

**TRANSPORTATION COMMISSION MEETING MINUTES
APRIL 26, 2018 – 9:00 A.M.
BECKER-HANSEN BUILDING – 700 EAST BROADWAY
PIERRE, SD**

- COMMISSIONERS PRESENT:** Kathy Zander, Vice Chair
Ron Rosenboom, Member
Rod Fouberg, Member
Ralph Marquardt, Member
Mike Vehle, Member
Kim Vanneman, Member
Don Roby, Member
Larry A. Nelson, Member
- DOT STAFF PRESENT:** Darin Bergquist, Karla Engle, Bonnie Olson, Rick Gordon, Julie Bolding, Greg Fuller, Christina Bennett, Ryan Johnson, Jason Humphrey, Kellie Beck, Mike Behm, Joel Gengler, Steve Gramm, Steve Johnson, John Villbrandt, Steven Jacobs, Neil Schochenmaier, Doug Kinniburgh, Paula Huizenga, Sam Weisgram, and Patricia Saukel
- OTHERS PRESENT:** Sen. Jim Bolin – Canton, Rick Vallery – Rep. Kristi Noem’s office, John Hauck – Bon Homme County Commissioner, Gary Johnson and Gerad Johnson – AGE Corporation, Bob Mercer – press, and Rep. Mary Duvall
- OTHERS PRESENT VIA CONFERENCE CALL:** Laverne Schieffer - Mayor of Tabor, Frank Kloucek – Scotland, Toby Crow – AGC, Wendy Sweeter – Worthing, Rep. Jean Hunhoff – Yankton, Marilyn Renback – Lennox, Brad Smidt – Canton, and seven other unidentified individuals

Vice Chair Zander called the meeting of the Transportation Commission (the “Commission”) to order at 9:00 a.m. and a quorum was determined.

Vice Chair Zander 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.

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

Vice Chair Zander asked for a motion to approve the minutes of March 29, 2018.

A MOTION WAS MADE by Fouberg and seconded by Roby to approve the March 29, 2018, meeting minutes. All present voted aye by voice vote. The motion carried.

Vice Chair Zander asked for a motion to approve the minutes of April 12, 2018.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve the April 12, 2018, meeting minutes. All present voted aye by voice vote. The motion carried.

With the Board's acquiescence, Secretary Darin Bergquist requested to take agenda items out of order. Bergquist stated that he did not have a Secretary's Report to present and wished to yield his time to Gerad Johnson of AGE Corporation for a presentation to members of the Department of Transportation (the "Department").

Johnson said AGE Corporation received three AGC/LICA awards at their annual state convention in January. Johnson said AGE was fortunate enough to be the recipient of a Category II award. The Category Awards of I, II, and III are based on a dollar volume of a project. The mid-level project that they were on was P0063 in Corson County - a rip rap and scour protection project on the Grand River south of McLaughlin. Johnson said AGE encountered a major differing site condition early into the job that required bringing a team together from the Department of Transportation. When AGE received its award, AGE was asked to recognize its subcontractors, which it did. Johnson wanted to take a step further and also recognize the best informal partnering that he has had to be a part of in his 40 years in business. Johnson presented a plaque to Greg Fuller, Director of Operations on behalf of the Central Office, Operations, Bridge Foundation, and Design. Johnson presented another plaque to Mobridge Area Office Engineer John Villbrandt and Project Engineer Steven Jacobs.

Karla Engle of the Office of Legal Counsel requested the Commission consider proposed amendments to the following speed zone rule:

- 70:01:02:12 – Bon Homme County speed zone rule

Engle explained the procedural steps that were followed concerning the above rule. The Department received petitions from the Mayor of Tyndall and Chair of the Board of Trustees of Tabor requesting that the Department consider amendments to the above rule.

Copies of the proposed rule, maps showing the proposed speed zone changes, written comments including letters requesting the rule amendments, and the Rules Presentation Format Form adopted by the Interim Rules Review Committee, listing the procedural steps that have been taken so far in the rule adoption process were provided to the Commission in the Agenda packet.

