

TRANSPORTATION COMMISSION OF WYOMING

The Transportation Commission of Wyoming met in the Commission Room of the Transportation Headquarters building in Cheyenne on June 18, 2009. The meeting was convened at 8:30 a.m. by Chair Dziardziel. The following members were present constituting a quorum:

Susan Dziardziel, Chair, Douglas
Charlie Monk, Vice Chairman, Lovell
Sandi McCormick, Commissioner, Rock Springs
Cactus Covello Jr., Commissioner, Torrington
Jim Latta, Commissioner, Pinedale
Ted Ertman, Commissioner, Newcastle
Jim Hladky, Commissioner, Gillette
John F. Cox, Director
Sandra J. Scott, Commission Secretary

Also present at and participating in the meeting were: Delbert McOmie, Chief Engineer; Pat Collins, Assistant Chief Engineer of Engineering and Planning; Tim Hibbard, Assistant Chief Engineer of Operations; Tom Loftin, Support Services Administrator; Colonel Sam Powell, Wyoming Highway Patrol Administrator; Dennis Byrne, Aeronautics Administrator; Doug Moench, Senior Assistant Attorney General; Mike Kahler and Jackson Engels, Assistant Attorneys General; Kevin Hibbard, Budget Officer; Doug McGee, Public Affairs Manager; and Phil Miller, Division Administrator, Federal Highway Administration.

Others present: Susan Tighe and Jean Brown, Cheyenne residents; Michael Fleming, Director, and Jose Crespo, Territory Manager, E. F. Johnson Technology; Phil Bond, Senior Account Manager, and Henry Johnson, Area Sales Manager, Motorola Corporation; Hank Phibbs, Teton County Commissioner; Liz Brimmer and Tim Young, Friends of Pathways; Brian Schilling, Jackson Hole Community Pathways; Reed Armijillo, Jorgensen Associates Engineering; Mike Gostovich, State Traffic Engineer; John Sherman, Lands Management Administrator; Robert Wilson, Telecommunications Program Manager; Larry Sheridan, Communications Systems Supervisor; Hans Hehr, Purchasing Manager; and Sara Janes, Safe Routes to Schools Coordinator.

1. It was recommended by Secretary Scott, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve the minutes from the May 14, 2009, regular business meeting and the May 28, 2009, special teleconference meeting.
2. Secretary Scott briefed the Commission about four resolutions received from the Wyoming Trucking Association (WTA), thanking the Commission for their participation and cooperation in the May WTA annual convention.
3. Mr. Kevin Hibbard presented the Budget report.

Mr. Hibbard presented the monthly budget report, stating that the Department's current cash balances are holding well. Snow removal expenditures, and other major purchases, are under budget so far this year.

Mr. Hibbard advised that the Department may have to utilize its borrowing authority to cover stimulus projects until reimbursement is received from the FHWA.

Monthly American Recovery and Reinvestment Act (ARRA) Report: Mr. Hibbard provided a copy of the monthly ARRA report. The report revealed a two-week delay in reimbursement of contractor payments from the FHWA. Mr. Hibbard continues to work with the Federal Office of Management and Budget to effectively report monthly expenditures.

4. Mr. Collins presented the Engineering and Planning report, beginning with the tabulation of bids from the letting held June 11, 2009, in Laramie.

COMMISSION DISTRICT 4
Jim Hladky – Commissioner

State project SCP-1310001, involving bridge rehabilitation, including grading, draining, placing crushed base and bituminous pavement leveling, and miscellaneous work on 2.51 miles of the I-25 Service Road between Casper and Kaycee, in Johnson County. Completion date – October 31, 2010

Engineer's Estimate	\$ 970,705.00	
Knife River, Cheyenne, WY	\$1,079,425.50	+11.2%
Scherer Construction Limited Liability Company, Casper, WY	\$1,095,297.47	
Hedquist Construction, Inc., Mills, WY	\$1,135,144.00	
71 Construction, Casper, WY	\$1,345,094.00	
Simon Contractors, Cheyenne, WY	\$1,448,259.25	

