

# SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES

## September 24 – 25, 2024 at 2:00 p.m. MDT

SD Highway Patrol Office/Large Conference Room – 2200 Eglin Street, Rapid City, South Dakota

**COMMISSIONER PRESENT:** Lynn Jensen, Chairman  
Don Roby, Vice-chairman  
Chris Frick  
Larry Nelson  
Ron Rosenboom  
Austin Simons  
Rick Vallery  
Mike Vehle (joined at 3 p.m.)

**DOT STAFF PRESENT:** Joel Jundt, Craig Smith, Todd Seaman, Mike Behm, Karla Engle, Mark Leiferman, John Keyes, Christina Bennett, John Gerlach, Justin Smith, Tom Horan, Tim Wicks, Bruce Schroeder, Jon Suomala and Kari Kroll

**DOT STAFF PRESENT VIA CONFERENCE CALL:** Sam Weisgram and Joseph Sestak

**OTHERS PRESENT:** Nancy Hoines – American Council of Engineering Companies of South Dakota; Frank Kloucek; Phil Anderson - City of Piedmont; Jack Parks – City of Piedmont; Brad and Michelle Kaluza – Matt’s Place; and Jodie Remington – Slash J Saloon

**VIA CONFERENCE CALL:** Toby Crow – Association of General Contractors (AGC); Jesse – Reede Construction; Jason Reaves – South Dakota Chapter/American Concrete Pavement Association

Chairman Lynn Jensen called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 2:00 p.m. MDT. A roll call was taken and a quorum was present.

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Jensen 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 members of the Commission disclosed a conflict or requested a waiver.

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Jensen asked for a motion to approve the August 29, 2024 Commission meeting minutes.

A MOTION WAS MADE by Roby and seconded by Vallery to approve the August 29, 2024 Commission meeting minutes. All present voted aye by voice vote. The motion carried.

Jensen asked for a motion to approve the September 12, 2024 Commission meeting minutes.

A MOTION WAS MADE by Rosenboom and seconded by Frick to approve the September 12, 2024 Commission meeting minutes. All present voted aye by voice vote. The motion carried.

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Jensen opened the floor to public input. The following people addressed the Commission:

- Frank Kloucek from Scotland complimented the Department of Transportation (the “Department”) on the new 4-way stop sign at Meridian Corner. He also asked for a response from the Department regarding the Yankton Sioux Tribe’s resolution concerning the planned highway project through Wagner. Lastly, he believes the lighting is weak at the junction of SD37 & SD46.
- Phil Anderson, President of the Board for the City of Piedmont, South Dakota, addressed the Commission regarding his concerns with an upcoming I-90 interchange, at Exit 46, project that will impact the City of Piedmont. He expressed concerns about having to relocate their utilities that are within the Right of Way (ROW) and costs the Department is requesting the city to take on relating to roadway lighting. He also raised concerns about not allowing parking to occur in the public (Department) ROW that could adversely impact local businesses, as the current state owned ROW is very close to their buildings.
- Jodie Remington of the Slash J Saloon in Piedmont complained to the Commission that the Department claims to own ROW up to the front door of her business. If this is the case, she has an awning attached to her building that is encroaching in the ROW. She is being asked to sign an encroachment agreement for her awnings, that seems to her create an unfair burden her, especially since it has been in place for many years. In addition, she is not agreeable to sign the agreement which would prohibit parking in the ROW as it would impact her business and create liability for accidents.
- Jason Reaves, Executive Vice President of the South Dakota chapter of the American Concrete Pavement Association announced that the US18/SD44 project in Winner completed by Reede Construction won a National Excellence in Concrete award.

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Karla Engle, Office of Legal Counsel, presented for Commission consideration amendments to Administrative Rules of South Dakota (ARSD) 70:01:02:25 - Douglas County Speed Zone Rule; 70:01:02:32 – Hamlin County Speed Zone Rule; 70:01:02:63 - Walworth County Speed Zone Rule; 70:04:02:23 – Trailblazing Signs; 70:04:05:04 – Criteria for Aerial Facilities; 70:04:05:06 – Criteria for Underground Pipeline Facilities; 70:04:05:11 – Construction, Relocation, and Maintenance / Traffic Control; 70:04:05:14 – Application for Utility Permit; Chapter 70:04:05 Appendix A; 70:04:05.01:02 – Applicable Standards; 70:04:07:07 – Specific Requirements for Signs; 70:04:07:10 – Symbols on Tourist-oriented Directional Signs; 70:09:01:01 – Definitions; and 70:09:01:07 - Traffic Impact Study Requirement.

Engle explained the rule adoption process that had been followed to date for the amendments to the rules. Engle explained the proposed rules address all changes proposed by LRC, with one exception relating to the reasonableness of the cost of publications incorporated by reference in the proposed rules (other than the speed zone rules). Engle discussed the purpose and effect of the speed zone rule changes as follows.

