

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on August 19, 2010. The meeting was convened at 8:30 a.m. by Chairman Monk. The following members were present constituting a quorum:

Charlie Monk, Chairman, Lovell  
Cactus Covello, Jr., Vice Chairman, Torrington  
Susan Dziardziel, Commissioner, Douglas  
Sandi McCormick, Commissioner, Rock Springs  
Jim Latta, Commissioner, Pinedale  
Jim Hladky, Commissioner, Gillette  
John F. Cox, Director  
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were: Delbert McOmie, Chief Engineer; Gregg Fredrick, Assistant Chief Engineer of Engineering and Planning; Hans Hehr, Purchasing Manager; Tom Loftin, Support Services Administrator; Lieutenant Colonel John Butler, Assistant Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Doug Moench, Senior Assistant Attorney General; Jackson Engels, Assistant Attorney General; Kevin Hibbard, Budget Officer; Doug McGee, Public Affairs Manager; and Joe Dailey, Division Administrator, Federal Highway Administration.

Commissioner Ted Ertman, of Newcastle, and Tim Hibbard, Assistant Chief Engineer of Operations, were absent.

1. It was recommended by Secretary Scott, moved by Vice Chairman Covello, seconded by Commissioner Dziardziel, and carried to approve the minutes from the July 22, 2010, teleconference meeting.
2. Secretary Scott presented a letter from Mr. Paul Rodriguez of the Korean War Veterans Association, Wyoming Cowboy Chapter 307. Mr. Rodriguez has requested that the Cody to Powell Highway, which is currently being developed into a four-lane highway, be renamed to honor Korean War Veterans or possibly all American war veterans. Secretary Scott advised that Mr. McGee would present further information about the renaming of state highways later in the meeting.
3. Director Cox presented the Director's report.

Joint Interim Highways, Transportation & Military Affairs Committee (JTC) Meeting: Two fuel tax bills were presented for consideration at the August 12-13, 2010, JTC meeting in Casper.

One bill proposed a sales tax of four cents per gallon, with an additional two cents per gallon optional local government assessment, for highways. The bill failed the committee by a narrow vote.

A second fuel tax bill was also proposed at the August JTC meeting that would increase the current fuel tax by 10 cents. Action on the bill was tabled until the October 11-12, 2010, JTC meeting.

4. Mr. Kevin Hibbard presented the Budget report.

Monthly Budget Report: Mr. Hibbard reported that the Department has applied for the annual FHWA August redistribution to receive some portion of the total federal surface transportation obligation authority reallocation. History suggests that the Department may receive an estimated \$2 million for use on Wyoming's highways.

American Recovery and Reinvestment Act (ARRA) Report: Department officials determined in April 2010 that some of its ARRA funds may need to be reallocated to more, and in some cases different, projects that can be let to contract by the September 30, 2010, deadline for obligating ARRA funds. A contingency plan has been established to move around some funding on projects so that no funds go unexpended after the deadline. Wyoming is ranked fourth in the nation for actual ARRA expenditures, following Utah, Iowa, and Maine.

Mr. Hibbard also noted that the Federal Office of Management and Budget (OMB) process requires that all states report how many jobs are retained along with the expenditure of ARRA funds. Job growth is reported quarterly, but expenditures are reported cumulatively since the ARRA appropriation was made by Congress on February 17, 2009.

Budget Summaries: Fiscal year (FY) 2011 budget summaries were distributed to the Commission for review. Several budget meetings were held to establish building, equipment, and general operating expenditures. The Commission will be asked to increase its snow control budget by \$3.2 million to accommodate the need for amending the Department's salt/sand storage facilities to meet environmental standards. Pond liners must be installed underneath salt/sand piles to prevent seepage into the groundwater, and new plow trucks equipped with brine tanks to accommodate the newly implemented wet-sand application will be purchased. The purchase of additional snow plow trucks will also be necessary in FY 2012.

