

SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES
Thursday, April 29, 2021, at 9:00 a.m. CDT
Becker-Hansen Building/Commission Room - 700 East Broadway Avenue, Pierre SD

COMMISSIONERS PRESENT: Larry Nelson, Chairman
Kathy Zander
Mike Vehle (joined the meeting at 9:02 a.m.)

**COMMISSIONERS PRESENT
VIA CONFERENCE CALL:** Bruce Cull, Vice-chairman
Don Roby (left the meeting at 10:56 a.m.)
Rod Fouberg
Ron Rosenboom
Jaf Karim

DOT STAFF PRESENT: Joel Jundt, Karla Engle, Mike Behm, Sam Weisgram, Tammy Williams, Doug Kinniburgh, Steve Johnson, Christine Bennett, Joel Gengler, Mark Leiferman, Kyle Weinman, and Kari Kroll

**DOT STAFF PRESENT
VIA CONFERENCE CALL:** Craig Smith

OTHERS PRESENT: Bob Mercer – KELOLAND Kevin Robling – Department of Game, Fish & Parks (GF&P); Scott Simpson – GF&P; G. Andy Johnson – AGE Corp; and Dana and Tom Kinsetla

**OTHERS PRESENT
VIA CONFERENCE CALL:** Mark Clausen – Federal Highway Administration (FHWA); Toby Crow – Association of General Contractors (AGC); Kirk Fredrichs – FHWA; Keith Williams – Rapid City Pierre & Eastern Railroad, (RCP&E); Audrey Ricket – Department of Veteran Affairs; Jason Reeves – South Dakota Concrete Paving Association (SDCPA); and Edward Burn - attorney

Chairman Larry Nelson called the meeting of the South Dakota Transportation Commission (the "Commission") to order at 9:00 a.m. CDT.

A roll call was taken, and a quorum was determined.

Nelson opened the floor to the Commission members to disclose potential conflicts of interest and to present requests for waiver pursuant to South Dakota Codified Law (SDCL) chapters 3 – 23.

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

Nelson asked for a motion to approve the April 15, 2021 Commission meeting minutes.

A MOTION WAS MADE by Karim and seconded by Zander to approve the April 15, 2021 Commission meeting minutes. All present voted aye by roll call vote. The motion carried.

Commissioner Vehle joined the meeting at 9:02 a.m.

Karla Engle, Office of Legal Counsel, requested the Commission to set a hearing date of May 27, 2021 to consider amendments to Administrative Rules of South Dakota (ARSD) 70:01:02:07 – Yankton County speed zone rule and ARSD 70:13:01:10 – project requirements. She explained that the request for adoption of ARSD 70:01:03:38 – parking prohibited on a portion of State Trunk Highway 48 in Union County was withdrawn by the Office of Operations Support.

A MOTION WAS MADE by Vehle and seconded by Cull to set the administrative hearing date for May 27, 2021 for consideration of ARSD 70:01:02:07 – Yankton County speed zone rule and ARSD 70:13:01:10 – project requirements. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2021 – 4.1 was adopted.

Commissioner Bruce Cull asked that the speed zone in Yankton County be amended to eliminate an outdated reference to the upper and lower deck of the bridge over the Missouri River. Engle indicated this clean-up item would be addressed before the hearing.

Secretary Joel Jundt provided the Secretary’s Report. Jundt presented the following to the Commission:

- 1. Reminder that the Department of Transportation (the “Department”) is seeking nominations for the Transportation Hall of Honor. The deadline for submissions is May 14, 2021.
- 2. Consideration of Fallen Hero Bridge Naming recommended by the Department of Military, Department of Veteran Affairs, and the Department of Transportation (the “Department”).

