

# SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES

## Wednesday, December 21, 2022, at 9:00 a.m. CST

Becker-Hansen Building/Commission Room - 700 East Broadway Avenue, Pierre, South Dakota

### COMMISSIONER PRESENT

VIA CONFERENCE CALL: Bruce Cull, Chairman  
Jaf Karim, Vice-chairman  
Lynn Jensen  
Mike Vehle  
Ron Rosenboom  
Don Roby  
Kathy Zander  
Larry Nelson

DOT STAFF PRESENT: Mike Behm, Mark Leiferman, Joel Gengler, Sam Weisgram, Becky Hoffman, Ryan Johnson, Katlyn Wieme, and Kari Kroll

DOT STAFF PRESENT  
VIA CONFERENCE CALL: Joel Jundt, Craig Smith, Dustin DeBoer, Joseph Sestak, and Doug Kinniburgh

OTHERS PRESENT  
VIA CONFERENCE CALL: Kirk Van Roekel – Federal Highway Administration (FHWA); Toby Crow – Associated General Contractors (AGC); Bob Nelson – City of Hot Springs; Misty Summer-Walton – City of Hot Springs; Darin Jefferson; Gerrit Juffer; Leo Soukup; Jeff Doom; and Jeff and Jolene Stewart

Chairman Bruce Cull called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 9:00 a.m. CST. A roll call was taken, and a quorum was determined.

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Cull 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) chapter 3 – 23.

No members of the Commission disclosed a conflict of interest or requested a waiver.

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Cull asked for a motion to approve the November 22, 2022 Commission meeting minutes.

A MOTION WAS MADE by Karim and seconded by Jensen to approve the November 22, 2022 Commission meeting minutes. All present voted aye by roll call vote. The motion carried.

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

Cull opened the floor to public input.

The following members of the public addressed the Commission to oppose the planned construction project in the city of Wagner which would convert 4-lane highway in to a 3-lane road: Gerrit Juffer was on a conference call with a group of other Wagner citizens, Leo Soukup, Jeff Doom, Jeff Stewart, and Jolene Stewart.

Cull informed the public that no action will be taken on this subject at this time because it was not on the posted agenda.

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Cull asked for a motion for the Commission to enter into executive session.

A MOTION WAS MADE by Nelson and seconded by Rosenboom to enter into executive session pursuant to SDCL 1-25-2(3) for the purpose of consulting with legal counsel and reviewing communications from legal counsel about proposed or pending litigation or contractual matters. All present voted aye by roll call vote. The motion carried.

Executive session began at 9:13 a.m. CST.

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Cull called the meeting back into session at 10:38 a.m. CST. A roll call was taken and a quorum was determined.

Commissioner Don Roby joined the meeting at 10:40 a.m.

Secretary Joel Jundt presented the following items for the Secretary's Report:

- Shared the status of federal funding. The full year appropriation bill has still not been passed and a continued resolution was issued that expires December 23, 2022. Congress has agreed to address the bill starting in the Senate then in the House. If passed, the bill will give a full year of federal funds to the federal programs as well as possible funding to the three Congressional Directive Spending (aka earmarks) projects in South Dakota.
- A press release has gone out from the Department of Transportation (the "Department") giving notice that as of January 11, 2023, all proposed projects will require a special provision regarding the Buy America federal legislation.
- Informed the Commission that two bridges, one at Exit 390 and the other near Presho, have been hit recently with significant damage causing lane closures. The parties who caused the damage to the bridges have been identified and the cost is expected to be recouped from their insurance.

Commissioner Vehle asked about reopening the closed lanes and was told that the work will be done over the winter with the expectation to open to the Exit 390 in March 2023 and the Presho bridge sometime after March. Both bridges have contractors involved in the repairs already and are working on cost estimates. Vehle suggested that the media be alerted to the process on fixing bridges after being damaged including the timelines to inform the public.

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Jundt presented to the Commission for their consideration the transfer of SD50W frontage road and fund allocation to the city of Tabor. After reviewing the 25-year cost life cycle for this section of road, the Department recommends transferring this portion of SD50W frontage road to the city of Tabor for \$27,800.

