and appropriately documented. The measures present target values, 2017 baseline data, and new 2019 condition data for safety performance, bridge condition, pavement condition, national highway system performance, interstate freight movement, and on-road mobile source emissions.

The FHWA also reviewed and approved WYDOT’s Planning Program, Cheyenne Metropolitan Planning Organization (MPO), and Casper Area MPO work plans for FY 2021.

The FHWA concluded its review of the WYDOT planning process, which revealed some strengths, areas for improvement, and one corrective action involving an MPO. The identified strength was the use of virtual public involvement processes. The corrective action item relates to Cheyenne’s MPO Transportation Plan that expired September 30, 2019, and its interim plan expiring on December 31, 2020. The Cheyenne MPO is working diligently to finalize its plan before the expiration date. Based on the plan review findings, the FHWA and Federal Transit Administration jointly approved WYDOT’s FY 2021 STIP.

The FHWA also concluded its review of WYDOT’s estimation of highway construction costs. WYDOT received a “commendable practice” rating for the accuracy of its engineer’s estimate, and for how Mr. Fulton explains the difference between the engineer’s estimate and the apparent low bid during Commission meetings. One improvement area noted was estimating project construction costs. The construction cost estimate includes the engineer’s estimate, direct costs, indirect costs, and contingency for the project construction phase. The FHWA uses the construction cost estimate to authorize the construction phase of work. The FHWA and WYDOT program managers are working to improve in this area.

The FHWA also reviewed WYDOT’s Truck Size and Weight Enforcement Program and found no high risk or elevated risk factors within the program.

The FHWA concluded its review of WYDOT’s Title VI Implementation Plan and found it compliant with federal guidelines.

Mr. Cawley thanked WYDOT for its collaborative working relationship with the FHWA, and he congratulated the Department on maintaining compliance with these programs.

11. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held October 8, 2020, in Casper.

Federal projects NHPPI-I804267 and NHPPI-I804268 combined, involving grading, milling plant mix, bituminous pavement surfacing, plant mix wearing course, bridge rehabilitation, and miscellaneous work on approximately 6.20 miles of I-80, on the eastbound and westbound lanes, beginning at reference marker (RM) 221.27, between Sinclair and Walcott Junction, in Carbon County. Completion date: October 31, 2022

Engineer's Estimate	\$7,864,189.75	
McGarvin-Moberly Construction Co., Worland, WY	\$7,339,796.32	-6.7%
H-K Contractors, Inc., Idaho Falls, ID	\$7,699,669.00	
Kilgore Companies, LLC dba Lewis & Lewis, Inc., Rock Springs, WY	\$7,742,806.91	
Mountain Construction Company, Lovell, WY	\$8,068,908.47	
Simon Contractors, Cheyenne, WY	\$8,226,902.90	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Filer, 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. The Federal Highway Administration concurred with this decision.

Federal project NHPP-N151027, involving grading, milling plant mix bituminous pavement surfacing, chip seal, removal and replacement of sidewalk, curb and gutter, bridge rehabilitation, electrical work, and miscellaneous work on approximately 16.20 miles of US 26, at various locations between Lander and Fort Washakie, in Fremont County. Completion date: November 30, 2021

Engineer's Estimate	\$6,635,644.00	
Mountain Construction Company, Lovell, WY	\$6,891,991.05	+3.9%
McGarvin-Moberly Construction Co., Worland, WY	\$7,061,779.38	
H-K Contractors, Inc., Idaho Falls, ID	\$7,444,469.00	

It was recommended by Mr. Fulton, moved by Vice Chairman Schmidt, seconded by Commissioner Dolezal, and carried that Mountain Construction Company, Lovell, 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.