Captain Elmer A. Rusch	Brookings – US14 Bypass over the east branch of Six Mile Creek, just west of Medary Avenue
First Lieutenant Herbert F. Lyman & his brother Tech Sergeant James M. Lyman (one bridge honoring two veterans)	Thunder Hawk Hwy 73 – near Thunder Hawk
Private Bruce E. Ruby	Mobridge – US12 over the Missouri River
Private Richard R. Bertram	Wewela – SD183, Keya Paha River Bridge
Private First Class Delmar W. Westerman	Chancellor – SD44 over the Vermillion River NW of Chancellor

Sergeant William L. Christensen	Parkston – Pony Creek Bridge about a half mile west of the intersection with SD37
Private First Class Robert C. Rand	Monroe – SD42 north of Monroe over the East Fork Vermillion River
Captain Charles Lane	Yankton – US81 over the James River
Specialist Mark R. Horner	Watertown – SD20 over the Lake Kampeska Outlet on the NE side of the lake
Lance Corporal Kenneth R. Jamerson	Little Eagle – Grand River Bridge
Staff Sergeant Gregory A. Wagner	Alexandria – SD38 over the James River, east of Mitchell
Staff Sergeant Jeremy D. Vrooman	Sioux Falls – SD11 from Sioux Falls to Brandon over Sioux River

The Commission discussed the number of recommendations presented. The original plan was for a total of six (6) bridges named each year. It was increased this year due to the number of nominations and the number of WWII vets nominated.

Audrey Ricketts of the Department of Veteran Affairs answered questions from the Commission.

A MOTION WAS MADE by Rosenboom and seconded by Zander to approve the naming of the bridges as requested. All present voted aye by roll call vote. The motion carried.

3. Secretary Kevin Robling of the Department of Game, Fish & Parks (GF&P) presented a funding request for GF&P. Robling shared with the Commission the need for additional funding from the Department to help cover the projected shortfall in the next five (5) years.

A MOTION WAS MADE by Cull and seconded by Vehle to authorize the Secretary of Transportation to execute an agreement with GF&P allocating \$2.8 million for FY2022 and a memorandum of understanding (MOU) with GF&P to allow for the allocation of up to \$2.8 million in funding for the following four (4) years, subject to the following conditions:

- All funding will be used only for construction and improvement of collector roads,
- GF&P Commission will determine what collector roads qualify for expenditure,
- GF&P will submit a yearly report of highway performance measures, and
- No allocation of funding beyond 2022 will be made without additional review and approval made by the Transportation Commission

All present voted aye by roll call vote. The motion carried.

4. Request for feedback about the upcoming *On the Road* Commission meeting in September. Secretary Jundt will bring a list of options to the Commission at the May 27, 2021 meeting.
5. Announcement of the retirement of Ben Orsbon.

Craig Smith, Division of Operations Director, presented the following Construction Change Orders (CCOs) to the Commission:

Construction change orders completed in February contain a decrease of approximately (\$417,206).

Over the past 12 months, the overall contract increase is 1.78%.

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

ABERDEEN REGION

There were no CCO's amounting to a contract change more than \$50,000.00 to report for this region.

MITCHELL REGION

- I. Project: IM 0907(81)308, Aurora County, PCN 04DM
Location: SD 258 over I-90, Plankinton Interchange
Contractor: Industrial Builders, Inc
Type of Work: Deck Replacement, Approach Slab Replacement, Rehab Abutments, Zone Painting & RCBC Rehabilitation

Original Contract Amount:	\$	4,258,900.30
Change on CCO No. 9:	\$	107,025.25
Net Change to Date:	\$	144,967.45

Explanation of Change on CCO No. 9: This increase is the result of the Department compensating the Contractor for extra work performed to furnish and place embankment material along the in slopes to the required slope.

- II. Project: PH 0020(198), Minnehaha County, PCN 073K
Location: Various Locations in the Mitchell Region
Contractor: Soukup Construction, Inc
Type of Work: Guardrail Replacement, Asphalt Concrete Shoulder Surfacing & Culverts

Original Contract Amount:	\$	965,800.00
Change on CCO No. 4:	\$	121,875.07
Net Change to Date:	\$	611,195.67

Explanation of Change on CCO No. 4: This increase is the result of the Department adjusting the contract quantities of base course and asphalt concrete. Additional base course material was used to strengthen unstable areas. Additional asphalt concrete was used to repair damage to the asphalt shoulder caused by interstate traffic during construction.