A MOTION WAS MADE BY Roby and seconded by Vehle to approve the transfer of SD50W frontage road and fund allocation to the city of Tabor in the amount of \$27,800. All present voted aye by roll call vote. The motion carried.

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Jundt presented for the Commission's consideration the transfer of old SD20 and fund allocation to the city of Camp Cook. After reviewing at the 25-year cost life cycle for this section of road, the Department recommends transferring this portion of old SD20 to Camp Cook for \$70,000.

A MOTION WAS MADE BY Roby and seconded by Vehle to approve the transfer of old SD20 and fund allocation to Camp Cook in the amount of \$70,000. All present voted aye by roll call vote. The motion carried.

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Craig Smith, Director of Operations, presented the following Construction Change Orders to the Commission for their information.

Construction Change Orders (CCOs) completed in October contain an increase of \$1,780,286.11 and in November contain an increase of \$174,320.57. Over the past 12 months, the overall contract increase is 2.18%.

The following projects have a CCO amounting to a contract change more than \$50,000.

## ABERDEEN REGION

1. **Project:** P 0015(81)182, Grant and Roberts County, PCN 05J7  
**Location:** SD 15 from the Grant/Roberts County line to west of I-29  
**Contractor:** Duininck, Inc.  
**Type of Work:** Cold milling, asphalt concrete resurfacing, pipe work

Original Contract Amount:	\$	8,672,072.78
Change on CCO No. 2:	\$	53,610.00
Net Change to Date:	\$	57,152.40

Explanation of Change on CCO No. 2: This increase is the result of SDDOT compensating the contractor for extra work performed to place and compact base course along the shoulders of SD15 prior to paving asphalt. The existing shoulder slopes were steeper than estimated in the plans resulting in the need for additional base material.

2. **Project:** PH 0212(167)245, Faulk County, PCN 03RQ  
**Location:** US 212 from the Potter/Faulk County line to Faulkton  
**Contractor:** Loiseau Construction, Inc.  
**Type of Work:** Shoulder widening & asphalt concrete shoulder surfacing, culvert repair, structures

Original Contract Amount:	\$	12,342,633.39
Change on CCO No. 13:	\$	283,920.44
Net Change to Date:	\$	521,766.27

Explanation of Change on CCO No. 13: This increase is the result of SDDOT adjusting the contract quantities of asphalt binder, asphalt concrete, flagging hours, and mulch. The additional asphalt binder and asphalt concrete was due to normal project variations. The additional mulch was due to SDDOT requiring the contractor to repair and replace areas of completed mulch where the work was damaged for reasons outside the contractor's control. The additional hours of flagging were needed to safely accommodate traffic through the project due to wet conditions.

3. **Project:** P 0020(167)365, Clark County, PCN 05N2  
**Location:** SD 20 from east of Crocker to SD 25  
**Contractor:** B & B Contracting, Inc.  
**Type of Work:** Riprap

Original Contract Amount:	\$	797,932.95
Change on CCO No. 1:	\$	87,066.66
Net Change to Date:	\$	87,066.66

Explanation of Change on CCO No. 1: This increase is the result of SDDOT compensating the contract for extra work performed to place additional riprap at one site. The water level at this site was higher than shown in the plans and SDDOT determined additional riprap is needed to prevent erosion.

4. **Project:** P PH B 0025(00)115, Clark and Kingsbury County, PCN 0956  
**Location:** SD 25 north of Desmet from US 14 to SD 28  
**Contractor:** Asphalt Paving & Materials Co.  
**Type of Work:** Detour surface maintenance

Original Contract Amount:	\$	1,559,266.01
Change on CCO No. 2:	\$	(74,407.27)
Net Change to Date:	\$	(74,407.27)

Explanation of Change on CCO No. 2: This decrease is the result of SDDOT adjusting the contract quantity of asphalt concrete composite. During construction of the work, SDDOT located fewer soft spots of the grade in need of repair than estimated in the plans.

