

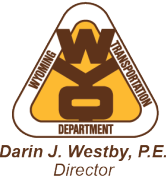


Mark Gordon
Governor

Wyoming Transportation Commission

5300 Bishop Boulevard
Cheyenne, Wyoming 82009-3340

Brandt Lyman, Chairman
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Darin J. Westby, P.E.
Director

MEETING MINUTES

The Transportation Commission of Wyoming met in the I-80 Room of the WYDOT University Training Building in Cheyenne and via Zoom on April 16, 2026. Chair Lyman called the meeting to order at 8:30 a.m. The following members were present, constituting a quorum.

Chair Brandt Lyman, Rock Springs
Vice Chair Jim Willox, Douglas
Commissioner Micheal Baker, Thermopolis *via Zoom*
Commissioner Susan Holmes, Sheridan
Commissioner Mark Hughes, Sundance
Commissioner Marlowe Scherbel, Afton
Commission Secretary Kimberly Chapman

Others present and participating in the meeting: Taylor Rossetti, Deputy Director/Support Services Administrator; Dennis Byrne, Chief Financial Officer; Keith Fulton, Chief Engineer; Brian Olsen, Assistant Chief Engineer, Engineering and Planning; Mark Ayen, Assistant Chief Engineer, Operations; Lieutenant Colonel Karl Germain; Chelsey Lindsay, Budget Office; Rodney Miears, Commercial Carrier Section, Wyoming Highway Patrol (WHP); Lieutenant Kyle McKay, WHP; Cassie Craven, Longhorn Law, LLC; Christopher Giehm, Interstate Towing; Mike Kahler, Supervising Attorney General; MacKenzie Sewell, Assistant Attorney General; Kristine Rude, Senior Assistant Attorney General; Doug McGee, Public Affairs; Pam Fredrick, Budget Office; Nick Gronski, Procurement Services; Mattie Bray; Financial Services Controller; Senator Stephan Pappas; Doug Jensen, Contracts and Estimates; Chris Stewart, Cheyenne Port of Entry; and Susan Elliott, Executive Assistant.

1. Pledge of Allegiance: Chair Lyman led the attendees in the Pledge of Allegiance.
2. Changes to Agenda: Chair Lyman noted a revision to the agenda, specifically regarding the sequence of discussion for Item 14: General Matters. Item C was moved to Item A.
3. March 19, 2026, Business Meeting Minutes: It was recommended by Secretary Chapman, moved by Commissioner Holmes, and seconded by Commissioner Hughes to approve the March 19, 2026, Business Meeting Minutes. The motion carried unanimously.
5. Administrative Matters – Towing Review Committee Appeal

The Commission held an appeal hearing regarding Interstate Towing's 45-day suspension from the WHP Tow and Recovery Carrier Voluntary Rotation List, commonly known as the WHP Non-Consensual Rotation.

Rodney Miears, WHP Tow and Recovery Program coordinator, and WHP Compliance Investigator Chris Stewart presented the background of the original complaint and the subsequent findings of the Dispute Resolution Committee (DRC). The complaint stemmed from a January 9, 2025, incident

outside of Cheyenne involving a jack-knifed tractor-trailer belonging to Rook UK Transport. Interstate Towing performed recovery operations lasting approximately four to five hours. The initial invoice totaled \$39,865, which was eventually negotiated down to \$31,500. Rook UK Transport paid the invoice to release their equipment but proceeded with a formal complaint, citing estimates from other companies in the \$900 to \$1,200 range for similar services.

Mr. Miears reported that on June 4, 2025, the DRC reviewed the case and determined that Interstate Towing failed to provide evidence justifying its costs. Consequently, the DRC concluded the operator did not meet the statutory requirement to prove the invoice was "fair and reasonable." Based on the DRC's recommendation, the Department issued a letter on August 8, 2025, removing Interstate Towing from the rotation for 45 days. Mr. Miears noted that while the company's filed fee schedule included a "price per pound" rate, its application in this specific scenario was deemed unreasonable.

Mr. Miears explained that the Highway Patrol initiated a rotation call because the owner's preferred operator had a two-hour estimated arrival time, which was insufficient to clear the obstructed travel lanes.

While the total service time of four to five hours was considered appropriate, the Commission questioned the use of "price per pound" billing that resulted in a \$39,865 invoice, noting it was substantially higher than the \$9,000–\$15,000 national average for similar recoveries. Mr. Miears reported that the frequency of billing disputes related to weight-based rates has prompted the Department to remove that option from future fee schedules.

