

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on October 20, 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
Todd Seeton, Vice Chairman, Jackson
Clair Anderson, Commissioner, Riverton
Bruce McCormack, Commissioner, Cody
Bob Ruwart, Commissioner, Wheatland
Mike Larson, Commissioner, Lusk
Rick Newton, Commissioner, Buffalo (via telephone)
Bill Panos, Director
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were Dennis Byrne, Chief Financial Officer; Gregg Fredrick, Chief Engineer; Keith Fulton, Assistant Chief Engineer of Engineering & Planning; Taylor Rossetti, Support Services Administrator; Colonel Kevin Haller, Highway Patrol Administrator; Lieutenant Colonel Shannon Ratliff; 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.

Ms. Kristin Burkart, Internal Review Services Manager was also present. Mr. Pat Lewis, Chief Technology Officer, was absent.

1. Pledge of Allegiance: Chairman Dooley led the attendees in the Pledge of Allegiance.
2. Changes/Additions to the Agenda: It was moved by Commissioner Anderson, seconded by Commissioner McCormack, and carried to add Agenda Item 16.a.2 to add Mark J. Gillett, the newly appointed assistant chief engineer for operations, as an authorized WYDOT signatory.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried to approve the minutes from the September 14, 2016, FY 2017 Operating Budget presentation, and the September 15, 2016, breakfast meeting and regular business meeting.
3. Director Panos presented the Director's report.

WYDOT Employee Meetings: A second round of employee meetings were recently held, 10 meetings at headquarters and 5 meetings in field offices, to discuss WYDOT's budget reductions and recent reorganization efforts. Director Panos has answered many questions, and he has received considerable positive feedback from employees for the effort. The next employee meetings will be scheduled sometime during or immediately following the 2017 legislative session.

Annual Beet Harvest and Related Law Enforcement Matters: The annual beet harvest is underway in northwestern Wyoming. Excessive rain necessitated harvesting the beets quickly, which created extraordinarily heavy truck traffic. The trucks are also transferring an excessive amount of mud onto the highway, which created some safety concerns.

The Wyoming Highway Patrol has worked with the hauling companies and their operators to maintain safety. Public service announcements have also been made to keep the public informed of the heavy truck traffic and hauling activities in the area. Meetings will be held before next year's harvest in an effort to be proactive about keeping the public informed.

Sweetwater County Trona Mining: Director Panos recently met with Tronox Limited; the Wyoming Department of Environmental Quality; and WYDOT's legal council, Mike Kahler, to discuss the Tronox mine expansion, which borders very close to I-80 in Sweetwater County. The State of Wyoming owns most of the land where the mine wants to expand, so WYDOT will play a significant part in the development. WYDOT will work closely with Tronox to ensure the expansion does not affect the integrity of I-80. Director Panos will keep the Commission informed of the progress on this issue.

Joint Transportation, Highways & Military Affairs Committee Meeting: The JTC met September 26-27, 2016, in Afton. Agenda items were vehicle registration penalties, vehicle registration and rebuttable presumption, salvage titles, a proposed Yellowstone license plate, I-80 tolling, speed violations and bond schedule simplifications, governmental immunity regarding cooperative public transportation, move-over law revisions, pilot and escort car rule review, increasing WYDOT's borrowing authority, and transferring the Public Safety Communications Commission (PSCC) to WYDOT.

Follow-up information has been prepared and provided to the committee to address unanswered questions. A copy of the follow-up information was provided to the Commission.

Commissioner McCormack also attended and testified before the JTC, and he was impressed with the outcome of the meeting.

Director Panos will continue to convey the message about the need to stabilize WYDOT's funding.

4. Mr. Byrne presented the Chief Financial Officer's report, beginning with the monthly budget report.

The final 2016 monthly budget report showed that the Commission budget was 89 percent expended, and the Legislative budget was 94 percent expended, for a combined expenditure of 90 percent for the year. The unexpended funds will roll into the FY 2017 budget and will be spent on state construction projects and other necessary operating costs. None of the carryover funds are from the state General Fund.

Mr. Byrne presented the following Procurement Services bids for Commission consideration.