### MITCHELL REGION

5. **Project:** ER 0081(104)112, Kingsbury County, PCN 044G  
**Location:** US 81 from 4.8 miles south of the US 14 South junction, north 3 miles  
**Contractor:** Prairie States Trucking, Inc.  
**Type of Work:** Grading, asphalt concrete surfacing

Original Contract Amount:	\$	8,470,304.66
Change on CCO No. 4:	\$	192,198.39
Net Change to Date:	\$	251,349.84

Explanation of Change on CCO No. 4: This increase is the result of SDDOT compensating the contractor for extra work performed to remove riprap placed along the shoulder of the road to allow for new guardrail placement at the required offset. Additionally, SDDOT is compensating the contractor for extra work performed to remove concrete pavement and underlying soft base material at the ends of the project to tie into the existing pavement at the correct elevation and slope.

6. **Project:** ER 0081(104)112, Kingsbury County, PCN 044G  
**Location:** US 81 from 4.8 miles south of the US 14 South junction, north 3 miles  
**Contractor:** Prairie States Trucking, Inc.  
**Type of Work:** Grading, asphalt concrete surfacing

Original Contract Amount:	\$	8,470,304.66
Change on CCO No. 5:	\$	137,807.54
Net Change to Date:	\$	389,157.38

Explanation of Change on CCO No. 5: This increase is the result of SDDOT compensating the contract for extra work performed to install a new pipe culvert and complete a grade raise on an intersecting road of the project. Additionally, SDDOT compensated the contractor for additional costs associated with a change to the type and length of cable guardrail installed along the project.

**7. Project:** IM 0292(91)61, Lincoln County, PCN 07PL**Location:** I-29 from Canton to Tea**Contractor:** BX Civil & Construction, Inc.**Type of Work:** CRC pavement repair

Original Contract Amount:	\$	1,422,111.00
Change on CCO No. 4:	\$	275,975.00
Net Change to Date:	\$	1,390,289.10

Explanation of Change on CCO No. 4: This increase is the result of SDDOT making an incentive payment for lane rental in accordance with the contract.

**8. Project:** IM 0292(91)61, Lincoln County, PCN 07PL**Location:** I-29 from Canton to Tea**Contractor:** BX Civil & Construction, Inc.**Type of Work:** CRC pavement repair

Original Contract Amount:	\$	1,422,111.00
Change on CCO No. 5:	\$	62,470.40
Net Change to Date:	\$	1,452,759.50

Explanation of Change on CCO No. 5: This increase is the result of SDDOT compensating the contractor for extra work performed to remove and replace additional old pavement markings off the north end of the project.

**9. Project:** IM 0293(106)76, Minnehaha County, PCN 03RA**Location:** I-29 Exit 77- 41<sup>st</sup> Street in Sioux Falls**Contractor:** D & G Concrete Construction, Inc.**Type of Work:** Grading, structures, MSE walls, curb & gutter, storm sewer, PCC pavement, sidewalks

Original Contract Amount:	\$	35,568,714.00
Change on CCO No. 5:	\$	91,991.22
Net Change to Date:	\$	70,334.97

Explanation of Change on CCO No. 5: This increase is the result of SDDOT compensating the contractor for extra work performed to install 3-inch conduit and additional back of sidewalk curb and to correct an error on a previous CCO. The 3-inch conduit was added to avoid innerduct splices under the roadway at the request of the City of Sioux Falls. The additional back of sidewalk curb was added to tie the new sidewalk elevations into the existing private property at the back of the sidewalk. A previous CCO was competed with an incorrect unit price for concrete pipe. SDDOT corrected the error to the agreed upon unit price.

**10. Project:** NH 2042(29), Minnehaha County, PCN 06YQ**Location:** Arrowhead Parkway from .5 miles west of Six Mile Road to Six Mile Road in Sioux Falls**Contractor:** T & R Contracting, Inc.**Type of Work:** Grading, storm sewer, curb & gutter, PCC surfacing, ROW, signals, lighting

Original Contract Amount: \$ 20,025,525.25

Change on CCO No. 2: \$ 79,000.67

Net Change to Date: \$ (503,635.64)

Explanation of Change on CCO No. 2: This increase is the result of SDDOT compensating the contractor for extra work performed to saw cut and remove additional underlying pavement thickness not shown in the plans.

