

**TRANSPORTATION COMMISSION MEETING MINUTES
SEPTEMBER 25, 2017 – 1:00 P.M.
SD DEPARTMENT OF TRANSPORTATION-5316 W. 60TH ST. N.
SIOUX FALLS, SD**

COMMISSIONERS PRESENT: Ron Rosenboom, Chairman
Kyle White, Vice Chairman
Don Roby, Member
Mike Vehle, Member
Rod Fouberg, Member
Kim Vanneman, Member
Ralph Marquardt, Member

DOT STAFF PRESENT: Darin Bergquist, Dustin DeBoer, Mike Behm, Greg Fuller, Mark Leiferman, Travis Dressen, Greg Aalberg, and Paul Knofczynski

OTHERS PRESENT: Mike Cooper – Director of Planning and Building Services, City of Sioux Falls; Mark Cotter – Director of Public Works, City of Sioux Falls, Shannon Ausen, Engineer for Public Works, City of Sioux Falls, and Toby Crow

Chairman Rosenboom called the meeting of the Transportation Commission (the "Commission") to order at 1:00 p.m. Roll call was taken and a quorum was determined.

Chairman Rosenboom asked for a motion to approve the minutes of August 24, 2017.

A MOTION WAS MADE by Roby to approve and seconded by Vanneman. All present voted aye by voice vote. The motion carried.

Chairman Rosenboom asked for a motion to approve the minutes of September 12, 2017.

A MOTION WAS MADE by Fouberg to approve and seconded by Vanneman. All present voted aye by voice vote. The motion carried.

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

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

Secretary Bergquist requested that the Transportation Commission propose a hearing date to consider amendment or repeal of rules found in chapters 70:01:02, 70:07:01, 70:07:02, and 70:07:03 of the Administrative Rules of South Dakota.

The proposed rule changes concern speed zones and contractor bidding capacity requirements for highway construction contracts.

A MOTION WAS MADE by White to set the hearing for the October 26, 2017, Commission meeting and seconded by Vehle. All present voted aye by voice vote. The motion carried.

RESOLUTION #2017-09.01 was adopted.

Secretary Bergquist presented the Secretary's Report and informed the Commission that the Department of Transportation (the "Department") was awarded \$26 million dollars in additional federal highway funds as part of the August redistribution of funding. This was the result of the Department's timely obligation of all regular federal highway funding.

With the Commission's approval, Mike Behm, Director of Planning and Engineering, addressed the remaining agenda items out of order.

Mark Leiferman, Program Manager of Project Development, presented the following bid letting results:

September 12, 2017

Safe Routes to School
04NR P SRTS(34)

Union County

3D Digging & Trucking
City of Alcester

\$142,886.10

A MOTION WAS MADE by Roby to approve and seconded by Fouberg. All present voted aye by voice vote. The motion carried.

September 20, 2017

Diaphragm, Bent Cap, Approach Slab Repair, High Friction Surface Treatment Epoxy Chip Seal & Joints, Approach Pavement, LSDC Overlay, Replace Inside Median Barrier, Replace Approach Slabs

1 05MJ IM-PH 0902(167)58 Pennington County
 Heavy Constructors, Inc. \$2,368,822.00
 I90 Structures at the Haines Ave Interchange and at Maple Ave

A MOTION WAS MADE by White to approve item #1 and seconded by Vanneman. All present voted aye by voice vote, with the exception of Fouberg who abstained. The motion carried.

Pavement Rehabilitation & Pavement Marking

2 05NH NH-P 0031(37) Hughes, Stanley County
 Diamond Surface, Inc. \$802,273.47
 Various Routes in the Pierre Area

A MOTION WAS MADE by Marquardt to approve item #2 and seconded by Fouberg. All present voted aye by voice vote. The motion carried.

September 21, 2017

Sidewalk and Curb & Gutter

06JG IM 0906(00)264 Brule County
Big-O-Concrete \$65,793.50
Chamberlain Rest Area

A MOTION WAS MADE by Vanneman to approve and seconded by Vehle. All present voted aye by voice vote. The motion carried.

