

SOUTH DAKOTA TRANSPORTATION COMMISSION MEETING MINUTES
Tuesday, September 21, 2021, at 2:00 p.m. CDT
Best Western Kelly Inn/ Meeting Room A – 1607 Hwy 50, Yankton SD 57078

COMMISSIONERS PRESENT: Larry Nelson, Chairman
Bruce Cull, Vice Chairman
Ron Rosenboom
Mike Vehle
Jaf Karim
Lynn Jensen
Kathy Zander
Don Roby

DOT STAFF PRESENT: Joel Jundt, Karla Engle, Craig Smith, Mark Leiferman, Travis Dressen, Rod Gall, Corey Pinkley, and Kari Kroll

DOT STAFF PRESENT VIA CONFERENCE CALL: Joel Gengler, Sam Weisgram, Kellie Beck, Tammy Williams, Joanne Hight, Scott Rabern, Jack Dokken, and Kyle Weinman

OTHERS PRESENT: Toby Morris – Colliers Securities; Dave Mingo – City of Yankton; Adam Haberman – City of Yankton; Todd Larson – City of Yankton; Ross K. Den Herder – City of Yankton; Mike Healy – Yankton Chamber Thrive; Randy Dockendorf – Press & Dakotan; and Frank Kloucek

OTHERS PRESENT VIA CONFERENCE CALL: Mark Clausen – Federal Highway Administration (FHWA); Toby Crow – Association of General Contractors (AGC); Jeff – 3D Construction; and 15 other unidentified unique callers

Chairman Larry Nelson called the meeting of the South Dakota Transportation Commission (the “Commission”) to order at 2:00 p.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) chapter 3 – 23.

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

Nelson asked for a motion to approve the August 26, 2021 Commission meeting minutes.

A MOTION WAS MADE by Roby and seconded by Vehle to approve the August 26, 2021 Commission meeting minutes. All present voted aye by voice vote. The motion carried.

Karla Engle, Office of Legal Counsel, presented for Commission consideration proposed amendments to Administrative Rules of South Dakota (ARSD) 70:01:02:07 – Yankton County speed zone rule and ARSD 70:01:02:52 Moody County speed zone rule.

Engle explained the rule adoption process that had been followed to date for the amendments to the rules. She discussed the purpose and effect of the rule changes. Engle reported that no written comments on the rule changes had been received.

The chairman asked for public testimony on the proposed rule amendments. No members of the public offered testimony in support of or in opposition to the rule change.

A MOTION WAS MADE by Roby and seconded by Rosenboom to approve the proposed changes to ARSD 70:01:02:07 – Yankton County speed zone rule and ARSD 70:01:02:52 Moody County speed zone rule. All present voted aye by roll call vote. The motion carried.

RESOLUTION #2021 – 9.1 was adopted.

Secretary Jundt presented the following items as the Secretary's Report

1. Welcomed new commissioner Lynn Jensen to the Commission.
2. Jundt explained the status of the upcoming federal funding reauthorization.

As requested by the Commission, Jundt presented for Commission consideration the guidelines recommended by the Department of Transportation (the "Department") for the State Loan program.

The Commission discussed the proposed guidelines.

Toby Morris, Colliers Securities, answered questions by the Commission about the details of previously granted loans to Yankton and Lyman counties.

Frank Kloucek addressed the Commission to share his approval of the Department's recommended guidelines.

A MOTION WAS MADE by Roby and seconded by Cull to approve the guidelines as written in Attachment #3. All present voted aye by voice vote. The motion carried.

Sam Weisgram, Office of Project Development, shared with the Commission the overall Federal fiscal year bid awards summary.

FY2021 Total: October 2020 – September 2021

Estimate	\$484,998,479.35
Low Bids	\$496,401,586.57
Difference	\$ 11,403,107.22
%	2.35%
Contracts Bid	154

Weisgram then presented the following bid letting results from September 1 and September 15 bid lettings:

September 1, 2021

Grading, PCC Surfacing, Curb & Gutter, Sidewalk, ADA, Storm Sewer, Lighting

1 03TK, 04F9 NH 0018(191)250, P 0044(188)253 Tripp County
 Reede Construction, Inc. \$20,993,728.92
 US18 - Fm W of the Str Over Dog Ear Ck To W of Monroe St in Winner

Watermain and Service Line Replacement Including Valves and Hydrants. Gravity Sewer and Service Line Replacement. 4" Sewer Force Main Replacement

2 X05H 14740 () Tripp County
 Reede Construction, Inc. \$1,300,785.95
 US18 - From W of the Str Over Dog Ear Ck To W of Monroe St in Winner & SD44 - From E of Plum St to E of Sale Barn Rd/317th Ave in Winner

A MOTION WAS MADE by Cull and seconded by Zanders to approve bids #1 and 2. All present voted aye by voice vote. The motion carried.