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner Covello, and carried that **Knife River, 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 HSIP-P601035, involving grading, draining, placing crushed base and bituminous pavement surfacing, milling plant mix, removal and replacement of curb and gutter, concrete slab replacement, fencing, and miscellaneous work on 0.71 mile of US 87, beginning at reference marker 26.78 at County Road 66 and Fleming Drive, in the city of Sheridan, in Sheridan County. Completion date – October 31, 2009

Engineer's Estimate	\$574,540.50	
Intermountain Construction and Materials, Inc., Gillette, WY	\$625,046.15	+8.8%

It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried that **Intermountain Construction and Materials, Inc., 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 Federal Highway Administration concurred with this decision.

**COMMISSION DISTRICT 5
Charlie Monk – Vice Chairman**

Federal project NH-N311092, involving grading, milling plant mix, bituminous pavement surfacing, plant mix wearing course, bridge deck repair, landscaping, and miscellaneous work on 1.67 miles of US 14, beginning at reference marker 52.97 between Cody and the Big Horn County Line, in Park County. Completion date – October 15, 2010

Engineer's Estimate	\$1,857,709.50	
Mountain Construction Company, Lovell, WY	\$1,598,410.38	-14.0%
Century Companies, Inc. and Affiliates, Lewistown, MT	\$1,716,953.50	
Riverside Contracting, Inc., Missoula, MT	\$1,766,677.50	
Western Wyoming Construction Co., Lander, WY	\$1,767,138.50	
McGarvin-Moberly Construction Company, Worland, WY	\$1,859,987.93	
McMurry Ready-Mix Co., Casper, WY	\$1,927,814.45	

It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried that **Mountain Construction Company, Lovell, 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.

Msses. Tighe and Brown entered the meeting.

5. Mr. Collins advised that 5 of the 15 projects on the project authorization list were possible because of unexpended stimulus funds. Mr. McOmie explained that about \$21 million in projects will be let because of leftover funding and that most of the projects will be let in July. Wyoming has expended 94.9 percent of its available ARRA funding. All stimulus funds will be obligated by September.

Mr. McOmie provided details of the Teton County Pathway (Jackson North) project, which is on the project authorization list and will use about \$700,000 of the remaining stimulus funds. Teton County will contribute \$1.3 million toward the project. A letter was provided, which was co-signed by Teton County Commission Chairman Hank Phibbs and Jackson Mayor Mark Barron, describing the project need.

Messrs. Hank Phibbs, Teton County Commissioner; Tim Young, Friends of Pathways; Brian Schilling, Jackson Hole Community Pathways; and Reed Armijillo, Jorgensen Associates

Engineering, and Ms. Liz Brimmer, Friends of Pathways, joined the meeting by telephone.

Mr. Phibbs spoke about the importance of the Teton County Pathway project north of Jackson. Leftover funding from under-budget stimulus projects could potentially assist in making the bike pathway between Jackson and Yellowstone National Park come to fruition. The pathway would eliminate fatalities, and Mr. Phibbs encouraged the Commission to approve the Jackson Pathway funding included in the June project authorization list.

6. It was recommended by Mr. Collins, moved by Commissioner Covello, seconded by Commissioner Latta, and carried to approve the following project authorizations:

COMMISSION DISTRICT 1

Rural Interstate

HSIP 0.00 B101021; Laramie County; various locations on I-25 and I-80; sign upgrades; fiscal year 2010 construction; request federal preliminary engineering funds of \$30,000

Rural Principal Arterial

NH 0.50 N271035; Platte County; US 26/I-25 to Guernsey; reference marker 0.50 to 8.00; restoration and rehabilitation; fiscal year 2009; request federal construction engineering and construction funds of \$5,560,027

COMMISSION DISTRICT 2

Rural Interstate

IM 143.50 I803141; Sweetwater County; Bitter Creek Rest Areas (westbound and eastbound lane reference markers 143.50 and 144.20, respectively); plumbing and miscellaneous work; fiscal year 2010 construction; request federal preliminary engineering funds of \$100,000

