

**TRANSPORTATION COMMISSION MEETING MINUTES  
JUNE 28, 2018 – 9:00 A.M.  
BECKER-HANSEN BUILDING – 700 EAST BROADWAY  
PIERRE, SD**

**COMMISSIONERS PRESENT:** Kyle White, Chair  
Rod Fouberg, Member  
Mike Vehle, Member  
Kim Vanneman, Member  
Larry A. Nelson, Member

**COMMISSIONERS PRESENT VIA  
CONFERENCE CALL:** Ron Rosenboom, Member (joined the meeting at 9:05 am)  
Don Roby, Member

**DOT STAFF PRESENT:** Darin Bergquist, Karla Engle, Bonnie Olson, Julie Bolding,  
Greg Fuller, Ryan Johnson, Jason Humphrey, Kellie Beck,  
Joel Gengler, Sam Weisgram, Doug Kinniburgh, Mike  
Behm, Rick Gordon, Rayleen Rathbun, and Katherine  
Anderson

**OTHERS PRESENT:** Bob Mercer

Chairman White called the meeting of the Transportation Commission (the “Commission”) to order at 9:01 a.m. Roll call was taken and a quorum was determined.

Chairman White opened the floor to Commission members to disclose potential conflicts of interest and to present requests for waivers pursuant to South Dakota Codified Law (SDCL) chapter 3-23.

Karla Engle, Office of Legal Counsel, provided annual disclosure information to the Commission and requested that Commission members submit their annual disclosures for consideration at the next Commission meeting.

No conflicts of interest were disclosed and no waivers were requested.

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Chairman White asked for a motion to approve the minutes of May 24, 2018.

A MOTION WAS MADE by Vanneman and seconded by Fouberg to approve the May 24, 2018, meeting minutes. All present voted aye by roll call vote. The motion carried.

Chairman White asked for a motion to approve the minutes of June 14, 2018.

A MOTION WAS MADE by Vehle and seconded by Fouberg to approve the June 14, 2018, meeting minutes. All present voted aye by roll call vote. The motion carried.

Member Ron Rosenboom joined the meeting via conference call at 9:05 a.m.

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Secretary Bergquist presented the Secretary's Report. Bergquist updated the Commission on the remote meeting originally planned for August. The remote meeting will be delayed until the September meeting due to the need to hold the consideration of final approval of the STIP at the August meeting in Pierre. The remote meeting will be scheduled for September 26<sup>th</sup> & 27<sup>th</sup>.

The Department of Transportation (the "Department") hosted the WASHTO regional conference in Rapid City in June. This was a tremendous success. The Department had 70 staff that worked this event and great South Dakota hospitality was displayed. As part of the regional conference the Department received two awards. The first award was in the small project category area of Operations Excellence and was received for the Brookings project. The second award was in the small project category of Best Use of Technology and Innovation for the use of high friction surface treatment to reduce winter accidents.

Bergquist distributed the new "Code of Conduct and Conflict of Interest Policy for Use By State Authority, Board, Commission, and Committee Members" to the commissioners present at the meeting and asked the Commission members to review the Code of Conduct.

The Department was awarded a twenty-one million dollar BUILD grant to be used on Veterans Parkway in Sioux Falls. This is a highly competitive grant so the Department can be proud of this award.

Bergquist provided the Commission an update on some questions that were raised regarding a state highway fund loan the Commission granted to Yankton County in 2016. The questions raised were regarding the Commission's legal authority to make a 100% state highway funded loan. To clear this up the Department brought a bill in the 2017 Legislative Session to make it clear that the Commission could award loans. The law further authorizes the Commission to pass administrative rules to establish how such a program would work. The Department will propose administrative rules for the Commission to consider at a later date.

For the last several years the Department has been working with Performance Excellence Network (PEN) on the Baldrige Criteria to help with our Strategic Planning and continuous improvement efforts. This criteria sets out a stringent details that help define high performing organizations. The Department received an award from PEN for its efforts. The award presentation will be held on July 16<sup>th</sup> at 1:30 p.m. in the Capitol Building.

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

Construction change orders approved in May contain a decrease of approximately \$82,118.

Over the past 12 months, the overall contract increase is 2.29%.

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

**ABERDEEN REGION**

There are no CCOs amounting to a change of \$50,000 to report this period.

**MITCHELL REGION**

There are no CCOs amounting to a change of \$50,000 to report this period.

**PIERRE REGION**

There are no CCOs amounting to a change of \$50,000 to report this period.

