

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on March 18, 2010. The meeting was convened at 8:30 a.m. by Chair Dziardziel. The following members were present constituting a quorum:

Susan Dziardziel, Chair, Douglas  
Charlie Monk, Vice Chairman, Lovell  
Sandi McCormick, Commissioner, Rock Springs  
Cactus Covello Jr., Commissioner, Torrington  
Jim Latta, Commissioner, Pinedale (via telephone)  
Ted Ertman, Commissioner, Newcastle  
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; Pat Collins, Assistant Chief Engineer of Engineering and Planning; Tim Hibbard, Assistant Chief Engineer of Operations; Tom Loftin, Support Services Administrator; Colonel Sam Powell, Wyoming 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 Daily, Division Administrator, Federal Highway Administration.

Others present: Kristin Burkart, Internal Review Services Manager; David Stearns, Financial Services Administrator; Ron Downey, Accounting Manager; and Ron Archuleta, Assistant Lands Management Administrator.

1. Chair Dziardziel asked for nominations from the floor for the election of a new Commission Chairman. It was moved by Commissioner Covello, seconded by Commissioner Latta, and carried to nominate Vice Chairman Monk as Chairman. There were no other nominations. It was moved by Commissioner Covello, seconded by Commissioner Ertman, and unanimously carried to elect Vice Chairman Monk as Chairman.

2. Chair Dziardziel asked for nominations from the floor for the election of a new Vice Chairman. It was moved by Commissioner McCormick, seconded by Commissioner Ertman, and carried to nominate Commissioner Covello as Vice Chairman. There were no other nominations. It was moved by Commissioner Hladky, seconded by Commissioner Ertman, and unanimously carried to elect Commissioner Covello as Vice Chairman.

3. Former Chair Dziardziel turned over the meeting to the newly elected Chairman Monk.

4. It was recommended by Secretary Scott, moved by Commissioner McCormick, seconded by Commissioner Dziardziel, and carried to approve the minutes from the February 18, 2010, regular business meeting and education session.

5. Director Cox presented the Director's report.

Federal Highway Bill Update: Director Cox advised that the Safe Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users (SAFETEA-LU) was extended by the U.S. Congress on March 17, 2010, through December 31, 2010.

Joint Transportation, Highways and Military Affairs Interim Committee (JTC): Director Cox provided a handout that contained a prioritized list of JTC interim topics and tentative meeting dates. The Committee plans to meet in Evanston on June 9-10, in Casper on August 12-13, and in Cheyenne on October 11-12, 2010. In accordance with a recent statute change, the Transportation Commission budget will be presented to the JTC at its October meeting, following the Commission's approval of the budget at its September 2010 meeting.

Gasoline and diesel fuel taxes are also slated for discussion as an interim topic. Director Cox expressed his concern about the I-80 tolling authority bill failing in the House Transportation Committee and anxiously awaits discussion about other potential future funding streams that may be proposed by the Committee.

American Association of State Highway and Transportation Officials (AASHTO) Washington Briefing: Director Cox, Chief Engineer McOmie, and John Davis, Policy Analyst for the WYDOT Management Services Program, recently attended the AASHTO Washington briefing. Many speakers discussed the status of federal funding at the meeting. Director Cox noted that the climate in Washington, D.C., is very partisan right now and politics are playing a major role in funding decisions.

Highway Patrol Administrator Position: Director Cox indicated he will announce Colonel Powell's replacement after April 1.

6. Mr. Kevin Hibbard presented the Budget report.

Monthly Budget Report: Mr. Hibbard presented the monthly budget report. Diesel fuel revenue has recovered previous losses by about 2 percent, and gasoline fuel tax revenues are on track through February.

American Recovery and Reinvestment Act (ARRA) Report: Wyoming's monthly ARRA report has been filed. The Office of Management and Budget (OMB) report will be filed on a quarterly basis beginning in April 2010. About 54 percent of Wyoming's ARRA funds have been expended so far.