ACIM 251.00 0804237; Carbon County; Walcott Junction to Laramie, Elk Mountain West, eastbound lane; reference markers 251.00 to 258.95; resurfacing; request moving from fiscal year 2010 to fiscal year 2009; federal construction engineering and construction funds of \$6,750,000

STIM 245.89 I804251; Carbon County; Walcott Junction to Laramie, Halleck Ridge West, Phase 1, eastbound lane; reference markers 245.89 to 250.95; overlay; fiscal year 2009; request ARRA construction engineering and construction funds of \$2,420,000

Rural Local

BROS 0.00 CN06066; Carbon County; Carbon County Road 561S; replace bridge over Savery Creek; fiscal year 2015 construction; request federal preliminary engineering funds of \$197,500

Urban Minor Arterial

STPU 0.00 B123014; Sweetwater County; Rock Springs streets, Blairtown road

improvements, and interchange road construction; fiscal year 2012 construction; request federal preliminary engineering funds of \$20,000

COMMISSION DISTRICT 3

Rural Interstate

STIM 3.45 I801175; Uinta County; West Evanston Interchange, Bear River, UPRR, French Creek; bridge culverts and repairs; request moving from ARRA illustrative project to fiscal year 2009 ARRA construction project; federal construction engineering and construction funds of \$466,488

Rural Local

SPR 0.00 B093081; Uinta County; Bear River State Park, visitor center parking lot; enlarge parking lot and add dump station; fiscal year 2009; total cost \$538,093; county in-kind funding of \$171,000; request state park funds of \$367,000

COMMISSION DISTRICT 4

Rural Major Collector

STIM 9.80 0300045; Campbell County; Gillette to Pinetree/WYO 59; reference markers 9.80 to 15.10; overlay; request move from ARRA illustrative project to fiscal year 2009 ARRA construction project; federal construction engineering and construction funds of \$1,737,837

Urban Principal Arterial

STIM 2.93 0300044; Campbell County; Gillette to Pinetree/WYO 59; reference markers 2.93 to 9.72; overlay; request moving from ARRA illustrative project to fiscal year 2009 ARRA construction project; federal construction engineering and construction funds of \$2,689,658

COMMISSION DISTRICT 5

Rural Principal Arterial

STIM 185.10 N345096; Big Horn County; Worland to Manderson; reference markers 185.10 to 191.16; chip seal; fiscal year 2009; request move from ARRA illustrative project to fiscal year 2009 ARRA construction project; federal construction engineering and construction funds of \$1,448,844

COMMISSION DISTRICT 6

Rural Principal Arterial

STIM 196.00 N854071; Niobrara County; US 85, Mule Creek Junction to Newcastle; reference markers 196.00 to 202.60; overlay; request move from ARRA illustrative project to fiscal year 2009 ARRA construction project; federal construction engineering and construction funds of \$2,271,576

COMMISSION DISTRICT 7

Rural Principal Arterial

NH 101.60 N212107; Natrona County; Muddy Gap to Casper, Narrows Section; reference

marker 101.60; slide repair; fiscal year 2016 construction; request federal preliminary engineering funds of \$200,000

STIM 79.40 N342042; Fremont County; Casper to Shoshoni, Moneta West Section; reference marker 79.40 to 90.40; overlay, chip seal; request move from ARRA illustrative project to fiscal year 2009 ARRA construction project; federal construction engineering and construction funds of \$4,238,451

7. It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to approve the Jackson North (Teton County Pathway) and the Powell Homesteader Park projects.

8. Mr. Collins explained the access appeal process in accordance with WYDOT Rules and Regulations.

Mr. Kahler provided additional information about the appeals process and briefed the Commission about Ms. Tighe's case so far. Ms. Tighe chose the informal hearing rather than the formal appeals process. Mr. Kahler referred to Wyoming Statutes that cover appeals and read the access rules language (Section 3, Chapter 6). After reviewing the rules and statutes, Mr. Kahler confirmed that Ms. Tighe is required to request an access permit in order to install a driveway on her property located at 2608 on Central Avenue in Cheyenne.

