

(Approved)

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the I-80 Room at the WYDOT-U Training Building in Cheyenne, WY, on September 16, 2021. Chairman Schmidt convened the meeting at 8:31 a.m. The following members were present constituting a quorum:

Chairman Phil Schmidt, Casper
Commissioner Jim Espy, Savery *via Zoom*
Commissioner Jon Dolezal, Evanston
Commissioner Susan Holmes, Sheridan *via Zoom*
Commissioner Mark Hughes, Sundance
Director K. Luke Reiner
Commission Secretary Caitlin Casner

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer (CFO); Rodney Freier, Budget Program Manager; Mark Gillett, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Tom DeHoff, Assistant Chief Engineer for Operations; Colonel Kebin Haller, Wyoming Highway Patrol (WHP) Administrator; Brian Olsen, Aeronautics Administrator; Taylor Rossetti, Support Services Administrator; Troy Babbitt, Chief Technology Officer (CTO); Mike Kahler, Senior Assistant Attorney General; Ryan Thompson, Assistant Attorney General; Monica Gourdine, Interim Division Administrator, Federal Highway Administration (FHWA); Pete Laybourn, Cheyenne City Councilman; John Palmer, City of Cheyenne Safety and Risk Supervisor; and James Peterson, Cheyenne Police Department Sergeant.

Other meeting attendees: Senator John Kolb and Representative Mark Baker, legislative liaisons; Doug McGee, Public Affairs Manager; Katie Legerski, Executive Director, Associated General Contractors (AGC) of Wyoming; Douglas Mikowski, FHWA; Jordan Achs, Public Affairs; Ralph Tarango, District 1 Engineer; Mark Ayen, District 2 Engineer; Scott Taylor, District 4 Engineer; Senator Bill Landen; John Davis, Management Services Program Manager; Matt Groth, Public Affairs; Doug Jensen, Contracts and Estimates Program Manager; Kent Ketterling, State Construction Engineer; and Heather Hunter, Legislative Service Office.

Commissioner Venable, of Worland, and Commissioner Filer, of Cheyenne, were absent.

1. Pledge of Allegiance: Chairman Schmidt led the attendees in the Pledge of Allegiance.
3. Changes to Agenda: The following items were removed from the September 16, 2021, Transportation Commission meeting agenda:
 - Agenda Item 2: Trooper Pendergrass Recognition
 - Agenda Item 10A: FHWA Report
4. Approval of Minutes: It was recommended by Secretary Casner, moved by Commissioner Hughes, seconded by Commissioner Dolezal, and carried to approve the minutes from the August 19, 2021, business and education meetings.

6. Old Business: Chairman Schmidt advised the Commission that leadership continues to work with the Governor's office regarding the District 1 commissioner replacement because of continued absenteeism. Chairman Schmidt reminded the Commission that during the August 19, 2021, meeting, funding reimbursement from Travel and Tourism for rest stops was discussed. Budget Program Manager Rodney Freier confirmed that WYDOT had not received reimbursement funds from Travel and Tourism at the present time. Commissioner Schmidt directed Secretary Casner to add reimbursement status as an agenda item under Old Business for future meetings.

Chairman Schmidt reminded Commission members of the Transportation Needs Survey addressed at the August 19, 2021, meeting. The survey will be completed in conjunction with the University of Wyoming Survey and Analysis Center. Chairman Schmidt and Director Reiner will discuss survey costs and timeline with Sandra Sanderson, Wyoming Department of Transportation (WYDOT) strategic planning analyst.

7. Delegation: Director Reiner introduced Cheyenne City Councilman Pete Laybourn. Mr. Laybourn thanked the Commission for allowing him to speak regarding the bridge near Crow Creek on Lincolnway in Cheyenne. Because of ledges underneath the bridge, homeless people are able to use the bridge as a living area and are posing a threat to the surrounding neighborhood as well as creating a large amount of trash and debris that requires regular cleanup by the City of Cheyenne.

Sergeant James Peterson with the Cheyenne Police Department addressed the Commission regarding the city's transient outreach program. Narcotic and alcohol use are prevalent among those who use the bridge for shelter, and many issues spill over into the surrounding parks and neighborhood, including a recent stabbing. Several local businesses are also experiencing issues with the individuals using the bridge for shelter.

The Cheyenne Police Department has written 21 trespassing tickets to those individuals living under the bridge since May 1, 2021. In addition to writing tickets, the police department has allocated additional resources and officers to address confrontations between those living under the bridge and the construction employees working on the bridge.