Engle pointed out that written comments were received from former legislator Frank Kloucek, Bon Homme County Commissioner John Hauck, the Mayor of Tyndall, the Chair of the Board of Trustees of Tabor, and Bon Homme County Sheriff Lenny Gramkow. All of these comments were provided to the commission members in their packets.

Secretary Bergquist addressed the substantive changes in the rules after which there was an opportunity for proponents and opponents to offer their comments at the hearing.

Bergquist asked the Commission to consider and balance the objective data at an engineering-based perspective in determining appropriate speeds as compared with public input, comments, concerns,

and desires. The Department analyzes and gives recommendations to the Commission from an objective basis from gathering data from speed studies, examining accident records, measuring geometrics in the location and other factors. All of this analysis is based on the requirements and standards of the Manual on Uniform Traffic Control Devices (MUTCD). This is the national standard that the Department is required to follow in recommending appropriate speed limits.

Bergquist said that there is nothing to indicate that the existing speed zones are inappropriate and need to be changed or the change in speed limit would reduce the number of crashes in the area.

Vice Chair Zander opened the hearing to Proponent testimony.

Proponent testimony for public comment included John Hauck, Bon Homme County Commissioner, Laverne Schiefer, Mayor of Tabor, Frank Kloucek from Scotland, and Representative Jean Hunhoff of Yankton.

The Proponent portion of the hearing was closed and Opponents were asked to come forward. No members of the public appeared to offer testimony in opposition to the rule changes. The hearing was then closed at 9:25 a.m.

A MOTION WAS MADE by Marquardt and seconded by Vehle to split the consideration of speed reduction of Tabor and Tyndall by voting separately. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Vehle and seconded by Roby to approve reducing the speed zone in Tabor from 65 MPH to 55 MPH.

In an attempt to conduct a voice vote, it was determined there would be a mixed vote. A roll call vote was then requested. All present voted by roll call vote, 4 ayes [Marquardt, Rosenboom, Vanneman, and Vehle], 4 nays [Fouberg, Nelson, Roby, and Zander]. The motion failed due to a tie vote.

A MOTION WAS MADE by Roby and seconded by Vanneman to reduce the speed zone in Tyndall from 55 MPH to 45 MPH. All present voted nay by roll call vote. The motion failed.

Engle requested that the Transportation Commission propose a hearing date to consider changes to 70:01:02:09 -- Lawrence County speed zone rule.

A MOTION WAS MADE by Roby and seconded by Rosenboom to set the administrative hearing date for the May 24, 2018, Commission meeting. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-04.01 was adopted.

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

Construction change orders approved in March contain an increase of approximately \$1,429,790.

Over the past 12 months, the overall contract increase is 2.60%.

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

- I. Project: IM-NH-P 0023(44), Clay County, PCN 052V
 Location: Various Routes in the Yankton Area
 Contractor: Interstate Improvement, Inc
 Type of Work: PCC Pavement Joint and Spall Repair

Original Contract Amount:	\$	1,209,726.90
Change on CCO No. 3F:	\$	110,946.10
Net Change to Date:	\$	603,974.65

Explanation of Change on CCO No. 3F: This increase is the result of the Contractor performing additional non-reinforced concrete repair. During construction, the Department identified additional concrete in need of repair. When traffic is removed from the roadway, the Department is able to perform a closer inspection of the site and more accurately determine the extent of the necessary repair areas. This variation is common for the work. Additionally, a change was ordered by the Engineer to require the Contractor to remove additional concrete pavement to allow for more and larger asphalt growth joints. Increases to the quantity of concrete removal and asphalt concrete composite items reflect this change.

- II. Project: NH 0050(108)385, Yankton County, PCN 023U
 Location: SD 50, east and west of Yankton
 Contractor: PCIRoads, LLC
 Type of Work: PCC Overlay, PCC Surfacing, Curb & Gutter, Crossover, Cutoff Drain, & Edge Drains

Original Contract Amount:	\$	10,492,623.73
Change on CCO No. 6:	\$	144,668.22
Net Change to Date:	\$	174,321.15

Explanation of Change on CCO No. 6: This increase is the result of the Department adjusting the contract quantities to match the quantity used during construction including a large increase to the furnish concrete overlay item. The Department approved concrete surface profile resulted in additional furnish concrete overlay than estimated in the plans. Additionally, the Contractor earned an incentive payment for pavement smoothness. The Department made the incentive payment in accordance with the contract.