Mr. Mike Gostovich provided details of the property site and highway system criteria from a traffic flows and access perspective. The Department is required to provide a proper traffic flow and spacing for traffic control, and Ms. Tighe's property does not meet that criteria. A permit was erroneously issued by the City of Cheyenne for a contractor to pour a driveway at the site. The access was requested to accommodate Ms. Tighe's handicapped grandmother and for their safety in getting her in and out of a vehicle on Central Avenue, particularly during winter months.

Mr. Gostovich recommended that permission be given for Ms. Tighe to install a flush curb-type pullout as a compromise to her request. This option would eliminate two parking spaces on the street, which would be reserved for Ms. Tighe's use.

Ms. Tighe used an aerial photograph to describe her proposed solution to the situation. Her home has no other available access to accommodate off-street parking except on Central Avenue.

Ms. Tighe proposed an alternate solution, which involves amending the concrete pad that was poured a year ago by adding a section to accommodate parking close to her home. This would enable her to back up onto her own property and pull out onto the street. Ms. Tighe believes that her line of vision would not be obstructed by using this option. Commissioner Covello voiced his concern for pedestrian safety if this option were approved. Ms. Tighe believes that visibility from closer to her house would be far better than parking on the street.

Mr. Kahler advised that there is a Wyoming statute that prohibits backing out onto a state highway. There is nothing to preclude Ms. Tighe from doing so if the variance was granted.

Ms. Tighe expressed that her primary concern was for her own safety in getting in and out of her car on Central Avenue and that there are other properties in the area which have alternate parking for such situations.

It was recommended by Mr. Collins, moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried to approve a recessed parking space as recommended by Mr. Gostovich and the Access Review Committee as described in Figure II of the report to the Commission for the Susan Tighe Approach.

Ms. Tighe reiterated, for the record, that she has great concern for her and her grandmother's safety in approving the recessed parking method rather than her preferred solution stated above.

Msses. Tighe and Brown and Mr. Gostovich left the meeting.

9. It was recommended by Mr. Collins, moved by Commissioner Covello, seconded by Commissioner Hladky, and carried to approve the following resolution:

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 U.S. Highway No. 20/14/16, Cody to Yellowstone Park Road, Park County, Wyoming, is no longer needed for state highway or public use purposes. Said portion being described as follows:

All that portion of the right-of-way of U.S. Highway No. 20/14/16 lying outside of the proposed right-of-way boundaries depicted on Wyoming State Highway Department Project No. SCP-031-1(42) and situated in Lot 1 of Tract 56, and Lot 2 of Section 15; in Lot 4 of Tract 56 of Section 11; in Lots 7 and 8 of Tract 56, and of Lot 5 of Section 14; in Lots 8 and 9 of Lot 80, and Lots 1 and 10 of Section 12; all of Resurvey T52N, R104W; in Lots 2, 4 and 5, and the NE $\frac{1}{4}$ NW $\frac{1}{4}$ of Section 7, all of Resurvey T52N, R103W, of the 6th P.M., Park County, Wyoming.

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. It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to approve the following resolution:

RESOLUTION FOR RELINQUISHMENT

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

WHEREAS, a portion of Wyoming Department of Transportation's right-of-way for Wyoming State Highway 152 and all of Wyoming State Highway 153, Goshen County, Wyoming, established under Wyoming State Highway Project No. S-95(1), Yoder Southwest Road, are no longer needed for state highway or public use purposes. Said right-of-way being described as follows:

All that portion of Wyoming State Highway 152 from milepost 2.00 (Junction with WYO 154) beginning at a point on the centerline which is 60 feet south of the northwest corner of Section 3, T22N, R62W, and continuing to milepost 9.80 and all of Wyoming State Highway 153 from milepost 0.00 to milepost 1.02 being located in Section 34 of T23N, R62W, Sections 3, 4, 8, 9, 16, 17, 18, 19, 20 & 21 of T22N, R62W, and Sections 13, 14, 23 & 24 of T22N, R63W, all of the 6th P.M., Goshen County, Wyoming, having operating right-of-way widths of 90 feet, 100 feet and 120 feet, as depicted on the as-constructed plans for Project S-95(1), approved September 30, 1955 and June 13, 1956. Said rights-of-way being described in Grant of Easement recorded June 26, 1956, in Book 234 at Page 283, Right of Way Easements recorded January 27, 1955, in Book 164 at Pages 627-644, Right of Way Easements recorded January 27, 1955, in Book 22 at Pages 52, 54, 56 & 58 and Right of Way Certificate recorded March 1, 1955, in Book 221 at Page 124, and as shown on Exhibit "A" being attached hereto and made parts hereof.

