

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 15-16, 2004

The Idaho Transportation Board met at 2:30 PM, on Wednesday, December 15, 2004, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Karl Vogt, Deputy Attorney General

Chairman Winder welcomed Senator John McGee to the meeting.

November 18, 2004 Board Minutes. Vice Chairman Combo made a motion to approve the minutes of the regular Board meeting held on November 18, 2004 as submitted. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

January 20-21, 2005 – Boise

February 17-18, 2005 – Boise

March 18, 2005 – Boise

Consent Calendar. Member Sweeney made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board
ITB04-59 approves relinquishment of right-of-way, City of Coeur d'Alene, District 1; STP-Local Urban Program Changes; request for consultant services, US-12, District 2; and report on speed zone changes by city ordinances since inception on July 1, 1997; and has received and reviewed the contract award information, the new and supplemental professional agreements report, the outdoor advertising sign status report, and the quarterly returned check report.

1) Relinquishment of Right-of-Way, Coeur d'Alene, District 1. In accordance with the Road Closure and Maintenance Agreement that ITD and the City of Coeur d'Alene signed in 2000, the state is to relinquish portions of Appleway Avenue, Ramsey Road, Northwest Boulevard, Seltice Way, Centennial Trail, Lee Ranch Drive, and former Appleway (aka Small Street). The official minute transferring this right-of-way to the City of Coeur d'Alene is shown as Exhibit 297, which is made a part hereof with like effect.

2) STP-Local Urban Program Changes. The Urban Committee requested approval to remove I-84 Business, Garrity Boulevard to Nampa City Limits, key #6997, District 3, from FY05; remove I-84 Business, Intersection Garrity and North Kings Road, Nampa, key #9131, District 3 from FY05; advance SMA-8463, Intersection Greenhurst and Powerline Roads, Nampa, key #9508, District 3, from FY06 to FY05; advance FY06 Community Planning of Southwest Idaho Overlay Set-Aside, key #SU31, District 3, from FY06 to FY05; advance SMA-7101, Alameda Bike Lanes, key #8126, District 5, from Preliminary Development to FY07; remove FY06 Bonneville Metropolitan Planning Organization Overlay Set-Aside, key #SU51, District 6, from FY06; and remove SMA-7406, Pancheri Drive, Skyline to Utah, Idaho Falls, Stage 1, District 6, from Preliminary Development.

3) Request for Additional Consultant Services, US-12, Westbound Passing Lane, Milepost 53, Key #8156, District 2. District 2 contracted with TD&H to perform preliminary engineering to develop the US-12, Westbound Passing Lane, Milepost 53 project. The total cost to date on work tasks for this project is \$341,000. The original work tasks included the design of the project, right-of-way, and an environmental document. Staff is requesting an additional \$50,000 be added to the agreement for construction surveying.

4) Report on Speed Zone Changes by City Ordinances Since Inception on July 1, 1997. Per Board request, staff summarized the speed zone changes by city ordinances since inception of legislation authorizing municipalities to establish speed limits within their jurisdiction on sections of the state highway system in 1997. Staff recommends distributing the report to the Association of Idaho Cities and all state legislators.

5) Contract Award Information. Key #8804 – SH-41, Milepost 19.4 to Spirit Creek, Kootenai/Bonner County, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$520,457.

6) New and Supplemental Professional Agreements Report. From November 1 through November 28, the Consultant Administration Unit processed \$1,114,140 in professional, supplemental, and term agreements.

7) Outdoor Advertising Sign Status Report. As of September 30, 2004, 95 illegal and 132 non-conforming signs remain throughout the state. This compares with 100 illegal and 132 non-conforming signs remaining on September 30, 2003. It was noted that 21 of the current illegal and non-conforming signs are located on Indian reservations where ITD has no jurisdiction.

8) Quarterly Returned Check Report. During the first quarter of FY05, \$7,840,376 in checks were received. The returned checks amounted to \$402,351, or 5.13%. The collection of returned checks equaled \$404,055 for an annualized collection rate of 100%.

Addition of Middleton Road Connection National Environmental Policy Act (NEPA) Study to Statewide Transportation Improvement Program (STIP), District 3. An earlier project, Canyon County Transportation Study, sponsored by the Community Planning Association of Southwest Idaho (COMPASS), identified the need to connect SH-45 and Middleton Road in Nampa. The investigation into the feasibility of building a new route has outgrown the original scope of the Canyon County Transportation Study, resulting in the need for a separate project to produce either an Environmental Assessment or an Environmental Impact Statement (EIS). Staff requested the addition of a Middleton Road Connection study in FY05 of the STIP, to be funded by transferring \$312,000 of obligations from the Canyon County Transportation Study.

In response to member McClure's question on the location, Assistant Chief Engineer – Development Steve Hutchinson clarified the location of the proposed connector road in southwest Nampa.

Member McClure made a motion to approve the addition of the Middleton Road Connection NEPA Study, District 3, in the amount of \$312,000 to FY05 in the STIP. Vice Chairman Combo seconded the motion and it passed unopposed.

Quarterly Report on Legal Actions and Contract Claims. A summary of legal cases resolved by the Legal Section, a status of current legal cases, and a report on contract claims were presented.

Member McHugh asked for clarification on a condemnation settlement in District 1. DAG Vogt confirmed that the settlements on three US-95, Sandpoint to Kootenai Cutoff projects were in addition to earlier payments for acquisition of right-of-way.

Member McHugh made a motion to accept the quarterly report on legal actions and contract claims. Member McClure seconded the motion and it passed unopposed.

October 2004 Financial Statement Analysis. Total federal aid revenue was \$8 million or 8% ahead of projections through the month. Revenue from the Highway Distribution Account was \$165,000 or .3% below the forecast. Overall expenditures were less than budgeted through the month. In Contract Construction, the federal program was behind spending projections by 1.7% and the state program was 23% less than projected.

Aviation fuel tax revenue for October was ahead of projections by 4.5%. Miscellaneous revenue was 23% less than last year. Overall expenditures were ahead of last year, due to more Trustee and Benefit payments. The Aircraft Operations Fund was behind projections by \$1,800, or 2%. Expenditures exceeded the same time period last year by approximately 54%, due to increased use of charter service and training for pilots.

In response to member McHugh's question, Controller Dave Tolman clarified that the State Highway Fund revenue forecast chart includes federal carry-over funds.

Vice Chairman Combo made a motion to accept the October Financial Statement Analysis. Member Blick seconded the motion and it passed unanimously.

Board Items. Chairman Winder reported on a number of meetings he attended recently, including the Idaho Associated Taxpayers' annual conference, legislative outreach meetings in Districts 6 and 3, the dedication of the new Bliss Rest Area, and the Subcommittee on State Highway System Adjustments' meeting.

Member Miller expressed support for the Department's access management policy. He indicated the vicinity near the US-26 and SH-39 intersection is developing, and he believes access control will be instrumental in addressing traffic concerns in that area.

Member McHugh reported on the legislative audit follow-up report for fiscal years 2001, 2002, and 2003. Two Aeronautics items are still open and one has been closed.

Member McHugh also mentioned that he attended a recent Quality Assurance Workshop at the Department. Director Ekern elaborated that staff is reviewing the role of the audit function and considering a different direction for Internal Review.

Department Activities. Director Ekern introduced Matt Stoll, the recently-appointed executive director of COMPASS. Mr. Stoll said that he appreciates the good working relationship that COMPASS and ITD have developed. He emphasized the importance of partnering and taking a regional approach to transportation issues. He thanked the Board for its service to the state and its efforts to address the statewide transportation needs. Mr. Stoll stressed the importance of cooperation, coordination, and communication with ITD and other transportation entities. In conclusion, he expressed appreciation to the ITD staff for its efforts, and he is looking forward to continuing the good relationship that has been established.

Chairman Winder thanked Mr. Stoll for his comments. He added that the Board and Department will continue working cooperatively with COMPASS.

Chairman Winder presented Assistant Chief Engineer – Operations Greg Laragan, Environmental Section Manager Dennis Clark, and Construction Engineer Gene Wortham with the American Association of State Highway and Transportation Officials (AASHTO) 25-year meritorious awards. Employees at the District Engineer level and higher are recognized by AASHTO for their commitment to transportation and public service. Chairman Winder congratulated these gentlemen for the AASHTO recognition.

AA Martin summarized the recent aviation workshops held throughout the state. He was pleased with the attendance at these symposiums and thought the workshops were successful. A lot of information was obtained, with the main themes being access, uniqueness of Idaho's airstrips, and the importance of the airstrips for recreation. Some of the concerns were noise and the loss of the wilderness experience.

AA Martin said that some of the strategies identified included establishing a cooperative organization to prioritize funding improvements to airstrips, one agency should be responsible for managing all of the airstrips, the importance of acquiring easements, and the need for preservation for the future. In conclusion, AA Martin reported that a number of participants from the workshops will be selected to continue refining the information and develop recommendations.

Director Ekern provided an update on the proposal for legislation to authorize GARVEE (Grant Revenue Anticipation Vehicles) bonds. Staff is continuing its educational efforts with various groups, including legislators and chambers of commerce. He emphasized that the Department is committed to maintain its system condition at the 2004 level. Also, this tool would be available for all projects that are eligible for federal funds, projects currently in the STIP will be protected, no additional staff will be requested, and the projects will be sized to accommodate Idaho contractors. Director Ekern stressed that GARVEE bonds are not a solution for the insufficient revenues to meet Idaho's transportation needs, but would be an important element in the efforts to help the state achieve its goals, improve communities, and enhance economic development.

Chairman Winder stressed the economic benefit of GARVEE bonds. He asked staff to include information on the statewide economic benefits of this proposal.

WHEREUPON the meeting recessed at 4:20 PM.

December 16, 2004

The Board reconvened at 8:00 AM on Thursday, December 16, 2004, at the Idaho Transportation Department, Boise, Idaho. All members were present except Vice Chairman Combo.

Executive Session on Legal Issues, Section 67-2345(1)(f), Idaho Code. Member Miller made a motion to meet in executive session at 8:00 AM to discuss legal issues. Member McHugh seconded the motion and it passed 5-0 by individual roll call vote. Vice Chairman Combo joined the meeting at this time.

The discussion on pending litigation related to the I-84/I-184 Wye Interchange and the US-95, Mica Bay projects.

The Board came out of executive session at 10:05 AM. No decisions were made.

Presentation – Financing and Positioning: Wayne Forrey, Ada County Highway District (ACHD). Mr. Forrey reported on actions ACHD is taking to address insufficient resources to meet its transportation demands. Not only is the agency looking at innovative funding, but it is also undertaking an agency-wide efficiency review and emphasizing project delivery. Because a good transportation system is vital to the economy, private foundations is one option being considered. Other alternatives being explored are federal funds from non traditional sources, bike fees, toll facilities, local option taxes, and alternate franchise funds. Additionally, other elements such as a dedicated drainage fund, a regional transportation management center, reversible lanes, and expanding Commuterride are also being considered. Mr. Forrey stressed ACHD's desire to partner with ITD on transportation issues, including revenue.

Chairman Winder encouraged Mr. Forrey to consider the need for transit and corridor preservation in ACHD's plans. Chairman Winder thanked Mr. Forrey for the presentation and for his efforts to explore additional resources.

SH-16/SH-44 Interchange Study, District 3, in FY05 of the State Highway Development Program. District 3 Project Development Engineer (PDE) Daris Bruce requested the addition of an interchange study at the SH-16 and SH-44 intersection to initiate the planning, preliminary design, and right-of-way acquisition process in FY05. Corridor planning studies are currently being conducted on both routes. An interchange at this location was originally contemplated; however, the interchange configuration was uncertain, so only an at-grade intersection was considered.

PDE Bruce said that a significant increase in growth and development is occurring in the vicinity of the SH-16 and SH-44 intersection. It is anticipated that considerable commercial development will take place in the near future. Commercial development would most likely preclude the future development of an interchange, and it is believed that construction of an interchange, or at least the preservation of right-of-way for a future interchange, is necessary.

Member Sweeney made a motion, seconded by Vice Chairman Combo, and passed unopposed to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
ITB04-60 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, District 3 has identified a priority need for preserving right-of-way for a possible interchange at the intersection of SH-16 and SH-44 and identified the corresponding adjustments to the State Highway Program in District 3.

NOW THEREFORE BE IT RESOLVED, that the Board approves the addition of a new right-of-way preservation study for a potential

interchange at the intersection of SH-16 and SH-44 to FY05 of the State Highway Development Program for the amount of \$378,000; and

BE IT FURTHER RESOLVED, that the Board approves the delay of SH-55, Banks to Donnelly (key #8569) from FY05 to FY06, the delay of SH-55, Elo Road and Johnson lane Turn Bays (key #6592) from FY06 to FY07; and the delay of the FY07 project, US-95, Intersection Transfer Site Road, Adams County (key #8818) to FY08; and

BE IT FURTHER RESOLVED, that staff is authorized to modify the FY05-09 STIP to include the above changes in accordance with the provisions of TEA-21.

Contract Award. CE Ross said the low bid on key #8455, ST-6470(637), US-20, South of Ashton, Fremont County, District 6, was more than ten percent over the engineer's estimate, requiring justification. The difference in the low bid and engineer's estimate is in PG 64-34 Asphalt for Plant Mix and Plantmix Pavement Class I. The bid was estimated more than 60 days ago, using Unit Prices that do not reflect the current high cost of asphalt and diesel. All other pay items were within the District's estimated range. Staff recommends approving the low bid.

Vice Chairman Combo made a motion to award the contract on key #8455 to the low bidder: H-K Contractors, Inc., Idaho Falls, Idaho - \$1,766,676.07. Member Miller seconded the motion and it passed unopposed.

Snake River Crossing EIS, Key #9273, District 4. Manager of Transportation Investments (TMI) Dave Amick summarized the events leading to the request for funding assistance on the Snake River Crossing EIS. Local public officials from the Twin Falls area secured \$1.49 million in federal Bridge Discretionary Funds for the EIS; however, the local officials have not been able to identify the required \$372,562.50 match. In July, the Greater Twin Falls Area Transportation Committee reported that \$118,500 has been committed for the match. It requested Board assistance to fund the remainder.

TMI Amick reported that the District believes it is in the best interest of the traveling public and the state to complete the environmental clearance to allow the preservation of a corridor for future construction of a crossing. Local planning agencies have indicated a willingness to help ITD preserve the right-of-way if a route can be identified.

Member McClure made a motion to approve the resolution approving the use of District 4 FY07 State Program funds not to exceed the amount of \$254,062.50 to meet the remaining local match requirements for the Snake River Bridge EIS. Member Blick seconded the motion.

Director Ekern expressed concern with the intent to not exceed \$254,062.50, partly because of uncertainties in the reauthorization of TEA-21. He requested the ability to have some flexibility with providing assistance to the locals. By unanimous consent, the

Board agreed to include language stating that the Board would need to approve any additional funding for this project. The following resolution passed unanimously:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-61 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, the Snake River Canyon restricts free movement of goods and people between I-84, US-30, and US-93; and

WHEREAS, the Department has conducted a Snake River Crossing Study (key #7158, project #NH-2390(121)) to investigate the feasibility of building another crossing of the Snake River Canyon between Jerome and Twin Falls Counties; and

WHEREAS, the Greater Twin Falls Area Transportation Committee obtained an FY03 congressional earmark of Bridge Discretionary funds in the amount of \$1,490,250 to conduct an environmental study; and

WHEREAS, the District indicates that preservation of the chosen corridor will be of benefit to the State; and

WHEREAS, the local funds required to match this federal aid is \$372,562.50; and

WHEREAS, local entities have only been able to obtain match commitments totaling \$118,500; and

WHEREAS, the work to be done in FY07 under SH-75, Pavement Rehabilitation, Blaine County (key #9356, project #ST-2390(707)) has already been accomplished via various other projects; and

WHEREAS, the Board Subcommittee on State Highway System Adjustments has discussed the proposed Snake River Crossing Environmental Impact Statement (EIS) and the funding issues and recommends the following funding assistance.

NOW THEREFORE BE IT RESOLVED, that the Board approves the use of District 4 FY07 State Program (ST) funds not to exceed the amount of \$254,062.50 unless increased by official Board action to meet the remaining local match requirements for the Snake River Bridge EIS, Near Twin Falls (key #9273, project #BR-0004(131)). Offsetting State funds will be provided from the removal of SH-75, Pavement Rehabilitation, Blaine County.

AASHTO Meritorious Award. Chairman Winder presented CE Ross with an AASHTO 25-year meritorious award. He congratulated CE Ross for this recognition and thanked him for his service to ITD.

Collection of Past Due Accounts. Revenue Operations Manager George Walter outlined the procedures ITD follows to collect on funds resulting from returned checks or non payment of accounts. The majority of these is from damage claims, permits, audit fees, old mileage tax, new payment plans, and returned checks. Generally, past-due accounts are sent to collection agents for non-payment after 90 days of due date. Registrations and other privileges are suspended or revoked in this process. The Department averages a 25% collection rate on these accounts. Generally, .25 of 1%, or just over \$140,000 of ITD's accounts, is submitted to collection agencies annually. After four years, accounts under \$1,000 are submitted to the Administrative Services Division Administrator for write-off. Accounts over \$1,000 require Board approval to be written-off.

Old Business. CE Ross said staff is in the process of negotiating with Hagadone Corporation on a property trade in District 1. He requested Board concurrence before finalizing the agreement.

Without objection, the Board consented to finalizing the property trade with Hagadone Corporation for property in District 1.

CE Ross expressed appreciation to the Board for its service to the state. He said that it has been a pleasure working for the Board and Department, and he has enjoyed his career at ITD.

Chairman Winder congratulated CE Ross on his retirement. He thanked CE Ross for his commitment to ITD, for the excellent job he has done, and for the numerous accomplishments during his tenure.

Board Subcommittee on State Highway System Adjustments. Transportation Planning Administrator Charles Rountree reported on the December 14 meeting of the Board Subcommittee on State Highway System Adjustments. The main topic was the Subcommittee's philosophy, specifically the policy to relinquish miles when new routes are added to the state highway system. The Subcommittee recognizes the extensive population growth and economic development occurring throughout the state and that it may not be realistic to continue the zero sum gain philosophy. The current rating system

used to consider routes for addition and deletion is technically oriented and does not take into consideration planning, community involvement, or economic growth.

Vice Chairman Combo made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is empowered by law to determine

ITB04-62 which highways in the state shall be designated and accepted, from time-to-time, as a part of the state highway system that serves statewide economic interests, movement of products and materials, and statewide mobility and connectivity, and further, support existing or proposed commercial, industrial, recreational, tourism, or agricultural activities; and

WHEREAS, the Board recognizes that travel needs are most effectively met by a well planned, integrated and coordinated system made up of both state and local roadways; and

WHEREAS, the vital interests of the state's economic health and continued growth of the state are dependent on its system of highways; and

WHEREAS, there may be state facilities and multimodal terminals that are not fully served by the system; and

WHEREAS, for the last several years, additions to the state highway system and deletions from the state highway system have been accomplished using primarily technical criteria; while at the same time the Board has retained for itself and has used its authority to add, on an ad hoc basis, sections to the state highway system without requiring a deletion from the system an equal or lesser length of such additions, which reservation of authority and its use are ongoing; and

WHEREAS, from time-to-time, questions arise as to the membership of the Board Subcommittee on State Highway System Adjustments, which membership should be clarified; and

WHEREAS, the Board recognizes the value of regional and statewide planning and also recognizes the value of community involvement and the economic growth of the state.

NOW THEREFORE BE IT RESOLVED, that the Board directs the Director to study, update, and recommend modifications to existing Board Policy B-09-06, State Highway System Adjustments, of February 16, 2001; and

BE IT FURTHER RESOLVED, that the recommendations should recognize the value of regional and statewide planning as well as community involvement and the economic growth of the state; and

BE IT FURTHER RESOLVED, that the policy incorporate technical analysis as well as direction provided in Idaho Code; and

BE IT FURTHER RESOLVED, that the retention by the Board of its authority and of the addition, from time-to-time, of sections of highways to the state highway system, on an ad hoc basis by the Board, without diminution of mileage, shall continue; and

BE IT FURTHER RESOLVED, that the membership of the Subcommittee on State Highway System Adjustments shall consist of (a) two (2) members appointed by the Board Chairman, one of the two (2) being designated as subcommittee chairman, and (b) a third member of the Board, from time-to-time, whose district is impacted by the agenda item of a proposed adjustment to the highway system provided that, should there be several routes on the agenda that impact more members than set out above, appropriate Board members will attend the part of the meeting dealing with only the route in the respective member's district and further provided that if such, subcommittee has an item in the district of a permanent appointed member, another statewide member shall be appointed by the Board Chairman for that item, and (c) in addition, the Chief Engineer, or his designee, (d) the Administrator of the Planning Division, or his designee, and (e) the Administrator of the Local Highway Technical Assistance Council, or his designee; the Secretary to the Board and staff as deemed necessary and as appointed by the Subcommittee chairman will provide assistance to the subcommittee.

Joint Luncheon Meeting with the Motor Carrier Advisory Committee (MCAC). MCAC Chairman Jack Buell reported on some of the issues the Committee reviewed during the year, including improvements to US-95, the consolidation of highway districts, trip permits, hazardous material endorsements on Commercial Drivers' License, and vehicle size and weight.

Chairman Winder thanked the MCAC for the joint meeting and for its efforts to address issues in the trucking industry. He summarized the Department's proposed legislation on GARVEE bonds and encouraged MCAC to support this tool to improve the state's transportation system.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 12:50 PM.

signed
CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
January 20, 2005
Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 18, 2004

The Idaho Transportation Board met at 8:30 AM, on Thursday, November 18, 2004, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Jimmy Ross, Chief Engineer

Patrick Fanning, Acting Lead Deputy Attorney General

October 7-8, 2004 Board Minutes. Member Sweeney made a motion to approve the minutes of the regular Board meeting held on October 7-8, 2004 as submitted. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

December 15-16, 2004 – Boise

January 20-21, 2005 – Boise

February 17-18, 2005 – Boise

New Business. Vice Chairman Combo reported that District 6 staff has been working with a number of other entities on a culvert and bridge project on SH-87 at Howard Creek and Targhee Creek, which are important tributaries to Henrys Lake. A Fish Passage Assessment was completed to address concerns with fish passage in these tributaries; with a recommendation to replace the two existing culverts on SH-87 to facilitate fish passage to and from Henrys Lake.

Member Sweeney made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-55 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, Henrys Lake is internationally renown for its Yellowstone Cutthroat Trout and other resident species; and

WHEREAS, Targhee and Howard Creeks are the largest and third largest spawning tributaries to Henrys Lake; and

WHEREAS, fish access to Henrys Lake through these two tributaries is limited by the geometry of culverts crossing SH-87; and

WHEREAS, the Henrys Lake Foundation, Henrys Fork Foundation, Greater Yellowstone Coalition, Idaho Fish and Game Department, and

U.S. Forest Service funded a Fish Passage Assessment to investigate engineering remedies for increased fish access to Henrys Lake; and

WHEREAS, this assessment recommends replacing the existing culverts on SH-87 over Targhee and Howard Creeks as soon as possible; and

WHEREAS, the Henrys Lake Foundation, Henrys Fork Foundation, Greater Yellowstone Coalition, Idaho Fish and Game Department, and U.S. Forest Service shall obtain all environmental permits and clearances necessary for the replacement and construction of the culvert crossings; and

WHEREAS, the District recommends that a bridge at Targhee Creek and a culvert at Howard Creek be designed for \$75,000 and constructed at a cost of \$650,000; and

WHEREAS, project design can begin in FY05 but construction cannot begin until low water occurs in August or September of FY06; and

WHEREAS, \$2,000,000 of State funds are reserved each year for use at the Board's discretion in the State Board Unallocated Program; and

WHEREAS, \$1,714,000 of this fund is, as yet, uncommitted in FY05; and

WHEREAS, \$2,000,000 of this fund is, as yet, uncommitted in FY06.

NOW THEREFORE BE IT RESOLVED, that the Board approves the addition of a new bridge and culvert replacement projects on SH-87 to FY06 of the State Board Unallocated Program for \$650,000 to enhance

fish passage to Henrys Lake with \$75,000 authorized in the FY05 State Board Unallocated Program for design services.

Chairman Winder acknowledged U.S. Senator Crapo's assistance on this project. He also welcomed Idaho State Senator Cecil Ingram to the meeting and thanked Senator Ingram for his continued interest in and support of transportation issues.

Consent Calendar. Vice Chairman Combo made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-56 approves the certification of revenues and disbursements; the request for consultant services, US-95, milepost 536 to Idaho/Canada border, District 1; the supplemental agreement request, US-30, McCammon to Topaz and Lava Hot Springs to Fish Creek, District 5, and has received and reviewed the contract award information, the new and supplemental professional agreements report, and the September financial statement analysis.

1) Certification of Revenues and Disbursements. The certification of receipts and disbursements cash basis, as shown as Exhibit #296, which is made a part hereof with like effect, was submitted for Board approval in conformance with the requirements of Section 40-708, Idaho Code. The Department's net resources available on June 30, 2004 were \$20,280,065.

2) Request for Consultant Services, US-95, Milepost 536 to Idaho/Canada Border, Key #7748 and Companion #6508, District 1. Staff requested the use of consultant services to complete a constructability review and perform the construction engineering and inspection on the US-95, Milepost 536 to Idaho/Canada Border project. The estimated cost for these services is \$2.4 million. The use of consultant services during construction would supplement the District staff to ensure that all contract administration requirements are met.

3) Request for Supplemental Agreement, US-30, McCammon to Topaz and Lava Hot Springs to Fish Creek, Key #7749, District 5. Staff requested approval for a supplemental agreement for \$250,000 to prepare right-of-way plans for segments one, US-30, McCammon to Topaz, and segment three, Lava Hot Springs to Fish Creek,

projects. The second segment, Topaz to Lava Hot Springs, was obligated for construction in FY04 and will be advertised after the right-of-way and utilities are cleared. Because of the desire to expedite development of the first and third segments, staff would like to purchase right-of-way now, while the current environmental clearance is in effect.

4) Contract Award Information. Key #8806 – SH-25, 950 West Road to Paul, District 4. Low bidder: H K Contractors Inc. - \$1,885,798.

Key #8313 – US-95, Chilco Road Kootenai County, District 1. Low bidder: AAPEX Construction, Inc. - \$1,094,358.

Key #9293 – SH-55 and US-95, District 3 FY05 Region 4 Sealcoats. Low bidder: Snake River Construction, Inc. - \$650,425.

The low bids on key #7679 – Airport Road, Twin Falls, Stage 1, District 4; key #6308 – US-91, Bear River Bridge, North of Preston, District 5; and key #8156 – US-12, Westbound Passing Lanes Milepost 53, Lewis County, District 2, were more than ten percent over the engineer's estimate. Staff rejected the bids.

5) New and Supplemental Professional Agreements Report. From September 20 through October 31, the Consultant Administration Unit processed \$4,055,865 in professional, supplemental, and term agreements.

6) September 2004 Financial Statement Analysis. Total federal aid revenue was \$14.8 million or 20% ahead of projections through the month. Revenue from the Highway Distribution Account was \$637,000 or 1.5% below the forecast. Overall expenditures were less than budgeted through the month. In Contract Construction, the federal program was behind spending projections by 2% and the state program was 26% less than projected.

Aviation fuel tax revenue for September was ahead of projections by 13%. Miscellaneous revenue was 7% less than last year. Overall expenditures were ahead of last year, due to more Trustee and Benefit payments. The Aircraft Operations Fund was ahead of projections by \$19,200. This was mainly due to billings of flights taken in prior months. Expenditures exceeded the same time period last year by approximately 66%.

Board Items. Chairman Winder reported that he attended two recent legislative outreach meetings. He believes these are beneficial forums for legislators to learn about transportation issues, as well as for the Department to hear legislators' concerns and ideas.

Member McHugh commented that he envisioned the newly-established Rest Area Program would be highly visible. He does not believe rest area projects should compete

with highway construction projects for funding, nor should rest area projects be delayed because a District perceives a highway project as a higher priority.

Manager of Transportation Investments Dave Amick said that there are several options to administer the Rest Area Program. The Board requested a recommendation at a future meeting on how the new Rest Area Program should be managed.

Member McClure provided a brief overview on the Board Subcommittee on Adjustments to the State Highway Systems' meeting yesterday. Chairman Winder asked the Subcommittee to review its philosophy, particularly the intent to add and relinquish mileage to the state system at an equal rate. Member Blick also suggested that it may be timely to review the rating system to determine if that criteria and ranking are still relevant or if it should be revised.

Department Activities. CE Ross relayed Director Ekern's regrets for missing the meeting due to his father's funeral. The Board expressed sympathy to Director Ekern in the loss of his father.

CE Ross introduced the recently-appointed director of the Idaho Parks and Recreation Department, Robert Meinen. Director Meinen said he understands the importance of a good transportation system and is looking forward to working with ITD on various issues.

On behalf of the Idaho Traffic Safety Commission (ITSC), Member Jim Pline presented CE Ross with a plaque in appreciation of his support of highway safety. The ITSC has appreciated CE Ross's leadership and commitment to highway safety. Member Pline congratulated CE Ross on his upcoming retirement and thanked him for his service to the state and his accomplishments in the highway safety field.

Annual Report of the Dealer Advisory Board (DAB). DAB Chairman Grant Petersen Jr. reported on the DAB's activities in FY04. The DAB addressed the 2003 legislative requirement that an applicant for a vehicle dealer's license must pass an open book exam on basic dealer related topics before a dealer's license can be issued. It also required a licensed independent dealer to have four hours of continuing education before the dealer's license can be renewed. Because there were no qualified vendors or instructors to offer classes, as an interim measure, a one-time waiver was offered, allowing dealers the opportunity to take the 50-question test required of new dealer applicants.

DAB Chairman Petersen also elaborated on the DAB's review of salesman license issuance procedures, the in-dealership program to issue and renew license plates and enter title applications, the Family Motor Coach Association's meeting in June 2005, and the proposal to allow titling and registration of Neighborhood Electric Vehicles. He distributed copies of the new publication *Idaho Dealer Times*, which staff will be

publishing semi-annually to increase dealer awareness of new legislation and Department programs.

Chairman Winder thanked DAB Chairman Petersen for the presentation. He also thanked the DAB members for their assistance to the Department and service to the state.

Department Activities, Continued. CE Ross announced that DAG Fanning will be retiring next month. He thanked DAG Fanning for over 30 years of service to ITD and wished him well in his retirement.

CE Ross mentioned that the District 1 and 3 legislative outreach meeting dates have been changed to avoid a conflict with the legislative orientation sessions. He met with several legislators yesterday to discuss the contractor qualification issue and work of the Public Works Licensing Task Force. He also toured each District recently and participated in the recent Access Management Workshop. CE Ross added that Director Ekern spoke at the Association of Industry and Commerce meeting and the Association of Highway District's annual convention. He thanked Member Sweeney for speaking at the North Idaho Legislative tour earlier this month when Chairman Winder and Director Ekern were unable to attend due to the weather. Member Sweeney thanked District Engineers Scott Stokes and Jim Carpenter for their assistance with the presentation. He said they did an exceptional job, particularly on short notice.

Budget, Policy, and Intergovernmental Relations Manager Julie Pipal provided an update on the proposed FY06 budget. The federal dollar estimates have been revised.

Contract Awards. Member McClure made a motion to award the contract on ST-4110(682), key #7165 – US-95, Craigmont to Culdesac, Nez Perce and Lewis Counties, District 2, to the low bidder: Poe Asphalt Paving, Inc., Lewiston, Idaho - \$6,411,992.51. Member Blick seconded the motion and it passed unopposed.

The low bid on project NH-4110(140), key #8350 – US-95, Genesee to Thorn Creek Road, Latah County, District 2, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said the source of the engineer's estimate was the Average Unit Prices from the Estimator program and recent bid history. The unit prices were reviewed and the recent escalation of steel, asphalt, and fuel prices was considered. Staff does not believe there would be any benefit to re-advertising the project. The review did not discover any obvious errors. Slight variations that are within normal boundaries between the engineer's estimate and the low bid accounted for the difference. Due to the significance of this project and the minor adjustment needed to bring the overall cost within the acceptable range, the District requests that the contract be awarded.

Member Miller made a motion to award the contract on key #8350 to the low bidder: Scarsella Brothers, Inc., Seattle, Washington - \$17,717,717.17. Member Blick seconded the motion and it passed unopposed.

CE Ross said the low bid on project ST-0006(618), key #8585 – District 6 FY05 Sealcoats, SH-28, SH-33, US-91, and US-26, Butte, Bonneville, and Jefferson Counties, District 6, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and the low bid was in CRS-2R Emulsified Asphalt for Seal Coat and Seal Coating. Oil prices are on the rise again, and the District was unable to predict the unstable oil market. Staff learned from the contractor that seal coating costs are higher, based on new specifications requiring a cleanness value of 80. This requires the contractor to wash the chips. On past projects, this price was absorbed by the contractor, but is now being passed on to ITD. The District recommends accepting the apparent low bid.

Member McClure made a motion to award the contract on key #8585 to the low bidder: H-K Contractors Inc., Idaho Falls, Idaho - \$993,577.26. Member McHugh seconded the motion and it passed unanimously.

The low bid on STP-7155(103), key #8466 - Neider Avenue to Dalton Avenue, Kootenai County, District 1, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said the main differences in the engineer's estimate and the low bid were in Mobilization, Type 2 Illumination, and Junction Boxes. The District believes the mobilization amount is reasonable due to the close proximity of the contractor to the project sight. There appeared to be some confusion about the illumination system and junction boxes being incidental to other items, resulting in higher prices to account for uncertainty in the work item location and payment. The project sponsor, the City of Coeur d'Alene, and the District recommend that the project be awarded. There are no apparent errors or oversights in the estimates, and there would not be a significant cost savings if the bids were rejected at this time. The City of Coeur d'Alene has agreed to pay for the difference between the engineer's estimate and the low bid before construction commences.

Member McHugh made a motion to award the contract on key #8466 to the low bidder: K C Construction Inc., Hayden Lake, Idaho - \$2,942,177.27. Member Blick seconded the motion and it passed unopposed.

2004 Local Rural Highway Investment Program (LRHIP). Local Highway Technical Assistance Council (LHTAC) Administrator Joe Haynes reported on the LRHIP, which allows LHTAC to exchange a portion of the STP-Rural funds for ITD highway distribution funds at an exchange rate of 61 cents of state money for \$1 federal-aid money. In FY04, LHTAC exchanged \$3.6 million of federal funds for \$2.2 million state funds. This grant program was developed to provide assistance to small cities, counties, and highway districts with improving their transportation system. Three basic types of projects are funded: construction, signs, and transportation plans.

Administrator Haynes said there were 98 applications for project, but only 34 were recommended for funding due to the limited funds. He believes the LRHIP is helping local public agencies address their transportation needs and is a beneficial program. He encouraged the Board to continue funding this program.

Chairman Winder concurred with the value of the LRHIP. He thanked Administrator Haynes for the report and for his efforts in administering this program.

Presentation – Graphic Tools for Public Information Meetings. DE Carpenter demonstrated new technology that the District used for recent public information meetings for the US-95, Thorn Creek to Moscow project. The tool provides a simulation of what various proposed routes would look like. The tool appeared to be well received by the public.

Chairman Winder thanked DE Carpenter for the presentation and for his efforts to utilize new technology for the public involvement process.

Presentation – SH-55, Eagle Road Update, District 3. DE Eric Shannon emphasized the important role that SH-55, Eagle Road, plays in the Treasure Valley, as the state's only north-south route in the area. The road is a five-lane rural highway with minimal access control, rapidly developing adjacent land, the highest traffic volumes of any non-interstate highway in Idaho, and high accident rates. A study was completed to address these concerns. DE Shannon emphasized that public involvement has been a major component in this process. He outlined improvement projects planned in the STIP, including medians, landscaping, and traffic signal coordination. Additionally, the access control philosophy has been reviewed.

Chairman Winder acknowledged the various concerns along this corridor and thanked DE Shannon for his efforts to address those issues.