**RAPID CITY REGION**

- I. Project: P 1614(00)1, Pennington County, PCN 05K2  
 Location: Radar Hill Road  
 Contractor: Foothills Contracting, Inc.  
 Type of Work: Slide Repair

Original Contract Amount:	\$	1,009,250.30
Change on CCO No. 1:	\$	(157,257.83)
Net Change to Date:	\$	(157,257.83)

Explanation of Change on CCO No. 1: This decrease was the result of the Department adjusting the contract quantities of Contractor furnished borrow, water for embankment, and flagging hours. The final cross section survey of the borrow area resulted in a decrease to the quantity of borrow used when compared to the estimate. The decrease in the water for embankment resulted from the in place excavation material containing sufficient moisture to allow for proper compaction. As a result, the Contractor did not need to add as much water as the Department estimated. Due to the Contractor’s sequence of operation, the number of flagging hours necessary for accommodating traffic was less than estimated in the plans.

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Joel Gengler, Program Manager for the Office of Right-of-Way, presented the following items for Commission consideration:

- 1. Disposal of Excess Property - Beadle County:

Request Transportation Commission approval to dispose of the following DOT property in accordance with the procedures provided by SDCL 31-2-27 and ARSD chapter 10:02:01.

Lot B of Government Lot I of Section 4, Township 110 North, Range 62 West

of the 5th P.M., Beadle County, South Dakota

Appraised Value: \$23,500

Lot B contains 23.57 acres of silty clay loam soils formerly used for the Department's borrow-pit and consists of irregular hay land and lowland terrain.

Location is on the south side of Hwy 14 near the intersection of 397th Avenue two miles west of the Huron city limits.

The property is zoned industrial.

Access to the property will be limited to the existing Hwy 14 approach.

A MOTION WAS MADE by Fouberg and seconded by Vanneman to approve item #1-Disposal of Excess Property-Beadle County. All present voted aye by roll call vote. The motion carried.

2. Huron Area DOT advises the property is not needed for future department use. Transfer - Pennington County:

Request Transportation Commission approval to transfer to the city of Rapid City the State's interest in the following property acquired for highway right-of-way more particularly described as:

Lot A1 in a portion of Lot H-1 containing a portion of Lot 5 lying south of Lot H of Lot 5, all of Lot 6 less Lot H of Lot 6, and Lot B of the Subdivision of Lot 7, 11 & 12, all in the SE 1/4 SE 1/4 of Section 34, Township 2 North, Range 7 East of the B.H.M., in the City of Rapid City, Pennington County, South Dakota.

The highway right of way described above would be transferred to the city of Rapid City for use as a road de-icing, salt/sand storage facility and the city of Rapid City would accept ownership, jurisdiction, operational and maintenance responsibilities of the above described right-of-way.

Rapid City Area DOT recommends disposal.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve item #2-Transfer-Pennington County. All present voted aye by roll call vote. The motion carried.

**RESOLUTION #2018-06.01** was adopted.

3. Abandonment - Minnehaha County

This resolution will abandon the temporary easements on Minnehaha County Project P 0042(10)363, PCN 4458.

**RESOLUTION #2018-06.02** was adopted.

4. Abandonment - Pennington County

This resolution will abandon the temporary easements on Pennington County Project NH 0016(79)68, PCN 027C.

**RESOLUTION #2018-06.03** was adopted.

5. Abandonment- Spink County  
This resolution will abandon the temporary easements on Spink County Project NH 0212(160)306, PCN 03A6.

**RESOLUTION #2018-06.04** was adopted.

A MOTION WAS MADE by Vehle and seconded by Fouberg to approve item #'s 3, 4, and 5- Abandonment-Minnehaha, Pennington, and Spink Counties. All present voted aye by roll call vote. The motion carried.

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

**June 20, 2018**

**Structure & Approach Grading (3-12'x8' Precast BC)**

1	05M0 BRF 6202(00)01	Roberts County
	Riley Bros. Construction, Inc.	\$233,810.00
	Structure 6.5 miles south & 0.8 miles east of Claire City over a creek on 112 St.	

**Structure & Approach Grading (2-14'x9' Precast RCBC)**

2	06VD BRF 6311(00)18-4	Grant County
	Riley Bros. Construction, Inc.	\$253,323.48
	Structure 0.5 miles south of Revillo on 482th Ave, over a creek	

**Structure (4-10' x 8' CIP Box Culvert) & Approach Grading**

3	02EZ BRF 6211(00)	Miner County
	Dakota Contracting Corporation	\$494,154.83
	Structure 1 mile east & 2 miles south of Howard over the West Fork of the Vermillion River	

**County Pavement Marking**

4	04LN P 000S(00)216	Aberdeen Region
	Vogel Traffic Services, Inc	\$540,615.70
	Various Locations in the Aberdeen Region	

**County Pavement Marking**

5	04LQ P 000S(00)214	Pierre Region
	Traffic Solutions Inc	\$37,814.00
	Various Locations in the Pierre Region	

