

## TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the I-80 Room at the Wyoming Department of Transportation (WYDOT) Training Center, 5300 Bishop Boulevard, in Cheyenne on January 16, 2020. Chairman Larson convened the business meeting at 8:30 a.m. The following members were present constituting a quorum:

Mike Larson, Chairman, Lusk  
Rick Newton, Vice Chairman, Buffalo  
Louie Pfrangle, Commissioner, Worland  
Jim Espy, Commissioner, Savery  
Jon Dolezal, Commissioner, Evanston  
Lee Filer, Commissioner, Cheyenne  
K. Luke Reiner, Director  
Sandra J. Scott, Commission Secretary

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer; Shelby Carlson, Chief Engineer; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Mark Gillett, Assistant Chief Engineer for Operations; Taylor Rossetti, Support Services Administrator; Brian Olsen, Aeronautics Administrator; Troy Babbitt, Chief Technology Officer; Colonel Kebin Haller, Wyoming Highway Patrol (WHP) Administrator; Mike Kahler, Senior Assistant Attorney General; Ryan Thompson, Assistant Attorney General; Rodney Freier, Budget Program Manager; and Bryan Cawley, Division Administrator, and Cindy Thompson, Deputy Division Administrator, Federal Highway Administration (FHWA).

Other meeting attendees: Doug McGee, Public Affairs Program Manager; Doug Jensen, State Contracts and Estimates Engineer; Chelsey Lindsay, Senior Budget Analyst; Tom Reiman, President, Reiman Corporation; and Katie Legerski, Executive Director, Associated General Contractors of Wyoming.

Commissioner Phil Schmidt, of Casper, was absent.

1. Pledge of Allegiance: Chairman Larson led the attendees in the Pledge of Allegiance.
2. Approval of Minutes: It was recommended by Secretary Scott, moved by Vice Chairman Newton, seconded by Commissioner Dolezal, and carried to approve the minutes from the December 11, 2019, FHWA Office of the Inspector General presentation and the Bidding 101 education session; the December 11, 2019, state-of-the-district reports; and the December 12, 2019, business meeting.
3. Director Reiner presented the Director's report.

Employee Advisory Committee Update: Director Reiner advised that the executive staff remains focused on WYDOT's employees, fiscal resources, and operations.

Employee advisory teams are helping to identify creative solutions to compensation-related issues across the force.

Director Reiner and Ms. Carlson visited Jackson Hole last month to seek potential employee housing options in Teton County. Multiple agencies and local officials are interested in building employee housing there. Director Reiner believes the meeting was a good first step toward providing affordable housing for WYDOT and other employees.

Road User Charge Exploratory Committee (RUCEC): The first RUCEC meeting was recently held to identify ways to generate more surface transportation funding. Director Reiner will keep the Commission apprised of the committee's progress.

Joint Appropriations Committee (JAC) Meeting: WYDOT executive staff presented its FY 2020 budget to the JAC on January 9, 2020. The JAC initially objected to funding the \$50 million needed for a new Revenue Information System (RIS). Executive staff members will meet again with the JAC this afternoon for a more in-depth discussion about the state's critical need for RIS.

Additional WyoLink funding was also requested during the January 9 budget hearing to replace radios and power supplies and to build two new WyoLink towers. The funding source for these items was changed from general funds to mostly transportation funds.

Transportation Research Board (TRB) Meeting: Director Reiner attended the TRB meetings in Washington, D.C., January 13-15, 2020. Many topics were discussed at the meetings, and U.S. Department of Transportation (USDOT) Secretary Elaine Chao was the featured keynote speaker at one session. Secretary Chao spoke about autonomous vehicles, the 5.9 GHz broadband spectrum, investing in first responders' ability to respond faster and safer through connected vehicle technology, and a recent Infrastructure for Rebuilding America (INFRA) grant opportunity that USDOT recently issued.

While in Washington, D.C., Director Reiner met with Wyoming senators John Barrasso and Mike Enzi and Congresswoman Liz Cheney to discuss transportation-related issues across Wyoming, including WYDOT's snow plowing partnership with Grand Teton National Park and successful funding of the Beartooth Highway project. The need to retain the 5.9 GHz broadband spectrum for highway safety and the Federal Aviation Administration's (FAA) proposed rule on ground-based navigational aids and its impact on Wyoming airports were also discussed at the meetings with Wyoming's delegations.

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

Mr. Freier introduced Ms. Chelsey Lindsay, the new senior budget analyst for the Budget Program.

FY 2020 First Quarter Budget Revision: Mr. Freier presented details of the FY 2020 first quarter budget revision. The first quarter budget revision includes purchase order and budget authority carryovers, increases to program budgets to cover WYDOT employee health insurance premiums, and other adjustments necessary for the Department's operations.

It was recommended by Mr. Freier, moved by Commissioner Espy, seconded by Commissioner Filer, and carried to approve the FY 2020 first quarter budget revision.

5. Monthly Budget Report: Mr. Freier also presented the monthly budget report. The December 2019 budget report revealed that the Commission and legislative budgets are each 27 percent expended, which is within budget tolerances.