**11. Project:** IM 0292(84)61, Lincoln County, PCN 0729**Location:** I-29 from Canton to Tea**Contractor:** Bituminous Paving, Inc.**Type of Work:** Cold milling asphalt concrete, asphalt concrete resurfacing of shoulders and ramps

Original Contract Amount: \$ 4,763,324.10

Change on CCO No. 4F: \$ (96,882.02)

Net Change to Date: \$ (60,577.02)

Explanation of Change on CCO No. 4F: This decrease is the result of SDDOT eliminating MC-70 asphalt for prime and replacing it with emulsified asphalt for prime. Additionally, the quantity (application rate) of emulsified asphalt for prime was reduced based on coverage of the prime oil during construction.

**PIERRE REGION****12. Project:** P 1806(12)149, Stanley County, PCN 038Z**Location:** SD 1806 from the Lyman/Stanley County line north 14.7 miles**Contractor:** Morris, Inc.**Type of Work:** Cold milling asphalt concrete, asphalt concrete resurfacing, pipe work, deck overlay, approach guardrail, slope and ditch channel grading

Original Contract Amount: \$ 6,830,151.64

Change on CCO No. 7: \$ 80,343.30

Net Change to Date: \$ 232,004.36

Explanation of Change on CCO No. 7: This increase is the result of SDDOT compensating the contractor for extra work performed to repair the haul road. SDDOT made payment at the rates provided in the price schedule for miscellaneous items and in accordance with the contract.

**13. Project:** P 0049(05)27, Lyman and Tripp County, PCN 04F4**Location:** SD 49 from SD 44 to SD 47**Contractor:** Knife River Midwest, LLC.**Type of Work:** Cold milling asphalt concrete, asphalt concrete resurfacing, bridge approach in-slope rehabilitation, guardrail replacement

Original Contract Amount:	\$	10,324,775.48
Change on CCO No. 10:	\$	211,630.59
Net Change to Date:	\$	743,677.15

Explanation of Change on CCO No. 10: This increase is the result of SDDOT adjusting the contract quantities of various erosion control items. The quantity in the plans contained an error by not accounting for the entire disturbed area of the work.

**14. Project:** P 0031(00), Hughes County, PCN 08U2**Location:** Department of Public Safety Emergency Vehicle Operations Course near Pierre**Contractor:** Morris, Inc.**Type of Work:** Grading, PCC surfacing, curb & gutter, ADA upgrades, storm sewer, lighting

Original Contract Amount:	\$	2,305,843.94
Change on CCO No. 2:	\$	(296,414.53)
Net Change to Date:	\$	(190,829.53)

Explanation of Change on CCO No. 2: This decrease is the result of SDDOT adjusting the surfacing type and various other changes on portions of the work to keep the project within the final budget.

**RAPID CITY REGION****15. Project:** IM NH P 0040(345), Custer, Lawrence, Meade, and Pennington County, PCN 08E4**Location:** Various locations in the Rapid City area**Contractor:** J.V. Bailey Company, Inc.**Type of Work:** Bridge deck polymer chip seal repair

Original Contract Amount:	\$	364,960.90
Change on CCO No. 2:	\$	77,130.70
Net Change to Date:	\$	79,305.06

Explanation of Change on CCO No. 2: This increase is the result of SDDOT adjusting the final quantities of polymer chip seal repair to match the quantities used during construction.



**16. Project:** NH 0018(205)52, Butte and Meade County, PCN 04XT**Location:** US 18E from Smithwick Road to the south junction of US 385**Contractor:** Bituminous Paving, Inc.**Type of Work:** Cold milling, asphalt concrete resurfacing, reconstruction of select vertical curves

Original Contract Amount:	\$	7,919,816.87
Change on CCO No. 9F:	\$	137,775.38
Net Change to Date:	\$	168,959.75

Explanation of Change on CCO No. 9F: This increase is the result of SDDOT making a fuel cost adjustment in accordance with the contract.