Structure (80' Prestressed Bulb Tee) & Approach Grading

3 01KP BRO 8041(00) Lawrence County
 Grangaard Construction Inc \$947,534.40
 Structure 2E & 5.5N of Spearfish over the Redwater River SN 41-110-008

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

Cold Milling Asphalt Concrete, Asphalt Concrete Resurfacing, Bridge Approach Inslope Rehabilitation and Guardrail Replacement, Spot Grading, Pipe Work

4 04F4, I65R P 0049(05)27, 049-392 Lyman, Tripp County
 Knife River Midwest LLC \$10,324,775.48
 SD49 - Fm SD44 to SD47

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

Joint Modification, Concrete Bridge Repairs, and Zone Painting

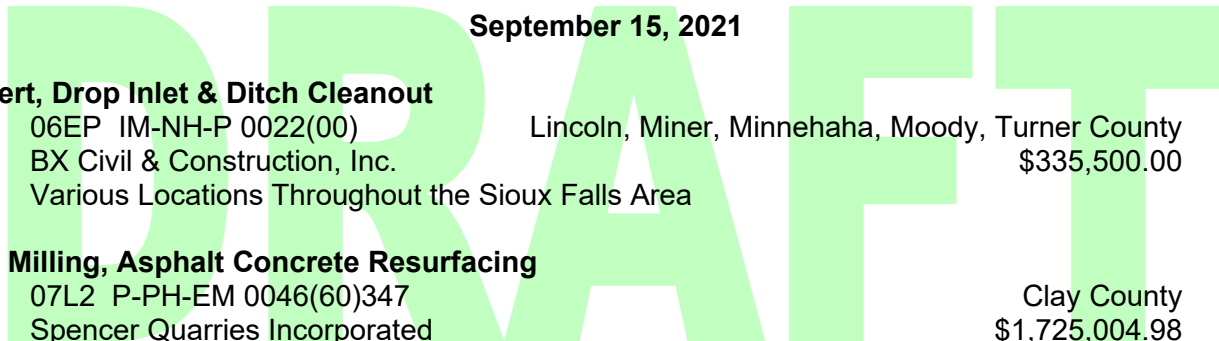
5 05Q9 P 0044(204)363 Hutchinson, Turner County
Journey Group Companies \$2,105,698.30
SD44 - Strs 15 E of SD37 Over the James River; 9 W of US81 over Wolf Ck; 3.3 W of SD19
Over SD Owned RR

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

Rumble Stripes & High Grade Polymer Pavement Markings, Signing

6 06TV PH 0010(155) Regionwide County
Surface Preparation Technologies, LLC \$298,829.00
Various locations on the local system in the Aberdeen Region

A MOTION WAS MADE by Vehle and seconded by Zander to approve bid #6. All present voted aye by voice vote. The motion carried.



Culvert, Drop Inlet & Ditch Cleanout

1 06EP IM-NH-P 0022(00) Lincoln, Miner, Minnehaha, Moody, Turner County
BX Civil & Construction, Inc. \$335,500.00
Various Locations Throughout the Sioux Falls Area

Cold Milling, Asphalt Concrete Resurfacing

3 07L2 P-PH-EM 0046(60)347 Clay County
Spencer Quarries Incorporated \$1,725,004.98
SD46 - Fm Irene to W of SD19/SD19A

Asphalt Concrete Surfacing

5 05J3, 05J2 P 0015(84)155, P 0020(168)439 Deuel, Grant County
Central Specialties, Inc \$5,531,417.48
SD15 - Fm the N Jct of US212 N to S Jct of SD20 and SD20 - Fm the S Jct of SD15 to the N Jct
of SD15

Durable Pavement Marking

6 04KE PH 0010(115) Codrington, Hamlin County
Traffic Solutions Inc \$437,390.75
Various locations on the State System in the Aberdeen Region

A MOTION WAS MADE by Roby and seconded by Karim to approve bids #1, 3, 5, and 6. All present voted aye by voice vote. The motion carried.

Structure (3-10'x5' CIP RCBC) & Approach Grading

2 07TQ BRF 6434(00)20-5 Butte County
Corr Construction Services, Inc \$794,237.90
Structure 9.1 E & 1 S of Belle Fourche on Snoma Road over Maloney Creek SN 10-191-390

A MOTION WAS MADE by Rosenboom and seconded by Karim to approve bid #2. All present voted aye by voice vote. The motion carried.