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

- Bid number 16-300 to furnish 354,655 gallons of fast-drying acrylic traffic line paint (189,280 gallons of white, 145,375 gallons of yellow, and 20,000 gallons of cold-weather paint), for use statewide. The bid was awarded to Vogel Paint & Wax Co., Inc., of Orange City, Iowa, for the sum of \$2,550,030.85.
- Bid number 16-301 to furnish 2,840,000 pounds of reflective glass spheres (Type I), for use statewide. The bid was awarded to Potters Industries, LLC, of Valley Forge, Pennsylvania, for the sum of \$775,320.00.
- Bid number 16-311 to furnish 2,900 each aluminum sheets and sign blanks, for delivery in Cheyenne. The bid was awarded to Vulcan Aluminum, of Foley, Alabama, for the sum of \$82,059.00.
- Bid number 16-317 to furnish rigging and installation of equipment for the new Wyoming Highway Patrol (WHP) vehicles, and stripping of rigging equipment from decommissioned WHP vehicles. The bid was awarded to Wireless Advanced Communications, Inc., of Evans, Colorado, for the sum of \$382,849.40.

It was recommended by Mr. Byrne, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried to approve purchase for bid number 16-305 to furnish one each, new, current model, 15 Series, four-wheel-drive, GMC Yukon XL, for delivery in Cheyenne. The bid was awarded to Fremont Chevrolet Buick GMC, of Riverton, Wyoming, for the sum of \$51,201.24.

It was recommended by Mr. Byrne, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried to approve purchase for Requisition Number 0000043815 to furnish 237 Bentley Systems' software user licenses for use by the Highway Development Program, for the period of November 1, 2016, through October 31, 2017. The contract was awarded to Bentley Systems, Inc., of Exton, Pennsylvania, a sole source supplier for this item, for the sum of \$378,704.72.

It was recommended by Mr. Byrne, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried to approve purchase for Requisition Number 0000043963 to furnish one computer for use with the license plate sheeting, designated for the Motor Vehicle Services Program. The contract was awarded to 3M Corporation, of Saint Paul, Minnesota, a sole source supplier for this item, for the sum of \$225,000.00.

It was recommended by Mr. Byrne, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried to approve purchase for Requisition Number 0000043976 to furnish 12 each Force America 6100 Ultra hydraulic packages for tandem axle snow plow trucks, 1 each Force America 6100 Ultra hydraulic package for tow plow truck, 2 each Force America 6100 Ultra hydraulic package for single axle snow plow, for delivery in Cheyenne. The contract was awarded to Force America, Inc., of Burnsville, Minnesota, a sole source supplier for this item, for the sum of \$296,334.00.

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

Personnel Update: A new assistant chief engineer for operations has been selected. Mr. Mark Gillett, former district engineer in Sheridan, will assume his duties November 1, 2016. The vacant district engineer job will be advertised, and the goal is to fill that position by December 1.

Interviews have been conducted for the district engineer position in Basin. A candidate will be announced in the next few days, and Mr. Fredrick hopes to fill that position by November 1.

Public Safety Communications Commission (PSCC) Move to WYDOT: Mr. Fredrick advised that WYDOT has worked with the PSCC and the Governor's office to transfer the PSCC liaison from the Wyoming Department of Homeland Security to WYDOT. Mr. Bob Symons, PSCC liaison has been relocated to WYDOT.

Monitoring of Statewide Facilities: There are currently three individuals with the Wyoming Department of Administration and Information (A&I) who monitor state facilities. WYDOT is looking into the possibility of bringing those individuals onto the department's Transportation Management Center (TMC) staff. Ultimately, the TMC staff would monitor all State of Wyoming facilities statewide, around the clock. Monitoring will be for flood, fire, intrusion, and other security reasons.

The three state contract employees will train WYDOT's current TMC staff in security matters, and they will be trained to carry out the duties that the TMC staff has been trained to do. The state's existing monitoring technology will also be merged into the TMC, and the employees and related program funding will be transferred to WYDOT. Mr. Fredrick hopes the transfer will be finalized within one year.

