

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met via Zoom and in person at 3200 Elk Street, Rock Springs, WY on May 12. Acting Chairman Dolezal convened the meeting at 8:34 a.m. The following members were present constituting a quorum:

Acting Chairman Jon Dolezal, Evanston
Commissioner Patrick Crank, Cheyenne
Commissioner Jim Espy, Savery
Commissioner Susan Holmes, Sheridan
Commissioner Mark Hughes, Sundance
Director K. Luke Reiner
Aeronautics Commission Secretary Kimberly Chapman

Others present and participating in the meeting: Dennis Byrne, Chief Financial Officer (CFO); Rodney Freier, Budget Program Manager; Mark Gillett, Chief Engineer; Tom DeHoff, Assistant Chief Engineer for Operations; Keith Fulton, Assistant Chief Engineer for Engineering and Planning; Lieutenant Colonel Shannon Ratliff, Interim Wyoming Highway Patrol Administrator; Taylor Rossetti, Support Services Administrator; Troy Babbitt, Chief Technology Officer (CTO); Mike Kahler, Senior Assistant Attorney General; Dan Kline, Monica Gourdine, Interim Division Administrator, Federal Highway Administration (FHWA); Dan Kline, Systems Planning Supervisor; Representative Mark Baker; Senator John Kolb; and Sheridan Norberg, Norberg Towing.

Other meeting attendees: Doug McGee, Public Affairs; Jordan Achs, Public Affairs; Mark Horan, Public Affairs; John Davis, Management Services Program Manager; Kacey Brown, Senior Policy Analyst; Mark Ayen, District Two Engineer; Scott Taylor, District Four Engineer; Cori Schrinar, Procurement Services Manager; Nick Gronski, Purchasing Officer; Susan Elliott, Executive Assistant; Katie Legerski, Association of General Contractors-Wyoming.

1. Pledge of Allegiance: Acting Chairman Dolezal led the attendees in the Pledge of Allegiance.

2. Changes/Additions to Agenda: Agenda Item 14A, Public Comments, was moved to occur prior to Agenda Item 3A, Approval of May 12, 2022, Business Meeting Minutes.

14A. Public Comments: Mr. Norberg addressed the Commission regarding concerns about towing company regulations and issues with local routes.

3. Approval of Minutes: It was recommended by Secretary Chapman, moved by Commissioner Hughes, seconded by Commissioner Espy, and carried to approve the minutes from the May 12, 2022, business meeting.

6. Director Reiner presented the Director's Report.

Infrastructure Investment and Jobs Act (IIJA): Notice of Funding Opportunities (NOFOs) continue to be published by the FHWA, which WYDOT is currently reviewing and working on an implementation plan. WYDOT also continues to meet with the Governor's Office and the Wyoming Association of Municipalities (WAM) regarding funding allocations.

Bridge Funding Program (BFP): This program continues to progress well, and several counties in Wyoming have responded to the program. The BFP will provide \$45 million in funding per year for the next five years, with 15% of the funding going to local projects. All counties and municipalities were notified of this program, which is to replace poor and critical bridges.

Electric Vehicles: The National Electric Vehicle Infrastructure (NEVI) plan final draft has been placed on the WYDOT website and will stay posted for 45 days. Director Reiner summarized the plan, explaining that once the interstate corridors have been outfitted with infrastructure, the remaining monies will be used for off-corridor roads across Wyoming. Director Reiner also discussed possible waivers for locations of vehicle chargers, coordination with surrounding states, and stations installed by Tesla and Electrify America.

Gas and Diesel Price Working Group: A working group was established by Governor Gordon to address gas and diesel prices across the state and seek out options and relief for those impacted by higher prices. Director Reiner was appointed to this group and meetings will begin June 17th in Cheyenne.

Flooding in Yellowstone: Director Reiner praised the WYDOT operations team, especially in District 5, for their hard work in assisting with the recent flood damage in Yellowstone.

Western Association of State Highway and Transportation Officials (WASHTO): Director Reiner recently attended the WASHTO conference in Dallas. Several topics such as autonomous vehicles and the effects of IIJA on individual states were discussed.

Towing Working Group: Proposed rules and regulations for towing have been posted and public comment is welcomed.