Cold Milling, Asphalt Concrete Resurfacing, Pipe Work, Polymer Chip Seal, LSDC Overlay, Approach Slabs

4 05EF IM 0905(109)226 Lyman County
Bituminous Paving, Inc. \$21,484,456.19
190 EBL & WBL - Fm Presho to Reliance

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

Signing & Delineation

7 05M6 PH 00SW(52) Corson, Dewey, Haakon, Harding, Jackson, Jones, Lawrence, Mellette, Oglala Lakota, Perkins, Sully, Todd, Tripp, Walworth, Ziebach County
Hamm Contracting, LLC \$4,999,168.10
Various Paved County, Tribal and City Roads in the Pierre and Rapid City Regions.

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

Secretary Jundt presented the following items for the Commission's consideration:

1. Transfer – Minnehaha and Lincoln County

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 South Veterans Parkway from Minnesota Ave. to E 57th St. in Sioux Falls, Minnehaha County, South Dakota, legally described as follows:

Parcel 28 – Lot H1 in Tract 1 of the Grand Prairie Estates, an addition to the City of Sioux Falls, Lincoln County, South Dakota. Said Lot H1 contains 1.73 acres, more or less. Plat Book 3, Page 91.

Parcel 29 – Lots H1, H2 in the N1/2 SE1/4, except the East 525 feet of the North 275 feet thereof, and except the West 495 feet of the East 1020 feet of the North 395 feet of the NE1/4 SE1/4, and except the West 185 feet of the East 525 feet of the South 120 feet of the North 395 feet of the NE1/4 SE1/4, all in Section 14, Township 100 North, Range 50 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H1 contains 10.85 acres, more or less. Said Lot H2 contains 0.04 acre, more or less. Plat Book 3, Page 60.

Parcel 50 – Lot H2 in the N1/2 SE1/4, except Tract 1 Dalco Addition of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H2 contains 8.33 acres, more or less. Plat Book 12, Page 178.

Parcel 53 – Lots H2 and H3 in the Government Lot 1 in the NE1/4 of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H2 contains 11.63 acres, more or less. Said Lot H3 contains 0.14 acre, more or less. Plat Book 3, Page 68.

Parcel 53X – Lot A in Government Lot 1 in the NE1/4 of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot A contains 0.66 acre, more or less. Plat Book 3, Page 69.

Parcel 53XX – Lot B in Government Lot 1 in the NE1/4 and a portion of Lot H1 of Government Lot 1 of Section 8, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot B contains 0.53 acre, more or less. Plat Book 3, Page 70.

Parcel 58 – Lot H2 in Government Lot 4 of Section 9, Township 100 North, Range 49 West of the 5th P.M., Lincoln County, South Dakota. Said Lot H2 contains 0.23 acre, more or less. Plat Book 6, Page 5.

This resolution will transfer a portion of South Veterans Parkway as set forth in the Joint Powers Agreement #615068 between the City of Sioux Falls and Department of Transportation. The highway right of way described above 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 above-described right-of-way. Sioux Falls Area DOT recommends the transfer.

A MOTION WAS MADE by Roby and seconded by Zander to authorize the Secretary of the Department or his designee to execute all documents necessary to transfer a portion of South Veterans Parkway to the City of Sioux Falls. All present voted aye by voice vote. The motion carried.

RESOLUTION #2021 – 9.2 was adopted.

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

All of Chicago, Milwaukee, St. Paul and Pacific Railroad Company's 100 foot wide right of way, 50 feet of said width being on either side of said Railroad Company's main track centerline as formerly there laid, across the SW1/4 of Section 4, Township 116 North, Range 56 West of the 5th P.M., Clark County, South Dakota, less Lot E1.

Appraised Value: \$500

The above property contains 5.87 acres of an abandoned railroad right of way. Width is 100 feet and length is 2,500 feet. Rail line has been removed and location is approximately 4 1/2 miles west of Henry on the north side of US 212. Access from US 212 is hindered by wetlands and adjacent private ownership controls any other access. Huron Area DOT requests the property disposal.

A MOTION WAS MADE by Jensen and seconded by Roby to authorize the Secretary of the Department or his designee to execute all documents necessary for the sale of this property in Clark County. All present voted aye by voice vote. The motion carried.

3. Abandonment – Pennington County

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

Former Hwy 79 right of way located west of Tract E in the NE1/4SE1/4; Tract E in the SE1/4SE1/4, Tract E in the NE1/4NE1/4, and Tract E in the SE1/4NE1/4 and west of present Hwy 79 right of way line; all in Section 19, Township 2 South, Range 8 East of the B.H.M., Pennington County, South Dakota, containing 3.83 acres, more or less.

This abandonment, approved at the July 29, 2021 Transportation Commission meeting, requires a legal description modification before the Pennington County Register of Deeds will record the resolution of abandonment.