With the current hiring freeze, WYDOT intentionally delayed hiring its snow plow operators for the winter season. About 30 operator positions were advertised in early October, and about 12 positions are left to be filled.

Relocation of Highway 59: Contoura Mining, the owner of the Eagle Butte Mine, would like to continue its mining operations under WYO 59 in Campbell County. Mr. Fredrick showed a map depicting the area that is to be mined by the end of October, which necessitated building a connecting roadway from WYO 59 to Highway 14/16. The road is expected to be complete by November 1, and it will serve as a detour around the south side of Gillette during mining operations.

A resolution for abandonment will be presented by Mr. Fulton later in the meeting so the mining company can move forward with its operations.

Through the public involvement process, WYDOT realized that another all-weather access road was needed. Through further negotiations, the Department deemed that the mining company could proceed with its operations simultaneously while the Garner Lake Road design was being developed.

Request for Special Oversize Load Movements: Mine Rite, a manufacturer of extremely large dump bodies used by mining companies, has requested permission to move 40 mega-loads

through Wyoming to Nevada. Moving these 28-foot-wide loads on two-lane roads requires that the pilot car drive ahead of the loads and force all oncoming traffic onto the shoulder of the highway while the mega-load passes. Another concern is moving these large loads through construction zones, and the impact they will have on construction operations. Each load will be moved separately, so each move will require a unique route approval. WYDOT will work with Mine Rite to establish routes that do not interfere with highway construction operations. Press releases will also be necessary to keep travelers informed of the impact on public safety.

WYDOT Striping Operations and Related Vehicle Accidents: Two crashes occurred this month during WYDOT's striping operations. The large shadow vehicle with a crash attenuator and an arrow board was struck on I-80. No lost time injuries were sustained, but the vehicle suffered significant damage, and both crash attenuators will have to be replaced at a cost of about \$20,000 each. Mr. Fredrick noted that these types of incidents emphasize the need for a move-over law on Wyoming highways.

6. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held October 13, 2016, in Laramie.

COMMISSION DISTRICTS 1 and 2

Bob Ruwart - Commissioner

K. John Dooley - Chairman

Federal projects STP-PM-B171007 and CMP-PM-B171030 combined, involving crack sealing and miscellaneous work at various locations in Transportation District 1, including Albany, Carbon, and Laramie counties. Completion date: April 30, 2017

Engineer's Estimate	\$340,902.00
Z & Z Seal Coating, Inc., Billings, MT	\$303,065.71 -11.1%
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$348,720.00

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner McCormack, and carried that Z & Z Seal Coating, Inc., Billings, 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 2

K. John Dooley - Chairman

Federal projects NHPP-0261020, NHPP-E-P261033, and ARSCT-0261A01 combined, involving grading, draining, milling plant mix, placing crushed base, and bituminous pavement surfacing, plant mix wearing course, concrete pavement, sidewalk, curb and gutter, replacement and widening of a structure, water systems, electrical, landscaping, and miscellaneous work on 1.33 miles at various locations in the city of Laramie, in Albany County. Completion date: July 31, 2019

Engineer's Estimate	\$24,368,247.70	
S & S Builders, LLC, Gillette, WY	\$23,537,229.42	-3.4%
W.W. Clyde & Co., Springville, UT	\$23,978,342.17	
Reiman Corp., Cheyenne, WY	\$23,999,999.98	
SEMA Construction, Inc. and Subsidiaries, Centennial, CO	\$24,378,052.65	
Hamilton Construction Co. and Subsidiary, Springfield, OR	\$24,885,415.01	
Ralph L. Wadsworth Construction Company, LLC, Draper, UT	\$25,959,992.57	
Simon Contractors and its Subsidiaries, Cheyenne, WY	\$25,975,006.16	
Ames Construction, Inc., Burnsville, MN	\$26,519,366.00	
Wadsworth Brothers Construction Company, Inc., Draper, UT	\$27,520,475.30	

Mr. Dailey noted that this is an FHWA Project of Division Interest (PoDI). WYDOT and the FHWA will work together to optimize the successful delivery of programs and projects and help ensure compliance with federal requirements. PoDIs typically have an elevated risk, contain elements of higher risk or complexity, or present a meaningful opportunity for FHWA involvement to enhance meeting program or project objectives.

