

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on August 18, 2016. The meeting was convened at 8:30 a.m. by Chairman Dooley. The following members were present constituting a quorum:

K. John Dooley, Chairman, Laramie
Clair Anderson, Commissioner, Riverton
Bruce McCormack, Commissioner, Cody
Bob Ruwart, Commissioner, Wheatland
Mike Larson, Commissioner, Lusk
Rick Newton, Commissioner, Buffalo
Bill Panos, Director
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were Gregg Fredrick, Chief Engineer; Dennis Byrne, Chief Financial Officer; Keith Fulton, Assistant Chief Engineer of Engineering & Planning; Taylor Rossetti, Support Services Administrator; Colonel Kebin Haller, Highway Patrol Administrator; Christy Yaffa, Interim Aeronautics Administrator; Mike Kahler, Senior Assistant Attorney General; Sam Voyles, Senior Assistant Attorney General; Rodney Freier, Budget Officer; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Others present: Ms. Patty Smith (Owner), Ed Routon (General Manager), and Jim Hess (Compliance Administrator), Bar-S Services, Inc., of Cheyenne; Captain Scot Montgomery, Commercial Carrier Section, WHP; Jonothan Coppom, Assistant Attorney General, State of Wyoming; Kevin Lebeda, WYDOT Lands Management Administrator; and Ken De Jersey, WYDOT Right-of-way Program.

Vice Chairman Todd Seeton was absent.

1. Pledge of Allegiance: Chairman Dooley led the attendees in the Pledge of Allegiance.
2. Changes/Additions to the Agenda: Mr. Fulton recommended adding the Transportation Alternatives Program (TAP) Advisory Committee member approval to the agenda. The TAP Advisory Committee would like to add three members, and this action requires Transportation Commission approval.

It was recommended by Secretary Scott, moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to add the TAP Advisory Committee member approval to the agenda under the Engineering and Planning report.

3. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to approve the minutes from the July 21, 2016, teleconference business meeting.

4. Correspondence: Secretary Scott presented a July 20, 2016, letter from Bar-S Services, Inc., wherein they requested an informal hearing before the Commission to contest the Wyoming Highway Patrol's suspension of its Class C self-issuing permit privileges for 90 days.

Secretary Scott presented another letter from Patricia M. Smith, the Owner of Bar-S Services, Inc., waiving their right to a formal hearing, in accordance with General Section, Chapter 3, Appeals and Hearings, Section 20, Informal Hearings, of the Wyoming Department of Transportation Rules and Regulations.

5. Bar-S Services, Inc., Informal Hearing: Colonel Haller explained that companies acquire Class C self-issuing permit privileges through the WHP Overweight Load Movements office. Company representatives receive training from the WHP about their specific use in accordance with the WYDOT rules and regulations. The company must have a satisfactory safety rating to be authorized to self-issue permits, the carrier has to have been in business for at least one year, and it must possess a U.S. Department of Transportation carrier number. It is the responsibility of the company to ensure that all company personnel utilizing the self-issuing permits follow the rules of the program.

As noted on all self-issuing permits, all self-issue permit loads are required to stop at the first available port-of-entry (POE), not to exceed five miles from the declared route, if directed by a regulatory sign. Failure to stop at the POE is cause for suspension or cancellation of the company's self-issuing permit privileges. A first violation results in a verbal warning. A second violation results in a notification via a letter to the company outlining the violation and the expected corrective action. A third violation results in the suspension or revocation of the company's self-issuing privileges for 90 days. During the suspension, the WHP will review the company's self-issuing permit history to determine whether additional training is necessary before reinstatement.

Upon completion of the 90-day suspension, the company must make a written request for reinstatement of its self-issuing permit privileges. If a company receives three more violations, a 180-day suspension will be issued. Any violations for a three-year period after the second suspension and reinstatement will result in a revocation of self-issuing permit privileges. Violations deemed malicious or intentional will be reviewed by the WHP on a case-by-case basis.

On July 14, 2016, Bar-S Services, Inc., was notified of the 90 day suspension of self-issuing permit privileges. The letter describing three specific violations was provided to the Commission, along with support documentation.

On December 22, 2015, Bar-S Services was issued a verbal warning regarding Permit Number 1487702, which indicated axles 2-3 exceeded the maximum allowable weight by 5,000 pounds. The WHP issued a verbal warning for this violation, and several other infringements were also noted in the warning.

On January 14, 2016, Bar-S Services was issued a second verbal warning regarding Permit Numbers 1493381, 1487749, and 1487750, indicating that loads that had traveled within five

miles of the Laramie POE without stopping to weigh in and for inspection. Other concerns were also noted on this warning.

On May 9, 2016, Bar-S Services was issued a written warning regarding Permit Number 1496838, indicating axles 3-5 were exceeding the maximum allowable weight by 5,000 pounds. Additional concerns were also noted on this written citation.

On July 8, 2016, the WHP Overweight Load Movements personnel received Permit Number 1496847, which was issued by Bar-S on June 16, 2016, well beyond the required 48-hour submission period. When the untimely permit was received, it was noted that the load had exceeded legal weights by about 4,100 pounds, and the permit was lacking complete information, including no license plate number and no recorded route of travel for the load.

Many other concerns were cited in the suspension letter regarding Bar-S's administration of the self-issuing permits, which could potentially create some safety issues. The suspension requires that Bar-S relinquish all self-issuing permits back to the WHP, and overweight/oversize loads must now travel to the appropriate ports-of-entry to operate on Wyoming highways.

Ms. Patty Smith, Owner of Bar-S Services introduced herself, the nature of their business, and her role in the company, and she introduced Messrs. Ed Routon, General Manager; and Jim Hess, Compliance Administrator, for Bar-S.

Mr. Routon testified that he attended to address their concerns, "that Captain Montgomery and the Highway Patrol may be outside their statutory authority in issuing punitive punishments concerning Class C self-issuing permits." Mr. Routon went on to explain that in December 2015, Captain Montgomery shut down Bar-S's heavy haul operations with a letter from the WHP. With evidence provided through their attorney to Governor Mead's office, Mr. Routon alleged that former WHP Colonel John Butler was forced to reverse that suspension. In August, another suspension was issued by the Highway Patrol suspending the Class C permitting privileges because the WHP allegedly misinterpreted federal safety data. After confronting Colonel Butler about the citation and explaining their interpretation of the data, that suspension was deemed premature, and it was overturned. Colonel Butler, Patty Smith, and Ed Routon met soon thereafter to address Bar-S's concerns that through the letters and related documents issued by Captain Montgomery, alleging he was exercising unprecedented powers to administer punishment.

On July 14, 2016, Jim Hess was summoned to Captain Montgomery's office and was issued the 90-day suspension letter for issuing Class C self-issuing permits. On Friday, August 12, 2016, Bar-S applied for a Class D annual permit for crane operation, and the request was disapproved. According to Mr. Routon, the crane clearly qualifies for the Class D annual permit under Chapter 5 of WYDOT rules and regulations.

Wyoming statutes dictate how and by whom state rules, policies, and procedures are to be promulgated. Wyoming Statute § 31-18-804(j) states, "The director may promulgate rules and regulations as to the terms and conditions of the permits issued under this article." According to Mr. Routon, several other statutes under Title 16 mandate the process for the legal publication and implementation of rules, policies, and procedures. Mr. Routon advised that Bar-S contends

that Captain Montgomery is enforcing rules or procedures that have failed to follow statutory mandates. Mr. Routon went on to say that Wyoming Statute § 16-3-102(b) states, “No agency rule, order or decision is valid or effective against any person or party, nor may it be invoked by the agency for any purpose, until it has been filed with the registrar of rules and made available for public inspection as required by this act.”

In December 2013, Governor Mead signed the Motor Carrier Section Chapter 5 of WYDOT Rules and Regulations. According to Mr. Routon, additions have been made to Chapter 5 by the WHP since then that have not been filed with the Wyoming Secretary of State’s office, the statutory registrar of the rules and regulations. Because of these allegations, Mr. Routon asked the Commission to remove the 90-day suspension, and that the Commission order an immediate review for statutory compliance of all rules and regulations, and policies and procedures, written, adopted, and enforced by the WHP, and that the results made known by the general public.

Director Panos reiterated the requests made by Mr. Routon on behalf of Bar-S Services. They are: 1) To remove the 90-day suspension of Bar-S’s ability to issue Class C self-issuing permits; and 2) to begin the process to review the validity of the rules associated with the suspension, because they feel like the rules have not been through the proper process. Mr. Routon agreed that these statements were accurate.