- III. Project: NH 0034 (160) 386, Lake County, PCN 02R6
 Location: SD34 in Madison
 Contractor: T&R Contracting Inc.

Type of Work: Urban Grading, Storm Sewer, Curb & Gutter, Sidewalk, Traffic Signals, Roadway Lighting, PCC Surfacing

Original Contract Amount:	\$	6,789,000.00
Change on CCO No. 3:	\$	101,077.82
Net Change to Date:	\$	116,157.39

Explanation of Change on CCO No. 3: This increase is the result of additional work performed by the Contractor to excavate contaminated material, perform additional staking, and perform extra work to install signs for safe routes to schools not included in the plans.

- IV.** Project: NH 0050(97)411, Clay County, PCN 023L
 Location: SD 50 from Vermillion to I-29
 Contractor: Spencer Quarries Inc.
 Type of Work: Micro-Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Box Culverts, & Culvert Repair

Original Contract Amount:	\$	3,817,263.06
Change on CCO No. 3:	\$	(188,223.56)
Net Change to Date:	\$	(183,294.30)

Explanation of Change on CCO No. 3: This decrease is the result of the Department adjusting the contract quantities to match the quantity used during construction. The larger decreases include asphalt binder, asphalt concrete, asphalt for tack, flagging, and pilot car. The decreases are the result of normal variations and are common for this work.

PIERRE REGION

- V.** Project: IM 0904(57)189, Jones County, PCN 035E
 Location: I-90 from Murdo to Draper
 Contractor: Knife River Midwest LLC
 Type of Work: PCC Overlay, Pavement Repair, and Edge Drains

Original Contract Amount:	\$	13,214,694.07
Change on CCO No. 10:	\$	169,792.00
Net Change to Date:	\$	1,562,489.40

Explanation of Change on CCO No. 10: This increase is the result of the Department settling the material payment portion of the claim submitted by the Contractor.

- VI.** Project: IM 0904(57)189, Jones County, PCN 035E
 Location: I-90 from Murdo to Draper
 Contractor: Knife River Midwest LLC
 Type of Work: PCC Overlay, Pavement Repair, and Edge Drains

Original Contract Amount:	\$	13,214,694.07
Change on CCO No. 11F:	\$	149,078.66
Net Change to Date:	\$	1,711,568.06

Explanation of Change on CCO No. 11F: This increase is the result of a mediation settlement on the remaining portions of the claim submitted by the Contractor.

- VII.** Project: BRO 8048(03), Mellette County, PCN 02DY
 Location: Structure 18.9 N & 0.8 W of Cedar Butte over the White River
 Contractor: Journey Group Companies
 Type of Work: Structure and Approach Grading

Original Contract Amount:	\$	3,830,677.52
Change on CCO No. 2:	\$	92,753.17
Net Change to Date:	\$	93,523.17

Explanation of Change on CCO No. 2: This increase is the result of an increase to the contract quantity of riprap necessary for the project. Due to high flows in the stream and encountering sandy, unstable soil; the Department ordered additional riprap to stabilize the stream bank.

- VIII.** Project: IM 0904(59)210, Lyman County, PCN 04D4
 Location: I-90 from Vivian to Oacoma
 Contractor: Simon Contractors of SD dba Hills Materials Co.
 Type of Work: Asphalt Surface Treatment and Asphalt Surfacing of Shoulders, Ramps, and Crossroads

Original Contract Amount:	\$	3,414,063.32
Change on CCO No. 3F:	\$	59,882.60
Net Change to Date:	\$	86,004.20

Explanation of Change on CCO No. 3F: This increase is the result of an increase to the contract quantities of asphalt concrete and asphalt binder. These items increased as the result of additional full width shoulder repairs needed and as the result of a slight increase in the asphalt concrete depth over the full length of the project used to construct the project as to the planned typical section.