Aircraft Pool. Aeronautics Administrator (AA) Bob Martin provided historical information on the Department's aircraft operations. Although it was intended for the aircraft pool to be self-sustaining, it has been difficult to achieve that status. For a number of years, money has been transferred from the State Highway Account to assist in keeping the Aircraft Operations solvent. Part of the deficit has been created by the establishment of a reserve account where dollars are set aside each year to save for major repairs in future years. In researching other states' aircraft pool operations, AA Martin discovered that the majority of states' aircraft operations are subsidized, including by states' general funds.

Administrative Services Division Administrator (ASDA) Sue Simmons elaborated on the proposed changes to operate the aircraft pool:

- eliminate the reserve account for replacement costs;

- fund major overhaul and replacement components of the aircraft from the State Highway Account, appropriated through the replacement item request for the Highway Operations budget unit, utilizing the same process currently in place for replacement of road equipment;

fund unforeseen and unscheduled failures of components on the major replacement schedule from the Highway Operations Maintenance Section budget. If the cost of unplanned repairs is too large to be absorbed in this budget, then it will be elevated to the Budget Council for resolution;

eliminate the annual transfer from the State Highway Account;

continue funding the ongoing costs of operations, i.e. insurance, full- and part-time pilots, mechanic, inspections, etc., from the Division of Aeronautics; and

continue billing for services to recover as much of the costs as feasible while keeping the rates manageable for users.

ASDA Simmons added that this recommendation should relieve a portion of the burden the aircraft operations currently puts on the Division of Aeronautics. It also deals with the aircraft similar to other equipment in the Department.

Member McHugh asked if the state's constitution allows this funding proposal. ASDA Simmons believes it does, as there are funds ITD receives that are not dedicated.

Member McHugh believes the legislature needs to be informed of the costs and various issues of operating the state aircraft pool and also of the change in funding this service. Eric Milstead, Legislative Services Office Budget Analyst, concurred that the Joint Finance and Appropriations Committee should be informed of this change. ASDA Simmons added that the replacement items for the aircraft will be included in the Department's budget, which the legislature approves.

Vice Chairman Combo commended AA Martin for the research he conducted on aircraft operations and believes that information provides a basis for the recommendation.

Vice Chairman Combo made a motion, and Member Sweeney seconded it, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Department's Aircraft Operation function

ITB04-57 is a critical program utilized by a variety of state agencies to perform state business effectively across the state; performing a unique service to the Idaho State Police and Bureau of Homeland Security that can not be carried out by a private carrier; and

WHEREAS, Executive Order 98-11 states “the control and operation of state-owned/leased civilian aircraft will be by the Idaho Transportation Department Division of Aeronautics”; and

WHEREAS, virtually every other state provides a viable aircraft operations utilizing a variety of funding schemes and management methods.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board directs the Department to:

operate and maintain a viable aircraft function to be utilized by the Department and other state agencies;

to take the necessary actions to promote the aircraft operations as a feasible method of travel for state government and to make it as efficient as possible;

develop performance measures to measure effectiveness of the operations; and

have an annual report to the Board by the Director; and

BE IT FURTHER RESOLVED, that the Board authorizes the Director to make necessary business decisions to provide a stable State Aircraft Operation.

Member McClure believes general fund money should pay for major repairs because the aircraft pool is available for all state agencies to use. He supports approaching the Germane Committees about this issue. Chairman Winder asked Director Ekern and AA Martin to provide the legislature with information on the aircraft operation.

The motion passed unopposed.

Executive Session on Personnel and Legal Issues, Section 67-2345(1)(a) and (f), Idaho Code. Member McClure made a motion to meet in executive session at 12 noon to discuss personnel and legal issues. Member Miller seconded the motion and it passed 6-0

by individual roll call vote. Chairman Winder left the meeting at this time. Vice Chairman Combo presided.

The discussion on litigation related to a settlement on the US-95, Sandpoint to Kootenai Cutoff project and on establishing and protecting the record for appeals before the Board.

The discussion on the personnel issue related to filling a vacant position.

The Board came out of executive session at 1:05 PM. No decisions were made.

New Business. Member Sweeney made a motion, seconded by Member Blick, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the staff of the Idaho Transportation Department has received an

ITB04-58 offer to settle the cases of *State v. Allan & Dalyn Marley*, *State v. International Christian Fellowship, Inc.* and *State v. Sand Creek Ponderay Enterprises, Inc.* for the sum of \$285,000, including the transfer of identified adjacent surplus property; and

WHEREAS, this total settlement in the amount of \$285,000 and the identified surplus property is just compensation for the property taken for right-of-way acquisition in the US-95, Sandpoint to Kootenai Cutoff Project in Bonner County, District 1.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board hereby approves a settlement in the amount of \$285,000, including the transfer of identified adjacent surplus property as just compensation for acquisition of the real property taken and/or damaged in the cases of *State v. Allan & Dalyn Marley*, *State v. International Christian Fellowship, Inc.* and *State v. Sand Creek Ponderay Enterprises, Inc.*

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 1:10 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

December 15, 2004

Boise, Idaho

WORK SESSION AND REGULAR MEETING
OF THE IDAHO TRANSPORTATION BOARD

October 7-8, 2004

The Idaho Transportation Board met at 8:30 AM, on Thursday, October 7, 2004, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Karl Vogt, Deputy Attorney General

Grant Anticipation Revenue Vehicles (GARVEE) Bonds. Chairman Winder thanked the various participants and audience members for attending the discussion on GARVEE bonds. He believes GARVEE bonds are a viable option to help address the growing backlog of transportation needs throughout the state.

Director Ekern provided a summary of this proposed funding mechanism. He talked about transportation in Idaho and the need to be innovative in addressing the challenges the Department is facing.

Chairman Winder welcomed Senator Cecil Ingram to the work session.

Senator Hal Bunderson summarized the 2004 legislative proposal on GARVEE bonds. With the continued growth in the state, he believes this funding option is needed to address the growth issues and future transportation needs of the state. He stressed the need to explore both long-term and short-term funding options.

Transportation Planning Administrator (TPA) Charles Rountree provided background on the federal authority allowing GARVEE bonds and on other states' experience with this funding mechanism.

Rick Skinner researched GARVEE bonds in Idaho. He believes the state's constitution allows this financing if the bonds are issued by independent companies; the federal funds are used for highway projects; and a maximum of 25% of Idaho's federal allocations are used. He added that upon request, bonds can typically be issued in 60 to 90 days.

Member Miller relayed some local public agencies' concerns with the inability to contract expensive projects because they do not receive enough federal funds in one fiscal year to construct large projects. He asked if local entities would have bonding authority. Chairman Winder replied that any agency that receives federal money for highway projects would be able to issue GARVEE bonds.

Chairman Winder thanked Senator Bunderson and Mr. Skinner for their continued efforts on this important proposal. He left the meeting at this time. Vice Chairman Combo presided.

Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Julie Pipal stated that the Department has been meeting with various groups to educate them on the GARVEE bond proposal. There is a lot of interest in this funding mechanism, and the Department will continue to pursue this option.

Driver Education Program. Driver Services Manager (DSM) Ed Pemble thanked the Board for expressing an interest in the driver education program. Because this program

is administered by the Department of Education, he asked Beth Weaver, Driver Education Specialist, to provide an overview on driver education.

Ms. Weaver elaborated on the driver training program, which is required for anyone under 17 years of age who is applying for an Idaho driver's license. The Department of Education provides approved courses through commercial and public schools. Most Idaho school districts offer driver training programs. The courses are open to all Idaho residents between the ages of 14 ½ and 21, even if they are not public school students. She added that driver licensing fees and student fees fund the state's public schools' driver education programs.

Member McHugh thanked Ms. Weaver for the informative presentation.

Alternate Routes. TPA Rountree provided historical information on alternate routes in Idaho. Currently, the Design Manual and Corridor Plan Guidebook state that consideration should be given to bypassing communities. He added that staff needs to work with the impacted communities and follow the National Environmental Protection Act requirements, including the consideration of cost and economic impact.

CE Ross stated that as part of the planning process, the Department needs to determine what type of facility is desired for the corridor, and then base decisions on alternate routes on the type of facility. TPA Rountree reported that the Department's access management policy is being reviewed. Staff will continue to work on the issue of alternate routes in conjunction with access management and other related issues.

The consensus of the Board was to continue the current process of considering alternate routes when feasible, although it is necessary to be flexible and consider each case on an individual basis. It was also stressed that access is a key element when alternate routes are constructed.

Idaho's Logo and Tourist Oriented Directional Signs (TODS) Programs. Transportation Staff Engineer Assistant (TSEA) Steve Holland summarized the Department's Logo and TODS programs. Logo signs offer advertising on interstate routes for businesses that provide gas, food, lodging, camping facilities, or an attraction with regional significance. The TODS program provides advertising on non-interstate routes for businesses that provide gas, food, lodging, camping facilities, or activities of a recreational or cultural interest. TSEA Holland stressed the importance of serving motorists' needs through the sign program.

Historical and Logo Interstate Signing In Wallace, Idaho. TSEA Holland reported on an earlier request the Department received regarding signing a mining display at the Wallace Visitor Center. Federal guidelines limit supplemental guide signing to one per exit and states that guide signing should direct the motorist to the general area in which the activities or facilities that are of historical interest are located. Specific signing for museums or other points of interest should be installed on off-system streets by the local entity having jurisdiction on the route. The mining display did not qualify for signing

under the Logo signing program for attractions, which states that the facility must be of regional significance in order to be signed. Regional is defined as: the attraction or activity must be known statewide and in one or more adjoining states.

Because mining appears to be the main attraction in Wallace, Member Sweeney asked if the sign could state "Wallace Historical Mining District". TSEA Holland believes that wording would be acceptable. Member Sweeney indicated he would suggest to the City of Wallace that it submit an application for signing with that language.

Construction Claims Process. John Gates, Claims Engineer, summarized the construction claims process, which utilizes Dispute Review Boards, Claim Review Boards, and Technical Analysis Support. He stated that there are time lines established for both parties to help expedite the process. CE Ross added that overall, the new process appears to be working well.

Overview of ITD Surplus Real Property. Senior Right-of-Way Agent Cindy Smith stated that the property management objectives are to inventory and manage ITD's surplus property. In 1996, the Department acquired legislative authority to administer its own surplus property. Since then, 341 parcels were sold or traded by the Property Management Unit for a grand total of \$13,173,000. Examples of properties that are sold or traded are material sources and uneconomic remainders. Ms. Smith said that property is always appraised to determine the fair market value. If the property is valued under \$10,000, it is offered to adjoining property owners. If there is no interest from those property owners, the property goes to auction. If the property is appraised over \$10,000, it is offered to public agencies first, and then if there is no interest, it goes to auction.

Member Miller questioned the \$10,000 threshold, as the value of property has increased over the years, and asked if the dollar amount should be revisited. DAG Vogt responded that the \$10,000 amount is established in Idaho Code. Ms. Smith added that the majority of property that ITD declares as surplus is not worth very much, as the property is usually a depleted material source or a remnant from a project.

WHEREUPON the meeting recessed at 4:15 PM.

October 8, 2004

The Board reconvened at 8:35 AM on Friday, October 8, 2004, at the Idaho Transportation Department, Boise, Idaho. All members were present except Chairman Winder. CE Ross was also absent. Vice Chairman Combo presided. Senator Ingram was also in attendance for the majority of the meeting.

September 14-15, 2004 Board Minutes. Member McClure made a motion to approve the minutes of the regular Board meeting held on September 14-15, 2004 as submitted. Member Miller seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

November 18, 2004 – Boise

December 16, 2004 – Boise

January 20-21, 2005 – Boise

February 17-18, 2005 – Boise

Consent Calendar. Member McHugh made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-50 approves the relinquishment of a portion of I-84 Business in Mountain Home,

District 3; and the AMBER alert grant, Districts 1 and 4, and has received and reviewed the contract award information, the new and supplemental professional agreements report, the benefits to salary comparison final report, and the August financial statement analysis.

1) Relinquishment of a Portion of I-84 Business in Mountain Home, District 3. The City of Mountain Home has agreed to accept jurisdiction of a portion of I-84 Business, from milepost 4.208 to 4.36. A Road Closure and Maintenance Agreement was signed on August 26, 2004. The Official Minute is shown as Exhibit 295, which is made a part hereof with like effect.

2) AMBER Alert Grant, Districts 1 and 4. The FHWA AMBER (America's Missing: Broadcast Emergency Response) implementation program provides grants to states for installing Dynamic Message Signs (DMS) and Highway Advisory Radio necessary to issue AMBER Alerts. ITD received a \$400,000 grant, which requires a 20% match. Staff requested approval to proceed with replacing obsolete DMSs on I-90 in District 1 (milepost 57) and I-84 in District 4 (mileposts 220, 247, and 8).

3) Contract Award Information. Key #8284 – SH-32, Fremont County Line to Ashton, District 6. Low bidder: H K Contractors Inc. - \$2,696,911.

Key #8817 – US-20, Intersection Meridian Road Near Boise, District 3. Low bidder: Central Paving Company, Inc. - \$254,985.

The low bids on key #8710 – US-95, Bonners Ferry Pedestrian Underpass, District 1, and key #7816 – US-20, Holbrook Road, District 6, were more than ten percent over the engineer's estimate. Staff rejected the bids.

4) New and Supplemental Professional Agreements Report. From August 30 through September 19, the Consultant Administration Unit processed \$1,540,793 in professional, supplemental, and term agreements.

5) Benefits to Salary Comparison Report. Staff provided an historical comparison of change in employee compensation to increased health insurance costs for both the employee and employer. Information on national trends was also provided. Nationally, between 1988 and 2003, annual health care cost increases have been as low as .08% to as high as 18%. The double-digit increases that have occurred recently are expected to continue for a number of years. The escalating costs of health care hampers the state's ability to provide salary increases that actually result in a net gain in the employee's pay check. Some employees actually saw a net salary reduction after wages were adjusted for medical, dental, and Public Employee Retirement System of Idaho contributions. Between FY94 and FY04, the employer medical costs for the state have increased 97%, while the employees' cost for a single person increased 300% and for a family, 34%.

6) August 2004 Financial Statement Analysis. Total federal aid revenue was \$6.4 million or 12% ahead of projections through the month. Revenue from the Highway Distribution Account was \$2.1 million or 7.4% below the forecast. Overall expenditures were less than budgeted through the month. In Contract Construction, the federal program is ahead of spending projections by 1% and the state program is 13% less than projected.

Aviation fuel tax revenue for August was right on projections. Miscellaneous revenue was approximately the same as last year. Overall expenditures are ahead of last year, due to more Trustee and Benefit payments. The Aircraft Operations Fund was ahead of projections by \$16,400. Expenditures exceeded the same time period last year by approximately 60%.

Annual Report on Speed Zone Changes by City Ordinance. Statewide, there are 28 locations where cities have imposed speed limit changes that have gone against the recommendations of the Department. Before municipalities decreased speed limits,

studies indicated that drivers were traveling at speeds averaging 3.9 miles per hour (MPH) above the Department-posted speed limits. Studies conducted after cities lowered speed limits indicate that drivers were traveling an average of 8.1 MPH above the posted speed limit, suggesting drivers are more inclined to disobey city-imposed speed reductions. The data shows better conformance to speed limits established by standard engineering practices. Due to the lack of data, the impact of law enforcement on decreased vehicle speeds was not investigated. Also, due to the limited collision information, no definite conclusions can be made on collisions; however, preliminary observations show collision rates in speed zones established by city action are essentially unchanged.

Some Board members expressed concern with the lack of enforcement in the city-imposed zones and questioned the distribution of this report.

Senator Ingram believes this information should be provided to the legislature. Because the cities lobbied extensively for legislation allowing them to set speed limits on state highways within their jurisdiction, the legislature needs to be informed that this is not working. The lower speed limits established by municipalities are not being enforced.

The Board asked staff to summarize information on speed limits on state highways established by city ordinance; recommend forwarding the data to appropriate parties, such as the Association of Idaho Cities and legislators; and present the report and distribution proposal to the Board.

Member McClure made a motion to accept the annual report on speed zone changes by city ordinance. Member Blick seconded the motion and it passed unopposed.

Board Items. Member McHugh attended the recent American Association of State Highway and Transportation Officials (AASHTO) annual meeting in Philadelphia, Pennsylvania. He said that re-authorization of the Transportation Equity Act for the 21st Century (TEA-21) was the main topic of discussion. He also mentioned that while traveling in the area, he noticed one state allows rest areas in the interstate median. He believes that is an efficient location, as the facility serves both directions of traffic. He asked for a future discussion on the feasibility of ITD constructing rest areas in the median.

Vice Chairman Combo and Members McClure and Sweeney participated in the recent organizational meeting for the Forum on Transportation Investments. Member Sweeney emphasized the need for education on the focus of this Forum. He believes the majority of people think this endeavor is to raise the state's gasoline tax, whereas, the focus includes examining and assessing the viability of current funding sources and exploring additional funding sources. Director Ekern added that the timeline includes presenting options to the Board in November 2005.

Vice Chairman Combo and Member Sweeney attended the recent Aeronautics Advisory Board (AAB) meeting in Driggs, Idaho. Member Sweeney commended Aeronautics

Administrator (AA) Bob Martin and AAB Chairman Rodger Sorensen for their active role in aviation. He believes the AAB is increasing the awareness level of aviation in the state.

Member Sweeney mentioned the recent dedication ceremony for the US-95, Moscow South project. He believes the project, which was a good partnership with the University of Idaho, the City of Moscow, ITD, and an adjoining land owner who donated property for the project, will be a valuable asset to the community.

Department Activities. Director Ekern reported that a number of Executive Team members had the opportunity to tour the Idaho National Engineering and Environmental Laboratory recently. The tour was informative, and was also a good opportunity to enhance existing and create new partnerships.

At the recent AASHTO meeting, the AASHTO Board of Directors adopted a new strategic plan that re-establishes transportation as a national priority, according to Director Ekern. He stressed the importance of bringing transportation to the forefront and highlighting its importance.

TPA Rountree provided an update on reauthorization and the recent 8-month extension of TEA-21.

Transportation Legislation and Policy Specialist Tim Greeley summarized the Revenue Aligned Budget Authority (RABA) program. It provides for the annual authorizations for the federal-aid highway programs to be adjusted, either increased or decreased, to reflect revised estimates of revenues into the Highway Account of the Highway Trust Fund, as compared to the revenue projections made by the Congressional Budget Office as a basis for the funding levels in TEA-21. There has been no RABA distribution in FY04 under the various extensions of the expired TEA-21 act. Neither the Senate nor the House reauthorization bills provide for RABA in FY05.

Public Information Officer (PIO) Jeff Stratten and Assistant Chief Engineer – Operations Greg Laragan provided an update on the traveler information package. The team is reviewing recommendations and hopes to implement the service in 2005. Director Ekern added that the team is doing an exceptional job on this project. He believes the system will be very effective and a model for other states to follow.

BPIRM Pipal reported that Jay Jones has been selected to fill the Economist Associate position in her office.

AA Martin also said he is pleased with AAB Chairman Sorensen's leadership and the active role he is taking to promote and enhance aviation. AA Martin mentioned that the Department is hosting three workshops throughout the state later this month to address recreational airstrips. He invited the Board members to attend those symposiums. He

also extended an invitation for the Board to attend the AAB meeting in Boise on November 3.

Employee Service Awards. The Board participated in the semi-annual employee service awards. Member McHugh provided comments on behalf of the Board.

Additional Hearing Officers. Public Involvement Coordinator (PIC) Gwen Smith recognized the Department's current hearing officers: Judie Cahoon, Lois Wood, Nancy Becker, and Gaye Hunsperger. She thanked them for the valuable service they provide by attending hearings and recording verbal testimony and receiving written testimony on behalf of the Board. PIC Smith also mentioned that due to Ms. Hunsperger's upcoming retirement, additional hearing officers will be needed. Maggie Ransom, Motor Vehicle Division Financial Unit Supervisor, and Pat Carr, Motor Vehicle Division Special Plates Supervisor, are interested in serving as hearing officers and PIC Smith recommended appointing them to the part-time position.

Member Sweeney made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board conducts public hearings
ITB04-51 throughout the state; and

WHEREAS, the Board appoints hearing officers to receive and certify written and oral testimony at public hearings; and

WHEREAS, additional hearing officers are needed to conduct the Board's business.

NOW THEREFORE BE IT RESOLVED, that Pat Carr and Maggie Ransom, ITD employees from the Motor Vehicle Division, be appointed as hearing officers for the Board; and

BE IT FURTHER RESOLVED, that the Board commends Gaye Hunsperger for her service as a hearing officer for the past five years and congratulates her on her upcoming retirement.

PIC Smith presented Ms. Hunsperger with a certificate of appreciation for her service to ITD as a hearing officer.

Vice Chairman Combo thanked the hearing officers for their service in this capacity.

Demonstration of new Department Web Pages. PIO Stratten reported that a team has been reengineering and improving the Department's internet home page to address the needs of an increasingly sophisticated public. The new features and format were designed to meet the technology demands of the customers and promote ITD and state programs. Public Information Specialist Darla Christiansen and Web Master Steve Jackson demonstrated the new site and elaborated on the information available on the home page.

Vice Chairman Combo thanked the staff members for the presentation and for their efforts on this important service.

Development of Department Letterhead. As a follow-up to last month's discussion on the Department's communication procedures, PIO Stratten presented a revised letterhead sample. It includes the Board members' names.

Member Blick made a motion to approve the proposed letterhead. Member Miller seconded the motion and it passed unopposed.

Executive Session on Personnel and Legal Issues, Section 67-2345(1)(a) and (f), Idaho Code. Member McHugh made a motion to meet in executive session at 12:05 PM to discuss personnel and legal issues. Member Sweeney seconded the motion and it passed 6-0 by individual roll call vote.

The discussion on litigation related to the US-95, Bellgrove to Mica project; Tribal fuel tax issues; the operation of the state highway system; and an access issue on SH-55.

The discussion on the personnel issue related to the resignation of an employee.

The Board came out of executive session at 1:20 PM. No decisions were made.

Delegation – City of Meridian. Meridian Mayor Tammy de Weerd thanked the Board for its time. She elaborated on the continued growth in the Meridian area and the community's desire for an interchange on I-84 at Ten Mile Road. She believes this project is important to address air quality and safety concerns as well as the transportation demands of the increasing population. Mayor de Weerd elaborated on the city's investments in the vicinity of the proposed interchange. She emphasized that the City of Meridian wants to partner with ITD on this project and asked the Board to let her know what the City can do to make this project a reality.

Member Sweeney does not believe I-84 can handle all of the traffic in the area. He believes additional routes are needed to move traffic, and asked if the City of Meridian is

improving its local system to help meet the transportation demands. Mayor de Weerd replied that the City is working with Ada County Highway District on managing traffic in the area.

Member Blick concurred with Member Sweeney on the need to look at facilities other than I-84 to move traffic, including a possible bypass of Boise. He believes a plan needs to be developed for the area to address the growing transportation demands. Mayor de Weerd concurred that the transportation concerns are a regional issue. She reiterated that Meridian wants to be part of the solution and involved in addressing those concerns. Member Miller also stated that the traffic in the area is a regional issue. A number of agencies will have to work cooperatively to address the transportation challenges. He expressed optimism that ITD can work with the entities to resolve the transportation issues.

Vice Chairman Combo said the District 3 Office will continue to work with the City of Meridian on the proposed I-84, Ten Mile Interchange. Director Ekern added that staff is continuing its efforts with the 5-County plan. He thanked Mayor de Weerd for her remarks and commended her for her proactive approach to address the infrastructure needs of Meridian.

Delegation – North Channel Chevron. Attorney Phil Barber, representing the North Channel Chevron, provided information on the gas station/convenience store's sales. The business is located near the intersection of SH-44 and SH-55 (Eagle Road) in Eagle, with access from SH-55. He emphasized that access is critical to the business, and that the prohibition of left turns out of the Chevron station is negatively impacting business. He expressed concern with the proposal to construct a median barrier on the majority of SH-55 between SH-44 and I-84. Mr. Barber believes signing for the North Channel Chevron would be helpful, and he also encouraged the Board to accelerate the Three Cities River Crossing Study.

Sandy Smith, owner of North Channel Chevron, said she has been working with District staff on the access issue for several years. She believes the median and curbing on SH-55 are hurting the business. She asked the Board to help provide a solution to the access issue.

Vice Chairman Combo directed the delegation to work with the District staff and to establish a record that the Board could act on in the future. He stated that this was not a formal appeal because there was no record before the Board.

Member McClure stressed that safety is the main concern at this location. He also encouraged the delegation to work with staff on possible signing options.

Ms. Smith thanked the Board members for their time.

Proposed Changes to IDAPA 39.02.41, Rules Governing Provisions Applicable to Fees for Services. Currently, Idaho rule allows bulk sales of the driver record database.

Because driver records contain personal information, there are concerns related to privacy with bulk sales, and re-dissemination of personal information makes continuation of this practice questionable, according to DSM Pemble. He requested modifying IDAPA 39.02.41 to discontinue bulk sale of driver information to non-government entities. Individual record access to driver information would continue to authorized requestors as provided in Idaho Code. Fees for individual motor vehicle records are also provided in Idaho Code.

Member Blick made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, driver records contain a considerable amount of personal

ITB04-52 information; and

WHEREAS, IDAPA 39.02.41, Rules Governing Provisions Applicable to Fees for Services, currently allows bulk sales of the driver record database; and

WHEREAS, concerns related to privacy, and re-dissemination of personal information make continuation of bulk sales of the driver database questionable; and

WHEREAS, a change to IDAPA 39.02.41 would discontinue bulk sale of driver information to non-government entities; and

WHEREAS, necessary access to driver information is available on an individual record-by-record basis and would continue to authorized requestors as provided in Section 49-203, Idaho Code; and

WHEREAS, fees for furnishing copies of individual motor vehicle records are provided in Section 49-202, Idaho Code.

NOW THEREFORE BE IT RESOLVED, that temporary and regular rulemaking is approved, through the normal legislative process to revise IDAPA 39.02.41 to discontinue bulk sale of driver information to non-government entities.

Draft Legislation for 2005. BPIRM Pipal reported that since the September Board meeting, the Governor's Office approved the legislative concept for GARVEE bonds. Draft legislation has been prepared for that proposal. She also stated that ITD has withdrawn its proposal on the booster seat law.

Member Blick made a motion, seconded by Member Sweeney, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit

ITB04-53 proposed 2005 legislation to the Division of Financial Management (DFM) for review and approval; and

WHEREAS, at the September 14-15, 2004 meeting, the Idaho Transportation Board approved fourteen draft legislation proposals for submission to DFM and the Governor's Office. And two other legislative IDEA forms (1) Booster Seat Law, and (2) "GARVEE" Bonds, were held for further review by the Governor's Office, ITD staff and other groups for possible revision, and the "GARVEE Bond" draft legislation has been approved and will be submitted to DFM upon Board approval.

NOW THEREFORE BE IT RESOLVED, that the Board approves submittal of the "Legislative Proposal Form" concerning "GARVEE Bonds" to DFM.

Contract Awards. Member Blick made a motion to award the contract on ST-2854(603), key #5639 – SH-77, Albion Hill, Cassia County, District 4, to the low bidder: Debco, Orofino, Idaho - \$5,821,821.82. Member Sweeney seconded the motion and it passed unopposed.

The low bid on project STP-1490(106), key #7750 – US-91, Utah State Line to Preston, Franklin County, District 5, was more than ten percent over the engineer's estimate,

requiring justification. District Engineer Ed Bala said the District does not have a history estimating large projects; therefore, it extrapolated data and adjusted the engineer's estimate in some instances based on the bids received on the neighboring US-89, East of Narrows to Bischoff Canyon project. There is uncertainty in the bidding community regarding the rapid escalation of crude oil prices. Also, bidders expressed uncertainties associated with working around the Questar Gas line. Finally, the bidders are aware that concrete was discovered under US-91 in Utah and believe that this condition might exist in Idaho, even though this fact is not represented in any of the boring logs. Comparison of the bid prices for this project and the Utah project would not indicate that ITD should anticipate any savings by rebidding the project. The project is not conducive to multiyear phases. Constructing the entire project would complete a four lane section on US-91 between Brigham City, Utah and Preston; enhancing safety. Based on the analysis, staff believes that re-bidding the project would not result in lower bids and recommends awarding the project.

Member McHugh made a motion to award the contract on key #7750 to the low bidder: Legrand Johnson Construction Company, Logan, Utah - \$21,044,844.65. Member Blick seconded the motion and it passed unopposed.

DE Bala said the low bid on project STP-7161(100), key #5967 – Pocatello Creek Road, Pocatello, Bannock County, District 5, was more than ten percent over the engineer's estimate, requiring justification. The consultant's estimate was developed from the ITD estimator program and another project in the area. The items resulting in the biggest difference are the items which include Portland cement products. There is only one concrete product vendor in the area. The Local Highway Technical Assistance Council and the City of Pocatello have agreed to fund the additional cost of the project. The District does not believe there would be any benefits to re-bid the project and recommends awarding the contract.

Member Sweeney made a motion to award the contract on key #5967 to the low bidder: Jack B Parson Companies, Pocatello, Idaho - \$1,732,733.42. Member McHugh seconded the motion and it passed unanimously.

New Business. Director Ekern reported that staff has been working with Operation Lifesaver on a state coordinator position. He believes Operation Lifesaver, which originated in Idaho, is an effective program, and he expressed support to provide funding assistance for it. He requested \$36,000 in FY05 Board Unallocated Account funds. Staff will explore funding sources for the ongoing support of the program.

Member McHugh made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, Operation Lifesaver was first incorporated in Idaho in 1972
by

ITB04-54 Union Pacific Railroad and Idaho Law Enforcement Agencies with full support of the Governor's Office; and

WHEREAS, Idaho Operation Lifesaver's purpose is to increase public awareness of the potential dangers that exist at highway/rail crossings and rights of way; and

WHEREAS, train/vehicle collisions have decreased dramatically from eighty-eight (88) in 1990 to eighteen (18) in 2003; and

WHEREAS, the statewide educational/public awareness efforts of Idaho Operation Lifesaver have played a key role in the dramatic decrease in highway/rail collisions, fatalities, and serious injuries; and

WHEREAS, a full-time State Coordinator is required for Idaho Operation Lifesaver; and

WHEREAS, Union Pacific Railroad is willing to pay the Idaho Operation Lifesaver State Coordinator \$36,000 (1/2 base salary) plus benefits; and

WHEREAS, Union Pacific Railroad is willing to continue its annual assessment of \$24,000 plus office space and equipment to Idaho Operation Lifesaver; and

WHEREAS, Union Pacific Railroad's offer to support Idaho Operation Lifesaver is contingent on finding a source of funding for 1/2 of the Idaho Operation Lifesaver State Coordinator's base salary in the amount of \$36,000; and

WHEREAS, the chairman of the Idaho Operation Lifesaver Board wrote a letter to Director Ekern requesting assistance from the Idaho Transportation Department; and

WHEREAS, the Railroad Grade Protection Fund was over-programmed in State FY04 and there is no money to obligate from this fund; and

WHEREAS, it is in the public's interest for the Department and Union Pacific Railroad to support Idaho Operation Lifesaver.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves assistance in the amount of \$36,000 to Union Pacific Railroad as a one-time allocation from Board Unallocated Funds to support Idaho Operation Lifesaver; and

BE IT FURTHER RESOLVED, that the Board approves funding in future years to be included in the state highway program for this purpose.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:00 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

November 18, 2004

Boise, Idaho

REGULAR MEETING AND DISTRICT FIVE TOUR
OF THE IDAHO TRANSPORTATION BOARD

September 14-15, 2004

The Idaho Transportation Board met at 10:30 AM, on Tuesday, September 14, 2004, at the Preston Airport. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Renee Sigel, Assistant Division Administrator, Federal Highway Administration (FHWA), Utah Transportation Commission (UTC) Chairman Glen Brown, UTC Members Steve Bodily and Jerry Lewis, Utah Department of Transportation (UDOT) Executive Director John Njord, UDOT Chief Engineer Carlos Braceras, and other UDOT staff members were also present.

Preston Airport Manager Craig Biggs provided an overview of the Preston Airport and planned projects. He anticipates traffic at the facility will increase due to the widening of US-91 from Logan, Utah to Preston. Preston Mayor Neal Larson welcomed the Board to Preston. He emphasized the importance of the Preston Airport to the community, and particularly to the economy.

The group traveled to the Preston City Council Chambers.

Delegation – UTC, UDOT, and 5-County Coalition. UTC Chairman Brown thanked the Idaho Board for the invitation to the tour and meeting. UDOT Region One Director Ahmad Jaber and ITD District 5 Project Development Engineer Phil Rumsey outlined improvements planned on US-89 and US-91. Utah's project to widen US-91 from the Idaho border to Logan is under construction. Idaho's project to widen the highway from the border to Preston should be under construction by next summer.

Bear River Advisory Group Member Tony Varilone mentioned that the area is focusing on tourism and is developing the Bear River Heritage Area. He emphasized the important role that transportation plays to tourism and the economy. He encouraged the transportation departments to work cooperatively with local communities on projects, and noted that ITD's coordination with locals has improved over the years.

Walter Ross, Public Transportation Advisory Council Member, thanked the Board for its support of public transportation. He would like to see public transportation service available between Preston and Logan, Utah, as there is a lot of traffic between those two cities.

Preston Mayor Larson expressed appreciation to UDOT for its cooperation. Improving the commute between Preston and Logan will be advantageous to the community, and commerce is expected to grow as a result of the highway projects.

Chairman Winder thanked the staff members for the presentations and 5-County Coalition members for their comments.

The Board traveled US-91 south to Smithfield, Utah, where the Utah delegation departed the tour. The Board continued south on US-91, west on Utah Route 30, and north on I-15 to Pocatello. Idaho State Police (ISP) Captain Ed Gygli and Lieutenant Eric Dayley reported on activities to decrease accidents on the I-15 corridor. ISP, Utah State Patrol, the Oneida County Sheriff's Department, and the Box Elder County (Utah) Sheriff's Department have launched a campaign to address safety on I-15. Captain Gygli also commended DE Bala for the good working relationship the two agencies have established.

WHEREUPON the meeting recessed at 4:20 PM.

September 15, 2004

The Board reconvened at 8:30 AM on Wednesday, September 15, 2004, at the District Five Office, Pocatello, Idaho. All members were present except Member McHugh. Karl Vogt, Deputy Attorney General, was present.

August 19-20, 2004 Board Minutes. Member McClure made a motion to approve the minutes of the regular Board meeting held on August 19-20, 2004 as submitted. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

October 7-8, 2004 – Boise

November 18, 2004 – Boise

December 16, 2004 – Boise

Consent Calendar. Vice Chairman Combo made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves

ITB04-45 the addition of a state program project to construct turn bays and an approach on US-12, District 2; the speed minute entry change, SH-33,

District 6; and the speed minute entry change, US-95, District 2, and has received and reviewed the contract award information, the new and supplemental professional agreements report, the quarterly report on legal actions and contract claims, and the July financial statement analysis.

1) Addition of State Program Project to Construct Turn Bays and an Approach on US-12, District 2. The Idaho Department of Fish and Game (IDF&G) contacted ITD regarding access into the recently-improved campground on US-12 near Myrtle. IDF&G would like a separate access point to reduce the conflict between the neighborhood and the campers who use the current residential street to access the campground. Nez Perce County (NPC), Bureau of Land Management (BLM), IDF&G, and ITD agreed to fund the construction of turnbays to accommodate a new approach for the campground. Funding the \$197,000 project for construction in 2005 would be IDF&G - \$60,000; BLM - \$17,000; NPC - \$120,000; and ITD - \$55,000. ITD will also design the project and

oversee the construction for the portion of work that would be done on the Department's right-of-way.

2) Speed Minute Entry Change, SH-33, District 6. District 6 proposed an emergency action to lower the posted speed limit on SH-33 from milepost (MP) 0 to 24 from 65 miles per hour (MPH) to 55 MPH. The existing pavement surface is smooth, rutted, and slippery when wet. Several fatal accidents along this stretch of highway recently have raised safety concerns among the community and ITD. Approximately half of this stretch of highway was seal coated this past summer, but a short segment will not be seal coated until next summer. Based on the safety concern along this portion of SH-33, staff recommends lowering the speed limit to 55 MPH from MP 0 to 15.3 and from MP 16.39 to 24.