Federal project NHPP-N855049, involving grading, profile milling plant mix, placing bases, bituminous pavement surfacing, chip seal, bridge rehabilitation, fencing, and miscellaneous work on approximately 13.50 miles of US 85, beginning at RM 202.38, between Lusk and Newcastle, in Niobrara and Weston counties. Completion date: June 30, 2022

Engineer's Estimate	\$5,283,922.00	
Northern Improvement Company, Fargo, ND	\$4,753,775.67	-10.0%
Riverside Contracting, Inc., Missoula, MT	\$4,939,904.62	
McGarvin-Moberly Construction Co., Worland, WY	\$4,991,684.22	
Croell, Inc., Sundance, WY	\$5,050,761.17	
Simon Contractors, Cheyenne, WY	\$5,298,906.59	
Mountain Construction Company, Lovell, WY	\$5,388,012.46	

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Larson, and carried that Northern Improvement Company, Fargo, 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.

Federal project NHPP-N212112, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, chip seal, fencing, A and B bidding, and miscellaneous work on approximately 8.00 miles of WYO 220, between Muddy Gap and Casper, in Natrona County. Completion date: June 30, 2022

Engineer's Estimate	\$5,198,230.00	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$4,242,729.92	-18.4%
McGarvin-Moberly Construction Co., Worland, WY	\$4,646,916.36	
Riverside Contracting, Inc., Missoula, MT	\$4,934,675.50	
H-K Contractors, Inc., Idaho Falls, ID	\$4,959,769.00	
Croell, Inc., Sundance, WY	\$5,116,647.11	
Mountain Construction Company, Lovell, WY	\$5,121,420.48	
Simon Contractors, Cheyenne, WY	\$5,307,089.06	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Venable, and carried that JTL Group, Inc. DBA Knife River, 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.

Federal project STP-1502013, involving grading, placing bases, bituminous pavement surfacing, chip seal, temporary concrete barrier, and miscellaneous work on approximately 3.50 miles of WYO 120, beginning at RM 115.00, between Cody and the Montana state line, in Park County. Completion date: October 31, 2021

Engineer's Estimate	\$3,640,752.00	
Riverside Contracting, Inc., Missoula, MT	\$3,987,440.00	+9.5%
Oftedal Construction, Inc., Casper, WY	\$4,156,031.27	
McGarvin-Moberly Construction Co., Worland, WY	\$4,191,895.04	
Mountain Construction Company, Lovell, WY	\$4,425,013.27	
Century Companies, Inc., Lewistown, MT	\$4,758,493.50	

It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Vice Chairman Schmidt, and carried that Riverside Contracting, Inc., Missoula, 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-BR-B212012, involving grading, placing crushed base and bituminous pavement surfacing, bridge rehabilitation, and miscellaneous work at various locations in Transportation District 2, including Laramie, Natrona, and Platte counties. Completion date: November 30, 2021

Engineer's Estimate	\$2,602,270.00	
S & S Builders, LLC, Gillette, WY	\$2,728,289.40	+4.8%
Reiman Corp., Cheyenne, WY	\$3,042,683.75	

It was recommended by Mr. Fulton, moved by Vice Chairman Schmidt, seconded by Commissioner Dolezal, and carried that S & S Builders, LLC, Gillette, 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 projects PEG2131, ARS3975, and ARSCT-PEG3A24 combined, involving crushing and stockpiling of surfacing material, salt mixing of designated stockpiles, and miscellaneous work at various locations in Transportation District 3, including Lincoln, Sublette, Sweetwater, Teton, and Uinta counties. Completion date: April 30, 2021

Engineer's Estimate	\$1,615,428.00	
Avail Valley Construction-WY, LLC, Afton, WY	\$1,422,222.00	-12.0%
Plus 5% for Comparison	\$1,493,333.10	
Kilgore Companies, LLC dba Lewis & Lewis, Inc., Rock Springs, WY	\$1,534,944.00	
Evans Construction Company, Jackson, WY	\$1,546,640.00	

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Larson, and carried that Avail Valley Construction-WY, LLC, Afton, 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-B213016, involving crack sealing and miscellaneous work on approximately 85.00 miles of roadway at various locations in Transportation District 3, including Lincoln, Sublette, Sweetwater, and Uinta counties. Completion date: May 15, 2021

Engineer’s Estimate	\$1,010,591.00	
Highway Improvement, Inc., Sioux Falls, SD	\$ 877,670.00	-13.2%
Z & Z Seal Coating Inc., Billings, MT	\$ 927,588.45	
American Pavement Solutions, Inc., Green Bay, WI	\$ 959,480.00	

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Venable, and carried that Highway Improvement, Inc., Sioux Falls, South 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.