- IX.** Project: NH 0083(84)96, Stanley County, PCN 04WP
 Location: US 83 from Ft. Pierre to Lyman/Stanley Co. Line
 Contractor: Duininck Inc.
 Type of Work: Micro-Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Pipe & Erosion Repair, & Rumble Strips/Stripes

Original Contract Amount:	\$	11,965,195.70
Change on CCO No. 6:	\$	236,655.87
Net Change to Date:	\$	845,616.15

Explanation of Change on CCO No. 6: This increase is the result of additional asphalt concrete and asphalt binder ordered by the Engineer to provide strengthening and leveling throughout the project. Additionally, the Department made incentive payments for asphalt concrete smoothness and asphalt concrete mix quality in accordance with the contract.

RAPID CITY REGION

- X.** Project: IM 1902(61)0, Pennington County, PCN 1162
 Location: Exit 1 in Rapid City (near Civic Center)
 Contractor: Reede Construction, Inc.
 Type of Work: Interchange Replacement - Grading, PCCP & Structure, Remove & Replace PCCP, AC Surfacing

Original Contract Amount:	\$	32,588,511.91
Change on CCO No. 10:	\$	(345,141.67)
Net Change to Date:	\$	109,764.78

Explanation of Change on CCO No. 10: This decrease is the result of the Department adjusting the contract quantities to match the quantity used during construction including large decreases to shot rock, fast track concrete, and longitudinal pedestrian barricade. During construction, the Department discovered a plan error in the quantity of shot rock. The Contractor's sequence of operations resulted in less fast track concrete needed during construction. The number of longitudinal pedestrian barricades used on the project was less than estimated in the plans.

- XI.** Project: IM 1902(61)0, Pennington County, PCN 1162
 Location: Exit 1 in Rapid City (near Civic Center)
 Contractor: Reede Construction, Inc.
 Type of Work: Interchange Replacement - Grading, PCCP & Structure, Remove & Replace PCCP, AC Surfacing

Original Contract Amount:	\$	32,588,511.91
Change on CCO No. 11:	\$	(83,411.68)
Net Change to Date:	\$	26,353.10

Explanation of Change on CCO No. 11: This decrease was the result of correcting the quantity of water for dust control added on a previous CCO. CCO #3 incorrectly estimated the quantity of water for dust control. This CCO corrects the quantity to the amount used during construction.

- XII.** Project: NH-PH 0018(177)104, Oglala Lakota County, PCN 02QC
 Location: US 18 from Pine Ridge to SD 391
 Contractor: Loiseau Construction, Inc.
 Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Replace Structures

Original Contract Amount:	\$	22,224,615.26
Change on CCO No. 5:	\$	55,987.50
Net Change to Date:	\$	207,446.18

Explanation of Change on CCO No. 5: This increase is the result of additional riprap, woven separator fabric, and box culvert undercut necessary for construction. Due to unstable conditions encountered during construction, the Contractor was required to perform additional excavation and then plan woven separator fabric at the bottom of the excavations to provide a stable base for construction. Due to high water flows and the potential for erosion, the Department required the Contractor to place riprap in additional areas along the project.

- XIII.** Project: NH-PH 0018(177)104, Oglala Lakota County, PCN 02QC
 Location: US 18 from Pine Ridge to SD 391
 Contractor: Loiseau Construction, Inc.
 Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Replace Structures

Original Contract Amount:	\$	22,224,615.26
Change on CCO No. 9:	\$	121,747.60
Net Change to Date:	\$	407,552.96

Explanation of Change on CCO No. 9: This increase is the result of extra work ordered by the Department for asphalt patching of distressed pavement along US 18 in Pine Ridge. In addition to the asphalt patching, the Contractor was also required to adjust manholes and provide traffic control and pavement markings in the areas of the asphalt patching.