Wildlife: WYDOT will be meeting with the Game and Fish and the Wyoming Wildlife Natural Resource Trust will be meeting in the near future to discuss funding for upcoming wildlife crossings.

Strategic Planning: WYDOT Executive Staff will meet to discuss the path forward and future goals.

Vacancies: Applications continue to be received for the Wyoming Highway Patrol Administrator position, and the opening for the Chief Technology Officer position has been posted.

7. Mr. Byrne presented the Chief Financial Officer's Report.

Monthly Budget Report: Mr. Freier presented the monthly budget report. Overall, the budget report revealed that the Commission budget was 58 percent expended, and the legislative budget was 61 percent expended in Fiscal Year (FY) 2022.

7B. It was recommended by Mr. Byrne, moved by Commissioner Hughes, seconded by Commissioner Espy, and carried to approve bid 22-151RE to furnish two (2) new current model 84” wide tandem vibratory rollers for departments located in Rock Springs and Basin. The bid was awarded to Honnen Equipment Company of Cheyenne, Wyoming, for the sum of \$370,200.00.

In response to a question from Commissioner Crank, Mr. Byrne explained the process for companies to be considered in-state bidders and receive preferential treatment for procurement bids. This process is dictated by state statutes.

7C. Mr. Freier presented the 2023 budget summaries. Updated summaries will be presented to the Commission as changes are made, and final Commission approval will be requested at the September 2022 meeting.

It was moved by Commissioner Crank, seconded by Commissioner Espy, and carried to establish a budget subcommittee, made up of two Commissioners, to assist in budget creation. Commissioners Crank and Hughes were chosen to be a part of the subcommittee.

It was moved by Commissioner Hughes, seconded by Commissioner Holmes, and carried to add a third Commissioner to the budget subcommittee to include one person from each term period. The third Commissioner will be appointed after discussion with the Chairman and Vice Chairman.

8. Mr. Gillett presented the Chief Engineer’s Report.

Change Order: According to WYDOT policy, the Chief Engineer is required to advise the Commission of any change orders to a project that exceeds \$250,000. A project to add truck parking locations on Interstate 80 between Laramie and Rawlins, funded by a federal grant, received a low bid that was less than the amount of the grant. As a result, road upgrades needed according to the pavement management system were made to maximize utilization of the grant and avoid returning money to the Federal government. The change order amount was approximately \$5,000,000 and will not affect the STIP or budget.

Commissioner Crank requested more detailed information regarding the change order. Mr. Gillett advised that the contractor for the project in question was Simon Contracting and that another change order will be covered at a later date to address a wildlife fence added to the project. Mr. Gillett also stated that he had considered putting the items in the change order out for bid but decided against it.

Supply Issues and Inflation: WYDOT continues to see supply chain issues for several materials, including PVC products, fencing products, structural steel, rubber products, cement, epoxy products, and paint. WYDOT is working with construction companies to alleviate some of these

issues in several ways, such as allowing completion time extensions, partial payments, and material substitutions. Cost escalations are being utilized for fuel, asphalt binder, and structural steel.

Inflation, including high fuel costs, is also playing a role in the increase of time needed to complete projects as well as overall price.

IJA: Mr. Gillett thanked Mr. Fulton, Ali Ragan, and John Davis for their assistance in tracking, logging, and sharing information with other agencies regarding projects funded by IJA.

WASHTO: Mr. Gillett also recently attended the WASHTO conference in Dallas, and discussed the technological advances that were presented during the conference.

Yellowstone: WYDOT crews continue to work closely with the Governor's office and FHWA on an emergency declaration in order to expedite flooding damage mitigation and repairs. Mr. Gillett commended District Engineer Pete Hallsten and District 5 employees for their efforts during this time.

8A. Monica Gourdine advised the FHWA Executive Director is retiring at the end of June, and an Acting Director has been selected.

A frequently asked questions list was recently released to states by FHWA regarding NEVI regulations as well as a template for states to submit for a 50-mile requirement exemption request.

On June 10, a Notice of Funding Opportunity (NOFO) was released for the Bridge Investment Program, which is a discretionary and competitive program established through IJA. Three separate grants are available, and WYDOT has been notified of application due dates.

