

**TRANSPORTATION COMMISSION MEETING MINUTES
AUGUST 27, 2015 – 9:30 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD**

COMMISSIONERS PRESENT: Donald Roby, Chairman
Ralph Marquardt, Member
Kim Vanneman, Member
Kathy Zander, Member
Ron Rosenboom, Member
Tim Dougherty, Member
Rod Fouberg, Member

COMMISSIONERS ABSENT: Larry Thompson, Member
Kyle White, Member

DOT STAFF PRESENT: Darin Bergquist, Katie Thompson, Julie Bolding, Kristi Sandal, Jason Humphrey, Laurie Schultz, Greg Fuller, Kelly VanDeWiele, Mike Behm, Sam Weisgram, Christina Bennett, Doug Kinniburgh, Ryan Johnson, Dave Voeltz, Joel Gengler, Karla Engle, and Patricia Saukel

OTHERS PRESENT: Virginia Tsu & Mark Clausen – FHWA; Toby Crow – AGC; Larry Engbrecht – SD ACPA; Rep. Mary Duvall – District 34; Lori Martinez – SD Municipal League; Dick Howard – SDATAT; Bob Mercer – press; Rick Vallery – from Congresswoman Noem’s office; Bob Wilcox – SD Counties; Ron Buskerud – Pennington County Commissioner-District 5; Frank Kloucek – former Representative/Senator from Scotland, SD (on conference call); and Terry Schurrman – farmer from Mitchell (on conference call).

The meeting was called to order at 9:31 a.m. by Chairman Don Roby. Roll call was taken and a quorum was determined.

Chairman Roby stated there was one change to amend page 7 of the minutes. Chairman Roby was omitted from the resolution vote in the original minutes. The Recording Secretary corrected the minutes and Chairman Roby asked for a motion to approve the amended minutes presented before the Commission.

A MOTION WAS MADE to approve the minutes from the July 23, 2015 regular meeting by Zander and seconded by Rosenboom. All voted aye and motion carried.

Darin Bergquist, Secretary of the Department of Transportation began the Secretary's Report by introducing the newest member of the Commission, Kim Vanneman. Vanneman spoke to the Commission and familiarized them with her background in agriculture and past projects with the DOT as a former legislator.

Bergquist handed out to each Commissioner a binder that was prepared for their use with useful information regarding various aspects of the DOT.

Bergquist updated the Commission on the federal highway funding. He stated that the Congress passed a three month extension and that funding was now available until October 31, 2015. Bergquist said the Senate passed the DRIVE Act which is a six year federal funding program that is fully funded for the first three years. SDDOT is very satisfied with the provisions and funding contained in the DRIVE Act. It will go to the House for consideration when Congress goes back into session.

Greg Fuller, Director of Operations presented the following Construction Change Orders to the Transportation Commission:

Construction change orders approved in July contain an increase of approximately \$1,072,407.

Over the past 12 months, the overall contract increase is 1.87%.

The following projects have a Construction Change Order (CCO) amounting to a contract change in excess of \$50,000.

ABERDEEN REGION

- I. Project: NH-P 0011(83), Brown County, PCN 047F
Location: Various Routes in the Aberdeen Region
Contractor: Jensen Rock & Sand Inc.
Type of Work: Asphalt Surface Treatment (Chip Seal)

Original Contract Amount:	\$	2,827,205.79
Change on CCO No. 1:	\$	277,768.50
Net Change to Date:	\$	277,768.50

Explanation of Change on CCO No. 1: This increase was the result of additional work ordered by the Engineer for the Contractor to perform asphalt concrete leveling on the depressed cracks prior to completing the asphalt surface treatment.

- II. Project: IM 0299(74)235, Roberts County, PCN 04UK
Location: I-29 at the Sisseton Port of Entry
Contractor: Dakota Contracting Corporation
Type of Work: Remove & Replace Concrete Surfacing and Weigh-in-Motion System

Original Contract Amount: \$ 964,745.09
Change on CCO No. 1: \$ (52,152.73)
Net Change to Date: \$ (52,152.73)

Explanation of Change on CCO No. 1: This decrease was the result of a change to the contract quantity of base course. The as constructed quantity was less than the estimated quantity.