- XIV.** Project: NH-PH 0018(177)104, Oglala Lakota County, PCN 02QC
 Location: US 18 from Pine Ridge to SD 391
 Contractor: Loiseau Construction, Inc.
 Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Replace Structures

Original Contract Amount:	\$	22,224,615.26
Change on CCO No. 12:	\$	646,241.46
Net Change to Date:	\$	1,056,176.31

Explanation of Change on CCO No. 12: This increase is the result of a large overrun in the plans quantity of flagging and pilot car hours. Due to the high traffic volume and the nature of the work, the Department ordered extra flaggers and an additional pilot car in the urban setting of Pine Ridge.

- XV.** Project: NH-PH 0018(177)104, Oglala Lakota County, PCN 02QC
 Location: US 18 from Pine Ridge to SD 391
 Contractor: Loiseau Construction, Inc.
 Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Replace Structures

Original Contract Amount:	\$	22,224,615.26
Change on CCO No. 13:	\$	284,619.00
Net Change to Date:	\$	1,340,795.31

Explanation of Change on CCO No. 13: This increase is the result of additional seeding, mulching, and fertilizer used during construction. A plan error underestimated the disturbed area of the project in need of reseeding.

- XVI.** Project: NH-PH 0018(177)104, Oglala Lakota County, PCN 02QC
 Location: US 18 from Pine Ridge to SD 391
 Contractor: Loiseau Construction, Inc.
 Type of Work: Shoulder Widening, Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, & Replace Structures

Original Contract Amount: \$ 22,224,615.26
 Change on CCO No. 14: \$ 118,206.50
 Net Change to Date: \$ 1,459,001.81

Explanation of Change on CCO No. 14: This increase is the result of several changes to fencing items due to landowner requests and Department identified needs. These changes are common for this type of work.

- XVII.** Project: P 0079(77)150, Butte County, PCN 05P7
 Location: SD 79 from Castle Rock to 11.5 miles north of the Butte/Harding Co Line
 Contractor: Anderson Western, Inc.
 Type of Work: Cold Milling Asphalt Concrete & Asphalt Concrete Surfacing

Original Contract Amount: \$ 5,932,572.78
 Change on CCO No. 4: \$ (52,698.21)
 Net Change to Date: \$ (52,519.08)

Explanation of Change on CCO No. 4: This decrease is the result of the Department adjusting the quantities of pavement marking paint, flagging, and pilot car to match the quantity used during construction.

Ryan Johnson, Specifications Engineer of the Division of Operations presented the proposed changes to the Special Provision for Price Schedule for Miscellaneous Items for Commission consideration. The proposed changes are as follows:

- Flagging for traffic control, change from the current rate of \$24.19/hour to \$28.99/hour
- Pilot Car for traffic control, change from the current rate of \$38.35/hour to \$41.88/hour

The changes are due to recent changes in the rate for the USDOL wage decisions for Laborers, Group GL 1, which is used to establish these rates.

A MOTION WAS MADE by Roby and seconded by Vanneman to approve the change to the Special Provision to reflect the rate change from the current rate of \$24.19/hour to \$28.99/hour for flaggers and from the current rate of \$38.35/hour to \$41.88/hour for pilot car drivers. All present voted aye by roll call vote. The motion carried.

Joel Gengler of the Right of Way office presented the following items for Commission consideration:

1. Abandonment – Codington County

Request Transportation Commission approval to abandon by resolution the following property acquired for highway purposes:

Lot AB1 in a portion of Lot H1 in the NE1/4 of Section 21, Township 119 North, Range 51 West of the 5th P.M., Codington County, South Dakota.

Said Lot AB1 contains 2.66 acres.

Lot H1 in the Northwest Quarter (NW1/4) of Section 22, Township 119 North, Range 51 West of the 5th P.M., Codington County, South Dakota.

Said Lot H1 contains 0.59 acre.

Former South Dakota Highway 20 formerly occupying portions of sections 14, 15, 22 and 23 of Township 119 North, Range 51 West of the 5th P.M., Codington County, South Dakota.

The above described properties are located on the north side of current Hwy 20 near the community of South Shore. The properties are no longer needed for highway purposes and abandonment is recommended by DOT Watertown Area.