**17. Project:** NH 0034(189)35, Meade County, PCN 05TQ**Location:** SD 34 from Regent Street in Sturgis to east of the SD 79**Contractor:** Anderson Western, Inc.**Type of Work:** Cold mill asphalt concrete, asphalt concrete resurfacing, pipe work, structure replacement & approach grading

Original Contract Amount:	\$	9,209,247.06
Change on CCO No. 4:	\$	114,203.94
Net Change to Date:	\$	294,715.67

Explanation of Change on CCO No. 4: This increase is the result of SDDOT adjusting the contract quantities of borrow and flagging hours. The increase in the borrow quantity is due to an overrun in the quantity needed to build the inslopes as specified in the plans. The quantity of flagging hours was increased to provide additional flagging hours to safely accommodate traffic through the project.

**18. Project:** NH 0212(190)39, Butte and Meade County, PCN 068V**Location:** US 212 from SD 79 in Newell to the Maurine/Bixby Road**Contractor:** Anderson Western, Inc.**Type of Work:** Cold milling, asphalt concrete resurfacing, pipe work, guardrail upgrades

Original Contract Amount:	\$	15,300,573.23
Change on CCO No. 6:	\$	69,408.55
Net Change to Date:	\$	622,289.77

Explanation of Change on CCO No. 6: This increase is the result of SDDOT adjusting the contract quantities of borrow, base course, and asphalt concrete. The quantities used during construction were more than estimated in the plans through normal project variations.

**19. Project:** NH 0212(190)39, Butte and Meade County, PCN 068V**Location:** US 212 from SD 79 in Newell to the Maurine/Bixby Road**Contractor:** Anderson Western, Inc.**Type of Work:** Cold milling, asphalt concrete resurfacing, pipe work, guardrail upgrades

Original Contract Amount: \$ 15,300,573.23

Change on CCO No. 7: \$ 245,908.00

Net Change to Date: \$ 868,197.77

Explanation of Change on CCO No. 7: This increase is the result of SDDOT adjusting the contract quantity of chemical grout void fill. During construction, a larger volume of voids was discovered at 2 box culvert site requiring additional material to fill the voids. Additionally, SDDOT compensated the contractor for extra work performed to install pipe liners at 5 locations where the in place pipe culverts shown more deterioration than estimated in the plans.

**20. Project:** NH P 0041(175), Meade and Pennington County, PCN 087A**Location:** Various routes in Rapid City area**Contractor:** Tru-Form Construction, Inc.**Type of Work:** Pavement restoration

Original Contract Amount: \$ 614,062.68

Change on CCO No. 3: \$ 55,401.00

Net Change to Date: \$ 262,142.50

Explanation of Change on CCO No. 3: This increase is the result of SDDOT compensating the contractor for extra work performed to complete additional concrete repairs along I-90. SDDOT identified additional repair locations in need of emergency repairs and negotiated with the contractor to add the work to this contract at the agreed upon unit prices.

**21. Project:** BRO 8024(14), Fall River County, PCN 02E8**Location:** Structures 4 miles east and 1.8 miles north of Edgemont over RR line SN24-162-102**Contractor:** Core Construction Services, Inc.**Type of Work:** Structure, approach grading

Original Contract Amount: \$ 1,976,220.75

Change on CCO No. 6: \$ 57,115.50

Net Change to Date: \$ 59,959.25

Explanation of Change on CCO No. 6: This increase is the result of SDDOT adjusting the contract quantity of excavation to match the quantity performed during construction of the project. SDDOT determined the final quantity from the final survey of the project.

**22. Project:** IM NH P 0041(162), Lawrence, Meade, and Pennington County, PCN 06FJ**Location:** Various locations in Rapid City area**Contractor:** Hilt Construction, Inc.**Type of Work:** Culvert repair

Original Contract Amount:	\$	310,632.10
Change on CCO No. 3:	\$	118,376.50
Net Change to Date:	\$	126,020.10

Explanation of Change on CCO No. 3: This increase is the result of SDDOT compensating the contractor for extra work performed to repair 2 additional box culvert locations identified by SDDOT. One location included slope erosion repair, vegetation removal, and permanent erosion control measures. The other location included erosion repair, repairing the damaged culvert, and permanent erosion control measures.