MITCHELL REGION

- III. Project: IM 0292(72)76, Minnehaha County, PCN 02P3
Location: I-29 Madison & Benson Rd Interchanges, 240th & 241st St., West 49th St.
Contractor: Heavy Constructors, Inc.
Type of Work: Epoxy Deck Seals, Replace Approach Slabs, Approach PCC Pavement Repair and Guardrail

Original Contract Amount: \$ 1,883,155.00
Change on CCO No. 6: \$ 54,695.62
Net Change to Date: \$ 267,047.89

Explanation of Change on CCO No. 6: This increase was the result of numerous changes to various contract items. The changes to the contract quantities were made to match the as constructed quantities. Larger increases were made for concrete removal as additional concrete was removed to address delaminated concrete at one of the structures. Additionally the Contractor was compensated for extra work performed for grading and shaping at Madison Street and Benson Road and for extra work performed to replace membrane sealant expansion joints which were installed in accordance with the plans and specification but did not perform as planned.

Mike Behm, Project Development, introduced to the Commission the following STIP revisions:

FOR COMMISSION APPROVAL

15-059 This revision will add a newly identified PCC Surfacing and Asphalt Concrete paving of shoulder and edge drain project on a 0.9 mile segment of US83 from the I-90 to SD248 (Pierre/Coffee Cup Interchange). It will be combined with the Interstate 90 west bound PCC surfacing project from west of Murdo to west of Draper in order to secure a more favorable bid.

FY 2016 Plus \$479,000

A MOTION WAS MADE to approve revision **#15-059** by Fouberg and seconded by Zander. All voted aye and motion carried.

INFORMATIONAL REVISIONS FOR THE COMMISSION

15-SC-031 This revision increased the cost estimate of structure maintenance projects located on Interstate 229 over Cliff Avenue, Over 60th Street North, and Over Minnesota Avenue.

FY 2015 Plus \$479,000

No action needed by the Commission.

Behm presented the following items to the Commission:

1. A list of attendees at the four Public Meetings that were held to present the "Tentative" 2016-2019 STIP and solicit input.
2. Written Correspondence received concerning the "Tentative" 2016-2019 STIP.
3. A summary of Oral and Written Comments received concerning the "Tentative" 2016-2019 STIP. To hear the recordings of the Public Meetings, go to WWW.SDDOT.COM, click the "2016-2019 Tentative STIP" link located on the left hands side of the webpage, and then click on the AUDIO (MP3) links for the four public meetings. The webinar can be viewed at this link: <https://www.youtube.com/watch?v=nUAIDTk5-Y8>
4. A list of staff recommended changes to the projects in the "Tentative" 2016-2019 STIP.
5. An updated project list for the 2016-2019 STIP sorted both by County and by Funding Category reflecting the recommended changes.

6. A Bar Graph showing total programmed project funding amounts versus total estimated funds by year.
7. South Dakota Public Transit Program Project information.
8. Rapid City MPO TIP
9. Sioux City MPO TIP
10. Sioux Falls MPO TIP

Behm explained each of the ten items and asked for any questions. After brief discussion, Chairman Roby asked if there was anyone on the conference call that would like to testify.

Frank Kloucek testified by conference call that he was in support of the DOT and that he appreciated all of their good work. Kloucek mentioned adding projects at Madison (4-lane east to interstate) and Yankton (bypass) that he supported in his testimony. Terry Schurrman, a farmer from near Tyndall testified by conference call thanking the DOT for the rumble strips on Rt. 37 and that he supported the DOT's highway projects, but concerned about future plans for the Highway 50 divided 4-lane at Tyndall. Secretary Bergquist said that the DOT is continuing to watch the traffic on Hwy 34 east of Madison and that the Governor is not in support of four lanes at this time until traffic volumes warrant. With regard to the Tyndall Highway 50 project, Secretary Bergquist explained it was not in the STIP as of yet but the DOT is looking at it and it is in the developmental stages.

A MOTION WAS MADE to approve Items #5, 7, 8, 9, and 10 by Fouberg and seconded by Marquardt. All voted aye and motion carried. Items #1, 2, 3, 4, and 6 required no action by the Commission.

Joel Gengler, Office of Right of Way, provided the following items for Commission consideration:

1. Transfer – Minnehaha County

This resolution will transfer the States interest in a portion of Old SD Highway 11 as a result of reconstruction to the current alignment of SD 11 to Minnehaha County more particularly described as follows:

Lot C in a portion of Lot H2 in the N1/2 NW1/4 of Section 26 - Township 103 North - Range 48 West of the 5th P.M., Minnehaha County, South Dakota.