**Douglas County speed zone rule – ARSD 70:01:02:25**

EFFECT: The effect of the proposed amendment to subsection (1) is to extend the current 35 mph speed limit on U.S. Highway 281 in and around Corsica further north for .17 mile to capture the intersection with 273<sup>rd</sup> Street. Currently, the 35 mph speed limit ends adjacent to the community park and does not extend northward to the city limits or encompass a developed area that is similar to other parts of Corsica where the speed is reduced to 35 mph. This rule change would address that. The speed zone change was requested by the city of Corsica and the sheriff of Douglas County.

A speed zone study was conducted in June 2024. The 85<sup>th</sup> percentile speed was 44 mph, and the prior version of the MUTCD suggested consideration “should” be given to setting a speed limit within 5 mph of the 85<sup>th</sup> percentile, although other factors could be considered. The new version of the MUTCD clarifies that the 85<sup>th</sup> percentile speed is only one of many factors to be considered in urban and developed rural areas, emphasizing a holistic approach. Looking at other factors here, the median speed was only 39 mph and the ten mile pace was 33 mph to 42 mph. Furthermore, the development adjacent to this stretch of road provides the context for how drivers will or should behave and supports a lower speed.

PURPOSE: The reasons for adopting the proposed amendments are to make stylistic changes and enhance safety.

**Hamlin County speed zone rule – ARSD 70:01:02:32**

EFFECT: The proposed rule would lower the speed limit on State Trunk Highway 28 in and around Lake Norden. Currently, the speed limit on Highway 28 around Lake Norden goes from 65 mph on the West side of Lake Norden, to 50 mph for about one-third of a mile, then 55 mph for 1.54 mile. Under the proposed rule, there would now be a 45 mph speed limit on Highway 28 for 0.8 mile around and through Lake Norden. An analysis of the speed limit was performed, which included consideration of the 85<sup>th</sup> percentile speed, the 50<sup>th</sup> percentile speed, and a range of numerous other factors as set forth in the traffic engineer’s report. The main factor for recommending the 45 mph speed is based on the AASHTO’s Policy on Geometric Design of Highways and Streets, 7<sup>th</sup> edition, referred to colloquially as “the Green Book”. This book is the national standard for geometric design of highways and recommends the speed limit not exceed 45 mph on two-way continuous left turn lane roadways, such as Highway 28 through Lake Norden. This speed zone change was requested by the City of Lake Norden and the Aberdeen Traffic personnel. The SDHP and Chief of Police of the Lake Norden Police Department concur with the change.

PURPOSE: The purpose of this rule amendment is to enhance safety.

**Walworth County speed zone rule – ARSD 70:01:02:63**

EFFECT: The effect of the proposed amendment to subsection (9) of this rule is to eliminate the 65 mph speed zone on South Dakota Highway 47 between the west junction with South Dakota 20 north to U.S. Highway 12. This stretch of Highway 47 was reconstructed to upgrade that segment to the standards necessary for a 65 mph highway. A speed study was conducted in July 2024 on this highway segment. The 85<sup>th</sup> percentile speed was 63 mph, suggesting a 65 mph speed limit, and 56 % of vehicles were exceeding the current 55 mph speed limit. Given the geometric changes to this roadway and the speed study results, the department recommends increasing the speed limit on this segment. DOT also

performed a speed study on a short segment, extending 0.4 mile east from the west junction with Highway 20, where staff discovered there was no current speed limit. The results of that speed study were an 85<sup>th</sup> percentile speed, a ten mile pace of 50 to 59 mph, a median speed of 51, and an average speed of 49 mph. These results taken together, coupled with the location of this segment at the west entrance into Hoven, support a speed limit of 55 mph. The SDHP support these speed limit changes to SD Highway 47.

**PURPOSE:** The reasons for adopting the proposed amendments are to enhance safety.

Engle then testified to the purpose and effect of the remaining rules and addressed LRC's questions about the reasonableness of the cost of various publications referenced in the proposed rules.

**EFFECT:** The remaining rules in the Commission's packet concern signing, utility permitting, traffic control, and access approach permitting. The effect of the rule changes to is to update references to manuals, policies, and other publications by outside organizations. In all cases except one, these publications were already cited in the rules, and DOT proposes to update the publications to the current editions. There is one instance, involving DOT's access management rules, where the Traffic Engineering Handbook has been replaced with the Access Management Manual, second edition.

**PURPOSE:** The purpose of the rule changes is to ensure that DOT is using, and asking permittees to use, current standards, processes and guidance in connection with signing, utilities, traffic control, and access points along the state trunk highways system.