Legislative Appropriations Bill: The Wyoming State Legislature approved \$50 million in general funds for surface transportation for fiscal year (FY) 2011-12. The Airport Improvement Program received \$10,240,000 in general funds, a reduction of \$7 million from the last biennium. The Air Service Enhancement Program received \$3,263,711 in general funds, which is the same amount as the last biennium. WyoLink received \$2,545,00 for T-1 lines and contract service maintenance for

the system. Mr. Hibbard will present the approved FY 2011-12 Commission budget to the JTC at its October 2010 meeting.

SAFETEA-LU Reauthorization: Mr. Hibbard reported that Congress has extended the SAFETEA-LU for nine months. The Department will receive an apportionment with an obligation authority to expend the apportionment later on.

The continuing SAFETEA-LU resolution removed the rescissions and, therefore, the Department's budget remains intact. WYDOT did not have to utilize its borrowing authority while awaiting funding reauthorization.

7. Mr. Collins presented the Engineering and Planning report.

Mr. Collins noted that the March 11, 2010, bid letting was cancelled because of some larger projects which have experienced some degree of difficulty in obtaining rights-of-way. Lettings have been added on March 26 and April 22 to allow for other projects to be moved from future years in the State Transportation Improvement Program (STIP) into this year in order to compensate for these delayed projects. The Transportation Commission will meet via teleconference April 1 and 29, 2010, to consider award of those projects.

8. It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried to approve the following project authorizations:

**COMMISSION DISTRICT 2**

Urban Collector

STPU-GR 0.00 B143009; Sweetwater County; Green River Streets, east and west Teton Boulevard and Hitching Post Drive; reconstruction; fiscal year 2014 construction; request federal preliminary engineering funds of \$20,000

**COMMISSION DISTRICT 3**

Rural Principal Arterial

NH 140.66 N104006; Teton County; Alpine Junction to Hoback Junction, Snake River Section; reference markers 140.66 to 141.40; reconstruction; request move to fiscal year 2010 from fiscal year 2011; request federal construction engineering and construction funds of \$5,032,829

BR 140.97 N104065; Teton County; Alpine Junction to Hoback Junction, Snake River Bridge; reference marker 140.97; bridge replacement; request move to fiscal year 2010 from fiscal year 2011; request federal construction engineering and construction funds of \$18,539,400

STP-E 140.75 N104078; Teton County; Hoback Junction; Teton County; reference markers 140.75 to 142.50; enhancements and pathways; request move to fiscal year 2010 from fiscal year 2011; request federal construction engineering and construction funds of \$254,717

## **COMMISSION DISTRICT 7**

### Rural Principal Arterial

ARSCT 0.00 ARS3755; Fremont County; US 20, Casper to Shoshoni; ML 34, reference markers 69.9 and 76.6; widening to construct acceleration/deceleration and center lanes by Encana Oil and Gas, Inc.; WYDOT to provide plan review and construction inspection, chip seal for roadway; fiscal year 2010; request preliminary engineering funds of \$5,000; request construction engineering and construction funds of \$39,500; to be reimbursed by Encana Oil & Gas, Inc.

### Rural Major Collector

STP 0.15 0708026; Fremont County; Riverton to Sweetwater, Sand Draw Road; reference markers 0.15 to 17.70; level, overlay and chip seal; request move to fiscal year 2010 from fiscal year 2017; request federal construction engineering and construction funds of \$6,000,000

### Rural Minor Collector

SCP 0.04 W091007; Converse County; Douglas, Cold Springs Road and LaPrele Road; ML 91, reference markers 0.04 to 8.01; ML 96, reference markers 0.00 to 3.01; overlay and chip seal; fiscal year 2010; request state preliminary engineering funds of \$45,500; request state construction engineering and construction funds of \$2,750,000

## **COMMISSION DISTRICT M (Miscellaneous)**

### Various (Urban)

HSIP 0.00 B109079; statewide; various urban locations; signalization, controllers, software, new detection systems, four-section-head left turn signals; fiscal year 2010; request federal construction engineering and construction funds of \$1,750,000