6. It was recommended by Mr. Byrne, moved by Commissioner Espy, seconded by Vice Chairman Newton, and carried to move Bid Numbers 20-022MD, 20-038MD, 20-042MD, and 20-044RE to a consent list.

It was moved by Commissioner Espy, seconded by Vice Chairman Newton, and carried to approve, by consent, the following bids:

- Bid No. 20-022MD to furnish 16 each power reverse parallel lift snowplows, for delivery in Cheyenne. The bid was awarded to Floyd's Truck Center, of Gillette, Wyoming, for the sum of \$216,512.00.
- Bid No. 20-022MD to furnish five each 60-inch, tapered, moldboard, parallel lift snowplows, for delivery in Cheyenne. The bid was awarded to Floyd's Truck Center, of Gillette, Wyoming, for the sum of \$70,405.00.
- Bid No. 20-022MD to furnish three each Alaska Expressway parallel-lift snowplows, for delivery in Cheyenne. The bid was awarded to Floyd's Truck Center, of Gillette, Wyoming, for the sum of \$46,053.00.
- Bid No. 20-022MD to furnish two each 72-inch, tapered, moldboard, parallel-lift snowplows, for delivery in Cheyenne. The bid was awarded to Floyd's Truck Center, of Gillette, Wyoming, for the sum of \$30,702.00.
- Bid No. 20-022MD to furnish three each power-reverse snowplows with Husting hitches, for delivery in Cheyenne. The bid was awarded to Valk Manufacturing Co., of New Kingstown, Pennsylvania, for the sum of \$21,417.00.
- Bid No. 20-022MD to furnish six each right-hand, truck-mounted, patrol-type snow wings, for delivery in Cheyenne. The bid was awarded to Northern Truck Equipment Corp., of Sioux Falls, South Dakota, for the sum of \$25,986.00.
- Bid No. 20-022MD to furnish six each left-hand, truck-mounted, extendable snow wings, for delivery in Cheyenne. The bid was awarded to Northern Truck Equipment Corp., of Sioux Falls, South Dakota, for the sum of \$26,028.00.
- Bid No. 20-022MD to furnish 17 each right-hand, truck-mounted, extendable snow wings, for delivery in Cheyenne. The bid was awarded to Northern Truck Equipment Corp., of Sioux Falls, South Dakota, for the sum of \$73,746.00.
- Bid No. 20-038MD to furnish bridge rail and guardrail components, for use at various locations statewide. The bid was awarded to S&L Industrial, of Cowley, Wyoming, for the sum of \$491,033.50.
- Bid No. 20-042MD to furnish 11,000 tons of Type A, ½-inch, aggregate gravel, for use in Johnson County. The bid was awarded to Frost Rock Products Co., of Lovell, Wyoming, for the sum of \$305,800.00.

Bid No. 20-044RE to furnish 18,375 each Shur-Flex delineator kits, posts, joints, and snow poles, for use at various locations statewide. The bid was awarded to Geotec Industrial Supply, of Mills, Wyoming, for the sum of \$515,213.90.

Messrs. Byrne and Freier and Ms. Lindsay left the meeting.

7. Ms. Carlson presented the Chief Engineer's report.

Grand Teton National Park (GTNP) Snowplowing Agreement: Ms. Carlson advised that WYDOT recently signed an agreement with GTNP to plow about 28 miles of US 26/89/191 north of Jackson as needed. WYDOT maintenance crews will assist with plowing operations to keep that road section open during the winter when National Park Service (NPS) crews are not able to respond to winter conditions due to the lack of work force or equipment failure. WYDOT will be on call for snow removal services, NPS will give a 12-hour notice, and GTNP will reimburse WYDOT for its expenses. The Department will tend to its own highway plowing needs before assisting the NPS with its mission.

Beartooth Highway Project Update: WYDOT submitted to the USDOT its reduced scope of work to match the available funding for the Beartooth Highway project. The USDOT approved the change on December 23, 2019.

The project agreement is being revised, and the reimbursable agreement with the FHWA-Central Federal Lands Office is being developed. Construction on the project may begin this spring.

National Cooperative Highway Research Program (NCHRP) 22-44 Study: WYDOT was asked to participate in a study titled, "A Transportation Agency Data Collection Practice for Use with In-Service Performance Evaluations." The study involves placing a radio frequency microchip at guardrail end anchorages along a portion of the I-80 corridor to collect crash impact data in the harsh winter environment. WYDOT's historical expertise in bridge rail/guardrail crash tests and design lends itself to being a key participant in the study. WHP troopers and maintenance foremen will upload crash data and photographs through a cell phone application for the study. The goals of the study are to provide better future asset management and recover costs from crash impacts and to evaluate guardrail performance upon impact.

8. Mr. Cawley presented an update on FHWA topics.

Mr. Cawley advised that Ms. Cindy Thompson was recently named the deputy division administrator, and Mr. Doug Mikowski was promoted to financial specialist and Civil Rights Program manager for the Wyoming FHWA office.

FY 2020 USDOT Appropriations Act: The USDOT FY 2020 Appropriations Act was approved in December 2019.

The act established \$1 billion in discretionary grant funds for the Better Utilizing Investments to Leverage Development (BUILD) discretionary grant program, creating further opportunity for states to acquire surface transportation funding.