**23. Project:** IM P 0901(193)7, Lawrence and Meade Counties, PCN 04W4**Location:** Various locations along I-90 in Lawrence & Meade counties**Contractor:** Pacific Painting Co, Inc.**Type of Work:** Zone painting, diaphragm weld repair, cover plate

Original Contract Amount:	\$	1,712,124.00
Change on CCO No. 2:	\$	145,000.00
Net Change to Date:	\$	238,933.70

Explanation of Change on CCO No. 2: This increase is the result of SDDOT compensating the contractor for extra work performed to provide, place, maintain, and remove moveable concrete barriers at 2 locations along the project. SDDOT decided to add the barriers to aid in separating the traveling public from construction site, equipment, and workers.

**24. Project:** NH P 0042(92), Butte, Harding, and Perkins Counties, PCN 088J**Location:** Various routes in the Belle Fourche area**Contractor:** Jensen Rock & Sand, Inc.**Type of Work:** Asphalt surface treatment

Original Contract Amount:	\$	2,971,640.97
Change on CCO No. 2:	\$	(312,287.76)
Net Change to Date:	\$	(312,287.76)

Explanation of Change on CCO No. 2: This decrease is the result of SDDOT adjusting the contract quantities of flagging hours, pilot car hours, and asphalt for surface treatment. The flagging and pilot car hours were reduced to match the quantity used during construction to safely accommodate traffic. The contractor furnished and SDDOT reviewed surface treatment design contained an asphalt for surface treatment application rate lower than estimated in the plans.

Smith gave an update on the following six projects that will carry over into the future:

1. In Sioux Falls, the 41<sup>st</sup> Street Diverging Diamond Intersection (DDI) will be open by fall 2023.
2. In Watertown, the finishing work is being done on US212 and will should be complete in the next 1 – 1.5 months.
3. In Brookings, the embankment is settled and should be open by summer 2023.
4. The Pierre-Fort Pierre bridge is behind schedule but moving along; it is projected to be open summer 2024.
5. In Rapid City, the LaCrosse Street DDI will be open by summer 2023.
6. In Hot Springs, the urban reconstruction project is scheduled to be open fall 2023.

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Smith presented to the Commission for their consideration a control of access clarification in Union County on the service roads west of I-29 and the crossroads at Exits 2 and 4, west of the service roads.

A MOTION WAS MADE by Rosenboom and seconded by Vehle to approve the request to remove the control of access to the service road and portions of the crossroads west of the service road. All present voted aye by roll call vote. The motion carried.

**RESOLUTION 2022 – 12.1 was adopted.**

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Becky Hoffman, Office of Project Development, presented the following bid letting results.

**December 7, 2022**

**Structure (245' Prestressed Girder), Grading, PCC Pavement, C&G, Storm Sewer, Bridge Rehabilitation, Lighting & Signals**

1	04XK, 08QM, 06MM IM 2292(98)9, IM 2292(112)6, P 1200(04) T&R Contracting Inc I229 Exit 9 (Benson Rd) in Sioux Falls	Minnehaha County \$34,295,545.45
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**Watermain & Sanitary Sewer**

2	X05R CIP 11098( ) T&R Contracting Inc Benson Rd - Fm Lewis Ave E to Hall Ave	Minnehaha County \$2,065,050.55
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A MOTION WAS MADE by Roby and seconded by Jensen to approve bids #1 and 2. All present voted aye by roll call vote. The motion carried.

**Interstate Fence & Cattle Guard Replacement**

3	07CR IM 0901(206)45 Hilt Construction, Inc. I90 WBL - Fm 0.5 W of Exit 46 (Piedmont) to Exit 55 (Deadwood Ave in Rapid City); I90 Crossroads at Exits 101 (Jensen Rd), 107 (Cedar Butte Rd), 116 (239th St), 121 (Big Foote Rd), 127 (206th Ave)	Jackson, Meade, Pennington County \$1,420,627.40
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A MOTION WAS MADE by Vehle and seconded by Rosenboom to approve bid #3. All present voted aye by roll call vote. The motion carried.

December 14, 2022

**Polymer Chip Seal, Approach Slabs, Joints, End Block Modification, Approach Surfacing, Approach Guardrail**

1	065N IM 0299(79)222 Pciroads, LLC I29 - Strs 2 S of the Exit 224 (Peever); Exit 232 (Sisseton)	Roberts County \$1,053,320.98
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A MOTION WAS MADE by Jensen and seconded by Karim to approve bid #1. All present voted aye by roll call vote. The motion carried.