9. Mr. Collins provided details of a large landslide that has repeatedly damaged U.S. Highway 85, at the historic Flying V Cambria Inn near Newcastle. The following eminent domain was proposed to accommodate moving the existing roadway to the opposite side of the Flying V. The Department has negotiated with the current Flying V landowners for years to obtain the necessary right-of-way for the project, and Right-of-Way Program representatives plan to meet with the landowners soon to make an offer on the property. WYDOT will propose a slide debris easement that will compensate the Flying V landowners in the event that the slide moves onto the historic Flying V property. The easement is not included in the following resolution. The resolution is for the right of way needed to reconstruct the highway on a new alignment.

Commissioner Ertman has spoken with Mr. Napolitano, the property owner, who expressed his satisfaction with moving the roadway. According to Commissioner Ertman, Mr. Napolitano has

concerns about the effect that a two-year construction project will have on his business but has been very happy with WYDOT's staff and their efforts in the negotiation process.

An existing house will need to be torn down and replaced to realign the roadway.

It was recommended by Mr. Collins, moved by Commissioner Dziardziel, seconded by Commissioner McCormick, and carried 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 0N25-05(040), the Newcastle - Four Corners Road, in Weston 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 NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$  of Section 21, and the E $\frac{1}{2}$ SE $\frac{1}{4}$  of Section 17, all of T46N, R61W of the 6th P.M., Weston County, Wyoming, and constitute approximately 18.40 acres of property for right-of-way and approximately 18.23 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 owner or owners thereof, condemnation proceedings are authorized to be commenced and prosecuted to acquire the necessary right-of-way and/or temporary construction easements.

10. Legislative Update: Mr. Collins briefed the Commission about the final outcome of various Engineering and Planning-related bills from the 2010 legislative session. Some highlights of the bills are as follows:

House Bill 0030, Tolling Authority for I-80, failed in the House Transportation, Highways, and Military Affairs Committee after making it through the Senate. The subject is not on the prioritized list of interim topics for this joint interim committee. Mr. Collins advised that the joint interim committee will approach the subject of motor fuel tax for a future funding stream for highways.

HB 0089, Resident Contractor Preferences, will clarify application of preference requirements to specified construction alternate project delivery methods and requires subcontractor bids to be opened in public for these types of projects. The bill will affect design/build, contract manager, and construction manager at-risk projects and will not currently affect WYDOT projects.

House Bill 0057, Damage to Underground Public Utilities, provides for civil penalties for damages to underground public utilities. The bill received strong support of utility companies and owners to increase penalties for those who do not utilize the One-Call Wyoming service before digging.

Mr. Archuleta left the meeting.

11. Colonel Powell presented the Highway Patrol report.

The Fatal Crash Summary through February 28, 2010, includes 10 fatal crashes involving 15 deaths. Five of these fatalities occurred in one vehicle, in which only the driver was wearing a seatbelt. The fatalities include four involving rollover crashes, seven involving multi-car crashes, seven involving commercial vehicles, and four involving fixed objects.

There have been two crashes to date deemed alcohol related, resulting in two deaths. Of those deaths, one was attributed to not using restraints.

Of the 15 deaths that have occurred to date in 2010, 12 can be attributed to the non-use of occupant restraints, with 4 involving rollover crashes, 5 involving multi-car collisions, and 3 involving fixed objects. Of the 12 deaths that occurred from non-use of occupant restraints, 5 were Wyoming residents and 7 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through January 31, 2010. The summary depicts 374 crashes statewide, of which 306 involved non-commercial vehicles and 68 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of February 28, 2010, have been DUI related. Field arrests total 271 to date, including the following:

- DUI arrests from crashes – 15
- DUI arrests from traffic stops – 106
- DUI arrests from the REDDI Program – 18
- DUI arrests from ports-of-entry – 1
- NCIC hits (person) – 10
- Wyoming warrants hits – 38
- Drug arrests – 43
- Other arrests – 40

Colonel Powell noted that alcohol-related fatalities are exceptionally low so far this year with only two deaths being reported.