The WYDOT Budget office is working with the Governor's staff to prepare a supplemental budget request to cover emergency slide, flood, and bridge repairs. It is unknown exactly how much will be requested, but early predictions are about \$22 million for the emergency needs.

JTC Update: Mr. Hibbard provided more details about the two proposed fuel tax bills that were considered by the JTC at its August meeting in Casper. A spreadsheet was also provided that estimated how much funding may be generated by each of the bills.

Vice Chairman Covello complimented Messrs. Kevin Hibbard and Loftin for their exemplary presentations at the JTC meeting.

5. Mr. McGee addressed the letter that was received from Mr. Paul Rodriguez of the Korean War Veterans Association, recorded under Item 2 above. Some history of previous similar requests was provided to the Commission. Mr. McGee advised that in the past, renaming highways for historical observances has been done through the Wyoming State Legislature.

Director Cox indicated that if the Commission was inclined to rename the highway, the request should be made through the Wyoming State Legislature. A Korean War Veterans' memorial was established in Cody in September 2008.

It was recommended by Director Cox, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to provide Mr. Rodriguez with the history that was presented by Mr. McGee and to recommend that he seek legislative action for the renaming of the Cody to Powell Highway.

Director Cox left the meeting.

6. Mr. Fredrick presented the Engineering and Planning report, beginning with the bid tabulations from the August 12, 2010, letting held in Cheyenne.

**COMMISSION DISTRICT 1  
Cactus Covello – Vice Chairman**

Federal project NH-N283011, involving milling of plant mix and concrete pavement, placing crushed base and bituminous pavement surfacing, chip seal, concrete slab replacement, and miscellaneous work on 0.95 mile of US 26, beginning at reference marker (RM) 48.30, from Torrington to the Nebraska State Line, in Goshen County. Completion date – August 31, 2011

Engineer's Estimate	\$ 771,045.00
Simon Contractors, Cheyenne, WY	\$ 976,563.00 +26.7%
McMurry Ready-Mix Co., Casper, WY	\$1,157,654.00

It was recommended by Mr. Fredrick, moved by Vice Chairman Covello, seconded by Commissioner McCormick, and carried that **Simon Contractors, Cheyenne, 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, 3, 4, 5 and 7**

**Cactus Covello – Vice Chairman**  
**Sandi McCormick – Commissioner**  
**Jim Latta – Commissioner**  
**Jim Hladky – Commissioner**  
**Charlie Monk – Chairman**  
**Susan Dziardziel – Commissioner**

Federal project HSIP-B109079, involving the installation of battery backup systems, turn signal indicators, wireless detection systems, and miscellaneous work at various signalized urban intersections statewide. Completion date – December 31, 2011

Engineer’s Estimate	\$1,426,474.00	
<b>Custom Lighting Services, LLC, Sandy, UT</b>	<b>\$1,398,676.00</b>	<b>-1.9%</b>
Modern Electric Co., Casper, WY	\$1,458,396.00	
Hidden Peak Electric Co., Inc., Murray, UT	\$1,499,027.44	
Sturgeon Electric Company, Inc., Henderson, CO	\$1,762,980.00	
W.L. Contractors, Inc., Arvada, CO	\$2,215,987.00	

It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Commissioner Latta, and carried that **Custom Lighting Services, LLC, Sandy, Utah**, 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 4**

**Jim Hladky – Commissioner**

Federal project IM-0901094, involving grading, milling plant mix, bituminous pavement surfacing, plant mix wearing course, removal and replacing of fencing, and miscellaneous work on 10.25 miles of I-90, beginning at RM 28.29 between Sheridan and Buffalo (Marshall Hill Section), in Sheridan County. Completion date – July 31, 2012

Engineer’s Estimate	\$6,829,109.00	
<b>Simon Contractors, Cheyenne, WY</b>	<b>\$7,025,974.72</b>	<b>+2.9%</b>
Riverside Contracting, Inc., Missoula, MT	\$7,228,481.50	
Northern Improvement Company, Fargo, ND	\$7,339,079.50	
McMurry Ready-Mix Co., Casper, WY	\$7,381,402.25	
Intermountain Construction & Materials, Inc., Gillette, WY	\$7,479,386.89	
McGarvin-Moberly Construction Company, Worland, WY	\$7,706,802.50	