Federal project STP-PM-B211007, involving crack sealing and miscellaneous work on approximately 83.70 miles of roadway at various locations in Transportation District 1, including Albany, Carbon, and Laramie counties. Completion date: March 31, 2021

Engineer’s Estimate	\$520,760.00	
Z & Z Seal Coating Inc., Billings, MT	\$510,522.97	-2.0%

It was recommended by Mr. Fulton, moved by Vice Chairman Schmidt, seconded by Commissioner Larson, and carried that Z & Z Seal Coating Inc., 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-PM-B214019, involving crack sealing, surfacing, and miscellaneous work on approximately 91.20 miles of roadway at various locations in Transportation District 4, including Campbell, Crook, Johnson, Sheridan, Weston counties. Completion date: April 30, 2021

Engineer’s Estimate	\$463,205.00	
Z & Z Seal Coating Inc., Billings, MT	\$444,332.33	-4.1%
Highway Improvement, Inc., Sioux Falls, SD	\$525,461.00	
Hardrives Construction, Inc., Billings, MT	\$729,515.00	

It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Vice Chairman Schmidt, and carried that Z & Z Seal Coating Inc., 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.

12. Mr. Fulton presented the October 2020 addendum to the FY 2021 STIP.

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Dolezal, and carried to approve the October 2020 STIP addendum.

13. Mr. DeHoff presented the Operations report.

District 1 staff is assisting emergency responders with operations for the Mullen Fire in the Medicine Bow National Forest southwest of Centennial. The fire has burned about 176,000 acres, and it is 34 percent contained so far. WYDOT closed WYO 230 from Woods Landing south to the Colorado state line, WYO 11 (Albany Road), WYO 10 (Jelm Road), and WYO 230 from Riverside to the Colorado state line due to fire danger. WYO 230 and WYO 10 on the west side of the fire have reopened.

District staff estimate up to two miles of damaged right-of-way fence in the fire.

Maintenance crews built a temporary approach for fire crews near Sodergreen Lake to allow access to emergency responders' man camp. Severe wind forced crews to move from the Sodergreen Lake area to the Hansen Arena. Mr. DeHoff expressed his appreciation of maintenance crews and WHP for assisting emergency personnel with the fire situation.

Another wildfire occurred in late summer, requiring the evacuation of Hanna residents. The fire damaged about 1,000 feet of right-of-way fence, and WYDOT maintenance crews are working to replace it as soon as possible. To date, there are no reports of road damage from the fire.

Mr. Babbitt advised that the Mullen Fire encroached on a WyoLink tower at Pinkham Mountain in Colorado. WYDOT worked with the incident commander to maintain interoperability for emergency responders during firefighting operations.

With the increase in wildfires nationwide this summer, Mr. DeHoff learned of a potential wood fence post shortage. WYDOT will carefully monitor that situation.

District personnel are inspecting snow removal equipment to ensure it is ready for winter operations.

Mr. DeHoff also attended the October 14, 2020, North Sheridan Interchange ribbon cutting ceremony. The project is a good example of WYDOT's partnership with other entities. Mr. DeHoff offered kudos to the FHWA, the City of Sheridan, and the Sheridan Downtown Development Group for their collaboration efforts to make the North Sheridan Interchange project come to fruition.

Contractors are working hard to finish several projects before winter sets in.

The contractor completed the damage repair work on the Snake River Bridge. WYDOT removed the weight restrictions posted for that structure.

Maintenance Crews are finishing their summer operations and preparing for winter operations.