A MOTION WAS MADE by Vehle and seconded by Karim to authorize the Secretary of the Department or his designee to execute all documents necessary for the abandonment of the property in Pennington County. All present voted aye by voice vote. The motion carried.

RESOLUTION #2021 – 9.3 was adopted.

4. Abandonment – Roberts County

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

Lot AB1 in a portion of Lot H1, Lot H4 and Lot H5 in Gov't Lot 2 of Section 13, Township 125 North, Range 50 West of the 5th P.M., Roberts County, South Dakota.

Said Lot AB1 contains 2.15 acres, more or less.

Lot AB1 is located on the east side of Hwy 10 along the far southern end of Lake Traverse near the Minnesota state line. The property is no longer needed for highway purposes and abandonment is recommended by DOT Watertown Area.

A MOTION WAS MADE by Rosenboom and seconded by Roby to authorize the Secretary of the Department or his designee to execute all documents necessary for the abandonment of this property in Roberts County. All present voted aye by voice vote. The motion carried.

RESOLUTION #2021 – 9.4 was adopted.

5. Condemnation – Project IM 0293(106)76 and P 1400(16), PCN 03RA and 05NF, Minnehaha County. The proposed project also includes: P 8050(81), Minnehaha County, PCN 06XY, Shirley Ave - From 41st St to W Shirley Place in Sioux Falls, Urban Reconstruction, and; P 1423(07), Minnehaha County, PCN 06Y0, Marion Road - From 39th St to 43rd St in Sioux Falls, Urban Construction

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:

Parcels 38 and 38A – MBK Properties, LLC, a limited liability company; mortgage holder – Community First National Bank

To date, the Department of Transportation has been unable to acquire the real property interests through negotiations for the project IM 0293(106)76 and P 1400(16), PCN 03RA and 05NF, Minnehaha County, Modify Interchange, Bent Strengthening, and; 41st Street in Sioux Falls - From W of Marion Road to Shirley Ave., Grading, Signals, Curb & Gutter, Sidewalk, PCC Surfacing, Storm Sewer, ADA, Lighting, Pavement Markings, ROW.

A MOTION WAS MADE by Vehle and seconded by Karim to authorize the Secretary of the Department or his designee to execute all documents necessary for the condemnation of this property in Minnehaha County. All present voted aye by voice vote. The motion carried.

RESOLUTION #2021 – 9.5 was adopted.

Mark Leiferman, Program Manager for the Office of Project Development, presented the request for approval of the amendments to the Public Transit program within the Statewide Transportation Improvement Plan (STIP).

Jack Dokken, Program Manager for the Office of Air, Rail, and Transit answered questions by the Commission and explained that the amendments are informational amendments requested by the Federal Transit Administration (FTA) to add more detail and are not program changes.

A MOTION WAS MADE by Rosenboom and seconded by Karim to approve the amendments to the Public Transit program in the STIP. All present voted aye by voice vote. The motion carried.

Secretary Jundt presented to the Commission the informational item about the Meridian Bridge in Yankton. Dave Mingo from the City of Yankton addressed the Commission to talk about the steps taken by the City of Yankton to prolong the life of the bridge.

Nelson opened the floor to public input.

Frank Kloucek addressed the Commission about the additional signatures on a petition opposing the department's proposed lane configuration for the reconstruction of South Dakota Highway 50 in Wagner.

With no other business to come before the Commission, Nelson recessed the meeting at 3:54 p.m. CDT and indicated the meeting would reconvene at 8:00 a.m. on September 22, 2021.

Wednesday, September 22, 2021 at 8:00 a.m. CDT
Yankton SDDOT Area Office – 1306 31st Street, Yankton South Dakota

COMMISSIONERS PRESENT: Larry Nelson, Chairman
Ron Rosenboom
Mike Vehle
Jaf Karim
Lynn Jensen
Kathy Zander
Don Roby

DOT STAFF PRESENT: Craig Smith, Mark Leiferman, Travis Dressen, Rod Gall, and Taylor Brusven

Chairman Nelson called the meeting of the Transportation Commission (the “Commission”) to order at 8:00 a.m. CDT. A quorum was determined.

The Commission members departed on an informational tour of projects in the Yankton area at 8:01 a.m. Craig Smith led the tour of the following projects:

- South Dakota Highway 52 project in Tabor
- South Dakota Highway 46 projects near Irene and Centerville
- Bridge Improvement Grant (BIG) Project near Viborg
- South Dakota Highway 50 project near Vermillion
- Meridian Bridge

No action was taken by the Commission on this informational tour.

With no other business to come before the Commission, Nelson adjourned the meeting at 12:34 p.m.