Lot H4 in the N1/2 NW1/4 of Section 26 - Township 103 North - Range 48 West of the 5th P.M., Minnehaha County, South Dakota.

Location is approximately three miles west of Garretson.

The above property would be transferred to Minnehaha County and Minnehaha County would accept ownership, jurisdiction and maintenance responsibilities. (See attachments)

2. Abandonment – Minnehaha County

This resolution will abandon Lots A & B in a portion of Lot H2 in the N1/2 NW1/4 of Section 26, Township 103 North, Range 48 West of the 5th PM., Minnehaha County, South Dakota.

Said Lot A contains 7.53 acres, more or less.

Said Lot B contains 2.08 acres, more or less.

Lot A in a portion of Lot H1 in the S1/2 NW1/4 of Section 26, Township 103 North, Range 48 West of the 5th PM., Minnehaha County, South Dakota.

Said Lot A contains 0.09 acre, more or less.

Location is approximately three miles west of Garretson. The above properties are no longer needed for highway purposes and abandonment is recommended by DOT Sioux Falls Area. (See attachments)

3. Abandonment – Codington County

This resolution will abandon the temporary easement on Codington County Project P 0020(107)394, PCN 027U.

4. Abandonment – Grant County

This resolution will abandon the temporary easement on Grant County Project NH-PS 0012(145)387, PCN 01TM.

5. Abandonment – Haakon County

This resolution will abandon the temporary easement on Haakon County Project BRF 0063(30)96, PCN 00KT.

6. Abandonment – Mellette and Lyman Counties

This resolution will abandon the temporary easements on Mellette and Lyman County Project P 0053(08)50, PCN 6963.

7. Abandonment – McPherson County

This resolution will abandon the temporary easement on McPherson County Project P 0010(90)255, PCN 037L.

8. Abandonment – Lawrence County

This resolution will abandon:

Lots A, B, C, D, E, F, G & H in the Right-of-Way of US 85/14A, also a portion of the Original Lower Main St as platted in Block 3 of the Fountain City Addition to the City of Deadwood, Lawrence County, South Dakota.

Said Lots A - H contain 4,588 sq. ft. or 0.11 acre.

Location is adjacent to Cadillac Jacks in Deadwood.

This property is no longer needed for highway purposes and abandonment is recommended by DOT Rapid City Region and Area. (See attached plat)

A MOTION WAS MADE to approve Item #1 by Rosenboom and seconded by Zander. All voted aye and motion carried.

RESOLUTION #2015-08.03 was adopted.

A MOTION WAS MADE to approve Item #2 by Fouberg and seconded by Marquardt. All voted aye and motion carried.

RESOLUTION #2015-08.04 was adopted.

A MOTION WAS MADE to approve Items #3-7 by Rosenboom and seconded by Zander. All voted aye and motion carried.

RESOLUTION #'s 2015-08.05, 2015-08.06, 2015-08.07, 2015-08.08, and 2015.08.09 were adopted.

A MOTION WAS MADE to approve Item #8 by Rosenboom and seconded by Vanneman. All voted aye and motion carried.

RESOLUTION #2015-08.10 was adopted.

Gengler mentioned to the Commission that a number of abandonments will be forthcoming for the Commission's approval after completion of the Deadwood reconstruction project as well as a few in Rapid City.

Sam Weisgram, Project Development, presented the following bid letting results:

July 15, 2015

PREVIOUSLY DEFERRED FROM JULY 27, 2015 MEETING

Scour Protection

3	022B, 022C P 0324(04)358, IM 0295(35)127	Brookings County
	K & L Construction Inc	\$1,749,494.10
	SD324 - 0.8 E of I29 Over Medary Creek; I29 - Over N Deer Creek, Over Br N Deer Creek, 0.6 N of SD30 Interchange Over a Creek 2.3 N of the Moody County Line, Over Medary Creek, & Over Six Mile Creek 1.1 N of the US14 Bypass	

A MOTION WAS MADE to approve Bid #3 by Fouberg and seconded by Rosenboom. All voted aye and motion carried.

August 5, 2015

County Signing

1	044D PH 8050(66)	Minnehaha County
	Hamm Contracting, LLC	\$963,418.70
	Various roads in the west half of Minnehaha County	

County Signing

2	02MX PH 8026(29)	Grant County
	Hamm Contracting, LLC	\$1,372,421.00
	Various Locations in Grant County	

Substructure Work, Berm Repair & Riprap

3	02A9 P 0044(158)291	Charles Mix County
	<i>REJECTED BY THE SDDOT COMMISSION</i>	
	SD44 - Missouri River Bridge Over Lake Francis Case	

A MOTION WAS MADE by Marquardt to approve Bid #'s 1 and 2 and seconded by Zander. All voted aye and motion carried.