Legislative Update: Colonel Powell briefed the Commission about Patrol-related bills, including underage drinking, aquatic invasive species, criminal street gangs, insurance requirements for newly purchased vehicles, Wyoming Firearms Freedom Act, peace officers, detention officers and dispatchers, gold star license plates, DUI amendments, text messaging while driving, concealed weapon permit applicability, school bus seatbelts, Supreme Court peace officer, safe transportation of railroad employees, and retirement plan contributions. Colonel Powell advised that the Patrol dispatchers will be particularly affected by the passage of Senate File 0072, Wyoming Retirement Plan Contributions. The bill increases the employees' retirement contribution by 1.43 percent, causing inequity amongst dispatchers, as some are under the State Retirement Plan and others are under a separate, older retirement plan.

Colonel Powell's Retirement: Colonel Powell expressed his sincere gratitude to the Commission for their cooperative work and support during his tenure as colonel. Colonel Powell also thanked WYDOT executive staff members for their outstanding work and consistent professionalism in their work and for keeping Wyoming's best interest in mind when making decisions.

Chairman Monk thanked Colonel Powell for his eloquence in dealing with some very tough issues over the past few years. Each commissioner extended his or her appreciation for Colonel Powell's work during his 34 years with Patrol and wished him well in his retirement.

Director Cox expressed his appreciation for having Colonel Powell as his work partner and for doing the right thing in some very tough situations over the years. Director Cox also expressed his gratefulness for Colonel Powell's professionalism and wisdom he exhibited on the job.

12. Mr. Byrne presented the Aeronautics report.

Legislative Update: The Airport Improvement Program received \$10,240,000 in general funds in the 2010 legislative session, \$7 million less than last biennium. The Air Service Enhancement Program received \$3,263,711 in general funds, which is the same amount as last biennium.

The Aeronautics Commission was granted authority to approve or disapprove heliports during the session. Mr. Byrne has received an application from Teton County to build a heliport facility for search and rescue efforts. The Aeronautics Commission will consider the application at its next meeting.

13. Mr. Loftin presented the Support Services report.

Legislative Update: Mr. Loftin briefed the Commission about various Support Services-related bills, including armed forces licenses plate fees and distribution, gold star license plates, and DUI amendments.

The Joint Appropriations Committee (JAC) requested a list of existing vacant positions from all state agencies during the 2010 budget review process. WYDOT executive staff provided the JAC with a list of 109 full-time vacant positions. There were 30 positions on the list that were vacant for more than 24 months. House Enrolled Act 46, as enacted, directs the Transportation Commission to eliminate 22 of those positions.

It was recommended by Mr. Loftin, moved by Vice Chairman Covello, seconded by Commissioner McCormick, and carried to eliminate the 22 positions from the Commission job pool and to retain the 8 positions listed on Mr. Loftin's handout titled, "Positions Recommended for Elimination per Legislative Requirement" and "Positions Recommended to be Retained."

14. Mr. Loftin updated the Commission about the status of the PASS ID (formerly Real ID). As of January 1, 2010, individuals must provide proof of residency, documentation of a social security number, and a certified birth certificate to obtain a Wyoming drivers license.

15. Mr. Tim Hibbard presented the Operations report.

It was recommended by Mr. Hibbard, moved by Commissioner Dziardziel, seconded by Commissioner McCormick, and carried to approve purchase for bid number 10-115 to furnish two each, new, current model, extended cab and chassis for platform lift for delivery in Casper and Rock Springs. The bid was awarded to Fremont Motor Co., of Lander, Wyoming, for the sum of \$72,828.76.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Commissioner Latta, and carried to approve purchase for bid number 10-116 to furnish two each, new, current model platform lifts for delivery at the dealer. The bid was awarded to Ameri-Tech Equipment Co., of Evansville, Wyoming, for the sum of \$116,622.