Ms. Craven, representing Interstate Towing, appealed the suspension arguing the incident met the regulatory definition of a "recovery" because the jackknifed vehicle and locked brake system required mechanical intervention and specialized winching. Interstate Towing submitted mechanical testimony indicating the truck was inoperable due to frozen valves and stated that the Highway Patrol's "less extensive" characterization was not a standard supported by current rulemaking. Ms. Craven further asserted that the disciplinary action was arbitrary under Wyoming Statute 16-3-114(c), as the operator used a "price per pound" billing method already on file with the Department. Interstate Towing requested the Commission reverse the suspension, contending that the Department exceeded its authority by applying subjective standards rather than established prospective rules.

Several Commissioners questioned whether the incident legally qualified as a "recovery," with Interstate Towing arguing that the truck's mechanical immobilization met state standards despite remaining upright. A central topic of discussion was the "price per pound" billing method, which resulted in a \$31,000 charge for five hours of work. The operator defended this as an industry standard that rewards rapid roadway clearance while the Commission questioned its transparency and fairness. The discussion also addressed the \$25,000 to \$50,000 financial impact of the 45-day suspension and the operator's concerns regarding the DRC's neutrality and transparency. The Commission ultimately maintained confidence in the committee's expert-led recommendation.

Vice Chairman Willox noted that while the appeal was unique because the 45-day suspension had already been served, the decision remained significant because of the accumulation of offenses on the operator's record. He rejected the argument that the Department's actions were arbitrary or capricious, stating that the disciplinary process was clearly established and that the operator had voluntarily joined the program. While acknowledging that certain regulatory definitions, such as "recovery," may require future clarification, he stated that the Commission must operate under the rules as they existed at the time of the incident.

Chairman Lyman concurred, adding that the DRC is intentionally composed of industry experts to provide necessary guidance on technical matters like billing reasonableness, which can be difficult for the Commission to evaluate without such expertise.

Vice Chairman Willox moved, and Commissioner Baker seconded, to uphold the DRC's 45-day suspension of Interstate Towing from the WHP Non-Consensual Towing Rotation. The motion carried unanimously.

The meeting was suspended at 9:41 a.m. following an emergency evacuation order issued by the Laramie County Sheriff's Office due to an incident at F.E. Warren Air Force Base. The Commission evacuated together, but no business was conducted.

Chair Lyman reconvened the meeting at 11:00 a.m. with the Commission addressing the remaining action items: the second quarter budget modifications, procurement service bids, highway contract awards, the State Transportation Improvement Program (STIP) addendum, and the granting of signatory authority to the new Commission Secretary. All written staff updates were accepted as submitted.

6. Director's Report: The Director's Report was provided in writing, as included in the April 2026 meeting materials.
- 7A. Second Quarter Budget Modifications: Ms. Lindsay presented the second quarter budget modifications, detailing revenue and expense adjustments that exceeded \$50,000. Key updates included the addition of two federal congressional earmarks: \$4 million for a road and bridge replacement project in Casper and \$2.76 million for roadway widening in Sheridan County. Ms. Lindsay also reported the restoration of National Electric Vehicle Infrastructure (NEVI) funding to \$17.9 million and a \$750,000 allocation—authorized by Senate File 32—for a comprehensive Next Generation 911 (NG911) transition study.

To address operational needs, a \$60,000 internal shift from the snow control budget was made to facilitate essential commercial driver's license (CDL) training for District 4 staff. Additional adjustments included a \$377,960 innovation grant for an avalanche radar detection system in District 3, updated Federal Transit Authority (FTA) apportionments, and a \$110,000 Department of Health grant for Highway Patrol opioid testing equipment.

The Commission discussed the Highway Patrol budget, noting that expenditures had reached 81 percent of the total allocation by the end of the second quarter. Mr. Byrne noted that the Department is actively managing the Patrol's spending to align with fiscal year targets, and any remaining budgetary impacts will be formally addressed during the fiscal year-end close.

It was recommended by Ms. Lindsay, moved by Commissioner Holmes, and seconded by Commissioner Hughes to approve the second quarter budget modifications. The motion carried unanimously.

- 7B. Monthly Budget Report: The monthly budget report was provided in writing, as included in the April 2026 meeting materials.

- 7C. Award of Procurement Services Bids

It was recommended by Mr. Byrne, moved by Commissioner Scherbel, and seconded by Commissioner Hughes to award bid numbers 26-028MA and 26-070MA to Peak Asphalt, LLC, of Rawlins, Wyoming; Ergon Asphalt and Emulsions, Inc., of Cheyenne, Wyoming; and Western Emulsions, Inc., of Billings, Montana for the sum of \$2,037,283.25 to procure 3,009 tons of dilute emulsified asphalt, unmodified emulsified asphalt, modified emulsified asphalt, and unmodified performance graded asphalt binder. The motion carried unanimously.