8Bi. Addendum to the FY 2022 State Transportation Improvement Program (STIP): Mr. Fulton presented the June addendum to the FY 2022 STIP.

It was recommended by Mr. Fulton, moved by Commissioner Hughes, seconded by Commissioner Holmes, and carried unanimously to approve the June addendum to the FY 2022 STIP.

8Bii. Railroad Crossing Project Approval: Mr. Fulton and Mr. Kline presented the proposed rail crossing establishment and closures in the town of Pine Bluffs.

It was recommended by Mr. Fulton, moved by Commissioner Espy, seconded by Commissioner Crank, and carried unanimously to approve the establishment of a rail crossing on Butler Avenue in Pine Bluffs and close the rail crossings on North Main Street and Main Street in Pine Bluffs.

8C. Mr. DeHoff presented the Operations Report.

Project Tour: Mr. DeHoff thanked Stephanie Harsha and Peter Stinchcomb of District 3 for the Commission project tour on June 15, 2022.

Maintenance: All passes that were closed over the winter were open before the Memorial Day holiday. However, due to a late storm that produced over two feet of snow over Memorial Day in Districts 4 and 5, US 14A and Hwy 296 were closed. District maintenance crews and the Highway Patrol assisted travelers during this storm, and Mr. DeHoff thanked all involved for their efforts.

Yellowstone Flooding: Mr. DeHoff discussed the impact on Wyoming roads and structures from the historic flooding that occurred on June 13th. District crews and WYDOT partners are working to remove debris and assist the Park Service as needed. Alternate tourism locations will be advertised to people unable to visit Yellowstone.

Summer Operations: Normal summer operations are occurring, including asphalt patching, chip sealing, mowing, fencing, and repairs. The state hot plant is currently set up in Guernsey and is producing mix for District 2. All other districts are utilizing commercial hot plants for paving and patching projects.

Construction: The construction season has begun and there are a total of 64 active projects across the state.

Traffic: WYDOT has been notified by suppliers that there is a delay in paint order fulfillment. As a result, districts have transitioned to the emergency striping plan.

Sign and electric crews are beginning their summer upgrade activities.

Equipment: Staff recently completed a video walkaround of the new T80 rotary snowblowers. The first three units are scheduled to be delivered by the end of August, which is earlier than expected. All units should be received by Spring 2023.

Facilities: All rest areas are open at this time.

9. Lieutenant Colonel Ratliff presented the Highway Patrol Report.

The Fatal Crash Summary through May 31, 2022, includes 30 fatal crashes involving 36 deaths. The fatalities include 15 rollover crashes, 12 multi-car crashes, 4 fixed-object crashes, 1 motorcycle crash, 0 all-terrain vehicle crashes, and 4 pedestrian crashes. Of the 30 fatal crashes that occurred in 2022, 9 involved commercial vehicles.

There were 2 fatal crashes deemed drug or alcohol related, resulting in 4 deaths in May 2022.

Of the 36 deaths this year, 26 were attributed to not using occupant restraints, with 13 involving rollover crashes, 9 involving multi-car collisions, and 4 involving fixed objects. Eight of those who died from the non-use of occupant restraints were Wyoming residents. Four who perished were under 21 years old.

Of the 30 fatal crashes so far this year, 17 of those drivers had no distractions. In 12 of those crashes, it was unknown whether a distraction caused the incident.

Of the 30 fatal crashes that have occurred this year, 11 occurred on primary/secondary highways, 12 occurred on interstate highways, and 7 occurred on city/county roads.

There were 7 multiple-fatality crashes in 2022.

In locations where rumble strips/stripes were present, there were 13 crashes. There were 7 crashes where rumble strips/stripes were not present.

Inclement weather or road conditions contributed to 6 vehicle crashes in 2022, which resulted in 6 deaths.