3) Speed Minute Entry Change, US-95, District 2. Staff conducted an engineering and traffic investigation on US-95 from MP 360.38 to 363. Based on the speed study results, road conditions, a safety evaluation, and public support, staff recommends decreasing the speed limit on US-95 from 60 MPH to 55 from MP 360.38 to 361.3; from 60 MPH to 45 from MP 361.3 to 362.237; and from 60 MPH to 55 from MP 362.237 to 363.

4) Contract Award Information. Key #9323 – FY05 Districtwide Sealcoats, District 4. Low bidder: Kloepfer Inc. - \$815,892.

Key #8961 – FY04 Ada County Highway District Overlays, District 3. Low bidder: Central Paving Company, Inc. - \$484,791.

Key #8254 – SH-75, Mammoth Cave to Richfield, District 4. Low bidder: Cannon Builders Inc. - \$2,119,810.

Key #8211 – I-90, Huetter Eastbound Port of Entry, District 1. Low bidder: TML Construction, Inc. - \$246,566.

Key #8730 – Upper Pack River Road, Stage 2, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$184,307.

Key #8441 – US-26, Junction I-15 Northbound On and Off Ramps, Blackfoot, District 5. Low bidder: Skyview Electric, Inc. - \$377,628.

The low bid on key #8577 – SH-69, Orchard Street to Amity Road, Microsurfacing, District 3, was more than ten percent over the engineer's estimate. Staff rejected the bid.

5) New and Supplemental Professional Agreements Report. From August 1 through August 29, the Consultant Administration Unit processed \$1,574,959 in professional, supplemental, and term agreements.

6) Quarterly Report on Legal Actions and Contract Claims. A summary of legal cases resolved between June 1 and September 1 and a status of current legal cases were

provided. A Claims Status Report for contract claims pending at various levels of review was also included.

7) July 2004 Financial Statement Analysis. Total federal aid revenue was \$1.7 million or 7% below projections through the month. Revenue from the Highway Distribution Account was 45% below the forecast due to an error at the State Controller's Office where the final transfer into the State Highway Account was inadvertently transferred in August instead of July. Without this error, the revenue would have exceeded projections by \$590,000 or 4.5%. Overall expenditures were less than budgeted through the month. In Contract Construction, the federal program is behind spending projections by 23% and the state program is 53% less than projected.

Aviation fuel tax revenue for July was \$31,000 or 36% more than projections; however, this trend is not anticipated to continue. Miscellaneous revenue was approximately the same as last year. Overall expenditures are behind last year, mainly due to less Trustee and Benefit payments. The Aircraft Operations Fund was right on projections at \$7,400. Expenditures were less than projected.

Board Items. Vice Chairman Combo referenced a recent lawsuit as a result of a traffic crash at a county road and state highway intersection. He provided historical information on a similar case approximately ten years ago. He believes it would be beneficial for DAG Vogt to review Idaho Code; summarize ITD's responsibilities at these intersections, particularly regarding signage; and inform the District Engineers of these responsibilities.

Department Activities. Director Ekern announced the promotion of Liza Fox to the Department's new Chief Technology Officer position. He was also pleased to mention Right-of-Way Manager Leonard Hill's appointment to chair the American Association of State Highway and Transportation Officials (AASHTO) Right-of-Way and Utilities Subcommittee.

Director Ekern said staff is continuing with the educational sessions on GARVEE bonding. He also mentioned that Congress is continuing work on the reauthorization of the Transportation Equity Act for the 21st Century. A special meeting on reauthorization will be held at the upcoming AASHTO annual meeting.

Director Ekern informed the Board of several Department meetings scheduled, including the forum on transportation investments later this month and legislative outreach meetings scheduled in each District later this year.

In conclusion, Director Ekern reported on efforts underway with local public agencies and the Local Highway Technical Assistance Council (LHTAC). The recently-completed customer survey and an FHWA review of the state-local relationship will be used to create an action plan to address state-local issues. Additionally, ITD's 2000 stewardship agreement with LHTAC will be updated. The outcome is to strengthen relationships, clarify relationships, and streamline procedures.

Draft Legislation for 2005. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Julie Pipal presented legislation for the concepts that have been approved by the Governor's Office. She reported that three ideas were not approved by the Governor's Office: primary seat belt law, consistent seat belt violation costs, and election sign/posters in the state highway rights-of-way. Additionally, the Governor's Office held the proposals on booster seats and GARVEE bonds. If, upon further review, the concepts are approved, staff will submit legislation for Board approval next month.

Member Sweeney made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit

ITB04-46 proposed 2005 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Board at the July 13, 2004 meeting approved the 2005 "Legislative IDEA Submittal Forms" as to concept and authorized ITD staff to develop draft legislation for review and approval prior to submission to the Division of Financial Management.

NOW THEREFORE BE IT RESOLVED, that the Board approves submittal of the "Legislative Proposal Forms" containing the proposed draft legislation to the Division of Financial Management.

Safe Routes to School. BPIRM Pipal reported on staff's assistance to stakeholders with developing a Safe Routes to School program. ITD has been engaged in organizing activities, such as "National Walk to School Week" scheduled in early October, and media campaigns to raise the awareness level of the need for students' safety while commuting to schools. Staff will continue to provide assistance as resources allow. BPIRM Pipal added that although no funds have been identified for this program and it is strictly a volunteer effort, the interest in establishing a statewide program is growing.

Chairman Winder thanked BPIRM Pipal for the update and for staff's efforts on this program.

Modify Rule 39.03.17, Rules Governing Manufactured Homes/Modular Buildings/Office Trailers. Port of Entry Manager Alan Frew reported that a request has been received from the Idaho Manufactured Housing Association to eliminate the current requirement in rule that limits the eaves on manufactured housing to a maximum of 16 inches. After reviewing this request, staff recommends modifying the rule to eliminate any restrictions on eaves as long as the 18-foot overall width limitation is not exceeded.

Vice Chairman Combo made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested

ITB04-47 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03.17, Rules Governing Manufactured Homes/Modular Buildings/Office Trailers, necessary and an economic benefit to the Manufactured Housing Industry within Idaho.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rule to be submitted for change:

Modify Rule 39.03.17 – Rules Governing Manufactured Homes/Modular Buildings/Office Trailers; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes to eliminate any restrictions on eaves as long as the 18-foot overall width limitation is not exceeded in Rule 39.03.17 and to have it effective October 1st with temporary rule making and to also proceed with the regular rule making process.

Presentation – Adopt-A-Highway. District Maintenance Engineer Brian Poole thanked the Dingle Ward Young Men and Young Women and the Choo Choo Square Dancers for their participation in the adopt-a-highway program. He acknowledged the outstanding efforts that the two groups have devoted to the program, and thanked them for their participation in the volunteer program.

Member Miller also expressed the Board's appreciation for the groups' participation. The Department and the state benefit from the service of these groups.

Recommended FY05-09 and Preliminary Development Highway Development Program.

Manager of Transportation Investments (MTI) Dave Amick provided an update on the FY04 end-of-year plan and summarized the anticipated available funding for the updated Highway Development Program. He mentioned the new Rest Area Program that was included at the Board's direction, funded at approximately \$10 million annually for rehabilitation and reconstruction of existing facilities and construction of new rest areas. MTI Amick also acknowledged the efforts of ITD staff and other entities on the development of the Program.

Director Ekern emphasized the special safety focus in the Program. Elements include signing, striping, rumble strips, and Safe Routes to School.

Chairman Winder thanked MTI Amick and staff for their efforts on the Highway Development Program. He believes staff has developed an excellent process to update and oversee the Program.

Member Sweeney made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-48 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is in the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Division of Highways has recommended new projects and updated the costs and schedules for projects in the FY05-09 and Preliminary Development of the federal portion of the Highway Development Program; and

WHEREAS, the recommended FY05-09 and Preliminary Development Highway Development Program was developed in accordance with all applicable federal requirements including adequate opportunity for public involvement and comment; and

WHEREAS, the recommended FY05-09 and Preliminary Development Highway Development Program incorporated public involvement and comment whenever possible while maintaining a fiscally constrained Program; and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state highway funding in comparison to the scope and costs of needed highway improvements.

NOW THEREFORE BE IT RESOLVED, that the Board approves both the recommended FY05-09 and Preliminary Development Highway Funding Plan and Highway Development Program, both of which are on file in the Office of Transportation Investments. The latter includes the FY05 Federal Program Update and also the latest revision of the FY05-08 State Program; and

BE IT FURTHER RESOLVED, that staff is authorized to include approved projects in the FY05-07 STIP in accordance with the provisions of TEA-21.

FY05-09 Statewide Transportation Improvement Program (STIP). Intermodal Planning Manager (IPM) Pat Raino reported that the development of the FY05-09 STIP has been completed in accordance with federal requirements. The document is a multi-year, multi-modal program depicting planned highway, transit, aeronautics, and highway safety projects. She noted the cooperative efforts with the state's metropolitan planning organizations to insure that the Metropolitan Transportation Improvement Programs were accurately reflected in the STIP. The draft STIP was available for public review and

comment from July 6 through August 4. Copies of the comments received were provided to the Board earlier.

Chairman Winder thanked IPM Raino and staff for their efforts with the STIP. He complimented staff on the process to update the STIP and for the coordination with other entities.

Member McClure made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Department is required by 23
U.S.C. 134,

ITB04-49 23 CFR, Part 450 and 49 CFR, Part 613 to develop a Statewide
Transportation Improvement Program (STIP); and

WHEREAS, the program contains a list of priority transportation projects to be carried out for the first three years of the STIP and is in conformance with the first three years of each Metropolitan Planning Organization's Metropolitan Transportation Improvement Program; and

WHEREAS, the STIP is consistent with "*Idaho's Transportation Future: getting there together*" the Department's long-range vision/planning document adopted by the Board in July 2004; and

WHEREAS, the STIP, in nonattainment and maintenance areas, contains only transportation projects found to conform, or from programs that conform, to the requirements contained in 40 CFR Parts 51 and 93; and

WHEREAS, the STIP is financially constrained by year and includes sufficient financial information to demonstrate which projects are to be implemented using current revenues and which projects are to be implemented using proposed revenue sources while the transportation system as a whole is being adequately operated and maintained; and

WHEREAS, the STIP contains all capital and non-capital transportation projects proposed for funding under the Federal Transit Act; and

WHEREAS, the STIP contains all regionally significant projects requiring an action by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA); and

WHEREAS, the STIP contains sufficient descriptive material to identify the project or phase, estimated costs, amount of federal funds proposed to be obligated during each program year, proposed category of federal funds and source(s) of nonfederal funds for the first year and likely categories and sources for the second and third years, and identification of the agencies responsible for carrying out the projects; and

WHEREAS, the STIP, in the first year, includes only those projects that have been selected in accordance with federal project selection requirements for non-metropolitan areas; and

WHEREAS, the STIP contains modal projects in aeronautics, bicycle/pedestrian, highways, public transportation, and rail as well as highway safety; and

WHEREAS, the STIP was developed in accordance with all applicable federal requirements including adequate opportunity for public involvement and comment.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the FY05-09 STIP with any changes approved at the September 14-15, 2004 Board meeting to be included in the recommended STIP; and

BE IT FURTHER RESOLVED, that the Board approves the transmittal of the recommended FY05-09 STIP to the FHWA and FTA for their review and approval.

Review and Reform of Department Communication Policies and Procedures. Public Information Officer (PIO) Jeff Stratten reported on the efforts of the Publications Quality Team, which is reviewing and reforming the Department's communication policies and procedures. The Team's charge includes developing standards for a consistent identity and image; updating the Communications Manual; and reviewing, updating, and streamlining the appropriate policies to reflect the changes. PIO Stratten focused on the standards for a consistent communications program, including updating the Department's letterhead, logo, and business cards.

The Board members provided comments on various proposals. The consensus of the Board was to revisit changes to the Department's letterhead at a future meeting.

Executive Session on Personnel and Legal Issues, Section 67-2345(1)(a) and (f), Idaho Code. Vice Chairman Combo made a motion to meet in executive session at 11:45 AM to discuss personnel and legal issues. Member McClure seconded the motion and it passed 5-0 by individual roll call vote.

The discussion on personnel issues focused on non-elective positions.

The discussion on litigation related to Tribal fuel tax issues; the US-95, Bellgrove to Mica project; the I-84/I-184, Wye Interchange project; and the operation of the state highway system.

The Board came out of executive session at 1:20 PM. No decisions were made.

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the estimate. The main difference between the engineer's estimate and the low bid is in the 504-015A, Structural Steel; S501-71A, Painting; and S501-80A, Partial Removal of Bridge items. While the unit bid price for Structural Steel seems relatively high compared to the average unit bid price, both bidders bid this item consistent. The painting item was also bid consistently by both bidders. ITD has few painting contracts, so it is difficult to estimate a project of this type; which is also true for the Partial Removal of Bridge item. That type of work is difficult to estimate due to the unknown quantity of work that may be needed and the contractor's method of operation. With the time frame involved on this project, the District does not believe re-bidding the project would result in any savings and recommends awarding the project.

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WHEREUPON, the Idaho Transportation Board's regular monthly meeting and District 5 tour officially adjourned at 1:40 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

October 8, 2004

Boise, Idaho

REGULAR MEETING AND DISTRICT FIVE TOUR

OF THE IDAHO TRANSPORTATION BOARD

September 14-15, 2004

The Idaho Transportation Board met at 10:30 AM, on Tuesday, September 14, 2004, at the Preston Airport. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Renee Sigel, Assistant Division Administrator, Federal Highway Administration (FHWA), Utah Transportation Commission (UTC) Chairman Glen Brown, UTC Members Steve Bodily and Jerry Lewis, Utah Department of Transportation (UDOT) Executive Director John Njord, UDOT Chief Engineer Carlos Braceras, and other UDOT staff members were also present.

Preston Airport Manager Craig Biggs provided an overview of the Preston Airport and planned projects. He anticipates traffic at the facility will increase due to the widening of US-91 from Logan, Utah to Preston. Preston Mayor Neal Larson welcomed the Board to Preston. He emphasized the importance of the Preston Airport to the community, and particularly to the economy.

The group traveled to the Preston City Council Chambers.

Delegation – UTC, UDOT, and 5-County Coalition. UTC Chairman Brown thanked the Idaho Board for the invitation to the tour and meeting. UDOT Region One Director Ahmad Jaber and ITD District 5 Project Development Engineer Phil Rumsey outlined improvements planned on US-89 and US-91. Utah's project to widen US-91 from the Idaho border to Logan is under construction. Idaho's project to widen the highway from the border to Preston should be under construction by next summer.

Bear River Advisory Group Member Tony Varilone mentioned that the area is focusing on tourism and is developing the Bear River Heritage Area. He emphasized the important role that transportation plays to tourism and the economy. He encouraged the transportation departments to work cooperatively with local communities on projects, and noted that ITD's coordination with locals has improved over the years.

Walter Ross, Public Transportation Advisory Council Member, thanked the Board for its support of public transportation. He would like to see public transportation service available between Preston and Logan, Utah, as there is a lot of traffic between those two cities.

Preston Mayor Larson expressed appreciation to UDOT for its cooperation. Improving the commute between Preston and Logan will be advantageous to the community, and commerce is expected to grow as a result of the highway projects.

Chairman Winder thanked the staff members for the presentations and 5-County Coalition members for their comments.

The Board traveled US-91 south to Smithfield, Utah, where the Utah delegation departed the tour. The Board continued south on US-91, west on Utah Route 30, and north on I-15 to Pocatello. Idaho State Police (ISP) Captain Ed Gygli and Lieutenant Eric Dayley reported on activities to decrease accidents on the I-15 corridor. ISP, Utah State Patrol, the Oneida County Sheriff's Department, and the Box Elder County (Utah) Sheriff's Department have launched a campaign to address safety on I-15. Captain Gygli also commended DE Bala for the good working relationship the two agencies have established.

WHEREUPON the meeting recessed at 4:20 PM.

September 15, 2004

The Board reconvened at 8:30 AM on Wednesday, September 15, 2004, at the District Five Office, Pocatello, Idaho. All members were present except Member McHugh. Karl Vogt, Deputy Attorney General, was present.

August 19-20, 2004 Board Minutes. Member McClure made a motion to approve the minutes of the regular Board meeting held on August 19-20, 2004 as submitted. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

October 7-8, 2004 – Boise

November 18, 2004 – Boise

December 16, 2004 – Boise

Consent Calendar. Vice Chairman Combo made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves

ITB04-45 the addition of a state program project to construct turn bays and an approach on US-12, District 2; the speed minute entry change, SH-33,

District 6; and the speed minute entry change, US-95, District 2, and has received and reviewed the contract award information, the new and supplemental professional agreements report, the quarterly report on legal actions and contract claims, and the July financial statement analysis.

1) Addition of State Program Project to Construct Turn Bays and an Approach on US-12, District 2. The Idaho Department of Fish and Game (IDF&G) contacted ITD regarding access into the recently-improved campground on US-12 near Myrtle. IDF&G would like a separate access point to reduce the conflict between the neighborhood and the campers who use the current residential street to access the campground. Nez Perce County (NPC), Bureau of Land Management (BLM), IDF&G, and ITD agreed to fund the construction of turnbays to accommodate a new approach for the campground. Funding the \$197,000 project for construction in 2005 would be IDF&G - \$60,000; BLM - \$17,000; NPC - \$120,000; and ITD - \$55,000. ITD will also design the project and oversee the construction for the portion of work that would be done on the Department's right-of-way.

2) Speed Minute Entry Change, SH-33, District 6. District 6 proposed an emergency action to lower the posted speed limit on SH-33 from milepost (MP) 0 to 24 from 65 miles per hour (MPH) to 55 MPH. The existing pavement surface is smooth, rutted, and slippery when wet. Several fatal accidents along this stretch of highway recently have raised safety concerns among the community and ITD. Approximately half of this stretch of highway was seal coated this past summer, but a short segment will not be seal coated until next summer. Based on the safety concern along this portion of SH-33, staff recommends lowering the speed limit to 55 MPH from MP 0 to 15.3 and from MP 16.39 to 24.

3) Speed Minute Entry Change, US-95, District 2. Staff conducted an engineering and traffic investigation on US-95 from MP 360.38 to 363. Based on the speed study results, road conditions, a safety evaluation, and public support, staff recommends decreasing the speed limit on US-95 from 60 MPH to 55 from MP 360.38 to 361.3; from 60 MPH to 45 from MP 361.3 to 362.237; and from 60 MPH to 55 from MP 362.237 to 363.

4) Contract Award Information. Key #9323 – FY05 Districtwide Sealcoats, District 4. Low bidder: Kloepper Inc. - \$815,892.

Key #8961 – FY04 Ada County Highway District Overlays, District 3. Low bidder: Central Paving Company, Inc. - \$484,791.

Key #8254 – SH-75, Mammoth Cave to Richfield, District 4. Low bidder: Cannon Builders Inc. - \$2,119,810.

Key #8211 – I-90, Huetter Eastbound Port of Entry, District 1. Low bidder: TML Construction, Inc. - \$246,566.

Key #8730 – Upper Pack River Road, Stage 2, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$184,307.

Key #8441 – US-26, Junction I-15 Northbound On and Off Ramps, Blackfoot, District 5. Low bidder: Skyview Electric, Inc. - \$377,628.

The low bid on key #8577 – SH-69, Orchard Street to Amity Road, Microsurfacing, District 3, was more than ten percent over the engineer's estimate. Staff rejected the bid.

5) New and Supplemental Professional Agreements Report. From August 1 through August 29, the Consultant Administration Unit processed \$1,574,959 in professional, supplemental, and term agreements.

6) Quarterly Report on Legal Actions and Contract Claims. A summary of legal cases resolved between June 1 and September 1 and a status of current legal cases were provided. A Claims Status Report for contract claims pending at various levels of review was also included.

7) July 2004 Financial Statement Analysis. Total federal aid revenue was \$1.7 million or 7% below projections through the month. Revenue from the Highway Distribution Account was 45% below the forecast due to an error at the State Controller's Office where the final transfer into the State Highway Account was inadvertently transferred in August instead of July. Without this error, the revenue would have exceeded projections by \$590,000 or 4.5%. Overall expenditures were less than budgeted through the month. In Contract Construction, the federal program is behind spending projections by 23% and the state program is 53% less than projected.

Aviation fuel tax revenue for July was \$31,000 or 36% more than projections; however, this trend is not anticipated to continue. Miscellaneous revenue was approximately the same as last year. Overall expenditures are behind last year, mainly due to less Trustee and Benefit payments. The Aircraft Operations Fund was right on projections at \$7,400. Expenditures were less than projected.

Board Items. Vice Chairman Combo referenced a recent lawsuit as a result of a traffic crash at a county road and state highway intersection. He provided historical information on a similar case approximately ten years ago. He believes it would be beneficial for DAG Vogt to review Idaho Code; summarize ITD's responsibilities at these intersections, particularly regarding signage; and inform the District Engineers of these responsibilities.

Department Activities. Director Ekern announced the promotion of Liza Fox to the Department's new Chief Technology Officer position. He was also pleased to mention Right-of-Way Manager Leonard Hill's appointment to chair the American Association of State Highway and Transportation Officials (AASHTO) Right-of-Way and Utilities Subcommittee.

Director Ekern said staff is continuing with the educational sessions on GARVEE bonding. He also mentioned that Congress is continuing work on the reauthorization of the Transportation Equity Act for the 21st Century. A special meeting on reauthorization will be held at the upcoming AASHTO annual meeting.

Director Ekern informed the Board of several Department meetings scheduled, including the forum on transportation investments later this month and legislative outreach meetings scheduled in each District later this year.

In conclusion, Director Ekern reported on efforts underway with local public agencies and the Local Highway Technical Assistance Council (LHTAC). The recently-completed customer survey and an FHWA review of the state-local relationship will be used to create an action plan to address state-local issues. Additionally, ITD's 2000 stewardship agreement with LHTAC will be updated. The outcome is to strengthen relationships, clarify relationships, and streamline procedures.

Draft Legislation for 2005. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Julie Pipal presented legislation for the concepts that have been approved by the Governor's Office. She reported that three ideas were not approved by the Governor's Office: primary seat belt law, consistent seat belt violation costs, and election sign/posters in the state highway rights-of-way. Additionally, the Governor's Office held the proposals on booster seats and GARVEE bonds. If, upon further review, the concepts are approved, staff will submit legislation for Board approval next month.

Member Sweeney made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit

ITB04-46 proposed 2005 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Board at the July 13, 2004 meeting approved the 2005 "Legislative IDEA Submittal Forms" as to concept and authorized ITD staff to develop draft legislation for review and approval prior to submission to the Division of Financial Management.

NOW THEREFORE BE IT RESOLVED, that the Board approves submittal of the "Legislative Proposal Forms" containing the proposed draft legislation to the Division of Financial Management.

Safe Routes to School. BPIRM Pipal reported on staff's assistance to stakeholders with developing a Safe Routes to School program. ITD has been engaged in organizing activities, such as "National Walk to School Week" scheduled in early October, and media campaigns to raise the awareness level of the need for students' safety while commuting to schools. Staff will continue to provide assistance as resources allow. BPIRM Pipal added that although no funds have been identified for this program and it is strictly a volunteer effort, the interest in establishing a statewide program is growing.

Chairman Winder thanked BPIRM Pipal for the update and for staff's efforts on this program.

Modify Rule 39.03.17, Rules Governing Manufactured Homes/Modular Buildings/Office Trailers. Port of Entry Manager Alan Frew reported that a request has been received from the Idaho Manufactured Housing Association to eliminate the current requirement in rule that limits the eaves on manufactured housing to a maximum of 16 inches. After reviewing this request, staff recommends modifying the rule to eliminate any restrictions on eaves as long as the 18-foot overall width limitation is not exceeded.

Vice Chairman Combo made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested

ITB04-47 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03.17, Rules Governing Manufactured Homes/Modular Buildings/Office Trailers, necessary and an economic benefit to the Manufactured Housing Industry within Idaho.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rule to be submitted for change:

Modify Rule 39.03.17 – Rules Governing Manufactured Homes/Modular Buildings/Office Trailers; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes to eliminate any restrictions on eaves as long as the 18-foot overall width limitation is not exceeded in Rule 39.03.17 and to have it effective October 1st with temporary rule making and to also proceed with the regular rule making process.

Presentation – Adopt-A-Highway. District Maintenance Engineer Brian Poole thanked the Dingle Ward Young Men and Young Women and the Choo Choo Square Dancers for their participation in the adopt-a-highway program. He acknowledged the outstanding efforts that the two groups have devoted to the program, and thanked them for their participation in the volunteer program.

Member Miller also expressed the Board's appreciation for the groups' participation. The Department and the state benefit from the service of these groups.

Recommended FY05-09 and Preliminary Development Highway Development Program. Manager of Transportation Investments (MTI) Dave Amick provided an update on the FY04 end-of-year plan and summarized the anticipated available funding for the updated Highway Development Program. He mentioned the new Rest Area Program that was included at the Board's direction, funded at approximately \$10 million annually for rehabilitation and reconstruction of existing facilities and construction of new rest areas. MTI Amick also acknowledged the efforts of ITD staff and other entities on the development of the Program.

Director Ekern emphasized the special safety focus in the Program. Elements include signing, striping, rumble strips, and Safe Routes to School.

Chairman Winder thanked MTI Amick and staff for their efforts on the Highway Development Program. He believes staff has developed an excellent process to update and oversee the Program.

Member Sweeney made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-48 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is in the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Division of Highways has recommended new projects and updated the costs and schedules for projects in the FY05-09 and Preliminary Development of the federal portion of the Highway Development Program; and

WHEREAS, the recommended FY05-09 and Preliminary Development Highway Development Program was developed in accordance with all applicable federal requirements including adequate opportunity for public involvement and comment; and

WHEREAS, the recommended FY05-09 and Preliminary Development Highway Development Program incorporated public involvement and

comment whenever possible while maintaining a fiscally constrained Program; and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state highway funding in comparison to the scope and costs of needed highway improvements.

NOW THEREFORE BE IT RESOLVED, that the Board approves both the recommended FY05-09 and Preliminary Development Highway Funding Plan and Highway Development Program, both of which are on file in the Office of Transportation Investments. The latter includes the FY05 Federal Program Update and also the latest revision of the FY05-08 State Program; and

BE IT FURTHER RESOLVED, that staff is authorized to include approved projects in the FY05-07 STIP in accordance with the provisions of TEA-21.

FY05-09 Statewide Transportation Improvement Program (STIP). Intermodal Planning Manager (IPM) Pat Raino reported that the development of the FY05-09 STIP has been completed in accordance with federal requirements. The document is a multi-year, multi-modal program depicting planned highway, transit, aeronautics, and highway safety projects. She noted the cooperative efforts with the state's metropolitan planning organizations to insure that the Metropolitan Transportation Improvement Programs were accurately reflected in the STIP. The draft STIP was available for public review and comment from July 6 through August 4. Copies of the comments received were provided to the Board earlier.

Chairman Winder thanked IPM Raino and staff for their efforts with the STIP. He complimented staff on the process to update the STIP and for the coordination with other entities.

Member McClure made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Department is required by 23
U.S.C. 134,

ITB04-49 23 CFR, Part 450 and 49 CFR, Part 613 to develop a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the program contains a list of priority transportation projects to be carried out for the first three years of the STIP and is in conformance with the first three years of each Metropolitan Planning Organization's Metropolitan Transportation Improvement Program; and

WHEREAS, the STIP is consistent with "*Idaho's Transportation Future: getting there together*" the Department's long-range vision/planning document adopted by the Board in July 2004; and

WHEREAS, the STIP, in nonattainment and maintenance areas, contains only transportation projects found to conform, or from programs that conform, to the requirements contained in 40 CFR Parts 51 and 93; and

WHEREAS, the STIP is financially constrained by year and includes sufficient financial information to demonstrate which projects are to be implemented using current revenues and which projects are to be implemented using proposed revenue sources while the transportation system as a whole is being adequately operated and maintained; and

WHEREAS, the STIP contains all capital and non-capital transportation projects proposed for funding under the Federal Transit Act; and

WHEREAS, the STIP contains all regionally significant projects requiring an action by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA); and

WHEREAS, the STIP contains sufficient descriptive material to identify the project or phase, estimated costs, amount of federal funds proposed to be obligated during each program year, proposed category of federal funds

and source(s) of nonfederal funds for the first year and likely categories and sources for the second and third years, and identification of the agencies responsible for carrying out the projects; and

WHEREAS, the STIP, in the first year, includes only those projects that have been selected in accordance with federal project selection requirements for non-metropolitan areas; and

WHEREAS, the STIP contains modal projects in aeronautics, bicycle/pedestrian, highways, public transportation, and rail as well as highway safety; and

WHEREAS, the STIP was developed in accordance with all applicable federal requirements including adequate opportunity for public involvement and comment.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the FY05-09 STIP with any changes approved at the September 14-15, 2004 Board meeting to be included in the recommended STIP; and

BE IT FURTHER RESOLVED, that the Board approves the transmittal of the recommended FY05-09 STIP to the FHWA and FTA for their review and approval.

Review and Reform of Department Communication Policies and Procedures. Public Information Officer (PIO) Jeff Stratten reported on the efforts of the Publications Quality Team, which is reviewing and reforming the Department's communication policies and procedures. The Team's charge includes developing standards for a consistent identity and image; updating the Communications Manual; and reviewing, updating, and streamlining the appropriate policies to reflect the changes. PIO Stratten focused on the standards for a consistent communications program, including updating the Department's letterhead, logo, and business cards.

The Board members provided comments on various proposals. The consensus of the Board was to revisit changes to the Department's letterhead at a future meeting.

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Old Business. Member Miller expressed some concerns with the Department's telephone system. He believes the internal system works effectively, but questioned the procedures to utilize calling cards for ITD business. He asked staff to look into possible updates or improvements to the system.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting and District 5 tour officially adjourned at 1:40 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

October 8, 2004

Boise, Idaho

REGULAR MEETING AND DISTRICT ONE TOUR

OF THE IDAHO TRANSPORTATION BOARD

August 19-20, 2004

The Idaho Transportation Board met at 8:15 AM, on Thursday, August 19, 2004, at the District One Office in Coeur d'Alene, Idaho. The following principals were present:

Charles L. Winder, Chairman

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Karl Vogt, Deputy Attorney General

Steve Moreno, Division Administrator, Federal Highway Administration (FHWA); Renee Sigel, Assistant Division Administrator, FHWA; Lance Giles, Policy Advisor, Governor's Office; and Dawn Hall, Budget Analyst, Division of Financial Management, were also present.

District Engineer Scott Stokes provided an overview on activities in the District. He highlighted the four focus areas of the District: maximizing highway improvements; efficient, safe quality operations; responsiveness to customers and partners; and safety. He praised the employees for their hard work and dedication to ITD.

Chairman Winder thanked DE Stokes for the presentation and acknowledged the importance of the District's focus areas. He also thanked the employees for attending the meeting and for their efforts and commitment to the Department.

The Board departed Coeur d'Alene north on US-95.

Presentation – Adopt-A-Highway. At the Sandpoint Municipal Airport, Member McHugh thanked the Bonner County Monday Hikers for their participation in the adopt-a-highway program and recognized the group as the District's Adopt-A-Highway Group of the year. McHugh said the group, formed in 1991, picks up trash along a portion of US-95 and has done a commendable job.

Delegation – Bonner County and Sandpoint Municipal Airport. Bonner County Commission Chair Marcia Phillips welcomed the Board to the Sandpoint Municipal Airport. Sandpoint Municipal Airport Advisory Board Member Terry McConnaughey provided an overview on the facility. The Advisory Board recognizes the importance of transportation and has been aggressively seeking commercial air service. Ron Nova, Schweitzer Mountain Resort General Manager, elaborated on the service that McCall Air has been providing from Sandpoint to Boise and Seattle. He emphasized that establishing the service has been a community effort.

Commissioner Phillips thanked the Board for the highway projects that have been completed recently. She noted that the growth in northern Idaho has resulted in additional infrastructure needs. She thanked DE Stokes and his staff for the assistance they have provided. Commissioner Phillips also relayed the community's support for the Sand Creek Byway project.

Chairman Winder thanked the delegation for their remarks. He noted the importance of communities' support for projects and identifying regional priorities. He also commended the Airport Advisory Board for its aggressive approach to enhance services at the facility and promote aviation. Chairman Winder thanked Senator Shawn Keough and Representative George Eskridge for attending the tour and for their continued support in the transportation arena.

Representative Eskridge acknowledged the numerous improvements that have been made to the transportation system in northern Idaho and thanked the Board for its assistance.

Senator Keough, Representative Eskridge, and Local Highway Technical Assistance Council (LHTAC) Administrator Joe Haynes joined the tour as it continued north on US-95.

An informal luncheon was held at the Bonners Ferry Maintenance Shed. The Board members appreciated the opportunity to visit with the maintenance crew and view various road equipment at the site. They thanked the employees for their hospitality.

The Board continued traveling north on US-95. After a brief stop at the US-95, Copeland construction site where staff provided an overview on the project, the Board traveled US-95 north to Eastport.

Delegation – Homeland Security. John Standel briefed the Board on security efforts at the port. He also provided statistics on traffic through Eastport and demonstrated some

of the security equipment used at the site. The Board appreciated the informative presentation.

The Board returned to Coeur d'Alene via US-95 south, with a stop in Sandpoint to drop off the invited guests.

WHEREUPON the meeting recessed at 5:15 PM.

August 20, 2004

The Board reconvened at 8:30 AM on Friday, August 20, 2004, at the District One Office, Coeur d'Alene, Idaho. All members were present except Vice Chairman Combo. Chairman Winder welcomed Senator John Goedde to the meeting and extended the Board's appreciation for the Senator's assistance in the transportation arena.

July 13-14, 2004 Board Minutes. Member McHugh made a motion to approve the minutes of the regular Board meeting held on July 13-14, 2004 as corrected. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

September 14-15, 2004 – District 5

October 7-8, 2004 – Boise

November 17-18, 2004 – Boise

December 16-17, 2004 – Boise

Consent Calendar. Member Blick made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-39 approves the 2004-2005 winter maintenance standards; the adoption of the 2003 Manual on Uniform Traffic Control Devices; and the speed minute entry changes, SH-78, District 3; and has received and reviewed the contract award information, the new and supplemental professional agreements report, the annual report of the Motor Carrier Services Audit Unit, the quarterly returned check report, and the out-of-state travel report.

1) 2004-2005 Winter Maintenance Standards. Staff reviewed the levels of winter maintenance for the 2004-2005 winter. No changes are recommended from the 2003-2004 standards. The map is shown as Exhibit 291, which is made a part hereof with like effect.

2) Adoption of the 2003 Manual on Uniform Traffic Control Devices (MUTCD). FHWA publishes the MUTCD, which contains all national design, application, and placement standards for traffic control devices. The 2003 edition of the MUTCD must be adopted by November 20, 2005. Idaho Code stipulates ITD's adoption of the current edition of the MUTCD. The 2003 edition has been reviewed by staff and recommended for adoption with a number of specific exceptions. The exceptions are necessary to bring the MUTCD in conformance with Idaho Code, correct errors, and accommodate the operations of the Department and local transportation agencies. The exceptions are not substantive, but necessary due primarily to formatting changes in the 2003 MUTCD. Staff proposed modifications to Rule 30.03.41, Rules Governing Traffic Control Devices, to adopt the 2003 MUTCD.

3) Speed Minute Entry Change. District 3 conducted an engineering and traffic investigation on SH-78 from milepost (MP) 82.68 to MP 91.75. Based on the speed study results, road conditions, a safety evaluation, and public support, staff recommends increasing the speed limit from 60 to 65 miles per hour on SH-78 from MP 82.68 to MP 91.75.

4) Contract Award Information. Key #8213 – US-95, Intersection Garwood Road, District 1. Low bidder: Thorco, Inc. - \$36,332.

Key #8214 – Intersection Kootenai Cutoff Road, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$895,270.

Key #7732 – 12th Street Bridge, McCammon, District 5. Low bidder: Cannon Builders Inc. - \$270,767.

Key #7788 – SH-55, Snake River Bridge, Marsing, District 3. Low bidder: McAlvain Construction, Inc. - \$183,180.

Key #8445 – US-30, Fish Creek Pass Near Lava Hot Springs, District 5. Low bidder: Apply-A-Line, Inc. - \$328,802.