It was recommended by Mr. Fulton, moved by Commissioner Ruwart, seconded by Commissioner Larson, and carried that S & S Builders, LLC, Gillette, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be conditionally awarded the contract as low bidder, pending concurrence from the City of Laramie. The Federal Highway Administration concurred with this decision.

COMMISSION DISTRICTS 2 and 3

K. John Dooley - Chairman

Todd Seeton - Vice Chairman

Federal project STP-PM-B173011, involving crack sealing, crack surfacing, and miscellaneous work at various locations in Transportation District 3, including Sublette, Sweetwater, and Teton counties. Completion date: April 30, 2017

Engineer's Estimate	\$ 890,551.00	
Highway Improvement, Inc., Sioux Falls, SD	\$1,012,851.00	+13.7%
Z & Z Seal Coating, Inc., Billings, MT	\$1,081,664.82	

It was recommended by Mr. Fulton, moved by Commissioner Seeton, seconded by Commissioner Anderson, and carried that Highway Improvement, Inc., Sioux Falls, South Dakota, 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-N132104 and ARSCT-N132A04 combined, involving grading, milling plant mix, placing crushed base, bituminous pavement surfacing, reclaimed asphalt pavement

widening, and miscellaneous work on 7.72 miles of US 189, beginning at reference marker (RM) 136.37, between Daniel Junction and Hoback Junction, in Sublette County. Completion date: October 31, 2017

Engineer's Estimate	\$2,412,812.10	
McGarvin-Moberly Construction Company and subsidiary, Worland, WY	\$2,597,320.44	+7.6%
H-K Contractors, Inc., Idaho Falls, ID	\$2,477,769.00	
Plus 5% for Comparison	\$2,601,657.45	
Kilgore Companies dba Lewis & Lewis, Inc., Rock Springs, WY	\$2,688,479.94	
DePatco, Inc., St. Anthony, ID	\$2,745,473.00	
Plus 5% for Comparison	\$2,882,746.65	

It was recommended by Mr. Fulton, moved by Commissioner Larson, seconded by Commissioner Ruwart, and carried that McGarvin-Moberly Construction Company and subsidiary, Worland, 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 4 and 6

Rick Newton - Commissioner

Mike Larson - Commissioner

Federal project STP-PM-B174017, involving crack sealing and miscellaneous work at various locations in Transportation District 4, including Campbell, Crook, Sheridan, and Weston counties. Completion date: May 15, 2017

Engineer's Estimate	\$390,551.00	
Hardrives Construction, Inc. and subsidiaries, Billings, MT	\$368,060.00	-5.8%
Z & Z Seal Coating, Inc., Billings, MT	\$383,046.38	
American Pavement Solutions, Inc. and Subsidiary, Green Bay, WI	\$437,251.00	

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner McCormack, and carried that Hardrives Construction, Inc. and subsidiaries, Billings, 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 DISTRICTS 5 and 7

Bruce McCormack - Commissioner

Clair Anderson - Commissioner

Federal project STP-PM-B175021, involving crack sealing and miscellaneous work at various locations in Transportation District 5, including Big Horn, Fremont, Park, and Washakie counties. Completion date: May 15, 2017

Engineer's Estimate	\$2,255,174.00	
Highway Improvement, Inc., Sioux Falls, SD	\$2,242,556.00	-0.6%
Z & Z Seal Coating, Inc., Billings, MT	\$2,903,895.79	

It was recommended by Mr. Fulton, moved by Commissioner McCormack, seconded by Commissioner Anderson, and carried that Highway Improvement, Inc., Sioux Falls, South Dakota, 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. Fulton, moved by Commissioner McCormack, seconded by Commissioner Larson, and carried to approve the following project authorizations:

COMMISSION DISTRICT 1

Rural Major Collector

CD 101.97 CD17102; Laramie County; Cheyenne; Evans Avenue and Airport Parkway, north to the Cheyenne Regional Airport terminal; pathway; FY 2017; request federal preliminary engineering funds of \$30,000; request federal construction engineering and construction funds of \$282,500