A MOTION WAS MADE by Rosenboom to reject Bid #3 and seconded by Marquardt. All voted aye and motion carried.

August 11, 2015

Region Letting

Shared Use Path

04C1 P 0ENH(220)	Meade County
Ainsworth-Benning Construction	\$128,118.11
Concrete shared use path in Sturgis	

A MOTION WAS MADE by Fouberg to approve the 8/11/15 regional bid and seconded by Vanneman. All voted aye and motion carried.

August 19, 2015

County Signing and Delineation

1 056U PH 8050(69)	Minnehaha County
Hamm Contracting, LLC	\$1,412,966.70
Various locations in the eastern half of Minnehaha County	

Asphalt Concrete Crack Sealing

2 048L, 05AW, 046V NH-P 0041(150), NH-P 0043(18), P 0041(145)	Custer,
Fall River, Lawrence, Meade, Oglala Lakota, Pennington County	
Roadway Services, Inc.	\$186,979.69
Various Routes in the Custer and Rapid City Areas	

Replace Interstate Fence

3 03VU IM 0299(66)232	Roberts County
Dan Scott DBA Prairie Fencing	\$215,198.80
I29 in the Watertown Area	

Relocate Historic Bridge with Approach Grading

4 03L4 P 0ENH(218)	Charles Mix, Davison County
Nolz Dragline & Construction Company Inc	\$308,951.59
Relocation from near Geddes to Lake Mitchell in Mitchell	

A MOTION WAS MADE by Zander to approve Bid #'s 1, 2, and 4 and seconded by Dougherty. All voted aye and motion carried.

A MOTION WAS MADE by Marquardt to approve Bid #3 and seconded by Fouberg. All voted aye and motion carried.

Katie Thompson of the Office of Legal Counsel offered to the Commission to set a date for the public hearing of Hughes County speed zone rule – 70:01:02:36. The proposal is to amend or add said rules pursuant to SDCL 1-26-4. The time and place for said hearing shall be on the 1st day of October, 2015 at 9:30 a.m., Commission room of the Becker Hansen Building, 700 E. Broadway, Pierre, SD.

RESOLUTION #2015-08.01 was adopted.

Thompson then offered to the Commission consideration of adoption or amendment of the following rules: 70:12:01:01, 70:12:02:01 to 70:12:02:12 inclusive – County Highway and Bridge Improvement Plan and 70:13:01:01 to 70:13:01:13 inclusive – Local Bridge Improvement Grant Fund.

Laurie Schultz appeared before the Commission to explain the County Highway and Bridge Improvement Plan and Doug Kinniburgh appeared to explain the Local Bridge Improvement Grant Fund. Discussion occurred among Commission members and DOT staff regarding some of the language in the rules with a few minor amendments and wording changes approved by the Commission.

Dick Howard of the SDATAT testified before the Commission supporting the proposed rules as “simple and useful.” Written comments were received from Howard, D.J. Bluthe (Minnehaha County Highway Superintendent) and Kevin Hipple (Hughes County Manager). These comments were disbursed to the Commissioners and considered.

After no other testimony, A MOTION WAS MADE to approve the rules 70:12:01:01, 70:12:02:01 to 70:12:02:12 inclusive – County Highway and Bridge Improvement Plan by Zander and seconded by Dougherty. Roll call vote was taken. All voted aye and motion carried.

A MOTION WAS MADE to approve the “amended” rules 70:013:01:01 to 70:03:01:13 inclusive – Local Bridge Improvement Grant Fund by Rosenboom and seconded by Fouberg. Roll call vote was taken. All voted aye and motion carried.

RESOLUTION #2015-08.02 was adopted.

Secretary Bergquist concluded the meeting by offering to the Commission the opportunity to review the comprehensive plan completed by a number of cities and counties that are available on the DOT website. He also asked the commissioners to review the DOT website and update or change their bios, if needed.

With no other business to come before the Commission, A MOTION WAS MADE by Dougherty to adjourn the meeting and seconded by Zander. The meeting was adjourned at 11:48 a.m.

Submitted by:

Patricia A. Saukel
Recording Secretary

Approved by:

Darin P. Bergquist
Secretary of Transportation