John Palmer with the City of Cheyenne Risk and Safety Division explained that the area of the bridge is constantly filled with debris. Three cleanups have been completed by Mr. Palmer's division this year, resulting in 50 cubic yards of trash, which would cost the average citizen over \$1,000 to dispose of. Trash in this area also contaminates the waterway, creating issues throughout the entire city. Mr. Palmer stated that when a cleanup is completed, several city departments are required to come to the area to assist, including the police department, the traffic division, as well as crane and heavy equipment operators. The ledges underneath the bridge allow the homeless to have a compartmentalized area that quickly fills up with trash. Mr. Palmer requested that a ledge is not included in the construction design of new bridges in order to alleviate current and future issues.

Mr. Laybourn stated that the City of Cheyenne and Cheyenne Police Department are currently working with the city's homeless population. Several communities within Wyoming are dealing with similar issues, and writing trespassing tickets is not effective.

Commissioner Hughes asked Sergeant Peterson if winter deters homeless individuals from living under bridges. Sergeant Peterson stated that winter and cold conditions exacerbate the problem. Chairman Schmidt referenced homelessness issues in Texas and Utah and stated that this issue is not unique to Wyoming and asked Director Reiner if he has heard of other agencies experiencing this problem and any possible solutions. Director Reiner stated that he would speak with Chief Engineer Mark Gillett regarding possible solutions in coordination with Sergeant Peterson and the City of Cheyenne. Chairman Schmidt directed Secretary Casner to add the design of the bridge over Crow Creek as an agenda item under Old Business for future meetings.

8. Director Reiner presented the Director's Report.

Employee Raises: Director Reiner addressed a question from Commissioner Hughes on September 16, 2021, regarding when the last employee raise occurred. In 2014 and 2015 there was a raise based on performance and the employee's distance from market policy position (MPP). A 2.5 percent raise was given in 2019 capped at \$80,000 that offset increased employee contributions to retirement and health insurance costs. Director Reiner stated that all raises are legislatively mandated and that WYDOT is not authorized to provide raises without legislative permission.

Commissioner Hughes asked Mr. Rossetti if raises were typically given in conjunction with increased contribution requirements to retirement and health insurance costs. Mr. Rossetti confirmed this was correct and that premium costs and deductibles have also increased. Mr. Rossetti will provide a more detailed report to the Commission at the October 2021 meeting. Mr. Rossetti advised the Commission that it is possible that a WYDOT employee that has been in the same position or classification for the last 10 or more years has experienced either a very nominal increase or even a decrease in take home pay due to contribution requirements in spite of raises. At this time, employees are unable to opt out of the State of Wyoming pension plan and are required to contribute.

Coronavirus (COVID-19) Update: Cases continue to increase due to the new Delta variant. Presently, WYDOT has lost three employees because of COVID. WYDOT is not tracking vaccination status. The director reminded all present to continue to take recommended precautions including social distancing, wearing a mask when social distancing is not possible, and practicing handwashing. Commissioner Schmidt asked Director Reiner if the Transportation Commission should consider different meeting practices including holding meetings in a larger space. Director Reiner suggested that the subject be considered at a later time.

Commissioner Hughes asked Director Reiner if President Biden's recent vaccine mandate regarding companies with more than 100 employees would affect WYDOT. Director Reiner stated that this order is still going through the federal rulemaking process and there is discussion at the state level about future action. WYDOT will continue to monitor and will wait for further

instruction from elected leaders. Commissioner Hughes asked Director Reiner if WYDOT employees are able to join a union that would represent their interests in this issue. Director Reiner advised that there is not currently union representation for WYDOT employees and that there is speculation that a special session will be convened in Wyoming to address the recent federal mandate.

Federal Budget: Director Reiner advised that the Senate has passed the Infrastructure Investments and Jobs Act (IIJA) and should be voted on by the House by September 27, 2021. Budget reconciliation should occur soon, but if it does not, there may be a continuing resolution that WYDOT can continue to operate under. If a continuing resolution is in place, it is highly likely that WYDOT would be under cash management issues due to the increasing insolvency of the Highway Trust Fund. At present, WYDOT funds projects with state monies and is then reimbursed by the FHWA Highway Trust Fund, which can occur on a daily basis. If cash management issues are experienced, WYDOT would only be reimbursed twice a month and timely funding is not guaranteed.