Rural Minor Collector

CM 0.00 CM17101; Laramie County; various county roads; dust suppression; FY 2017; request federal construction funds \$145,000

COMMISSION DISTRICT 2

Rural Local

CM 0.00 CM17303; Sweetwater County; various county roads; dust suppression; FY 2017; request federal construction funds of \$300,000

COMMISSION DISTRICT 3

Rural Local

CD 0.00 CD17304; Lincoln County; Afton Streets; various locations; pathway; FY 2017; request federal preliminary engineering funds of \$30,000; request construction engineering and construction funds of \$287,000

CD 0.00 CD17307; Lincoln County; Star Valley Ranch; travel plan; FY 2017; request federal preliminary engineering funds of \$25,000

CM 0.00 CM17302; Lincoln County; various county roads; dust suppression; FY 2017; request federal construction funds of \$350,000

CM 0.00 CM17304; Uinta County; various county roads, dust suppression; FY 2017; request federal construction funds of \$230,000

Rural Major Collector

CD 0.00 CD17306; Lincoln County; Highway 233; pathway; FY 2017; request federal preliminary engineering funds of \$28,500; request federal construction engineering and construction funds of \$232,750

CD 0.00 CD17305; Sublette County; Big Piney; Highway 350; pathway; FY 2017; request federal preliminary engineering funds of \$20,000; request federal construction engineering and construction funds of \$105,000

COMMISSION DISTRICT 4

Rural Local

CM 0.00 CM17405; Campbell County; various county roads; dust suppression; FY 2017; request federal construction funds of \$475,000

CM 0.00 CM17407; Johnson County; various county roads; dust suppression; FY 2017; request federal construction funds of \$250,000

CM 0.00 CM17408; Sheridan County; various county roads; dust suppression; FY 2017; request federal construction funds of \$312,500

Rural Principal Arterial

CD 0.00 CD17408; Sheridan County; Dayton; Main Street and Tongue River Road; street light/crosswalk; FY 2017; request federal preliminary engineering funds of \$25,360; request federal construction engineering and construction funds of \$597,868

Urban Principal Arterial

CD 111.28 CD17409; Campbell County; Gillette; South Dalbey Park Pathway and Highway 59; pathway; FY 2017; request federal preliminary engineering funds of \$46,000; request federal construction funds of \$344,000

COMMISSION DISTRICT 5

Rural Local

CD 0.00 CD17511; Big Horn County; Burlington; various locations; pathway; FY 2017; request federal preliminary engineering funds of \$20,000; request federal construction engineering and construction funds of \$89,760

COMMISSION DISTRICT 6

Rural Local

CD 99.26 CD17410; Crook County; Sundance; pathway; FY 2017; request federal preliminary engineering funds of \$14,743; request federal construction engineering and construction funds of \$77,838

CM 0.00 CM17406; Crook County; various county roads; dust suppression; FY 2017; request federal construction funds of \$200,000

CM 0.00 CM17409; Weston County; various county roads; dust suppression; FY 2017; request federal construction funds of \$237,500

Rural Minor Arterial

STP 0.00 2303017; Weston County; Four Corners to Sundance; Highway 585; RM 0.00 to 9.75; mill and overlay; FY 2018; request federal preliminary engineering funds of \$50,000; estimated construction engineering and construction cost is \$3,550,000

COMMISSION DISTRICT 7

Rural Local

IRP 0.00 CN10109; Fremont County; Moneta to Lysite; Highway 20/26; RM 0.00 to 8.51; reconstruction; FY 2017; request preliminary engineering funds of \$188,800; request construction engineering and construction funds of \$1,801,371; state IRP funds is \$995,086, and Fremont County's participation is \$995,086

Rural Principal Arterial

CD 53.42 CD17512; Fremont County; Dubois; Dubois town limits; street lighting; FY 2017; request federal preliminary engineering funds of \$33,000; request federal construction engineering and construction funds of \$187,000