It was recommended by Mr. Byrne, moved by Commissioner Hughes, and seconded by Vice Chairman Willox to award bid number 26-122RE to KGA-Chey, LLC, of Cheyenne, Wyoming, for the sum of \$333,788 to procure two new current model crew cab and chassis dual rear truck with platform lift installed. The motion carried unanimously.

It was recommended by Mr. Byrne, moved by Vice Chairman Willox, and seconded by Commissioner Holmes to award requisition number 0000077524 to Thales DIS USA, Inc., of Austin, Texas, for the sum of \$955,434 to furnish driver's license card production for WYDOT Drivers Services. The motion carried unanimously.

- 7D. Second Quarter Purchases from the Over \$200,000 List: The list was provided in writing, as included in the April 2026 meeting materials.

8. Chief Engineer's Report: The Chief Engineer's Report was provided in writing, as included in the April 2026 meeting materials.

- 8Ai. Mr. Olsen presented the Engineering and Planning Report, beginning with the bid tabulations from the April 9, 2026, letting.

Federal Projects STP-BR-B263004, HSIP-1900047, and SCP-TC-W413006 combined for rehabilitation of seven bridges and electrical upgrades at various locations in Transportation District 3 in Sweetwater and Uinta Counties. Completion Date: November 30, 2027.

Engineer's Estimate

\$12,035,475.50

DeBernardi Construction Company, Inc., Rock Springs, WY	\$12,000,000.00 -0.3%
W.W. Clyde & Co., Orem, UT	\$15,307,559.36

It was recommended by Mr. Olsenn, moved by Commissioner Hughes, and seconded by Commissioner Scherbel that DeBernardi Construction Company, Inc., of Rock Springs, WY, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously.

Federal Projects STPU-CH-B221004 and STPU-CH-B231031 for road reconstruction of Dell Range Boulevard in Cheyenne, Whitney Road, US 30, and various frontage roads in Laramie County. Completion Date: October 31, 2027.

<i>Engineer's Estimate</i>	<i>\$11,857,347.00</i>
Simon Contractors, Cheyenne, WY	\$10,219,659.80 -13.8%
Reiman Corp., Cheyenne, WY	\$10,942,357.50
JTL Group, Inc. DBA Knife River, Cheyenne, WY	\$11,072,311.50
S & S Builders, LLC, Gillette, WY	\$11,220,808.00
Western Municipal Construction of Wyoming, Inc., Casper, WY	\$17,825,176.34

It was recommended by Mr. Olsen, moved by Commissioner Hughes, and seconded by Vice Chairman Willox that Simon Contractors, of Cheyenne, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be conditionally awarded the contract as low bidder until the City of Cheyenne provides full concurrence. The motion carried unanimously.

Federal Project NHPP-N344047 for mill, overlay, and chip seal on approximately 10.9 miles on US 16, US 20, and WYO 789 beginning at route marker (RM) 165.76 between Worland and Manderson in Washakie County. Completion Date: October 31, 2027.

<i>Engineer's Estimate</i>	<i>\$6,940,315.00</i>
McGarvin-Moberly Construction Co., Worland, WY	\$6,567,776.70 -5.4%
Mountain Construction Company, Lovell, WY	\$6,967,245.63
Riverside Contracting, Inc., Missoula, MT	\$6,998,451.00
Croell, Inc., Sundance, WY	\$7,182,932.88

It was recommended by Mr. Olsen, moved by Commissioner Holmes, and seconded by Commissioner Baker that McGarvin-Moberly Construction Co., of Worland, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously.

State Project SCP-TC-B263024 for contract patching at various locations in Transportation District 3 in Lincoln and Sweetwater Counties. Completion Date: October 31, 2026.

<i>Engineer's Estimate</i>	\$6,377,008.00
Kilgore Companies, LLC dba Lewis & Lewis, Inc., Rock Springs, WY	\$5,555,555.00 -12.9%
H-K Contractors, Inc., Idaho Falls, ID	\$5,398,986.00
<i>Plus 5% for Comparison</i>	\$5,668,935.30
Avail Valley Construction-WY, LLC, Afton, WY	\$6,977,777.00

It was recommended by Mr. Olsen, moved by Commissioner Scherbel, and seconded by Vice Chairman Willox that Kilgore Companies, LLC, dba Lewis & Lewis, Inc., of Rock Springs, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried, with Chair Lyman abstaining from the vote because of a conflict of interest.