The Department withdrew this Item #1 until the May 24, 2018, meeting.

2. Abandonment – Pennington County

Request Transportation Commission approval to abandon by resolution the following property acquired for highway purposes:

Lot A in a portion of existing SD Highway Custer Gulch Rd Right of Way in the SE1/4 SE1/4 of Section 15, Township 1 North, Range 5 East of the B.H.M., Pennington County, South Dakota.

Said Lot A contains 2.66 acres.

Location is approximately two miles south of Pactola Lake on the east side of Custer Gulch Road near the intersection of Hwy 385. Custer Gulch Road was formerly Hwy 385 prior to the construction of the highway across Pactola Lake dam. Fifty feet from the center line of Custer Gulch Road is being retained for future use by Pennington County and the United States Forest Service.

This property is no longer needed for highway purposes and abandonment is recommended by DOT Rapid City Region/Custer Area.

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

RESOLUTION #2018-04.02 was adopted.

3. Request for land trade – Lincoln County

Project: NH-PH 0115(48)76 Lincoln County PCN 0214 - SD115 from 85 Harrisburg Corner (273rd Street) to 85th St. south of Sioux Falls, Structure # 42-100-038, Reconstruct to 4 lane segment, Grading, PCC Surfacing

Trade of Lot H2 in the North 507.22 feet of the West 1030.50 feet in the NW1/4 NW1/4 of Section 26, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota, containing 0.02 acre. (property), and;

The North 507.22 feet of the West 1030.50 feet in the NW1/4 NW1/4 of Section 26, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota, containing 0.10 acre. (temporary easement) for;

Lot B of Lot H1 in the N1/2 of the NW1/4 of Section 26, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota, containing 0.53 acre, more or less.

The proposed land trade is an exchange of land with no additional money for the exchange by either party.

A MOTION WAS MADE by Fouberg and seconded by Roby to approve item #3-Land Trade-Lincoln County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-04.03 was adopted.

4. Abandonment – Charles Mix County

This resolution will abandon the temporary easements on Charles Mix County Project P 0050(104)302, PCN 03AG.

5. Abandonment – Charles Mix County

This resolution will abandon the temporary easements on Charles Mix County Project P 0046(57)291, PCN 03AH.

A MOTION WAS MADE by Rosenboom and seconded by Vehle to approve items #4 and 5-Abandonment-Charles Mix County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2018-04.04 was adopted.

6. Condemnation – NH 0083(74)56, PCN 036E, Jones County

Request Transportation Commission resolution determining that the taking and damaging of real property interests in and to the following properties is necessary for a public purpose and authorizing condemnation:

Parcels: 15,16,16A,20,20A,20B,21,21A,22,23,24,25,26,27, A4 and F4 – Donald Hight Family Limited Partnership and et. al: Owners.

Parcels: 18, A3, and F3 – Adeline Hight Family Limited Partnership: Owners

To date, the Department of Transportation has been unable to acquire the necessary releases to property interests through negotiations for the project NH 0083(74)56, PCN 036E, Jones County - US83 - From North of the Mellette/Jones County. Line to South of Murdo.

The Department withdrew Item #6 until the May 24, 2018, meeting.

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

**March 29, 2018
(Pierre Region)**

Shared Use Path

05CJ P TAPU(17)	Lyman County
Sharpe Enterprises Inc	\$264,549.20
City of Presho	

A MOTION WAS MADE by Fouberg and seconded by Rosenboom to reject the bid by Sharpe Enterprises, Inc. for the Shared Use Path. All present voted aye by roll call vote. The motion carried.