Urban Minor Arterial

CD 3.03 CD17203; Natrona County; Casper; Mountain Road/Highway 251; pathway; FY 2017; request federal CE and construction funds \$468,750

COMMISSION DISTRICT M

Rural Local

CD 0.00 CD17901; statewide; purchase incentive items to increase walking and/or bicycling to schools; FY 2017; request federal funds of \$19,167

Rural Principal Arterial

SCP 5.26 TRFSN17; Uinta, Sweetwater, Carbon, Albany, Laramie counties; I-80; various locations; upgrade and repair logo signs; FY 2017; request state preliminary engineering funds of \$5,000; request state construction engineering and construction funds of \$135,000

ARSCT 0.00 N372A01; Big Horn and Sheridan counties; Burgess Junction South; Granite Pass Pit; RM 37.98; purchase aggregate; FY 2017; request funds of \$32,300; to be reimbursed by Big Horn National Forest

SCP 0.00 TRFNS18; Laramie, Platte, Johnson, Sheridan, Campbell, Crook counties; I-25 and I-90; various locations; upgrade and repair logo signs; FY 2018; request state preliminary engineering funds of \$5,000; estimated construction engineering and construction cost is \$135,000

8. Disposal of Excess Land, US 14A, Parcel 18a(1), Project 13-000128, Park County: Mr. Fulton explained a proposed disposal of excess land for Land Parcel 18a(1) for Project 13-000128. The Right-of-Way Program received a bid for Parcel 18a(1), that was less than the \$3,000 appraised fair market value of the parcel, but more than 75 percent of its appraised value of \$2,250. This

was the only bid received for the parcel, and it was in the amount of \$2,265 (75.5 percent of the appraised value).

In accordance with Chapter 25 of the Wyoming Department of Transportation Rules and Regulations, offers to buy that do not meet fair market value, but are not less than 75 percent of the established fair market value, shall be considered by the Commission.

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Anderson, and carried to approve the sale of the excess land, Parcel 18a(1) on US 14A, Project 13-000128, in Park County to the only bidder, Mr. Andy Rose dba Hi-Q Tech, of Powell, Wyoming, in the amount of \$2,265.00.

9. Resolution for Abandonment, Project ARS3814, Wyoming Highway 59 (Highway Relocation - Eagle Butte Mine), Campbell County: Mr. Fulton showed a map of the area where the Eagle Butte Mining Company would like to begin mining operations under existing WYO 59. This portion of the highway is being relocated, with the new road anticipated to be open in early November 2016. Portions of the existing highway are owned by the Department by easement or fee. The future mining requires that WYDOT abandon right-of-way, as described in the Resolution for Abandonment below. The resolution being considered is only for the portion of land covered by the easement. Further research is needed to determine the description of land that is covered by fee that will be relinquished to Campbell County or transferred to the mine. A resolution will be brought to the Commission for consideration when that research is complete.

It was recommended by Mr. Fulton, moved by Commissioner Newton, seconded by Commissioner Larson, and carried to approve the following resolution for abandonment.

RESOLUTION FOR ABANDONMENT

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

WHEREAS, a portion of Wyoming Department of Transportation's right-of-way for WYO 59, Campbell County, Wyoming, established under Project Number 2362, is no longer needed for state highway or public use purposes. Said portion being described as follows:

Parcels of land located in the W¹/₂SE¹/₄, SW¹/₄NE¹/₄, Section 23; W¹/₂NE¹/₄, SE¹/₄NW¹/₄, E¹/₂SW¹/₄, NW¹/₄SE¹/₄, Section 26; E¹/₂NW¹/₄, Section 35; T51N, R72W, of the 6th P.M., Campbell County, Wyoming, as follows:

More particularly described as Parcel Nos. 3 and 4 of that certain right-of-way easement recorded in Book 684 of photos, Page 114-115, Document No. 530473 of the Campbell County Records;

And as described as Parcel 3 of that certain right-of-way easement recorded in Book 701 of photos, Page 265-267, Document No. 534748 of the Campbell County Records.