It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve purchase for bid number 10-119 to furnish 11,038 tons of performance grade oil hot plant mix bituminous pavement material, Type E and tack oil, for delivery in Cheyenne and Laramie. The contracts were awarded to JTL Group, Inc. dba Knife River, of Cheyenne, Wyoming, for the sum of \$296,540, and Simon Contractors, of Gillette, Wyoming, for the sum of \$295,130, for a grand total sum of \$591,670.

It was recommended by Mr. Hibbard, moved by Commissioner McCormick, seconded by Commissioner Dziardziel, and carried to approve purchase for bid number 10-120 to furnish 11,000 tons of performance grade asphalt binder hot plant mix bituminous pavement material for delivery in Casper. The bid was awarded to Knife River, Inc., of Casper, Wyoming, for the sum of \$618,250.

It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve purchase for bid number 10-121 to furnish 31,000 tons of performance grade asphalt binder hot plant mix bituminous pavement material for delivery in



Gillette, Sheridan and Sundance. The bid was awarded to Intermountain Construction & Materials, of Gillette, Wyoming, for the sum of \$2,010,950.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Vice Chairman Covello, and carried to approve purchase for bid number 10-122 to furnish 25,023 tons of performance grade asphalt binder hot plant mix bituminous pavement material, cold mix, and tack oil for delivery in Riverton, Cody, and Worland. The bid was awarded to Century Companies, Inc., of Lewiston, Montana, for the sum of \$1,379,954, and Dave's Asphalt Company, of Riverton, Wyoming, for the sum of \$348,630.80, for a total sum of \$1,728,584.80.

It was recommended by Mr. Hibbard, moved by Vice Chairman Covello, seconded by Commissioner McCormick, and carried to approve purchase for bid number 10-124 to furnish office supplies on an annual contract basis for delivery at the Purchasing Warehouse in Cheyenne, for use statewide. The bid was awarded to Wyoming Stationery, of Cheyenne, Wyoming, for the sum of \$80,672.05; Indoff, of Cheyenne, Wyoming, for the sum of \$20,102.60; Source Office Products, of Laramie, Wyoming, for the sum of \$17,703.56; Banner Flags & Poles, dba Tidmore Flags, Inc., of Birmingham, Alabama, for the sum of \$14,742; National Art & School Supplies, of Rahway, New Jersey, for the sum of \$8,097.48; Supplies Now, of Greenacres, Florida, for the sum of \$7,196.60; Valley Business Machines and Office Supplies, of West Valley City, Utah, for the sum of \$6,031.98; and The Office Shop, Inc., of Cowley, Wyoming, for the sum of \$100.00; for a total sum of \$154,646.27.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Vice Chairman Covello, and carried to approve purchase for bid number 10-125 to furnish 3,510 tons of asphalt emulsions for delivery at various locations statewide. The bid was awarded to Peak Asphalt, LLC, of Rawlins, Wyoming, for the sum of \$1,239,915; Dark Water Asphalt, of Casper, Wyoming, for the sum of \$314,300; Mountain States Materials, of Cheyenne, Wyoming, for the sum of \$31,880; Western Emulsions, Inc., of Billings, Montana, for the sum of \$27,525; for a total sum of \$1,613,620.

It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner Dziardziel, and carried to approve purchase for bid number 10-126 to furnish 2,425 tons of performance grade asphalt binder and/or liquid cut-back asphalts, for delivery at various locations statewide. The bid was awarded to Sinclair Oil Corporation, of Salt Lake City, Utah, for the sum of \$1,035,250.

It was recommended by Mr. Hibbard, moved by Commissioner Dziardziel, seconded by Commissioner McCormick, and carried to approve purchase for bid number 10-132 to furnish one each, new, current model 35-ton, full-tilt, low-load angle trailer for delivery in Casper. The bid was awarded to Peterbilt of Wyoming, of Cheyenne, Wyoming, for the sum of \$61,965.