Mr. Kahler asked Mr. Routon if there are specific portions of the rules that he believes are invalid. Mr. Routon referenced the handouts that he provided to the Commission earlier that morning, and delineated the January 1, 2014, letter to all self-issuing permit holders, which is signed by Captain Montgomery. The letter outlines and explains the standards the WHP expects from carriers utilizing the self-issuing permit program. It also stated that because oversize/overweight loads are getting bigger and they’re having a greater impact on Wyoming highways, the WHP was updating its rules and regulations (Gold Book) regarding oversize and overweight vehicles in Wyoming. The memo also addressed the need to update the self-issuing permit program, with a new form and directions on completing the forms. Specifically, the letter states, “Subsection 15 of the ‘Gold Book’ refers to several instances which may lead to the suspension of a company’s self issuing privilege. However, there is no defined process for such a suspension. The letter goes on to “outline the steps to be taken in the event a company violates these rules that will lead up to their suspension from the program.” The letter further explains the changes that were made to the Gold Book pertaining to violations and permit errors, and the new requirements for participation in the program. Mr. Routon alleged that none of these changes went through the formal rules process and they are not registered with the Secretary of State’s office.

It was moved by Commissioner Larson, seconded by Commissioner McCormack, and carried to move into executive session to discuss a legal matter. The Commission went into executive session at 8:58 am, on Thursday, August 18, 2016.

Mss. Smith and Yaffa, and Messrs. Routon, Hess, Byrne, Fredrick, Fulton, Rossetti, Dailey, Freier, McGee, Lebeda, and De Jersey left the meeting.

It was recommended by Colonel Haller, moved by Commissioner Newton, seconded by Commissioner Larson, and carried to move out of executive session. The Commission came out of executive session at 9:25 a.m., on Thursday, August 18, 2016.

Mrs. Smith and Yaffa, and Messrs. Routon, Hess, Byrne, Fredrick, Fulton, Rossetti, Dailey, Freier, McGee, Lebeda, and De Jersey re-entered the meeting.

Chairman Dooley advised that the Commission needed more time to review and investigate the allegations set forth by Bar-S Services in today's testimony. The Commission has asked Messrs. Kahler and Voyles to review the rules and regulations, and the policies and procedures, for compliance with the statutory formal rules process.

Mr. Kahler explained that, in accordance with the informal hearing process, the WHP and Bar-S have had their opportunity to provide information to the Commission about the matter. Mr. Kahler asked that the WHP and Bar-S now provide him with a proposed analysis of how each party would like the Commission to rule in the case. The deadline for the analysis will be two weeks. The Commission will then consider the matter and vote at the next Commission business meeting on September 15, 2016.

Colonel Haller provided one more document, a copy of the "Policies and Procedures Concerning self-Issuing Permits and Payments" training acknowledgment, that was signed by Mr. Jim Hess on January 8, 2016. Mr. Routon stated that Mr. Hess signed the document before they became aware that the rules and regulations, and the policies and procedures, may not have gone through the statutory formal rules process.

Ms. Smith, Messrs. Routon and Hess, and Captain Montgomery left the meeting.

4. Director Panos presented the Director's report.

Jackson Area Coordinating Committee: Executive staff has been working closely with District 3 staff to accomplish a number of critical Jackson area projects. These projects are unique because of the geology and weather in the Jackson Hole area, and because of the community's desire to be actively engaged in those projects. The Department is investigating a new strategy for handling project delivery in the area, not to get in the way, supersede, or to supplant the current project management through the normal federal and local processes, but to have a means of collecting information and funneling it through one source.

The Jackson Area Coordinating Committee will be made up of locals from the Jackson area and WYDOT personnel. The committee will be engaged in moving the project along for safety and efficiency reasons, and to ensure that projects are successfully completed in a transparent and timely manner.

Proposed Project at the Entrance to Devils Tower: In recent years, some concerns have escalated about traveler and pedestrian safety at the entrance to Devils Tower. At the entrance lie federal and state lands, a commercial area outside the Devils Tower boundary, a booth, and a state highway that feeds into the park. In the summer months, traffic lines up along WYO 24 as travelers wait to enter the park, causing safety concerns on the highway.

WYDOT is working with the National Park Service to gain a complete understanding of the concerns, and to work through some of the safety concerns.

5. Mr. Byrne presented the Chief Financial Officer's report.

Mr. Freier presented the following budget information.

Abandoned Mine Lands (AML) Funds: During the 2016 session, the Wyoming State Legislature approved \$164 million in AML funds for WYDOT's use on projects. The legislature also approved \$82 million in annual borrowing authority for use with the AML funds to assist with the Department's cash flow while waiting for reimbursement from the federal government for its AML expenditures.

A promissory note has been executed through the Wyoming State Treasurer to implement the borrowing authority. WYDOT is required to pay back the borrowed funds, interest free, by June 30, 2017. Mr. Freier anticipates the Department will begin making payments on the borrowed funds in January while it concurrently bills the Department of Environmental Quality for the AML funds.

Monthly Budget Report: The July 2016 budget report showed that the Commission and Legislative budgets are 79 percent expended, which is within budget tolerances.

6. Mr. Byrne presented the equipment and supplies bids.

It was recommended by Mr. Byrne, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried to approve, by consent, the following bids:

- Bid number 16-238 to furnish fuel tank monitoring systems at Pole Creek, Burgess Junction, Hulett, Reno Junction, and Moorcroft. The bid was awarded to Eaton Sales & Service, of Casper, Wyoming, for the sum of \$74,266.30.
- Bid number 16-242 to furnish one each, Model 333SD traffic control cabinet, and six each Model 332 traffic control cabinets, for delivery in Cheyenne. The bid was awarded to Traffic Signal Controls, of Longmont, Colorado, for the sum of \$50,990.00.

It was recommended by Mr. Byrne, moved by Commissioner Newton, seconded by Commissioner McCormack, and carried to approve purchase for bid number 16-240 to furnish 235,500 pounds of hot-poured elastic sealant, for delivery at Laramie, Cheyenne, Medicine Bow, Moorcroft, Sundance, Wheatland, Casper, Douglas, and Farson. The bid was awarded to Crafcro, Inc., of Chandler, Arizona, for the sum of \$100,746.30.

It was recommended by Mr. Byrne, moved by Commissioner McCormack, seconded by Commissioner Newton, and carried to approve purchase for Requisition Number 0000043225 to furnish 96 each, energy-absorbing tapes, for use by the District 3 maintenance program. The contract was awarded to Impact Technologies, of Saint Thomas, Virgin Islands, for the sum of \$243,000.00.

PeopleSoft Agile Assets Contract Renewal: WYDOT currently utilizes Agile Assets as its infrastructure and asset management system, and Department staff is supplemented by Agile Assets personnel to provide consulting and business support services for system tracking and management through an on-site, full-time consultant. WYDOT's system administrator retired in July, and a replacement has been named. The contract renewal is needed to help train the new in-house administrator, and will provide supplemental contract services through September 30, 2017, at a cost of \$370,800.00. This item is included in the proposed FY 2017 budget.

It was recommended by Mr. Byrne, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to approve the Agile Assets contract renewal for the period through September 30, 2017, for the sum of \$370,800.00.

Chief Financial Officers' (CFO) Transition: Mr. Byrne assumed responsibility as the new WYDOT CFO on August 1, 2016. Since then, he has met with the program managers he will be working with regularly to learn about their programs.

One key component of Mr. Byrne's role as the new CFO will be revenue stabilization. Another primary task will be to develop a grants and contracts program within the Department. Plans are still underway, but a new position will be established to oversee grants and contracts administration within the next few weeks. The individual hired into that position will assist Mr. Byrne in determining the various types and degrees of contracts that WYDOT handles, and how they apply to the agency. The new program manager will ultimately help develop Department policy that will regulate grants and contracts consistently throughout WYDOT.

Mr. Byrne introduced Ms. Christy Yaffa, the interim Aeronautics Administrator, and he offered his complete confidence in handing off the Aeronautics Division to her until a new administrator is selected.

7. Mr. Fredrick presented the Chief Engineer's report.

District Maintenance Activities: Summer maintenance activities are ongoing, but maintenance crews have been extraordinarily busy assisting with several active fires statewide. Mr. Fredrick briefed the Commission about the various fires and noted that crews are assisting with traffic control, road closures, and setting portable message signs to ensure the safety of the traveling public.

WYDOT has given permission for fire crews to use rest areas and other state-owned property as staging areas for the firefighting efforts.

District Construction Activities: Mr. Fredrick recently met with Katie Legerski, the executive director for the Wyoming Contractors Association regarding current and future construction activities. WYDOT currently has over 50 highway construction projects underway statewide, and they are progressing well.