The contract authority and obligation limitation was also issued for the FY 2020 portion of the Fixing America's Surface Transportation (FAST) Act. The FY 2020 funding includes slightly more than previous appropriations. Wyoming should receive its portion of the funding in January 2020.

The FY 2020 federal Appropriations Act also authorizes \$2.17 billion in general funds that is available for transportation projects, including \$781 million for surface transportation block grant activities to provide necessary changing infrastructure along alternative fuel corridors. Wyoming anticipates receiving some of these funds. Another \$1.1 billion in the general funds is dedicated to a formula-based bridge replacement and rehabilitation program, of which all states are guaranteed \$6 million. These general funds must be obligated by September 20, 2023.

About \$70 million is included in the act for nationally significant federal lands and tribal project programs. Mr. Cawley indicated Wyoming could potentially receive some of those funds for federal lands agencies or tribal governments.

Another \$50 million was appropriated for competitive grants for eliminating hazardous at-grade railway- highway crossings.

FY 2020 Infrastructure for Rebuilding America (INFRA) Grants: The FHWA recently announced the availability of \$900 million for INFRA grants in FY 2020. Grant focuses are:

- Supporting economic vitality at national and regional levels;
- Leveraging federal funding to attract non-federal sources of infrastructure investment;
- Deploying innovative technology, encouraging innovative approaches to project delivery, and incentivizing the use of innovative financing; and
- Holding grant recipients accountable for their performance.

The economic vitality evaluation factor is new this year, which determines whether the project primarily serves freight and goods movement. The USDOT will also consider how projects address transportation challenges and disparities in rural areas, consistent with the Rural Opportunities to Use Transportation for Economic Success initiative. The notice of funding opportunity will remain open through February 25, 2020.

FHWA Request for Proven Transportation Industry Innovations: The FHWA has published a request for proven transportation industry innovations. The solicitation is part of Every Day Counts initiative, which has made a significant positive impact in accelerating the deployment of innovations and in building a culture of innovation within the transportation community. The purpose of the solicitation is to implement new or underutilized methods to ensure the effectiveness and efficiency of the nation's transportation system. The final list of innovations will be demonstrated in the fall of 2020 in a series of national summits with a focus on how to accelerate adoption nationwide.

National Scenic Byways Nominations: The FHWA is also seeking nominations for National Scenic Byways. Nominations must include archaeological, cultural, historic, natural, recreations,

and scenic quality characteristics. Wyoming's only National Scenic Byway designation is the Beartooth Highway. Nominations close May 15, 2020.

Categorical Exclusion (CE) Determination Annual Update: In 2012, the Moving Ahead for Progress in the 21<sup>st</sup> Century Act established a threshold for federally funded projects by which the National Environmental Policy Act (NEPA) process could be classified as a categorical exclusion. Those limits were \$5 million per project or \$30 million if federal funding was less than 15 percent of the project cost. Section 1314 of the FAST Act established an annual adjustment of those thresholds based upon the consumer price index. The limits were adjusted in December 2019 due to inflation, and they now reflect \$5,613,345.90 per project or \$33,680,075 if federal participation is less than 15 percent.

Because of the scope and scale of typical projects in Wyoming, most NEPA decisions in Wyoming are already categorical exclusions and have been delegated to WYDOT.

Wyoming State Transportation Innovation Council (STIC) Update: The STIC met January 14, 2020, to discuss some advancements in Wyoming, their status, and areas where the council can assist in progressing innovative ideas. The STIC heard updates from innovation experts concerning their activities to accelerate the adoption of technology in the area of e-construction, automated traffic signal performance measures, unmanned aerial systems (UAS), hydraulics two-dimensional modeling, and alkali silica reactivity (ASR) testing.

The University of Wyoming (UW) has advanced its UAS technology demonstration program, and they have purchased three UAS systems and two operator licenses. Plans for demonstrating the UAS innovation include UW workshops, in western Wyoming, and at the T<sup>2</sup> Annual Safety Congress in Casper on April 30, 2020. UW will also take requests from Wyoming transportation professionals in the near future to demonstrate UAS innovation.

Wyoming has submitted an Accelerated Innovation Deployment grant application to the FHWA to support "Developing Pavement Management Plans for Wyoming County Paved Roads." The STIC is accepting other innovation suggestions for consideration in Wyoming.

WYDOT 2019 Transportation Alternatives Program (TAP): WYDOT has completed its annual TAP reporting. Thirty-eight applications were received in 2019 totaling \$6,586,194, and 26 projects, valued at \$4,174,831, were selected for funding. WYDOT administered nine pedestrian and bicycle facility projects totaling \$2,758,681. Seventeen projects totaling \$1,416,150 were administered by Wyoming State Parks to support recreational trails.

Goshen County Bridge Closure: On January 6, 2020, WYDOT bridge inspectors discovered a structure in Goshen County with about 4.5 feet of the abutment piles exposed due to scour. On January 15, 2020, WYDOT closed the bridge to traffic until the damage can be repaired. Mr. Cawley thanked WYDOT for its diligence in keeping Wyoming's surface transportation system safe.