Key #6629 – SH-53, Rathdrum Creek Bridge, District 1. Low bidder: N. A. Degerstrom, Inc. - \$785,063.

Key #7206 – Kootenai City Streets, Various, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$205,562.

The low bid on key #8313 – Chilco Road, District 1, was more than ten percent over the engineer's estimate. Staff rejected the bid.

5) New and Supplemental Professional Agreements Report. From June 26 through July 31, the Consultant Administration Unit processed \$5,500,059 in professional, supplemental, and term agreements.

6) Annual Report of the Motor Carrier Services Audit Unit. During the 2004 legislative session, four ITD auditor positions were transferred to the State Tax Commission. However, the auditors from the two agencies had been working closely since June 1,

2003 under a memorandum of understanding. This was an efficiency effort to allow carriers to be audited for several programs involving interstate and intrastate travel at the same time. During state FY04, the auditors completed 85 International Registration Plan audits for additional fees of \$13,913.97, with a corresponding number of International Fuel Tax Agreement audits. Additionally, the unit audited 48 full-fee carriers for an assessment of \$16,304.33.

7) Quarterly Returned Check Report. During the 4th quarter of FY04, \$13,150,385 in checks were received, while \$48,255 or .37% were returned. Collections of returned checks equaled \$48,210 for an annualized collection rate of 100%.

8) Out-of-State Travel. In state FY04, an estimated 314 out-of-state trips were taken at a cost of \$199,507. The budgeted amount for out-of-state travel was \$426,913.

Annual Account Write Off. Department policy requires that all uncollectible accounts exceeding \$1,000 be reviewed and approved for write off by the Board. The Director approves write offs on accounts less than \$1,000. The outstanding receivables are more than three years delinquent and are the result of unpaid weight distance taxes, commercial carrier registration fees, department-assessed reinstatement fees, and other miscellaneous fees. Customers are not allowed to do business with ITD until their deficiencies are paid. In FY04, the Administrative Services Division Administrator approved the write-off of 254 uncollectible accounts totaling \$53,299.94. Staff requested Board approval to write off 90 accounts totaling \$477,517.01. The majority of those accounts were the result of a backlog of bankruptcies in the amount of \$407,325. All of the bankruptcy accounts were old accounts that should have been written off in prior years.

In response to Member Blick's question on the timeframe for writing off some accounts, Controller Dave Tolman replied that the old accounts are related to bankruptcies. Bankruptcies follow a different process for collection as determined by the bankruptcy court. At Member McHugh's request, Controller Tolman elaborated on the various types of charges and payments. Also in response to a question by Member McHugh, Controller Tolman stated that companies with delinquent accounts are not allowed to do business with ITD and, in cases of bankruptcy, generally have gone out of business.

Chairman Winder suggested that staff review the overall procedures for the accounts to be written off.

Member McHugh made a motion to approve the write-off of 90 uncollectible accounts totaling \$477,517.01, as shown as Exhibit 292, which is made a part hereof with like effect. Member Blick seconded the motion and it passed unanimously.

Approval of the FY05 Highway Safety Plan. The Office of Traffic and Highway Safety submitted the FY05 Highway Safety Plan. The goal of the Highway Safety Grant Program is to reduce deaths and serious injuries resulting from motor-vehicle collisions by implementing programs to address driver behaviors. The National Traffic Safety Administration 402 grants total \$1,470,350. Based on Idaho's highway safety needs, the Idaho Traffic Safety Commission approved funding the following focus areas: impaired driving, youthful drivers, aggressive drivers, emergency medical services, traffic records and roadway safety, paid advertising and media development, adult safety restraints, child passenger safety restraints, bicycle and pedestrian safety, and planning and administration. Section 410 alcohol-impaired driving, Section 411/412 traffic records data systems improvement, Section 157 seat belt innovative, Section 157 seat belt incentive, Section 2003b child safety seat, Section 403 seat belt contract, and Section 163 0.08 blood alcohol concentration incentive grants were also received.

Member McHugh asked if highway safety funds could be used to purchase variable message signs. He suggested that ITD display more safety messages on these signs. CE Ross said that signs cannot be purchased with Highway Safety funds. He reported that staff is reviewing the issue of variable message signs, including establishing a policy to allow more types of messages on the signs. Several different entities use variable message signs, and he would like to establish statewide standards. Director Ekern added that staff is working on a traveler service package, and variable message signs are an element of that project.

Member McHugh made a motion to approve the Highway Safety Plan for federal fiscal year 2005. Member Blick seconded the motion and it passed unopposed.

Delegation – City of Dover. Dover City Council Chairman James Janish requested an additional access into the City of Dover from US-2. Currently, the community only has one access. Development is being proposed in the city, which would result in increased traffic and demands on the current infrastructure. He emphasized the need for a westerly access to address safety concerns and growth.

Director Ekern said that staff has been working with other parties, including the Department of Commerce, on this proposal. Yesterday during the District tour, he visited with Senator Keough, Representative Eskridge, and Mr. Haynes about this issue. Mr. Haynes will take the lead on this project, as the access would presumably be to a local street.

Member Sweeney acknowledged the need for an additional access; however, he believes development that creates traffic should help resolve those needs. Member McHugh also recognizes the need for another access, but stated that the project will be challenging due to the parallel railroad track.

Chairman Winder thanked Council Chairman Janish for the remarks. He encouraged the City of Dover to continue working with DE Stokes and LHTAC on this proposal.

Delegation – City of Post Falls. As in-coming president of the Association of Idaho Cities, Post Falls Mayor Clay Larkin thanked the Board for attending a portion of the Association’s annual conference in June, and Director Ekern for his presentation at the conference. The Association appreciates the Board’s service to Idaho, and particularly its statewide approach to address the challenging transportation needs throughout the state.

Mayor Larkin thanked the Board and Department for the numerous highway projects it has funded in the Post Falls area. He expressed appreciation to DE Stokes and his staff for the assistance they provide and the excellent working relationship that has been established. He mentioned additional improvements that are needed in Post Falls, and stated that the City is working on addressing those needs.

Chairman Winder thanked Mayor Larkin for his comments. He also complimented the District for its partnering efforts with communities. Member Miller informed Mayor Larkin that several communities in southeastern Idaho have noticed Post Falls’ partnership approach to address issues and are modeling their efforts after Post Falls’.

Board Items. Chairman Winder and Members McClure and Miller provided a summary on the recent Western Association of State Highway and Transportation Officials meeting they attended last month in Montana. Some of the topics of discussion included environmental streamlining, congestion, and reauthorization of the Transportation Equity Act for the 21st Century (TEA-21).

Earlier this month, Chairman Winder and Member Blick attended a workshop hosted by the Transportation Department on GARVEE (Grant Anticipation Revenue Vehicle) bonds. Member McClure also attended a portion of that workshop. Member Blick believes it was an educational session. Chairman Winder added that a variety of people were present, with various interests represented. The next step is to establish small groups to work on specific issues and concerns.

Member Sweeney reported that the City of Lewiston started its East Main Street rehabilitation project. The City believes the project will be more extensive than initially thought, as it believes that not only the top three inches of pavement are defective, but the bottom lifts of the asphalt material are also deficient. The District did not concur with the need to replace the bottom three inches. It believes only the top three inches are defective.

Member McHugh commented that local entities can construct bike paths cheaper without federal funds. Federal regulations and requirements increase the cost of these projects. He asked if state funds could be used for bike path projects. Member McClure responded that bike path projects would probably not be funded if it weren't for the federal Enhancement Program. Director Ekern suggested waiting until passage of the new federal transportation bill, and then revisiting this issue.

Department Activities. Director Ekern was pleased to announce the appointment of Karl Vogt as ITD's lead Deputy Attorney General. DAG Vogt has outstanding credentials and provides continuity to the Department. Chairman Winder echoed Director Ekern's comments and added that he was involved in the selection process.

Director Ekern was also pleased to report on a number of other employee-related issues. Administrative Services Division Administrator Susan Simmons ended her term on the Public Employee Retirement System of Idaho board. She served the state for nine years in that capacity. Public Affairs Manager Jeff Stratten has been selected as vice chairman

of the American Association of State Highway and Transportation Officials (AASHTO) Subcommittee on Public Affairs. Port of Entry Manager (POEM) Alan Frew has been appointed to an AASHTO committee on security. Internal Review Manager Carri Rosti and her staff hosted the annual AASHTO Subcommittee on Audits conference last month. The Department received numerous compliments on the top-quality conference, and also on the welcoming remarks that Chairman Winder provided. Director Ekern believes all of these activities speak highly of the quality employees at ITD and that many employees are recognized nationally for contributions in their respective fields.

Director Ekern reported that the majority of employees will be receiving a 1% one-time change in employee compensation. The legislature authorized this if the state's FY04 revenue exceeded the forecast.

A number of re-organizational changes have been implemented, according to Director Ekern. The Office of Highway Safety and Traffic Section have been combined into one office. Lance Johnson will manage the Office of Traffic and Highway Safety. The Highway Programming Section has been moved from the Division of Highways to the Planning Division and has been renamed the Office of Transportation Investments. Dave Amick will continue to lead this office, with a title of Manager Transportation Investments (MTI). In the Administrative Services Division, the Supply, General Services, and Facilities and Building Services Sections have been combined. Kathy Chase will oversee the new section, Business and Support Management.

Presentation – The Theodore Madsen Award. Director Ekern reported that he was at an Institute of Transportation Engineers conference recently and a prestigious national award was presented to a former ITD employee. Director Ekern presented James Pline, who retired as the Department's Roadway Design Engineer, with the Theodore Madsen Award in recognition of the contributions he has made in the transportation arena. Director Ekern added that Mr. Pline currently serves on the state's Traffic Safety Commission.

Chairman Winder congratulated Mr. Pline for the award. He stated that as a member of the Ada Planning Association board and Ada County Highway District commission, he had the opportunity to work with Mr. Pline. Member Sweeney added that he had the pleasure to serve as a fellow commissioner with Mr. Pline on the Traffic Safety Commission and that Mr. Pline is very knowledgeable and is a valuable member of the Commission.

Mr. Pline thanked Director Ekern for the award and the Board for the kind remarks. He said it is a pleasure and an honor to receive the award.

Department Activities, Continued. AA Martin provided an update on the Department's appeal to the U.S. Forest Service on its decision to close four backcountry airstrips. He expressed appreciation to U.S. Senators Craig and Crapo for the assistance they have provided on this issue. The Forest Service has agreed to change the classification of the Dewey Moore, Mile-High, Simonds, and Vines airstrips from emergency use to hazardous.

Chairman Winder thanked AA Martin for the update on this issue and for his efforts on the Department's appeal.

Chairman Winder welcomed Representative Eskridge to the meeting.

FY04 Financial Statement Summary. Controller Tolman provided a summary of the FY04 financial statement. In the State Highway Fund, the total federal aid revenue was \$224,072,315. With match from local sources, miscellaneous revenues, and transfers in, ITD's net revenue was \$422,637,287, a 3.9% increase from FY03. Total expenditures during the year were \$403,251,076, which was .4% more than the FY03 expenditures.

Aviation fuel tax revenue received through the end of June was \$120,000 or 8.1% below projections. Miscellaneous revenue was \$24,600 or 13% below the forecast. Actual revenue was \$1.38 million. Overall expenditures were ahead of last year, mainly due to increased federal grant funds in the Trustee and Benefit category. The Aircraft Operations Fund has a positive variance to forecast of 46%. Overall expenditures were more than projected due to increased utilization of part-time pilots to fly the increased number of flights.

Member McHugh expressed concern with the decreased aviation fuel tax revenue. Director Ekern concurred and stated that the trend is expected to continue. He added that staff is reviewing the revenue issue and exploring options.

Controller Tolman provided an update on the American Management Systems (AMS) project. The completion of the fit gap analysis will be completed by mid September. He added that staff has been working with FHWA to coordinate the federal aid billing process. He believes the project is proceeding well, and expressed appreciation to staff for its work on this project.

Chairman Winder thanked Controller Tolman for the presentation and for his efforts with the AMS project.

FY06 Proposed Budget Request. Senior Budget Analyst Joel Drake presented the Department's FY06 budget request. Based on the August 2004 forecast, the anticipated revenue totals \$474.5 million, with \$264.4 million expected in federal revenue. The budget request of \$489,337,200 is based on the Department's six core programs: program delivery, capital investment, planning, facilities, research, and information technology.

Some of the highlights of the budget include \$285.6 million for contract construction and right-of-way acquisition, a 1% change in employee compensation with an additional 4% reserved in the contract construction budget, \$3.9 million for capital facilities, and a personnel complement of 1,833.5 full-time equivalent positions.

Member McHugh made a motion, seconded by Member Miller, to approve the following resolution:

RES. NO. WHEREAS, the FY06 Idaho Transportation Department budget request will be

ITB04-40 presented in accordance with instructions in the Division of Financial Management's Budget Development Manual; and

WHEREAS, the Idaho Transportation Board has reviewed the FY06 Budget Request Summary.

NOW THEREFORE BE IT RESOLVED, that the Board agrees with the budget request estimates and guidance provided as presented in the Department Summary and Certification, submitted for approval August 20, 2004, as shown in Exhibit 293, which is made a part hereof with like effect, and authorizes the estimates and guidance provided to serve as the basis for the budget request to be submitted to the Division of Financial Management and Legislative Services Office on or before September 1, 2004.

Member Sweeney asked how much aviation fuel tax revenue the Department receives from the Moscow/Pullman Airport. AA Martin replied that ITD does not receive any revenue from that airport. Member Sweeney expressed concern with this issue, particularly because ITD provides financial assistance to the facility. He would like to pursue changing that arrangement. He also commented that he believes Idaho has one of the lowest aviation fuel taxes in the nation.

The motion passed unopposed.

Cascade Reservoir Airstrip. In 1954, the Idaho Department of Aeronautics built an airstrip on land owned by the Bureau of Reclamation (BOR) along the Cascade Reservoir, according to Aeronautics Administrator (AA) Bob Martin. A legal dispute regarding an overlying agricultural easement held by a private land owner closed the airstrip to public use in 1970. Now the land is under new ownership. AA Martin said the Division of Aeronautics has been working with the BOR to re-open the airstrip for recreational purposes. If the Board approves proceeding with this proposal, the payment issue for the needed National Environmental Policy Act and Environmental Assessment requirements would need to be resolved, and then a long-term permit to open and manage the Cascade Reservoir airstrip would be submitted to the BOR. The airstrip would be under ITD's management and would be included in ITD's recreational airstrip system. AA Martin reported that the Aeronautics Advisory Board supports this recommendation.

Member McClure asked about ongoing maintenance costs. AA Martin stated that some initial investment will be necessary to establish campgrounds, but the BOR may be willing to assist with that. After the initial improvements, ongoing maintenance costs would be minimal. In response to Member McClure's question on a caretaker at the site, AA Martin responded that the airstrip is expected to be very popular and an on-site caretaker may be necessary. He added that the Division of Aeronautics will not increase its staff if this airstrip is added to its system.

Member McHugh expressed concern with the overall funding situation for the Division of Aeronautics. AA Martin replied that the Division has identified \$10,000 that it can commit to this airstrip because it believes the Cascade Reservoir Airstrip is a high priority. In response to Member McHugh's question on the impacts this may have on Trustee and Benefit payments, AA Martin said that the Trustee and Benefit Program is a separate category and will not be impacted by the acquisition of this airstrip.

Member Sweeney expressed support to open the Cascade Reservoir Airstrip for public use. He believes it will be a popular airstrip and will be a valuable addition to the state's system.

In response to Member Miller's question, AA Martin replied that no access to the airstrip will be available by a road. Only airplanes and boats will be able to access the reservoir airstrip and adjacent campground. Member Miller suggested collecting landing fees at the most popular airstrips and also exploring other revenue options.

Member Sweeney made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, Idaho's recreational and backcountry airstrips serve as an important

ITB04-41 economic asset to the state's recreation and tourism industry; and

WHEREAS, the Cascade Reservoir airstrip, which is located on Bureau of Reclamation (BOR) land, was developed and operated by the State of Idaho from 1954 to 1970; and

WHEREAS, this airstrip quickly became the state's most popular recreational airstrip; and

WHEREAS, a legal issue between a private property owner and the BOR regarding an easement resulted in closure of the airstrip to the public; and

WHEREAS, new owners have purchased the adjacent private property and easement which would allow the airstrip to be re-opened to the public for recreational purposes; and

WHEREAS, it is desirous to the purchaser and BOR for the Cascade Reservoir airstrip to be managed as a recreational airstrip by the Idaho Transportation Department's Division of Aeronautics; and

WHEREAS, the Division of Aeronautics and BOR are negotiating the payments for the National Environmental Policy Act (NEPA) requirements and Environmental Assessment (EA) update; and

WHEREAS, the Aeronautics Advisory Board has been kept apprised of the status of the Cascade Reservoir airstrip and recommends utilizing it as a public airstrip under the management of the Division of Aeronautics.

NOW THEREFORE BE IT RESOLVED, that upon agreement by the ITD Director of the payment for the NEPA and EA costs, TD is directed to apply to the BOR for a long-term permit to open and manage the Cascade Reservoir airstrip for public recreational purposes; and

BE IT FURTHER RESOLVED, that upon approval of the permit, the ITD Division of Aeronautics will add the Cascade Reservoir airstrip to ITD's recreational airstrip system.

Chairman Winder suggested that the Aeronautics Advisory Board review funding sources and consider options for additional revenue.

Modify Rule 39.03.11, Rules Governing Responsibility/Travel Restrictions. POEM Frew reported that a request has been received to apply high commuter traffic restrictions to overwidth loads moving on certain sections of congested interstate highways. Staff recommends modifying Rule 39.03.11, Rules Governing Responsibility/Travel Restrictions to incorporate that restriction. It would apply to certain segments of congested interstate highways as designated by ITD between 6:30 AM and 8:30 AM and from 4:00 PM to 6:00 PM.

Member Sweeney made a motion, seconded by Member McHugh, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested

ITB04-42 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03 11, Rules Governing Responsibility/Travel Restrictions, necessary and beneficial to the safe and efficient operation of vehicles on our highways.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rule to be submitted for change:

Modify Rule 39.03.11 – Rules Governing Responsibility/Travel Restrictions; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes to incorporate restrictions to overwidth loads moving on certain sections of congested interstate highways during high commuter traffic periods in Rule 39.03.11 and to have it effective September 5th with temporary rule making and to also proceed with the regular rule making process.

License Plate Fees and License Plate Manufacturing Account, Proposed Legislation. Vehicle Services Manager Amy Smith proposed amendments to Idaho Code to streamline the procedure for license plate production and distribution. The first change

would allow ITD to deposit all costs associated with the production and distribution of license plates into the plate manufacturing account, which is continuously appropriated. This would allow ITD to pay Correctional Industries for all associated costs directly from this account, and would significantly improve accounting of the actual costs of the license plate program. Secondly, the modification would bring the plate fees more in line with the actual cost of manufacturing and distributing costs. The cost to the consumer of pre-stocked inventory plates would remain at the current level of \$3.00 per plate. If the consumer chooses a specialty plate or service of any kind, the cost would be \$4.00 per plate. Lastly, because the Department is required to implement a plate reservation program in 2005 and these legislative changes will not be in effect until passage of the legislation, there would need to be cost recovery at the outset. This would be handled with a \$1.00 per plate fee to sunset upon passage of the legislation.

Member Blick made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, Section 49-443(1) Idaho Code requires the Idaho
Transportation

ITB04-43 Department to furnish license plates for vehicles registered under the
provisions of Chapter 4, "Motor Vehicle Registrations" Idaho Code; and

WHEREAS, Section 49-443(2) Idaho Code requires the issuance of new license plates every seven (7) years beginning with the date of issuance, and requires the Department to implement a plate number reservation program; and

WHEREAS, Section 49-443(2) Idaho Code, further allows the Department to charge a fee to recover the cost to the Department for reservation of license plate numbers; and

WHEREAS, in the 1999 reservation programs customers were charged an administrative fee at the county level averaging \$4.00 per pair for reserved and specially ordered plates; and

WHEREAS, the Idaho Transportation Board supports efficiency measures such as this that provide services to our customers using a fee structure that accurately reflects the cost of running the program; and

WHEREAS, the funds generated by this fee will be deposited into the Miscellaneous Account of the State Highway Account in order to pay Correctional Industries for the cost of production of \$2.00 per pair of reserved or specially ordered plates and \$1.00 for each single plate; and

WHEREAS, the Department will make an internal shift of state highway account funds to the Division of Motor Vehicles' budget to pay Correctional Industries until legislation is successfully passed and implemented.

NOW THEREFORE BE IT RESOLVED, that the Board adopts a reservation fee of \$2.00 per pair for reserved and specially ordered plates and \$1.00 for each single plate, until legislation is passed; and

BE IT FURTHER RESOLVED, that the reservation fee shall not be collected if the applicant replaces his license plates with existing stock, non-reserved, license plates.

Executive Session on Legal Issues, Section 67-2345(1)(f), Idaho Code. Member Blick made a motion to meet in executive session at 12 noon to discuss legal issues. Member McClure seconded the motion and it passed 5-0 by individual roll call vote.

The discussion on litigation related to the US-95, Bellgrove to Mica project.

The Board came out of executive session at 12:45 PM. No decisions were made.

Contract Awards. CE Ross reported that the low bid on project PLH-2841(101), key #7615 – City of Rocks Backcountry Byway, Stage 1, Cassia County, District 4, was more than ten percent over the engineer’s estimate, requiring justification. The sources for the engineer’s estimate were the Average Unit Price Report, the unit costs in the Estimator software, recent bid abstract information from another project, and input from staff. The main difference between the low bid and engineer’s estimate was items that must be produced from a local materials source: borrow, granular borrow, granular subbase, 19 mm aggregate Type B for base, and plantmix pavement. The local aggregate sources have a lot of clay in them. Additional costs will be required to wash and dry the aggregate for plant mix pavement to meet ITD standards. Curb and Gutter were also bid higher than estimated. These items are usually an urban bid item and were underestimated due to the isolated location and minimal units. Mobilization was another high bid item. Staff initially thought the project could be bid early in the year. This was not the case, resulting in a higher bid. Another large portion of the mobilization costs was due to source clearances. The local sources do not have the required clearances, county permits, and other items necessary to open a new source. Based on the review of the bids, and the importance of this project, staff recommends awarding the contract.

Member McClure made a motion to award the contract on key #7615 to the low bidder: Legrand Johnson Construction Company, Logan, Utah - \$3,022,864.97. Member Blick seconded the motion.

Member Sweeney expressed concern with the numerous bids that exceeded the engineer’s estimate. CE Ross believes that increased fuel costs are a major reason for the higher bids. Member McClure added that materials in general have been increasing. He also noted that although the low bids are considerably higher than the engineer’s estimate, the contractors’ bids, overall, are in close range.

The motion passed unopposed.

The low bid on project BRS-5726(008), key #558 – SH-97, Wolf Lodge Creek Bridge, South of I-90, Kootenai County, District 1, was more than ten percent over the engineer’s estimate, requiring justification. CE Ross said the engineer’s estimate was developed from ITD Estimator software and Bridge Design support. The items contributing to the major differences between the engineer’s estimate and the bid reflect the tight physical constraints of the project site and an environmental waterway construction window for the construction of the bridge structure. The project requires removal of one-half of the existing bridge at a time, stability shoring of existing structure, and construction of one-

half of the new bridge at a time to maintain one-way traffic on a narrow, constricted work site. Staff failed to recognize the full increase in the project cost that the contractor has incorporated to cover his overtime and risk. The District does not anticipate a cost savings if the project is re-advertised. Environmental waterway windows dictated the construction window, so awarding the project earlier in the year for weather considerations is not possible. The bridge has an inventory rating of 31.7 and is weight restricted and a substandard width.

Member McHugh made a motion to award the contract on key #558 to the low bidder: Harcon Inc., Spokane, Washington - \$1,340,219.58. Member Miller seconded the motion.

Chairman Winder said he believes the low bid of 179% of the engineer's estimate is the largest difference he has seen since serving on the Board. Member Sweeney asked if another project will be delayed to fund this project. DE Stokes emphasized the importance of this project. He believes another project may be delayed, but at this time, could not confirm how the additional costs for key #558 would impact the Program.

The motion passed unanimously.

CE Ross said the low bid on project STP-0003(153), key #8492 – Pavement Overlays, Washington County, District 3, was more than ten percent over the engineer's estimate, requiring justification. Because this is a local project, LHTAC reported that upon inspection of the engineer's estimate, the unit cost of one bid item was underestimated. That item was Plant Mix Pavement, Class III, the primary bid item for this project. Mobilization was also estimated low. Assuming a reasonable cost for plant mix pavement and 10% mobilization, the engineer's estimate would have been 97% of the low bid. LHTAC does not expect a cost benefit from re-bidding the project and recommends awarding the contract.

Member McClure made a motion to award the contract on key #8492 to the low bidder: Valley Paving & Asphalt, Cottonwood, Idaho - \$1,361,449.38. Member Blick seconded the motion and it passed unanimously.

The low bid on project IM-84-3(070)168, key #8365 – FY04 Interstate Bridge Repair, Jerome, Minidoka, Gooding, and Cassia Counties, District 4, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said two items appear to significantly diverge from the engineer's estimate: S501-25B Partial Removal of Deck and S501-40A SP Bridge Elastomeric Concrete Header. It appears that the deck removal estimate did not include the cost of incorporating environmental restrictions into the task. Staff believes a conversion error occurred in the engineer's estimate for elastomeric concrete headers. The District does not believe re-advertisement will result in significant savings and recommends awarding the project.

Member Sweeney made a motion to award the contract on key #8365 to the low bidder: Cannon Builders Inc., Blackfoot, Idaho - \$557,871.50. Member Blick seconded the motion and it passed unopposed.

The low bid on project ST-2390(710), key #9362 – SH-75, Hailey to Ketchum, Blaine County, District 4, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said four items were notably different from the engineer's estimate: 405-010A Plantmix Pavement Class II, 405-160A PG 58-28 Asphalt for Plant Mix, S400-20A Cold Milling, and Z629-05A Mobilization. The project entails work in four different locations between Hailey and Ketchum. Staff did not address the additional costs associated with the hopscotch nature of this project. The District does not believe re-advertisement will result in significant savings and based on the review of the bids, recommends awarding the contract.

Member Miller made a motion to award the contract on key #9362 to the low bidder: Idaho Sand & Gravel Company, Jerome, Idaho - \$1,995,199.70. Member McHugh seconded the motion and it passed unopposed.

The low bid on project BROS-0400(100), key #6282 – Bear River Bridge West of Georgetown, Bear Lake County, District 5, was more than ten percent over the engineer's estimate, requiring justification. The items resulting in the biggest difference are Dewatering Foundation, Bridge Temporary Work Pad, and Mobilization, according to CE Ross. There were five bidders for the project with the low and high bidder being separated by \$182,233. With five bids received and being as close as they are, staff does not believe re-advertising the project would result in savings. Bear Lake County Commissioners concurred with staff and both the local entity and the District recommend awarding the project.

Member McClure made a motion to award the contract on key #6282 to the low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$1,047,218.60. Member Sweeney seconded the motion and it passed unopposed.

CE Ross said the low bid on project NH-0005(127), key #8442 – FY04 Districtwide National Highway System Guardrail, Bannock, Bear Lake, Bingham, and Caribou Counties, District 5, was more than ten percent over the engineer's estimate, requiring justification. The bid item with the greatest variance was Borrow. ITD's historical records do not distinguish between a guardrail job and a standard roadway job; thus, the estimate does not reflect the substantially higher costs of placing materials in a situation where heavy equipment can not be utilized efficiently. Additionally, the project is located in many disparate locations. This factor requires multiple sources and their approvals, or haul distances that substantially drive up the cost of materials. The guardrail project is also steel intensive, and the price of steel has been escalating. Based on these factors, the District does not believe re-bidding the project would produce significant cost savings and recommends awarding the contract.

Member Sweeney made a motion to award the contract on key #8442 to the low bidder: Marcon Inc., Nampa, Idaho - \$1,986,372.76. Member McClure seconded the motion and it passed unanimously.

The low bid on project STP-4200(135), key #8677 – Guardrail Update, Nez Perce, Clearwater, and Idaho Counties, District 2, was more than ten percent over the engineer's estimate, requiring justification, according to CE Ross. The source of the engineer's estimate was the Average Unit Price Report and recent district guardrail projects. Staff did not discover any obvious errors in the estimate. The main difference between the estimate and the low bid is in the 1.3/4" Aggregate Type B for Base, P1 Mix Pavement Including Asphalt and Add Cl. III, Bridge Rail Retrofit Type 2, and Shoulder Grading items. Restrictive requirements for keeping the site functional along with multiple locations and labor intensive work make this contract difficult to estimate. The District does not believe re-advertising the project would result in savings. In fact, it would probably increase the costs as the cost of steel is increasing at a rapid pace. The project is to update guardrail for the safety of the traveling public, so any delay would increase the risk to the public.

Member Sweeney made a motion to award the contract on key #8677 to the low bidder: Frank Gurney Inc., Spokane, Washington - \$233,816.83. Member Blick seconded the motion and it passed unanimously.

The low bid on project STP-0004(120), key #8678 – FY04 Districtwide Guardrail, Blaine County, District 4, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said five items were notably higher than the engineer's estimate: 205-045A Granular Borrow; 303-021A ¾" Type A for Base; 405-035A Plantmix Pavement including Asphalt and Add C1 II; 612-075A Metal Terminal Rail Type 3; and 612-075A Metal Terminal Section Type 5. The District used last year's districtwide guardrail upgrade project as the primary source for the engineer's estimate, with unit prices checked against the Average Unit Price Report. The project site is somewhat remote and has very few available sources. The time constraints and pressure on the crusher most likely caused at least part of the difference in the estimate and low bid. Additionally, this paving and shouldering work is piece-meal and the contractor may have realized costs in excess of last year's bid. Staff does not believe re-advertising the project will result in significant savings and recommends awarding the project.

Member McHugh made a motion to award the contract on key #8678 to the low bidder: Marcon Inc., Nampa, Idaho - \$513,824.58. Member Sweeney seconded the motion and it passed unanimously.

The low bid on project STM-3110(648), key #9327 – Cambridge Salt Mitigation, Washington County, District 3, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said the largest overruns were in excavation, transport of contaminated soil, and disposal of contaminated soil. The contractors who bid this project are small operators and will likely need to rent most of the equipment or subcontract significant portions of the work. It is believed that the added cost of these items can be attributed to the added cost of renting or subcontracting. Transport of contaminated soil requires long hauls. Haul distance was contemplated in the engineer's estimate, but did not account for the higher cost of rental trucks or subcontracting. Staff does not believe there would be any savings realized from re-advertising the project and recommends awarding the contract.

Member Blick made a motion to award the contract on key #9327 to the low bidder: Kim Braun Construction Services, Cambridge, Idaho - \$248,500. Member Miller seconded the motion and it passed unopposed.

Delegation – City of Ponderay. City Clerk Nancy Piatt relayed Mayor Jessie DeMers' regrets for not being able to attend the meeting. She reported on the growth in the City of Ponderay and the City's attempts to address the growth-related issues. The City is in the process of updating its comprehensive plan. City Clerk Piatt thanked the Board for funding several improvement projects in the area. She also expressed the community's support for the US-95, Sand Creek Byway project. The City of Ponderay is an active member of the Bonner County Area Transportation Team (BCATT). She appreciates Member McHugh's and the District staff's assistance. ITD has established an excellent relationship with the City and BCATT.

Chairman Winder thanked City Clerk Piatt for her comments.

Delegation – Bonner County Area Transportation Team (BCATT). Bonner County Commissioner Brian Orr expressed appreciation to the Board for visiting northern Idaho, including the visit to the Sandpoint Municipal Airport yesterday. BCATT also appreciates DE Stokes' help and cooperation on transportation issues. He thanked the Board for the highway improvements in Bonner County. He believes US-95 needs to be a four-lane, divided highway with controlled access. In conclusion, Commissioner Orr expressed support for the Sand Creek Byway project.

Susan Kiebert thanked the Board members for visiting the area. She invited them to participate in the North Idaho Legislative Tour in District 2 in November. She extended a special invitation for the Board to attend the transportation breakfast and stated that she will provide more information as the tour date nears.

Chairman Winder thanked Ms. Kiebert for the invitation and Commissioner Orr for his remarks.

Delegation – City of Sandpoint. Mayor Ray Miller said the Sand Creek Byway project is needed and thanked the Board for its commitment to that project. He stated that the City is facing numerous challenges as the community continues to grow. The partnership Sandpoint has established with ITD is so important, and he appreciates all of the assistance the Board and Department have provided.

Chairman Winder thanked Mayor Miller for his comments and thanked all of the delegation members for coming to the meeting in Coeur d'Alene. He commended DE Stokes and the District staff for their efforts and encouraged the local communities to continue working closely with ITD.

Presentation – US-95, Sand Creek Byway. DE Stokes expressed appreciation to the delegations for their efforts and assistance with transportation issues. The partnerships that have been established have been instrumental in addressing transportation concerns. He reported that the constructability review for the Sand Creek Byway project is underway. Three right-of-way parcels need to be acquired. An easement has been secured from the railroad company. The District is awaiting FHWA's final decision. Overall, DE Stokes is pleased with the status of the project, and is particularly pleased with the support of the local communities.

FY04 Adjustments to the Formula Federal Highway Program Based on Readiness and Available Funding. MTI Amick summarized the status of the FY04 formula federal highway program. Throughout FY04, ITD has not known the amount of federal aid highway funding it would receive because the reauthorization of TEA-21 has not been enacted. Several extensions of TEA-21 have been passed. MTI Amick provided information on anticipated removals and delays and cost increases and decreases of FY04 projects as of July 30. A list of prioritized projects to advance and projects to be funded with requested redistribution of federal formula obligation authority was also provided.

Member Blick made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to

ITB04-44 accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is in the intent of the Idaho Transportation Board to effectively utilize all available Highway Funding; and

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, as of July 30, 2004, there is a Highway Program funding balance in FY04 of \$43 million; and

WHEREAS, projects have been identified that will delay or be removed from FY04 totaling \$9.7 million; and

WHEREAS, federal projects have been identified that will require cost increases or provide cost decreases for a net total of \$31.6 million; and

WHEREAS, a list of prioritized projects have been identified that can advance to FY04 of the current STIP; and

WHEREAS, the result of these proposed delays, cost increases and decreases, and advances will fully utilize estimated FY04 federal highway formula funding obligation authority of \$199.4 million and Minimum Guarantee funding of \$25.8 million (including Exempt Minimum Guarantee); and

WHEREAS, there is a projected Highway Program funding balance in FY04 of \$21.1 million; and

WHEREAS, the Department will request \$94.3 million in additional federal formula FY04 obligation authority from other states.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes staff to advance projects from the list entitled “FY04 Federal Highway Program Prioritized Project Advances, and Projects Requested for August 2004 Redistribution of Federal Formula Obligation Authority”, as shown as Exhibit 294, which is made a part hereof with like effect, in priority order as funding becomes available and projects are made ready for obligation; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate changes to the FY04-08 STIP in accordance with the provisions of TEA-21.

New Business. Member Sweeney mentioned that a traffic study in the Moscow area has been completed. Moscow is the destination of the majority of traffic, so a bypass of the city is not justified at this time.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting and District 1 tour officially adjourned at 1:55 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

September 15, 2004

Pocatello, Idaho

REGULAR MEETING AND DISTRICT ONE TOUR

OF THE IDAHO TRANSPORTATION BOARD

August 19-20, 2004

The Idaho Transportation Board met at 8:15 AM, on Thursday, August 19, 2004, at the District One Office in Coeur d'Alene, Idaho. The following principals were present:

Charles L. Winder, Chairman

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Karl Vogt, Deputy Attorney General

Steve Moreno, Division Administrator, Federal Highway Administration (FHWA); Renee Sigel, Assistant Division Administrator, FHWA; Lance Giles, Policy Advisor, Governor's Office; and Dawn Hall, Budget Analyst, Division of Financial Management, were also present.

District Engineer Scott Stokes provided an overview on activities in the District. He highlighted the four focus areas of the District: maximizing highway improvements; efficient, safe quality operations; responsiveness to customers and partners; and safety. He praised the employees for their hard work and dedication to ITD.