Mr. Fredrick and Ms. Legerski plan to visit a couple of job sites next week to gain some feedback from contractors first-hand about the construction and what WYDOT may be able to do differently to improve its project plans and specifications.

Mr. Fredrick also plans to meet with the contractor health and safety committee to review ways to improve safety and to promote speed compliance and awareness in project work zones.

District Traffic Activities: About 3,400 miles of secondary roads are now posted at 70 MPH. Some public meetings have been held, and the Department has received considerable feedback about a few roads where the public does not believe the 70 MPH speed limit is warranted or safe. Further evaluation is being conducted on those roads, and engineering data is being collected to determine whether the faster speed is safe. More public meetings will be scheduled as the implementation moves forward.

Assistant Chief Engineer for Operations Position: Mr. Fredrick advised that WYDOT has made a request for approval to fill the assistant chief engineer for operations position. If approved, the job will be advertised for two weeks, and it will be filled. The candidate must possess a Wyoming professional engineer's license.

Mr. Kahler left the meeting.

8. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held August 11, 2016, in Laramie.

COMMISSION DISTRICTS 1 and 3

Bob Ruwart - Commissioner

Todd Seeton - Vice Chairman

Federal project HSIP-B161026, involving installing move over signs and miscellaneous work at various locations in Transportation District 1, including Albany, Carbon, and Laramie counties. Completion date: October 31, 2017

Engineer's Estimate	\$ 90,144.00	
S & L Industrial, Cowley, WY	\$ 93,413.00	+3.6%
Advanced Electrical Contracting, Inc., Sheridan, WY	\$107,379.00	
Traffic Safety Service, Inc., Bismarck, ND	\$112,685.00	

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Newton, and carried that S & L Industrial, Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICTS 1, 2, 6, and 7

Bob Ruwart - Commissioner
K. John Dooley - Chairman
Mike Larson - Commissioner
Clair Anderson - Commissioner

Federal project HSIP-B162027, involving installing move over signs and miscellaneous work at various locations in Transportation District 2, including Carbon, Converse, Goshen, Natrona, Niobrara, and Platte counties. Completion date: October 31, 2017

Engineer's Estimate	\$ 86,312.00	
S & L Industrial, Cowley, WY	\$ 90,372.00	+4.7%
Advanced Electrical Contracting, Inc., Sheridan, WY	\$ 96,955.00	
Traffic Safety Service, Inc., Bismarck, ND	\$145,517.00	

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner Anderson, and carried that S & L Industrial, Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 2

K. John Dooley - Chairman

State project SCP-TC-1903025, involving grading, milling plant mix, placing pit run subbase, bituminous pavement surfacing, reclaimed asphalt pavement widening, and miscellaneous work on 11.80 miles on WYO 430, beginning at reference marker (RM) 16.20, between Rock Springs and Hiawatha, in Sweetwater County. Completion date: October 31, 2017

Engineer's Estimate	\$1,746,859.00	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$1,805,535.38	+3.4%
McGarvin-Moberly Construction Co. and subsidiary, Worland, WY	\$1,810,745.49	
Mountain Construction Company, Lovell, WY	\$1,898,436.53	
H-K Contractors, Inc., Idaho Falls, ID	\$1,877,777.00	
Plus 5% for Comparison	\$1,971,665.85	

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried that Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

COMMISSION DISTRICTS 2 and 3
K. John Dooley - Chairman
Todd Seeton - Vice Chairman

Federal project HSIP-B163028, involving installing move over signs and miscellaneous work at various locations in Transportation District 3, including Lincoln, Sweetwater, and Uinta counties. Completion date: October 31, 2017

Engineer's Estimate	\$110,848.00	
S & L Industrial, Cowley, WY	\$120,095.00	+8.3%
Cache Valley Electric Company and subsidiaries, Salt Lake City, UT	\$130,175.93	
Traffic Safety Service, Inc., Bismarck, ND	\$157,225.00	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Ruwart, and carried that S & L Industrial, Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 3
Todd Seeton - Vice Chairman

State projects SCP-TC-1202028 and SCP-TC-1202029 combined, involving grading, full depth reclamation, chip seal and chip seal (overshoot), and miscellaneous work on 17.73 miles on WYO 233, beginning at RM 1.95, between Kemmerer and Ham's Fork, in Lincoln County. Completion date: October 31, 2017

Engineer's Estimate	\$3,214,794.05	
Knife River Corporation - Northwest, Boise, ID	\$3,171,707.00	-1.3%
Plus 5% for Comparison	\$3,330,292.35	
Mountain Construction Company, Lovell, WY	\$3,355,300.61	
Intermountain Slurry Seal, Inc., Watsonville, CA	\$3,228,037.88	
Plus 5% for Comparison	\$3,389,439.77	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$3,673,664.03	
H-K Contractors, Inc., Idaho Falls, ID	\$3,699,077.00	
Plus 5% for Comparison	\$3,884,030.85	

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner Anderson, and carried that Knife River Corporation - Northwest, Boise, Idaho, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Federal projects NHPP-E-N132105 and SCP-TC-N132102 combined, involving grading, milling plant mix, placing crushed base and bituminous pavement surfacing, reclaimed asphalt pavement, widening, bridge deck repair, and miscellaneous work on 9.78 miles on US 191, at various locations between Rock Springs and Pinedale, in Sublette County. Completion date: October 31, 2017

Engineer's Estimate	\$2,070,400.50	
H-K Contractors, Inc., Idaho Falls, ID	\$1,827,777.00	-11.7%
McGarvin-Moberly Construction Co. and subsidiary, Worland, WY	\$1,963,444.24	
DePatco, Inc., St. Anthony, ID	\$2,087,888.88	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$2,146,627.85	
Mountain Construction Company, Lovell, WY	\$2,185,805.49	

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried that H-K Contractors, Inc., Idaho Falls, Idaho, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. Sublette County concurred with the bike path portion of the project. The Federal Highway Administration concurred with this decision.

State project SCP-TC-P111012, involving grading, milling plant mix, bituminous pavement surfacing, reclaimed asphalt pavement widening, bridge deck repair, and miscellaneous work on 5.63 miles on US 189, beginning at RM 18.42, between Lazear Junction and Kemmerer, in Lincoln and Uinta counties. Completion date: October 31, 2017

Engineer's Estimate	\$1,685,113.50	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$1,718,250.85	+2.0%
McGarvin-Moberly Construction Co. and subsidiary, Worland, WY	\$1,763,457.43	
H-K Contractors, Inc., Idaho Falls, ID	\$1,679,977.00	
Plus 5% for Comparison	\$1,763,975.85	
Mountain Construction Company, Lovell, WY	\$1,834,033.64	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Anderson, and carried that Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

Federal project BROS-0C22031, involving grading, placing crushed base and bituminous pavement surfacing, structure replacement, and miscellaneous work on 0.078 mile on County Road 33, at the Hoback River Bridge, in Teton County. Completion date: October 31, 2017

Engineer's Estimate	\$1,351,409.00	
Cannon Builders, Inc., Blackfoot, ID	\$1,335,051.50	-1.2%
Knife River Corporation - Northwest, Boise, ID	\$1,616,236.00	
Reiman Corp., Cheyenne, WY	\$2,322,410.50	

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Newton, and carried that Cannon Builders, Inc., Blackfoot, Idaho, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. Teton County concurs with awarding the project. The Federal Highway Administration also concurred with this decision.

Federal project HSIP-2000057, involving electrical systems and miscellaneous work on WYO 22 and WYO 390, at RM 4.06, between Jackson and Wilson, in Teton County. Completion date: December 15, 2016

Engineer's Estimate	\$122,270.00	
Casper Electric, Inc., Casper, WY	\$ 99,051.30	-19.0%
Cache Valley Electric Company and subsidiaries, Salt Lake City, UT	\$115,981.45	
Advanced Electrical Contracting, Inc., Sheridan, WY	\$127,115.00	
Modern Electric Co. and its subsidiary, Casper, WY	\$164,998.00	

It was recommended by Mr. Fulton, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried that Casper Electric, Inc., Casper, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICT 7
Clair Anderson - Commissioner

Federal project AML16-B172022, involving grading, draining, milling plant mix and concrete, placing crushed base and bituminous pavement surfacing, and miscellaneous work at various locations on 12.30 miles of WYO 59, beginning at RM 7.10, just north of Douglas, in Converse County. Completion date: October 31, 2017

Engineer's Estimate	\$6,917,177.50	
Concrete Foundations, Inc., Douglas, WY	\$6,252,821.10	-9.6%
McGarvin-Moberly Construction Co. and subsidiary, Worland, WY	\$6,625,827.63	
Hedquist Construction, Inc., Mills, WY	\$6,853,464.00	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$6,998,559.07	
Border States Paving, Inc., Fargo, ND	\$7,280,567.75	
Knife River, Cheyenne, WY	\$7,592,785.15	
Nelcon, Inc., Kalispell, MT	\$8,015,164.00	
Riverside Contracting, Inc., Missoula, MT	\$8,820,796.75	

It was recommended by Mr. Fulton, moved by Commissioner Anderson, seconded by Commissioner Newton, and carried that Concrete Foundations, Inc., Douglas, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder.