It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Vice Chairman Covello, and carried that **Simon Contractors, Cheyenne, 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 5**  
**Charlie Monk – Chairman**

Federal project STIM-N361061, involving grading, draining, placing of crushed base, and hot plant mix surfacing, culvert extension, fencing, signing, and miscellaneous work on 3.11 miles of US 16, beginning at RM 4.87, between Worland and Ten Sleep, in Washakie County. Completion date – October 31, 2011

Engineer's Estimate	\$6,791,131.58	
<b>Oftedal Construction, Inc., Miles City, MT</b>	<b>\$6,425,647.00</b>	<b>-5.4%</b>
Hout Fencing of Wyoming, Inc., Worland, WY	\$7,325,701.50	
DRM, Inc., Gillette, WY	\$7,700,032.95	
Platte Valley Construction Company, LLC, Grand Island, NE	\$7,852,863.80	
McMurry Ready-Mix Co., Casper, WY	\$7,940,624.50	
Riverside Contracting, Inc., Missoula, MT	\$8,289,851.50	
High Country Construction, Inc., Lander, WY	\$8,411,012.31	
M.A. DeAtley Construction, Inc., Clarkston, WA	\$8,583,305.50	
McGarvin-Moberly Construction Company, Worland, WY	\$7,653,614.07	

It was recommended by Mr. Fredrick, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried that **Oftedal Construction, Inc., Miles City, Montana**, 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 6**  
**Ted Ertman – Commissioner**

State project SCP-0608002, involving grading, milling plant mix, bituminous pavement surfacing, hot plant mix leveling, bridge deck repair, and miscellaneous work on 10.32 miles of the I-90 Service Road, between RM 18.37 and RM 8.04, in Crook County. Completion date – September 30, 2011

Engineer's Estimate	\$2,491,400.00	
<b>McGarvin-Moberly Construction Company, Worland, WY</b>	<b>\$2,419,093.07</b>	<b>-2.9%</b>
Roberts Construction Company, Casper, WY	\$2,458,948.00	
Simon Contractors, Cheyenne, WY	\$2,506,334.10	
Frost Rock Products Company, Lovell, WY	\$2,591,040.00	
McMurry Ready-Mix Co., Casper, WY	\$2,613,470.50	
Intermountain Construction & Materials, Inc., Gillette, WY	\$2,706,010.75	
Century Companies, Inc., Lewistown, MT	\$2,665,559.00	
Plus 5% for Comparison	\$2,798,836.95	

It was recommended by Mr. Fredrick, moved by Commissioner McCormick, seconded by Commissioner Dziardziel, and carried that **McGarvin-Moberly Construction Company, Worland, 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 IM-I904134, involving draining, micro-surfacing, and miscellaneous work on 10.53 miles of I-90, beginning at RM 156.17, between Moorcroft and Sundance, in Crook County. Completion date – October 31, 2011

Engineer's Estimate	\$1,502,335.00	
<b>Martin Resource Management Corp., Omaha, NE</b>	<b>\$1,165,000.00</b>	<b>-22.5%</b>
Intermountain Slurry Seal, Inc., Watsonville, CA	\$1,177,175.00	
Geneva Rock Products, Inc., Murray, UT	\$1,209,125.00	
Asphalt Surface Technologies Corp., St Cloud, MN	\$1,373,617.52	
Simon Contractors, Cheyenne, WY	\$1,395,624.24	

It was recommended by Mr. Fredrick, moved by Commissioner Dziardziel, seconded by Commissioner McCormick, and carried that **Martin Resource Management Corp., Omaha, Nebraska**, 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**  
**Susan Dziardziel – Commissioner**