WYDOT's Rigging Shop completed the rigging of 11 of the 26 tandem-axle snowplow trucks with the necessary equipment, and those trucks were sent to the districts.

Several field employees have tested positive for COVID-19. Employees were quarantined for the appropriate amount of time. WYDOT frequently reminds workers of appropriate safety guidelines to slow the spread of COVID.

14. Lieutenant Colonel Ratliff presented the Highway Patrol report in Colonel Haller's absence.

The Fatal Crash Summary through September 30, 2020, includes 87 fatal crashes involving 99 deaths. The fatalities include 33 rollover crashes, 34 multi-car crashes, 8 fixed objects, 18 motorcycles, 1 all-terrain vehicle, and 5 pedestrians. Of the 87 fatal crashes that have occurred in 2020, 17 involved commercial vehicles.

There were 26 fatal crashes deemed drug or alcohol related, resulting in 32 deaths, of which 15 were attributed to not using occupant restraints. Fifteen of those deaths were rollover crashes, 6 were multi-car crashes, 9 involved motorcycles, 1 involved an all-terrain vehicle, and 1 involved a pedestrian. Of the 32 drug- or alcohol-related fatalities, 2 involved commercial vehicles.

Of the 99 deaths this year, 36 can be attributed to the non-use of occupant restraints, with 26 involving rollover crashes, 8 involving multi-car collisions, and 2 involving fixed objects. Twenty-five of those who died from the non-use of occupant restraints were Wyoming residents. Five of those who perished were under 21 years old, and three of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 87 fatal crashes so far this year, 17 of those drivers had no distractions, one had a distraction from outside the vehicle, and eight drivers were distracted by an object from inside the vehicle. In 52 of the 87 fatal crashes, it was unknown whether a distraction caused the incident.

Of the 87 fatal crashes that have occurred this year, 50 occurred on primary/secondary highways, 18 occurred on interstate highways, and 19 occurred on city/county roads.

Of the multiple-fatality crashes in 2020, three were rollovers, seven involved multiple vehicles, two involved commercial vehicles, and five were drug and/or alcohol related.

In locations where rumble strips/stripes were present, there were 29 crashes. There were 43 crashes where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to nine vehicle crashes in 2020, which resulted in nine deaths. Speed was considered a factor in 13 of the vehicle crashes that caused 13 deaths.

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

Sunday	13 crashes
Monday	10 crashes
Tuesday	11 crashes
Wednesday	10 crashes
Thursday	10 crashes
Friday	18 crashes
Saturday	15 crashes

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

12:00 a.m. to 6:00 a.m.	11 crashes
6:00 a.m. to 12:00 p.m.	19 crashes
12:00 p.m. to 6:00 p.m.	36 crashes
6:00 p.m. to 12:00 a.m.	21 crashes

The Commission also heard the following statistics:

- 79 percent of those who died in rollover crashes were unbelted.
- 24 percent of those who died in multi-vehicle crashes were unbelted.
- 25 percent of those who died in fixed-object crashes were unbelted.
- 73 percent of the fatalities in 2020 were drivers.
- 21 percent of the fatalities in 2020 have been passengers.
- 60 percent of the resident fatalities were unrestrained.
- 16 percent of non-resident fatalities were unrestrained.
- 32 percent of fatalities involved alcohol and/or drug impairment.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 4,262 crashes statewide, of which 1,124 involved commercial vehicles.

WHP Recruiting Efforts: There are currently 18 cadets in the WHP Academy Training. Pre-certified officer testing will be held November 4-6, 2020.

There are currently nine trooper vacancies.

On October 23-24, 2020, WHP will host dispatcher testing to fill nine vacancies.

15. Mr. Olsen presented the Aeronautics report beginning with the September 2020 Aeronautics Flight Operations Passenger Summary Report.

The Congress is considering another COVID-19 relief package. The bill's passage appears to be somewhat diminished, but if it does pass, the current draft of the legislation would provide assistance for the struggling airports and the airline industry.