**LRC comments:** SDCL 1-26-6.6 requires that any incorporated publications by non-state entities must be "generally available to the public at a reasonable cost." LRC has raised the question whether the dollar amounts for the referenced publications are reasonable. The cited version of the Manual on Uniform Traffic Control Devices is free on the FHWA website, but the remaining cited publications range in cost from \$86 to \$1,395. All but one of the publications cost less than \$400 – the single higher cost publication is the Trip General Manual, which costs \$1,395. Engle offered the following explanation for why DOT believes these costs are reasonable and why the proposed changes should be adopted:

- **Transparency.** Including the publications in the rules puts permit applicants on notice that these publications will be used as part of the permitting process.
- **Inflation.** The rise in the cost of these publications occurred over time and is in keeping with the rising costs of purchases generally.
- **Professional resources.** Routine access requests, such as farm entrances and single-family residences, rarely require use of these publications. The publications come into play most often in instances involving large commercial, industrial, or residential developments where traffic impacts are likely to be significant and a skilled engineering analysis of those impacts is required.
- **SDCL 1-26-2 requires DOT to allow public inspection of the materials used in the discharge of its functions, such as the subject publications. So, the department must make these resources available to the public upon request.**
- **Use of the Trip General Manual, which is the highest cost publication at \$1,395, actually results in cost savings.** This manual allows users to estimate the traffic impacts on public highways of large developments. If the manual is not used, the alternative is to require traffic counts at similar existing developments, which would be much more costly than use of the manual by a skilled engineer. The cost associated with the manual is only a small fraction of the cost incurred when proposing a large real estate development.

Engle reported that no members of the public submitted timely written comments on the rule changes but the Department solicited and received written comments from Kirk Fredrichs, the South Dakota Division Administrator for the Federal Highway Administration (“FHWA”), and from Nancy Hoines, Executive Director of the American Council of Engineering Companies of South Dakota (“ACEC”). Engle distributed the comments to the Commission immediately prior to the start of the meeting. In his comment received on September 24, 2024, Fredrichs stated his support for the Department’s updates to manuals and other publications for the rules relating to aerial utilities, underground pipeline utilities, and traffic impact studies. Fredrichs opined that the cost of these publications is reasonable and the public is likely to employ engineering firms that own these documents and possess the technical expertise to apply the criteria contained in the documents. Fredrichs noted FHWA’s oversight role relating to federal-aid projects and stated transparency to the public is provided by including the updated publications in the Department’s administrative rules. The written comment received from Nancy Hoines on September 20, 2024, also supported the manual and other publication references contained in the proposed rules. Hoines shared the rules with members of ACEC and, based on feedback received from members, opined that use of these publications did not pose an unreasonable burden or cost to members or to the public.

Jensen asked for public testimony on the proposed rule amendments. Nancy Hoines of ACEC testified in support of the rules that incorporate references to current manuals and other publications. Hoines explained ACEC’s advocacy role relating to consultant engineering. She discussed the technical knowledge and expertise necessary for performing that work and the profession’s reliance on up-to-date manuals and other publications to perform the work.

Jensen called for additional public testimony and no other members of the public offered testimony in support of or in opposition to the proposed rules.

Roby asked why someone might view these costs as unreasonable, and Engle responded that the statute references a reasonable cost to the public, not simply engineering firms, and someone might assert the cost is unreasonable for the average citizen. But Engle noted inflation has led to cost increases across the economy and the publication costs reflect increases spanning many years. Engle also observed that the publications are typically invoked in matters where engineering expertise is required. Vallery discussed his support for the incorporation of up-to-date publication references and his belief the cost was reasonable.

A MOTION WAS MADE by Simons and seconded by Roby to approve the proposed amendments to ARSD 70:01:02:25 - Douglas County Speed Zone Rule; 70:01:02:32 – Hamlin County Speed Zone Rule; and 70:01:02:63 - Walworth County Speed Zone Rule. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Vallery and seconded by Simons to approve ARSD 70:04:02:23 – Trailblazing Signs; 70:04:05:04 – Criteria for Aerial Facilities; 70:04:05:06 – Criteria for Underground Pipeline Facilities; 70:04:05:11 – Construction, Relocation, and Maintenance / Traffic Control; 70:04:05:14 – Application for Utility Permit; Chapter 70:04:05 Appendix A; 70:04:05.01:02 – Applicable Standards; 70:04:07:07 – Specific Requirements for Signs; 70:04:07:10 – Symbols on Tourist-oriented Directional

Signs; 70:09:01:01 – Definitions; and 70:09:01:07 - Traffic Impact Study Requirement. All present voted ay by voice vote. The motion carried.

**RESOLUTION #2024 – 9.1 was adopted.**

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Commissioner Mike Vehle joined the meeting.