Comparison of WYDOT Bid Estimates with New Mexico: Mr. Cawley provided a handout comparing the New Mexico Department of Transportation and WYDOT's bid variability from January 2017 through July 2019.

9. Mr. Fulton presented the Engineering and Planning report, beginning with the bid tabulations from the letting held January 9, 2020, in Laramie.

State project SCP-TC-0104064, involving grading, draining, milling plant mix, bituminous pavement surfacing (recycle), chip seal, and miscellaneous work on approximately 12.20 miles of WYO 12, beginning at reference marker (RM) 0.02, northwest of the city of Laramie, off of WYO 130, in Albany County. Completion date: June 30, 2021

Engineer's Estimate	\$3,373,265.00	
Simon Contractors, Cheyenne, WY	\$3,025,849.91	-10.3%
McGarvin-Moberly Construction Co., Worland, WY	\$3,287,165.59	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$3,343,669.50	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Filer, and carried that Simon Contractors, of Cheyenne, 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 STP-PM-B202011, involving milling plant mix, bituminous pavement surfacing, and miscellaneous work at various locations in Transportation District 2, including Converse and Natrona counties. Completion date: October 31, 2020

Engineer's Estimate	\$2,969,535.00	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$2,225,034.51	-25.1%
Croell, Inc., Sundance, WY	\$2,906,826.15	
Northern Improvement Company, Fargo, ND	\$2,941,532.00	
71 Construction, Casper, WY	\$3,130,962.71	

It was recommended by Mr. Fulton, moved by Commissioner Pfrangle, seconded by Commissioner Dolezal, and carried that JTL Group, Inc. DBA Knife River, of 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.

Federal project STP-PM-B201003, involving milling plant mix, bituminous pavement surfacing, and miscellaneous work at various locations in Transportation District 1, including Albany and Carbon counties. Completion date: October 31, 2020

Engineer's Estimate	\$2,435,085.00	
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$2,434,869.60	+0.0%
McGarvin-Moberly Construction Co., Worland, WY	\$2,574,996.72	
Simon Contractors, Cheyenne, WY	\$2,814,700.56	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Filer, and carried that JTL Group, Inc. DBA Knife River, of 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.

Federal project STP-PM-B203018, involving chip sealing and miscellaneous work at various locations in Transportation District 3, including Lincoln, Sweetwater, and Uinta counties. Completion date: August 31, 2020

Engineer's Estimate	\$1,999,050.00	
H-K Contractors, Inc., Idaho Falls, ID	\$2,169,777.00	+8.5%
Bituminous Paving, Inc., Ortonville, MN	\$2,412,210.00	
Intermountain Slurry Seal, Inc., Watsonville, CA	\$2,417,800.00	

It was recommended by Mr. Fulton, moved by Commissioner Dolezal, seconded by Vice Chairman Newton, and carried that H-K Contractors, Inc., of Idaho Falls, Idaho, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The Federal Highway Administration concurred with this decision.

Federal project STP-PM-B202009, involving crack sealing and miscellaneous work on approximately 135.00 miles of roads at various locations in transportation District 2, including Converse, Fremont, Goshen, Johnson, and Natrona counties. Completion date: June 30, 2020

Engineer's Estimate	\$1,667,901.00	
Highway Improvement, Inc., Harrisburg, SD	\$1,440,401.00	-13.6%
Z & Z Seal Coating Inc., Billings, MT	\$1,485,919.73	

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Dolezal, and carried that Highway Improvement, Inc., of Harrisburg, 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.

Federal project STP-PM-B201001, involving chip sealing and miscellaneous work at various locations in Transportation District 1, including Albany, Carbon, and Laramie counties. Completion date: August 31, 2020

Engineer's Estimate	\$1,302,950.00	
Simon Contractors, Cheyenne, WY	\$1,525,640.00	+17.1%
Bituminous Paving, Inc., Ortonville, MN	\$1,686,940.00	
Intermountain Slurry Seal, Inc., Watsonville, CA	\$1,804,800.00	



(Approved)

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It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Espy, and carried that Simon Contractors, of 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.

Federal project STP-BROS-CN19036, involving grading, placing crushed base, removal and replacement of structure, MGS guardrail, and miscellaneous work at the structure on County Road CN19-159, the bridge over Sulphur Creek, approximately 12 miles south of Evanston, in Uinta County. Completion date: November 30, 2020

Engineer's Estimate	\$647,651.00
Reiman Corp., Cheyenne, WY	\$743,966.60 +14.9%
Coldwater Group, Inc., Pleasant View, UT	\$746,500.50

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Dolezal, that Reiman Corp., of 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 and Uinta County concurred with this decision.

Mr. Tom Reiman, president of Reiman Corporation advised that his company's bid considers the project's long distance from Cheyenne, the remote project location, and the limited number of subcontractor bids received on various bid items.

Chairman Larson called for the vote, and the bid was awarded to Reiman Corporation.

Mr. Reiman left the meeting.