Federal Projects STP-0302093, ARSCT-0302A01, and ARSCT-0302A02 for mill and overlay, water main replacement, and conduit installation on US 14 and US 16 beginning at RM 38.10 for approximately 8.90 miles between Clearmont and Arvada in Sheridan County. Completion Date: November 30, 2026.

<i>Engineer's Estimate</i>	\$5,117,265.00
Simon Contractors, Cheyenne, WY	\$4,361,169.00 -14.8%
Croell, Inc., Sundance, WY	\$4,558,430.91
Riverside Contracting, Inc., Missoula, MT	\$4,822,725.75
Century Companies, Inc., Lewistown, MT	\$4,866,407.65

It was recommended by Mr. Olsen, moved by Commissioner Hughes, and seconded by Commissioner Scherbel 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 motion carried unanimously.

Federal Projects NHPP-PM-N104097, ARSCT-N104A09-2, and ARSCT-N104A10 combined for slab replacement, sidewalk, curb and gutter, and stormwater control work on US 26, US 89, and US 191 in the Town of Jackson beginning at RM 154.28 on Broadway and Jackson Street to Cache Street for approximately 0.20 miles in Teton County. Completion Date: June 15, 2027.

<i>Engineer's Estimate</i>	\$3,240,579.00
JM CONCRETE, INC., Idaho Falls, ID	\$3,185,559.00 -1.7%
Acme Concrete Paving, Inc., Spokane, WA	\$4,335,000.00

It was recommended by Mr. Olsen, moved by Vice Chairman Willox, and seconded by Commissioner

Scherbel that JM Concrete 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 motion carried unanimously.

Federal Project HI-BFP-CN11075 to replace one steel bridge on Park County Road 3XQ beginning at RM 0.953 at the bridge over Greybull River in Park County. Completion Date: September 30, 2027.

<i>Engineer's Estimate</i>	\$3,216,816.00
RoamMT, LLC, Belgrade, MT	\$2,965,814.50 -7.8%
Reiman Corp., Cheyenne, WY	\$3,145,300.70
JM CONCRETE, INC., Idaho Falls, ID	\$3,286,457.00
Century Companies, Inc., Lewistown, MT	\$3,723,711.50

It was recommended by Mr. Olsen, moved by Commissioner Holmes, and seconded by Commissioner Hughes that RoamMT, LLC, of Belgrade, Montana, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously.

Federal Projects STP-BROS-CN13078 and ARSCT-CN13A01 for rehabilitation of one bridge and roadway reconstructions at the bridge on West Richards Street over the North Platte River in the City of Douglas in Converse County. Completion Date: June 30, 2027.

<i>Engineer's Estimate</i>	\$2,345,596.00
S & S Builders, LLC, Gillette, WY	\$2,256,256.00 -3.8%
Reiman Corp., Cheyenne, WY	\$2,784,730.30

It was recommended by Mr. Olsen, moved by Vice Chairman Willox, and seconded by Commissioner Scherbel that S & S Builders, LLC, of Gillette, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously.

Federal Project RHC-N342055 did not receive any bids. Mr. Olsen noted that the project's scope involves specialized railroad work, which may have impacted initial interest. To ensure a more competitive process, the team will develop a targeted outreach strategy to attract qualified bidders.

Federal Project HSIP-B264014 for guardrail upgrades at various locations in Transportation District 4 in Crook and Weston Counties. Completion Date: October 31, 2026.

<i>Engineer's Estimate</i>	\$1,393,420.00
S&L Industrial LLC, Cowley, WY	\$1,117,015.00 -19.8%
K's Construction, Inc., Afton, WY	\$1,505,218.00

Hilt Construction, Inc., Rapid City, SD \$1,534,133.00

It was recommended by Mr. Olsen, moved by Commissioner Hughes, and seconded by Commissioner Holmes that S&L Industrial LLC, of Cowley, Wyoming, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously.

Federal Project HI-BFP-2550501 to replace one concrete bridge over Little Goose Creek on East Works Streets in Sheridan at RM 100.43 in Sheridan County. Completion Date: July 31, 2027.

Engineer's Estimate \$1,387,119.50

RoamMT, LLC, Belgrade, MT \$1,925,911.00 38.8%

S & S Builders, LLC, Gillette, WY \$1,973,808.00

Reiman Corp., Cheyenne, WY \$3,056,109.00

It was recommended by Mr. Olsen, moved by Commissioner Holmes, and seconded by Commissioner Scherbel that RoamMT, LLC, of Belgrade, Montana, having prequalified in accordance with rules and regulations adopted by the Transportation Commission of Wyoming, be awarded the contract as low bidder. The motion carried unanimously.

