

**SOUTH DAKOTA TRANSPORTATION COMMISSION
MEETING MINUTES
APRIL 25, 2019 AT 9:00 A.M.
Becker-Hansen Building – 700 East Broadway, Pierre SD**

COMMISSIONERS PRESENT: Kathy Zander, Chair
Mike Vehle, Vice Chair
Kyle White, Member
Ron Rosenboom, Member
Rod Fouberg, Member
Ralph Marquardt, Member
Larry A. Nelson, Member
Don Roby, Member

DOT STAFF PRESENT: Darin Bergquist, Joel Jundt, Karla Engle, Lisa Donner, Jack Dokken, Mike Behm, Doug Kinniburgh, Monte Meier, Patti Dewitt, Leah DeMers, Tammy Williams, Becky Hoffman, Joel Gengler, Mark Leiferman, Sam Weisgram, Greg Fuller, Kellie Beck, Bonnie Olson, and Kari Kroll

**DOT STAFF PRESENT
VIA CONFERENCE CALL:** Julie Bolding

OTHERS PRESENT: Rep. John Mills – House Transportation Committee; Bob Mercer – Keloland/Associated Press; Mark Clausen – Federal Highway Administration (FHWA)

**OTHERS PRESENT
VIA CONFERENCE CALL:** Toby Crow – Associated General Contractors and Dave Buck – Complete Contracting, Inc.

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

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.

Zander asked for a motion to approve the minutes of the March 28, 2019, Commission meeting.

A MOTION WAS MADE by Roby and seconded by Vehle to approve the March 28, 2019, Commission meeting minutes with a minor correction to the title of Vice Chair reflected in the meeting minutes to Vehle from White. All present voted aye by voice vote. The motion carried.

Zander asked for a motion to approve the minutes of April 16, 2019, Commission meeting.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to approve the April 16, 2019, Commission meeting minutes. All present voted aye by voice vote. The motion carried.

Secretary Bergquist introduced Representative John Mills and welcomed him to the meeting.

Karla Engle, Office of Legal Counsel, requested the Commission set an administrative hearing date for May 23, 2019, to consider amendments to ARSD Article 70:14:01:01 – Definitions.

Engle shared the concern from the Rules Review Committee about the failure to allow townships to directly apply for loans.

A MOTION WAS MADE by Fouberg and seconded by Roby to set the hearing date as May 23, 2019. All present voted aye by voice vote. The motion carried.

RESOLUTION #2019 – 4.1 was adopted.

Engle presented for Commission consideration the proposed amendments to ARSD 70:06 (Transportation Assistance.)

Engle explained the procedural steps that were followed for the proposed rule then proceeded with a discussion of the proposed changes to the rules.

There were no formal written comments received. Engle noted only informal comments were received from transit providers and those were favorable in support of the changes.

Jack Dokken, Program Manager for Office of Air, Rail, and Transit provided additional information to the Commission on the transit program.

No members of the public offered testimony in support of or in opposition to the rule changes.

A MOTION WAS MADE by White and seconded by Fouberg to approve the proposed changes to ARSD 70:06 (Transportation Assistance). All present voted by voice vote. The motion carried.

RESOLUTION #2019 – 4.2 was adopted.

Secretary Bergquist presented the Secretary's Report. Bergquist provided information to the Commission on the South Dakota Transportation Hall of Honor nomination process and encouraged members of the Commission and the public to consider submitting a nomination for an individual that has made a lasting, valuable, or unique contribution to roads, bridges, air, rail, or transit. Nomination forms are available on the Department of Transportation's (the "Department's") web page. The deadline for submission of a Transportation Hall of Honor nomination form is May 10, 2019.

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

April 17, 2019 Letting

County Pavement Marking

2	04LX P 000S(00)226	Pierre Region
	Traffic Solutions Inc	\$57,777.83
	Various Locations in the Pierre Region	

Asphalt Concrete Crack Sealing

8	05XU NH-P 0011(110)	Brown, Day, Edmunds, McPherson County
	Roadway Services, Inc.	\$115,186.76
	Various Routes in the Aberdeen Area	

Asphalt Concrete Crack Sealing

9	05XW P 0013(48)	Buffalo, Hand County
	Roadway Services, Inc.	\$32,707.90
	SD Highway 45 from 1 mile south of the County Line north to the Jct with 208th Street	

Mill & Asphalt Concrete Resurfacing of Existing Crossovers, & Construct Crossovers & Ramp Crossovers

11	06J4 IM 0908(96)334	Davison, Hanson, McCook, Minnehaha County
	Webster Scale Inc	\$1,272,282.63
	I90 at Various Locations from east of the Davision/Hanson County Line to west of the Humboldt Exit	

A MOTION WAS MADE by Roby and seconded by Vehle to approve bids #'s 2, 8, 9, and 11. All present voted aye by voice vote. The motion carried.