Federal project STP-P202065, involving milling, grading, draining, placing bituminous pavement surfacing, concrete and miscellaneous work on 6.37 miles of US 287 and WYO 789, beginning at reference marker 6.41 southeast of Lander, in Fremont and Natrona Counties. Completion date – October 31, 2011

Engineer's Estimate	\$2,220,099.50	
<b>McMurry Ready-Mix Co., Casper, WY</b>	<b>\$2,065,513.60</b>	<b>-7.0%</b>
LeGrand Johnson Construction Co., Logan, UT	\$2,239,797.50	
McGarvin-Moberly Construction Company, Worland, WY	\$2,299,345.19	
Knife River, Cheyenne, WY	\$2,302,365.75	
Simon Contractors, Cheyenne, WY	\$2,365,312.71	
Western Wyoming Construction Co., Lander, WY	\$2,533,573.00	

It was recommended by Mr. Fredrick, moved by Commissioner Dziardziel, seconded by Vice Chairman Covello, and carried that **McMurry Ready-Mix Co., 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.

7. It was recommended by Mr. Fredrick, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve the following project authorizations:

#### **COMMISSION DISTRICT 1**

##### Rural Minor Collector

BROS 114.31 W319003; Platte County; Glendo, Burlington Northern Railroad (BNRR) separation, Structure CYX; reference marker (RM) 114.31; replace structure; request move from FY 2014 to FY 2011; request federal construction engineering and construction funds of \$3,640,000

SCP 114.29 W319005; Platte County; Glendo, BNRR separation, roadway; RM 114.29 to 114.62; reconstruction; request move from FY 2014 to FY 2011; request state construction engineering and construction funds of \$1,860,000

#### **COMMISSION DISTRICT 5**

##### Rural Principal Arterial

NH 9.50 N311094; Park County; Yellowstone Park to Cody; RM 9.5 and 12.8; erosion repair; FY 2011 construction; request state preliminary engineering funds of \$20,000

#### **COMMISSION DISTRICT 7**

##### Rural Principal Arterial

STP 55.54 P142044; Fremont County; Farson to Lander; RM 55.54 and 62.20; slide mitigation and repair; FY 2011 construction; request federal preliminary engineering funds of \$826,000

NH 5.14 N151024; Fremont County; Lander to Diversion Dam, Structure BSM; RM 5.14; channel work and realignment; FY 2011 construction; request federal preliminary engineering funds of \$17,500

NH 16.13 N151025; Fremont County; Lander to Diversion Dam, Structure CXM; RM 16.13; erosion repair; FY 2011 construction; request federal preliminary engineering funds of \$9,240

Urban Principal Arterial

NH 81.40 N203066; Fremont County; Lander to Hudson; RM 81.40; slide mitigation and repair; FY 2011 construction; request federal preliminary engineering funds of \$41,400

8. It was recommended by Mr. Fredrick, moved by Commissioner Hladky, seconded by Commissioner Latta, to approve the following resolution where property for public use cannot be acquired through good faith negotiation by purchase or gift:

**RESOLUTION FOR EXERCISE OF EMINENT DOMAIN**

**WHEREAS**, pursuant to W.S. 1-26-512, 1-26-801 and 24-2-102, the Transportation Commission of Wyoming is authorized to institute condemnation proceedings where property for public use cannot be acquired through good faith negotiation by purchase or gift; and

**WHEREAS**, the public interest and necessity require the construction of Project 0007162, the Gillette Streets Road, in Campbell County, and that the property shown on the right-of-way plans for this project is required for highway purposes; and

**WHEREAS**, the Transportation Commission of Wyoming has determined that the aforementioned project is planned or located to be most compatible with the greatest public good and the least private injury; and

**WHEREAS**, the right-of-way and/or temporary construction easements to be acquired are identified as being located in the Government Lots 9 and 16, Section 20; Government Lots 10 and 11, Section 21; Government Lots 1, 2, 6, 7, 8, 10, 11, 14, 15, Section 29; Government Lots 2, 3, 6, Section 32, T50N, R72W, of the 6th P.M., Campbell County, Wyoming, and constitute approximately 9.86 acres of property for right-of-way and approximately 54.68 acres of property for temporary construction easements.