**Cold Milling, Asphalt Concrete Surfacing, Guardrail, Pipe work**

2	05J4, 04F2 P 0015(89)167, P 0158(10)439 Bituminous Paving, Inc. SD15 - Fm the N Jct of SD20 N to Milbank; SD158 - Fm SD20 to the MN State Line	Grant County \$6,598,581.20
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A MOTION WAS MADE by Zander and seconded by Roby to approve bid #2. All present voted aye by roll call vote. The motion carried.

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Joel Gengler, Program Manager for the Office of Right of Way (ROW), presented for Commission consideration the following items.

1. Request Transportation Commission approval to grant a water mainline permanent easement 40' wide within the following DOT stockpile site property:

Rodman Tract No. 1 in the NW14 of Section 31, Township 101 North, Range 47 West of the 5th P.M., Minnehaha County, South Dakota.

The 1.06 acre property is located two miles east of Rowena on the north side of Hwy 42 at 48405 267th St. The 40' wide easement will allow Minnehaha Community Water to relocate their water mainline to accommodate future DOT highway construction.

Sioux Falls Area DOT recommends approval of the permanent water mainline easement.

A MOTION WAS MADE by Vehle and seconded by Jensen to approve the utility easement in Minnehaha County. All present voted aye by roll call vote. The motion carried.

2. Condemnation – P 0043(00), PCN 049U, Fall River County

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

- a) Parcels 1, 2, 3, 11, A3, A4 – Cindy S. Brunson
- b) Parcels 4, 4A, 5, 6, 7, 8, 10 – Thomas V. Simons

To date, the Department of Transportation has been unable to acquire the real property interests through negotiations for the project P 0043(00), PCN 049U, Fall River, from SD471 to Provo west and northwest to Igloo approximately 2 miles. Grading, gravel surfacing, remove structures, obliterate existing roadway.

A MOTION WAS MADE by Vehle and seconded by Roby to approve the condemnation in Fall River County. All present voted aye by roll call vote except Jensen who abstained. The motion carried.

**RESOLUTION #2022-12.2 was adopted.**

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Mark Leiferman, Program Manager for the Office of Project Development, presented to the Commission for their consideration the following revisions to the Statewide Transportation Improvement Plan (STIP).

**FOR COMMISSION APPROVAL**

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

REV 23-018      This revision will add thirteen FY2023 Local Federal Bridge Replacement Program projects that were planned to be let in Federal Fiscal Year 2022 but for various reasons were not let. The projects added are in Hutchinson (1), Kingsbury (1), Lincoln (1), Marshall (1), McCook (1), Sanborn (1), Union (3) & Yankton (1) Counties and Cities of Brandon (1) and Huron (2).

FY 2023 Plus \$14,486,000

REV 23-019      This revision will add a FY2023 Lighting upgrade project on SD63 in Parmalee in Todd County in the Pierre Region.

FY 2023 Plus \$63,000

REV 23-021 This revision will add a FY2023 Variable Speed Limit & ITS Device project on I90 from 2 miles west of Exit 30 (Sturgis) to 1 mile west of Exit 44 (Piedmont) in the Rapid City Region that was planned to be let in FY2022.

FY 2023 Plus \$4,844,000

REV 23-022 This revision will add a FY2023 Detour Surface Maintenance project to provide funding to Lincoln County for them to maintain a detour route on Lincoln Co Rd 152 from I29 to Lincoln Co Rd 143 in the Mitchell Region during the reconstruction of SD46 from Beresford east 15 miles in FY's 2024-2026.

FY 2023 Plus \$1,801,000

REV 23-023 This revision will add a FY2023 PCC Pavement Grinding project on Various Locations in the Mitchell Area in the Mitchell Region that was planned to be let in FY2022.

FY 2023 Plus \$2,955,000

A MOTION WAS MADE by Karim and seconded by Jensen to approved STIP revisions #23-018, 23-019, 23-021, 23-022, and 23-023. All present voted aye by roll call vote. The motion carried.