Leiferman presented the following informational revision items for the Commission:

INFORMATIONAL REVISIONS FOR THE COMMISSION

17-078 This revision adjusted the cost estimate of a combined lighting & curb upgrade project on US12 in Lemmon, and shoulder widening and AC surfacing projects on US12 from the ND state line to Lemmon and on SD73 from north of the Grand River to US12 at Lemmon (Item #737, Page 154 of the 2017 2020 STIP Book).

FY 2017 Plus \$4,111,000

17-079 This Sioux Falls Area wide pipe work project (which was added in June) was changed from federal and state funding to 100 percent state funding.

FY 2017 No Change

Mike Behm presented for the Right of Way office and provided the following items for Commission consideration:

1. Transfer – Lawrence County

Request Transportation Commission approval to transfer by resolution to the City of Deadwood the following property acquired for highway right-of-way:

Lot A1 in a portion of Lot H2 and the 66 foot right of way of US Highway 85 in Tract 1 of the Jim Lode Mineral Survey 1636; the 66 foot right of way of US Highway 85 in Lot 7 and Placer Claim 57 in Section 27 - Township 5 North - Range 3 East of the B.H.M., and a portion of Lot H2 and the 66 foot right of way of US Highway 85 in M.S. 107 in Section 27 - Township 5 North – Range 3 East of the B.H.M., all located in the City of Deadwood, Lawrence County, South Dakota, containing 44,162 square feet, more or less, according to the plat thereof to be filed for record in the office of the Register of Deeds in and for said county.

The above transfer completes Agreement Number 614300 signed by the City of Deadwood on July 7, 2014, and signed by the State of South Dakota Department of Transportation on August 5, 2014; and the actual transfer of title to the City of Deadwood pursuant to said agreement not having yet been made of all the state of South Dakota's interests in real property, including without

limitation, roadways, bridges, culverts, sidewalks, right-of-way fences, and all other fixtures and appurtenances.

The highway right-of-way described above would be transferred to the City of Deadwood and the City of Deadwood would accept ownership, jurisdiction and maintenance responsibilities of the above described right-of-way. (See Attached plat)

A MOTION WAS MADE by Roby to approve item #1 and seconded by Vanneman. All present voted aye by voice vote. The motion carried.

RESOLUTION #2017-09.02 was adopted.

2. Abandonment – in Lawrence County:

Request Transportation Commission approval to abandon by resolution the following properties acquired for highway right-of-way:

Lot AB1 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Lot BHP, a subdivision of portions of Block A and G of Mineral Survey No. 1035 and portions of M.S. 107 to the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB1 contains 284 sq. ft. or 0.01 acre.

Lot AB2 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Lot C of M.S. 107 in the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB2 contains 1,062 sq. ft. or 0.02 acre.

Lot AB3 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Lot A of M.S. 107 to the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB3 contains 3,046 sq. ft. or 0.07 acre.

Lot AB4 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Lot PL, of M.S. 107 to the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB4 contains 5,111 sq. ft. or 0.12 acre.

Lot AB5 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Lot C of M.S. 107 to the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB5 contains 2,116 sq. ft. or 0.05 acre.

Lot AB6 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Tract H of M.S. 107 to the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB6 contains 1,270 sq. ft. or 0.03 acre.

Lot AB7 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Tract G of M.S. 107 to the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB7 contains 289 sq. ft. or 0.01 acre.

Lot AB8 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Lot 1 of Tract F to the City of Deadwood and also lying adjacent to a tract of ground 94.21 feet x 187.8 feet as described in Book 259, Page 229, City of Deadwood, Lawrence County, South Dakota.

Said Lot AB8 contains 4,637 sq. ft. or 0.11 acre.

Lot AB9 in a portion of the 66 foot right-of-way of US Highway 85 in M.S. 107 in Section 27 – Township 5 North – Range 3 East of B.H.M., located in the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB9 contains 3,869 sq. ft. or 0.09 acre.