**NOW, THEREFORE BE IT RESOLVED**, that the property sought to be acquired is necessary and appropriate for the proposed project and in the event successful negotiations cannot be effectuated with any owners thereof, condemnation proceedings are authorized to be commenced and prosecuted to acquire the necessary right-of-way and/or temporary construction easements.

Commissioner Latta indicated he dislikes the current method of approving eminent domain so far in advance when he doesn't know all of the end details. Mr. Fredrick expressed his understanding of the sensitive nature of exercising eminent domain and stated that he believes the Department is enforcing it only when it is absolutely necessary in order to build a highway and only when good faith negotiations have failed. Mr. Fredrick offered to investigate the Department's current practices



and will make every effort to keep the Commission better informed of condemnation proceedings and the status of these resolutions.

Mr. Moench advised that he would have to research the legalities of changing the eminent domain process, and indicated that the Commission's approval of this resolution gives the Department the authority for condemnation proceedings if landowner negotiations fail. Resolutions for the exercise of eminent domain are presented to the Commission very early in the design process so that projects are not significantly delayed right before being let to contract in rare cases when an amicable agreement cannot be reached with a landowner. Commissioner Hladky voiced his concerns about approving such resolutions so far in advance before negotiations begin. Mr. Moench advised that the current process is in place for good reason, as the design and bid process takes time, and if legal action were necessary, the court process moves slowly, which could potentially delay projects for years.

Vice Chairman Covello agreed that the process needs to remain the same but would like to be better informed of situations if a condemnation occurs.

It was moved by Commissioner Dziardziel, seconded by Commissioner Latta, and carried to table the motion to approve the resolution for the exercise of eminent domain until further pertinent information could be obtained about the Gillette Streets project.

9. On behalf of FHWA Administrator Victor Mendez, Mr. Dailey recognized the efforts of Director Cox, Mr. Fredrick, and WYDOT's Civil Rights Program Manager Kent Lambert in the area of civil rights. WYDOT is one of two western states' departments of transportation that are meeting or exceeding their disadvantaged business enterprise (DBE) goals. Mr. Dailey personally thanked WYDOT and its staff for their continued excellence in civil rights and DBE efforts.

Director Cox re-entered the meeting.

Messrs. Dave Ditto, an attorney representing WYDOT, and John Sherman, WYDOT Lands Management Administrator, entered the meeting.

10. 1966 Abandonment of Property, Crook County: Mr. Fredrick provided an update on the status of a letter that was received from Mrs. Wilma Thar Hanson in late June regarding property that WYDOT had abandoned in 1966.

Mr. Craig Alexander, Right-of-Way Project Manager, thoroughly researched the situation at the Crook County Courthouse on August 10, 2010, and found that the property in question is shown on the county assessor plats as being owned by Vosika Ling Limited Partnership, but could not find where Vosika had any claim to the property or where the property had been legally conveyed to them. Mr. Alexander subsequently met with Mrs. Hanson at her home to explain his findings and recommended that she visit with the Crook County Clerk and Assessor to remedy the issue.

Mr. Fredrick acknowledged Mr. Alexander for his above-and-beyond efforts in his research and for personally meeting with Mrs. Hanson. A letter was written to Mrs. Hanson to finalize the matter.

11. WYO 50/Lakeway Traffic Signal in Gillette: A project will soon be let on the WYO 50/Lakeway intersection in Gillette. A temporary traffic signal was recently installed as a result of some other construction in the area. The City of Gillette has requested that a permanent traffic signal be installed at this intersection, but the intersection does not currently carry enough traffic to warrant a signal. The Department has offered to install a signal at the city's expense. The city has agreed to pay for its installation, maintenance, and operating expenses but has requested that WYDOT reimburse the city for these expenses when future traffic counts reach the required minimum to warrant a signal.