Chairman Winder thanked DE Stokes for the presentation and acknowledged the importance of the District's focus areas. He also thanked the employees for attending the meeting and for their efforts and commitment to the Department.

The Board departed Coeur d'Alene north on US-95.

Presentation – Adopt-A-Highway. At the Sandpoint Municipal Airport, Member McHugh thanked the Bonner County Monday Hikers for their participation in the adopt-a-highway program and recognized the group as the District's Adopt-A-Highway Group of the year. McHugh said the group, formed in 1991, picks up trash along a portion of US-95 and has done a commendable job.

Delegation – Bonner County and Sandpoint Municipal Airport. Bonner County Commission Chair Marcia Phillips welcomed the Board to the Sandpoint Municipal Airport. Sandpoint Municipal Airport Advisory Board Member Terry McConnaughey provided an overview on the facility. The Advisory Board recognizes the importance of transportation and has been aggressively seeking commercial air service. Ron Nova, Schweitzer Mountain Resort General Manager, elaborated on the service that McCall Air has been providing from Sandpoint to Boise and Seattle. He emphasized that establishing the service has been a community effort.

Commissioner Phillips thanked the Board for the highway projects that have been completed recently. She noted that the growth in northern Idaho has resulted in additional infrastructure needs. She thanked DE Stokes and his staff for the assistance they have provided. Commissioner Phillips also relayed the community's support for the Sand Creek Byway project.

Chairman Winder thanked the delegation for their remarks. He noted the importance of communities' support for projects and identifying regional priorities. He also commended the Airport Advisory Board for its aggressive approach to enhance services at the facility and promote aviation. Chairman Winder thanked Senator Shawn Keough and Representative George Eskridge for attending the tour and for their continued support in the transportation arena.

Representative Eskridge acknowledged the numerous improvements that have been made to the transportation system in northern Idaho and thanked the Board for its assistance.

Senator Keough, Representative Eskridge, and Local Highway Technical Assistance Council (LHTAC) Administrator Joe Haynes joined the tour as it continued north on US-95.

An informal luncheon was held at the Bonners Ferry Maintenance Shed. The Board members appreciated the opportunity to visit with the maintenance crew and view various road equipment at the site. They thanked the employees for their hospitality.

The Board continued traveling north on US-95. After a brief stop at the US-95, Copeland construction site where staff provided an overview on the project, the Board traveled US-95 north to Eastport.

Delegation – Homeland Security. John Stadel briefed the Board on security efforts at the port. He also provided statistics on traffic through Eastport and demonstrated some of the security equipment used at the site. The Board appreciated the informative presentation.

The Board returned to Coeur d'Alene via US-95 south, with a stop in Sandpoint to drop off the invited guests.

WHEREUPON the meeting recessed at 5:15 PM.

August 20, 2004

The Board reconvened at 8:30 AM on Friday, August 20, 2004, at the District One Office, Coeur d'Alene, Idaho. All members were present except Vice Chairman Combo. Chairman Winder welcomed Senator John Goedde to the meeting and extended the Board's appreciation for the Senator's assistance in the transportation arena.

July 13-14, 2004 Board Minutes. Member McHugh made a motion to approve the minutes of the regular Board meeting held on July 13-14, 2004 as corrected. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

September 14-15, 2004 – District 5

October 7-8, 2004 – Boise

November 17-18, 2004 – Boise

December 16-17, 2004 – Boise

Consent Calendar. Member Blick made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-39 approves the 2004-2005 winter maintenance standards; the adoption of the 2003 Manual on Uniform Traffic Control Devices; and the speed minute entry changes, SH-78, District 3; and has received and reviewed the contract award information, the new and supplemental professional agreements report, the annual report of the Motor Carrier Services Audit Unit, the quarterly returned check report, and the out-of-state travel report.

1) 2004-2005 Winter Maintenance Standards. Staff reviewed the levels of winter maintenance for the 2004-2005 winter. No changes are recommended from the 2003-2004 standards. The map is shown as Exhibit 291, which is made a part hereof with like effect.

2) Adoption of the 2003 Manual on Uniform Traffic Control Devices (MUTCD). FHWA publishes the MUTCD, which contains all national design, application, and placement standards for traffic control devices. The 2003 edition of the MUTCD must be adopted by November 20, 2005. Idaho Code stipulates ITD's adoption of the current edition of the MUTCD. The 2003 edition has been reviewed by staff and recommended for adoption with a number of specific exceptions. The exceptions are necessary to bring the MUTCD in conformance with Idaho Code, correct errors, and accommodate the operations of the Department and local transportation agencies. The exceptions are not substantive, but necessary due primarily to formatting changes in the 2003 MUTCD. Staff proposed modifications to Rule 30.03.41, Rules Governing Traffic Control Devices, to adopt the 2003 MUTCD.

3) Speed Minute Entry Change. District 3 conducted an engineering and traffic investigation on SH-78 from milepost (MP) 82.68 to MP 91.75. Based on the speed study results, road conditions, a safety evaluation, and public support, staff recommends increasing the speed limit from 60 to 65 miles per hour on SH-78 from MP 82.68 to MP 91.75.

4) Contract Award Information. Key #8213 – US-95, Intersection Garwood Road, District 1. Low bidder: Thorco, Inc. - \$36,332.

Key #8214 – Intersection Kootenai Cutoff Road, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$895,270.

Key #7732 – 12th Street Bridge, McCammon, District 5. Low bidder: Cannon Builders Inc. - \$270,767.

Key #7788 – SH-55, Snake River Bridge, Marsing, District 3. Low bidder: McAlvain Construction, Inc. - \$183,180.

Key #8445 – US-30, Fish Creek Pass Near Lava Hot Springs, District 5. Low bidder: Apply-A-Line, Inc. - \$328,802.

Key #6629 – SH-53, Rathdrum Creek Bridge, District 1. Low bidder: N. A. Degerstrom, Inc. - \$785,063.

Key #7206 – Kootenai City Streets, Various, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$205,562.

The low bid on key #8313 – Chilco Road, District 1, was more than ten percent over the engineer's estimate. Staff rejected the bid.

5) New and Supplemental Professional Agreements Report. From June 26 through July 31, the Consultant Administration Unit processed \$5,500,059 in professional, supplemental, and term agreements.

6) Annual Report of the Motor Carrier Services Audit Unit. During the 2004 legislative session, four ITD auditor positions were transferred to the State Tax Commission. However, the auditors from the two agencies had been working closely since June 1, 2003 under a memorandum of understanding. This was an efficiency effort to allow carriers to be audited for several programs involving interstate and intrastate travel at the same time. During state FY04, the auditors completed 85 International Registration Plan audits for additional fees of \$13,913.97, with a corresponding number of International Fuel Tax Agreement audits. Additionally, the unit audited 48 full-fee carriers for an assessment of \$16,304.33.

7) Quarterly Returned Check Report. During the 4th quarter of FY04, \$13,150,385 in checks were received, while \$48,255 or .37% were returned. Collections of returned checks equaled \$48,210 for an annualized collection rate of 100%.

8) Out-of-State Travel. In state FY04, an estimated 314 out-of-state trips were taken at a cost of \$199,507. The budgeted amount for out-of-state travel was \$426,913.

Annual Account Write Off. Department policy requires that all uncollectible accounts exceeding \$1,000 be reviewed and approved for write off by the Board. The Director

approves write offs on accounts less than \$1,000. The outstanding receivables are more than three years delinquent and are the result of unpaid weight distance taxes, commercial carrier registration fees, department-assessed reinstatement fees, and other miscellaneous fees. Customers are not allowed to do business with ITD until their deficiencies are paid. In FY04, the Administrative Services Division Administrator approved the write-off of 254 uncollectible accounts totaling \$53,299.94. Staff requested Board approval to write off 90 accounts totaling \$477,517.01. The majority of those accounts were the result of a backlog of bankruptcies in the amount of \$407,325. All of the bankruptcy accounts were old accounts that should have been written off in prior years.

In response to Member Blick's question on the timeframe for writing off some accounts, Controller Dave Tolman replied that the old accounts are related to bankruptcies. Bankruptcies follow a different process for collection as determined by the bankruptcy court. At Member McHugh's request, Controller Tolman elaborated on the various types of charges and payments. Also in response to a question by Member McHugh, Controller Tolman stated that companies with delinquent accounts are not allowed to do business with ITD and, in cases of bankruptcy, generally have gone out of business.

Chairman Winder suggested that staff review the overall procedures for the accounts to be written off.

Member McHugh made a motion to approve the write-off of 90 uncollectible accounts totaling \$477,517.01, as shown as Exhibit 292, which is made a part hereof with like effect. Member Blick seconded the motion and it passed unanimously.

Approval of the FY05 Highway Safety Plan. The Office of Traffic and Highway Safety submitted the FY05 Highway Safety Plan. The goal of the Highway Safety Grant Program is to reduce deaths and serious injuries resulting from motor-vehicle collisions by implementing programs to address driver behaviors. The National Traffic Safety Administration 402 grants total \$1,470,350. Based on Idaho's highway safety needs, the Idaho Traffic Safety Commission approved funding the following focus areas: impaired driving, youthful drivers, aggressive drivers, emergency medical services, traffic records and roadway safety, paid advertising and media development, adult safety restraints, child passenger safety restraints, bicycle and pedestrian safety, and planning and administration. Section 410 alcohol-impaired driving, Section 411/412 traffic records data systems improvement, Section 157 seat belt innovative, Section 157 seat belt incentive, Section 2003b child safety seat, Section 403 seat belt contract, and Section 163 0.08 blood alcohol concentration incentive grants were also received.

Member McHugh asked if highway safety funds could be used to purchase variable message signs. He suggested that ITD display more safety messages on these signs. CE Ross said that signs cannot be purchased with Highway Safety funds. He reported that staff is reviewing the issue of variable message signs, including establishing a policy to allow more types of messages on the signs. Several different entities use variable message signs, and he would like to establish statewide standards. Director Ekern added that staff is working on a traveler service package, and variable message signs are an element of that project.

Member McHugh made a motion to approve the Highway Safety Plan for federal fiscal year 2005. Member Blick seconded the motion and it passed unopposed.

Delegation – City of Dover. Dover City Council Chairman James Janish requested an additional access into the City of Dover from US-2. Currently, the community only has one access. Development is being proposed in the city, which would result in increased traffic and demands on the current infrastructure. He emphasized the need for a westerly access to address safety concerns and growth.

Director Ekern said that staff has been working with other parties, including the Department of Commerce, on this proposal. Yesterday during the District tour, he visited with Senator Keough, Representative Eskridge, and Mr. Haynes about this issue. Mr. Haynes will take the lead on this project, as the access would presumably be to a local street.

Member Sweeney acknowledged the need for an additional access; however, he believes development that creates traffic should help resolve those needs. Member McHugh also recognizes the need for another access, but stated that the project will be challenging due to the parallel railroad track.

Chairman Winder thanked Council Chairman Janish for the remarks. He encouraged the City of Dover to continue working with DE Stokes and LHTAC on this proposal.

Delegation – City of Post Falls. As in-coming president of the Association of Idaho Cities, Post Falls Mayor Clay Larkin thanked the Board for attending a portion of the Association’s annual conference in June, and Director Ekern for his presentation at the conference. The Association appreciates the Board’s service to Idaho, and particularly its statewide approach to address the challenging transportation needs throughout the state.

Mayor Larkin thanked the Board and Department for the numerous highway projects it has funded in the Post Falls area. He expressed appreciation to DE Stokes and his staff for the assistance they provide and the excellent working relationship that has been established. He mentioned additional improvements that are needed in Post Falls, and stated that the City is working on addressing those needs.

Chairman Winder thanked Mayor Larkin for his comments. He also complimented the District for its partnering efforts with communities. Member Miller informed Mayor Larkin that several communities in southeastern Idaho have noticed Post Falls’ partnership approach to address issues and are modeling their efforts after Post Falls’.

Board Items. Chairman Winder and Members McClure and Miller provided a summary on the recent Western Association of State Highway and Transportation Officials meeting they attended last month in Montana. Some of the topics of discussion included environmental streamlining, congestion, and reauthorization of the Transportation Equity Act for the 21st Century (TEA-21).

Earlier this month, Chairman Winder and Member Blick attended a workshop hosted by the Transportation Department on GARVEE (Grant Anticipation Revenue Vehicle) bonds. Member McClure also attended a portion of that workshop. Member Blick believes it was an educational session. Chairman Winder added that a variety of people were present, with various interests represented. The next step is to establish small groups to work on specific issues and concerns.

Member Sweeney reported that the City of Lewiston started its East Main Street rehabilitation project. The City believes the project will be more extensive than initially thought, as it believes that not only the top three inches of pavement are defective, but the bottom lifts of the asphalt material are also deficient. The District did not concur with the need to replace the bottom three inches. It believes only the top three inches are defective.

Member McHugh commented that local entities can construct bike paths cheaper without federal funds. Federal regulations and requirements increase the cost of these projects. He asked if state funds could be used for bike path projects. Member McClure responded that bike path projects would probably not be funded if it weren't for the federal Enhancement Program. Director Ekern suggested waiting until passage of the new federal transportation bill, and then revisiting this issue.

Department Activities. Director Ekern was pleased to announce the appointment of Karl Vogt as ITD's lead Deputy Attorney General. DAG Vogt has outstanding credentials and provides continuity to the Department. Chairman Winder echoed Director Ekern's comments and added that he was involved in the selection process.

Director Ekern was also pleased to report on a number of other employee-related issues. Administrative Services Division Administrator Susan Simmons ended her term on the Public Employee Retirement System of Idaho board. She served the state for nine years in that capacity. Public Affairs Manager Jeff Stratten has been selected as vice chairman of the American Association of State Highway and Transportation Officials (AASHTO) Subcommittee on Public Affairs. Port of Entry Manager (POEM) Alan Frew has been appointed to an AASHTO committee on security. Internal Review Manager Carri Rosti and her staff hosted the annual AASHTO Subcommittee on Audits conference last month. The Department received numerous compliments on the top-quality conference, and also on the welcoming remarks that Chairman Winder provided. Director Ekern believes all of these activities speak highly of the quality employees at ITD and that many employees are recognized nationally for contributions in their respective fields.

Director Ekern reported that the majority of employees will be receiving a 1% one-time change in employee compensation. The legislature authorized this if the state's FY04 revenue exceeded the forecast.

A number of re-organizational changes have been implemented, according to Director Ekern. The Office of Highway Safety and Traffic Section have been combined into one office. Lance Johnson will manage the Office of Traffic and Highway Safety. The Highway Programming Section has been moved from the Division of Highways to the Planning Division and has been renamed the Office of Transportation Investments. Dave Amick will continue to lead this office, with a title of Manager Transportation Investments (MTI). In the Administrative Services Division, the Supply, General

Services, and Facilities and Building Services Sections have been combined. Kathy Chase will oversee the new section, Business and Support Management.

Presentation – The Theodore Madsen Award. Director Ekern reported that he was at an Institute of Transportation Engineers conference recently and a prestigious national award was presented to a former ITD employee. Director Ekern presented James Pline, who retired as the Department's Roadway Design Engineer, with the Theodore Madsen Award in recognition of the contributions he has made in the transportation arena. Director Ekern added that Mr. Pline currently serves on the state's Traffic Safety Commission.

Chairman Winder congratulated Mr. Pline for the award. He stated that as a member of the Ada Planning Association board and Ada County Highway District commission, he had the opportunity to work with Mr. Pline. Member Sweeney added that he had the pleasure to serve as a fellow commissioner with Mr. Pline on the Traffic Safety Commission and that Mr. Pline is very knowledgeable and is a valuable member of the Commission.

Mr. Pline thanked Director Ekern for the award and the Board for the kind remarks. He said it is a pleasure and an honor to receive the award.

Department Activities, Continued. AA Martin provided an update on the Department's appeal to the U.S. Forest Service on its decision to close four backcountry airstrips. He expressed appreciation to U.S. Senators Craig and Crapo for the assistance they have provided on this issue. The Forest Service has agreed to change the classification of the Dewey Moore, Mile-High, Simonds, and Vines airstrips from emergency use to hazardous.

Chairman Winder thanked AA Martin for the update on this issue and for his efforts on the Department's appeal.

Chairman Winder welcomed Representative Eskridge to the meeting.

FY04 Financial Statement Summary. Controller Tolman provided a summary of the FY04 financial statement. In the State Highway Fund, the total federal aid revenue was \$224,072,315. With match from local sources, miscellaneous revenues, and transfers in, ITD's net revenue was \$422,637,287, a 3.9% increase from FY03. Total expenditures during the year were \$403,251,076, which was .4% more than the FY03 expenditures.

Aviation fuel tax revenue received through the end of June was \$120,000 or 8.1% below projections. Miscellaneous revenue was \$24,600 or 13% below the forecast. Actual revenue was \$1.38 million. Overall expenditures were ahead of last year, mainly due to increased federal grant funds in the Trustee and Benefit category. The Aircraft Operations Fund has a positive variance to forecast of 46%. Overall expenditures were more than projected due to increased utilization of part-time pilots to fly the increased number of flights.

Member McHugh expressed concern with the decreased aviation fuel tax revenue. Director Ekern concurred and stated that the trend is expected to continue. He added that staff is reviewing the revenue issue and exploring options.

Controller Tolman provided an update on the American Management Systems (AMS) project. The completion of the fit gap analysis will be completed by mid September. He added that staff has been working with FHWA to coordinate the federal aid billing process. He believes the project is proceeding well, and expressed appreciation to staff for its work on this project.

Chairman Winder thanked Controller Tolman for the presentation and for his efforts with the AMS project.

FY06 Proposed Budget Request. Senior Budget Analyst Joel Drake presented the Department's FY06 budget request. Based on the August 2004 forecast, the anticipated revenue totals \$474.5 million, with \$264.4 million expected in federal revenue. The budget request of \$489,337,200 is based on the Department's six core programs: program delivery, capital investment, planning, facilities, research, and information technology.

Some of the highlights of the budget include \$285.6 million for contract construction and right-of-way acquisition, a 1% change in employee compensation with an additional 4% reserved in the contract construction budget, \$3.9 million for capital facilities, and a personnel complement of 1,833.5 full-time equivalent positions.

Member McHugh made a motion, seconded by Member Miller, to approve the following resolution:

RES. NO. WHEREAS, the FY06 Idaho Transportation Department budget request will be

ITB04-40 presented in accordance with instructions in the Division of Financial Management's Budget Development Manual; and

WHEREAS, the Idaho Transportation Board has reviewed the FY06 Budget Request Summary.

NOW THEREFORE BE IT RESOLVED, that the Board agrees with the budget request estimates and guidance provided as presented in the Department Summary and Certification, submitted for approval August 20, 2004, as shown in Exhibit 293, which is made a part hereof with like effect, and authorizes the estimates and guidance provided to serve as the basis for the budget request to be submitted to the Division of Financial Management and Legislative Services Office on or before September 1, 2004.

Member Sweeney asked how much aviation fuel tax revenue the Department receives from the Moscow/Pullman Airport. AA Martin replied that ITD does not receive any revenue from that airport. Member Sweeney expressed concern with this issue, particularly because ITD provides financial assistance to the facility. He would like to pursue changing that arrangement. He also commented that he believes Idaho has one of the lowest aviation fuel taxes in the nation.

The motion passed unopposed.

Cascade Reservoir Airstrip. In 1954, the Idaho Department of Aeronautics built an airstrip on land owned by the Bureau of Reclamation (BOR) along the Cascade Reservoir, according to Aeronautics Administrator (AA) Bob Martin. A legal dispute regarding an overlying agricultural easement held by a private land owner closed the airstrip to public use in 1970. Now the land is under new ownership. AA Martin said the Division of Aeronautics has been working with the BOR to re-open the airstrip for recreational purposes. If the Board approves proceeding with this proposal, the payment issue for the needed National Environmental Policy Act and Environmental Assessment requirements would need to be resolved, and then a long-term permit to open and manage the Cascade Reservoir airstrip would be submitted to the BOR. The airstrip would be under ITD's management and would be included in ITD's recreational airstrip system. AA Martin reported that the Aeronautics Advisory Board supports this recommendation.

Member McClure asked about ongoing maintenance costs. AA Martin stated that some initial investment will be necessary to establish campgrounds, but the BOR may be willing to assist with that. After the initial improvements, ongoing maintenance costs would be minimal. In response to Member McClure's question on a caretaker at the site, AA Martin responded that the airstrip is expected to be very popular and an on-site caretaker may be necessary. He added that the Division of Aeronautics will not increase its staff if this airstrip is added to its system.

Member McHugh expressed concern with the overall funding situation for the Division of Aeronautics. AA Martin replied that the Division has identified \$10,000 that it can commit to this airstrip because it believes the Cascade Reservoir Airstrip is a high priority. In response to Member McHugh's question on the impacts this may have on Trustee and Benefit payments, AA Martin said that the Trustee and Benefit Program is a separate category and will not be impacted by the acquisition of this airstrip.

Member Sweeney expressed support to open the Cascade Reservoir Airstrip for public use. He believes it will be a popular airstrip and will be a valuable addition to the state's system.

In response to Member Miller's question, AA Martin replied that no access to the airstrip will be available by a road. Only airplanes and boats will be able to access the reservoir airstrip and adjacent campground. Member Miller suggested collecting landing fees at the most popular airstrips and also exploring other revenue options.

Member Sweeney made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, Idaho's recreational and backcountry airstrips serve as an important

ITB04-41 economic asset to the state's recreation and tourism industry; and

WHEREAS, the Cascade Reservoir airstrip, which is located on Bureau of Reclamation (BOR) land, was developed and operated by the State of Idaho from 1954 to 1970; and

WHEREAS, this airstrip quickly became the state's most popular recreational airstrip; and

WHEREAS, a legal issue between a private property owner and the BOR regarding an easement resulted in closure of the airstrip to the public; and

WHEREAS, new owners have purchased the adjacent private property and easement which would allow the airstrip to be re-opened to the public for recreational purposes; and

WHEREAS, it is desirous to the purchaser and BOR for the Cascade Reservoir airstrip to be managed as a recreational airstrip by the Idaho Transportation Department's Division of Aeronautics; and

WHEREAS, the Division of Aeronautics and BOR are negotiating the payments for the National Environmental Policy Act (NEPA) requirements and Environmental Assessment (EA) update; and

WHEREAS, the Aeronautics Advisory Board has been kept apprised of the status of the Cascade Reservoir airstrip and recommends utilizing it as a public airstrip under the management of the Division of Aeronautics.

NOW THEREFORE BE IT RESOLVED, that upon agreement by the ITD Director of the payment for the NEPA and EA costs, TD is directed to apply to the BOR for a long-term permit to open and manage the Cascade Reservoir airstrip for public recreational purposes; and

BE IT FURTHER RESOLVED, that upon approval of the permit, the ITD Division of Aeronautics will add the Cascade Reservoir airstrip to ITD's recreational airstrip system.

Chairman Winder suggested that the Aeronautics Advisory Board review funding sources and consider options for additional revenue.

Modify Rule 39.03.11, Rules Governing Responsibility/Travel Restrictions. POEM Frew reported that a request has been received to apply high commuter traffic restrictions to overwidth loads moving on certain sections of congested interstate highways. Staff recommends modifying Rule 39.03.11, Rules Governing Responsibility/Travel Restrictions to incorporate that restriction. It would apply to certain segments of congested interstate highways as designated by ITD between 6:30 AM and 8:30 AM and from 4:00 PM to 6:00 PM.

Member Sweeney made a motion, seconded by Member McHugh, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested

ITB04-42 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03 11, Rules Governing Responsibility/Travel Restrictions, necessary and beneficial to the safe and efficient operation of vehicles on our highways.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rule to be submitted for change:

Modify Rule 39.03.11 – Rules Governing Responsibility/Travel Restrictions; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes to incorporate restrictions to overwidth loads moving on certain sections of congested interstate highways during high commuter traffic periods in Rule 39.03.11 and to have it effective September 5th with temporary rule making and to also proceed with the regular rule making process.

License Plate Fees and License Plate Manufacturing Account, Proposed Legislation.

Vehicle Services Manager Amy Smith proposed amendments to Idaho Code to streamline the procedure for license plate production and distribution. The first change would allow ITD to deposit all costs associated with the production and distribution of license plates into the plate manufacturing account, which is continuously appropriated. This would allow ITD to pay Correctional Industries for all associated costs directly from this account, and would significantly improve accounting of the actual costs of the license plate program. Secondly, the modification would bring the plate fees more in line with the actual cost of manufacturing and distributing costs. The cost to the consumer of pre-stocked inventory plates would remain at the current level of \$3.00 per plate. If the consumer chooses a specialty plate or service of any kind, the cost would be \$4.00 per plate. Lastly, because the Department is required to implement a plate reservation program in 2005 and these legislative changes will not be in effect until passage of the legislation, there would need to be cost recovery at the outset. This would be handled with a \$1.00 per plate fee to sunset upon passage of the legislation.

Member Blick made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, Section 49-443(1) Idaho Code requires the Idaho Transportation

ITB04-43

Department to furnish license plates for vehicles registered under the provisions of Chapter 4, "Motor Vehicle Registrations" Idaho Code; and

WHEREAS, Section 49-443(2) Idaho Code requires the issuance of new license plates every seven (7) years beginning with the date of issuance, and requires the Department to implement a plate number reservation program; and

WHEREAS, Section 49-443(2) Idaho Code, further allows the Department to charge a fee to recover the cost to the Department for reservation of license plate numbers; and

WHEREAS, in the 1999 reservation programs customers were charged an administrative fee at the county level averaging \$4.00 per pair for reserved and specially ordered plates; and

WHEREAS, the Idaho Transportation Board supports efficiency measures such as this that provide services to our customers using a fee structure that accurately reflects the cost of running the program; and

WHEREAS, the funds generated by this fee will be deposited into the Miscellaneous Account of the State Highway Account in order to pay Correctional Industries for the cost of production of \$2.00 per pair of reserved or specially ordered plates and \$1.00 for each single plate; and

WHEREAS, the Department will make an internal shift of state highway account funds to the Division of Motor Vehicles' budget to pay Correctional Industries until legislation is successfully passed and implemented.

NOW THEREFORE BE IT RESOLVED, that the Board adopts a reservation fee of \$2.00 per pair for reserved and specially ordered plates and \$1.00 for each single plate, until legislation is passed; and

BE IT FURTHER RESOLVED, that the reservation fee shall not be collected if the applicant replaces his license plates with existing stock, non-reserved, license plates.

Executive Session on Legal Issues, Section 67-2345(1)(f), Idaho Code. Member Blick made a motion to meet in executive session at 12 noon to discuss legal issues. Member McClure seconded the motion and it passed 5-0 by individual roll call vote.

The discussion on litigation related to the US-95, Bellgrove to Mica project.

The Board came out of executive session at 12:45 PM. No decisions were made.

Contract Awards. CE Ross reported that the low bid on project PLH-2841(101), key #7615 – City of Rocks Backcountry Byway, Stage 1, Cassia County, District 4, was more than ten percent over the engineer's estimate, requiring justification. The sources for the engineer's estimate were the Average Unit Price Report, the unit costs in the Estimator software, recent bid abstract information from another project, and input from staff. The main difference between the low bid and engineer's estimate was items that must be produced from a local materials source: borrow, granular borrow, granular subbase, 19 mm aggregate Type B for base, and plantmix pavement. The local aggregate sources have a lot of clay in them. Additional costs will be required to wash and dry the aggregate for plant mix pavement to meet ITD standards. Curb and Gutter were also bid higher than estimated. These items are usually an urban bid item and were underestimated due to the isolated location and minimal units. Mobilization was another high bid item. Staff initially thought the project could be bid early in the year. This was not the case, resulting in a higher bid. Another large portion of the mobilization costs was due to source clearances. The local sources do not have the required clearances, county permits, and other items necessary to open a new source. Based on the review of the bids, and the importance of this project, staff recommends awarding the contract.

Member McClure made a motion to award the contract on key #7615 to the low bidder: Legrand Johnson Construction Company, Logan, Utah - \$3,022,864.97. Member Blick seconded the motion.

Member Sweeney expressed concern with the numerous bids that exceeded the engineer's estimate. CE Ross believes that increased fuel costs are a major reason for the higher bids. Member McClure added that materials in general have been increasing. He also noted that although the low bids are considerably higher than the engineer's estimate, the contractors' bids, overall, are in close range.

The motion passed unopposed.

The low bid on project BRS-5726(008), key #558 – SH-97, Wolf Lodge Creek Bridge, South of I-90, Kootenai County, District 1, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said the engineer's estimate was developed from ITD Estimator software and Bridge Design support. The items contributing to the major differences between the engineer's estimate and the bid reflect the tight physical constraints of the project site and an environmental waterway construction window for the construction of the bridge structure. The project requires removal of one-half of the existing bridge at a time, stability shoring of existing structure, and construction of one-half of the new bridge at a time to maintain one-way traffic on a narrow, constricted work site. Staff failed to recognize the full increase in the project cost that the contractor has incorporated to cover his overtime and risk. The District does not anticipate a cost savings if the project is re-advertised. Environmental waterway windows dictated the construction window, so awarding the project earlier in the year for weather considerations is not possible. The bridge has an inventory rating of 31.7 and is weight restricted and a substandard width.

Member McHugh made a motion to award the contract on key #558 to the low bidder: Harcon Inc., Spokane, Washington - \$1,340,219.58. Member Miller seconded the motion.

Chairman Winder said he believes the low bid of 179% of the engineer's estimate is the largest difference he has seen since serving on the Board. Member Sweeney asked if another project will be delayed to fund this project. DE Stokes emphasized the

importance of this project. He believes another project may be delayed, but at this time, could not confirm how the additional costs for key #558 would impact the Program.

The motion passed unanimously.

CE Ross said the low bid on project STP-0003(153), key #8492 – Pavement Overlays, Washington County, District 3, was more than ten percent over the engineer's estimate, requiring justification. Because this is a local project, LHTAC reported that upon inspection of the engineer's estimate, the unit cost of one bid item was underestimated. That item was Plant Mix Pavement, Class III, the primary bid item for this project. Mobilization was also estimated low. Assuming a reasonable cost for plant mix pavement and 10% mobilization, the engineer's estimate would have been 97% of the low bid. LHTAC does not expect a cost benefit from re-bidding the project and recommends awarding the contract.

Member McClure made a motion to award the contract on key #8492 to the low bidder: Valley Paving & Asphalt, Cottonwood, Idaho - \$1,361,449.38. Member Blick seconded the motion and it passed unanimously.

The low bid on project IM-84-3(070)168, key #8365 – FY04 Interstate Bridge Repair, Jerome, Minidoka, Gooding, and Cassia Counties, District 4, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said two items appear to significantly diverge from the engineer's estimate: S501-25B Partial Removal of Deck and S501-40A SP Bridge Elastomeric Concrete Header. It appears that the deck removal estimate did not include the cost of incorporating environmental restrictions into the task. Staff believes a conversion error occurred in the engineer's estimate for elastomeric concrete headers. The District does not believe re-advertisement will result in significant savings and recommends awarding the project.

Member Sweeney made a motion to award the contract on key #8365 to the low bidder: Cannon Builders Inc., Blackfoot, Idaho - \$557,871.50. Member Blick seconded the motion and it passed unopposed.

The low bid on project ST-2390(710), key #9362 – SH-75, Hailey to Ketchum, Blaine County, District 4, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said four items were notably different from the engineer's estimate: 405-010A Plantmix Pavement Class II, 405-160A PG 58-28 Asphalt for Plant Mix, S400-20A Cold Milling, and Z629-05A Mobilization. The project entails work in four different locations between Hailey and Ketchum. Staff did not address the additional costs associated with the hopscotch nature of this project. The District does not believe re-advertisement will result in significant savings and based on the review of the bids, recommends awarding the contract.

Member Miller made a motion to award the contract on key #9362 to the low bidder: Idaho Sand & Gravel Company, Jerome, Idaho - \$1,995,199.70. Member McHugh seconded the motion and it passed unopposed.

The low bid on project BROS-0400(100), key #6282 – Bear River Bridge West of Georgetown, Bear Lake County, District 5, was more than ten percent over the engineer's estimate, requiring justification. The items resulting in the biggest difference are Dewatering Foundation, Bridge Temporary Work Pad, and Mobilization, according to CE Ross. There were five bidders for the project with the low and high bidder being separated by \$182,233. With five bids received and being as close as they are, staff does not believe re-advertising the project would result in savings. Bear Lake County Commissioners concurred with staff and both the local entity and the District recommend awarding the project.

Member McClure made a motion to award the contract on key #6282 to the low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$1,047,218.60. Member Sweeney seconded the motion and it passed unopposed.

CE Ross said the low bid on project NH-0005(127), key #8442 – FY04 Districtwide National Highway System Guardrail, Bannock, Bear Lake, Bingham, and Caribou Counties, District 5, was more than ten percent over the engineer's estimate, requiring justification. The bid item with the greatest variance was Borrow. ITD's historical records do not distinguish between a guardrail job and a standard roadway job; thus, the estimate does not reflect the substantially higher costs of placing materials in a situation where heavy equipment can not be utilized efficiently. Additionally, the project is located in many disparate locations. This factor requires multiple sources and their approvals, or haul distances that substantially drive up the cost of materials. The guardrail project is also steel intensive, and the price of steel has been escalating. Based

on these factors, the District does not believe re-bidding the project would produce significant cost savings and recommends awarding the contract.

Member Sweeney made a motion to award the contract on key #8442 to the low bidder: Marcon Inc., Nampa, Idaho - \$1,986,372.76. Member McClure seconded the motion and it passed unanimously.

The low bid on project STP-4200(135), key #8677 – Guardrail Update, Nez Perce, Clearwater, and Idaho Counties, District 2, was more than ten percent over the engineer's estimate, requiring justification, according to CE Ross. The source of the engineer's estimate was the Average Unit Price Report and recent district guardrail projects. Staff did not discover any obvious errors in the estimate. The main difference between the estimate and the low bid is in the 1.3/4" Aggregate Type B for Base, P1 Mix Pavement Including Asphalt and Add Cl. III, Bridge Rail Retrofit Type 2, and Shoulder Grading items. Restrictive requirements for keeping the site functional along with multiple locations and labor intensive work make this contract difficult to estimate. The District does not believe re-advertising the project would result in savings. In fact, it would probably increase the costs as the cost of steel is increasing at a rapid pace. The project is to update guardrail for the safety of the traveling public, so any delay would increase the risk to the public.

Member Sweeney made a motion to award the contract on key #8677 to the low bidder: Frank Gurney Inc., Spokane, Washington - \$233,816.83. Member Blick seconded the motion and it passed unanimously.

The low bid on project STP-0004(120), key #8678 – FY04 Districtwide Guardrail, Blaine County, District 4, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said five items were notably higher than the engineer's estimate: 205-045A Granular Borrow; 303-021A 3/4" Type A for Base; 405-035A Plantmix Pavement including Asphalt and Add Cl II; 612-075A Metal Terminal Rail Type 3; and 612-075A Metal Terminal Section Type 5. The District used last year's districtwide guardrail upgrade project as the primary source for the engineer's estimate, with unit prices checked against the Average Unit Price Report. The project site is somewhat remote and has very few available sources. The time constraints and pressure on the crusher most likely caused at least part of the difference in the estimate and low bid. Additionally, this paving and shouldering work is piece-meal and the contractor may have realized costs in excess of last year's bid. Staff does not believe re-advertising the project will result in significant savings and recommends awarding the project.

Member McHugh made a motion to award the contract on key #8678 to the low bidder: Marcon Inc., Nampa, Idaho - \$513,824.58. Member Sweeney seconded the motion and it passed unanimously.

The low bid on project STM-3110(648), key #9327 – Cambridge Salt Mitigation, Washington County, District 3, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said the largest overruns were in excavation, transport of contaminated soil, and disposal of contaminated soil. The contractors who bid this project are small operators and will likely need to rent most of the equipment or subcontract significant portions of the work. It is believed that the added cost of these items can be attributed to the added cost of renting or subcontracting. Transport of contaminated soil requires long hauls. Haul distance was contemplated in the engineer's estimate, but did not account for the higher cost of rental trucks or subcontracting. Staff does not believe there would be any savings realized from re-advertising the project and recommends awarding the contract.