April 18, 2018

Structure (4-12'x12' RCBC) & Approach Grading

1	02E6 BRO 8041(00)01	Lawrence County
	Journey Group Companies	\$498,369.21
	Structure 0.9 miles east of US85S on I90 Service Road (Alcorn Ridge Road) over Polo Creek	

Structure (86' Continuous Concrete Bridge) & Approach Grading

2	05R5 BRF 2306(00)16-3	Brown County
	Prahm Construction, Inc.	\$1,217,318.15
	Structure on 3rd Ave. SE over Moccasin Creek in Aberdeen SN 07-126-328	

Culvert Lining

3	0423 NH-P 0031(28)	Haakon, Hughes, Jackson, Stanley County
	Midwest Contracting, LLC	\$1,381,158.56
	Various Locations in the Pierre and Mobridge Area	

PCC Pavement Repair and Replace Approach Slabs

4	03U1, 05LJ NH 0014(219)414, NH-P 0012(205)	Brookings, Codington County
	BX Civil & Construction, Inc.	\$1,860,461.80
	Various locations in the Watertown Area, and 4 structures on US14E, east of Volga	

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Guardrail & Slide Repair

5	04EA, 04T8 NH 0018(188)320, NH 0046(62)278	Charles Mix, Gregory County
	Spencer Quarries Incorporated	\$5,526,553.77
	US18 from US281, east to Pickstown & SD46 1.6 miles of US281 at Pickstown	

A MOTION WAS MADE by Vehle and seconded by Vanneman to approve bid #'s 1, 2, 3, and 5. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Roby and seconded by Fouberg to approve bid #4. All present voted aye by roll call vote. The motion carried.

Mike Behm, Director of Planning and Engineering presented the following STIP revisions:

FOR COMMISSION APPROVAL

REV 18-040 This revision will delete a 2018 Mitchell Region scour protection project along I90. (Sequence #s 578 & 648, Pages 132 & 143 in the 2018-2021 STIP Book). This work will be incorporated in future projects as the 2019-2022 STIP is developed.

FY 2018 Minus \$960,000

REV 18-044 This revision will add a Mitchell Region horizontal curve delineation project in 2018 that was not let in 2017.

FY 2018 Plus \$204,000

A MOTION WAS MADE by Vanneman and seconded by Fouberg to approve STIP revisions #18-040 and #18-044. All present voted aye by roll call vote. The motion carried.

INFORMATIONAL REVISIONS FOR THE COMMISSION

REV 18-041 This revision deferred a 2018 structure maintenance project located on US12 in Grant County and on SD22 in Hamlin County to 2019. (Sequence #s 344 & 375, Pages 93 & 99 in the 2018-2021 STIP Book).

FY 2018 Minus \$208,000

FY 2019 Plus \$212,000

REV 18-042 This revision advanced a 2019 railroad crossing and signal improvement project on SD50 in Yankton (Sequence #1068, Page 195 in the 2018-2021 STIP Book) to 2018, deleted signals, and adjusted the cost estimate. A new project will be added to the 2019 STIP for signals.

FY 2018 Plus \$130,000

FY 2019 Minus \$186,000

REV 18-SC-023 This revision split a 2019 Various Locations Statewide High Friction Surface Treatment project (Sequence # 929, Page 177 in the 2018-2021 STIP Book) into two projects, one project for the Rapid City Region and another project for the Aberdeen, Mitchell and Pierre Region.

FY 2019 No Change

REV 18-SC-024 This revision balanced the cost estimate and location of a 2018 Aberdeen Area Pipe Work project and a 2018 Huron Area Pipe Work project (Sequence #s 3 & 5, Page 39 in the 2018-2021 STIP Book).

FY 2018 No Change

REV 18-SC-026 This revision adjusted the cost of a 2018 railroad crossing improvement crossing located on US14 west of Volga (Sequence #94, Page 50 in the 2018-2021 STIP Book).

FY 2018 Plus \$233,000

REV 18-SC-027 This revision adjusted the cost of a 2018 US18 structure maintenance project located 3 miles mile of Edgemont (Sequence #319, Page 89 in the 2018-2021 STIP Book).

FY 2018 Plus \$274,000

REV 18-SC-028 This revision adjusted the cost of a 2018 Culvert Repair project located on the Standing Rock Indian Reservation (Sequence #237, Page 72 in the 2018-2021 STIP Book).