Lot AB10 in the US Highway 85 right-of-way in M.S. 107, lying adjacent to Deadwood Gulch's of Fun Tract 1, being a portion of Deadwood Gulch Addition II in the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB10 contains 4,180 sq. ft. or 0.10 acre.

Lot AB1 in the US Highway 85 right-of-way in M.S. 1636, lying adjacent to a tract of ground 94.21 feet x 187.8 feet as described in Book 259, Page 229, all in the City of Deadwood, Lawrence County, South Dakota.

Said Lot AB1 contains 721 sq. ft. or 0.02 acre.

Lot AB1 in a portion of the 66 foot right-of-way of US Highway 85 in Placer Claim 57 in Section 27 – Township 5 North – Range 3 East of B.H.M., City of Deadwood, Lawrence County, South Dakota.

Said Lot AB1 contains 859 sq. ft. or 0.02 acre.

Lot AB1 in a portion of the 66 foot right-of-way of US Highway 85 in Placer Claim 58 in Section 27 – Township 5 North – Range 3 East of B.H.M., City of Deadwood, Lawrence County, South Dakota.

Said Lot AB1 contains 339 sq. ft. or 0.01 acre.

Lot AB1 in the US Highway 85 right-of-way in the SE1/4 of Section 27 – Township 5 North – Range 3 East of B.H.M., lying adjacent to Deadwood Gulch's of Fun Tract 2, Lawrence County, South Dakota.

Said Lot AB1 contains 2,470 sq. ft. or 0.06 acre.

The above abandonment lots are located along US 85 in Deadwood.

DOT project NH-PH 0085(20)26, PCN 0555 has been completed and the above property is no longer needed for highway purposes. Abandonment is recommended by DOT Rapid City Region and Area. (See attached plats)

A MOTION WAS MADE by Fouberg to approve item #2 and seconded by Marquardt. All present voted aye by voice vote. The motion carried.

RESOLUTION #2017-09.03 was adopted.

3. Request for Utility Easement – Butte County

Request Transportation Commission approval to grant an overhead powerline permanent easement to Black Hills Power, Inc. of Rapid City, SD upon the following DOT property:

Lot A in the Southwest Quarter Southwest Quarter (SW1/4SW1/4) of Section 15, Township 8 North, Range 2 East of the B.H.M., Butte County, South Dakota.

Lot A is located on the south side of Hwy 34 in Belle Fourche and serves as the DOT maintenance shop site facility. Granting the 20-foot wide easement as shown on Exhibit "A" allows BHP to provide service to a new DOT truck storage building.

Black Hills Power accepts financial responsibility for the overhead powerline. All State and Federal guidelines will be followed during the construction. (See attached Exhibit A)

A MOTION WAS MADE by Vehle to approve item #3 and seconded by Roby. All present voted aye by voice vote, with the exception of White who abstained. The motion carried.

4. Abandonment – Pennington County

This resolution will abandon the temporary easement on Pennington County Project

P 0044(149)40, PCN 6925.

5. Abandonment – Minnehaha County

This resolution will abandon the temporary easement on Minnehaha County Project IM 29-3(68)80, PCN 1177.

A MOTION WAS MADE by Vehle to approve items #4 and #5 and seconded by Marquardt. All present voted aye by voice vote. The motion carried.

RESOLUTIONS #2017-09.04 and #2017-09.05 were adopted.

Mike Behm, Director of Project Development, introduced Mike Cooper, Director of Planning and Building Services, and Mark Cotter, Director of Public Works, both representatives from the City of Sioux Falls, to present to the Commission an informational item explaining the various construction projects and future plans in the Sioux Falls Metropolitan area. The Commission would be touring those projects on the following morning at 8:00 a.m.

The meeting recessed at 4:00 p.m.

The Commission reconvened at 8:00 a.m. on Tuesday, September 26, 2017, at the Sioux Falls Area Office. The Commission toured the Sioux Falls construction projects by bus.

With no other business to come before the Commission, the meeting was declared adjourned at 10:56 a.m.