Secretary Joel Jundt presented his Secretary Report. It included the following items:

- Congress needs to pass a new appropriations bill by the end of the Federal Fiscal Year (FFY) by September 30, as the new federal fiscal year begins October 1, 2024. The House bill that was voted on last week did not receive enough votes so it died. It is expected that the House will act on a new bill in the coming weeks. It also is expected that Congress will pass a continuing resolution (CR) with a duration of months to provide some funding. The date being discussed for the CR is December 20, 2024.
- The previous week, the Department submitted its state Fiscal Year 2026 budget. An increase in the Departments budget was requested for materials such as salt, diesel, and other supplies. Whether the proposed budget will be accepted by Governor Noem will be noted in December during her budget address.
- Jundt announced that SD48 was reopened on September 19, 2024 after closing in June due to flooding. He gave kudos to the Department staff who completed most of the job without outside assistance, except for the final surfacing
- There was another bridge hit at Exit 63 on the I-90 westbound ramp. The driver has been identified and costs will be recouped. Four girders were damaged requiring the bridge shoulders to be closed. Repair plans are underway and will use emergency construction funds. The estimated cost is \$400-500,000.

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Craig Smith, Division Director of Operations, presented the following informational Construction Change Orders (CCO) to the Commission.

CCOs completed in August contain an increase of \$1,168,602.76. Over the past 12 months, the overall contract increase is 1.97%.

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

**ABERDEEN REGION**

- 1. Project: NH-P 0037(128)125, Beadle County, PCN 0271  
Location: SD37 from 3<sup>rd</sup> Street north to 15<sup>th</sup> Street north in Huron, the intersection of 21<sup>st</sup> Street and SD37 in Huron  
Contractor: Reede Construction, Inc.  
Type of Work: Urban grading, PCC surfacing, curb & gutter, sidewalk, lighting, signals

Original Contract Amount:	\$	8,027,120.95
Change on CCO No. 7F:	\$	87,001.83
Net Change to Date:	\$	328,145.73

Explanation of Change on CCO No. 7F: This increase is the result of SDDOT adjusting contract quantities to match as built quantities due to normal project variations.

**MITCHELL REGION**

- 2. Project: IM 0291(132)27, Union County, PCN 06DL  
Location: I-29 from Exit 26 north 10 miles  
Contractor: Asphalt Specialties, Inc.  
Type of Work: Asphalt concrete resurfacing, PCC pavement repair, box culvert extension, pipe work

Original Contract Amount:	\$	18,238,025.80
Change on CCO No. 3:	\$	618,800.00
Net Change to Date:	\$	608,978.61

Explanation of Change on CCO No. 3: This increase is the result of SDDOT paying incentive for lane rental days. The contractor completed the work subject to lane rental in less lane-mile-days than the contractor bid. The incentive payment was made in accordance with the contract.

- 3. Project: NH-B 0081(103)6, Yankton County, PCN 04G5  
Location: US81 from the end of the divided lanes to 303<sup>rd</sup> Street north of Yankton  
Contractor: Loiseau Construction, Inc.  
Type of Work: Grading, replace structures, interim surfacing

Original Contract Amount:	\$	16,655,788.00
Change on CCO No. 6:	\$	124,803.56
Net Change to Date:	\$	197,939.20

Explanation of Change on CCO No. 6: This increase is the result of SDDOT increasing contract quantities of flagging and pilot car hours to safely move traffic through the work zone.

4. Project: NH-B 0081(103)6, Yankton County, PCN 04G5  
Location: US81 from the end of the divided lanes to 303<sup>rd</sup> Street north of Yankton  
Contractor: Loiseau Construction, Inc.  
Type of Work: Grading, replace structures, interim surfacing

Original Contract Amount:	\$	16,655,788.00
Change on CCO No. 7:	\$	110,803.25
Net Change to Date:	\$	308,742.45

Explanation of Change on CCO No. 7: This increase is the result of SDDOT increasing contract quantities of flagging and pilot car hours to safely move traffic through the work zone.

5. Project: NH TA 0100(108)407, Lincoln County, PCN 01V6  
Location: Veteran's Parkway - from Western Avenue to Cliff Avenue  
Contractor: John Riley Construction, Inc.  
Type of Work: Grading, structure, MSE retaining wall, PCC surfacing, curb & gutter, storm sewer

Original Contract Amount:	\$	47,933,520.32
Change on CCO No. 10:	\$	74,815.70
Net Change to Date:	\$	504,299.03

Explanation of Change on CCO No. 10: This increase is the result of SDDOT compensating the contractor for extra work performed including temporary streetlights, tubular markers on Minnesota Avenue, and trench stabilization.