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

11. It was recommended by Mr. Collins, moved by Commissioner Hladky, seconded by Commissioner Covello, and carried to approve the following resolution where property for public use cannot be acquired through good faith negotiation by purchase or gift:

RESOLUTION FOR EXERCISE OF EMINENT DOMAIN

WHEREAS, pursuant to W.S. 1-26-512, 1-26-801 and 24-2-102, The Transportation Commission of Wyoming is authorized to institute condemnation proceedings where property for public use cannot be acquired through good faith negotiation by purchase or gift; and

WHEREAS, the public interest and necessity require the construction of Project P601023, the Sheridan Main Street Road, in Sheridan County, and that the property shown on the right-of-way plans for this project is required for highway purposes; and

WHEREAS, the Transportation Commission of Wyoming has determined that the aforementioned project is planned or located to be most compatible with the greatest public good and the least private injury; and

WHEREAS, the right-of-way and/or temporary construction easements to be acquired are identified as being located in the Sheridan Land Company’s Addition, the Amended Plat of Sheridan Land Company’s Addition, the Moncreiffe Investment Company’s re-plat of Block 6 of the Amended Plat of Sheridan Land Company’s Addition, the Spicer Addition, the Sheridan Land Company’s Second Addition, the Amended Plat of the Sheridan Land Company’s Second Addition, the Atkinson’s Addition, the Wyoming Mutual Investment Company’s Addition, the Peter Demple Subdivision, and the Amended Plat of Meyer and Demple’s Addition, of the NE¼NE¼ of Sec. 27 and the SE¼SE¼, NE¼SE¼, SE¼NE¼, and NE¼NE¼ of Sec. 22, all of the T56N, R84W, of the 6th P.M., Wyoming, and constitute approximately 1,893.87 square feet of property for right-of-way and approximately 1.42 acres of property for temporary construction easements.

NOW, THEREFORE BE IT RESOLVED, that the property sought to be acquired is necessary and appropriate for the proposed project and in the event successful negotiations cannot be effectuated with any owner or owners thereof, condemnation proceedings are authorized to be commenced and prosecuted to acquire the necessary right-of-way and/or temporary construction easements.

12. Safe Routes to School (SRTS) Grants: Mr. Collins introduced Ms. Sara Janes, SRTS Coordinator. Ms. Janes explained the history of the SRTS Program, reviewed the selection process, and described the proposed additional 2009 projects for Commission consideration. The SRTS Advisory Committee received two applications totaling \$53,500 for funding consideration. The following projects were recommended for approval by the Advisory Committee:

• Teton County Safe Routes to Schools Program, Jackson	\$13,500
• These Routes are Made for Walking, Casper	<u>\$40,000</u>
TOTAL	\$53,500

It was recommended by Mr. Collins, moved by Commissioner Latta, seconded by Commissioner Covello, and carried to approve the proposed SRTS projects.

13. Colonel Powell presented the Highway Patrol report.

The Fatal Crash Summary through May 31, 2009, includes 38 fatal crashes involving 42 deaths. The fatalities include 24 involving rollover crashes, 10 involving multi-car crashes, 3 involving commercial vehicles, 5 involving motorcycles and all-terrain vehicles, 2 involving pedestrians, and 1 involving a fixed object.

There have been 20 crashes to date deemed alcohol related, resulting in 23 deaths. Of those deaths, 14 were attributed to not using restraints.