County Pavement Marking

1	04LW P 000S(00)229	Mitchell Region
	Vogel Traffic Services, Inc	\$895,018.48
	Various Locations in the Mitchell Region	

A MOTION WAS MADE by Vehle and seconded by White to approve bid # 1. All present voted aye by voice vote. The motion carried.

Bridge Deck Overlay, Structure Repair & Sidewalk

3 05R1 BRO 8052(00)16-1 Pennington County
Heavy Constructors, Inc. \$406,118.98
Structure 0.1 mile north of Omaha St over Rapid Creek in Rapid City

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

Structure (239' Prestressed Girder Bridge) & Approach Grading

4 06HU BRF 6472(00)17-1 Brown County
Robert R. Schroeder Construction Inc. \$2,048,732.05
Structure 3 miles south & 1 mile east of Westport on 123rd St. over the Elm River

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

Grading, Curb & Gutter, PCC Surfacing, Sidewalk & Retaining Wall

5 03L2 P 0ENH(216) Pennington County
Complete Concrete, Inc. Db a Complete Contracting \$665,587.25
Main Street in Hill City

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

Bridge Deck Polymer Chip Seal, Repair Approach Slabs, Replace Joints, & Weld Repair

6 05DA, 05DC, 05DD NH 0014(213)415, NH 014B(172)419, P 0022(59)379
Brookings, Deuel County
Structures on US14, 1.9 miles east of Volga; US14B near Brookings & SD22 8.7, 9.3, & 11.4 miles east of SD15

A MOTION WAS MADE by White and seconded by Fouberg to reject bid # 6. All present voted aye by voice vote. The motion carried.

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Structures (CIP or Precast RCBC) & Culvert Repair

7 04WK, 05TN, 05DY NH 0014(209)190, NH 0034(186)154, P 0063(58)142
Haakon, Stanley County
Bituminous Paving, Inc. \$7,525,920.45
US14 from SD34 to east of Hayes, SD34 16 miles west of US14, SD34 at the junction of US14, & SD63 2.1 miles south of the Ziebach Co. Line

A MOTION WAS MADE by Vehle and seconded by Roby to approve bid # 7. All present voted aye by voice vote. The motion carried.

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Asphalt Concrete Surfacing of Shoulders & Bridge Approach Reconstruction

10 03RR, 05TM NH 0083(82)25, NH 0018(208)175
Bennett, Mellette, Todd County

Bituminous Paving, Inc. \$9,319,298.67
US83 from the west junction of US18 to the north junction of SD44, & US18 from the Bennett Co. Line to east of Mission.

A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve bid # 10. All present voted aye by voice vote. The motion carried.

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

1. Abandonment – Shannon (Oglala Lakota) County

This resolution will abandon the temporary easements on Shannon (Oglala Lakota) County Project NH-PH 0018(177)104, PCN 02QC.

2. Abandonment – Stanley County

This resolution will abandon the temporary easements on Stanley County Project NH 0014(186)225, PCN 03J4.

A MOTION WAS MADE by Fouberg and seconded by Nelson to approve the abandonment of temporary easements in items 1 and 2. All present voted aye by voice vote. The motion carried.

Mark Leiferman, Program Manager of the Office of Project Development, presented the following information on the STIP Revisions for Commission consideration:

FOR COMMISSION APPROVAL

REV 19-044 This revision will defer two Areawide Pipework Projects - PCN 042F FY2019 to FY2020; PCN 06FF FY2019 to FY2021- and deferred three Areawide Pipework Projects to the Developmental STIP - PCN's 06FG FY2020 to FY2023, 06JP FY2021 to FY2024 & 06UT FY2022 to Long Range - in the Belle Fourche Area. (Sequence #2, 12, 27, 39 & 43; Page's 43, 45 & 46 in the 2019-2022 STIP Book).

FY 2019 Minus \$1,263,000
FY 2020 Plus \$227,000
FY 2022 Minus \$552,000
FY 2023 Plus \$563,000
FY 2024 Plus \$574,000
Long Range Plus \$609,000

REV 19-047 This revision will add a FY2019 Railroad Crossing Improvement project on US18 in Canton.