**INFORMATIONAL REVISIONS FOR THE COMMISSION**

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

REV 23-020 This revision advanced a FY2024 Crack Leveling project on Various Locations in the Huron Area to FY2023 in the Aberdeen Region. (Sequence #35, Page 50 in the 2023-2026 STIP Book).

FY 2023 Plus \$190,000

FY 2024 Minus \$194,000

REV 23-SC-008 This revision decreased the cost and changed two FY2024 Local Federal Bridge Replacement Program projects to Removal projects 8 miles east, 9.9 miles north of Miller on 368th Ave over Wolf Ck & 13 miles east, 10.6 miles north of Miller on 373rd Ave over Wolf Ck in Hand County in the Aberdeen Region. (Sequence #'s 351 & 352, Page 101 in the 2023-2026 STIP Book).

FY 2024 Minus \$1,370,000

- Original = \$1,570,000; Updated = \$200,000

REV 23-SC-009 This revision increased the cost of a FY2023 Modify Intersection project on Various Locations in the Mitchell Region. (Sequence #359, 608 & 628, Page 103, 143 & 145 in the 2023-2026 STIP Book).

FY 2023 Plus \$3,282,000

- Original = \$4,118,000; Updated = \$7,400,000

REV 22-SC-010      This revision increased the cost of a FY2025 AC Surfacing of Shoulders project on US83 from US14 to Onida and extended the project north from Onida to north of US212 in the Pierre Region. (Sequence #'s 392 & 1,008, Page's 108 & 190 in the 2023-2026 STIP Book).

FY 2025 Plus \$4,022,000

- Original = \$2,877,000; Updated = \$6,899,000

REV 23-SC-011      This revision increased the cost of six (6) FY2023 Local Federal Bridge Replacement Program Structure Replacement projects in Butte (3), Meade (2) and Perkins (1) Counties in the Rapid City Region. (Sequence #111, 112, 113, 571, 572 & 733, Page 62, 139 & 159 in the 2023-2026 STIP Book).

FY 2023 Plus \$5,752,000

- Original = \$3,630,000; Updated = \$9,382,000

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Mike Behm, Director of Planning & Engineering, presented to the Commission a consideration of State Highway Fund loan to the city of Hot Springs. The loan would be for construction work let by the Department that is currently ongoing on US18, US18B, and US385. Due to the additional costs being incurred by the city of Hot Springs during construction, they have requested a State Highway Fund loan for transportation related expenses in the amount of \$1,967,000.

The Commission discussed their proposed 10 year at 0% interest request and then referred to the previous State Highway Fund loans that were approved to Yankton and Lyman Counties. To stay consistent with the previous loans, the Commission agreed that the terms should be the same.

A MOTION WAS MADE by Vehle and seconded by Roby to provide the city of Hot Springs a State Highway Loan in the amount of \$1.967 M for 10 years with an interest rate of 1.5% if provided a promissory note from the city.

AN AMENDED MOTION WAS MADE by Nelson and seconded by Jensen to provide the city of Hot Springs a State Highway Loan in the amount of \$1.967 M for 10 years with an interest rate of 1.0% if provided a promissory note from the city of Hot Springs. Jensen, Karim, Nelson, Rosenboom, and Cull voted aye and Roby, Vehle, and Zander voted nay by roll call vote. The motion carried.

THE MOTION MADE by Nelson and seconded by Jensen to provide the city of Hot Springs a State Highway Loan in the amount of \$1.967 M for 10 years with an interest rate of 1.0% if provided a promissory note from the city of Hot Springs. All present voted aye except Roby who voted nay by roll call vote. The motion carried.

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Secretary Jundt gave recognition to the Department's maintenance and support staff who got the roads open as soon as possible after the weather event the previous week calling it an "exemplary job." He shared the intent is to get the stories to the media of the heroic efforts of these staff.

Cull thanked the Department staff on behalf of the Commission.

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With no further business before the Commission, Cull asked for a motion to adjourn the meeting.

A MOTION WAS MADE by Vehle and seconded by Zander. The meeting was adjourned at 12:38 p.m. CST.

**DRAFT**