6. Project: NH TA 0100(108)407, Lincoln County, PCN 01V6  
Location: Veteran's Parkway - from Western Avenue to Cliff Avenue  
Contractor: John Riley Construction, Inc.  
Type of Work: Grading, structure, MSE retaining wall, PCC surfacing, curb & gutter, storm sewer

Original Contract Amount:	\$	47,933,520.32
Change on CCO No. 11:	\$	340,208.30
Net Change to Date:	\$	844,507.33

Explanation of Change on CCO No. 11: This increase is the result of SDDOT compensating the contractor for extra work performed to strengthen the borrow pit access route for this project and future Veteran's Parkway projects.



7. Project: IM-EM 0908(97)362, McCook & Minnehaha County, PCN 05T2  
Location: I-90 east 2 miles west of Humboldt to 2 miles east of Hartford  
Structure on SD38 0.4 miles west of Exit 390 on I-90  
I-90 Exit 379, Humboldt  
Contractor: Reede Construction, Inc.  
Type of Work: Remove & replace PCC surfacing, replace structure, grading, pipe work

Original Contract Amount:	\$	37,296,052.10
Change on CCO No. 2:	\$	(546,185.88)
Net Change to Date:	\$	(546,185.88)

Explanation of Change on CCO No. 2: This decrease is the result of SDDOT eliminating 5,000 tons of asphalt concrete composite that was originally included in the plans to patch and strengthen SD38. This work was unnecessary because an asphalt mill and overlay project was let in the same area.

8. Project: IM-EM 0908(97)362, McCook County, PCN 05HQ  
Location: I-90 WBL from 2 miles west of the Salem interchange to 2 miles west of Humboldt  
I-90 Structure 0.6 miles west of the US81 interchange over the Vermillion River  
I-90 Structure 2 miles east of the US81 interchange over 443<sup>rd</sup> Avenue  
Contractor: Michels Road & Stone, Inc.  
Type of Work: Remove & replace PCC pavement, pipe work, structures

Original Contract Amount:	\$	37,555,832.50
Change on CCO No. 14:	\$	(228,760.60)
Net Change to Date:	\$	(135,836.59)

Explanation of Change on CCO No. 14: This decrease is the result of SDDOT enforcing a disincentive for work not completed by the substantial completion date. The disincentive was made in accordance with the contract.

9. Project: P-PH 0052(08)332, Yankton County, PCN 05ET  
Location: SD52 from the western junction of SD50 to Summit Street in Yankton  
Contractor: Central Specialties, Inc.  
Type of Work: Shoulder widening, asphalt concrete surfacing, bridge maintenance, permanent vehicle classification system

Original Contract Amount:	\$	15,017,076.93
Change on CCO No. 4:	\$	(54,940.97)
Net Change to Date:	\$	(79,636.70)

Explanation of Change on CCO No. 4: This decrease is the result of SDDOT adjusting contract quantities to match as built quantities due to normal project variations.

## PIERRE REGION

10. Project: NH 0033(37), Tripp County, PCN 089Q  
Location: Various locations in the Winner area  
Contractor: Bituminous Paving, Inc.  
Type of Work: PCC pavement grinding, asphalt concrete surfacing of shoulders

Original Contract Amount:	\$	4,793,586.10
Change on CCO No. 11:	\$	66,673.80
Net Change to Date:	\$	1,043,336.90

Explanation of Change on CCO No. 11: This increase is the result of SDDOT compensating the contractor for a pavement smoothness incentive in accordance with the contract.

11. Project: NH PS 0012(187)106, Corson County, PCN 04FL  
Location: US12 Structures: 7.9 miles east of the Perkins County line  
0.2 miles west of SD65S over the BNSF railroad

Contractor: Foothills Contracting, Inc.  
Type of Work: Replace structures & approach grading

Original Contract Amount:	\$	13,899,350.16
Change on CCO No. 22:	\$	66,115.60
Net Change to Date:	\$	964,138.17

Explanation of Change on CCO No. 22: This increase is the result of SDDOT adjusting contract quantities of flagging and pilot car hours needed for safety and quantities of water for granular material required for necessary compaction of the granular material.

12. Project: P 0044(212)172, Mellette County, PCN 04X0  
Location: SD44 from SD63 to the northern junction of US83  
Contractor: Bituminous Paving, Inc.  
Type of Work: Full depth reclamation, asphalt concrete surfacing, gravel surfacing, modify intersection, pipe work

Original Contract Amount:	\$	21,444,089.86
Change on CCO No. 7:	\$	211,811.50
Net Change to Date:	\$	722,041.46

Explanation of Change on CCO No. 7: This increase is the result of SDDOT adjusting contract quantities of heavy roadway shaping required in several areas to match as built quantities.