Of the 42 deaths that have occurred to date in 2009, 27 can be attributed to the non-use of occupant restraints, with 19 involving rollover crashes, 7 involving multi-car collisions, and 1 involving a fixed object. Of the 27 deaths that occurred from non-use of occupant restraints, 21 were Wyoming residents and 6 were non-residents.

Patrol-Investigated Crash Summary: The Patrol-Investigated Crash Summary reflects activity through April 30, 2009. The summary depicts 2,338 crashes statewide, of which 1,942 involved non-commercial vehicles and 396 involved commercial vehicles.

Patrol Field Arrest Activity: Field arrest activity indicates that the majority of arrests made as of May 31, 2009, have been DUI related. Field arrests total 771 to date, including the following:

- DUI arrests from crashes – 61
- DUI arrests from traffic stops – 312
- DUI arrests from the REDDI Program – 60
- DUI arrests from ports-of-entry – 0
- NCIC hits (person) – 31
- Wyoming warrants hits – 84
- Drug arrests – 63
- Other arrests – 160

Colonel Powell noted that although there have been more crashes this year, there have been fewer deaths from those crashes.

Mr. Sherman left the meeting.

14. Mr. Byrne presented the Aeronautics report, beginning with the May 2009 Wyoming Aircraft Accident Report and the Aeronautics Flight Operations Passenger Summary Report.

Mr. Byrne briefed the Commission about a proposed new rule for the Aeronautics Section, Chapter 3, Aerial Construction Reporting Requirements, of the Wyoming Department of Transportation Rules and Regulations. The 2009 Legislature passed a bill that requires reporting information to WYDOT about certain aerial obstructions. The Department has been operating under an emergency rule.

It was recommended by Mr. Byrne, moved by Commissioner Latta, seconded by Commissioner Ertman, 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. 10-4-305 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 Aeronautics Section, Chapter 3, Aerial Obstruction Reporting Requirements, to implement a program for reporting information about certain aerial obstructions to the Wyoming Department of Transportation; and

WHEREAS, a 45-day public comment period was held to solicit written comments concerning these rules; and

WHEREAS, no public comments requesting changes to the proposed rules were received during the comment period for consideration by the Transportation Commission of Wyoming at its scheduled meeting on June 18, 2009;

NOW THEREFORE BE IT RESOLVED that the Transportation Commission of Wyoming officially adopts Chapter 3, Aerial Obstruction Reporting Requirements.

Ms. Janes left the meeting.

15. Mr. Tim Hibbard presented the Operations report.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Commissioner McCormick, and carried to approve purchase for bid number 09-0153 to furnish a pond liner for the Shirley Rim Rest Area. The bid was awarded to Alliance Landscaping & Water Features of Henderson, Nevada, for the sum of \$195,371.

It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve purchase for bid number 09-0158 to furnish and replace 10 overhead doors at WYDOT sites in Sheridan and Pole Creek. The bid was awarded to Garland Enterprises, Inc. dba A&B Buildings & Supplies, of Sheridan, Wyoming, for the sum of \$59,970.09.

It was recommended by Mr. Hibbard, moved by Commissioner Covello, seconded by Commissioner McCormick, and carried to approve purchase for bid number 09-0166 to furnish three each, new, current model Class 8 cab and chassis for delivery at Cheyenne. The bid was awarded to Lariat International Trucks, of Cheyenne, Wyoming, for the sum of \$281,011.56.

It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner Hladky, and carried to approve purchase for bid number 09-0169 to furnish 143,000 gallons of unleaded gasoline and diesel fuels for delivery at WYDOT in Lusk and Douglas. The bid was awarded to Big Horn Petroleum, of Buffalo, Wyoming, for the sum of \$251,585.

Chair Dziardziel asked whether the Department purchases its fuel when supply runs low or if purchase is made when prices are low. Mr. Hibbard indicated that purchases are currently made when the supply is low but will investigate the possibility of making purchases as prices drop.

It was recommended by Mr. Hibbard, moved by Commissioner Hladky, seconded by Commissioner Latta, and carried to approve purchase for bid number 09-0173 to furnish 57 each Motorola canopy products for use by the Telecommunications Program in Cheyenne. The bid was awarded to EZ Wireless, LLC, of Portland, Oregon, for the sum of \$186,609.