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

10. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through September 30, 2016, includes 82¹ fatal crashes involving 90¹ deaths. The fatalities include 33 rollover crashes, 25 multi-car crashes, 4 fixed objects, 22 motorcycles, 2 all-terrain vehicles, 3 pedestrians, and 1 bicyclist. Of the 82 fatal crashes that occurred so far this year, 17² involved commercial vehicles.

There have been 22³ fatal crashes to date deemed drug or alcohol related, resulting in 26³ deaths. Of those deaths, 15 were attributed to not using occupant restraints. Of those crashes, 8 were rollover crashes, 10 were multi-car crashes, 2 involved fixed objects, 4 involved motorcycles, 2 involved pedestrians, and 6² involved commercial vehicles.

Of the 90 deaths that have occurred so far this year, 41 can be attributed to the non-use of occupant restraints, with 23 involving rollover crashes, 15 involving multi-car collisions, and 3 involving fixed objects. Of the 41 deaths that occurred from non-use of occupant restraints, 31 were Wyoming residents, and 10 were non-residents. Thirteen of those who perished were under 21 years of age, and 9 of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 82 fatal crashes that have occurred to date this year, 40 of them occurred on primary/secondary highways, 37 occurred on interstate highways, and 13 occurred on city/county roads.

Six multiple-fatality crashes have occurred on Wyoming highways so far this year, of which 3 involved multiple vehicles, 3 involved commercial vehicles, and 3 were alcohol related.

Inclement weather or road conditions contributed to 6 vehicle crashes so far this year, which resulted in 6 deaths. Speed was considered a factor in 20 of the vehicle crashes that caused 21 deaths.

¹Numbers at 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.

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

Sunday	13 crashes
Monday	14 crashes
Tuesday	11 crashes
Wednesday	15 crashes
Thursday	15 crashes
Friday	11 crashes
Saturday	8 crashes

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

12:00 a.m. to 6:00 a.m.	12 crashes
6:00 a.m. to 12:00 p.m.	19 crashes
12:00 p.m. to 6:00 p.m.	38 crashes
6:00 p.m. to 12:00 a.m.	18 crashes

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 4,879⁴ crashes statewide, of which 3,898⁴ involved non-commercial vehicles, and 981⁴ involved commercial vehicles.

Injured Trooper Update: Colonel Haller reported that, on September 22, 2016, a tragic event occurred involving a trooper near Sheridan. The trooper was responding to a call and was traveling about 15 miles south of Sheridan. Another “911” call came in reporting a driver traveling the wrong direction. There was an ambulance, also in the eastbound lane of I-90, traveling directly in front of the trooper. The ambulance swerved, but the trooper couldn’t see the oncoming driver and the two vehicles hit head-on. The ambulance stopped to assist in the crash. Another vehicle pulled onto the scene that had a flight nurse on board, and she also assisted in the situation. The trooper was transported to the Sheridan Hospital with non-life-threatening injuries, and he was released from the hospital the next day. The trooper is currently on medical leave and will return to work as soon as possible. The driver of the oncoming vehicle did not survive.

Safe2Sturgis Campaign Award: Sergeant David Wagner has received an award from the National Highway Traffic Transportation Safety Administration (NHTSA) for his work in developing and implementing the Safe2Sturgis Campaign. The Wyoming Highway Patrol partnered with South Dakota’s and Colorado’s Highway Patrol to enforce safety during the Sturgis Motorcycle Rally in early August. Colonel Haller offered his appreciation of Sergeant Wagner’s ability to put together a worthwhile safety program in a very short amount of time for a large event.

WHP Trooper Deployment to North Dakota: North Dakota’s Governor Jack Dalrymple has declared a state of emergency because of the Dakota Access Pipeline project. The WHP received a request from Governor Dalrymple to provide crowd control, security, and other law

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

enforcement assistance in the area. Governor Mead supports sending Wyoming troopers to assist with the situation. Six WHP troopers have volunteered, and the deployment is expected to last a minimum of 14 days.

11. Ms. Yaffa presented the Aeronautics report, including the September 2016 Flight Operations Passenger Summary Report.

Ms. Yaffa noted that state agencies are combining more flights in an effort to save money.