FY 2019 Plus \$200,000

A MOTION WAS MADE by White and seconded by Fouberg to approve STIP Revisions 19-044 and 19-047. All present voted aye by voice vote. The motion carried.

INFORMATIONAL REVISIONS FOR THE COMMISSION

REV 19-043 This revision deferred a Grading/Structure Replacement project on US83 From N of White River to N of the Mellette/Jones Co Line. (PCN 04E7) in FY2019 to FY2020. (Sequence #449, Page 120 in the 2019-2022 STIP Book).

FY 2019 Minus \$23,114,000
FY 2020 Plus \$23,576,000

REV 19-045 This revision deferred six Grading Projects on Arrowhead Parkway / SD42 / Veteran's Parkway / Six Mile Road in Sioux Falls - PCN 05C2 & 06YQ FY2019 to FY2020; PCN 06YP FY2019 to FY2023 (Developmental STIP); PCN's 05C3, 05C4 & 05UW FY2021 to FY2022. This revision also Advanced a FY2023 grading project to FY2020 (PCN 05C6). (In effect the location of work in PCN's 05C6 and 06YP are being switched, the planned work is not effectively changing years. (Sequence #625, 643 & 644; Page's 152 & 154 in the 2019-2022 STIP Book).

FY 2019 Minus \$15,159,000
FY 2020 Plus \$17,675,000
FY 2021 Minus \$14,025,000
FY 2022 Plus \$13,224,000
FY 2023 Plus \$2,482,000

REV 19-048 This revision advanced an Intersection Improvement project at multiple locations in the Rapid City and Pierre Region from FY2020 to FY2019. (Sequence #767, Page 171 in the 2019-2022 STIP Book).

FY 2019 Plus \$343,000
FY 2020 Minus \$350,000

REV 19-049 This revision deferred an Areawide Culvert Lining project in the Winner Area from FY2019 to FY2020. (Sequence #1, Page 43 in the 2019-2022 STIP Book).

FY 2019 Minus \$500,000
FY 2020 Plus \$510,000

REV 19-SC-023 This Revision increased the cost estimate of a Pavement Restoration project on Various Routes in the Winner Area. (Sequence #450, Page 120 in the 2019-2022 STIP Book).

FY 2019 Plus \$772,000

REV 19-SC-024 This Revision increased the cost estimate on a County Pavement Marking project on Various Routes in the Mitchell Region. (Sequence #744, Page 169 in the 2019-2022 STIP Book).

FY 2019 Plus \$439,000

REV 19-SC-026 This Revision increased the cost estimate on a Statewide 2019 Bridge Inspection, Scour Analysis project. (Sequence #857, Page 183 in the 2019-2022 STIP Book).

FY 2019 Plus \$250,000

Mike Behm, Director of Division of Planning and Engineering presented for Commission consideration the disbursement of Highway Infrastructure Program funds. Behm explained the Appropriations Act provided additional funding to South Dakota. The Department received additional general federal funding and bridge rehabilitation and replacement program funding. Behm explained the requirements of the bridge rehabilitation and replacement program funding and recommended a disbursement plan to the Commission for their consideration.

Secretary Bergquist provided additional information and support of the recommendation.

A MOTION WAS MADE by Roby and seconded by Vehle to authorize the Department to sub-allocate approximately \$17.3 million in State Highway Funds to local government entities, defined as counties and municipalities, on a pro-rata basis based on the percentage of deck area the local government entity has that is in poor condition. All present voted aye by voice vote. The motion carried.

Behm presented for Commission consideration the Department's recommendation for the Surface Transportation Block Grant ("STBG") program funds received from the federal government. Behm requested to sub-allocate approximately \$1.69 million of STBG funds to counties and Class 1 cities.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to authorize the Department to sub-allocate \$1.69 million in State Highway Funds to counties and Class 1 cities in accordance with the existing sub-allocation formula. All present voted aye by voice vote. The motion carried.

Commissioner Marquardt commended the South Dakota Department of Transportation for its wonderful job of maintaining the state highway system. Marquardt reported that he had traveled to another state and noted the superior condition of highways in South Dakota as compared to this other state.

Zander opened the floor for public input. No members of the public addressed the Commission or offered input.

With no other business to come before the Commission, the Chair declared the meeting adjourned at 10:23 a.m.

DRAFT