9. It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, and carried to approve the following project authorizations:

COMMISSION DISTRICT 1
Rural Major Collector

STP-BR 0.00 1104015; Laramie County; Pine Bluffs to Albin, North Section, WYO 215; RM 0.00; bridge replacement; FY 2020; request federal preliminary engineering funds of \$143,832; estimated construction engineering and construction cost is \$1,904,754

COMMISSION DISTRICT 2

Rural Major Collector

STP-GM 0.00 B181006; Carbon County; Highway District 1, WYO 70; various locations; replace cattle guards; FY 2018; request federal preliminary engineering funds of \$5,687; estimated construction engineering and construction cost is \$200,000

STP 0.00 0105014; Albany County; McFadden to Rock River, Albany County; RM 0.00 to 8.04; overlay; FY 2021; request federal preliminary engineering funds of \$135,330; estimated construction engineering and construction cost is \$3,763,563

COMMISSION DISTRICT 3

Local

ARSCT 0.00 PEG3A15; Uinta County; City of Evanston; purchase sand and salt mix; FY 2016; request preliminary engineering funds of \$500; request construction engineering and construction funds of \$54,500; to be reimbursed by the City of Evanston

ARSCT 0.00 PEG3A16; Sweetwater County; Town of Wamsutter; purchase sand and salt mix; FY 2016; request preliminary engineering funds of \$100; request construction engineering and construction funds of \$2,300; to be reimbursed by the Town of Wamsutter

COMMISSION DISTRICT 4

Rural Major Collector

STP-BR 88.02 0302089; Campbell County; Buffalo to Gillette, Wildcat Creek; RM 88.02; replace bridge; FY 2020; request federal preliminary engineering funds of \$151,024; estimated construction engineering and construction cost is \$2,000,000

STP-BR 96.14 0302090; Campbell County; Buffalo to Gillette, Rawhide Creek; RM 96.14; replace bridge; FY 2021; request federal preliminary engineering funds of \$251,706; estimated construction engineering and construction cost is \$3,500,000

Urban Principal Arterial

HSIP 0.00 N433044; Campbell County; Gillette Streets, various locations; signal replacement; FY 2019; request federal preliminary engineering funds of \$100,000; estimated construction engineering and construction cost is \$1,100,000

COMMISSION DISTRICT 5

Rural Principal Arterial

NHPP 128.32 N343044; Hot Springs County; Thermopolis Streets; RM 128.32 to 133.40; FY 2020; request federal preliminary engineering funds of \$100,000; estimated construction engineering and construction cost is \$2,674,047

Rural Major Collector

STP 4.40 2202021; Washakie County; Worland, South Flat Road; RM 4.40 to 4.90; structure replacement; FY 2021; request federal preliminary engineering funds of \$10,000; estimated construction engineering and construction cost is \$500,000

DR 71.05 DR51754; Big Horn County; Lovell to Burgess Junction; RM 71.05; concrete median barrier; FY 2017; request preliminary engineering funds of \$6,000; estimated construction engineering and construction cost is \$152,000

COMMISSION DISTRICT 7

Rural Principal Arterial

NHPP 79.11 N202069; Fremont County; Muddy Gap to Lander, Lander South; RM 79.11 to 80.16; surfacing and turn lane; FY 2019; request federal preliminary engineering funds of \$50,000; estimated construction engineering and construction cost is \$1,095,040

Urban Principal Arterial

NHPP 115.96 N212121; Natrona County; Casper Streets, Poplar Avenue and 1st Street; RM 115.96 to 116.60; intersection reconstruction and bridge widening; FY 2021; request federal preliminary engineering funds of \$1,129,082; estimated construction engineering and construction cost is \$15,700,000

NHPP 184.06 0505019; Natrona County; Casper Streets, Hat Six Road; RM 184.06; traffic signal; FY 2019; request federal preliminary engineering funds of \$25,000; estimated construction engineering and construction cost is \$275,000

COMMISSION DISTRICT M (Miscellaneous)

Various

NHPP-BR 0.00 B191004; Highway District 1, various locations; bridge rehabilitation; FY 2019; request federal preliminary engineering funds of \$54,597; estimated construction engineering and construction cost is \$1,920,000

10. Project 0231004-01, Shop Site/Huron Street Land Relinquishment, Albany County: Mr. Fulton explained that the following resolution, if approved, relinquishes 5.57 acres of state property to the City of Laramie. Additionally, WYDOT plans to swap about 9.58 acres along Huron Street for another 9.58 acre parcel that is adjacent to the WYDOT Shop property in Laramie. Mr. Fulton noted that only the 5.57 acre relinquishment requires Transportation Commission concurrence.

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to approve the following resolution.

RESOLUTION FOR RELINQUISHMENT

WHEREAS, under the provisions and authority of W.S. 24-3-126, the Transportation Commission of Wyoming may abandon or relinquish any portion of a state highway upon reconstruction or relocation of an existing state highway; and

WHEREAS, a portion of Wyoming Department of Transportation's right-of-way for Shop Site/Huron Street Land Relinquish, Huron Street, Albany County, Wyoming, established under Wyoming State Highway Federal Aid Project No. 0231004-01 is no longer needed for state highway or public use purposes. Said portion being described as follows:

A parcel of land being a portion of the exception as described in Document 2005-4548, as recorded at the Albany County Clerk Office, Laramie, Wyoming located in the South ½ of Section 9, T15N, R73W, of the 6th P.M., Albany County, Wyoming;

Beginning at the S¼ corner of said Section 9, being a 18" x 17" x 16" stone found, thence along the south line of said Section 9, S88° 23' 07" E a distance of 1716.59 feet to the southeast corner of said exception, said point being monumented by a 1½" aluminum cap;

thence along the east line of said exception, also being the southwesterly right of way of the Union Pacific Railroad, N35° 35' 45" W a distance of 180.97 feet to a set #5 rebar and 2" aluminum cap stamped #PE/LS 9329 (hereafter referred to as a set cap);

thence S49° 36' 45" W a distance of 125.72 feet to a set cap;

thence N88° 23' 07" W a distance of 1,425.03 feet to a set cap;

thence N78° 05' 56" W a distance of 224.01 feet to a set cap;

thence N88° 23' 06" W a distance of 1,214.78 feet to a point on the east right-of-way of U.S. Highway 287, being a point on a non-tangent curve concave westerly, having a radius of 5,904.58 feet and a line tangent to said curve bears S06° 40' 35" W being a set cap;

thence southerly along said curve through a central angle of 00° 58' 30", arc length of 100.47 feet, (chord bearing S07° 09' 50" W 100.47 feet) to a point on the south line of Section 9, being a highway monument;

thence S88° 23' 06" E along said line, a distance of 1,356.21 feet to the point of beginning.

Said parcel of land contains 5.57 acres, more or less.

NOW, THEREFORE, BE IT RESOLVED, the Transportation Commission of Wyoming hereby relinquishes the above-described land to the City of Laramie as provided for under provisions and authority of W.S. 24-3-126.

11. Land Sale - Various Parcels, U.S. Highway 14 Alternate, State Highway 114, Cody to Powell, Park County: Mr. Fulton proposed that the following land parcels be sold, as the project is complete and the property is no longer needed.

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner McCormack, and carried to allow the Department to sell the following land parcels.

Parcel 13-000117

All that portion of those certain tracts of land as described in Document Nos. 2003-4382, 2004-3657, and 2002-2333 of the Park County records, and being a part of Lots 2, 3, and 4 of the

Heart Mountain Estates No. 2 Subdivision, said subdivision being located in Section 1, T53N, R101W of the 6th P.M., Park County, Wyoming;

All of Lots 2, 3, and 4 of the Heart Mountain Estates No. 2 Subdivision, Park County, Wyoming.