If the House approves the IIJA, there will likely be a 20 percent increase in formula funding for Wyoming, which could result in \$60 million to \$135 million in additional funds. There will be a large increase in discretionary funds as well, which could fund alternate transportation in addition to other projects. Director Reiner advised that the increased funding will most likely require a state funds match to receive federal funding. A large portion of discretionary funds will be made available to subordinate entities as well as state DOTs, and distribution could be difficult. If it is decided that state DOTs are in charge of funding distribution, WYDOT may need to add additional staff to carry out such distribution. Chairman Schmidt asked if WYDOT currently distributes federal funds to local governments. Mr. Gillett stated that generally any federal dollars do pass through WYDOT as local governments are not federal funding recipients. Local governments are not billed for WYDOT employee time spent on research and distribution of federal funds; however, if WYDOT district staff consults on a project, that time can be charged to and reimbursed by the project. Chairman Schmidt asked Director Reiner if it was possible to charge local governments for administrative costs incurred. Director Reiner confirmed that this is possible and will be addressed in the future. At this time, there is no increase in federal fuel tax or funding for the Highway Trust Fund addressed in the IIJA.

Director Travel: Director Reiner has recently traveled throughout districts 4 and 5 and was able to speak with several WYDOT employees as well as 12 different legislators. Director Reiner advised legislators that one of the biggest issues at WYDOT is the ability to recruit and retain employees. Several executive staff members, including the Director, will be traveling to Gillette the week of September 19 to attend the Wyoming County Commissioner's Association meeting. Director Reiner will also be traveling to Washington, D.C. September 28th and returning September 30th. Discussion with the Wyoming Congressional delegation will occur regarding the 2020 House Bill 14 requiring a blanket easement to install broadband in the right of way.

Director Reiner thanked Commissioner Dolezal for attending the Western Association of State Highway Transportation Officials (WASHTO) conference Monday through Wednesday of the current week. Presently, the American Association of State Highway Transportation Officials

(AASHTO) Annual Meeting is still being held October in San Diego, California. Wyoming has committed to attending the AASHTO Annual Meeting, and it may be prudent to have a commissioner attend.

Right of Way: Right of way continues to be a major focus for WYDOT, especially regarding broadband and off-road vehicles. Director Reiner will be meeting with the Wyoming offices of the Bureau of Land Management and U.S. Forest Service before he attends meetings in Washington, D.C. to understand the prolonged permitting timeframe, which is currently over one year.

Better Utilizing Investments to Leverage Development (BUILD) Grant: Teton County has agreed to be the federal grant recipient for their BUILD grant, and meetings are occurring with the Federal Transit Administration, which is administering the over \$20 million grant. Mr. Gillett and Mr. Fulton are involved in all meetings to monitor and assist in the process.

Revenue Information System/Transportation Information System (RIS/TIS): The process to replace RIS is progressing. Executive staff has recently talked with the Joint Appropriations Committee (JAC), and project specifics will be provided during Mr. Babbitt's report. Director Reiner advised that the bill that required the replacement of RIS does not allow any expenditures without prior legislative approval, so at this time WYDOT continues to work through the Request for Proposal (RFP) process. Chairman Schmidt referenced software issues experienced by the State of Wyoming Liquor Commission and asked if it is possible to utilize already developed software or if the new Wyoming application has unique needs. Director Reiner stated that WYDOT must follow state contract laws, and the RFP must be written so that all interested parties are able to compete. To help facilitate the process, WYDOT has added a vendor day, which is a chance for all interested parties to meet with WYDOT regarding their proposals and present their product. The RFP for RIS/TIS should be finalized by December 31, 2021.

Commissioner Holmes asked Director Reiner if the RIS replacement is a bid process or a qualifications-based selection. Director Reiner advised that this is a qualifications-based process and not solely based on the low bid. Director Reiner stated he is aware that some WYDOT processes may need to be updated to accommodate the new system.

Electric Vehicle Infrastructure: Monthly meetings have begun to address this issue.

District Engineer Replacement: Commissioner Dolezal requested an update on the filling of the District 3 engineer. Director Reiner said that the position has been posted nationwide.

9A. 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 81 percent expended, and the legislative budget was 77 percent expended in Fiscal Year (FY) 2021.

Mr. Freier discussed fund H03, which is the fund for the wildlife conservation license plates donation fund. WYDOT tracks all donations and uses them for wildlife preservation efforts including construction of underpasses and overpasses. The current H03 fund balance as of September 8, 2021, is \$717,000. Two projects are currently planned to use these funds, one of which is the design of wildlife fencing on the road from Kaycee to Buffalo. The second project using the funds is the Dry Piney wildlife crossing construction. Mr. Freier stated the majority of the funds in H03 have been received from license plate sales.

9B. Mr. Byrne explained the procurement RFP for the Commission's consideration. Commissioner Hughes had questions about whether this RFP followed established processes. Mr. Byrne confirmed that it did, and advised that all WYDOT procurement processes have been previously reviewed and approved by the Attorney General's office. It was recommended by Mr. Byrne, moved by Commissioner Hughes, seconded by Commissioner Holmes, and carried to approve 21-132NG.