- III. Project: PH 0037(130)72, Davison County, PCN 03B1
Location: SD 37 NB & SB (Burr St at Mitchell)
Contractor: T&R Contracting, Inc
Type of Work: Urban Grading, PCC Surfacing, Curb & Gutter, Roadway Lighting, Traffic Signals, ADA Upgrades, Storm Sewer, Sidewalk

Original Contract Amount: \$ 14,714,000.00
Change on CCO No. 14: \$ 209,398.02
Net Change to Date: \$ 363,326.93

Explanation of Change on CCO No. 14: This increase is the result of the Department adjusting the contract quantities of undercut, salvage & stockpile asphalt mix and granular base material, asphalt binder, and asphalt concrete. The increase in the undercut item was the result of the Department ordering additional undercut in areas of unstable subgrade. The amount of in place surfacing material salvaged was significantly more than estimated in the plans. The additional asphalt binder and asphalt concrete was the result of additional crossovers placed during construction to allow for more access to business and the Contractor access to more phases of the project for faster construction.

- IV. Project: PH 0037(130)72, Davison County, PCN 03B1
Location: SD 37 NB & SB (Burr St at Mitchell)
Contractor: T&R Contracting, Inc
Type of Work: Urban Grading, PCC Surfacing, Curb & Gutter, Roadway Lighting, Traffic Signals, ADA Upgrades, Storm Sewer, Sidewalk

Original Contract Amount: \$ 14,714,000.00
Change on CCO No. 16: \$ 57,074.29
Net Change to Date: \$ 363,326.93

Explanation of Change on CCO No. 16: This increase is the result the Department making and incentive payment for pavement smoothness. The incentive payment was made in accordance with the contract.

- V. Project: ER-P 0262(09)360, Hansen County, PCN 083F
Location: SD 262 East of Alexandria
Contractor: Midland Contracting, Inc
Type of Work: Grade Raise, AC Surfacing, Guardrail

Original Contract Amount: \$ 1,971,928.26
Change on CCO No. 1: \$ (328,637.49)
Net Change to Date: \$ (328,637.49)

Explanation of Change on CCO No. 1: This decrease is the result of the Department adjusting and eliminating numerous items of work. The adjustments and eliminations match the quantity and items of work completed by the Contractor through normal project variations. Additionally, the high-water overtopping of the roadway resulted in the Department closing the roadway ahead of construction which resulted in a significant decrease in traffic control during construction.

PIERRE REGION

- VI.** Project: IM 0903(111)192, Jones County, PCN 05D5
 Location: I-90 Structure at US 83 South Interchange
 Contractor: Journey Group Companies
 Type of Work: Bridge Deck Overlay, Reset Bearings, Trim Girders, Approach Slabs, Guardrail, Bridge Deck Polymer Chip Seal & Joint Replacement

Original Contract Amount:	\$	1,079,931.60
Change on CCO No. 2:	\$	58,550.79
Net Change to Date:	\$	70,669.79

Explanation of Change on CCO No. 2: This increase is the result of the Department adjusting the contract quantities of bridge deck removal and bridge deck overlay to match the quantities used during construction. During construction and removal of delaminated concrete, the Department determined additional removal was necessary to repair the structure which resulted in additional concrete overlay volume.

- VII.** Project: IM-FP 0903(106)152, Jackson County, PCN 04D9
 Location: I-90 WBL from East of the Belvidere Exit to West of the Jackson/Jones County Line
 Contractor: Complete Concrete Inc dba Complete Contracting Solutions
 Type of Work: Grading, PCC Surfacing, Pipe Work, Structure Rehabilitation & Maintenance Patching

Original Contract Amount:	\$	23,055,554.50
Change on CCO No. 8:	\$	(202,783.44)
Net Change to Date:	\$	(166,025.40)

Explanation of Change on CCO No. 8: This decrease is the result of the Department eliminating asphalt for prime from the work due to late season paving of the shoulders, the Department adjusting the contract quantities of several erosion control items due to the abnormally dry conditions encountered during construction, and numerous minor quantity adjustments to various contract items through normal project variations. Additionally, this CCO included numerous small price adjustments for materials that failed to meet the contract requirements but were deemed to be in reasonably close conformance and allowed to remain in place at a reduced price.