Member Blick made a motion to award the contract on key #9327 to the low bidder: Kim Braun Construction Services, Cambridge, Idaho - \$248,500. Member Miller seconded the motion and it passed unopposed.

Delegation – City of Ponderay. City Clerk Nancy Piatt relayed Mayor Jessie DeMers' regrets for not being able to attend the meeting. She reported on the growth in the City of Ponderay and the City's attempts to address the growth-related issues. The City is in the process of updating its comprehensive plan. City Clerk Piatt thanked the Board for funding several improvement projects in the area. She also expressed the community's support for the US-95, Sand Creek Byway project. The City of Ponderay is an active member of the Bonner County Area Transportation Team (BCATT). She appreciates Member McHugh's and the District staff's assistance. ITD has established an excellent relationship with the City and BCATT.

Chairman Winder thanked City Clerk Piatt for her comments.

Delegation – Bonner County Area Transportation Team (BCATT). Bonner County Commissioner Brian Orr expressed appreciation to the Board for visiting northern Idaho,

including the visit to the Sandpoint Municipal Airport yesterday. BCATT also appreciates DE Stokes' help and cooperation on transportation issues. He thanked the Board for the highway improvements in Bonner County. He believes US-95 needs to be a four-lane, divided highway with controlled access. In conclusion, Commissioner Orr expressed support for the Sand Creek Byway project.

Susan Kiebert thanked the Board members for visiting the area. She invited them to participate in the North Idaho Legislative Tour in District 2 in November. She extended a special invitation for the Board to attend the transportation breakfast and stated that she will provide more information as the tour date nears.

Chairman Winder thanked Ms. Kiebert for the invitation and Commissioner Orr for his remarks.

Delegation – City of Sandpoint. Mayor Ray Miller said the Sand Creek Byway project is needed and thanked the Board for its commitment to that project. He stated that the City is facing numerous challenges as the community continues to grow. The partnership Sandpoint has established with ITD is so important, and he appreciates all of the assistance the Board and Department have provided.

Chairman Winder thanked Mayor Miller for his comments and thanked all of the delegation members for coming to the meeting in Coeur d'Alene. He commended DE Stokes and the District staff for their efforts and encouraged the local communities to continue working closely with ITD.

Presentation – US-95, Sand Creek Byway. DE Stokes expressed appreciation to the delegations for their efforts and assistance with transportation issues. The partnerships that have been established have been instrumental in addressing transportation concerns. He reported that the constructability review for the Sand Creek Byway project is underway. Three right-of-way parcels need to be acquired. An easement has been secured from the railroad company. The District is awaiting FHWA's final decision. Overall, DE Stokes is pleased with the status of the project, and is particularly pleased with the support of the local communities.

FY04 Adjustments to the Formula Federal Highway Program Based on Readiness and Available Funding. MTI Amick summarized the status of the FY04 formula federal highway program. Throughout FY04, ITD has not known the amount of federal aid highway funding it would receive because the reauthorization of TEA-21 has not been enacted. Several extensions of TEA-21 have been passed. MTI Amick provided information on anticipated removals and delays and cost increases and decreases of FY04 projects as of July 30. A list of prioritized projects to advance and projects to be funded with requested redistribution of federal formula obligation authority was also provided.

Member Blick made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to

ITB04-44 accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is in the intent of the Idaho Transportation Board to effectively utilize all available Highway Funding; and

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, as of July 30, 2004, there is a Highway Program funding balance in FY04 of \$43 million; and

WHEREAS, projects have been identified that will delay or be removed from FY04 totaling \$9.7 million; and

WHEREAS, federal projects have been identified that will require cost increases or provide cost decreases for a net total of \$31.6 million; and

WHEREAS, a list of prioritized projects have been identified that can advance to FY04 of the current STIP; and

WHEREAS, the result of these proposed delays, cost increases and decreases, and advances will fully utilize estimated FY04 federal highway formula funding obligation authority of \$199.4 million and Minimum Guarantee funding of \$25.8 million (including Exempt Minimum Guarantee); and

WHEREAS, there is a projected Highway Program funding balance in FY04 of \$21.1 million; and

WHEREAS, the Department will request \$94.3 million in additional federal formula FY04 obligation authority from other states.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes staff to advance projects from the list entitled “FY04 Federal Highway Program Prioritized Project Advances, and Projects Requested for August 2004 Redistribution of Federal Formula Obligation Authority”, as shown as Exhibit 294, which is made a part hereof with like effect, in priority order as funding becomes available and projects are made ready for obligation; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate changes to the FY04-08 STIP in accordance with the provisions of TEA-21.

New Business. Member Sweeney mentioned that a traffic study in the Moscow area has been completed. Moscow is the destination of the majority of traffic, so a bypass of the city is not justified at this time.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting and District 1 tour officially adjourned at 1:55 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

September 15, 2004

Pocatello, Idaho

REGULAR MEETING AND DISTRICT FOUR TOUR

OF THE IDAHO TRANSPORTATION BOARD

July 13-14, 2004

The Idaho Transportation Board met at 7:30 AM, on Tuesday, July 13, 2004, at the Red Lion Hotel, Twin Falls, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Karl Vogt, Interim Lead Deputy Attorney General

Steve Moreno, Division Administrator, Federal Highway Administration; Eric Milstead, Legislative Services Office; and Dawn Hall, Division of Financial Management, were also present.

Delegation – Greater Twin Falls Area Transportation Committee (GTFATC) and Mini-Cassia Transportation Committee (MCTC). Kent Just, representing the GTFATC, welcomed the Board to Twin Falls and thanked it for meeting with the two committees. He introduced state legislators in attendance: Senator Denton Darrington, Senator Laird Noh, House Speaker Bruce Newcomb, and Representative Leon Smith.

Jerome County Sheriff Jim Weaver reported on the numerous traffic fatalities in 2002 and 2003 as a result of motorists not stopping at stop signs. He prepared a “crash scene” to use as an educational tool to raise the awareness level of the dangers of running stop signs. Since this effort began, there have been no fatalities in Jerome County due to motorists running stop signs. Sheriff Weaver asked the Board for assistance with this campaign and with overall efforts to reduce the number of motorists that disregard stop signs.

Cassia County Commissioner Dennis Crane led the MCTC delegation in requesting that the City of Rocks Back Country Byway, STC2841, be added to the state highway system. Dean Sangrey, Interim Director, Department of Parks and Recreation, said the City of Rocks National Reserve is the only park in the state that is not accessed via a state highway. He reported that the City of Rocks is a popular tourist attraction, which is good for the economy. Cassia County Commissioner Clay Handy stated that the road is in poor condition; the County has a low tax base, so has limited financial resources; and that the communities in the area desire good roads. Both Senator Darrington and Speaker Newcomb spoke in support of designating the City of Rocks Back Country Byway as a state highway.

District Engineer Devin Rigby reported that the Department evaluated the route from SH-77 at Connor's Creek to Almo approximately six years ago, and the road did not rate high enough to qualify as a state highway. He provided an update on plans to improve the road and also on projects to improve state highways in the area.

Chairman Winder stated that the Department will continue to work with the state's Congressional Delegation for funding to improve this road. He acknowledged the importance of rural economic development and that a good infrastructure is vital to the economy. He asked the Board Subcommittee on Adjustments to the State Highway System to review the request to designate the City of Rocks Back Country Byway a state highway.

GTFATC Chairman Aaron Wert provided an update on the local public agencies' efforts to secure the required match for the environmental impact study for the additional Snake River Canyon Crossing in the Twin Falls area. Of the required \$372,500, \$118,500 has been committed. He asked the Board for assistance with the remaining match. Representative Smith emphasized the importance of another canyon crossing in the area and the need to preserve the corridor for a future project. He believes the crossing would be beneficial to the region and state, not just the local communities.

DE Rigby reported that the request for funding assistance will be reviewed by the Board Subcommittee on Adjustments to the State Highway System. The Subcommittee will then submit a recommendation to the full Board for consideration. He also stated that the project has a tapered match. The federal funds will be utilized first, and then the match, so the locals have about one year to secure the needed funds.

Chairman Winder thanked the groups for the presentations and for their continued assistance to the Transportation Department.

The Board departed Twin Falls and resumed its business meeting at the District 4 Office in Shoshone, Idaho.

June 16-18, 2004 and June 30, 2004 Board Minutes. Vice Chairman Combo made a motion to approve the minutes of the regular Board meeting held on June 16-18, 2004

and the minutes of the special Board meeting held on June 30, 2004 as submitted. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

August 19-20, 2004 – District 1

September 14-15, 2004 – District 5

October 7-8, 2004 – Boise

Consent Calendar. Member Blick made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-31 approves the Ada County Transportation and Land Use Guide Plan; deletion of Board Policy B-01-13, Anti-Diversion Policy Pertaining to State/Federal Revenues; deletion of B-07-04, Legal Services; the Public Transportation Statewide Transportation Improvement Program amendment: transfer of Section 5307 funds; the 2005 Strategic Plan; the removal of SH-162, Study, South City Limits to North City Limits, Nez Perce, District 2, from the federal STP-State Highway Program; District 2 changes to US-95 projects in the National Highway System Program; and a match ratio reduction for the Blackfoot area greenbelt Enhancement project, District 5; and has received and reviewed the contract award information, the new and supplemental professional agreements report, the semi-annual report on administrative settlements of right-of-way acquisitions, the annual report on railroad grade crossing protection account, the Idaho traffic collisions 2003 report, the summary of FY04 items submitted to the Board of Examiners, and the May financial statement analysis.

1) Ada County Transportation and Land Use Guide Plan. Long-range planning and development in the Treasure Valley will have significant impact on the expenditure of state and federal transportation funds over the next 20 years. The Ada County Transportation and Land Use Implementation Framework is being prepared in concert with the Community Planning Association of Southwest Idaho Long Range Transportation Plan, which is anticipated for completion by February 2006. ITD has

been invited to be a member of the partnership being formed by the eight communities in Ada County. Staff requested Board endorsement to participate in this effort and authorization to expend up to \$50,000 in support of this initiative, contingent on ITD being considered a member agency.

2) Deletion of Board Policy B-01-13, Anti-Diversion Policy Pertaining to State/Federal Revenues. Because the content of Board Policy B-01-13, Anti-Diversion Policy Pertaining to State/Federal Revenues, is articulated in Idaho Code, the Idaho Constitution, and the last two federal Transportation Acts, staff recommended deleting the policy.

3) Deletion of Board Policy B-07-04, Legal Services. In reviewing B-07-04, Legal Services, staff discovered the language was outdated and no longer needed. Staff recommended deleting the policy, although the Legal Section will continue to provide a quarterly report to the Board on legal activities and construction claims.

4) Public Transportation Statewide Transportation Improvement Program (STIP) Amendment. Staff requested approval to transfer \$50,000 of unprogrammed Section 5307 funds from the Idaho Falls Urbanized Area to the Section 5311 Rural Transit Program. Valley Transit requested this transfer to extend the newly instituted fixed route service in Moscow through the summer months. The Targhee Regional Public Transportation Administration Board and the Bonneville Metro Planning Organization Board have agreed to this transfer of funds.

5) 2005 Strategic Plan. Staff submitted the 2005 Strategic Plan for approval prior to submitting the document to the Division of Financial Management.

6) Removal of Project from the Federal Surface Transportation Program (STP)-State Highway Program, SH-162, Study, South City Limits to North City Limits, Nez Perce, Key #9175, District 2. Staff met with City of Nez Perce officials to discuss preliminary concept ideas for improvements to SH-162. It was determined that the District had sufficient information for the actual improvement project and the study was not needed. Staff requested the removal of Study, South City Limits to North City Limits, Nez Perce from the STP-State Highway Program and the FY04-06 STIP.

7) District 2 Changes to US-95 Projects in the National Highway System Program, Keys #7769 and #8351. The US-95, Top of Lewiston Hill to Genesee and Genesee to Thorn Creek Road projects were divided into stages in separate years mainly to match funding availability, but with the intent to build both projects under one contract if possible. Because of the right-of-way acquisition schedule, staff requested delaying the Top of Lewiston Hill to Genesee Stage 1 project, key #7769, with a construction cost of \$8.4 million, to FY05. The Genesee to Thorn Creek Road Stage 2 project, key #8351, with a construction cost of \$8.1 million, would be advanced to FY04. The STIP would be modified accordingly.

8) Match Ratio for Blackfoot Area Greenbelt Enhancement Project, Key #8384, District 5. Staff requested a reduction in match rate for the FY04 Enhancement Blackfoot Area Greenbelt, Phase II project, from 48.12% to 7.5% due to a lower valuation of in-kind match since the time of application. No additional federal aid is requested. The \$413,000 total project cost will be funded through \$362,300 in federal aid, \$31,000 in cash match provided by the City of Blackfoot, and \$19,700 in non-participating in-kind funds contributed by the City.

9) Contract Award Information. Key #8042 – Iona Pathway, District 6. Low bidder: H-K Contractors, Inc. - \$95,564.

Key #8807 – SH-1, Junction US-95 to Canada/Idaho Border, District 1. Low bidder: Interstate Concrete & Asphalt Company – \$1,733,733.

Keys #8583, #8981, #8982, and #8986 – SH-34, Blackfoot River to Henry, Monsanto to Blackfoot River, Caribou National Forest Boundary to Wyoming State Line, and Hubbard Corrals to Caribou National Forest Boundary, District 5. Low bidder: H-K Contractors, Inc. - \$2,761,377.

Key #8392 – I-90, Cedars to Cataldo, District 1. Low bidder: Inland Asphalt Company – \$2,588,588.

Key #8448 and #8581 – I-86, Igo to Flying Wye, Pocatello, and SH-37, Roy Summit to Junction I-86, District 5. Low bidder: H-K Contractors, Inc. - \$1,424,977.

Key #8737 – Meyer Road Surfacing, District 1. Low bidder: Poe Asphalt Paving, Inc. - \$259,088.

Key #9118 – US-30, Montpelier to Wyoming State Line, District 5. Low bidder: Intermountain Slurry Seal, Inc. - \$600,330.

Key #7798 – SH-50, Hansen Bridge, District 4. Low bidder: McAlvain Construction, Inc. - \$877,252.

Key #8060 – I-90, Coeur d'Alene Beltway Illumination, District 1. Low bidder: Thorco, Inc. - \$646,068.

Key #8038 – I-15, 5th Avenue Barton Road to Humbolt, Pocatello, District 5. Low bidder: Adams & Smith Inc. - \$310,430.

Key #8729 – Main Street and Bingham Street Paving, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$121,995.

10) New and Supplemental Professional Agreements Report. From June 1 through June 25, the Consultant Administration Unit processed \$4,951,267 in professional, supplemental, and term agreements.

11) Administrative Settlements of Right-of-Way Acquisition. During the semi-annual period of January 1, 2004 through June 18, 2004, the Right-of-Way Section processed 145 parcels. There were 58 administrative settlements during this time frame, or 40%.

12) Annual Report on Railroad Grade Crossing Protection Account. The balance in the Grade Crossing Protection Fund as of June 30, 2003 was \$2,071,878.29. A summary of

the Account's activities for FY04 was provided. The Account has \$7,608.10 available for obligation.

13) Idaho Traffic Collisions 2003 Report. The total number of traffic collisions in 2003 increased by 0.8% from 2002, while fatal collisions increased 13.5%. Total fatalities increased 11.0% from the previous year, while the number of injuries decreased by 1.1%. The number of property damage collisions increased by 1.3%. The number of licensed drivers increased by 1.6%, the population grew by 1.9%, and the number of registered motor vehicles decreased by 1.1%. The statewide average vehicle miles traveled increased by 0.7%, with commercial vehicles accounting for 18% of the traffic.

14) Summary of 2004 Items Submitted to the Board of Examiners. In FY04, the Department submitted a request to reimburse real estate expenses for the new director in an amount not to exceed \$9,000 to the Board of Examiners. The Department also submitted a request to write off an outage of \$783.81 from the rotary fund. The amount requested to be written off had been in error for over 10 years and neither ITD nor State Controller employees were able to determine the source of the error. The Board of Examiners approved both requests.

15) May Financial Statement Analysis. Total federal aid revenue was \$25.4 million or 11.6% below projections through the month. Revenue from the Highway Distribution Account was \$1.5 million or 1% below the forecast. This shortfall is the result of a processing error outside of the Department and has been corrected. Personnel expenditures were less than budgeted through the month. Operating expenditures were 9% more than budgeted through May, but is believed to be a timing difference of encumbrances. Capital equipment showed a positive variance of 8.5%. In Contract Construction, the federal program is behind spending projections by 29% and the state program is 35% less than projected.

Aviation fuel tax revenue through the end of May was \$139,000 or 9.9% below projections. Miscellaneous revenue was \$21,900 or 12% below the forecast. Overall expenditures were ahead of last year, mainly due to increased federal grant funds in the Trustee and Benefit category. The Aircraft Operations Fund has a positive variance to forecast of 32%. Expenditures were less than projected.

Board Policy B-06-11, Official Travel by Department Personnel. This policy was revised to modify the approval process for out-of-state travel. The change requires Board approval for the total out-of-state travel budget amount for each Division, instead of by each individual trip. Staff will continue to monitor the travel, but the new process would allow for greater flexibility in planning travel.

Vice Chairman Combo expressed concern with the proposed revisions, as out-of-state travel is a high-profile issue that is often watched closely by others. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Julie Pipal emphasized that the Board would still approve the budget for the out-of-state trips. The change grants the Division Administrators authority to manage their budget and provides greater flexibility.

Member McClure made a motion to approve the revisions to Board Policy B-06-11, Official Travel by Department Personnel. Member Sweeney seconded the motion and it passed 4-1 with Vice Chairman Combo dissenting.

Surplus Property, Northwest Corner of Coeur d'Alene Drive and Potlatch Hill Road, Coeur d'Alene, Idaho, District 1. Hagadone Corporation has requested that ITD declare .44 acres of public right-of-way as surplus property. Staff evaluated the property and determined that it is surplus. DE Scott Stokes contacted the Department of Parks and Recreation. The Interim Director indicated that disposal and development of the property would not have a great impact on Coeur d'Alene Parkway. Hagadone Corporation has proposed a land exchange in Bonner County for right-of-way ITD will need for future improvements to US-95. Staff requested approval to declare the property in Coeur d'Alene as surplus and to trade it with Hagadone Corporation.

Vice Chairman Combo expressed concern with the trade. He questioned the value of the two properties to be traded. DAG Vogt replied that if the two properties are not equal in value, one party would pay the other the difference.

Member McHugh made a motion to approve the declaration of .44 acres of public right-of-way in the northwest corner of Coeur d'Alene Drive and Potlatch Hill Road as surplus and to exchange it for needed highway right-of-way for improvements to US-95 in District 1. Member Sweeney seconded the motion and it passed 4-1 with Vice Chairman Combo dissenting.

Board Items. At the Western Association of State Highway and Transportation Officials (WASHTO) annual meeting next week, the Department will participate in a 5-State Coalition meeting. Chairman Winder, who will be attending the conference, asked if members have topics they would like discussed at that meeting. Member Sweeney suggested revisiting environmental streamlining.

Member Blick reported that a portion of US-93 was recently striped and shortly thereafter, the pavement was torn up for another project. He questioned the cost-efficiency of this practice. CE Ross emphasized that safety is the Department's top priority. If the pavement striping is insufficient, a striping project will be completed to address that safety issue. Additionally, he said the Department does not always know when contractors will be able to commence projects, so safety concerns, such as striping, will be addressed in a timely manner.

Vice Chairman Combo commented on Christine Johnson's remarks last month regarding changes in the transportation arena, particularly personnel. He also noted that the Federal Highway Administration receives its orders from the U.S. Department of Transportation, and that the US DOT is under the authority of Congress. He believes the fact that FHWA is carrying out its orders from a higher authority is sometimes forgotten.

Department Activities. Director Ekern reported that Congress is still working on the reauthorization of the Transportation Equity Act for the 21st Century. Staff will continue to monitor activity on this important matter.

Director Ekern and Transportation Planning Administrator Charles Rountree recently visited District 4. Director Ekern thanked Member Blick and DE Rigby for organizing the informative tour.

Staff is working with Operation Lifesaver on its request for staffing assistance, according to Director Ekern. A recommendation will be presented to the Board soon.

Director Ekern said he will be attending the annual WASHTO conference next week. He is also scheduled to attend meetings in Salt Lake City, Utah and Washington, DC after WASHTO.

In conclusion, Director Ekern summarized his activities during the past year. Some of the highlights include finalizing the Visioning process, proceeding with a GARVEE bond proposal, and partnering with Treasure Valley entities.

Delegation – Associated General Contractors (AGC) of Idaho. AGC Executive Director Michael Gifford provided an overview of the AGC and some of its activities. He expressed appreciation to ITD for its involvement in various issues and communication efforts. Mr. Gifford relayed concerns in the construction arena and reported that a task force has been established to address those issues. Although the task force has not completed its work, some of the recommendations are to educate the public and private sectors on the current public works licensing laws and enforce the existing laws.

Dave Bennion, CH2M Hill, elaborated on the task force's efforts. He also thanked CE Ross for participating in that important endeavor. He believes improvements are being made in the public works licensing arena, partly through the State Licensing Board. In addition to the violations and enforcement recommendations, the task force is also considering a new process for procurement and a prequalification process, both with an appeal process.

Chairman Winder thanked Messrs. Gifford and Bennion for their work to improve the public works licensing process and for their overall efforts in the transportation arena.

Executive Session on Personnel and Legal Issues, Section 67-2345(1)(a)(f), Idaho Code. Member Sweeney made a motion to meet in executive session at 12:05 PM to discuss personnel and litigation matters. Member McClure seconded the motion and it passed 5-0 by individual roll call vote.

The general tenor of the discussion on personnel matters included an update on the status of an employee and the hiring of a public officer to fill a non-elective office.

The discussions on pending or probable litigation related to an access appeal; the US-95, Bellgrove to Mica project; operation of the state highway system; and the transfer of property.

The Board came out of executive session at 1:15 PM. No decisions were made.

Idaho's Transportation Future: Getting There Together Final Vision Document Presentation. Senior Transportation Planner Matt Moore summarized the efforts to prepare the Department's long-range plan. Over the two-year period of developing the plan, more than 750 Idahoans participated in the process. Several members of the Executive Roundtable elaborated on the process and end results. The guiding principles of the document are to support the quality of life in the state, provide flexible funding, integrate transportation and land use planning, and support transportation choices for all.

Member Blick made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Plan, adopted by the Idaho Transportation

ITB04-32 Board in January, 1995, is out of date; and

WHEREAS, under Title 23 of the United States Code, and amended by the 1998 Transportation Equity Act for the 21st Century (TEA-21), the Idaho Transportation Department must develop a long-range transportation plan; and

WHEREAS, Idaho's Transportation Vision: Getting There Together was developed in compliance with Title 23 of the United States Code, and amended by TEA-21, in cooperation with Idaho's metropolitan planning organizations and through consultation with non-metropolitan areas and Indian Tribal areas; and

WHEREAS, workshops were conducted in each transportation district of the state and on a statewide basis to solicit public and private sector input for the development of a statewide transportation vision; and

WHEREAS, the Executive Round Table on behalf of the citizens, participants, and advisors to the Idaho's Transportation Future: Getting There Together process, Idaho's Transportation Partners requests endorsement and adoption of the Vision document as a means to successfully guide future planning, funding, and decision making for the local and statewide transportation system in Idaho over the next 30 years.

NOW THEREFORE BE IT RESOLVED, that the Board adopts and endorses Idaho's Transportation Future: Getting There Together as the long-range transportation plan for the Idaho Transportation Department and Idaho's Transportation Partners; and

BE IT FURTHER RESOLVED, that the Board charges the Department with developing implementation products and initiatives to support the Vision document.

Modification of Rules 39.03.01, Rules Governing Definitions, and 39.03.06, Rules Governing Allowable Vehicle Size. Port of Entry Manager (POEM) Alan Frew summarized the proposed rule revisions. In response to a request by Idaho State Police, Rule 39.03.01, Rules Governing Definitions, is being revised to define hazardous travel conditions with clarification of which vehicles/loads are subject to the restrictions. POEM Frew said the Recreational Vehicle Industry has requested that awnings on recreational vehicles be excluded when measuring the overall width of these vehicles. Staff recommends revising Rule 39.03.06, Rules Governing Allowable Vehicle Size, to incorporate that requested change.

Vice Chairman Combo made a motion, seconded by Member Blick, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has authority to approve requested

ITB04-33 changes to Idaho Transportation Department rules; and

WHEREAS, the Board finds the changes to IDAPA 39.03.01, Rules Governing Definitions, and 39.03.06, Rules Governing Allowable Vehicle Size, necessary and beneficial to the safe and efficient operation of vehicles on our highways.

NOW THEREFORE BE IT RESOLVED, that the Board approves the following rules to be submitted for change:

- Modify Rule 39.03.01 – defines hazardous travel conditions and which vehicles the restrictions apply to; and
- Modify Rule 39.03.06 – allows awnings to be excluded when measuring the overall width of recreational vehicles; and

BE IT FURTHER RESOLVED, that the Board approves the request to submit the changes as listed above for Rules 39.03.01 and 06, and to have them effective when the regular rule-making process is complete.

2005 Legislative IDEA Concept Review. BPIRM Pipal summarized the 17 legislative concepts proposed for 2005, which are categorized into the following themes: improving safety, program efficiency, and innovative financing. Upon Board approval, the concepts will be forwarded to the Division of Financial Management (DFM). After DFM reviews and endorses the concepts, staff will draft legislation for the Board's review.

The Board discussed the concepts and provided guidance on a number of proposals.

Member Sweeney made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit

ITB04-34 proposed 2005 legislation to the Division of Financial Management (DFM) for review and approval; and

WHEREAS, the Idaho Transportation Department Executive Team has approved the “Legislative IDEA Submittal Forms” as to concept and has submitted them to the Idaho Transportation Board for concept review approval prior to submission to DFM.

NOW THEREFORE BE IT RESOLVED, that the Board approves submittal of the “Legislative IDEA Submittal Forms”, as shown as Exhibit 290, which is made a part hereof with like effect, to the DFM, and, upon approval, the development by ITD staff of draft legislation to be included as part of the Governor’s 2005 legislative package, dependent upon subsequent review and approval by the Board and DFM.

Adopt-A-Highway Presentation. The Snake River Elks Lodge #2807 was recognized as the District’s Adopt-A-Highway group of the year. Member Blick expressed appreciation to the group for adopting a portion of US-93. He thanked the members for the valuable service they are providing to ITD and the state.

Information Technology (IT) Transition Update. Administrative Services Division Administrator (ASDA) Sue Simmons provided background information on the changes underway in the IT arena. The Transition Team developed a plan to accomplish the following objectives over the next three years: centralize IT responsibilities into a new IT organization; focus information systems activities on six core systems that provide ITD mission-critical products and services; outsource responsibility for information systems application development and enhancement; incorporate the IT investment strategy in the budget process; and shift from a single-solution application approach to a top-down Enterprise Architecture focus. ASDA Simmons said the Board will be kept apprised of the transition efforts.

Member McHugh questioned the compatibility of the computers and also the ability to share data with all state agencies. ASDA said the compatibility issue is part of the overall plan. Standards are being established so computers will be compatible. She also stated that efforts for all state agencies to share information are continuing. ITD shares

data with a number of other agencies now, but work will continue to improve and expand that element.

Chairman Winder thanked ASDA Simmons for the update.

SH-55, McCall Alternate Route Study Resolution, Key #688, District 3. CE Ross acknowledged that due to funding constraints, construction of the McCall Alternate Route is not realistic at this time. He recommended concluding the study on the project. In response to Chairman Winder's question, CE Ross confirmed that the environmental document will be completed at the conclusion of the study, and that it should provide a centerline for a future construction project.

Valley County Commissioner Tom Kerr commented that he has requested the location of the corridor for a number of years. He said the County will attempt to preserve the corridor once it has been identified. McCall City Council President Bill Robertson thanked the Board for the efforts to date on the McCall Alternate Route project. He reiterated the City's support for the project and stated that it will work with the County on corridor preservation.

Member Sweeney made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-35 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state highway funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, an alternate highway alignment from south of McCall to east of New Meadows has been studied for over 30 years; and

WHEREAS, the SH-55, McCall Alternate Route Study is a currently programmed project undertaken to study a portion of the aforementioned alternate highway alignment; and

WHEREAS, the current cost estimate through corridor preservation for the project exceeds \$17 million, and the current cost estimate of total costs for the project exceeds \$78 million; and

WHEREAS, the aforementioned costs are very significant in terms of the current highway program, and higher than could feasibly be programmed; and

WHEREAS, current projections indicate that traffic volumes on the contemplated alternative highway alignment would be low, and would do little to relieve congestion in the City of McCall.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves Department staff to assemble all data and conclude the study known as project #NH-3271(026), key #0688, SH-55, McCall Alternate Route Study; and

BE IT FURTHER RESOLVED, that the Department's future financial commitments to a McCall alternate route are limited to the completion of the above study until such time as future statewide priorities and available funding support a feasible alternative route.

SH-55, Goose Creek Grade Bypass Study Resolution, District 3. CE Ross provided an overview on the Goose Creek Grade Bypass Study. He recommended removing the project from the STIP due to the construction costs and low projected traffic volume;

however, he believes improvements to the existing alignment should be made now to address safety concerns. Chairman Winder expressed support for the recommendation and emphasized the importance of improving the existing route now and also considering a new alignment at some future time.

Member McHugh made a motion, seconded by Member Blick, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation
Department

ITB04-36 to publish and accomplish a current, realistic, and fiscally constrained
Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state highway funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, an alternate highway alignment from south of McCall to east of New Meadows has been studied for over 30 years; and

WHEREAS, the SH-55, Goose Creek Grade Bypass Study is a currently programmed project undertaken to study a portion of the aforementioned alternate highway alignment; and

WHEREAS, ongoing allocation of resources will be required for development and environmental re-evaluation until such time as the project is constructed or canceled; and

WHEREAS, the current cost estimate through corridor preservation for the project exceeds \$19 million, and the current cost estimate of total costs for the project exceeds \$75 million; and

WHEREAS, the aforementioned costs are very significant in terms of the current highway program, and higher than could feasibly be programmed; and

WHEREAS, current projections indicate that traffic volumes on the contemplated alternative highway alignment would be low; and

WHEREAS, it is the intent of the Board to prioritize projects on a statewide basis; and

WHEREAS, the Vision of the Department includes that “ITD will continue to be a leader in implementing one of the most efficient, responsive, and cost-effective transportation and service delivery systems in the nation.”

NOW THEREFORE BE IT RESOLVED, that the Board approves the removal of project #NH-3270(157), key #8617, SH-55, Goose Creek Grade Bypass Study, from the Federal-aid Highway Program; and

BE IT FURTHER RESOLVED, that Department staff is authorized to make the appropriate changes to the STIP in accordance with the provisions of TEA-21.

Adams County Commissioner William Brown encouraged the Board to continue the project. He believes the project will cost more to construct in the future. He also asked for an identified corridor for a future alignment so the County could make efforts to preserve it. Commissioner Brown also stated that any help the Board could provide would be appreciated.

Chairman Winder thanked all of the local officials for attending the meeting and for their comments. He reiterated the need to improve the Goose Creek Grade alignment to address safety concerns.

The motion passed unopposed.

Implementation of Rest Area Rehabilitation Program and Rest Area Construction Program. Based on previous discussions the Board held regarding the importance of the state's safety rest areas and the desire to make these facilities a higher priority, staff developed several options for the Board's consideration. Director Ekern elaborated on the proposals to construct ten new rest areas and to get the existing 22 facilities on a 20-year rehabilitation and 40-year reconstruction cycle.

Vice Chairman Combo asked for clarification that the Rest Area Program would not be static. It would change depending on circumstances, such as partnering efforts with other entities. Cathy Ford, Rest Area Coordinator, confirmed that the Program would fluctuate and change over time. It would be updated to reflect changing situations.

Member McHugh made a motion, seconded by Vice Chairman Combo, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has discussed and agreed upon a

ITB04-37 vision for rest areas over several meetings during the last three years; and

WHEREAS, the Board envisions the maintenance and operation of rest areas at a standard comparable to neighboring states; and

WHEREAS, the Board intends to leverage facilities provided by other agencies and the private sector in addition to those maintained by the Idaho Transportation Department in determining rest area spacing; and

WHEREAS, the Board supports the addition of ten new rest areas to the current complement of 22 that are maintained by the Department to obtain a rest area spacing comparable to the American Association of State Highway and Transportation Officials guidelines; and

WHEREAS, the Board considers rest areas to be a statewide priority.

NOW THEREFORE BE IT RESOLVED, that a \$10 million average annual capital investment commitment to the Rest Area Program is to be sustained until all existing rest areas are on their rehabilitation/reconstruction cycle and all new rest areas have been constructed; and

BE IT FURTHER RESOLVED, that rest area projects which could be accomplished at the \$10 million level are to be brought to the Board for approval during the September 2004 Board review of the final recommended FY05-09 Highway Development Program.

Member Blick questioned the possibility of privatizing rest areas. Director Ekern said there is some interest nationally to allow privatization of safety rest areas, but nothing has been finalized in the reauthorization of TEA-21 in that regard. Member Sweeney suggested reducing the financial commitment to rest areas until after the federal transportation bill is enacted.

Member Sweeney made a motion to approve the following resolution:

WHEREAS, the Idaho Transportation Board has discussed and agreed upon a vision for rest areas over several meetings during the last three years; and

WHEREAS, the Board envisions the maintenance and operation of rest areas at a standard comparable to neighboring states; and

WHEREAS, the Board intends to leverage facilities provided by other agencies and the private sector in addition to those maintained by the Idaho Transportation Department in determining rest area spacing; and

WHEREAS, the Board supports the addition of ten new rest areas to the current complement of 22 that are maintained by the Department to obtain a rest area spacing comparable to the American Association of State Highway and Transportation Officials guidelines; and

WHEREAS, the Board considers rest areas to be a statewide priority.

NOW THEREFORE BE IT RESOLVED, that a \$7 million average annual capital investment commitment to the Rest Area Program is to be sustained until all existing rest areas are on their rehabilitation/reconstruction cycle and all new rest areas have been constructed; and

BE IT FURTHER RESOLVED, that rest area projects which could be accomplished at the \$7 million level are to be brought to the Board for approval during the September 2004 Board review of the final recommended FY05-09 Highway Development Program.

The motion died due to a lack of a second.

The original motion passed 4-1 with Member Sweeney dissenting.

Contract Awards. CE Ross reported that the low bid on project ST-7802(602), key #7725 – SH-24, Intersection F Street, Rupert, Minidoka County, District 4, was more than ten percent over the engineer's estimate, requiring justification. The main item of difference between the low bid and engineer's estimate was the traffic signal installation, although excavation, base, curb and gutter, plant mix, and mobilization also accounted for the difference. The traffic signal installation item was estimated based on recent projects in the area that are not similar to this unusual project, which includes railroad pre-empt, exclusive pedestrian phasing, video and loop detection, and five approach legs. The other items accounting for the difference involve smaller quantities that consist primarily of handwork labor and are now thought to be reasonably priced. Because the project involves safety aspects and the District does not anticipate a reduction in the bid price if the project is readvertised, it recommends awarding the project to the low bidder.

Member McClure made a motion to award the contract on key #7725 to the low bidder: Wheeler Electric Inc., Idaho Falls - \$308,212.33. Vice Chairman Combo seconded the motion and it passed unopposed.

The low bid on project ST-7744(601), key #8223 – SH-8, Intersection Mountainview Road, Moscow, Latah County, District 2, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said the source of the engineer's estimate was the Average Unit Price Report and bid history. After reviewing the bids, staff believes adjustments to the engineer's estimate should be made in 201-010A Clearing and Grubbing, 205-040A Granular Borrow, 303-021A ¾" Agg Type A for Base, 619-010A Illumination TY2, and S904-05A Preformed Loop Detector Installation. Based on a review of the bids and the importance of this project to the City of Moscow, staff recommends awarding the contract.

Member Sweeney made a motion to award the contract on key #8223 to the low bidder: Motley-Motley Inc., Pullman, Washington - \$1,118,000.23. Member McHugh seconded the motion and it passed unanimously.