Director Cox voiced his opposition to the city's proposal of Department reimbursement in the future, as it would set a compromising precedence.

12. JTC Update: Mr. Fredrick briefed the Commission about engineering and planning-related topics that went before the JTC meeting in Casper.

State Parks Road Maintenance Funding: A bill was presented to the Committee that would have provided \$25 million over a three-year period for state park road maintenance. That portion of the bill failed in committee. However, the first section of the bill was approved, which will allocate \$2.5 million for park roads, to come from revenues generated over the \$155 million state mineral severance tax distribution cap.

County Road Speed Limits: County roads currently have a statutory 65 mph speed limit, unless otherwise marked. County governments have proposed that only paved roads have a 65 mph speed limit and unpaved roads be reduced to 45 mph for safety, operational, and maintenance reasons. Currently, a study is required by a professional engineer on county roads to determine whether a different speed limit is appropriate. These need to be approved by the Department. This bill would allow the counties to complete the studies, with appropriate engineering oversight. WYDOT will provide the counties with rules and regulations regarding procedures for training individuals to complete the studies, and for reviewing and approving the speed limit modifications.

Veteran's Cemetery Road: The Veterans Commission testified that it had applied for a grant to pay for rehabilitation of the Veterans Cemetery Road in Evansville, but the roadway had deteriorated too much to qualify for funding. WYDOT does not presently maintain the road, but provided the Veterans Commission with costs to rehabilitate the roadway and bridge. Mr. Fredrick explained that the Department has no desire to take the road onto the state highway system.

13. Lieutenant Colonel Butler presented the Highway Patrol report in Colonel Oyler's absence.

The Fatal Crash Summary through July 31, 2010, includes 57 fatal crashes involving 66 deaths. The fatalities include 24 involving rollover crashes, 19 involving multi-car crashes, 12 involving

commercial vehicles, 16 involving motorcycles and all-terrain vehicles, 2 involving pedestrians, and 5 involving fixed objects.

There have been 25 crashes to date deemed alcohol related, resulting in 28 deaths. Of those deaths, 18 were attributed to not using restraints.

Of the 66 deaths that have occurred so far in 2010, 34 can be attributed to the non-use of occupant restraints, with 20 involving rollover crashes, 10 involving multi-car collisions, and 4 involving fixed objects. Of the 34 deaths that occurred from non-use of occupant restraints, 25 were Wyoming residents and 8 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through June 30, 2010. The summary depicts 2,592 crashes statewide, of which 2,242 involved non-commercial vehicles and 350 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of July 31, 2010, have been DUI related. Field arrests total 1,050 to date, including the following:

- DUI arrests from crashes – 65
- DUI arrests from traffic stops – 433
- DUI arrests from the REDDI Program – 88
- DUI arrests from ports-of-entry – 2
- NCIC hits (person) – 30
- Wyoming warrants hits – 125
- Drug arrests – 156
- Other arrests – 151

Lieutenant Colonel Butler indicated that Wyoming has had a recent spike in fatalities, primarily due to an increase in motorcycle deaths; however, the state is still below last year's number at this time.

14. 2010 Ham 'N' Jam Deployment and District K-9 Deployment: Lieutenant Colonel Butler briefed the Commission about the annual Hulett Ham 'N' Jam Motorcycle Rally that was held August 6-15, 2010, near Devils Tower. There were four fatalities during the event. There were over 15,000 motorcycles at the event, and the lack of maneuverability in the area made law enforcement very difficult. About 1,250 man hours were expended by the Wyoming Highway Patrol during the rally.

One major drug bust occurred on I-90 during the Ham 'N' Jam. The Highway Patrol seized 482 pounds of marijuana in the bust. Since then, additional evidence has surfaced resulting in more arrests and money and property seizures, including some in Canada.

15. Mr. Byrne presented the Aeronautics report.

N102WY Engine Repair Update: Pratt & Whitney, the manufacturer of the jet engines that are used on the state's planes, has elected to repair the engine from N102WY rather than replace it. Installation of the repaired engine is anticipated on August 22, 2010. The jet will be flown to Wichita, Kansas, for the engine re-installation.