Approval of the continuing resolution of the FAST Act includes funding for the Airport and Airway Trust Fund, which suffered dramatically with significantly reduced enplanements nationwide because of COVID-19. As part of the Coronavirus Aid, Relief, and Economic Security (CARES) Act, the Aviation Excise Tax was temporarily suspended to assist airlines during the COVID-19 pandemic, and about \$14 billion was transferred from the General Fund to the Airport and Airway Trust Fund to cover the suspension.

Unused discretionary funds are re-allocated to airports at the end of each fiscal year. The Jackson Hole Airport is planning a major airport reconstruction project within the next two years. The Federal Aviation Administration has allocated about \$28.5 million of those discretionary funds to the Jackson Airport project.

The airline industry is facing a long recovery period from the COVID-19 pandemic. Mr. Olsen reported that passenger traffic is expected to be 60 percent lower through 2020, and down about 40 percent through 2021. Airlines do not expect passenger enplanements to rebound to 2019 levels until about 2024.

Major airlines have discontinued air service to many smaller communities across the country. The Capacity Purchase Agreement will allow the state to continue providing air service to Wyoming communities throughout the COVID-19 pandemic.

Year-to-date enplanements are about 40 percent less than in 2019, compared to a 60 percent reduction nationally. Wyoming experienced the smallest enplanement percentage drop in the nation in July through September 2020. Leisure air travel is responsible for most of this rebound.

16. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,910 personnel as of October 1, 2020, compared to 1,942 a month ago and 1,926 one year ago.

Because of Governor Gordon's action to furlough state employees above a certain pay grade through February 28, 2021, WYDOT had 229 employees furloughed, resulting in \$73,452 in savings in September. Payroll not expended in August and September remains with WYDOT's Commission budget and does not revert to the State General Fund.

American Association of Motor Vehicle Administrators (AAMVA) Innovation Award: WYDOT works with Colorado/Wyoming Donor Alliance to manage and enlist individuals in the donor registry. Virtually all Wyoming donor registrations come through WYDOT's driver license application process.

Mr. Renee Krawiec, deputy Driver Services Program manager, received the AAMVA Donate Life America Award for regional, national, and international DMV innovation. Ms. Krawiec established an online training program for WYDOT examiners and a process for applicants to sign up for organ and tissue donation. The new program eliminates some of the uncomfortable dialogue between examiners and participants about their final wishes when applying for their driver's license, while encouraging organ and tissue donation.

In 2020, 62 percent of all Wyoming drivers chose to register for organ and tissue donation. Nationally, the average participation is 49 percent. Wyoming ranks third in the nation for organ and tissue donor registration.

Since the implementation of WYDOT's online training, multiple other states have inquired about creating similar programs.

WYDOT Training: In FY 2020, WYDOT's Training Program had over 6,600 employees take advantage of e-learning, 400 participated in webinars, 200 attended video conferences, and many attended various in-person training through the WYDOT University. Providing online training provided a significant savings, as it eliminated the employees' travel expenses.

The Department's vocational trainers also conducted continuous training throughout the year in the districts for various equipment used in field operations.

WYDOT reduced its FY 2021 budget for out-of-state training, primarily because training entities are not hosting live meetings, seminars, or training.

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

Legislative Update: The Broadband Task Force will meet October 19, 2020, to continue its discussion about Wyoming's broadband expansion. The WYDOT Utilities Section has been instrumental in updating the utility agreement for broadband expansion, processing shared resource agreements, and updating policies to allow sharing rights-of-way with internet service providers for the expansion. Internet service providers have applauded WYDOT for its partnership in the broadband expansion process.

The Wyoming Business Council is working with the University of Wyoming to provide statewide broadband mapping for all technology, including cell phone connectivity, WyoLink radio, broadband wireless, and many other capabilities.

The Select Committee on Blockchain, Financial Technology and Digital Innovation Technology is considering a bill to regulate autonomous vehicles in Wyoming. Mr. Babbitt indicated that research is ongoing to determine what changes will be necessary to Wyoming's infrastructure to accommodate autonomous vehicles.