- RFP 21-132NG to purchase and install new remote processing units for road weather information systems at the Cheyenne WYDOT location. The RFP was awarded to Modern Electric, of Casper, Wyoming, for the sum of \$272,675.00.

9C. Mr. Byrne clarified for the Commission that FY 2021 and 2022 budgets could be compared using figures listed in the proposed FY 2022 budget. The FY 2022 request is currently lower than the amount requested in FY 2021. It was recommended by Mr. Byrne, moved by Commissioner Dolezal, seconded by Commissioner Hughes, and carried to approve the FY 2022 Operating Budget.

Commission adjourned for break at 10:00 a.m.

Commission returned to meeting at 10:15 a.m.

10. Mr. Gillett presented the Chief Engineer's Report.

Material Shortage: Mr. Gillett reported that contractors continue to make progress on projects despite material shortages. The amount of materials in short supply as well as the price of materials has increased. Chairman Schmidt thanked Mr. Gillett for continuing to monitor the situation.

C-130 Aircraft Exercise: Mr. Gillett reported that a C-130 aircraft, escorted by two A-10 jets, successfully landed on Highway 287 between mileposts 17 and 20 on September 13, 2021, a few minutes after 7:00 a.m. Before the landing, Highway 287 experienced significant rainfall, making the road surface extremely wet. Despite this, the C-130 was able to land, back up, and take off without any issues. Highway 287 was evaluated after the landing and takeoff and no damage was observed to the road surface. According to the U.S. Air Force, this was the first time a plane of this size landed on a roadway. Mr. Gillett thanked the District 1 maintenance

staff, Colonel Haller and the Highway Patrol, and the Carbon County Sheriff's Office for assisting in this event.

August Re-Distribution: Approximately \$27 million was received during the August Re-Distribution. WYDOT will begin to allocate those funds to projects by September 30, 2021. Mr. Gillett explained that FHWA re-distributes funding from states that cannot meet the September 30, 2021, deadline to those that can and thanked Mr. Fulton and the federal aid budget team for their work to allow WYDOT to capitalize on the re-distribution funds.

Quad State Association of General Contractors Meeting: Mr. Gillett and Mr. DeHoff were able to attend the quad state AGC meeting in August 2021. The AGC meeting included representatives from Wyoming, Montana, Idaho, and Utah. Common issues and possible solutions were discussed at the meeting. Mr. Gillett thanked Katie Legerski, executive director of the Wyoming AGC, for inviting WYDOT staff to the meeting.

WASHTO Meeting: Director Reiner, Mr. Gillett, Commissioner Dolezal, and Mr. DeHoff recently attended the WASHTO 2021 meeting in Salt Lake City, Utah. One main topic discussed at the meeting was the infrastructure bill, which is currently awaiting approval by the House.

FHWA: Mr. Gillett advised that Bryan Cawley, the FHWA division administrator for Wyoming, has been temporarily reassigned within FHWA and is anticipated to return in two to three months. Mr. Gillett introduced Monica Gourdine, current associate division administrator for California, as the interim division administrator for Wyoming. Ms. Gourdine provided her background with FHWA and stated that she looks forward to working with WYDOT.

10Bi. Mr. Fulton presented the Engineering and Planning Report, beginning with the bid tabulations from the September 9, 2021, letting in Sheridan.

Federal Project NHPPI-I252169 involving grading, milling concrete, bituminous pavement surfacing, plant mix wearing course, glass fiber reinforced paving fabric, and miscellaneous work on approximately 5.60 miles on the northbound lane on I-25 beginning at route marker (RM) 109.11 between Wheatland and Douglas in Platte County. Completion Date: October 31, 2022.

<i>Engineer's Estimate</i>	\$10,621,335.00	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$10,678,974.11	0.5%
Simon Contractors, Cheyenne, WY	\$11,804,461.19	
Croell, Inc., Sundance, WY	\$12,178,760.00	

It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Commissioner Hughes, and carried unanimously that JTL Group, Inc. DBA Knife River, of Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. FHWA concurred with this decision.

Federal Project NHF-I805179 involving milling plant mix, bituminous pavement surfacing, plant mix wearing course, bridge rehabilitation, and miscellaneous work on approximately 6.20 miles on I-80 on both eastbound and westbound lanes beginning at RM 324.07 between Laramie and Cheyenne in Albany County. Completion Date: June 30, 2023.

<i>Engineer's Estimate</i>	\$7,948,314.50	
Simon Contractors, Cheyenne, WY	\$8,499,755.47	6.9%
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$9,360,400.95	

It was recommended by Mr. Fulton, moved by Commissioner Hughes, seconded by Commissioner Dolezal, and carried unanimously that Simon Contractors, of Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. FHWA concurred with this decision.