Mr. Byrne briefed the Commission about the Cessna Power Advantage Plus insurance coverage. Power Advantage will pay for the daily operating rate for the rental engine, the hourly operating rate for the rental engine, and the repair of the existing engine. The insurance does not cover the removal and replacement of the existing engine with a rental engine, shipping the rental engine from the factory to Cheyenne, or shipping the existing engine from Cheyenne to the factory and also does not cover hotel, meals, vehicle rental, and other expenses incurred by the Pratt & Whitney aircraft mechanics. Negotiations are ongoing to determine what additional logistical expenses will be reimbursed for getting the plane to Wichita, Kansas, to re-install the engine.

16. Mr. Loftin presented the Support Services report.

JTC Update: Mr. Loftin briefed the Commission on the status of the necessary changes to Wyoming statutes to bring them into compliance with the Federal Motor Carrier Safety Administration Regulations. The Legislative Services Office prepared draft legislation that was presented to the JTC to address the changes, and the committee unanimously passed the bill.

Mr. Loftin also presented two annual reports to the JTC that were statutorily due October 1, 2010. The Gold Star license plate will become available January 1, 2011. The programming and design costs for the Gold Star plate was \$2,259. The design time was lessened by using the same background as the Veteran's license plate. The programming changes affect passenger car, truck, and motorcycle plates.

The Armed Forces license plates became available on January 1, 2010. The plate was designed, samples were sent to each county, and the necessary programming changes were made to the registration system. As of July 31, 2010, WYDOT has processed 1,390 requests for Armed Forces license plates. Programming and design costs have reached \$14,649.60. There are 18 different plates that had to be designed: six Armed Forces plates for cars and trucks, six for motorcycles, and six for motorcycles with the handicap symbol. As of July 31, 2010, revenues have totaled \$69,500.

17. Mr. McOmie presented the Chief Engineer's report.

Kaycee Streets Project Update: Mr. McOmie reported that a new contractor has not started work yet, but the bonding company is working on it.

Mr. McOmie left the meeting.

18. Mr. Hehr presented the Operations report in Mr. Tim Hibbard's absence.

It was recommended by Mr. Hehr, moved by Commissioner Latta, seconded by Vice Chairman Covello, and carried to approve purchase for Requisition No. 0000018827 to furnish Vaisala road surfacing sensors for use by the Intelligent Transportation Systems Program. The contract was awarded to Vaisala, Inc., of Louisville, Colorado, for the sum of \$101,146.50.

19. It was moved by Vice Chairman Covello, seconded by Commissioner McCormick, and carried to move into executive session. The Commission went into executive session at 11:25 a.m.

20. It was moved by Vice Chairman Covello, seconded by Commissioner Dziardziel, and carried to move out of executive session. The Commission came out of executive session at 12:10 p.m.

21. After the Commission heard from its attorneys regarding a proposed settlement of a pending condemnation case in executive session, it was moved by Vice Chairman Covello, seconded by Commissioner Hladky, and unanimously carried to reject the settlement offer.

22. Chairman Monk recessed the meeting at 12:15 p.m. The commissioners and staff converged off-site for a luncheon with WYDOT service award recipients.

Chairman Monk reconvened the regular business meeting at 2:55 p.m.

23. It was moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to remove from the table the approval of the Resolution for the Exercise of Eminent Domain for the Gillette Streets project, as noted under Item 8 above.

Mr. Fredrick presented some additional right-of-way information about the Gillette Streets project.

Chairman Monk called for the vote to approve the Resolution for the Exercise of Eminent Domain that was presented under Item 8 above. The resolution was unanimously approved.

24. It was moved by Vice Chairman Covello, seconded by Commissioner Hladky, and carried to adjourn the meeting. Chairman Monk adjourned the regular business meeting at 3:02 p.m., on Thursday, August 19, 2010.