FY 2018 Plus \$1,566,000

Behm presented a proposal to remove the Interstate 29 (I29) structure #42-065-130 on 281st Street between Exit 62/US18E (Canton) and Exit 64/SD44W (Worthing) for Commission consideration. Behm referred to Attachment #10 of the Agenda packet which included background information and written comments regarding the removal of the structure. Behm indicated the Department received one additional voicemail call on April 25, 2018, requesting to reconstruct the structure due to the Ag equipment currently utilizing the bridge.

Behm briefly summarized that the structure was built in 1958 and that there were no viable preservation techniques available to extend its useful life. Behm said the next step for the bridge would to be a replacement. Based upon the traffic that is currently using the bridge and the proximity of other crossing locations, it is the Department's recommendation for the Commission to allow for removal of the structure.

Vice Chair Zander opened the meeting up to public testimony.

Opponent testimony for public comment included Senator Jim Bolin from Canton, who provided a handout to the Commission of a copy of Resolution No. 1804-24 signed by David Gillespie, Chairman of Lincoln County Commission.; Marilyn Renback of Lennox, Brad Smidt of Canton, and Wendy Sweeter of Worthing offered testimony in opposition to the bridge removal.

No other members of the public offered proponent or opponent testimony. Public testimony was then closed at 10:40 a.m.

A MOTION WAS MADE by Roby and seconded by Fouberg to accept the Department's recommendation to remove the structure on I29. All present voted by roll call vote: 3 ayes [Fouberg, Roby, and Zander], 5 nays [Marquardt, Nelson, Rosenboom, Vanneman, and Vehle]. The motion failed.

A MOTION WAS MADE by Marquardt to continue to monitor the bridge and the Department would close the bridge for safety reasons based on bridge inspections. Marquardt withdrew his motion.

Behm presented the following 2019 Economic Development Grants for consideration with the recommended changes noted in yellow to the grant maximum amount and DOT cost share. Behm also requested to strike the requirement of one-mile length of road or less for grant eligibility.

2019 ECONOMIC DEVELOPMENT GRANTS			
	INDUSTRIAL PARK GRANT	AGRI-BUSINESS GRANT	COMMUNITY ACCESS GRANT
PURPOSE	New or expanding industry	New or expanding agricultural business	Towns with less than 5,000
FUNDING LEVEL/YEAR	\$500,000	\$1,500,000	\$2,500,000
APPLICATIONS DUE	April 15, July 15, October 15	April 15, July 15, October 15	July 15
GRANT MAX AMOUNT*	\$500,000	\$600,000	
DOT COST SHARE **	80/20		
MIN CAPITAL INVESTMENT	5 times state investment, and	5 times state investment, or	NA
JOB CREATION	Minimum of 5 jobs created	Minimum of 5 jobs created	NA
COMMITMENT	Start construction within 6 months or within past year		NA
LOCAL GOVERNMENT REQUIREMENTS	Right of Way acquisition, engineering, bid letting, and utility costs		
RECOMMENDATION REVIEWS	GOED review and approval	GOED and Dept of Ag review and approval	Road Condition, Average Daily Traffic, amount of truck traffic, location
* 2016-2018, previous grant maximum amounts were limited to \$400,000 each. Prior to 2016, the maximum grant was \$200,000 each.			
** Prior years cost share was 60% grant / 40% local funds.			

A MOTION WAS MADE by Vanneman and seconded by Fouberg to make the requested changes. All present voted aye by roll call vote. The motion carried.

Bergquist asked several members of the Commission to update their biographical information for the Open SD Boards and Commission website and that the Department needs an updated photo of each Commission member.

With the Vice Chair's permission, Behm provided information on a couple of items that Commission members inquired about at the last Commission meeting regarding the STIP. One question was about how many of the local STIP projects are remaining as part of the SB1 STIP buyout, and Behm said there were four county projects remaining. The second follow up item was the potential use of some property located in Sioux Falls. A recommendation will be provided at the next Commission meeting.

With no other business to come before the Commission, the meeting was declared adjourned upon a motion by Nelson and seconded by Roby at 11:55 a.m.