Federal Project NHPP-N332036 involving grading, profile milling plant mix, placing bases, bituminous pavement surfacing, chip seal, and miscellaneous work on approximately 6.20 miles on WYO 120 beginning at RM 51.75 between Meeteetse and Cody in Park County. Completion Date: October 31, 2022.

<i>Engineer's Estimate</i>	\$2,775,412.00	
McGarvin-Moberly Construction Co., Worland, WY	\$2,664,190.97	-4.0%
Mountain Construction Company, Lovell, WY	\$2,787,925.10	
Avail Valley Construction-WY, LLC, Afton, WY	\$2,996,666.00	
Riverside Contracting, Inc., Missoula, MT	\$3,071,412.50	
Century Companies, Inc., Lewistown, MT	\$3,086,985.00	

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

Federal Project HSIP-B222029 involving removal and replacement of signs and miscellaneous work at various locations along I-25 in Transportation District 2 in Converse and Niobrara counties. Completion Date: October 31, 2022.

<i>Engineer's Estimate</i>	\$991,661.00	
S&L Industrial, Cowley, WY	\$890,264.50	-10.2%

It was recommended by Mr. Fulton, moved by Commissioner Hughes, seconded by Commissioner Dolezal, and carried unanimously that S&L Industrial, of Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. FHWA concurred with this

decision.

State Project PEG2151 involving crushing and stockpiling of crushed surfacing material and miscellaneous work at various locations in Transportation District 5 in Big Horn and Washakie counties. Completion Date: April 30, 2022.

<i>Engineer's Estimate</i>	\$779,772.00	
Mountain Construction Company, Lovell, WY	\$689,781.35	-11.5%

It was recommended by Mr. Fulton, moved by Commissioner Hughes, seconded by Commissioner Dolezal, and carried unanimously that Mountain Construction Company, of Lovell, 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-GM-B214033 involving upgrading electrical systems and miscellaneous work at various locations in Transportation District 4 in Campbell, Crook, Johnson, Niobrara, Sheridan, and Weston counties. Completion Date: October 31, 2022.

<i>Engineer's Estimate</i>	\$640,203.00	
Modern Electric Co., Casper, WY	\$608,111.12	-5.0%
Casper Electric, Inc., Casper, WY	\$683,604.88	
Advanced Electrical Contracting, Inc., Sheridan, WY	\$723,253.70	

It was recommended by Mr. Fulton, moved by Commissioner Holmes, seconded by Commissioner Espy, and carried unanimously that Modern Electric Co., of Casper, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. FHWA concurred with this decision.

Federal Project HSIP-1704016 involving grading; bituminous pavement surfacing; removal and replacement of sidewalk, curb, and gutter; electrical and miscellaneous work at RM 0.36 on WYO 336 at the intersection of 5th Street and Sheridan Avenue in Sheridan in Sheridan County. Completion Date: October 31, 2022.

<i>Engineer's Estimate</i>	\$542,963.60	
Casper Electric, Inc., Casper, WY	\$482,955.70	-11.1%
Advanced Electrical Contracting, Inc., Sheridan, WY	\$534,424.81	
Modern Electric Co., Casper, WY	\$539,734.00	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Hughes, and carried unanimously that Casper Electric, Inc., of Casper, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. FHWA concurred with this decision.

10Bii. 2022 State Transportation Improvement Program (STIP) Approval: Mr. Fulton presented the proposed 2022 STIP. The STIP is WYDOT's plan to address large projects and expenditures

for the next six years and helps promote transparency. Mr. Fulton advised that sections had been added, including sections on public involvement, STIP amendments, and Metropolitan Planning Organizations (MPOs). Each WYDOT district held STIP meetings in the counties in the district, and comments received from the general public and legislators will be addressed and included in a final comment document, which will be available at a later date on the website.

Mr. Fulton introduced staff that assisted with the STIP, including Brenden Schaefer, Meg Mordahl, Emily Selby, and Marilee Manalo and thanked them for their work on the STIP.

Mr. Fulton advised that projects within each county are summarized in the STIP. Each county's section of the STIP includes a map overview of the projects, funding used, project timeline, and final totals. Projects that cross county lines are also included in the STIP as well as projects that could be completed based on additional funding received.

It was recommended by Mr. Fulton, moved by Commissioner Hughes, seconded by Commissioner Dolezal, and carried unanimously to approve the 2022 STIP.

Director Reiner directed Mr. Fulton to send email updates to the Legislative Service Office for distribution to legislators when updates are made to the STIP.

10C. Mr. DeHoff presented the Operations Report.