It was recommended by Mr. Hibbard, moved by Commissioner McCormick, seconded by Commissioner Hladky, and carried to approve purchase for bid number 10-133 to furnish five each,

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new, current model 20-ton, tilting platform trailers for delivery in Sheridan, Casper, and Rock Springs. The bid was awarded to Peterbilt of Wyoming, of Cheyenne, Wyoming, for the sum of \$110,190.

16. Annual A-133 Audit: It was recommended by Mr. Hibbard, moved by Commissioner Ertman, seconded by Commissioner Latta, and carried to approve the draft A-133 Audit as presented on March 17, 2010, by Ms. Vikki Nunn, Principal Accountant for Porter, Muirhead, Cornia & Howard. A final copy of the audit document will be published and distributed as appropriate in the near future.

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

Legislative Update: Mr. McOmie briefed the Commission about various engineering-related bills.

HB 0030, Transportation Department Authority, would have allowed the Department to acquire property for rights-of-way and install snow fence for safe roadways. The bill failed introduction in the House. The Department will investigate utilizing live snow fences in areas where land acquisition has not been successful.

AASHTO Washington Briefing: The Federal Highway reauthorization bill was a primary discussion topic at the recent AASHTO Briefing in Washington, D.C. Transportation Secretary Ray LaHood attended the meeting and indicated that the U.S. House of Representatives has proposed a draft bill.

Congress is also working on the "Jobs Work Bill" legislation intended to create jobs by providing tax breaks for businesses and funding for infrastructure programs. The STIP may need to be adjusted if the bill passes. The bill's criteria is unknown right now, so the Department will have to wait until the bill is finalized before moving forward. Mr. McOmie noted that timing will be key in establishing the STIP for the next five years, particularly with hiring contractors, mobility issues, and extending jobs for longer time periods.

While in Washington, D.C., Mr. McOmie met with Wyoming's Congressional staff to discuss the importance of a future continuous highway funding stream for Wyoming.

Standard Specifications for Road and Bridge Construction, 2010 Edition: The 2003 edition of WYDOT's *Standard Specifications for Road and Bridge Construction* has been updated. The update began over a year ago, and several supplemental specifications have been incorporated in the revision. The Wyoming Contractors Association has been kept apprised of its progress, and changes have been discussed at cooperative meetings. The FHWA is reviewing each section as drafts become available and will provide a final letter of acceptance at the end of the project.

Mr. McOmie noted that the Department hopes to make the 2010 edition available for use with the October 2010 letting.

It was recommended by Mr. McOmie, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried to adopt the *Standard Specifications for Road and Bridge Construction, 2010 Edition*.

Buffalo Shop Site Update: Mr. McOmie updated the Commission on the status of the Buffalo Shop site land purchase, which was approved by the Commission on February 18, 2010. The approved land parcel included 20.95 acres south of Buffalo along I-25. During negotiations, the landowner proposed that the Department purchase a slightly larger piece of property to square off the parcel, which would increase the property size to approximately 23.55 acres. The increased size would cost about \$500,000 more than originally approved by the Commission. Mr. McOmie indicated that funding is available within the Department's budget for the increased amount.

It was recommended by Mr. McOmie, moved by Commissioner Ertman, seconded by Commissioner Dziardziel, and carried to allow the district to pursue a land purchase that works for the Department and the landowner. After negotiations are complete, the land purchase will be brought to the Commission for consideration and approval.

18. It was moved by Vice Chairman Covello, seconded by Commissioner Hladky, and carried to move into executive session. The Commission went into executive session at 11:17 a.m.

19. It was moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried to move out of executive session. The Commission came out of executive session at 11:52 a.m.

20. It was moved by Vice Chairman Covello, seconded by Commissioner McCormick, and carried to adjourn the meeting. Chairman Monk adjourned the meeting at 11:52 a.m., on Thursday, March 18, 2010.