Federal project HSIP-N203073, involving grading and miscellaneous work at the Little Wind River pedestrian bridge on WYO 789, RM 102.93, approximately 1.40 miles south of the Riverton city limits, in Fremont County. Completion date: March 1, 2021

Engineer's Estimate	\$ 82,225.00
71 Construction, Casper, WY	\$304,113.00 +269.9%
Patrick Construction, Inc., Lander, WY	\$336,050.51

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Filer, and carried to reject the bids and re-let the contract later.

10. It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Vice Chairman Newton, and carried to approve the following project authorizations:

## **ROAD PROJECTS**

### Carbon County

DR DR16979; I-80; Fort Steele Interchange; RM 228.34; structure repair; FY 2020; request preliminary engineering funds of \$5,000; request construction engineering and construction funds of \$95,000

### Various Counties

SSP-TO B212037; I-25, Dwyer Junction to Natrona county line; RM 92.00 to 175.102; replace and upgrade signs; FY 2021; request state preliminary engineering funds of \$25,000; estimated construction engineering and construction is \$725,000

SSP-TO B222029; I-25, Natrona county line to Highway District 4 boundary; RM 175.103 to 272.13; replace and upgrade signs; FY 2022; request state preliminary engineering funds of \$25,000; estimated construction engineering and construction is \$725,000

SCP TRFSN21; I-25 and I-90, various locations; upgrading logo signs; FY 2021; request state preliminary engineering funds of \$10,000; estimated construction engineering and construction is \$110,000

## **RAILROAD PROJECT**

### Crook County

RHC CN18062; Burlington Northern Santa Fe Railroad, Moorcroft, Shipwheel Road; surfacing; FY 2020; request federal preliminary engineering funds of \$500; request federal construction engineering and construction funds of \$100,000

## **ARS PROJECTS**

### Johnson County

ARSCT N362A05; US 16 and Hazelton County Road #3; overlay; FY 2020; request preliminary engineering funds of \$6,004; request construction engineering and construction funds of \$129,681; to be reimbursed by Johnson County

### Laramie County

ARSCT B201A01; Cheyenne Streets, various locations; epoxy striping; FY 2020; request preliminary engineering funds of \$9,000; request construction engineering and construction funds of \$99,000; to be reimbursed by the City of Cheyenne

### Natrona County

ARSCT I254A01; Casper Marginal, Walsh Drive; utility work; FY 2020; request preliminary engineering funds of \$17,379; request construction engineering and construction funds of \$191,169; to be reimbursed by the City of Casper

## **MISCELLANEOUS**

STP B209039; statewide, road usage charge study; FY 2020; request federal funds of \$500,000

11. FY 2020 First Quarter State Transportation Improvement Program (STIP) Addendum: Mr. Fulton presented the first quarter addendum to the FY 2020 STIP.

It was recommended by Mr. Fulton, moved by Commissioner Filer, seconded by Commissioner Espy, and carried to approve the first quarter addendum to the FY 2020 STIP.

Director Reiner left the meeting.

12. Mr. Gillett presented the Operations report.

Construction Update: Contractors continue to work on projects conducive to winter labor, such as bridges, cold-weather concrete, sign installations, and crushing.

Maintenance Update: Maintenance crews have been busy plowing snow from the highways. Between storms, maintenance forces have been repairing and replacing damaged guardrail and delineator posts and moving aggregate stockpiles from along the highway for use during construction activities this summer.

Heavy snowstorms closed many highways across Wyoming over the holidays, and wind has wreaked havoc in recent weeks causing road closures. Several natural avalanches recently occurred near Jackson due to heavy snowfall.

Two avalanches occurred on WYO 22, Teton Pass, on January 9, 2020, one was at the Glory Bowl and another at the Twin Slide. A commercial delivery truck was trapped in the Glory Bowl avalanche on Teton Pass. The driver was not injured. Another avalanche occurred January 13 at Salt Pass on US 89.

On January 14, 2020, a large natural avalanche occurred in the Hoback Canyon, US 191 at milepost 147. A vehicle ran into the slide after it occurred. There were no reported injuries.

So far this winter, 13 snowplows have been struck by other vehicles, including six collisions in District 1, three in District 2, one in District 3, two in District 4, and one in District 5. One plow in District 2 was damaged beyond repair. No WYDOT employees were seriously injured in these incidents. At this time last year, eight WYDOT snowplows had been involved in crashes.

Mr. Gillett advised that WYDOT's FY 2020 snow control budget is about 60 percent expended, compared to 37 percent expended at this time last year. An additional \$600,000 in salt/sand mix will need to be purchased to cover spring snowstorms.

District 5 recently assisted District 1 with snow removal on I-80 in the Rawlins area. District 2 has also crossed district boundaries numerous times to assist with snow control.

District 5 is working through two complicated requests for highway access permits in the Dubois and Cody areas.

Traffic Operations Update: District traffic crews are working on striping equipment and getting it ready for spring operations. Otherwise, they are assisting maintenance crews with snowplow operations.

Sign crews are working on damage repairs and replacing signs damaged by wind and other adverse weather conditions, and updating inventory for summer operations.

Other traffic crews are performing regular maintenance on traffic signals and lighting and repairing road closure gates statewide.

District 3 traffic crews are conducting numerous speed studies, at the request of the traveling public due to the 70-mile-per-hour speed increase on two-lane highways a few years ago.