Commissioner Questions: Mr. DeHoff addressed a question from Commissioner Espy asked at the August 19, 2021, meeting regarding how bid requests are written. Several dealerships are choosing not to bid at this time as manufacturers have either reduced or eliminated dealer concessions for commercial and government customers, which directly affects bid prices. Mr. DeHoff also verified that all school crossings have been re-painted at this time, which was also addressed by Commissioner Espy at the August 19, 2021, meeting.

Construction: At present, there are 51 active projects across the state. The chip seal project on WYO 26 at Togwotee Pass will carry over in to 2022.

District Maintenance: Crews around the state are wrapping up patching operations. Fencing, road cleanup, and ditch mowing and cleanup are occurring as well.

Cheyenne Area Bridge Damage: Mr. DeHoff stated that on Monday, August 30th, an oversized load collided with three different bridges in the Cheyenne area. One bridge damaged was the Parsley Avenue structure over I-80, requiring one lane of the bridge to be closed while alternating traffic. This structure will be replaced in 2022. The same oversized load also damaged the WYO 212/College Drive structure over I-80, causing both shoulders of the area to close to traffic. A railroad structure over I-80 was also damaged, and WYDOT is currently working to secure reimbursement for the damage to the structures.

Sinkhole: US 30 north of Laramie was closed except to local traffic on September 13th because of a sinkhole found under the roadway. The sinkhole was caused by the deterioration of a

corrugated pipe under the road. Traffic is currently being detoured through Rock River, and the road should be re-opened by September 17th.

District 5 Damages: Repairs to the slide located on Highway 26 at mile post 27 near the Teton County and Fremont County line on Togwotee Pass should be completed the week of September 19th. After repairs are completed, the contractor will move to complete repairs in the Paint Rock Canyon along the Chief Joseph Highway on WY 296, mile post 36. Repairs should be completed before the beginning of winter to minimize road damage and eliminate wall damage.

Equipment: Crews are currently repairing and conducting annual maintenance equipment inspections. Crews are also assessing and preparing snow removal equipment. Mr. DeHoff advised that 3 of 25 eight-yard trucks have been rigged and are being delivered to the districts.

Snow Rotaries: Mr. DeHoff stated that the request for proposals for snow rotaries closed September 15, 2021, and the review process has begun.

Facilities: All rest areas are open at this time.

COVID-19: Cases are continuing to occur in the field. Employees are encouraged to social distance, practice proper handwashing, sanitize equipment before and after use, and remain home if they are ill.

Employee Recruitment/Retention: Mr. DeHoff reported that employee recruitment and retention is an ongoing challenge with pay continuing as a leading cause for the lack of interest in WYDOT maintenance and mechanic field positions.

Association of General Contractors: WYDOT and the Wyoming AGC recently held an asphalt subcommittee meeting. Meetings will continue to occur to discuss material escalation for future projects.

11. Colonel Haller presented the Highway Patrol Report.

The Fatal Crash Summary through August 31, 2021, includes 70 fatal crashes involving 76 deaths. The fatalities include 28 rollover crashes, 19 multi-car crashes, 5 fixed-object crashes, 13 motorcycle crashes, 2 all-terrain vehicle crashes, and 9 pedestrian crashes. Of the 70 fatal crashes that have occurred in 2021, 9 involved commercial vehicles.

There were 6 fatal crashes deemed drug or alcohol related, resulting in 6 deaths in August 2021.

Of the 76 deaths this year, 31 were attributed to not using occupant restraints, with 20 involving rollover crashes, 8 involving multi-car collisions, and 3 involving fixed objects. Twenty-six of those who died from the non-use of occupant restraints were Wyoming residents. Nine of those who perished were under 21 years old, and 2 of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 70 fatal crashes so far this year, 24 of those drivers had no distractions. In 29 of those crashes, it was unknown whether a distraction caused the incident.

Of the 70 fatal crashes that have occurred this year, 35 occurred on primary/secondary highways, 17 occurred on interstate highways, and 18 occurred on city/county roads.

Of the multiple-fatality crashes in 2021, 2 were rollovers, 2 involved multiple vehicles, 0 involved commercial vehicles, and 4 were drug and/or alcohol related.

In locations where rumble strips/stripes were present, there were 27 crashes. There were 31 crashes where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to 4 vehicle crashes in 2021, which resulted in 4 deaths. Speed was considered a factor in 15 of the vehicle crashes, causing 18 deaths.