LESS AND EXCEPTING all that portion of the existing right-of-way of U.S. Highway 14 Alternate between the westerly boundary of said Heart Mountain Estates No. 2 Subdivision and a parallel line 75 feet to the right or easterly side of the following described survey line of U.S. Highway 14 Alternate; said lines begin on the southerly boundary of said tract of land as described in said document 2003-4382 and ends on the northerly boundary of said tract of land as described in said document 2004-3657:

Commencing at a point on said survey line of U.S. Highway 14 Alternate from which the northeast corner of Lot 19 of Section 12 resurvey, T53N, R101W bears N89°37'35"W a distance of 355.29 feet, said corner being monumented with an iron pipe, and from which the northeast corner of the N½NW¼NE¼, Section 12 resurvey, T53N, R101W, bears S89°37'35"E a distance of 1,296.75 feet, said corner being monumented with a rebar and cap;

thence N10°57'00.2"E a distance of 1,612.29 feet to the TRUE POINT OF BEGINNING:
thence with a parallel line 75.00 feet to the right or easterly side, continuing N10°57'00.2"E a distance of 380.29 feet;

thence continuing with said parallel line 75.00 feet to the right or easterly side N10°37'35.3"E a distance of 190 feet, more or less, until said parallel line intersects the northerly boundary of said tract of land as described in said Document No. 2004-3657.

The above conveyed parcel of land contains 1.86 acres, more or less.

RESERVING unto Heart Mountain Irrigation District the right to lay out, construct, inspect, operate and maintain irrigation facilities, and the right to dispense irrigation waters for the benefit of the public, over, across and upon the following described lands:

All that portion of those certain tracts of land as described in Document Nos. 2003-4382, 2004-3657, and 2002-2333 of the Park County records, and also formerly being a part of Lots 2, 3, and 4 of the Heart Mountain Estates No. 2 Subdivision, Park County, Wyoming, lying between parallel lines 75.00 feet and 100.00 feet to the right or easterly side when measured at right angles to the following described survey line of U.S. Highway 14 Alternate; said parallel lines begin on the southerly boundary of said tract of land as described in Document No. 2003-4382 of the Park County records and ends on the northerly boundary of said tract of land as described in Document No. 2004-3657 of the Park County records.

Commencing at a point on said survey line of said U.S. Highway 14 Alternate from which the northeast corner of Lot 19 of Section 12 resurvey, T53N, R101W, bears N89°37'35"W a distance of 355.29 feet, said corner being monumented with an iron pipe, and from which the northeast corner of the N½NW¼NE¼, Section 12 resurvey, T53N, R101W, bears S89°37'35"E a distance of 1,296.75 feet, said corner being monumented with a rebar and cap;

thence N10°57'00.2"E a distance of 1,612.29 feet to the TRUE POINT OF BEGINNING:
thence with said parallel lines 75.00 feet and 100.00 feet to the right or easterly side as the left and right boundaries of this parcel, continuing N10°57'00.2"E a distance of 380.29 feet;

thence continuing with said parallel lines 75.00 feet and 100 feet to the right or easterly side N10°37'35.3"E a distance of 190 feet, more or less, until said parallel lines intersect the northerly boundary of said tract of land as described in document 2004-3657 of the Park County records.

The above described parcel of land contains 0.32 of an acre, more or less.

Parcel 13-000118

All that portion of Tract 8 in Lot 43, T54N, R100W, of the 6th P.M., Park County, Wyoming, as described in Document No.1999-1996 of the Park County records and more particularly described as follows:

Commencing at the southwest corner of said Tract 8;
thence S89°46'42.3"E along the south boundary of said Tract 8, a distance of 206.14 feet, to a point where the south boundary of said Tract 8 intersects the southeasterly right-of-way boundary of U.S. Highway 14 Alternate and the TRUE POINT OF BEGINNING:
thence continuing S89°46'42.3"E along said south boundary a distance of 463.87 feet;
thence N00°09'26.5"E along a line parallel to the east boundary of said Tract 8, a distance of 454.00 feet;
thence N89°46'42.3"W along a line parallel to the south boundary of said Tract 8, a distance of 122.89 feet to a point on said southeasterly right-of-way boundary;
thence S37°05'20.8"W along said southeasterly right-of-way boundary a distance of 567.48 feet, to the point of beginning.

The above described parcel of land contains 3.06 acres (133,194 square feet), more or less.

The basis of bearing is the south boundary of said Tract 8, it being S89°46'42.3"E.

RESERVING unto THE HEART MOUNTAIN IRRIGATION DISTRICT, its assigns or successors, the right to lay out, construct, inspect, operate and maintain irrigation facilities, and the right to dispense irrigation waters for the benefit of the public, being over, across, and upon the following described lands:

All that portion of Tract 8 in Lot 43, T54N, R100W, of the 6th P.M., Park County, Wyoming, as described in Document No.1999-1996 of the Park County records and more particularly described as follows:

Commencing at the southwest corner of said Tract 8;
thence S89°46'42.3"E along the south boundary of said Tract 8, a distance of 206.14 feet, to the TRUE POINT OF BEGINNING:
thence continuing S89°46'42.3"E along said south boundary a distance of 43.75 feet;
thence N37°05'20.8"E a distance of 30.58 feet;
thence N52°54'39.2"W a distance of 10.00 feet;
thence N37°05'20.8"E a distance of 529.40 feet;
thence N89°46'42.3"W a distance of 31.25 feet;
thence S37°05'20.8"W a distance of 567.48 feet, to the point of beginning.

The above described parcel of land contains 0.33 of an acre (14,531 square feet), more or less.

The basis of bearing is the south boundary of said Tract 8, it being S89°46'42.3"E.

Parcel 13-000119

All that portion of Tract 5, Lot 43, T54N, R100 W, of the 6th P.M., Park County, Wyoming, according to the government resurvey, being a portion of that tract of land conveyed to the Transportation Commission of Wyoming recorded June 22, 2000, Document No. 2000-3553 of the Park County Clerk records, more particularly described by metes and bounds as follows:

Commencing at a point on the north line of said Tract 5, Lot 43, said point being S89°53'00"E, a distance of 109.22 feet, from the northwest corner of said Tract 5;
thence N36°55'40"E, for a distance of 58.53 feet;
thence S51°16'50"E, for a distance of 75.10 feet, more or less, to said north line of Tract 5, Lot 43;
thence continuing S51°16'50"E for a distance of 3.19 feet to the TRUE POINT OF BEGINNING;
thence continuing S51°16'50"E a distance of 80.76 feet;
thence S35°23'20"W a distance of 213.05 feet;
thence N89°44'15"W a distance of 108.75 feet to a point on the southeasterly right-of-way boundary of U.S. Highway No. 14A;
thence along said southeasterly right-of-way boundary N37°05'21"E a distance of 280.44 feet, more or less, to the point of beginning.

Said parcel contains 0.48 acre, more or less.

The basis of bearing is the north boundary of said Tract 5, it being S89°53'00"E.

Parcel 13-000120

All that portion of Tract 1, Lot 46, resurvey, T54N, R100W, of the 6th P.M., Park County, Wyoming, being more particularly described by metes and bounds as follows:

Commencing at the northeast corner of Tract 1, Lot 46 being monumented by a HBCO cap form which the southeast corner of tract 1 bears S0°10'56.3"W a distance of 2,643.27 feet, being monumented by a rebar and cap;

thence S13°47'23.2"W a distance of 752.75 feet, to a jog in the presently existing southeasterly right-of-way boundary of Highway 14 Alternate, being monumented by a highway monument, also being the TRUE POINT OF BEGINNING:

thence S52°54'41.6"E along said jog a distance of 10.00 feet to a point where the presently existing right or northeasterly right-of-way boundary of Park County Road 18 intersects the presently existing right or southeasterly right-of-way boundary of said U.S. Highway 14 Alternate;

thence continuing S52°54'41.6"E along said presently existing right-of-way boundary of Park County Road 18 a distance of 49.84 feet to the point of beginning of a circular curve, concave southwesterly, the radius of which is 440.00 feet;

thence southeasterly along said county road right-of-way boundary and along said curve through a central angle of 18°47'30.9" a distance of 144.31 feet, the chord being S43°30'56.1"E a distance of 143.67 feet;

thence $N0^{\circ}10'56.3''E$ along the presently existing left or westerly right-of-way boundary of Park County Road 18 a distance of 335.67 feet to a point where said presently existing left or westerly right-of-way boundary of Park County Road 18 intersects the presently existing right or southeasterly right-of-way boundary of U.S. Highway 14 Alternate;

thence $S37^{\circ}05'19.0''W$ along the presently existing right or southeasterly right-of-way boundary of U.S. Highway 14 Alternate a distance of 244.96 feet, more or less, to the point of beginning.

The above described parcel of land contains 0.54 acre (23,421 square feet), more or less.