- VIII.** Project: NH 0031(36), Hughes County, PCN 05LG
 Location: Various Routes in the Pierre Area
 Contractor: Forby Contracting, Inc
 Type of Work: PCC Pavement Repair

Original Contract Amount:	\$	2,683,248.98
Change on CCO No. 7:	\$	(129,538.04)
Net Change to Date:	\$	(108,273.25)

Explanation of Change on CCO No. 7: This decrease is the result of the Department adjusting the contract quantities of numerous contract items. The adjustments were made to match the quantities used for construction and are considered normal variations for the type of work involved.

- IX.** Project: NH-EM 0083(74)55, Jones County, PCN 036E
 Location: US 83 from North of the Mellette/Jones County Line to South of Murdo
 Contractor: Zandstra Construction, Inc
 Type of Work: Grading, Structures (164" Cont Conc Bridge & 2 Box Culverts), Interim Surfacing

Original Contract Amount:	\$	18,638,962.86
Change on CCO No. 21:	\$	(563,784.53)
Net Change to Date:	\$	895,760.34

Explanation of Change on CCO No. 21: This decrease is the result of the Department adjusting the contract quantities of asphalt for prime and water for embankment. The adjustments were made to match the quantities used during construction. Asphalt for prime was not used on a portion of the project due to late season work. The amount of water for embankment used to construct the grade was significantly less than estimated in the plans.

RAPID CITY REGION

- X.** Project: IM 0901(38)40, Meade County, PCN 5580
 Location: I-90 EBL & WBL between Exits 40 (Tilford) and 44 (Piedmont) & Reconstruct Exit 44 (Piedmont) Interchange
 Contractor: Heavy Constructors, Inc
 Type of Work: Grading, PCC Surfacing, Structures (7 RCBC Extensions & 6 Continuous Concrete Bridges), Lighting, Signing, And Pavement Markings

Original Contract Amount:	\$	23,751,784.00
Change on CCO No. 17F:	\$	57,394.38
Net Change to Date:	\$	893,561.17

Explanation of Change on CCO No. 17F: This increase is the result of the Department correcting an error on a previous CCO. The error correction resulted in an increase to the unclassified excavation item and an increase cost adjustment for diesel fuel. The cost adjustment for diesel fuel was made in accordance with the contract.

- XI.** Project: NH 0018(201)62, Fall River County, PCN 04WL
 Location: US 18 from the South Junction with US 385 to Oglala
 Contractor: Border States Paving, Inc.
 Type of Work: Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Culvert Work, and Structure Repair

Original Contract Amount:	\$	6,220,975.69
Change on CCO No. 5:	\$	112,967.19
Net Change to Date:	\$	134,251.80

Explanation of Change on CCO No. 5: This increase is the result of the Department adjusting the contract quantities of flagging and pilot car. The additional hours of flagging and pilot car were added to provide a safer condition for traffic and construction crews.

XII. Project: P 0042(82), Butte County, PCN 06YV
 Location: Various Locations in the Belle Fourche Area
 Contractor: Jensen Rock & Sand, Inc
 Type of Work: Asphalt Concrete Surface Treatment

Original Contract Amount: \$ 1,113,717.45
 Change on CCO No. 1: \$ (88,050.77)
 Net Change to Date: \$ (88,050.77)

Explanation of Change on CCO No. 1: This decrease is the result of the Department adjusting the contract quantities of asphalt for surface treatment and cover aggregate. The Department reviewed mix design provided by the Contractor contained a target asphalt and cover aggregate application rate lower than estimated in the plans.