The days of the week for fatal crashes in 2022 were as follows:

Sunday	8 crashes
Monday	5 crashes
Tuesday	6 crashes
Wednesday	3 crashes
Thursday	1 crashes
Friday	2 crashes
Saturday	5 crashes

The times of day for fatal crashes in 2022 were as follows:

12:00 a.m. to 6:00 a.m.	5 crashes
6:00 a.m. to 12:00 p.m.	11 crashes
12:00 p.m. to 6:00 p.m.	7 crashes
6:00 p.m. to 12:00 a.m.	7 crashes

The Commission also heard the following statistics:

- 87 percent of those who died in rollover crashes were unbelted.
- 75 percent of those who died in multi-vehicle crashes were unbelted.
- 100 percent of those who died in fixed-object crashes were unbelted.
- 58 percent of the fatalities in 2022 were drivers.
- 22 percent of the fatalities in 2022 were passengers.
- 64 percent of the resident fatalities were unrestrained.
- 50 percent of non-resident fatalities were unrestrained.
- 31 percent of fatalities involved alcohol and/or drug impairment.

Awards Banquet: On June 10th in Sheridan, the Highway Patrol held an awards banquet. Lt. Col. Ratliff thanked Commissioner Hughes, Director Reiner, and Mr. Gillett for attending the banquet.

Annual Truck Driving Championships: WYDOT hosted the annual truck driving championships, and several WHP employees assisted in the event and banquet that occurred after.

10. Mr. Rossetti presented the Aeronautics Report on behalf of Brian Olsen, beginning with the May 2022 Aeronautics Flight Operations Passenger Summary Report.

FAA Grants: Mr. Rossetti advised that the FAA has started to issue 2022 grants, and WYDOT is currently waiting on the airport terminal discretionary program to be announced. Aeronautics continues to work with airports around the state so that they are able to apply for funding.

Airport Updates: The Jackson Hole airport reconstruction project is progressing well and is on track to re-open on June 28th.

Summer Air Travel: Demand continues to increase, and airlines are experiencing an employee shortage. This shortage is causing airlines to reduce their flight schedules.

Capacity Purchase Agreement Contract: Negotiations have been completed on the Capacity Purchase Agreement Contract with SkyWest.

11. Mr. Rossetti presented the Support Services Report.

Employment Summary: WYDOT employed 1,793 personnel as of June 6, 2022, compared to 1,781 a month ago and 1,876 one year ago.

12. Mr. Babbitt presented the Chief Technology Officer's Report.

RIS Replacement Update: Mr. Babbitt and Mr. Rossetti continue to work with Enterprise Technology Services (ETS) through the replacement process. The RFP was released to the public in May through Procurement and a bidders conference was recently held. Several questions were received during the conference and WYDOT is working to answer all questions from potential bidders. The RFP proposal submission deadline has been extended to August 2, 2022.

WyoLink Update: Tower updates continue to occur, and Evanston and north Goshen County have recently broken ground. The northern Big Horn area will begin tower construction soon, and the contract for the Newcastle site is currently being reviewed by the Attorney General's office. Mr. Babbitt reported that there were two new towers approved utilizing ARPA funding, and discussions have occurred with locals in the Sheridan and Saratoga areas regarding these towers.

Quantar to GTR Update: WYDOT is working with Motorola to complete upgrades, and there are now 14 sites that have been upgraded. At the end of 2022, it is expected that 24 sites will have completed upgrades.

ETS: WYDOT and ETS continue to work together regarding statewide enterprise solutions.

13. July 2022 Commission Meeting: Secretary Casner advised that the July 2022 is currently scheduled to be held virtually.

14A. Legislator Comments: Senator John Kolb and State Representative Mark Baker shared remarks regarding electric vehicles and charging stations. Representative Baker advised that he will not be running for re-election this year.

14B. Commissioner Comments: Commissioner Dolezal thanked all District 3 employees for their assistance during the June Commission meeting. Commissioner Espy requested WYDOT consider speed limits especially around the Baggs area. Commissioner Hughes thanked Senator Kolb and Representative Baker for attending the June meeting in person. Commissioner Crank thanked district employees for their hard work, especially those in District 5. Commissioner Holmes thanked staff for the June 15th education session and tour.

16. It was moved by Commissioner Crank, seconded by Commissioner Holmes, and carried to adjourn the meeting. Acting Chairman Dolezal adjourned the meeting at 11:40 a.m., on Thursday, June 16, 2022.