Parcel 13-000121

All that portion of Tracts 2 and 3, Lot 62, resurvey, T55N, R100W, of the 6th P.M., Park County, Wyoming, being more particularly described by metes and bounds as follows:

Commencing at a point where the presently existing right or southeasterly right-of-way boundary of U.S. Highway 14A intersects the northerly boundary of said Tract 2, said point being monumented with a highway right-of-way marker from which the northeast corner of said Tract 2 bears $N89^{\circ}48'54''E$ a distance of 371.99 feet, said corner being monumented with a 2-inch iron pipe, said point also being located on a circular curve, concave southeasterly, the radius of which is 16,920.00 feet and a line tangent to said curve bears $S56^{\circ}58'12.4''W$;

thence southwesterly along the presently existing southeasterly right-of-way boundary of said highway through a central angle of $0^{\circ}11'10.9''$ a distance of 55.03 feet to a point where said presently existing right-of-way boundary intersects the northerly boundary of that certain tract of land as described in Document No. 2000-6261, chord bearing $S56^{\circ}52'38''W$ a distance of 55.03 feet, said point being monumented by rebar and cap, and the TRUE POINT OF BEGINNING;

thence $N89^{\circ}50'12''E$ (record bearing $N89^{\circ}49'07''E$) along the northerly boundary of said tract of land a distance of 417.90 feet to a point on the easterly boundary of said Tract 2, said point being monumented with a Campbell rebar and cap and from which point the northeast corner of said Tract 2 bears $N0^{\circ}20'34''E$ (record bearing $N0^{\circ}15'58''E$) a distance of 30.08 feet, said corner being monumented with a 2-inch iron pipe;

thence $S0^{\circ}20'34''W$ (record bearing $S0^{\circ}15'58''W$) along the easterly boundary of said Tract 2, a distance of 771.13 feet;

thence $S89^{\circ}47'06''W$ a distance of 670.68 feet to a point on the easterly boundary of said Tract 3;

thence $S89^{\circ}47'58''W$ a distance of 921.18 feet to a point on the presently existing right or southeasterly right-of-way boundary of said highway;

thence $N56^{\circ}38'51.6''E$ along said presently existing right-of-way boundary a distance of 1,370.67 feet to a point being monumented with a highway right-of-way marker and the point of beginning of a circular curve, concave southeasterly, of which the radius is 16,920.00 feet;

thence continuing along the presently existing right or southeasterly right-of-way line of said highway through a central angle of $0^{\circ}08'10.6''$ a distance of 40.25 feet, more or less, to the point of beginning, chord bearing $N56^{\circ}42'55''E$ a distance of 40.25 feet.

LESS and EXCEPTING therefrom all that portion of land conveyed and described in that certain Quitclaim Deed recorded July 20, 2004, in Document No. 2004-5380.

The above described parcel of land hereby conveyed contains 12.80 acres (557,542 square feet), more or less.

Parcel 13-000122

All that portion of Tract 6 and Tract 7 in Lot 60, resurvey, T55N, R99W, and T55N, R100W, of the 6th P.M., Park County, Wyoming, also being a portion of that certain tract of land as described in Document No. 2003-6419 of the Park County records being described by metes and bounds as follows:

Beginning at a point on the northwesterly right-of-way boundary of U.S. Highway 14 Alternate from which the southwest corner of Lot 60-G of said T55N, R99W, bears N03°59'48.0"W a distance of 1,120.97 feet, said points being monumented by a rebar and cap;

thence S67°34'47.9"W along said northwesterly right-of-way boundary a distance of 533.93 feet;

thence leaving said right-of-way boundary N00°48'54.8"E along the westerly boundary of said tract of land as described in Document No. 2003-6419 a distance of 195.95 feet to the northwest corner of said tract of land, from which a witness corner bears S00°54'26.4"W a distance of 5.00 feet, said witness corner being monumented by a rebar and cap;

thence N89°06'02.8"E along the northerly boundary of said tract of land a distance of 490.84 feet to the point of beginning.

The above described parcel of land contains 1.10 acres, more or less.

The basis of bearing is from the point of beginning to the southwest corner of said Lot 60-G, it being N03°59'48.0"W.

Subject to an access easement for the purpose of ingress and egress to the adjacent properties, being described as the westerly 30.00 feet of the above described parcel.

Parcel 13-000123

A portion of Tract 5, Lot 60, resurvey, T55N, R99W, of the 6th P.M., Park County, Wyoming, as described in Document No. 2000-7645 of the Park County records and more particularly described as follows:

Commencing at the northeast corner of said Lot 60; thence, S26°24'19"W, 3,135.21 feet to the POINT OF BEGINNING:

Thence, from said point of beginning, south 96.0 feet, more or less, to a point on the northerly right-of-way line of Wyoming Highway 14-A; thence S71°42'19"W, along said northerly right-of-way line, 54.28 feet, more or less, to a point of curvature; thence, along said northerly right-of-way line along a curve to the left, 206.17 feet, said curve having a radius of 2,904.80 feet and a chord which bears S69°40'19"W, 206.13 feet to a point of tangency; thence, S67°38'19"W along said northerly right-of-way line, 72.63 feet; thence north, 212.28 feet; thence, East, 312.00 feet to the point of beginning of this description containing 1.08 acres, more or less, and subject to a 15 foot restricted access easement along the easterly boundary for the use of the property to the north of the above described parcel, and further subject to all easements, rights-of-way, and restrictions of record.

Basis of bearing being N89°47'W along the north line of said Lot 60 according to the general land office plat of said lot, dated November 15, 1912.

LESS and EXCEPTING therefrom any portion lying southeasterly of a parallel line 70.00 feet to the left or northwesterly side when measured radially to the following described survey line of U.S. Highway 14 Alternate. Said parallel line begins on the westerly boundary and ends on the easterly boundary of that certain tract of land as described in said Document No. 2000-7645.

Commencing at the northwest corner of Tract 9, Lot 60 from which the witness corner to C¼ of lot 60 bears N01°02'12.1"E a distance of 992.11 feet;

thence N01°02'12.1"E a distance of 213.69 feet to a point on said survey line;

thence N67°34'48.0"E along said survey line a distance of 959.25 feet to the point of beginning of a circular curve, concave southeasterly, the radius of which is 17,000.00 feet;

thence northeasterly along said curve through a central angle of 0°10'18.2" a distance of 50.95 feet to the TRUE POINT OF BEGINNING:

thence with a parallel line 70.00 to the left or northwesterly side continuing northeasterly along said curve through a central angle of 1°14'49.3" a distance of 370 feet, more or less, to a point where said parallel line intersects the easterly boundary of said tract of land.

The above described parcel of land hereby conveyed contains 0.54 acre, more or less.

Parcel 13-000124

A portion of Tract 3, Lot 59, resurvey, T55N, R99W, of the 6th P.M., Park County, Wyoming, more particularly described as follows:

Commencing at the northeast corner of Tract 11, Lot 60, resurvey, T55N, R99W, said corner being monumented with an IME rebar and cap and from which point the west quarter-corner of said Lot 59 bears S0°09'59"W a distance of 660.46 feet, said corner being monumented with a railroad spike;

thence S5°53'35.9"E (record N5°53'20.0"W) a distance of 284.18 feet to a point on the left or northwesterly right-of-way boundary of U.S. Highway 14 Alternate;

thence N67°38'12.0"E along said right-of-way line a distance of 24.01 feet to a point where the northwesterly right-of-way boundary of U.S. Highway 14 Alternate intersects the easterly right-of-way boundary of Park County Road 12 and the TRUE POINT OF BEGINNING:

thence continuing N67°38'12.0"E along said U.S. Highway 14 Alternate right-of-way boundary a distance of 297.58 feet;

thence leaving said right-of-way N89°50'00.4"W a distance of 297.05 feet to the point of intersection with the easterly right-of-way boundary of Park County Road 12;

thence S0°09'59.6"W along said Park County Road 12 right-of-way boundary a distance of 60.56 feet;

thence S22°21'48.0"E along said Park County Road 12 right-of-way boundary a distance of 57.88 feet, more or less, to the point of beginning.

The above described parcel of land contains 0.40 acre (17,607 square feet), more or less.