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

April 21, 2021

Approach Slab Replacement, Epoxy Chip Seal, LSDC Overlay, Approach Pavement, PCC Pavement Repair, PCC Ditch Liner Repair & Approach Guardrail

1 06X2, 06Y9 IM 0293(111)78, IM 0022(76) Minnehaha County
 Iowa Civil Contracting, Inc. \$5,279,157.30
 I29 - Exits 78 (26th St), 81 (Maple St.) & 83 (60th St) in Sioux Falls

Concrete Pavement Restoration

2 X05U CIP 11001() Minnehaha County
 Iowa Civil Contracting, Inc. \$1,554,070.70
 12th St. fm Marion Rd to I29, Madison St. fm Marion Rd to Louise Ave. & 26th St. fm Marion Rd to Shirley Ave. in Sioux Falls

Asphalt Surface Treatment

4 07KU NH-P 0023(61) Clay, Lincoln, Union County
 The Road Guy Construction Company Inc \$1,329,126.37
 Various Routes in the Yankton Area

Cold Plastics Durable Pavement Marking

5 04KH PH 0040(231) Butte, Meade, Pennington County
 Traffic Services Company LLC \$337,698.21
 Various locations on the State System in the Rapid City Region

Asphalt Concrete Crack Sealing

6 07KJ NH-P 0023(60) Hutchinson, Union County
 Northwest Asphalt & Maintenance \$174,254.85
 Various Routes in the Yankton Area

A MOTION WAS MADE by Zander and seconded by Fouberg to approve bids #1, 2, 4, 5, and 6 . All present voted aye by roll call vote. The motion carried.

Structure (96' Prestressed Girder Bridge) & Approach Grading

3 04N4 BRO 8068(13) Yankton County
Swingen Construction Company \$993,230.60
Structure 7.6 miles north & 2.3 miles east of Lesterville over a creek

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

Shared Use Path

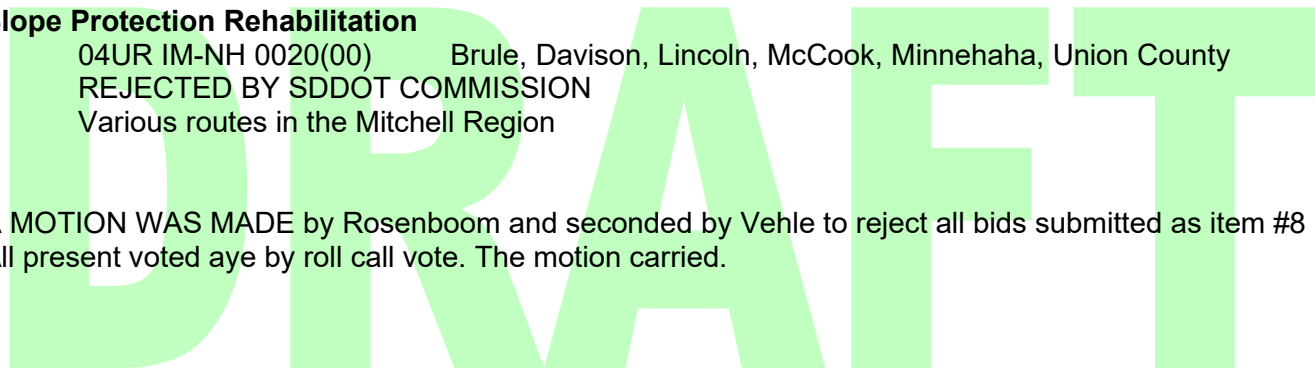
7 0744 P TAPU(24) Meade County
REJECTED BY SDDOT COMMISSION
Sturgis along Otter Rd from Raccoon Rd to Vanocker Canyon Rd and along Vanocker Canyon Rd Fm Otter Rd to Pineview Drive

A MOTION WAS MADE by Vehle and seconded by Rosenboom to reject all bids submitted as item #7 . All present voted aye by roll call vote. The motion carried.