Mechanics Update: Mechanics are working on snow removal equipment to keep it in good working order throughout the snowstorms. District 2 mechanics are making major repairs to the hot plant machine, including replacing the drum mixer, to have it in good working order by spring.

District 5 received its trailer-mounted tack oil distributor, which will be used for distributing patch oil. District 5 staff thanked the Commission for approving this much-needed item.

WYDOT Facilities Update: The Meridan Rest Area on US 85 was recently closed for a second time this winter because of a collapsed water well casing. A new well will be drilled, and an appropriate site is being sought.

Cracks were recently discovered on the plate welds of a high mast light tower at the Dwyer Junction Rest Area. The location of the light tower necessitated temporarily closing the rest area. District crews removed the damaged light tower, and the rest area was re-opened the next day.

The Casper maintenance and shop building needs a roof replacement. Mr. Gillett hopes the project can be let by this spring.

Ms. Legerski left the meeting.

13. Colonel Haller presented the Highway Patrol report.

The Fatal Crash Summary through December 31, 2019, includes 120<sup>1</sup> fatal crashes involving 147<sup>1</sup> deaths. The fatalities include 50 rollover crashes, 61 multi-car crashes, 4 fixed objects, 15 motorcycles, 5 all-terrain vehicles, and 12 pedestrians. Of the 147 fatal crashes that occurred in 2019, 30<sup>2</sup> involved commercial vehicles.

There were 37<sup>3</sup> fatal crashes deemed drug or alcohol related, resulting in 45<sup>3</sup> deaths. Of those deaths, 23 are attributed to not using occupant restraints. Sixteen were rollover crashes, 16 were multi-vehicle crashes, 3 involved a fixed object, 4 involved motorcycles, 1 was an all-terrain

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<sup>1</sup> Numbers at the time of reporting; final numbers may change.

<sup>2</sup> Number not included in total deaths (sub-crash data).

<sup>3</sup> Not all chemical tests were available at the time of reporting.

vehicles, and 5 involved pedestrians. Of the 45 drug- or alcohol-related fatalities, 5<sup>2</sup> involved commercial vehicles.

Of the 147 deaths that occurred in 2019, 58 are attributed to the non-use of occupant restraints, with 40 involving rollover crashes, 15 involving multi-car collisions, and 3 involving fixed objects. Thirty-six of those who died from the non-use of occupant restraints were Wyoming residents. Twenty-two of those who perished were under 21 years of age, and of those fatalities were attributed to the failure to use proper occupant restraints.

Of the 120 fatal crashes in 2019, it was deemed that 43 of those drivers had no distractions, 4 had a distraction from outside the vehicle, and 4 drivers were distracted by an object from inside the vehicle. In 72 of the 120 fatal crashes, it was unknown whether a distraction caused the incident.

Of the 120 fatal crashes that have occurred this year, 58 of them occurred on primary/secondary highways, 40 occurred on interstate highways, and 22 occurred on city/county roads.

Of the multiple-fatality crashes occurred on Wyoming highways in 2020, 5 were rollover crashes, 17 involved multiple vehicles, 1 involved a fixed object, 4 involved commercial vehicles, and 6 were drug and/or alcohol related.

In locations where rumble strips/stripes were present, there were 56<sup>4</sup> crashes. There were 61<sup>4</sup> crashes where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to 11 vehicle crashes in 2019, causing in 14 deaths. In 17 of the vehicle crashes, speed was considered a factor, resulting in 24 deaths.

The days of the week for fatal crashes in 2020 were as follows:

Sunday	22 crashes
Monday	16 crashes
Tuesday	16 crashes
Wednesday	17 crashes
Thursday	16 crashes
Friday	9 crashes
Saturday	24 crashes

The times of day for fatal crashes in 2020 were as follows:

12:00 a.m. to 6:00 a.m.	17 crashes
6:00 a.m. to 12:00 p.m.	29 crashes
12:00 p.m. to 6:00 p.m.	45 crashes
6:00 p.m. to 12:00 a.m.	29 crashes

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<sup>4</sup> Numbers from submitted crash reports at the time of reporting.

The Commission also heard the following statistics:

- 80 percent of those who died in rollover crashes were unbelted.
- 25 percent of those who died in multi-vehicle crashes were unbelted.
- 75 percent of those who died in fixed-object crashes were unbelted.
- 68 percent of the fatalities in 2019 were drivers.
- 24 percent of the fatalities in 2019 were passengers.
- 52 percent of the resident fatalities were unrestrained.
- 17 percent of the non-resident fatalities were unbuckled.
- Alcohol and/or drug impairment was a factor in 31 percent of the fatalities.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary depicts 6,927<sup>5</sup> crashes statewide, of which 5,077<sup>5</sup> involved non-commercial vehicles, and 1,850<sup>5</sup> involved commercial vehicles.

The Commission also received a pin map depicting the locations of the 2019 fatal crashes.

Colonel Haller noted that the total number of 2019 fatalities was the second highest since 2014.

Assistant Attorney General Maddisen Gorman entered the meeting.