8Aii. April 2026 STIP Addendum Approval: Mr. Olsen presented the April 2026 STIP addendum.

The commissioners discussed the five items in the STIP addendum, including a fast-tracked \$35 million secondary highway project in Lincoln County. Funded by increased vehicle sales tax revenue, the project will expand the Star Valley corridor to five lanes to manage rapid development, commuter traffic, and safety concerns.

It was recommended by Mr. Olsen, moved by Vice Chairman Willox, and seconded by Commissioner Scherbel to approve the April 2026 STIP addendum. The motion carried unanimously.

8B. The Operations Report was provided in writing, as included in the April 2026 meeting materials.

9. Highway Patrol Report: Lt. Col. Germain presented the Fatal Crash Summary through March 31, 2026, which includes 22 fatal crashes involving 26 deaths. The fatalities resulted from rollover crashes, multi-vehicle crashes, and commercial crashes.

There have been eight fatal crashes deemed drug or alcohol related, resulting in 11 deaths through March 2026.

Of the 26 deaths this year, 12 were attributed to not using occupant restraints. There were three fatalities involving individuals under the age of 21 in 2026 crashes.

Of the 22 fatal crashes so far this year, it is unknown whether 11 of those drivers had no distractions. Two drivers was distracted, and 17 were not.

Of the 22 fatal crashes that have occurred this year, three occurred on city/county roads, 10 occurred on primary/secondary highways, and nine occurred on interstate highways.

The days of the week for fatal crashes in 2026 are as follows:

Sunday	7 crashes
Monday	3 crashes
Tuesday	1 crash
Wednesday	4 crashes
Thursday	3 crashes
Friday	2 crashes
Saturday	2 crashes

The times of day for fatal crashes in 2026 are as follows:

12:00 a.m. to 6:00 a.m.	5 crashes
6:00 a.m. to 12:00 p.m.	5 crashes
12:00 p.m. to 6:00 p.m.	7 crashes
6:00 p.m. to 12:00 a.m.	5 crashes

There were 873 Patrol investigated crashes in 2026.

10. Aeronautics Report: The Aeronautics Report was provided in writing, as included in the April 2026 meeting materials.
11. Support Services Report: The Support Services Report was provided in writing, as included in the April 2026 meeting materials.
12. Chief Technology Officer's Report: The Chief Technology Officer's Report was provided in writing, as included in the April 2026 meeting materials.
13. May 2026 Commission Meeting: Secretary Chapman announced that the May 2026 Commission meeting will be held in Cheyenne.
- 14A. General Matters: It was recommended by Mr. Rossetti, moved by Vice Chairman Willox, and seconded by Commissioner Baker to grant Commission signatory authority to Kimberly Chapman. The motion carried unanimously.
- 14B. Legislator Comments: Senator Pappas informed the Commission that the Joint Transportation, Highways, and Military Affairs Committee (JTC) will address recent concerns regarding the Highway Patrol during its meeting in Casper on May 4. He noted that while the interim committee's workload

is lighter than in previous years, priorities remain focused on WYDOT funding, statutory cleanup, and safety issues. Senator Pappas invited the commissioners to share any specific items they wish to have presented to the JTC and offered to field any questions from the members.

14C. Commissioner Comments

Commissioner Baker noted the efficiency of the meeting despite the earlier evacuation. Vice Chairman Willox addressed the ongoing challenges facing the Highway Patrol, expressing support for the director's current corrective actions. He acknowledged the concerns of local sheriffs and troopers but maintained that the current direction is necessary to resolve the situation. Commissioner Scherbel expressed appreciation for the opportunity to meet in person and thanked Senator Pappas for his continued advocacy. Commissioner Hughes thanked Mr. Rossetti for his leadership during the meeting and welcomed Ms. Chapman back to the Commission Secretary role. He also recommended encouraging more consistent attendance from the assigned JTC House representative at future Commission meetings. Commissioner Holmes announced her intention to attend the JTC meeting in Casper on May 4 to monitor key legislative topics. Chair Lyman thanked Commissioners Willox and Holmes for their work on the STIP subcommittee and expressed appreciation to Mr. Byrne for providing valuable insights during recent discussions. He also indicated his intent to attend the upcoming JTC meeting.

16. The meeting was adjourned by Chair Lyman at 11:55 a.m. on Thursday, April 16, 2026.