Slope Protection Rehabilitation

8 04UR IM-NH 0020(00) Brule, Davison, Lincoln, McCook, Minnehaha, Union County
REJECTED BY SDDOT COMMISSION
Various routes in the Mitchell Region

A MOTION WAS MADE by Rosenboom and seconded by Vehle to reject all bids submitted as item #8 . All present voted aye by roll call vote. The motion carried.



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

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

Tract 1 of Dell Rapids Coop Grain 2nd Addition to the City of Dell Rapids, Minnehaha County, South Dakota, less Lot H2.

Appraised Value: \$2,000

The unimproved irregular shaped property contains 0.81 acre located within the flood zone adjacent to Hwy 115 south of the Big Sioux River in Dell Rapids.

Access to water and electrical utility hookup is available, but zoning does not allow construction or development.

Sioux Falls Area DOT advises the property is not needed for future department use.

A MOTION WAS MADE by Fouberg and seconded by Zander to approve the disposal of right-of-way property in Minnehaha County. All present voted aye by roll call vote. The motion carried.

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

Lot A in Lot 1, except the West 25 feet of the North 27 feet thereof and Lot 2 in Block 4 of A.O. Blood's First Addition to the City of Highmore, Hyde County, South Dakota, containing 0.38 acre.

Lots A & B in a portion of Lots 1, 2, 3 and 8 in Block 1 of Bottcher's First Addition to Highmore and a portion of Houdek Lot #1 of Block 1 in Bottcher's First Addition in the City of Highmore in the NE1/4 of Section 11, Township 112 North, Range 72 West of the 5th P.M., Hyde County, South Dakota, containing 0.26 acre.

The above property is no longer needed for highway purposes and abandonment is recommended by DOT Huron Area.

A MOTION WAS MADE by Rosenboom and seconded by Fouberg to approve the abandonment of property in Hyde County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2021 – 4.2 was adopted.

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

Lot B in Lot H3 in the W1/2 NE1/4 SE1/4, a portion of Lot H2 and a portion of the 66 foot right of way in the E1/2 E1/2 SE1/4; all in Section 31, Township 1 South, Range 6 East of the B.H.M., Pennington County, South Dakota, containing 0.27 acre.

The above property is no longer needed for highway purposes and abandonment is recommended by DOT Custer Area.

A MOTION WAS MADE by Zander and seconded by Fouberg to approve the abandonment of the above-described property in Pennington County. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2021 – 4.3 was adopted.

4. Abandonment – Brule County

This resolution will abandon the temporary easements on Brule County Project P 0050(00)232, PCN 316M.

5. Abandonment – Clark County

This resolution will abandon the temporary easements on Clark County Project ER 0212(15)350, PCN 676R.

6. Abandonment – Deuel County

This resolution will abandon the temporary easements on Deuel County Project NH 0212(173)397, PCN 04E9.

7. Abandonment – Hyde County

This resolution will abandon the temporary easements on Hyde County Project P 0047(18)136, PCN 6161.

8. Abandonment – Minnehaha County

This resolution will abandon the temporary easements on Minnehaha County Project NH-P 0042(65)344, PCN 05F0.

A MOTION WAS MADE by Vehle and seconded by Zander to approve the abandonment of temporary easements in Brule, Clark, Deuel, and Hyde Counties. All present voted aye by roll call vote. The motion carried.

RESOLUTIONS #2021 – 4.4, 2021 – 4.5, 2021- 4.6, 2021 – 4.7, and 2021 – 4.8 were adopted.

Commissioner Don Roby left the meeting at 10:56 a.m.

Mark Leiferman, Program Manager for the Office of Project Development, presented the following STIP revision for the Commission's consideration:

FOR COMMISSION APPROVAL

(to add or delete a project in the 4-year construction STIP)

REV 21-040 This revision will add a FY2021 ADA Pedestrian Accommodation project on SD34 at the intersections of Egan Ave, Washington Ave & 4th St SE in Madison in the Mitchell Region.

FY 2021 Plus \$104,000

REV 21-041 This revision will add a Statewide - State Transportation Innovation Council Innovation Exchange - EConstruction Phase 1 project.