WHP Academy Move to Laramie County Community College (LCCC): The WHP finalized moving its academy training from Camp Guernsey to LCCC in Cheyenne. Six brand new trooper candidates and four pre-certified law enforcement candidates are currently enrolled at the new WHP academy location. Trooper candidates have access to the training facility, gymnasium, cafeteria, and dormitory rooms. Colonel Haller advised that the new location is exceeding expectations.

The initial trooper testing sessions are also being held at LCCC. At the early January call for trooper applications, 193 applications were completed, but only 29 individuals appeared for the preliminary written examination, interviews, physical fitness tests, deception test, and psychological evaluations. Fifteen candidates successfully completed that phase of testing. Those candidates now move on to the background check and investigation phase. The WHP currently has 12 trooper vacancies.

Five new dispatchers also graduated the Laramie County Combined Communications Center training in mid-December. Four dispatcher positions remain unfilled at this time.

Troopers Recognized for Lifesaving Efforts: The American Red Cross recognized two WHP troopers for their lifesaving efforts in November and December. An off-duty Casper trooper was at the Casper Recreational Center when he administered lifesaving CPR to a man who had collapsed on the basketball court. While patrolling a rural state highway, a driver flagged down Lieutenant Travis Hauser, of Lander, alerting him to a vehicle that had pulled off the road with an unconscious woman inside. Lieutenant Hauser administered CPR and saved the woman's life.

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<sup>5</sup> Does not contain all crashes worked; some reports are still pending.

Wyoming Towing Rules and Regulations Update: The WHP continues to work with the towing industry to develop new towing rules and regulations. Colonel Haller met with 40 members from the new Wyoming Professional Towing and Recovery Association on January 15, 2020, to discuss the final matters to be included in the new towing rules. The legal review will soon be complete. Governor Gordon will review the rule before receiving public comments.

Shop-With-a-Cop and Cram-The-Cruiser Events: Laramie County School District social workers identified less fortunate 39 students to participate in the Shop-With-A-Cop event in December. Kids shopped for Christmas gifts for family members with law enforcement officers. Families were also given a complete turkey dinner for Christmas. Various Wyoming school districts received leftover funds to pay for student lunches.

Drone Grant for WHP: The WHP received a grant in 2019 from STIC to purchase drones to collect crash evidence, perform crash investigations, and reduce turnaround time for reopening roadways. The WHP will be able to purchase three drones and associated software with the funds.

The drones will be ordered when WYDOT's new drone policy and procedures are enacted.

WHP 2019 Successes and Performance Results: Colonel Haller briefed the Commission about WHP successes and performance results in 2019.

14. It was moved by Commissioner Espy, seconded by Commissioner Filer, and carried to recess the business meeting and move into an executive session to receive information about pending litigation, in accordance with Wyoming Statute 16-4-405(a)(iii). Messrs. Fulton, Rossetti, Olsen, Babbitt, McGee, Jensen, Cawley, Colonel Haller, and Ms. Legerski and Thompson left the meeting. The Commission went into executive session at 11:30 a.m., on Thursday, January 16, 2020.

15. It was moved by Commissioner Espy, seconded by Vice Chairman Newton, and carried to come out of executive session. The Commission took no action during the executive session. The Commission came out of executive session at 12:07 p.m., on Thursday, January 16, 2020.

Chairman Larson recessed the meeting at 12:07 p.m. The Commission attended a luncheon to recognize WYDOT employees for their service.

16. Chairman Larson reconvened the regular business meeting at 1:30 p.m.

Messrs. Reiner, Byrne, Fulton, Rossetti, Olsen, Babbitt, McGee, Jensen, Cawley, Colonel Haller re-entered the meeting. Mr. Rob Rodriguez and Ms. Julie Newlin and Sandra Sanderson Seu entered the meeting for the first time. Ms. Gorman, Thompson, and Legerski did not return to the meeting.

17. Mr. Olsen presented the Aeronautics report beginning with the December 2019 Aeronautics Flight Operations Passenger Summary Report.

Proposed Decommissioning of Some Wyoming Airport Approaches: In December, WYDOT received notification that the FAA is proposing the decommissioning of some approaches at various Wyoming airports, primarily those that use ground-based navigational aids. If implemented, many Wyoming airports would have no backup system for landing during situations where GPS approaches are unavailable, and a significant portion of the civilian and military fleet does not have the equipment needed to use GPS approaches. Director Reiner sent a letter expressing the Department's concerns, along with written comments from various Wyoming airport users and aviation experts, about the proposed decommissioning. The FAA responded saying they are considering the Department's concerns.

Unmanned Aerial Systems (UAS) Update: The Aeronautics Division has developed a draft UAS operating policy and standard operating policies for WYDOT drone use and operations. Management Services will begin its formal policy review process and will gather comments from other WYDOT programs and executive staff to develop the policy even further. Mr. Olsen hopes to finalize the policy over the next few weeks.

The Aeronautics Division will also develop strategic planning for agency-wide drone use in the future. A UAS Task Force will meet January 27, 2020, to discuss how the Department will stand up the UAS program.

Transportation Research Board (TRB) Meeting in Washington, D.C.: Mr. Olsen attended the TRB meeting in Washington, D.C., January 13-15, 2020, where about half of the aviation-related sessions involved UAS matters.