13. Project: P 0044(212)172, Mellette County, PCN 04X0  
 Location: SD44 from SD63 to the northern junction of US83  
 Contractor: Bituminous Paving, Inc.  
 Type of Work: Full depth reclamation, asphalt concrete surfacing, gravel surfacing, modify intersection, pipe work

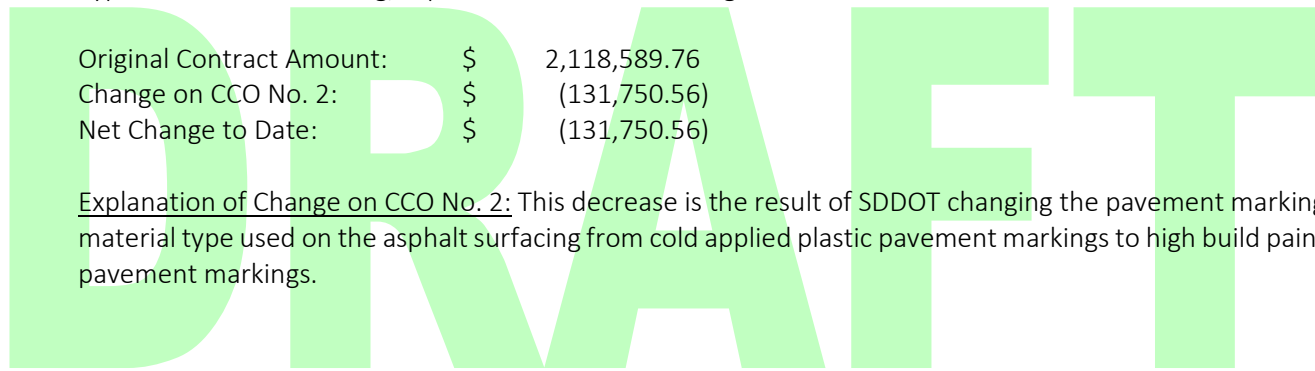
Original Contract Amount:	\$	21,444,089.86
Change on CCO No. 8:	\$	120,750.00
Net Change to Date:	\$	842,791.46

Explanation of Change on CCO No. 8: This increase is the result of SDDOT compensating the contractor for extra work to strengthen and level a section of roadway after the full depth reclamation.

14. Project: P 0034(208)212, Hughes County, PCN 06T0  
 Location: SD34 from Cleveland Ave to Farm Island Road in Pierre  
 Contractor: Anderson Western, Inc.  
 Type of Work: Cold milling, asphalt concrete resurfacing

Original Contract Amount:	\$	2,118,589.76
Change on CCO No. 2:	\$	(131,750.56)
Net Change to Date:	\$	(131,750.56)

Explanation of Change on CCO No. 2: This decrease is the result of SDDOT changing the pavement marking material type used on the asphalt surfacing from cold applied plastic pavement markings to high build paint pavement markings.



**RAPID CITY REGION**

15. Project: NH-PH 0385(50)96, Pennington County, PCN 03BD  
 Location: US385 from north of Pactola Dam to 4 miles north of the SD44 junction  
 Contractor: Zandstra Construction, Inc.  
 Type of Work: Grading, structures, interim surfacing, pipe work

Original Contract Amount:	\$	23,492,147.29
Change on CCO No. 6:	\$	930,711.00
Net Change to Date:	\$	1,173,026.76

Explanation of Change on CCO No. 6: This increase is the result of SDDOT compensating the contractor for extra work for clearing and unclassified/rock excavation required to finish US385 due to an underestimated shrinkage factor included in the plans.

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

September 18, 2024

**Urban Grading, Curb & Gutter, Storm Sewer, Lighting, PCC Surfacing, ADA, Signal**

1      04FC, 06N3 NH-CR-EM 0018(195)103      Oglala Lakota County  
REJECTED BY SDDOT COMMISSION  
US18 - In Pine Ridge Fm 2 Blocks N of SD407 to E of Indian Health Rd; SD407 - In Pine Ridge Fm  
Cherry Hill Ct to US18

**Replace Water Line**

2      X06L 2211 01441( )      Oglala Lakota County  
REJECTED BY SDDOT COMMISSION  
US18 - In Pine Ridge Fm 2 Blocks N of SD407 to E of Indian Health Rd

A MOTION WAS MADE by Frick and seconded by Vehle to reject bids #1 and 2. All present voted aye by voice vote. The motion carried.

**Replace Sewer Lines**

3      09Q9 IM 0902(189)98      Pennington County  
Mainline Contracting Inc      \$499,224.10  
I90 E & W - Eastbound & Westbound Wasta Rest Area

**Culvert Cleaning, CIPP Lining & Pipe Repair**

4      06EG NH-P 0011(224)      Brown, Edmunds, Marshall County  
Subsurface, Inc.      \$1,205,644.85  
Various Locations Throughout the Aberdeen Area

**Intersection Lighting**

5      09C9 PH 0037(173)30      Bon Homme County  
Builders Electric      \$204,927.80  
SD37 - SD46 Jct

**County Pavement Marking**

6      07X5 PH 0010(171)      Regionwide County  
Traffic Solutions LLC      \$107,946.60  
Various Locations in the Aberdeen Region

A MOTION WAS MADE by Vallery and seconded by Simons to approve the bids #3, 4, 5, and 6 for contract award. All present voted aye by voice vote. The motion carried.