16. Mr. Hibbard introduced Rob Wilson and Larry Sheridan to brief the Commission about the process they used to determine their radio purchase recommendation.

Mr. Sheridan indicated this purchase is the last of the needed radios to complete the WyoLink System. The recommended radio purchase meets the necessary WyoLink standard.

It was recommended by Mr. Hibbard, moved by Commissioner Covello, and seconded by Commissioner Latta to approve purchase for Requisition Number 0000014608 to furnish dash-mount and portable P25 radios. The bid was awarded to E. F. Johnson Co., Irving, Texas, for the sum of \$1,084,140.90.

Messrs. Fleming and Johnson of E. F. Johnson Co., introduced themselves to the Commission. Mr. Fleming indicated that E. F. Johnson has been in business a long time and that they have gone through a rigorous process to ensure the radios meet the necessary standard. Certification of compliance documents were provided to WYDOT to ensure compatibility with the existing system. Chair Dziardziel called for the question, and the motion unanimously passed.

Messrs. Fleming, Crespo, and Sheridan left the meeting.

17. It was recommended by Mr. Hibbard, moved by Commissioner Latta, seconded by Commissioner McCormick, and carried to approve purchase for Requisition Number 09-001 for the renewal of the contract to furnish unleaded gasoline and diesel fuels to various WYDOT sites statewide. The requisition was awarded to various vendors as described in Bid No. 08-0182 dated May 7, 2008, for the sum of \$9,200,395.08.

It was recommended by Mr. Hibbard, moved by Commissioner Ertman, seconded by Commissioner Latta, and carried to approve purchase for Requisition Number 09-002 for the renewal of the contract to furnish unleaded gasoline and diesel fuels for the joint fueling facility at Buffalo, on an as-needed basis. The requisition was awarded to the Joint Powers Board, City of Buffalo, Wyoming, for the sum of \$299,055.91.

It was recommended by Mr. Hibbard, moved by Commissioner Ertman, seconded by Commissioner Hladky, and carried to approve purchase for Requisition Number 09-003 for the renewal of the contract to furnish unleaded gasoline and diesel fuels for pick up at the joint fueling facility in Newcastle, on an as-needed basis. The requisition was awarded to Weston County Road & Bridge, of Newcastle, Wyoming, for the sum of \$161,002.19.

Messrs. Bond and H. Johnson left the meeting.

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

I-80 Tolling Public Meetings: Public meetings are scheduled in Laramie, Cheyenne, Rawlins, Rock Springs, and Evanston, June 15-19, 2009. Messrs. McOmie and Collins attended the Laramie and Cheyenne meetings. Of the 40 people who attended, the overall consensus was that something needs to be done, but the public majority was not in favor of tolling. The public's consensus was that the federal government should pay for I-80 maintenance. Comment cards were distributed at the meetings and results will be and posted on the Department's website in the near future.

No I-80 tolling public meetings are planned in northern Wyoming at this time.

Commissioner Hladky suggested offering public meetings in the northern part of the state for public comment. Mr. McOmie indicated this could be done, and that he would follow up with the consultant to make the necessary arrangements.

Joint Highways, Transportation and Military Affairs Interim Committee (JTC) Update: WYDOT staff attended the JTC meeting June 8-9, 2009, in Lander. Discussion topics included public transportation, snow fence issues, price volatility/hedging, commuter rail, and contractor bonus incentive payments. Mr. McOmie stated that there was good discussion with the Committee about the topics and felt the meeting was very productive.

19. It was moved by Commissioner Covello, seconded by Commissioner Latta, and carried to move into executive session. The Commission went into executive session at 11:20 a.m.

20. It was moved by Commissioner Hladky, seconded by Commissioner Latta, and carried to move out of executive session. The Commission moved out of executive session at 11:45 a.m.

21. It was moved by Commissioner Latta, seconded by Commissioner Covello, and carried to adjourn the meeting. Chair Dziardziel adjourned the meeting at 11:45 a.m., Thursday, June 18, 2009.