CE Ross said the low bid on project STP-7744(102), key #8377 – SH-8, Latah Trail, Moscow to Troy, Latah County, District 2, was more than ten percent over the engineer's estimate, requiring justification. The source of the engineer's estimate was the Average

Unit Price Report and bid history. The majority of the difference between the engineer's estimate and the low bid is in the SP914-05B Aggregate Base for Shared Use Path item. Also, fuel and material prices have increased since the engineer's estimate was prepared last November. The project is a high priority for Latah County. The County has submitted additional funds for the project and requests Board approval to award the contract. The District concurs with the request.

Member Sweeney made a motion to award the contract on key #8377 to the low bidder: Crea Construction, Lewiston, Idaho - \$234,629.20. Member Blick seconded the motion and it passed unanimously.

The low bid on project ER-3824(101), key #9316 – Banks to Lowman Highway Slide, Boise County, District 3, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said several items were greater than the engineer's estimate either due to the remoteness of the site or due to the small quantities required. Two items that significantly exceeded the engineer's estimate were SP – Rock Catchment Barrier and SP – Launch Feature Removal and Scaling. The project is necessary to eliminate the hazardous condition that exists with on-going rock fall, missing guardrail, and destroyed pavement. Based on the review of the bids, the fact that Boise County recommends proceeding with the project, and that savings are not anticipated if the project is re-advertised, staff recommends awarding the contract.

Vice Chairman Combo made a motion to award the contract on key #9316 to the low bidder: Hi-Tech Rockfall Construction Inc., Forest Grove, Oregon - \$426,985. Member Sweeney seconded the motion and it passed unopposed.

Aircraft Replacement. Aeronautics Administrator (AA) Bob Martin reported that the U.S. Forest Service is upgrading its aircraft fleet from piston engines to turbine engines. Because of this, they are disposing of 12 Beechcraft Baron aircraft through the General Services Administration's surplus property program. GSA will be offering these aircraft to state governments at no cost. AA Martin added that some costs would be incurred for inspection and maintenance prior to placing the aircraft in service. Because the aircraft were operational when they were taken out of service, he does not anticipate costly repairs. AA Martin believes ITD should take advantage of the opportunity to acquire a Beechcraft Baron to replace the Navajo. The pressurized aircraft could carry two to three passengers at a lower cost than the King Air.

In response to Vice Chairman Combo's question regarding the Aeronautics Advisory Board's (AAB) support for this acquisition, AA Martin replied that yes, the AAB recommends proceeding with this acquisition.

Vice Chairman Combo made a motion, seconded by Member Sweeney, to approve the following resolution:

RES. NO. WHEREAS, the state's twin-engine Piper Navajo aircraft was destroyed in an

ITB04-38 accident in March 2002; and

WHEREAS, the federal government has 12 twin-engine Beechcraft Baron aircraft that will be disposed of through the General Services Administration's property disposal program; and

WHEREAS, these aircraft will be offered to state governments for acquisition; and

WHEREAS, the Beechcraft Baron is a suitable replacement for the destroyed Navajo; and

WHEREAS, the Beechcraft Baron is significantly less expensive to operate than the state's King Air aircraft; and

WHEREAS, acquisition of such an aircraft would provide state travelers a less expensive option when there are five or fewer travelers; and

WHEREAS, acquisition of said aircraft will return the state's air fleet to its full complement; and

WHEREAS, should the state be successful in acquiring said aircraft, the replacement shall be treated similar to other capital investment equipment and funded through the Idaho Transportation Department's Equipment Replacement Budget.

NOW THEREFORE BE IT RESOLVED, that the Director of ITD is authorized to finalize replacement of the Navajo aircraft by acquiring a suitable aircraft through the federal government's GSA property disposal program.

In response to Member McClure's question on the anticipated use of this aircraft, AA Martin said it is difficult to estimate. He noted that the use of the King Air has increased this year, and he believes the Beechcraft Baron would be a popular aircraft.

Member Blick expressed concern with the cost of operating the state aircraft fleet. He does not support subsidizing other state agencies' use of the King Air and suggested re-evaluating the costs of the aircraft and the fees charged. Director Ekern replied that staff is reviewing that issue. A brochure is also being developed to promote the usage of the state planes.

Member Sweeney asked if there would be restrictions with the acquisition of the surplus aircraft. AA Martin replied that there would be very few restrictions; that the King Air has more restrictions. Member McHugh asked if the 206 would be sold. AA Martin stated that the 206 is used to service the backcountry airstrips. The Beechcraft Baron would not replace any of the state's existing airplanes.

The motion passed 4-0 with Member Blick abstaining.

WHEREUPON the meeting recessed at 4:45 PM.

July 14, 2004

The Board reconvened at 8:00 AM on Wednesday, July 14, 2004, in Twin Falls, Idaho. All members were present except Member Miller.

The Board traveled US-93 and SH-75 north to the Big Wood River Valley. District 4 staff and consultant Diana Atkins, Parsons, Brinkerhoff, Quade and Douglas, summarized projects along the route, focusing on the SH-75, Timmerman to Ketchum environmental impact statement (EIS).

Delegation – City of Bellevue. In Bellevue, Bellevue Mayor John Barton and City Council Member Tammy Schofield requested improvements to the SH-75 and Gannet Road intersection and also assistance with beautifying the southern entrance to the City of Bellevue. They expressed a desire to be proactive in addressing growth in the area and the increased traffic. Assistant District Engineer (ADE) Scott Malone reported that there is a tentative project to realign the intersection. Staff will continue working with the city on the south entrance issue, intersection improvements, and other transportation concerns.

Delegation – Blaine County and City of Hailey Officials. The Board met with various officials in the City of Hailey. Chairman Winder thanked the delegation for its interest and involvement in transportation issues in the Big Wood River Valley.

Blaine County Commissioner Sarah Michael reported on the operation of Peak Bus, which has seen ridership increase during the past year. She thanked the Board for its support of public transportation. Commissioner Michael does not believe the County should be in the public transportation business, but rather that the cities should assume responsibility for the service. Some of the other issues that Peak Bus is facing include a turn over of bus drivers and the need to expand service. She expressed support for a local option tax to fund public transportation.

Member McClure questioned the feasibility of utilizing school buses for public transportation purposes. Commissioner Michael believes that option may be a

possibility. Jim Lewis, Superintendent, Blaine County School District, stated that some research has been done on that proposal. Some issues need to be explored further and resolved.

Superintendent Lewis thanked the Board for its assistance with improvements to the SH-75 and Fox Acre Intersection. He appreciated the city and state's partnership with the School District to address safety concerns at that location.

Hailey Mayor Susan McBryant mentioned the growth in the area and the City's desire to address related concerns, such as increased traffic. Pedestrian safety is a major concern. She requested the Board's assistance to address safety issues, such as left turn lanes at traffic signals and imbedded lights in streets at pedestrian crossings. ADE Malone informed the Board that the District is aware of Hailey's safety concerns and is working with the City on options.

Blaine County Commissioner Dennis Wright also thanked the Board for funding the SH-75 and Fox Acre Drive improvement project and for the SH-75 EIS project. He encouraged the Board to acquire right-of-way for future projects soon, as the cost of right-of-way continues to escalate. Commissioner Michael added that wildlife crossings and pedestrian underpasses, which have been identified in the draft EIS as potential projects, should be expedited.

Citizens for Smart Growth Executive Director Christopher Simms believes the communities in the area now support widening SH-75. He expressed support for wildlife crossings and traffic calming measures, and believes natural resources and the environment need to be considered when planning projects in the area. Beth Callister, Director of Wood River Rideshare, summarized efforts to promote bus service and alternative transportation. She emphasized the need to provide alternative forms of transportation in addition to widening the highway.

Chairman Winder thanked the various officials for attending the meeting and for their continued efforts in the transportation arena. He encouraged them to work with the District Office and Member Blick on transportation issues.

Delegation – Ketchum Area Rapid Transit (KART) and the City of Ketchum. The Board toured the KART facilities in Ketchum. Terry Crawford, KART Director, provided an overview on the services KART provides. Chairman Winder commented on Blaine County’s commitment to public transportation and Peak Bus’s desire for the cities to operate a coordinated public transportation system for the area. Director Crawford confirmed that the cities are investigating that option; however, he believes it is imperative for all cities to have local option taxing authority before public transportation can be coordinated in the valley.

City of Ketchum Planning and Zoning Administrator Harold Moniz mentioned traffic concerns in the City of Ketchum. He believes synchronizing traffic signals would help with capacity concerns and alleviate congestion. Chairman Winder thanked Mr. Moniz for his comments and encouraged him to work with the District Office.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting and District 4 tour officially adjourned at 1:15 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

August 20, 2004

Coeur d’Alene, Idaho

REGULAR MEETING AND DISTRICT SIX TOUR

OF THE IDAHO TRANSPORTATION BOARD

May 20-21, 2004

The Idaho Transportation Board met at 8:30 AM, on Thursday, May 20, 2004, at the Arco-Butte County Airport in Arco, Idaho. The following principals were present:

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Steve Bywater, Deputy Attorney General

Federal Highway Administration Division Administrator Steve Moreno; Legislative Services Office Budget Analyst Eric Milstead; the Governor's Transportation Policy Advisor, Lance Giles; and Aeronautics Advisory Board (AAB) Chairman Rodger Sorensen were also present. Vice Chairman Combo presided.

The group traveled US-20 west to the Craters of the Moon National Monument.

Delegation – Craters of the Moon National Monument. Jim Morris, Director of the Craters of the Moon National Monument, welcomed the Board to the park. He thanked District Engineer Tom Cole and his staff for the excellent working relationship that has been established. In appreciation of the assistance the ITD employees provide, particularly with snow removal at the Monument, Mr. Morris presented DE Cole with a plaque acknowledging the services of ITD.

Mr. Morris provided historical background on the Monument and talked about future plans. Currently, several alternatives are being presented for public review and comment.

There is continued interest to improve the road from Minidoka to Arco. Mr. Morris believes that is a local issue. If the counties pursue improving that road, BLM, which has a small portion of that route under its jurisdiction, would cooperate with the local entities. He also mentioned planned improvements to US-93/20/26 near Craters of the Moon and thanked ITD for landscaping along the highway in the area.

Vice Chairman Combo thanked Mr. Morris for his time and the information he provided.

The Board returned to Arco via US-20 east.

Delegation – County Transportation Committees. Members of the Lemhi-Custer and Butte-Clark Transportation Committees met with the Board to discuss various issues. Clay Condit, consultant, expressed a desire to preserve the history of the Idaho National Engineering and Environmental Laboratory (INEEL). A lot of tourists travel through the City of Arco to visit the Craters of the Moon National Monument, and Mr. Condit believes promoting INEEL's history could be an economical benefit for the area. He stated that any assistance ITD could provide with this vision would be appreciated. DE Cole suggested applying for projects in the Enhancement Program and offered staff's assistance with the application process.

Butte County Commissioner Mark Stauffer expressed some concerns with the pavement on SH-33. After the last resurfacing project a couple of years ago, the highway has been bleeding, resulting in a slick surface. He believes there have been a number of accidents because of this situation. Commissioner Stauffer expressed appreciation for improvements to US-93, but believes more improvements are needed.

Butte County Commissioner John Traugher expressed concern with the Idaho Department of Parks and Recreation's trail system. An extensive trail has been developed in the vicinity of Arco to Mackay for off-road vehicles; however, at three locations, the trails cross the state highway. It is illegal for all-terrain vehicles (ATVs) to cross the highway. He asked about the possibility of constructing an overpass or underpass for the ATVs. Joe Haynes, Administrator, Local Highway Technical Assistance Council (LHTAC), said the local associations should work with ITD on resolving this issue. DE Cole also offered to discuss the situation with the Department of Parks and Recreation, as there is also a concern with trails on the highway right-of-way in some areas.

Mackay Mayor Otto Higbee appreciated the recent project completed in Mackay; however, he asked if ITD could provide assistance with cleaning up the leftover chips. He also commented on the speed limit south of Mackay. DE Cole reported that staff would look into those issues.

Mr. Haynes informed the local officials that LHTAC is offering three different classes on financing and funding. LHTAC will travel to the local public agency to conduct the training. He encouraged the officials to let him know if they would like to schedule classes.

Vice Chairman Combo thanked the local officials for attending the meeting and encouraged them to continue working closely with DE Cole on their transportation needs.

District 6 maintenance employees hosted the Board and staff for lunch at the Arco Maintenance shed. The Board enjoyed visiting with the employees and appreciated the maintenance crews' hospitality. The tour continued east on US-20 to Idaho Falls.

Delegation – Targhee Regional Public Transit Authority (TRPTA). Lynn Seymour, TRPTA Director, welcomed the Board to the authority's facilities. She provided an overview on the services TRPTA provides and expanded on the future plans for the facility. The vision is to provide service to every county in District 6 by 2006, to expand services to the City of Shelley, and to have a seamless public transportation system from Idaho Falls to Pocatello. Ms. Seymour also stated that local match is a problem. TRPTA receives sufficient federal funds, but does not have the local match required to utilize all of the funds.

Vice Chairman Combo informed the group that TRPTA transferred some of its 5307 funds to District 2. Member Sweeney thanked Ms. Seymour for her assistance, as Valley Transit, and particularly the City of Moscow, benefited from that action. Vice Chair-man Combo thanked Ms. Seymour for the information on TRPTA and the tour of its facilities.

The Board traveled to the Idaho Falls Regional Airport. AAB Members Bob Hoff and Scott Patrick joined the tour for the following delegation.

Delegation – Idaho Falls Regional Airport. Michael Humberd, Airport Manager, thanked the Board for visiting eastern Idaho. He reported on the activities at the airport, including that passenger usage has been increasing and that he has been seeking additional carriers to serve the area. Mr. Humberd also summarized the major improvements that were recently made to the terminal. The Board toured part of the terminal.

Vice Chairman Combo thanked Mr. Humberd for his time and for the information he provided on the airport.

The Board traveled to the Museum of Idaho in Idaho Falls to view the special Lewis and Clark exhibit. The museum director, David Pennock, emphasized the importance of good signing for the museum. He asked the Board to consider erecting a bigger sign on I-15 directing motorists to the Museum of Idaho. The Board acknowledged the value of adequate signing, took the request under advisement, and thanked Mr. Pennock for his comments and for the historical information he provided on the Lewis and Clark Expedition.

WHEREUPON the tour of District 6 recessed at 5:30 PM.

May 21, 2004

The Board reconvened at 8:30 AM on Friday, May 21, 2004, in the City Council Chambers at the City Electric Building, Idaho Falls. All members present for the May 20 tour were present with the exception of Member Blick.

April 15-16, 2004 Board Minutes. Member McHugh made a motion to approve the minutes of the Board meeting held on April 15-16, 2004 as submitted. Member Sweeney seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

June 16-18, 2004 – District 3

July 13-14, 2004 – District 4

August 17-18, 2004 – District 1 (tentative dates)

Consent Calendar. Member Sweeney made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-21 approves the Deputy Director position change; the FY05 out-of-state travel; the professional services, I-90, Post Falls Access Improvements, District 1; the professional services, I-15, Chubbuck Road to 2 ½ Mile Road, District 5; the FY04 State Rail-Highway Safety Program changes; the removal of Schiller Road Railroad Crossing and advancement of Sunnyside Cutoff Road Railroad Crossing in STP-Safety Rail Program; Local Highway Technical Assistance Council Program changes; speed minute entry changes, US-95, District 3; and speed minute entry changes, SH-78, District 3; and has received and reviewed the contract award information, the new and supplemental professional agreements report, the consultant agreement dispute resolution process, the purpose and requirements for Section 157 Innovative Highway Safety Grant Funds, the quarterly returned check report, the March financial statement analysis, and the Washington border zone reciprocity agreement.

1) Deputy Director Position. In reviewing efficiency measures and streamlining positions, when the deputy director position was vacated in 2001, the Bureau of Administration, the Information Services Bureau, and the Civil Rights Bureau were combined into a new Division of Administrative Services. Since the deputy director position has been vacant, the six division administrators have been responsible for the duties of that position. Because of the need for a deputy director when the director is absent, staff recommended that the Chief Engineer be designated the deputy director and that salary savings from eliminating the deputy director position be allocated to division administrators at the Director's discretion.

2) FY05 Out-of-State Travel Approval. Staff recommended maintaining the FY05 out-of-state travel request and at an amount no greater than presented to the Board in June 2003, \$415,720.

3) Professional Services, I-90, Post Falls Access Improvements, Key #8920, District 1. Staff requested a professional services agreement in the amount of \$1,600,000 for engineering and environmental services for project development through design approval for the I-90, Post Falls Access Improvements project. Services would include a traffic study and traffic projections, public involvement, development and screening of alternative access concepts, preliminary engineering design, environmental documentation, and preparation of an Access Justification Report. The project is currently in Preliminary Development.

4) Professional Services, I-15, Environmental Study, Chubbuck Road to 2 ½ Mile Road, Key #9000, District 5. This I-15 project is to complete the environmental process for a prospective interchange within a corridor from Chubbuck Road Overpass at milepost 72.611 to 2 ½ Mile Road Overpass at milepost 75.182. The project is programmed for FY04. The project was originally programmed for \$500,000 to begin the preliminary environmental study. When the project was scoped for consultant selection, it was decided that a logical milestone for the environmental study was at the design approval of the preferred option. This milestone would then serve as a starting point for the final design stage to be completed by the Department or a consultant. The scope was expanded to include additional work for the overall environmental process. Final consultant negotiations with CH2M Hill resulted in a professional services amount of \$1,390,000, requiring Board approval.

5) FY04 State Rail-Highway Safety Program Changes. In reviewing the State Railroad Grade Crossing Protection Fund, staff concluded that current funds are not available to

cover all planned projects. To balance the State Rail-Highway Safety Program, staff proposed removing SMA 9833, Milwaukee Street Railroad Crossing, Boise, District 3, key #9142, and delaying Local, Jamestown Railroad Crossing, Idaho Falls, District 6, key #9271, to FY06.

6) Remove Schiller Road Railroad Crossing and Advance Sunnyside Cutoff Road Railroad Crossing in STP-Safety Rail Program. Power County Highway District requested the removal of the Schiller Road project, District 5, key #7200, from the Program because the visibility at the crossing has improved due to razing of a potato warehouse. This project was programmed in FY04 for \$400,000. Additionally, staff requested advancing the Sunnyside Cutoff Road, Kootenai project, District 1, key #6526, in the amount of \$231,000 from FY05 to FY04.

7) Local Highway Technical Assistance Council (LHTAC) Program Changes. Due to readiness issues, LHTAC requested delaying the East Darlington Bridge, Custer County, District 6, key #7225, and the Salem Road Bridge, Fremont County, District 6, key #6277 from FY04 to FY06. Additionally, LHTAC requested advancing the construction of the Portneuf River Bridge, Caribou County project, District 5, key #6028, from FY05 to FY04, and the Clearwater County Transportation Plan, District 2, key #9268, and Fremont County Transportation Plan, District 6, key #9266, from FY06 to FY04.

8) Speed Minute Entry Changes, US-95, District 3. Staff conducted an engineering and traffic investigation on US-95 from milepost (MP) 176.577 to 182.415. Based on the speed study results, the road conditions, and the safety evaluation, staff recommends increasing the speed limit from 55 miles per hour (MPH) to 65 MPH from MP 176.577 to 182.415.

9) Speed Minute Entry Changes, SH-78, District 3. Staff conducted an engineering and traffic investigation on SH-78 from MP 19.775 to 29.1. Based on the speed study results, the road conditions, the safety evaluation, and public support, staff recommends increasing the speed limit from 55 MPH to 65 MPH from MP 19.775 to 29.1.

10) Contract Award Information. Key #8486 – Pavement Overlays, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$518,919.

Key #8376 – Pedestrian Pathway Peck, District 2. Low bidder: Hereford Contracting & Excavating, Inc. - \$142,713.

Key #9295, #9296, #9297, #9298, #9299, #9300, #9311, and #9312 – District 1 Sealcoats. Low bidder: Poe Asphalt Paving, Inc. - \$897,394.

Key #9292 – District 6 Durable Pavement Marking. Low bidder: Apply A Line Inc. - \$142,976.

Key #8549 – SH-75, Main Street, Bellevue, District 4. Low bidder: Lakeside Industries AJV DBA Valley Paving - \$584,137.

Key #9145 – District 6 Signal Upgrade. Low bidder: Skyview Electric, Inc. - \$141,607.

Key #8429 – SH-16, Firebird South Passing Lanes, District 3. Low bidder: Idaho Sand & Gravel Company, Inc. - \$1,257,185.

Key #8675 and #8676 – US-95 and I-90, Guardrail End Replacement, District 1. Low bidder: Frank Gurney Inc. - \$264,103.

The low bids on key #7923 – US-95, Fort Hall Hill, and key #7042 – US-95, Rapid River Bridge South of Riggings, both in District 3, were more than ten percent over the engineer's estimate and were rejected.

11) New and Supplemental Professional Agreements Report. From March 31 through April 30, the Consultant Administration Unit processed \$3,970,038 in professional, supplemental, and term agreements.

12) Consultant Agreement Dispute Resolution Process. To clarify an earlier discussion on the consultant agreement dispute process, staff reported that language was incorporated into agreements in February 2003 to outline the procedures for disputes.

13) Purpose and Requirements for Section 157 Innovative Highway Safety Grant Funds. In March, ITD received \$480,000 from the National Highway Traffic Safety Administration in Section 157 Innovative Grant funds to improve the state seat belt usage rate. The funds must be expended in accordance with specified guidelines. ITD will conduct a paid media and high visibility enforcement campaign and report results for research and development grants; will devote to high visibility enforcement mobilization with the goal of increasing seatbelt usage rate, with the majority of funds to be utilized supporting a May mobilization effort; and will purchase advertising featuring the state seat belt message, Click It, Don't Risk It! Specifically, the funds will be used for a law enforcement liaison officer, paid law enforcement, traffic safety enforcement equipment, statewide media campaign, educational materials, a seat belt summit, and a seat belt survey and evaluation.

14) Quarterly Returned Check Report. In the third quarter of FY04, \$15,839,771 in checks were received, while \$56,760 or 0.36% were returned. Collections of returned checks equaled \$66,070 for an annualized collection rate of 96.65%.

15) March Financial Statement Analysis. Total federal aid revenue from FHWA was \$18.2 million or 9.8% below projections through the month. Revenue from the Highway Distribution Account was \$184,700 or 0.1% above the forecast. Personnel and operating expenditures were less than budgeted through the month. Capital equipment showed a positive variance of 6%. In Contract Construction, the federal program is behind spending projections by 28% and the state program is 42% less than projected.

Aviation fuel tax revenue through the end of March was \$76,300 or 6.7% below projections. Miscellaneous revenue was \$15,800 or 12% more than forecasted. Overall expenditures were ahead of last year, mainly due to increased federal grant funds in the Trustee and Benefit category. The Aircraft Operations Fund has a positive variance to forecast of 23%. Expenditures were less than projected.

16) Washington Border Zone Reciprocity Agreement. The states of Idaho and Washington entered into an agreement in 1990 to promote and encourage the fullest

possible use of their highway systems. The agreement established a border zone in which commercial and farm vehicles could freely travel in the respective jurisdictions to access the ports of Wilma, Clarkston, and Lewiston. The agreement also established free flow reciprocity for licensing, trip permits, mileage tax, and fuel tax. The Idaho Tax Commission believes that ITD improperly included fuel taxes within the agreement and has asked that ITD continue to enforce all requirements for International Fuel Tax Agreement licensing. Staff does not believe that a partial reciprocity agreement, lacking reciprocity for fuel tax, provides full value for the motor carriers operating to the nearby ports. Staff recommends developing a new fuel tax reciprocity agreement between Washington and Idaho within the narrow context of a border zone agreement.

Speed Minute Entry Changes, US-20, District 6. Staff conducted an engineering and traffic investigation on US-20 from MP 307.45 to 339.66. Based on the speed study results and safety evaluation, staff recommends increasing the speed limit to 55 MPH from MP 307.773 to 308.6 and to 65 MPH from MP 308.6 to 339.66. Vice Chairman Combo commented that the Department met with Idaho State Police and it supports the recommended change. He also acknowledged retiring Traffic Engineer John Becker's efforts on this speed limit evaluation.

Without objection, the Board approved increasing the speed limit to 55 MPH from MP 307.773 to 308.6 and to 65 MPH from MP 308.6 to 339.66.

FY06-07 Congestion Mitigation/Air Quality (CMAQ) Recommendations by the Technical Review Committee (TRC). Senior Transportation Planner Matt Moore summarized the recommended CMAQ projects for FY06-07. The TRC reviewed 41 applications requesting funds totaling \$9.12 million. The Board policy establishes an annual range of \$2 to \$4 million for CMAQ projects. There are 32 projects being recommended for funding in the total amount of \$7.05 million, including match. All of the projects will be listed in the draft Statewide Transportation Improvement Program (STIP), either as "recommended for funding" or "requested, but funding not available." The draft STIP will be available for public review and comment later this summer.

Vice Chairman Combo expressed appreciation to the TRC for its efforts on this Program. He believes the TRC members' experience with the CMAQ Program is valuable.

Enhancement Advisory Committee (EAC) Prioritized List of Enhancement Projects.

Intermodal Planning Manager (IPM) Pat Raino presented the recommended list of projects for inclusion in the FY07 Enhancement Program. The EAC reviewed and prioritized 26 applications requesting a total of \$8.9 million. One of the projects recommended by the EAC is the continuation of the City Landscape Program, and, at the request of the Idaho Department of Lands, which administers this cities landscaping project, to increase funding from \$100,000 annually to \$200,000. This recommendation would be effective in FY05, contingent on more federal funds available for the Enhancement Program in the new highway act. The Department of Lands would also be allowed to use 5% of the funding to administer the program. IPM Raino stated that the Enhancement projects would be included in the draft STIP in the same manner as the CMAQ projects.

IPM Raino also commented on a landscape project that was not recommended for funding. The project has been submitted several times in the past, but the EAC does not believe the project meets the established criteria or intent of the program, as it appears to be a noise abatement project. The EAC considered asking the sponsor to not submit this project for future funding; however, IPM Raino asked for direction from the Board. The consensus of the Board was to not discourage local public agencies from submitting applications.

Vice Chairman Combo also thanked the EAC for its assistance with the Enhancement Program.

Board Items. Member Miller commented on the recently-published scenic byway brochure. He commended staff for the excellent document, with its descriptive information on and colored photographs of each byway in the state. He believes the professional, top-quality brochure will be a valuable resource for motorists.

Member Miller made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, a National Scenic Byway Program was established under the

ITB04-22 leadership of Representative Jim Oberstar, former Idaho Transportation
Department Director Dwight Bower, and members of our national
delegation to name a few of the principle architects; and

WHEREAS, the Idaho Transportation Board has been supportive of this program, including by its establishment of the Scenic Byway Advisory Committee in 1996; and

WHEREAS, ITD's excellent Scenic Byway Program has been coordinated by Senior Transportation Planner Garry Young in the Division of Transportation Planning; and

WHEREAS the Board, through recommendations of the Scenic Byway Advisory Committee, has approved 25 routes to this program, three of which now have national designation; and

WHEREAS, Idaho's byways are an integral part of Idaho's Transportation Vision because they support regional planning initiatives and help preserve Idaho's natural beauty and history; and

WHEREAS, Idaho's Scenic Byways contribute to the economic vitality of many rural Idaho communities through increased tourism; and

WHEREAS, staff publishes a glove-box guide to Idaho's scenic byways for the traveling public that details the beauty, history and attractions found along Idaho's Byways.

NOW THEREFORE BE IT RESOLVED, that the Board commends ITD staff and its partners for the 2004 publication of "*Taking the Scenic Route: A guide to Idaho's scenic byways*"; and

BE IT FURTHER RESOLVED, that the Board recognizes staff's quality work on this illustrative brochure.

Member Sweeney commended Acme Construction Company for the recently-completed US-12, Rose Garden project. He said the project was completed ahead of schedule and although the project was a major inconvenience to motorists, the contractor did an exceptional job and kept complaints to a minimum.

Member McHugh believes the Department should commit additional funding to public transportation. He asked if there would be Board support for staff to develop a proposal for additional funding, possibly for operating expenses. Because of the pending reauthorization of TEA 21 and the interim legislative committee assigned to review public transportation issues in the state, the consensus of the Board was to take no action at this time. Concern was also expressed that the local public agencies need to support public transportation and be willing to commit their resources to fund this mode.

Member McHugh requested a future presentation on drivers' education training in the state.

Member McClure mentioned a recent experience obtaining permits to move a manufactured home. Although the manufactured home had been placed on a foundation, it had to be converted from real property for the move. He asked staff to look into that matter.

Vice Chairman Combo recognized the Employees of the BLM Salmon District as the District's Adopt-A-Highway group of the year. Although the BLM employees were unable to attend the meeting, Vice Chairman Combo provided information on the group and thanked it for its service in this program. He will travel to Salmon with District staff in the near future to present the award to the group.

Department Activities. Director Ekern announced that Motor Vehicle Administrator Morris Detmar will be retiring. His last day in the office will be July 2.

David Hahn has been reassigned within the Division of Financial Management, according to Director Ekern. ITD's new budget analyst is Dawn Hall.

Director Ekern was pleased to introduce Lance Giles as the new transportation policy advisor in the Governor's Office. He thanked Mr. Giles for arranging his schedule to attend the District 6 Board tour and meeting. Mr. Giles provided background on his extensive experience in the transportation arena. He worked for several Congressmen in Washington, DC, including work on TEA-21. Mr. Giles said he is looking forward to working with the Board and ITD.

At the recent American Association of State Highway and Transportation Officials (AASHTO) spring meeting, it updated its resolution on reauthorization. Director Ekern said AASHTO continues its support for a well-funded bill.

Delegation – Jefferson County. Jefferson County Commission Chairman Brett Olaveson thanked the Board for its time and expressed appreciation to DE Cole for the good working relationship that the two entities are developing. He provided history on the Rigby area and expressed concern with the earlier decision to close the US-20, Holbrook intersection. Although he recognizes the safety concerns, he believes the closure will result in a hardship for the area. Because Commissioner Olaveson believes the majority of accidents at that location are motorists crossing US-20 or turning left, he asked the Board to consider right-in and right-out access only. The median would be closed to prevent motorists crossing the highway and turning left.

DE Cole reported that staff analyzed the right-in right-out proposal and concludes that it would be unsafe because it would still create conflict points. Vice Chairman Combo expressed concern with the timing of this proposal. This alternative was not included in the public review and comment process. He believes the right-in right-out proposal would need to be presented to the public for review and comment, essentially resulting in starting all over with the project. He also believes the project's funding may be in jeopardy if the process has to be re-done. Vice Chairman Combo also expressed concern with safety.

Vice Chairman Combo thanked Commissioner Olaveson for his presentation. The Board took no action.

Delegation – Clean Cities Coalition. Basil Barna, consultant, thanked the Board for its time. Growth in the area surrounding Yellowstone National Park and Grand Teton National Park and the increasing number of visitors to the parks resulted in the Coalition's interest to address mobility issues and preserve the environment. Mr. Barna said public and private entities from Idaho, Montana, and Wyoming have developed a plan to address these concerns.

Kerry Klingler, Advisory Engineer/Project Manager with INEEL, elaborated on the Greater Yellowstone-Teton Rural Tour/Transit District. Its vision is an integrated network of transportation providers across the three-state region, shared resources, coordinated services, and information provided to travelers in a cohesive manner. The components include the vehicles, intelligent transportation systems, and policies. Mr. Klingler provided a status of the program. The prototype yellow bus is currently being tested; a study for park transit is nearing completion; FY05 funding has been secured for six buses in Yellowstone Park; work is continuing with the congressional delegation, the Department of the Interior, and Federal Transit Administration for tour district start-up funding; efforts are underway to inform and include a larger community; and opportunities beyond the greater Yellowstone area are being identified.

In response to Director Ekern's question on the lead agency, Mr. Klingler responded that the Clean Cities Coalition, a program of the Department of Energy, is the lead agency. Director Ekern believes it would be beneficial to have a governmental structure for funding. He offered ITD's assistance on this project. The Board supported Director Ekern's offer to partner with the group on this effort. Vice Chairman Combo added that DE Cole has been involved with the Clean Cities Coalition and is an excellent resource.

Mr. Barna thanked Director Ekern and the Board for ITD's partnership. He believes the project needs ITD's support to be successful.

Vice Chairman Combo thanked Messrs. Barna and Klingler for the informative presentation and their efforts to address mobility and environmental issues in the national parks.

Changes to Projects in FY04 of the Federal Bridge-State Highway Development Program. District 6 requested an increase of \$1.3 million for the construction of the SH-33, Canyon Creek Bridge project, Madison County, key #6314, according to Highway

Programming Manager (HPM) Dave Amick. The project was changed to better fit the geotechnical profile, increasing the cost. District 1 has two bridge projects that have been identified to delay from FY05 to FY06 due to environmental issues.

Member McClure made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation
Department

ITB04-23 to publish and accomplish a current, realistic, and fiscally constrained
Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the construction of the SH-33, Canyon Creek Bridge project in Madison County (key #6314) will require an additional \$1.3 million to construct in FY04 of the Federal Bridge-State Highway Development Program; and

WHEREAS, the State Bridge Engineer has identified projects that may not be delivered for advertisement in FY04 of the Federal Bridge-State Highway Development Program.

NOW THEREFORE BE IT RESOLVED, that the Board approves the delay of key #8399, SH-97, Turner Creek Bridge, Kootenai County from FY04 to FY05 and the delay of key #6607, SH-200, Trestle Creek Bridge,

Bonner County from FY05 to FY06 in the Federal Bridge-State Highway Development Program; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate changes to the FY04-06 STIP in accordance with the provisions of TEA-21.

End of Year Changes of Projects to FY04 of the State (ST) Construction Program. HPM Amick summarized the recommended changes to the current ST Construction Program, based on project readiness. Staff does not anticipate unused FY04 spending authority available to move to the ST Construction budget. He also outlined the anticipated cost increases and decreases for FY04 projects.

Member Sweeney made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-24 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Division of Highways has identified projects that can be made ready for advertisement in FY04 of the State Highway Development Program to utilize \$11.4 million in available funding.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes the Chief Engineer to add or advance projects into FY04 of the State Highway Development Program from the list of changes proposed in the “Proposed Advances/New Projects”, as shown as Exhibit 287, which is made a part hereof with like effect, as projects are made ready and funding becomes available in the current fiscal year; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate changes to the FY04-06 STIP in accordance with the provisions of TEA-21.

Recommended State FY05-08 Highway Development Program. HPM Amick presented the proposed FY05-08 State-Funded Highway Development Program. It is anticipated that the indirect cost rate will be 15.02 cents per every federal dollar billed, contributing approximately \$20 million to the ST Program. Projects in the Program continue to contribute heavily toward the Department’s emphasis on pavement rehabilitation, bridge, congestion, and safety efforts.

Member McHugh made a motion, seconded by Member McClure, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public’s interest for the Idaho Transportation Department

ITB04-25 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the Transportation Equity Act for the 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Division of Highways has recommended new projects and updated the costs and schedules for projects in the Recommended FY05-08 State Highway Development Program.

NOW THEREFORE BE IT RESOLVED, that the Board approves the Recommended FY05-08 State Highway Development Program, which is on file in the Office of Highway Programming; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate modifications to the Draft FY05-07 STIP in accordance with the provisions of TEA-21.

Contract Awards. The low bid on project ST-2846(617), key #8367 – US-30, Eastland to 3200 East, Twin Falls County, District 4, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said that the Average Unit Price Report and data from other current similar projects were used to develop the engineer's estimate. Five items appear to significantly diverge from the engineer's estimate: 303-012A ¾" Aggregate Type A for Base, 409-015A Concrete Paving, 615-430A Combined Curb and Gutter Type A, S106-05A Survey, and Z629-05A Mobilization. Staff believes the contractor's price for the ¾" Aggregate Type A for Base more accurately reflects the complexity of the work and the coordination required to finish the work within the project's time constraints. Staff also believes the contractor anticipated use of lithium in some items, which could double the price of concrete items. Although mobilization is a little high, staff does not believe it is excessive considering the variety of equipment that will be mobilized for the project. The District does not believe re-advertisement would result in significant savings and recommends awarding the project.