Parcel 13-000128

A parcel of land located in Lot 2, Tract 10, of the Eaglenest Ranch Subdivision, T54N, R100W, of the 6th P.M., Park County, Wyoming, being described by metes and bounds as follows:

Commencing on the southeast corner of Lot 2, Tract 10, said corner being rebar and cap from which the southeast corner of Lot 3, Tract 10 thereof bears N79°25'30.9"E a distance of 589.69 feet said corner being rebar and cap, as shown on Record of Survey, Plat Book J, Page 28, Document No. 2007-4995 of the Park County records;

thence N47°51'36.1"W along the easterly boundary of said Lot 2 a distance of 112.50 feet as shown on the Eaglenest Ranch Subdivision Plat in Microfilm Block E, Page 178, Document No. 205475 of the Park County records, to a point on the existing southeast right of way boundary of Highway 14 Alternate;

thence S46°15'54.8"W along said existing southeasterly right-of-way boundary a distance of 513.16 feet to a point, said point being the southwest corner of a recorded easement Document No. 2004-8408 of the Park County records, also being the TRUE POINT OF BEGINNING:

thence S43°44'05.1"E along the westerly easement line a distance of 146.64 feet to point of beginning of a circular curve concave northwesterly, the radius of which is 190.00 feet;

thence northwesterly along said curve through a central angle of 58°03'40.6", arc distance of 192.54 feet, chord bearing of N81°03'28.3"W and a chord distance of 184.41 feet to a point on the existing southeasterly right of boundary;

thence N46°15'54.9"E along the existing southeasterly right-of-way boundary of Highway 14 Alternate a distance of 111.81 feet to the point of beginning.

The above describe parcel of land contains 0.26 acre (11,172 square feet), more or less.

Parcel 13-000130

A parcel of land located in Lot 2, Tract 10, of the Eaglenest Ranch Subdivision, T54N, R100W, of the 6th P.M., Park County, Wyoming, being described by metes and bounds as follows:

Beginning on the southeast corner of Lot 2, Tract 10, said corner being rebar and cap from which the southeast corner of Lot 3, Tract 10 thereof bears N79°25'30.9"E a distance of 589.69 feet said corner being rebar and cap, as shown on Record of Survey, Plat Book J, Page 28, Document No. 2007-4995 of the Park County records said point being on circular curve concave southeasterly, the radius of which is 377.63 feet;

thence northwesterly along said curve and existing northerly right-of-way boundary of Dutcher Spring Trail boundary through a central angle of 54°46'16.4", arc distance of 360.99 feet, chord bearing of S42°28'56.1"W and a chord distance of 347.40 feet to point of beginning of circular curve concave northwesterly, the radius of which is 190.00 feet;

thence southwesterly along said curve through a central angle of 30°02'53.1", arc distance of 99.64 feet, chord bearing of S30°05'50.2"W and a chord distance of 98.51 feet to a point being the southeast corner of a recorded easement Document No. 2004-8408 of the Park County records;

thence N43°44'05.1"W along the easterly easement line a distance of 162.56 feet, to point on the existing southeasterly right of way boundary of Highway 14 Alternate;

thence N46°15'54.9"E along the said existing southeasterly right-of-way boundary a distance of 433.16 feet, to point of beginning of the easterly line of said Lot 2;
thence S47°51'36.1"E along said Lot 2 line a distance of 112.50 feet to point of beginning.

The above describe parcel of land contains 1.08 acre (47,009 square feet), more or less.

Parcel 09-000056

Portions of Tracts 1, 2, and 7 of Lot 39, T56N, R98W, of the 6th P.M., Wyoming, being described by metes and bounds as follows:

Commencing at the southeast corner of said Lot 2, said southeast corner being monumented with a 1¾" aluminum cap from which the southwest corner of said Tract 2 bears S89°54'47.7"W a distance of 1,324.14, said southwest corner being monumented with a 2" aluminum cap;

thence S28°15'57.7"E a distance of 526.17 feet to the point of intersection of the presently existing northeasterly right-of-way boundary of Wyoming State Highway No. 114 with the south boundary of said Tract 1, said point being THE TRUE POINT OF BEGINNING;

thence N38°23'48.3"W along said presently existing northeasterly right-of-way boundary a distance of 862.07 feet to a point on the southeasterly boundary of a tract of land described in Document No. 2003-12028 of the Park County records;

thence continuing N38°23'48.3"W a distance of 474.81 feet to a point on the northwesterly boundary of said tract of land described in Document No. 2003-12028;

thence N41°20'53.5"E along the northwesterly boundary of said tract of land described in Document No. 2003-12028 a distance of 47.81 feet to the northeast corner of said tract of land described in Document No. 2003-12028;

thence S46°50'06.5"E along the northeasterly boundary of said tract of land described in Document No. 2003-12028 a distance of 474.70 feet to the southeast corner of said tract of land described in Document No. 2003-12028;

thence S45°59'24"W along the southeasterly boundary of said tract of land described in Document No. 2003-12028 a distance of 28.53 feet to a point on Lateral "D" as described in a Record of Survey in Document No. 1998-4319 at Pages 0003 of 0005 of the Park County records;

thence S57°15'33.5"E along said Lateral "D" a distance of 87.60 feet;

thence S68°36'03.5"E along said Lateral "D" a distance of 73.10 feet;

thence S66°54'53.5"E along said Lateral "D" a distance of 106.50 feet;

thence S65°38'23.5"E along said Lateral "D" a distance of 96.10 feet;

thence S67°50'33.5"E along said Lateral "D" a distance of 87.90 feet;

thence S60°25'53.5"E along said Lateral "D" a distance of 48.70 feet;

thence S57°49'23.5"E along said Lateral "D" a distance of 79.90 feet;

thence S43°54'43.5"E along said Lateral "D" a distance of 123.40 feet;

thence S39°51'23.5"E along said Lateral "D" a distance of 114.20 feet;

thence S41°23'43.5"E along said Lateral "D" a distance of 106.60 feet;

thence S45°17'53.5"E along said Lateral "D" a distance of 111.10 feet;

thence S50°38'01.2"E along said Lateral "D" a distance of 235.20 feet to a point on the south boundary line of said Tract 1;

thence S89°59'47.7W along the south boundary of said Tract 1 a distance of 535.68 feet, more or less, to the point of beginning.

The above described parcel of land contains 7.59 acres, more or less.

Parcel 11-000099

All of Lot 20, Eaglenest Ranch Subdivision, situate in Government Lot 52, resurvey, T54N, R100W, of the 6th P.M., Park County, Wyoming, as described in Document No. 2004-953 of the Park County records:

LESS and EXCEPTING therefrom any portion lying northwesterly of a parallel line of hereinafter stated distances to the right or southeasterly side when measured at right angles or radially to the following described survey line of U.S. Highway 14 Alternate. Said parallel line begins on the southwesterly boundary and ends on the northeasterly boundary of said Lot 20 of the Eaglenest Ranch Subdivision.

Commencing at the southwest corner of said Government Lot 52, resurvey, T54N, R100W, said corner being monumented with a stone and from which the southeast corner of Lot 50 of said Eaglenest Ranch Subdivision, bears S89°56'57.7"E a distance of 791.80 feet, said corner being monumented with a rebar and cap;

thence S89°56'57.7"E a distance of 297.16 feet to a point on said survey line;

thence N37°05'19.2"E along said survey line a distance of 619.00 feet to the TRUE POINT OF BEGINNING:

thence with a parallel line 80.00 feet to the right or southeasterly side, continuing N37°05'19.2"E a distance of 180.36 feet to the point of beginning of a circular curve, concave southeasterly, the radius of which is 6,000.00 feet;

thence with a parallel line 150.00 feet to the right or southeasterly side, northeasterly along said curve through a central angle of 1°10'31.4" a distance of 123.09 feet, more or less, until said parallel line intersects the northeasterly boundary of said Lot 20.

The above described parcel of land hereby conveyed contains 3.73 acres, more or less.

12. Outdoor Advertising Matter: In February and March 2016, Mr. Carlin Jones, president of Zephyrence Investments, Inc., constructed an outdoor advertising sign along U.S. Highway 20 in unincorporated Washakie County, on property owned by Mr. Ryan T. Allen. A WYDOT employee noticed the sign being built and alerted the department's outdoor advertising agent, Mr. Ken De Jersey. Mr. De Jersey investigated the sign to determine whether it was in compliance with Wyoming Statute 24-10-101 through 24-10-115 (the Act) and the outdoor advertising rules. In a March 8, 2016, letter, WYDOT notified Zephyrence and Jones that it had determined the sign was unlawful because it did not comply with the outdoor advertising rules and the Act. Mr. Jones and Zephyrence objected to the Department's determination, and they requested a hearing, declaring that the sign qualified as an "on-premises sign" under the Outdoor Advertising Rules because the sign advertised a business and activities that Zephyrence conducts on Mr. Allen's property.

The matter went before the Office of Administrative Hearings for a contested case evidentiary hearing on June 8, and the record was closed on that date. Messrs. Sam Voyles and Mike Kahler represented WYDOT at the hearing, and therefore, Mr. Jonathan Coppom presented the case to the Commission as "conflict counsel."

Mr. Coppom explained that, in accordance with Wyoming statutes, the Transportation Commission must make the final determination in the matter. Mr. Coppom also recommended that, if the Commission would like to obtain legal advice regarding the matter, they could potentially go into an executive session. Chairman Dooley indicated that the Commission would like to go into executive session later in the meeting, under agenda Item 17, to gain legal advice about the matter.