18. Mr. Rossetti presented the Support Services report.

Employment Summary: WYDOT employed 1,949 personnel as of December 31, 2019, compared to 1,962 a month ago and 1,914 one year ago.

WYDOT will participate in job fairs at the South Dakota School of Mines, Colorado School of Mines, Utah State University, and the University of Wyoming in February in an effort to recruit employees. WYDOT Human Resources and school alumni will staff the booths.

Wyoming Organ Donor Registrations: Mr. Rossetti advised that as of December 31, 2019, almost 63 percent of Wyoming drivers are registered organ donors. This was an increase of 2.5 percent over the previous year.

19. Mr. Babbitt presented the Chief Technology Officer's report.

Joint Appropriations Committee (JAC): The JAC is considering exception requests for WyoLink and RIS funding. Mr. Babbitt, the state's Enterprise Technology System Division, and MathTech, the consultant hired to develop a plan for the RIS replacement, have been gathering information for the committee.



The JAC is also considering lengthening the computer rotation cycle for all state employee computers. WYDOT is currently on a five-year rotation, but other agencies rotate their computers on a shorter cycle. WYDOT is gathering information to justify not lengthening its current computer rotation cycle and what impact a change would have on the agency.

RIS Update: MathTech, Inc. has found a potential COBOL subject matter expert the state may contract with to map and document the RIS mainframe data. The mapping is necessary to develop a request for proposals for the new RIS.

WyoLink Update: WYDOT executive staff will testify before the JAC today about the status of WyoLink and its related maintenance and operations exception request. Two more towers are planned to expand WyoLink coverage in the Saratoga area and Sheridan County.

The new towers at Orin Junction, Buffalo, and Wright are awaiting power to bring them online.

The current hardware and software contracts expire at the end of 2020. WYDOT will search for the best and most economical vendor for WyoLink system maintenance and software. The JAC is expected to introduce a bill in the upcoming session that, if passed, will apply a \$0.50 monthly fee to all Wyoming phone lines to pay for future WyoLink maintenance and operations.

Mr. Babbitt noted that WYDOT has used less than 25 percent of the WyoLink system, on average, over the last three years, but the Department has been tasked with funding, maintaining, and operating the entire system for many years.

Connected Vehicle (CV) Project and 5.9 GHz Connectivity: In December, the Federal Communications Commission (FCC) voted to open up the lower 45 megahertz (MHz) of the 5.9 GHz band for unlicensed uses, such as Wi-Fi, while allocating the upper 20 MHz for cellular vehicle-to-everything, or C-V2X, automotive communications technology. The FCC also plans to allocate the remaining 10 MHz within the band to either C-V2X or Dedicated Short-Range Communications, known as DSRC. This decision jeopardizes the future of the CV project. WYDOT is seeking other scenarios and ideas to try to maintain the CV progress made to date, and to determine its future.

Statewide Communications Implementation Plan (SCIP): The Public Safety Communications Commission (PSCC) met January 8, 2020, to review WYDOT's SCIP. The SCIP is a three-year plan required by the U.S. Office of Homeland Security that establishes a technology security plan. The plan is necessary to apply for Homeland Security grants, should future funding become available. A draft 911 plan is also expected to be complete by this summer.

The national deputy director of the federal Cybersecurity and Infrastructure Security Agency, a federal agency that protects the nation's critical infrastructure, also attended the PSCC meeting.

Computer Replacement Cycles: The legislature has asked state agencies to consider current computer replacement cycles and the impact extending computer longevity would have on agency operations. WYDOT is currently on a five-year rotation cycle, and Mr. Babbitt believes that is already too long, considering the speed at which technology advances in today's market.

WYDOT will submit its findings to Governor Gordon soon about the potential impact of this proposed change.

Information Technology (IT) Innovations and Efficiencies: WYDOT is establishing a committee that will review the agency's IT innovations and efficiencies and determine a strategic plan for its technology, including the storage of UAS data.

IT Employee Compensation: Mr. Babbitt advised that, much like other positions throughout WYDOT, IT employee compensation is about 20 percent less than what is offered in similar positions in this area. The Department is having some difficulty in filling IT positions with qualified individuals.

20. Signature Authorizations: It was recommended by Secretary Scott, moved by Commissioner Espy, seconded by Commissioner Dolezal, and carried to remove Caryn Erickson as a WYDOT authorized signatory, effective January 1, 2020, and to add Pamela J. Fredrick as an authorized signatory, effective January 16, 2020.

21. Resolution for Equitable Compensation: Vice Chairman Newton recommended that the Commission draft a resolution in support of fair and equitable compensation for WYDOT employees, to be sent to Governor Gordon and to the legislature.

It was moved by Vice Chairman Newton, seconded by Commissioner Espy, and carried to draft a resolution stating the Commission believes that fair and equitable compensation is needed to retain and recruit quality employees, and to help maintain the safety and quality of Wyoming highways.

22. It was moved by Commissioner Filer, seconded by Commissioner Pfrangle, and carried to adjourn the meeting. Chairman Larson adjourned the meeting at 1:55 p.m., on Thursday, January 16, 2020.