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Weisgram then presented the results of the Mitchell Region letting for the Commission's consideration.

September 17, 2024

**Remove Frontage Road**

09PH IM 0902(00)82  
Soukup Construction  
129 NB Frontage Rd – from 54<sup>th</sup> St N, South 1,000’

Minnehaha County  
\$86,860.00

A MOTION WAS MADE by Rosenboom and seconded by Roby to approve the bid for contract award. All present voted aye by voice vote. The motion carried.

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John Keyes, Program Manager for the Office of Right of Way, presented the following items for Commission consideration.

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

Lot A in the 66 foot U.S. Highway 212 right of way in the SE1/4 of Section 5, Township 12 North, Range 22 East of the B.H.M., Dewey County, South Dakota. Lot A contains 3.04 acres.

The former US212 right of way property is excess after the completion of project NH 0212(184)143, PCN 04XG and is no longer needed for highway purposes. Abandonment is recommended by DOT Mobridge Area.

A MOTION WAS MADE by Nelson and seconded by Roby to approve the abandonment of property in Dewey County. All present voted aye by voice vote. The motion carried.

**RESOLUTION 2024 – 9.2 was adopted.**

2. Request Transportation Commission approval for disposal of the following property acquired for highway purposes:

Lot H1 and Lot H2 in the E1/2 NE1/4 of Section 22, Township 106 North, Range 50 West of the 5th P.M., except Lot 1 therein, except Lot A therein and except Tract 1 of Swimming Pool Addition, an addition to Colman, Moody County, South Dakota. Lot H1 contains 0.02 acre and Lot H2 contains 146 sq. ft.

The property is located on the south side of SD34 in Colman and was purchased for project NH-CR 0034(193)402, PCN 0609. The City of Colman received Federal 6F designation on the property and disposal is necessary to avoid delays involving Federal approval on the property use changes. An Agreement and Temporary Easements will address the project needs. Mitchell Region and Sioux Falls Area DOT recommend the disposal.

A MOTION WAS MADE by Nelson and seconded by Simons to approve the disposal of property in Moody County. All present voted aye by voice vote. The motion carried.

3. Request Transportation Commission approval to abandon by resolution the following property acquired for drainage and utility purposes permanent easements:

The E1/2 NE1/4 of Section 22, Township 106 North, Range 50 West of the 5th P.M., except Lot 1 therein, except Lot A therein and except Tract 1 of Swimming Pool Addition, an addition to Colman, Moody County, South Dakota. Permanent Easement 1 contains 0.01 acre and Permanent Easement 2 contains 0.04 acre.

The permanent easements are located on the south side of SD34 in Colman and were created for project NH-CR 0034(193)402, PCN 0609. The City of Colman received Federal 6F designation on the property and abandonment is necessary to avoid delays involving Federal approval on the property use changes. A separate Agreement will address the project drainage and utility maintenance future responsibilities. Mitchell Region and Sioux Falls Area DOT recommend the permanent easement release.

A MOTION WAS MADE by Vallery and seconded by Roby to approve the abandonment of property in Moody County. All present voted aye by voice vote. The motion carried.

**RESOLUTION 2024 – 9.3 was adopted.**

4. Request Transportation Commission approval to rescind the August 29th Commission meeting Resolutions 2024-8.3 and 2024-8.4 and approve by new resolutions the transfer to the City of Sioux Falls the following property acquired for highway right-of-way:

A portion of Veterans Parkway (SD 100) from its intersection with E Rice Street north to I-90 in Sioux Falls, Minnehaha County, South Dakota, legally described in attachments.

The resolutions will rescind the August 29th Commission meeting Resolutions 2024-8.3 and 2024-8.4 and will transfer a portion of Veterans Parkway (SD 100) towards completing Jurisdictional Exchange Agreement 910586. The highway right of way described in attachments would be transferred to the City of Sioux Falls and the City of Sioux Falls would accept ownership, jurisdiction, operational and maintenance responsibilities of the right-of-way. Mitchell Region and Sioux Falls Area DOT recommend the transfer.

A MOTION WAS MADE by Nelson and seconded by Vehle to rescind resolutions 2024 – 8.3 and 2024 – 8.4. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Vehle and seconded by Nelson to approve the transfer of property to the City of Sioux Falls. All present voted aye by voice vote. The motion carried.