(See Item 19 below for the outcome of the outdoor advertising matter.)

Messrs. Lebeda and De Jersey left the meeting.

13. Transportation Alternatives Program (TAP) Advisory Committee Members Approval: Mr. Fulton recommended three new appointments to the Transportation Alternatives Program (TAP) Advisory Committee. They are Dr. Wendy Braund of the Wyoming Department of Health and Ms. Amber Travsky of Laramie, whose terms will expire October 1, 2019, if approved. Mr. Martin Kidner was also selected as an interim committee member until the new WYDOT local government coordinator is hired. The new local government coordinator will then serve as a permanent appointment to the TAP committee.

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried to approve Dr. Wendy Braund for a three year term, Ms. Amber Travsky for a three year term, and Mr. Martin Kidner as an interim committee member of the TAP Advisory Committee. When a new WYDOT Local Government Coordinator is named, that individual will become a TAP Advisory Committee member for the duration of their WYDOT employment.

Mr. Kahler re-entered the meeting.

14. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through July 31, 2016, includes 49¹ fatal crashes involving 53¹ deaths. The fatalities include 23 rollover crashes, 11 multi-car crashes, 3 fixed objects, 12 motorcycles, 1 all-terrain vehicle, 2 pedestrians, and 1 bicyclist. Of the 49 fatal crashes that occurred so far this year, 11² involved commercial vehicles.

There have been 11³ fatal crashes to date deemed drug or alcohol related, resulting in 11³ deaths. Of those deaths, 9 were not using occupant restraints. Six were rollover crashes, 2 were multi-car crashes, 2 involved fixed objects, 1 involved a pedestrian, and 1² involved a commercial vehicle.

Of the 53 deaths that have occurred to date this year, 27 were not properly restrained, with 18 involving rollover crashes, 6 involving multi-car collisions, and 3 involving fixed objects. Of the 27 deaths that occurred from non-use of occupant restraints, 20 were Wyoming residents, and 7

¹Numbers at the time of reporting; final numbers may change.

²Number not included in total deaths (sub-crash data).

³Not all chemical test results were available at the time of reporting.

were non-residents. Nine of those who perished were under 21 years of age, and 7 of those fatalities involved the lack of proper occupant restraints.

Of the 56 fatal crashes that have occurred to date this year, 30 of them occurred on primary/secondary highways, 21 occurred on interstate highways, and 5 occurred on city/county roads.

Three multiple-fatality crashes have occurred on Wyoming highways so far this year, of which one involved multiple vehicles. No commercial vehicles were involved in the multiple-fatality crashes, and none of the multiple-fatality crashes can be attributed to alcohol consumption.

Inclement weather or road conditions contributed to six vehicle crashes so far this year, which resulted in six deaths. Speed was considered a factor in 13 of the vehicle crashes that caused 14 deaths.

The days of the week for fatal crashes in 2016 are as follows:

Sunday	9 crashes
Monday	13 crashes
Tuesday	5 crashes
Wednesday	6 crashes
Thursday	11 crashes
Friday	7 crashes
Saturday	5 crashes

The times of day for fatal crashes in 2016 are as follows:

12:00 a.m. to 6:00 a.m.	6 crashes
6:00 a.m. to 12:00 p.m.	13 crashes
12:00 p.m. to 6:00 p.m.	23 crashes
6:00 p.m. to 12:00 a.m.	13 crashes

The following 2016 crash statistics were also shared with the Commission:

- 73 percent of those who died in rollover crashes were unrestrained.
- 66 percent of auto deaths so far have been unrestrained.
- Of the 31 fatalities not properly restrained, 22 (71 percent) were residents, and 9 (29 percent) were non-residents.
- 22 of 44 resident fatalities were not properly restrained (50 percent).
- 47 percent of the 19 non-resident fatalities were not properly restrained.
- 70 percent of the fatalities under age 21 were not properly restrained.
- Alcohol and/or drug impairment were factors in 27 percent of the fatalities.
- Speed was noted, by the investigating officer, as a contributing factor in 25 percent of the fatalities.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 3,728⁴ crashes statewide, of which 2,900⁴ involved non-commercial vehicles, and 828⁴ involved commercial vehicles.

“Safe2Sturgis” Campaign: The Wyoming Highway Patrol joined forces with the Colorado and South Dakota Highway Patrol to assist with law enforcement during the annual Sturgis Motorcycle Rally in early August. Motorcycle traffic was significantly less than previous years, including the attendance of outlaw motorcycle gangs. One motorcycle fatality was attributed to the event.

Colonel Haller noted that 73 percent of those who have died in rollover crashes, 50 percent of Wyoming residents who died, and 66 percent of all deaths so far this year can be directly attributed to the lack of proper seat belt use.

Wyoming Wildfires: The WHP continues to partner with various agencies and WYDOT maintenance crews in firefighting efforts statewide. Some fires have forced road closures and evacuations, and the WHP has joined forces with the National Forest Service, local law enforcement, and WYDOT to assist with those efforts.

WHP Reorganization: The WHP plans to implement some changes in its organizational structure to make things better. The ports-of-entry (POE) will be consolidated under one WHP captain to create consistency in the application of rules and regulations and procedures, with the 14 POEs being divided geographically into a north, south, and west locations. Each geographic area will be assigned a civilian manager. Positions will come from the reallocation of the reduction in the hours of service at the POEs that are open 24 hours and reassigning those personnel in areas where there is a greater need. Colonel Haller believes the reallocation of personnel will increase the effectiveness and efficiency of the POEs.

The WHP also plans to separate Division O, the Governor’s executive protection detail, from District 1. Another captain will be assigned to oversee Division O. The new captain will also oversee a new professional standards and conduct division, which will take part investigating officer-involved shootings and disciplinary actions within the WHP. The new Division O captain position will come from a recent WHP retirement.

15. Ms. Yaffa presented the Aeronautics report, including the July 2016 Aeronautics Flight Operations Passenger Summary, and the monthly Wyoming Aircraft Accidents report.

Joint Minerals Committee Meeting: The Joint Minerals committee met August 11, 2016. Agenda topics were aircraft operating costs, aircraft efficiencies within state government, aircraft maintenance plans, and the photogrammetry plane. The committee was also briefed about the Air Service Enhancement Program and the status of existing projects that are underway. Discussion also ensued about airport contracts, timeline changes, and cost savings from existing project under-runs that have resulted in the ASE Program being fully funded at current levels through FY 2017-18.

⁴Does not include all crashes worked; some reports are still pending.

Ms. Yaffa also had an opportunity to present information about industry changes with service from Sheridan and Riverton to Denver.

Air Transportation Liaison Committee Meeting: Aeronautics Division staff will present to the Air Transportation Liaison Committee on August 30, 2016, in Jackson. Similar topics will be presented at that meeting, in addition to a return on investment tool being developed for use with the ASE projects, and the Transportation Safety Administration (TSA) returning to Sheridan in October and the resulting changes that will occur.

16. Mr. Rossetti presented the Support Services report.

Personnel Updates: WYDOT currently employs 1,907 individuals as of July 31, 2016, which is consistent with the 2015 employment numbers. Overall, the Department still has about 100 positions to fill, and WYDOT continues to work with the Department of Administration and Information to fill those vacancies.

The Chief Technology Officer (CTO) position has been advertised, and it closed on August 16, 2016. Interviews will begin later this month. After the new CTO has been named, the executive staff will begin the process of hiring a new assistant chief engineer for operations.

17. It was moved by Commissioner Newton, seconded by Commissioner Ruwart, and carried to move into executive session to discuss a legal matter. The Commission went into executive session at 11:09 a.m. on Thursday, August 18, 2016.

Ms. Yaffa, Messrs. Byrne, Rossetti, Kahler, Voyles, Freier, McGee, Jersey, Dailey, and Colonel Haller left the meeting.

18. It was moved by Commissioner McCormack, seconded by Commissioner Newton, and carried to come out of executive session. The Commission came out of executive session at 11:40 a.m. on Thursday, August 18, 2016.

19. Outdoor Advertising Matter: It was moved by Commissioner Newton, seconded by Commissioner Ruwart, and carried to adopt the recommended order from the Office of Administrative Hearings, subject to its being modified by Mr. Coppom to reflect that the same ruling is from the Transportation Commission, and to authorize Chairman Dooley to sign the final ruling on behalf of the Commission.

20. It was moved by Commissioner Newton, seconded by Commissioner Larson, and carried to adjourn the meeting. Chairman Dooley adjourned the meeting at 11:43 a.m., on Thursday, August 18, 2016.