The Wyoming Legislative Services Office hired a consultant to determine what information technology processes and technology and software changes are needed for more efficiency

within state government. The COVID-19 pandemic has brought to light many issues that will require software and technology changes.

Information Technology (IT) Update: The state's Enterprise Technology Services (ETS) has asked WYDOT to assist with monitoring certain security aspects of IT systems throughout the national elections.

The State of Wyoming has implemented a new statewide security awareness system called KnowB4. Employees receive videos periodically with subsequent quizzes to stay informed about current and evolving cybersecurity issues.

WYDOT is testing a RAVE text messaging system for notifying its employees in potential emergencies. To date, testing has been successful.

Revenue Information System (RIS) Replacement Update: The RIS consultant, MathTech, continues its work to map the current RIS for its future replacement. MathTech is gathering information from county governments to learn about their needs and about how their systems interface with RIS. The consultant is on course to deliver a draft request for proposals for the RIS replacement by November 30, 2020.

Emergency Communications Update: The Public Safety Communications Commission met October 7, 2020. WYDOT recently updated its vendor contract to upgrade the WyoLink radio system. The upgrade will result in significant savings for predictable future WyoLink maintenance.

WYDOT recently hired Ms. Aimee Binning as an emergency communications supervisor. Ms. Benning will oversee safety and training, including employee WyoLink tower training and certification and assist with future Next Generation 911 planning.

WYDOT is closely monitoring the Mullen Fire west of Laramie and the Cameron Peak Fire in northern Colorado, as two WyoLink towers are in the path of those fires.

WyoLink towers are under construction at Lusk, Jackson, Alva, Greybull, and Alcova and all projects are progressing well.

Director Reiner addressed the ITS World Congress-All Access virtual meeting on October 8, 2020, about the safety potential of cooperative automation technologies and the importance of receiving real-time critical information on the highway.

WYDOT Travel Approval Program (WYTAP): Information about the WYTAP is now available on WYDOT's website. WYTAP permits local residents to travel to their homes on closed roads.

WYDOT is working to identify outdated software and hardware. The Department is communicating with vendors to make better software and hardware purchase decisions, to establish better ways to work remotely, and to transfer some systems to cloud storage. Mr.

Babbitt will work with ETS to find the most efficient and cost-effective solution that meets Department needs.

18. It was moved by Commissioner Espy, seconded by Vice Chairman Schmidt, and carried to recess the business meeting and move into an executive session to receive information about pending litigation, in accordance with Wyoming Statute 16-4-405(a)(iii).

Chairman Newton, Vice Chairman Schmidt, Commissioners Larson, Espy, Dolezal, and Venable, Director Reiner, Messrs. Gillett, DeHoff, Kahler, and Thompson, and Secretary Scott left the open meeting for the executive session. The Commission went into executive session at 11:15 a.m., on Thursday, October 15, 2020.

19. It was moved by Commissioner Espy, seconded by Vice Chairman Schmidt, and carried to come out of executive session. The Commission took no action during the executive session. The Commission came out of executive session at 11:36 a.m.

20. It was moved by Commissioner Espy, seconded by Vice Chairman Schmidt, and carried to concur in the settlement agreement between Frost Rock Products Company and WYDOT, dated October 13, 2020, as presented to the Commission.

21. General Matters: Vice Chairman Schmidt also inquired about the possibility of WYDOT hiring a consultant to survey the public to learn about their preferences in transportation matters. The survey results would be used to support WYDOT's future potential budget cuts. Commissioner Espy agreed with the idea. Director Reiner will investigate the possibility of performing such a survey and will bring more information to the November Commission meeting.

22. It was moved by Vice Chairman Schmidt, seconded by Commissioner Filer, and carried to adjourn the meeting. Chairman Newton adjourned the meeting at 11:54 a.m., on Thursday, October 15, 2020.