**RESOLUTION 2024 – 9.4 and 2024 – 9.5 were adopted.**

5. Request Transportation Commission approval to rescind the August 29th Commission meeting Resolution 2024-8.5 and approve by new resolution the transfer to Minnehaha County of the following property acquired for highway right-of-way:

A portion of W Redwood Boulevard from its intersection with Veterans Parkway (SD 100) and a farm field entrance along E 60th St North in Minnehaha County, South Dakota, legally described in attachment.

This resolution will rescind approval of the August 29th Commission meeting Resolution 2024-8.5 and will transfer a portion of W Redwood Boulevard and a farm field entrance along E 60th St North towards completing Joint Powers Agreement 614716. The highway right of way described in attachment would be transferred to Minnehaha County and Minnehaha County would accept ownership, jurisdiction, operational and maintenance responsibilities of the right-of-way. Mitchell Region and Sioux Falls Area DOT recommend the transfer.

A MOTION WAS MADE by Nelson and seconded by Vallery to rescind resolutions 2024 – 8.5. All present voted aye by voice vote. The motion carried.

A MOTION WAS MADE by Simons and seconded by Vallery to approve the transfer of property to Minnehaha County. All present voted aye by voice vote. The motion carried.

**RESOLUTION 2024 – 9.6 was adopted.**

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

A portion of SD38A, presently 60th Street North, from its intersection with North Marion Road approximately three miles east to SD115 (Cliff Avenue) in Sioux Falls, Minnehaha County, South Dakota, legally described in attachment.

This resolution will transfer a portion of SD38A (60th Street North) towards completing Jurisdictional Exchange Agreement 910586. The highway right of way described in attachments would be transferred to the City of Sioux Falls and the City of Sioux Falls would accept ownership, jurisdiction, operational and maintenance responsibilities of the right-of-way. Mitchell Region and Sioux Falls Area DOT recommend the transfer.

A MOTION WAS MADE by Rosenboom and seconded by Roby to approve the transfer of property to the City of Sioux Falls. All present voted aye by voice vote. The motion carried.

**RESOLUTION 2024 – 9.7 was adopted.**

7. Request Transportation Commission approval to abandon by resolution the temporary easements on Lawrence County Project PH 0034(202)12, PCN 06UM. The project parameter was

11.8 miles of SD34 from Belle Fourche to Whitewood. Construction projects included AC surfacing, modify intersection, passing lanes and pipe work.

A MOTION WAS MADE by Simons and seconded by Nelson to approve the abandonment of temporary easements in Lawrence County. All present voted aye by voice vote. The motion carried.

**RESOLUTION 2024 – 9.8 was adopted.**

8. Request Transportation Commission approval to abandon by resolution the temporary easements on Minnehaha County Project F 0011(23)79, PCN 1930. The project parameter was 1.3 miles of SD11 from I-90 thru Brandon. Construction project included grading, PCC pavement, curb, gutter and storm sewer.

A MOTION WAS MADE by Simons and seconded by Vallery to approve the abandonment of temporary easements in Minnehaha County. All present voted aye by voice vote. The motion carried.

**RESOLUTION 2024 – 9.9 was adopted.**

Mark Leiferman, Program Manager for the Office of Project Development presented the following STIP revisions for the Commission’s information:



REV 24-048                      This revision will add a FY2024 Statewide planning study to analyze a Wildlife Crossing Pilot Program.

FY 2024 Plus \$500,000

A MOTION WAS MADE by Vehle and seconded by Roby to approve STIP REV 24-048. All present voted aye by voice 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 24-SC-027                      This revision increased the cost of a Structure Replacement project on I90 E & W 3.3 miles east of the Wasta Interchange over Bull Creek in Pennington County in the Rapid City Region. (Sequence #646, Page 150 in the 2024-2027 STIP Book).

FY 2024 Plus \$3,334,000

- Original = \$14,665,000; Updated = \$18,000,000

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Chairman Jensen recessed the meeting at 3:54 p.m. MDT on September 24, 2024.

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Chairman Jensen called the meeting of the Commission back to order at 7:44 a.m. on September 25, 2024. A roll call was taken and a quorum was present.

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Craig Smith presented to the Commission a project overview for the planned bus tour.

The scheduled bus tour departed the Highway Patrol Office to tour the DOT Snow Fighter Truck Rodeo at the Rapid City SDDOT Complex. The bus continued to the I-190 & Anamosa Street project in Rapid City. From there, the tour drove to the US385 project near Pactola Reservoir before heading back to Highway Patrol Office.

Mike Behm, Craig Smith, Mike Carlson, Justin Smith, Tim Wicks, and Bruce Schroeder from the Department narrated the tour through Rapid City and the surrounding areas.

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With no further business to come before the Commission, Chairman Jensen declared the meeting adjourned at 12:15 p.m. MT.