The days of the week for fatal crashes in 2021 were as follows:

Sunday	14 crashes
Monday	6 crashes
Tuesday	7 crashes
Wednesday	11 crashes
Thursday	10 crashes
Friday	13 crashes
Saturday	9 crashes

The times of day for fatal crashes in 2021 were as follows:

12:00 a.m. to 6:00 a.m.	7 crashes
6:00 a.m. to 12:00 p.m.	13 crashes
12:00 p.m. to 6:00 p.m.	33 crashes
6:00 p.m. to 12:00 a.m.	17 crashes

The Commission also heard the following statistics:

- 71 percent of those who died in rollover crashes were unbelted.
- 42 percent of those who died in multi-vehicle crashes were unbelted.
- 60 percent of those who died in fixed-object crashes were unbelted.
- 74 percent of the fatalities in 2021 were drivers.
- 16 percent of the fatalities in 2021 were passengers.
- 81 percent of the resident fatalities were unrestrained.
- 7 percent of non-resident fatalities were unrestrained.
- 33 percent of fatalities involved alcohol and/or drug impairment.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 3,901 crashes statewide, of which 968 involved commercial vehicles.

Labor Day Weekend Fremont County Campaign: Over Labor Day weekend, the Fremont County Sheriff's office and WYDOT entered in to a joint effort to curb driving under the influence. Over the four-day period, 858 traffic stops were conducted, with 20 DUI arrests, 14 drug-related arrests, 62 no seatbelt citations, 22 no child restraint citations, 151 speeding citations, and 475 warning citations issued. Colonel Haller stated that during one of the stops made, the driver had to be revived by troopers using two canisters of Narcan.

C-130 Landing: Colonel Haller commended all involved parties for their teamwork and will be providing a Colonel's Commendation to Tyler Chapman of the Rawlins Patrol for his work in organizing the successful event.

WHP Recruiting Efforts: Testing for troopers will occur on September 23rd and 24th. The amount of applications received have increased, including applications from pre-certified officers.

WHP Service Weapon Update: Colonel Haller advised that troopers had recently transitioned away from Glock service weapon. However, there has been unintentional discharges and as a result the WHP will transition back to using Glock service weapons. An RFP is currently in process for this transition.

Color of Patrol Vehicles: Historically, WHP vehicles have been black. Troopers have requested a multi-colored fleet, and costs are being gathered for silver, gray, maroon, and blue vehicles. Graphics on the patrol vehicles will also change and will revert to the WHP patch that was previously used.

Staffing: Currently, there are 29 vacant trooper positions. Two dispatchers have left their positions since the August 2021 Commission meeting, and there are currently 17 dispatcher vacancies.

Chairman Schmidt asked how many chaplains the WHP has at the present time. Colonel Haller stated that there are several divisions throughout Wyoming that have multiple chaplains. If a division does not have a chaplain, the chaplains from neighboring districts are available. Chaplains are very involved in their divisions and often complete ride alongs and receive frequent training.

12. Mr. Olsen presented the Aeronautics Report beginning with the August 2021 Aeronautics Flight Operations Passenger Summary Report.

Federal Legislation: Mr. Olsen reported that he continues to monitor the infrastructure bill, but there have not been any recent updates. Any projects funded through the infrastructure bill would require a state funding match.

Grants and Projects: Approximately 150 grants and projects have been administered, which amounts to approximately \$60 million in federal funds and \$8 million in state matching funds. The last grants for FY2021 will be issued September 16, 2021.

National Association of State Aviation Officials (NASAO) Conference: Mr. Olsen recently attended the NASAO conference in Colorado Springs. Several other states advised at the meeting that they are also experiencing employee recruitment and retention issues. Concerns regarding grant administration \ was also discussed during the conference.

Supply Issues: Mr. Olsen stated that the demand for fuel has decreased because of the time of year and shortages of fuel have eased. However, the shortage of truck drivers could pose a supply problem in the summer of 2022.

Cheyenne Runway: Machine paving on the runway is almost complete, and air service should restart November 1, 2021.

Air Service: Effects of the COVID-19 Delta variant continue to be seen. Mr. Olsen also advised that commercial booking and business travel continue to trend downwards, affecting profitability.

13. Mr. Rossetti presented the Support Services Report.

Employment Summary: WYDOT employed 1,837 personnel as of September 8, 2021, compared to 1,846 a month ago and 1,942 one year ago. The amount of temporary employees is down significantly as well.

Employee Recruitment and Retention: Several in-person recruiting events WYDOT was planning to attend have been cancelled due to COVID-19. Mr. Rossetti stated that there have been difficulties recruiting temporary employees, but Mr. Rossetti continues to monitor applications and filling of positions.

District 3 Engineer Position: Mr. Rossetti confirmed that the District 3 engineer position is posted in several places nationally, including on LinkedIn and through AASHTO. Targeted Facebook and social media posts will be published to aid in recruitment efforts.