Flight Operations: Both Cessna aircraft will be taken to Arizona over the next month to undergo in-depth inspections. Each inspection will take about 2½ weeks to complete. WY102 will be sent to Arizona next week, and WY101 will be sent in late November. At this time, Ms. Yaffa does not foresee any impact on flight service levels while the aircraft are in Arizona.

Relocation of the Aeronautics Commission Office: The Aeronautics Commission office has been relocated to the executive staff offices at WYDOT Headquarters. The move was made primarily to allow a better coordination between the Aeronautics Commission and the Transportation Commission.

12. Mr. Rossetti presented the Support Services report.

Mr. Rossetti presented a revised rule for the Motor Vehicles and Licensing Section, Chapter 1, Driver's Licenses and Motor Vehicles Safety, of the *Wyoming Department of Transportation Rules and Regulations*.

No comments were received during the statutory 45-day public comment period.

The purpose of the revisions is to comply with current statutes, especially pertaining to the "Z" endorsement and the handicap placard and update language, revise or clarify safety standards and other requirements, such as medical, and to remove material no longer needed or material referenced elsewhere, in keeping with the Governor's continuing rules reduction initiative.

It was recommended by Mr. Rossetti, moved by Commissioner Anderson, seconded by Commissioner Larson, and carried to approve the following resolution:

RESOLUTION

WHEREAS, the Wyoming Department of Transportation with the approval of the Transportation Commission of Wyoming, pursuant to W.S. 24-2-105, W.S. 31-4-103(f), W.S. 31-7-103, W.S. 31-7-305, W.S. 31-7-310, W.S. 31-7-401, W.S. 31-8-201, and W.S. 31-9-103 to administer various matters relating to driver's licenses and commercial driver's licenses (CDL) and to comply with the Federal Motor Carrier Safety Regulations in Title 49 of the Code of Federal Regulations, is authorized to promulgate rules and regulations as described in the following; and

WHEREAS, the Wyoming Department of Transportation through the Transportation Commission of Wyoming desires to adopt Motor Vehicles and Licensing Section, Chapter 1, Driver's Licenses and Motor Vehicle Safety, a revised rule and regulation of the Wyoming Department of Transportation, to administer various matters relating to driver's licenses and commercial driver's licenses (CDL) and to apply legislative changes from the 2015 Wyoming Legislature; and

WHEREAS, these revisions comply with current statutes, especially pertaining to the Z endorsement and the handicap placard and update language, revise or clarify safety standards and other requirements (such as medical), and remove material no longer needed or material referenced elsewhere (in keeping with the Governor's continuing rules reduction initiative); and

WHEREAS, a forty-five day public comment period was held to solicit written comments concerning these rules; and

WHEREAS, no public comments were received during the comment period for consideration by the Transportation Commission of Wyoming;

NOW THEREFORE BE IT RESOLVED that the Transportation Commission of Wyoming officially adopts Motor Vehicles and Licensing Section, Chapter 1, Driver's Licenses and Motor Vehicle Safety.

Employment Summary: WYDOT had 1,894 employees statewide as of October 6, 2016, which is 73 less than last year at this time.

13. It was recommended by Secretary Scott, moved by Commissioner Larson, seconded by Commissioner McCormack, and carried to approve Patrick A. Lewis and Mark J. Gillett as authorized signatories for the Department.

14. It was moved by Commissioner Anderson, seconded by Commissioner Larson, and carried to move into executive session to receive information classified as confidential by law, in accordance with W.S. 16-4-405(a)(ix). The Commission went into executive session at 11:10 a.m. on Thursday, October 20, 2016.

Messrs. Byrne, Fredrick, Fulton, Rossetti, Dailey, McGee, and Mses. Yaffa and Burkart left the meeting.

15. It was moved by Commissioner McCormack, seconded by Commissioner Ruwart, and carried to come out of executive session. The Commission came out of executive session at 11:28 a.m. on Thursday, October 20, 2016.

16. It was moved by Commissioner McCormack, seconded by Commissioner Larson, and carried to adjourn the meeting. Chairman Dooley adjourned the meeting at 11:28 a.m., on Thursday, October 20, 2016.