FY 2021 Plus \$59,000

A MOTION WAS MADE by Cull and seconded by Zander to approve revisions REV 21-040 and REV 21-041. All present voted aye by roll call vote. The motion carried.

INFORMATIONAL REVISIONS FOR THE COMMISSION

(Work Type change, Cost update, Move FY's within the 4-year construction STIP)

REV 21-SC-024 This revision changed a 2021 Areawide Pipe Work project on Various Routes in the Aberdeen Area to a 2021 Regionwide Pipe Work project on Various Routes in the Aberdeen Region (Sequence #1, Page 42 in the 2021-2024 STIP Book).

FY 2021 Plus \$494,000

REV 21-SC-025 This revision increased the cost of a 2021 Pavement Restoration, Grinding, AC Median Ditch Repair Project on Various Routes in the Belle Fourche & Custer Areas in the Rapid City Region. (Sequence #'s 121 & 442, Page's 60 & 122 in the 2021-2024 STIP Book).

FY 2021 Plus \$1,724,000

REV 21-SC-026 This revision increased the cost of a 2021 Pavement Restoration project on Various Routes in the Pierre Area in the Pierre Region. (Sequence # 363, Page 107 in the 2021-2024 STIP Book).

FY 2021 Plus \$466,000

REV 21-SC-027 This revision increased the cost of a 2021 High Grade Polymer Pavement Markings project on Various locations on the local system in the Mitchell Region. (Sequence # 744, Page 169 in the 2021-2024 STIP Book).

FY 2021 Plus \$561,000

Tammy Williams, Program Manager for the Office of Administration, presented for Commission consideration the 2021 Local Federal Bridge projects. The information was presented as two lists: replacements and removals.

A MOTION WAS MADE by Zander and seconded by Vehle to approve funding for projects #1 – 31 for replacement as outlined in attachment #8. All present voted aye by roll call vote. The motion carried.

A MOTION WAS MADE by Rosenboom and seconded by Karim at add the approve projects #1 – 31 to the STIP by revision. All present vote aye by roll call vote. The motion carried.

A MOTION WAS MADE by Vehle and seconded by Fouberg to approve all removal projects as outlined in attachment #8 and add the projects to the STIP by revision. All present voted aye by roll call vote. The motion carried.

Mike Behm, Division Director of Planning & Engineering, presented to the Commission four additional projects proposed for 2021 Local Federal Bridge funding on behalf of GF&P.

A MOTION WAS MADE by Zander and seconded by Vehle to approve project #1 – 4 for GF&P bridges as outlined in attachment #8 and add the projects to the STIP by revision. All present voted aye by roll call vote. The motion carried.

At 11:16 a.m., the Commission took a recess.

At 11:23 a.m., the Commission returned and a roll call was taken to confirm a quorum was present. Nelson, Zander, Vehle, Cull, Fouberg, Rosenboom and Karim were present.

Behm presented to the Commission an informational item regarding the state of state structures, with the assistance of Doug Kinniburgh, Engineering Supervisor in the Office of Local Governments, and Steve Johnson, Chief Bridge Engineer.

Engle explained that the department received an application from Rapid City, Pierre & Eastern Railroad Inc (RCP&E) for authority to exercise eminent domain. The application was received on April 19, 2021. Engle described the hearing process associated with such an application and requested approval for Secretary Jundt to engage a hearing examiner to administer the proceedings and make recommendations to the Commission. Engle explained that a hearing date will be set by the Commission at a later date.

A MOTION WAS MADE by Rosenboom and seconded by Cull to authorize the Secretary of Transportation to engage a Hearing Examiner to administer this proceeding and make recommendations to the Commission. All present voted aye by roll call vote. The motion carried.

Nelson opened the floor to public input. No members of the public addressed the Commission or offered input.

Nelson opened the floor to Commissioner input. No members of the Commission addressed the Commission or offered input.

With no further business to come before the Commission, Nelson adjourned the meeting at 12:08 p.m. CDT.