Employee Union: Mr. Rossetti addressed a previous question from Commissioner Hughes regarding the existence of an employee union. The Wyoming Public Employees Association (WPEA) offers membership to all State of Wyoming employees and are a part of the Service Employees International Union Local 1990. No communication has been received from WPEA at this time regarding COVID-19 policies and mask and vaccine requirements.

Entry Level Driver Requirements: As of February 2022, any new commercial driver's license (CDL) applicants or those with an existing CDL requesting a class change or additional endorsement will be required to participate in detailed classroom and hands-on training. This new federal requirement could cost WYDOT \$3,500.00 to \$5,500.00 for each employee required

to take the training. WYDOT will contract with private training locations for employee training for the present time and will continue to monitor the need for a potential employee training program within WYDOT.

Drivers Services Organizational Change: Mr. Rossetti reported that the Thayne and Jackson Drivers Services offices are typically staffed by a traveling crew, which only allows the Thayne office to be open three days a week. However, because of a full time position being shifted from Cheyenne to Thayne, both the Thayne and Jackson offices will be able to be open five days a week beginning in January 2022. During this transition, the Jackson office will need to be closed on Thursdays and Fridays.

14. Mr. Babbitt presented the Chief Technology Officer's Report.

Legislative Update: The House Energy Commerce Committee released their portion of the budget reconciliation bill on Friday, September 10th, which includes a \$10 billion appropriation for Next Gen 911 funding. Mr. Babbitt advised that the Wyoming Next Gen 911 plan is currently being reviewed at the federal level and then will be reviewed by Next Gen 911 working groups before being presented to Director Reiner for final approval. Currently, state match requirements for any funding are unknown. The proposed legislation does include a requirement for a state governance body, and discussions regarding this requirement have taken place with the Public Safety Communications Commission (PSCC).

WyoLink Update: Mr. Babbitt reported that eight of the 16 tower buildout project are currently operational. Two towers in Rock Springs should be operational in September, and the remaining six sites are progressing. Lease agreements regarding the Newcastle and Evanston tower sites are being developed.

RIS Replacement Update: Mr. Babbitt and Mr. Rossetti continue to work with Enterprise Technology Services (ETS) and the University of Wyoming to complete the RFP for the system replacement. Potential vendors will be invited to provide information and demonstrations within the next few months.

Broadband: Mr. Babbitt is currently working with internet service providers, ETS, and the Governor's office regarding broadband in Wyoming.

Laptop Deployments: New laptops and updates continued to be deployed to WYDOT employees.

Transportation Management Center (TMC) Hiring: Recruitment and hiring is occurring of temporary employees in anticipation of winter weather.

Chairman Schmidt stated that he continues to hear that there are issues with the length of time it takes to obtain a driver's license at locations across the state. Mr. Rossetti advised that Driver Services employees are included within the legislative budget, and all positions are regulated by the Wyoming Legislature and the legislative budgeting process. Currently, the likelihood of

obtaining additional full-time positions to address issues is not high. Staffing changes are occurring to have more employees in the field, and in Lincoln and Teton County employees have been re-assigned. Mr. Rossetti also stated that many processes are also affected by RIS. The text queuing system is currently in place to assist in service issues and to allow for safety during the pandemic. Online services may also need to be added at a later date. Chairman Schmidt requested that notifications be sent out via press releases or social media about staffing or other issues that might affect the driver's license process.

15. October 2021 Commission Meeting: Chairman Schmidt advised that after speaking with Director Reiner, the October 2021 Commission meeting will be held remotely via Zoom. The meetings in November 2021 and December 2021 will occur in person as scheduled.

16A. Legislator Comments: State Senator John Kolb and State Representative Mark Baker shared remarks regarding increased safety precautions on Wyoming roads, public involvement and the STIP, a possible special legislative session regarding vaccine mandates, WYDOT mask policies, employee compensation and retention, and changes to the infrastructure bill.

16B. Commissioner Comments: Commissioner Dolezal thanked the Commission and Director Reiner for the opportunity to attend the WASHTO conference and discussed other state approaches to road usage charges (RUC). Commissioner Hughes thanked Colonel Haller for the WHP education session at the August 2021 Commission meeting.

16Ci. Signature Authority: It was recommended by Director Reiner, moved by Commissioner Hughes, seconded by Commissioner Holmes, and carried unanimously to add grant Caitlin Casner signature authority.

18. It was moved by Commissioner Dolezal, seconded by Commissioner Hughes, and carried to adjourn the meeting. Chairman Schmidt adjourned the meeting at 12:23 p.m., on Thursday, September 16, 2021.