**Polymer Chip Seal, Joints, Deck Overlay, Replace Bridge Rail, Approach Pavement**

6 04G3 NH 0085(87)56 Butte County  
PCIRoads, LLC \$1,407,783.46  
US85, 0.4 miles south of US212, 2 miles north of Belle Fourche, 10.8 miles north of Belle Fourche & 16 miles northeast of US212 over the Belle Fourche River, Crow Creek, Owl Creek & Indian Creek

**Culvert Repair & Lining**

7 06ED P 0010(153) Faulk, Hand County  
Subsurface, Inc. \$159,692.55  
Various locations on SD26 & SD47 in Faulk & Hand Counties

**Culvert Repair & Lining**

8 06E8 P 0012(270) Hamlin County  
Subsurface, Inc. \$604,596.60  
Various locations on SD22 in Hamlin County

**Asphalt Concrete Crack Sealing**

9 05XN NH-P 0043(21) Custer, Fall River, Oglala Lakota, Pennington County  
Roadway Services, Inc. \$259,943.20  
Various Routes in the Custer Area

**Asphalt Concrete Crack Sealing**

10 05KU IM-NH-P 0040(238) Jackson, Lawrence, Pennington County  
Roadway Services, Inc. \$146,689.64  
Various Routes in the Rapid City Region

A MOTION WAS MADE by Vanneman and seconded by Fouberg to approve bid #'s 1, 2, 4, 5, 7, 8, 9, and 10. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Fouberg and seconded by Vanneman to approve bid #3. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve bid #6. All present voted aye by roll call vote. The motion carried.

**June 27, 2018**

**Grading, Intersection Improvement, Traffic Signals, Curb & Gutter, Storm Sewer, Sidewalk, PCCP, Lighting**

1 02SF, 0515 P 1774(00)6, NH 0044(00)45 Pennington County  
Simon Contractors \$11,333,766.71  
East Boulevard & East North St. from St. Joseph St. north & east to Herman St.  
in Rapid City

**Sanitary Sewer and Water Main Improvements**

2 X03M 14 2170( ) Pennington County  
Simon Contractors \$4,337,432.74  
East Boulevard and East North St. from St. Joseph St. N and E to Herman St. in  
Rapid City

A MOTION WAS MADE by Vehle and seconded by Fouberg to approve bid #'s 1 and 2. All present voted aye by roll call vote. The motion carried.

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Mike Behm, Director of Planning and Engineering, presented the following Statewide Transportation Improvement Program (STIP) revisions and the consideration of the tentative STIP:

**INFORMATIONAL ITEMS FOR THE COMMISSION**

REV 18-SC-030 This revision adjusted the cost of a 2018 Bridge Maintenance project located on US85 in Lawrence County (Sequence #500, Page 120 in the 2018-2021 STIP Book).

FY 2018 Plus \$333,000

A MOTION WAS MADE by Vanneman and seconded by Fouberg to approve release of the 2019-2022 tentative STIP and allow the Department to share with the public at the upcoming STIP meetings. All present voted aye by roll call vote. The motion carried.

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Doug Kinniburgh, Engineer Manager, of the Office of Administration, Local Government Assistance Program, presented for the Commission's consideration the 2019 Bridge Improvement Grant Procedure Guide and 2019 – 2023 Five-Year County Highway and Bridge Improvement Plan Guide.

Kinniburgh requested a correction be made to the 2019 Bridge Improvement Grant Procedure Guide on Page 12, Table IV-1. The first entry under the column entitled "No restriction" should be corrected to state "Element Condition State 1 or 2".

A MOTION WAS MADE by Nelson and seconded by Fouberg to approve the correction to the 2019 Bridge Improvement Grant Procedure Guide page 12, Table IV-1 in the upper righthand corner, under column entitled "No restriction", "Element Condition State 3 or 4" is corrected to read "Element Condition State 1 or 2." All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Vehle and seconded by Nelson to approve the 2019 Bridge Improvement Grant Procedure Guide as presented and amended. All present voted aye by roll call vote. The motion carried.

Kinniburgh requested a correction be made to the 2019 – 2023 Five-Year County Highway and Bridge Improvement Plan Guide. The date listed on the bottom left hand corner of the guide should be corrected to read "06/28/2018".

A MOTION WAS MADE by Vanneman and seconded by Fouberg to approve the 2019 – 2023 Five-Year County Highway and Bridge Improvement Plan Guide with a correction to the date listed on the bottom of each page to read "6/28/2018." All present voted aye by roll call vote. The motion carried.

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Behm presented an informational item on interstate interchanges and overpasses.

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With no other business to come before the Commission, the meeting was adjourned at 10:26 a.m.