Member McClure made a motion, seconded by Member McHugh, to award the contract on key #8367 to the low bidder: Kloepfer Inc., Paul, Idaho - \$3,278,285.21. The motion passed unanimously.

The following contract award information was not available prior to the Board meeting, as the majority of bids needed justification. Vice Chairman Combo thanked staff for its

extra efforts to compile the bid packet information and get it to the Board in Idaho Falls for action.

CE Ross elaborated on the increased costs for construction materials. Steel, cement, and fuel prices have been escalating, resulting in higher bids. The engineer's estimates will be adjusted to reflect the increased costs for these items; however, the engineer's estimates for the following projects were prepared some time ago and do not reflect the current prices of materials. Member McClure concurred with the increased costs. The Associated General Contractors discussed this issue recently and expressed concern with it. In addition to the increased steel costs, there is also concern with the uncertainty of the delivery of the steel.

The low bid on ST-3270(625), key #7051 – SH-55, Banks Passing Lanes, Boise County, District 3, was more than ten percent over the engineer's estimate, requiring justification. CE Ross said that only one bid was received, although two other contractors purchased plan sets for bidding. In conversations with those two companies, staff learned that the contractors did not believe they could complete the work in the specified time without jeopardizing progress on other projects. In addition to the time constraints, staff does not believe the engineer's estimate reflected the complex nature of the project, such as excavation, multiple temporary barrier shifting, and shoring for retaining wall excavation. Based on this analysis, staff recommends awarding the contract.

Member McHugh made a motion, seconded by Member Sweeney, to award the bid on key #7051 to the low bidder: Idaho Sand & Gravel Company Inc., Nampa, Idaho – A) \$4,641,130.93 + (82) B) \$5,756,330.93. Member Miller noted that Idaho Sand & Gravel has a number of jobs under contract. He questioned its ability to complete this project in a sufficient manner. CE Ross said that staff discussed that and believes the contractor has enough resources to construct this project. The motion passed unanimously.

Member Sweeney made a motion to award the contract on IM-NH-15-3(106)113, key #7771 – I-15, Sunnyside Interchange to I-15 Business, Idaho Falls, Bonneville County, District 6 to the low bidder: Idaho Construction Company, Kimberly, Idaho - \$21,373,619.92. Member Miller seconded the motion and it passed unopposed.

The low bid on STP-7046(100), key #8385 – University Place Pathway, Bonneville County, District 6, was more than ten percent over the engineer's estimate, requiring

justification. According to the City of Idaho Falls, the project's sponsor, the engineer's estimate utilized average unit bid prices and recent bid information to formulate bid prices. CE Ross said the City believes the engineer's estimate did not adequately account for the recent increase in fuel and plant mix prices and requests Board approval.

Member McHugh made a motion, seconded by Member Sweeney, to award the contract on key #8385 to the low bidder: Beco Construction Company, Inc., Idaho Falls, Idaho - \$84,350.70. The motion passed unopposed.

CE Ross said the low bid on STP-3270(101), key #5030 – McCall East-West Loop, Valley County, District 3, was more than ten percent over the engineer's estimate, requiring justification. In comparing the engineer's estimate, which was based on the Average Unit Price Report, with the low bid, the majority of difference is in the steel and concrete bid items. Staff does not anticipate savings if the project is readvertised, especially with speculation that the price of cement, steel, and oil will continue to increase. The City of McCall concurs with staff's recommendation to award the contract and has acknowledged its responsibility for the local match for the additional costs.

Member McHugh made a motion, seconded by Member McClure, to award the contract on key #5030 to the low bidder: M. A. Deatley Construction, Inc., Clarkston, Washington - \$6,708,877.36. The motion carried with Member Miller dissenting.

The low bid on project DHP-NH-6470(106) and DHP-NH-STP-6470(107), keys #6490 and #6495 – US-20, St. Leon Interchange and Hitt Road Interchange, Bonneville County, District 6, were more than ten percent over the engineer's estimate, requiring justification. CE Ross said the District's review of the bid indicates the engineer's estimate did not account for the higher fuel costs or the general tightness in the availability of qualified companies for a project of this magnitude. Because it is an acceptable bid from a qualified contractor with relevant experience with similar projects, and because of the need to construct the project to eliminate unsafe at-grade intersections, staff recommends awarding the contract.

Member Miller made a motion, seconded by Member McHugh, to award the contract on keys #6490 and #9495 to the low bidder: Western Construction, Inc., Boise, Idaho - \$19,203,638.11. The motion passed unanimously.

The low bid on ER-5770(100), key #7099 – Old Priest River Road, Bonner County, District 1, was more than ten percent over the engineer’s estimate, requiring justification. In addition to the increased steel prices, which were not reflected in the engineer’s estimate, the bid item for 602-085A. 48” pipe culvert was higher than the engineer’s estimate. Staff believes the bid was reasonable considering the depth of the pipe and the fact that structure excavation, compacting backfill, and dewatering are all considered incidental. The mobilization item was also bid higher due to the large amount of specialty equipment needed to construct a small project. Staff recommends awarding this emergency project.

Member McHugh made a motion, seconded by Member McClure, to award the contract on key #7099 to the low bidder: Crea Construction, Lewiston, Idaho - \$353,602.50. The motion passed unopposed.

The low bid on BR-4110(130), key #7042 – US-95, Rapid River Bridge South of Riggins, Idaho County, District 2, was more than ten percent over the engineer’s estimate, requiring justification, according to CE Ross. The source of the engineer’s estimate was the Average Unit Price Report and bid history. This was the second time the project was advertised and staff does not believe any benefits would be realized if the project were re-advertised. No obvious errors in the engineer’s estimate were discovered, and staff recommends awarding the contract. CE Ross added that a bid protest has been filed and an administrative hearing is being offered to settle the bid dispute.

Member Sweeney made a motion, seconded by Member McHugh, to approve the following resolution:

RES. NO. WHEREAS, the US-95, Rapid River Bridge South of Riggins, key #7042, opened

ITB04-26 May 18, 2004, requires Idaho Transportation Board approval to award, in accordance with Board Policy B-14-06; and

WHEREAS, the low bidder for this proposal is Cannon Builders, Inc.; and

WHEREAS, the second low bidder for this proposal Concrete Placing Company has filed a bid protest; and

WHEREAS, an administrative hearing is being offered in order for all parties to be heard on this matter as soon as possible; and

WHEREAS, an administrative hearing would determine whether Cannon Builders Inc. submitted a responsive bid; and

WHEREAS, there are some very tight time constraints required by the contract.

NOW THEREFORE BE IT RESOLVED, that the Board approves the recommendation of staff to award the Rapid River Bridge South of Riggins project to Cannon Builders Inc. pending an affirmative determination that the bid of Cannon Builders Inc. was the lowest and best bid pursuant to Section 49-902 Idaho Code.

Member McClure expressed concern with the bid dispute. He understands that the apparent low bidder was the apparent low bidder when the project was advertised the first time; however, the contractor requested relief from that original bid. By law, that contractor should not have been allowed to bid on the re-advertised project.

Member Sweeney emphasized the importance of this project and that it needs to be constructed.

The motion carried with Member McClure dissenting.

Executive Session on Personnel and Legal Issues, Section 67-2345(1)(a)(f), Idaho Code.
Member McClure made a motion to meet in executive session at 11:55 AM to discuss

personnel and litigation matters. Member Miller seconded the motion and it passed 5-0 by individual roll call vote.

The general tenor of the discussion on personnel matters included updates on investigations into employee misconduct.

The discussions on pending or probable litigation related to an access appeal; the US-95, Bellgrove to Mica project; the East Main Street, Lewiston, project; and a claims dispute.

The Board came out of executive session at 1:10 PM. No decisions were made.

Department Activities, continued. Director Ekern reported that staff is pursuing the financing initiative proposal and will have an item for the Board to consider next month.

As a result of the February workshop on access management, Director Ekern stated that a consultant has been hired to review the Department's policies and prepare recommendations.

In response to the National Institute for Advanced Transportation Technology report on Idaho's Commercial Truck Registration Study, Director Ekern met with Paul Sudmeier, President of the Idaho Trucking Association. Mr. Sudmeier indicated the American Trucking Association is interested in long-term innovative financing.

Director Ekern reported that a team is being developed to address issues in the Treasure Valley. ITD and FHWA will work closer with the Ada County Highway District and the Community Planning Association of Southwest Idaho on the long-range plan, the proposed 10 Mile Interchange, Eagle Road access, the State Street and Glenwood intersection, and a proposed subdivision in Eagle. He believes the growth projected in the Treasure Valley has been underestimated and it is imperative to work with the local public agencies on the area's transportation issues.

In conclusion, Director Ekern reported that the Department's vision process is coming to a closure. Staff anticipates submitting recommendations to the Board for consideration at the July meeting.

FY05 Draft Legislative Agenda. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Julie Pipal summarized the various issues that have been identified as potential legislative concepts and issues for the 2005 session. Discussion followed on some of the proposals, with general support expressed for a primary seat belt law.

New Business. Member Sweeney commended DAG Bywater for his performance. Member Sweeney believes the Department is well served by its legal counsel.

Vice Chairman Combo expressed appreciation to the District 6 staff for its efforts with hosting the Board.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting and District 6 tour officially adjourned at 2:05 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

June 18, 2004

Boise, Idaho

REGULAR MEETING AND DISTRICT TWO TOUR
OF THE IDAHO TRANSPORTATION BOARD

April 15-16, 2004

The Idaho Transportation Board met at 7:50 AM, on Thursday, April 15, 2004, at the Lewiston/Nez Perce County Regional Airport in Lewiston, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Steve Bywater, Deputy Attorney General

Federal Highway Administration Division Administrator Steve Moreno, Aeronautics Advisory Board (AAB) Chairman Rodger Sorensen, and AAB Member Bill Parish were also present.

Delegation – Aeronautics Representatives. Robin Turner, Manager of the Lewiston/Nez Perce County Regional Airport thanked the Board for its interest in aviation. He reported on the activities at the facility, including the millions of dollars that have been invested to improve the airport over the years and mentioned the commercial air service study underway. He encouraged the Board to continue investing in aviation in the state, as aviation plays a vital role to the economy.

Ralph Stout, Stout Aviation, informed the Board of the charter service he is establishing. He believes there is a demand for this service. Mr. Stout thanked the Board for its activities in the aviation field and encouraged it to continue focusing on educational efforts – promoting aviation – and on the backcountry airstrips.

Chairman Winder thanked Messrs. Turner and Stout for their comments. He acknowledged the importance of the backcountry airstrips and stated that the Department is appealing the U.S. Forest Service's decision on several of its backcountry airstrips. AAB Member Parish left after this discussion.

Delegation – Valley Transit. Valley Transit Executive Director Tom LaPointe summarized the public transportation services provided in the Lewiston area. He praised the partnerships that have been established with various entities and elaborated on the various vehicles that have been secured through partnerships. Mr. LaPointe thanked the Board for the

Vehicle Investment Program and acknowledged the assistance that Public Transportation Administrator Larry Falkner and his staff have provided.

Chairman Winder thanked Mr. LaPointe for the overview on public transportation and for his efforts to provide this valuable service.

The Board departed Lewiston east on US-12. At milepost 31, Dr. Lee Sappington, Professor of Archeology at the University of Idaho, summarized the archeological issues that have been identified as part of the passing lane project at that location.

The tour continued east on US-12. After a brief stop in Orofino, where Dr. Sappington continued his archeological presentation, Clearwater County Commissioner Don Ebert joined the Board as it continued east on US-12 and north on SH-11. In Weippe, the Board

viewed the Lewis and Clark Center. Weippe Mayor Norm Steadman summarized the efforts undertaken to develop the Center, noting the valuable partnerships involved in the project. He also provided historical information on the Lewis and Clark expedition in the Weippe area.

District 2 maintenance personnel provided lunch at the Weippe shed. The Board appreciated the extra efforts of the employees to host the group. The tour continued north on SH-11, and on Grangemont Road and Wells Bench Road. Clearwater County Commissioner Stan Leach met the group at the Dent Bridge, where Bridge Engineer Matt Farrar provided an overview on the cable suspended bridge repair project. The County Commissioners left the tour, and the Board returned to Lewiston via local roads and US-12 west. Throughout the day, various District personnel provided information on projects underway in the area.

Delegation – Port of Lewiston. Port of Lewiston Manager Dave Doeringsfeld provided an overview on the Port and its activities, focusing on containerized shipping. He mentioned that a study is being conducted on the roads in the area to determine traffic patterns, and added that one of the main concerns at this time is the issue of dredging, as the channel can barely accommodate the barges.

WHEREUPON the tour of District 2 recessed at 5 PM.

April 16, 2004

The Board reconvened at 8:30 AM on Friday, April 16, 2004, at the District 2 Office, Lewiston, Idaho. All members were present.

March 22-23, 2004 Board Minutes. Vice Chairman Combo made a motion to approve the minutes of the Board meeting held on March 22-23, 2004 as corrected. Member Blick seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

May 20-21, 2004 – District 6

June 16-18, 2004 – District 3

July 13-14, 2004 – District 4

District 3 Federal Highway Program Changes to Fund Increases to McCall East-West Loop, Key #5030, District 3. CE Ross elaborated on the funding issues of the McCall East-West Loop project, which was tabled at last month's meeting. The city is considering appealing the decision on the condemnation case. He stated that the City of McCall is responsible for approximately \$220,000 in match. The District plans to fund the increased costs of this project by delaying design funding for I-84, Orchard Interchange to Gowen Interchange Study, key #6492, from FY05 to FY06, and delaying construction funding for I-84, Karcher Junction to Nampa Boulevard, Nampa, key #8628, from FY04 to FY05.

Member Sweeney expressed concern with the total construction cost estimated at \$5.8 million. Member Blick expressed concern that this project is not considered a bypass, even though the city would like truck traffic out of downtown.

McCall Mayor Kirk Eimers stressed the importance of this project to the McCall community. Community Development DirectorDirectorDirectorMcCall City Planner Lindley Kirkpatrick elaborated on the city's efforts to date on this project, including its acquisition of right-of-way and scaling back the project to reduce costs. He assured the Board that the city would provide its share of the match.

In response to Member Sweeney's comment on the construction cost for the approximate one-mile road, CE Ross explained that environmental issues and the terrain, as there will be a 6% grade, are factors.

Member McClure believes the state will benefit by the construction of the East-West Loop project, as it will provide another river crossing in the area and will remove local traffic from SH-55. Chairman Winder also expressed support for the project and mentioned that numerous other off system projects throughout the state benefit state highways. Director Ekern stated that as Idaho's population continues to grow, the cost of highway projects will continue to escalate in urbanized areas. He also emphasized that the District developed a funding plan for the additional costs of the McCall project. Member McClure commented on the \$5 million that has already been expended on this project, which cannot be recovered if the project is not built. Also, if the project is not constructed, the \$1 million right-of-way judgment would not be reversed.

Member McClure made a motion, seconded by Member McHugh, to approve the following resolution:

RES. NO. WHEREAS, District 3 has identified the need for an additional \$2.5 million ITB04-16 for the McCall East-West Loop project, key #5030, and identified other District 3 projects to delay in the approved FY04-08 and Preliminary Development Highway Development Program.

NOW THEREFORE BE IT RESOLVED, that the Board approves the delay of I-84, Orchard Interchange to Gowen Interchange Study (key #6492, project #NH-STP-84-2(051)51) from FY05 to FY06 and the delay of I-84, Karcher Junction to Nampa Boulevard, Nampa (key #8628, project #STP-3220(111)) from FY04 to FY05 of the approved FY04-08 and Preliminary Development Highway Development Program; and BE IT FURTHER RESOLVED, that the Board approves increasing the total programmed funds for McCall East-West Loop (key #5030, project #STP-3270(101)) from \$7.942 million to \$10.472 million; and

BE IT FURTHER RESOLVED, that Department staff is authorized to make appropriate changes to the FY04 Statewide Transportation Improvement Program in accordance with the 1998 Transportation Equity Act for the 21st Century.

Member Sweeney expressed concern that the route will not be built to state standards. Although it will not be a designated bypass, he believes truck traffic will use the route. He asked who will be responsible if the road deteriorates. CE Ross said that it will be under the City of McCall's jurisdiction and the City would be responsible for maintaining and repairing the road. He clarified that the route is basically being constructed to state standards; it is being built for heavy vehicles, but it will not be as wide as state standards require.

The motion passed 4-2 with Members Blick and Miller opposing.

Adopt-A-Highway Presentation. Member Sweeney thanked the Culdesac Gem Community for its participation in the Adopt-A-Highway Program. He recognized the organization as the outstanding group of the year for District 2.

Delay of US-20, Cloverdale Road to Hewlett Packard (HP) Main Entrance, Key #7148, District 3 and the Advance of I-90, Cedars to Cataldo, Key #8392, District 1. CE Ross said the US-20, Cloverdale Road to HP Main Entrance project cannot be delivered by the end of this fiscal year, so must be delayed until FY05. Districts 1 and 3 staff and the Community Planning Association of Southwest Idaho (COMPASS) have agreed to

advance the I-90, Cedars to Cataldo project from FY05 to replace the US-20 project in FY04. CE Ross said that COMPASS is involved in this proposal because of its Transportation Management Area (TMA) status.

COMPASS Executive Director Clair Bowman concurred with the proposal to delay the US-20 project and elaborated on the agreement the agencies have for the transition to the TMA designation.

Member Blick made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-17 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, planning decisions to utilize STP-Transportation Management Area (STP-TMA) funds are made jointly between the Community Planning Association of Southwest Idaho (COMPASS) and the Department; and

WHEREAS, delay in the acquisition of right-of-way necessitates that US-20, Cloverdale to Hewlett Packard (HP) Main Entrance (key #7148, project #STP-3230(103)) be delayed from FY04 of the approved FY04-08 and Preliminary Development Highway Development Program; and

WHEREAS, COMPASS staff has indicated that no other projects within the TMA can be made ready to utilize these funds in FY04; and

WHEREAS, District 1 is ready to advance I-90, Cedars to Cataldo (key #8392, project #IM-90-1(209)34) from FY05 to FY04 to utilize these funds; and

WHEREAS, District 3, District 1, and COMPASS staff concur with the proposed resolution; and

WHEREAS, US-20, Cloverdale to HP Main Entrance is programmed for \$3.6 million in FY04; and

WHEREAS, I-90, Cedars to Cataldo is programmed for \$4.055 million in FY05; and

WHEREAS, given approval of this resolution, FY04 will be over-programmed by \$455,000; and

WHEREAS, the over-programming by \$455,000 in FY04 may cause other projects being delivered late in FY04 to delay at the end of the year.

NOW THEREFORE BE IT RESOLVED, that the Board approves the delay of US-20, Cloverdale to HP Main Entrance from FY04 to FY05 and the advance of I-90, Cedars to Cataldo from FY05 to FY04 of the approved FY04-08 and Preliminary Development Highway Development Program; and

BE IT FURTHER RESOLVED, that Department staff is authorized to make appropriate changes to the FY04 STIP in accordance with the provisions of TEA-21.

Contract Awards. The low bid on project ST-2390(688), key #8247 – US-93, Intersection Blue Lakes Boulevard and Pole Line Road, Twin Falls County, District 4, was more than ten percent over the engineer’s estimate, requiring justification. CE Ross said that few contractors perform the microseal work required on this project. The District used costs from a prior microseal project from 1996 and applied inflation to the pricing to obtain the engineer’s estimate. Staff believes the cost difference may be due to a lack of adequate price data and by contractor concern about the availability of rock that can meet the specification. Staff does not believe re-advertisement would result in any savings, and recommends awarding the project.

Member McClure made a motion to award the contract on key #8247, US-93, Intersection Blue Lakes Boulevard and Pole Line Road, to the low bidder: Intermountain Slurry Seal, Inc., Salt Lake City, Utah - \$313,300. Member Blick seconded the motion and it passed unopposed.

Member Sweeney made a motion to award the contract on project CM-IM-84-3(069)147 and IM-84-3(073)156, key #8364 and #8894 – I-84, East Bliss Interchange to Milepost 149.5 and South Wendell Interchange to West Jerome Interchange, Gooding and Jerome Counties, District 4, to the low bidder: Western Construction, Inc., Boise, Idaho - \$17,574,685.02. Member Blick seconded the motion and it passed unanimously.

CE Ross said the low bid on project STP-4110(146), key #8358 – US-95, Adams County Line to Hammer Creek, Idaho County, District 2, was more than ten percent over the engineer’s estimate, requiring justification. The source of the engineer’s estimate was the Average Unit Price Report. The main difference between the estimate and the low bid was in the ¾” Aggregate Type A for Base. District staff failed to compare the estimate with two previous projects recently completed in the District. No other obvious errors were made in the engineer’s estimate, and staff recommends awarding the project.

Vice Chairman Combo made a motion to award the contract on key #8358, US-95, Adams County Line to Hammer Creek, to the low bidder: Frank Gurney Inc., Spokane Valley, Washington - \$439,653.73. Member Miller seconded the motion and it passed unanimously.

Innovative Financing/Funding Initiative. Based on studies completed the past 10 years, Idaho has an unmet demand for transportation improvements that exceed \$3.8 billion, according to Director Ekern. He believes the financing mechanisms and funding will become more inadequate to address the long-term system expansion demands for roadway and public transportation infrastructure and operation. He outlined an initiative to establish an understanding of the needs and available options for financing and funding the state’s transportation system. The proposal includes understanding the current financing and funding options, identifying the various transportation demands for both local and state systems, and exploring future innovative financing and consistent revenue options. The activities would consist of creating a finance policy panel of public and private decision makers, creating a finance executive panel of key local agency and association executive directors, and conducting a seminar on transportation finance.

Member McClure made a motion, seconded by Member Blick, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board recognizes that the current available

ITB04-18 funding and financing for transportation needs/demands in Idaho is a major challenge over the next decade; and

WHEREAS, the Board recognizes that Idaho's emergence as a major economic center, the diversifying economic base, the quality of life, and an aging infrastructure are fueling this demand; and

WHEREAS, the Board is empowered with the control of the financial affairs of the Board and the Department.

NOW THEREFORE BE IT RESOLVED, that the Board directs the Board Chairman and Department Director to undertake a study along with willing partners to understand the needs and available options for financing Idaho's transportation system and create understandable proposals that lead to long-term consistent and coordinated solutions that address financial needs.

Consent Calendar. Vice Chairman Combo made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board ITB04-19 approves the request for supplemental agreement, US-30, Topaz to Lava Hot Springs, District 5; and has received and reviewed the new and supplemental professional agreements report, the speed minute entry changes for August 2003 through March 2004, the urban congestion travel delay index, and the February financial statement analysis.

1) Request for Supplemental Agreement, US-30, Topaz to Lava Hot Springs, Key #7749, District 5. Staff is requesting a supplemental agreement in the amount of \$340,000 for the US-30, Topaz to Lava Hot Springs project. The project has over 120,000 cubic yards of excess excavation that can be used for borrow material on future US-30 projects. Field staking is needed to verify quantities and to provide for grading, drainage, and erosion controls. Final design changes for signing revisions, county road adjustments, right-of-way negotiations, and utility coordination are also part of this supplemental.

2) New and Supplemental Professional Agreements Report. From March 6 through March 30, the Consultant Administration Unit processed \$2,103,172 in professional, supplemental, and term agreements.

3) Speed Minute Entry Changes for August 2003 through March 2004. The following speed zone changes were made from August 2003 through March 2004 as a result of speed studies:

Beginning Ending Old New

Route District Segment Milepost Milepost Limit Limit

SH-5 1 001620 17.5 17.8 55 35

US-26 4 002240 138.97 139.27 35 45

US-30 4 002040 220.23 220.45 60 45

I-86B 5 001270 1.42 1.74 55 45

I-86B 5 001270 2.08 2.1 45 30

SH-33 6 002075 338.423 338.689 35 25

4) Urban Congestion Travel Delay Index. In response to an earlier presentation on urban congestion, staff analyzed the newest information gathered and determined that the appropriate index would be 1.5. This indicates that any travel times greater than 1.5 times that of ideal would be considered congested. This performance measure was included in the 2003 Highway Performance Report. This index cause 78.5 directional miles within urban areas to be considered congested at this time.

5) February Financial Statement Analysis. Total federal aid revenue from FHWA was \$18 million or 10.4% below projections through the month. Revenue from the Highway Distribution Account was \$1.1 million or 0.9% above the forecast. Personnel and operating expenditures were less than budgeted through the month. Capital equipment showed a negative variance of 35% due to expenditures and encumbrances from the issuance of purchase orders and is a timing difference. In Contract Construction, the federal program is behind spending projections by 29% and the state program is 43% less than projected.

Aviation fuel tax revenue through the end of February was 12.8% or \$141,600 below projections. Miscellaneous revenue was 7%, or \$8,300, more than forecasted. Overall expenditures were ahead of last year, mainly due to increased federal grant funds in the Trustee and Benefit category. The Aircraft Operations Fund has a positive variance to forecast of 27%. Expenditures were less than projected.

Board Items. Member Sweeney believes it is important to provide adequate signing for communities that are off the main highway. He asked staff to look into this issue.

Member Sweeney asked District 3 to review the speed limit on the recently improved stretch of US-95 in the Little Salmon area. He believes the speed limit could be increased.

Member Sweeney also expressed concern that no improvement projects are programmed in the current STIP for US-95 between New Meadows and Council. He believes it is important to improve this section of highway and asked staff to consider funding projects.

Chairman Winder reported on a recent meeting he attended with U.S. Forest Service officials to discuss the agency's decision on some backcountry airstrips. He stated that former Secretary of the Interior and Idaho Governor Cecil Andrus and former U.S. Senator James McClure are assisting ITD with its appeal on the Forest Service's decision.

Department Activities. Director Ekern announced that Scott Turlington has replaced Kathy Ruffalo as the Governor's transportation policy advisor.

Director Ekern distributed a packet of information that was presented to FHWA regarding ITD's coordination efforts with non-Metropolitan Planning Organizations. Director Ekern also mentioned that he was in District 4 earlier this week as part of his second round of visits to each District.

Budget, Policy, and Intergovernmental Relations Manager Julie Pipal provided a final 2004 legislative report. Overall, there was minimal impact to the Department. She also mentioned that staff is preparing its 2005 legislative package and will present that to the Board next month.

Member McHugh noted the innovative grant to encourage safety belt use that ITD received from the U.S. Department of Transportation. He requested a breakdown on how the Department will spend the \$480,000 grant. He also questioned the Board's support for a primary seat belt law. Staff will review that issue and include it in the discussion next month on upcoming legislative issues.

New Business. Administrative Services Division Administrator Susan Simmons outlined the Department's proposal for the 2% change in employee compensation (CEC) that the legislature authorized for FY05. Management proposed a merit-based plan that provides a minimum increase of 25 cents and includes raises for temporary employees.

The Board members commended management for developing the CEC proposal for FY05. They expressed support for increasing salaries and praised staff for developing the earlier proposal that was approved by the Board in January.

Member Sweeney made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the second regular session of the fifty-seventh Idaho Legislature ITB04-20 approved, through House Concurrent Resolution 47, a 2% change in employee compensation (CEC) increase; and

WHEREAS, agencies are encouraged to find ongoing salary savings to further salary increases for employees; and

WHEREAS, the Idaho Transportation Board, values the Idaho Transportation Department employees throughout the state and continues to direct Department management to recognize the performance of employees, and commends Department management for its initiative.

NOW THEREFORE BE IT RESOLVED by the Board that:

- The Department implement a permanent performance based merit proposal for FY05, effective June 6, 2004, payable on the first pay date in July (July 2); and
- The Department management's FY05 performance based CEC implementation is consistent with the guidelines issued on March 31, 2004 to state agencies by the Division of Financial Management, Division of Human Resources, and the State Controller's Office; and
- Up to \$1,850,000 be allocated to provide for the merit increase; and
- At or near year end, the Department will continue the practice of transferring year-end remainders of eligible spending authority, when supported by actual revenue collections, to the Contract Construction and Right-of-Way Acquisition budget unit for use on construction projects; and

BE IT FURTHER RESOLVED, that the Board approves the Department's management FY05 performance based merit plan.

Vice Chairman Combo mentioned a meeting he had recently with Idaho State Police Captain Danny Bunderson regarding Operation Lifesaver. The state coordinator for this organization is retiring, and Vice Chairman Combo was asked if an ITD employee may be able to assume the duties of this position. He met with Director Ekern, CE Ross, and other ITD staff members to discuss this proposal. Staff will review the issues and determine the feasibility of providing a position for the Operation Lifesaver coordinator. Delegation – Lewis-Clark Valley Metropolitan Planning Organization (LCVMPO).

LCVMPO Executive Director Steve Watson thanked the Board for its time. He believes the organization has established an excellent working relationship with Idaho and Washington personnel and he praised ITD staff for its assistance.

Kevin Poole reported that the organization has been officially designated an MPO. Its bylaws and work plan have been adopted. He thanked the District staff for its assistance and the use of ITD facilities. Mr. Poole also commented on the public transportation role the MPO has and that a long-range review of public transportation is occurring.

Joel Ristau commented that the City of Clarkston, Washington has not joined the MPO yet, but efforts will continue on that. He also expressed appreciation to ITD's staff for the help it has provided. He believes the establishment of the MPO has been going well.

Chairman Winder thanked the LCVMPPO officials for their leadership and efforts with the establishment of the organization. Member Sweeney concurred, and believes the gentlemen have done a commendable job coordinating the various agencies and establishing the MPO.

Old Business. The Board members held an extensive discussion on the Department's guidelines for campaign signs posted on the highway right-of-way. Some of the comments included a concern that the procedures aren't being implemented consistently throughout the state and that ITD is not responsible to enforce the law. Director Ekern and Chief Engineer Ross took the various comments under advisement.

The Board members also provided comments on the changes to the District tour packet, including standardizing the information. SB Higgins will continue to refine this process.

Executive Session on Legal Issues, Section 67-2345(1)(f), Idaho Code. Member Miller made a motion to meet in executive session at 11:45 AM to discuss litigation matters.

Member Sweeney seconded the motion and it passed 6-0 by individual roll call vote.

The general tenor of the discussions included probable litigation related to the operation of the state highway system, and updates on pending litigation regarding a condemnation case; the US-95, Bellgrove to Mica project; an access appeal; a contract bid; and the East Main Street, Lewiston, project.

The Board came out of executive session at 12:50 PM. No decisions were made.

The Board held a brief discussion on the Department's staffing level. If additional employees are needed, justification needs to be made for the positions, as cost-effective measures and efficiencies need to be considered first. The re-authorization of the Transportation Equity Act for the 21st Century may also have some impact on the staffing needs.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting and District 2 tour officially adjourned at 12:55 PM.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved

May 21, 2004

Idaho Falls, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 22-23, 2004

The Idaho Transportation Board met at 8:35 AM, on Monday, March 22, 2004, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1
Bruce Sweeney, Member – District 2
Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Steve Parry, Deputy Attorney General

February 25-26, 2004 Board Minutes. Vice Chairman Combo made a motion to approve the minutes of the Board meeting held on February 25-26, 2004 as submitted. Member Miller seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

April 15-16, 2004 – District 2

May 20-21, 2004 – District 6

June 16-18, 2004 – District 3

Consent Calendar. Member Blick made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-11 approves the supplemental agreement request, US-95, Bellgrove to Mica, key #2815, District 1; and the speed minute entry changes US-20, west of Idaho Falls, District 6; and has received and reviewed the contract award information, the new and supplemental professional agreements report, and the quarterly report on legal actions and contract claims.

1) Supplemental Agreement Request, US-95, Bellgrove to Mica, Key #2815, District 1. ITD entered into an agreement with CH2M Hill in the amount of \$1 million for construction support for the US-95, Bellgrove to Mica project in June 2001. Staff is requesting a supplemental agreement in the amount of \$372,540 for roadway design and right-of-way plans for the relocation of Whitlaw Road, additional cultural survey for a waste site, survey services related to right-of-way monuments, testing of a well, and continued water quality monitoring.

2) Speed Minute Entry Changes, US-20, District 6. Staff conducted an engineering and traffic investigation on US-20 from milepost (MP) 301.19 to MP 305.33. Based on the speed study, road conditions, and safety evaluation, it is recommended that the speed limit be increased from 55 miles per hour (MPH) to 65 MPH from MP 301.19 to MP 304.92, and to reduce the speed limit from 55 MPH to 45 MPH from MP 304.92 to MP 305.33.

3) Contract Award Information. Key #8966 – I-84, Intelligent Transportation System Oregon Department of Transportation Cooperative Agreement, District 3. Low bidder: Quality Electric Inc. - \$205,131.

Key #8530 – US-12, Clearwater River Bridge to Rose Garden Lewiston, District 2. Low bidder: Acme Concrete Paving, Inc. - \$2,218,255.

Key #9082 – US-20, Sign Replacement and Upgrade, District 6. Low bidder: Southfork Construction - \$166,535.

Key #9144 – I-15B, Signal Upgrade, Stage 2, District 6. Low bidder: Beco Construction Company, Inc. - \$111,000.

Key #8736 – Idaho Road Surfacing, District 1. Low bidder: Poe Asphalt Paving, Inc. - \$95,124.

Key #8069 – I-90, FY04 District 1 Pavement Striping. Low bidder: United Rentals Highway Technologies - \$115,442.

Key #8244 and #8237 – SH-67, Feed Lot to Simco Road and Simco Road to Airforce Base Road, District 3. Low bidder: Idaho Sand and Gravel Company, Inc. - \$2,208,841.

4) New and Supplemental Professional Agreements Report. From February 2 through March 5, the Consultant Administration Unit processed \$1,405,967 in professional, supplemental, and term agreements.

5) Quarterly Report on Legal Actions and Contract Claims. The quarterly report on legal cases resolved and a status of current legal cases and contract claims were presented.

In response to the speed minute entry item, Vice Chairman Combo announced that District 6 Traffic Engineer John Becker is retiring. Vice Chairman Combo commended Mr. Becker for his service to ITD and wished him well in his retirement.

State Institution Road Improvement Funds Annual Allocation and January Financial Statement Analysis. The Department of Administration Division of Public Works (DPW) solicited road improvement projects from state institutions. DPW requested \$30,000 in FY05 for the grounds of the Idaho Department of Lands Mica Forest Protective District Office in Coeur d'Alene. The Governor has endorsed this project. DPW will receive the funds and administer or oversee the administration of this project.

Member McHugh commented that District 1 was not aware of this project. CE Ross reported that ITD only provides funds for the state institution road improvement program; it does not administer the project. DPW is responsible for this program.

The January financial statement analysis revealed that total federal aid revenue from FHWA was \$15.2 million or 9.5% below projections through the month. Revenue from the Highway Distribution Account was \$595,800 or 0.6% below the forecast. The revenue source showing the largest dollar weakness is passenger car registration.

Personnel and operating expenditures were less than budgeted through the month. Capital equipment showed a negative variance of 37% due to expenditures and encumbrances from the issuance of purchase orders and is a timing difference. In Contract Construction, the federal program is behind spending projections by 34% and the state program is 29% less than projected.

Aviation fuel tax revenue through the end of January was 12.3% or \$118,500 below projections. Miscellaneous revenue was 3.5%, or \$3,600, more than forecasted. Overall expenditures were ahead of last year, mainly due to increased federal grant funds in the Trustee and Benefit category. Although there were no aircraft pool billings in January, the Aircraft Operations Fund has a positive variance to forecast of 7%. Expenditures were less than projected.

Member McHugh noted that the expenditures in the Aeronautics' Fund continue to exceed revenue. Aeronautics Administrator (AA) Bob Martin said that the Division expends federal grant money and then gets reimbursed by the Federal Aviation Administration. In response to Member McHugh's question on the timing, AA Martin replied that the Division gets the reimbursements approximately six weeks after issuing the grants.

Member McHugh made a motion to approve the State Institution Road Improvement Fund allocation, \$30,000 for the grounds of the Idaho Department of Lands Mica Forest Protective District Office in Coeur d'Alene, and to accept the January financial statement analysis. Member Blick seconded the motion and it passed unopposed.

Board Items. Member Sweeney provided a brief overview on District 2's tour plans for next month. A number of local entities are scheduled to meet with the Board.

Department Activities. Director Ekern outlined the focus areas for the next three years that he and the Executive Team have been refining. Some of the initiatives include partnerships with agencies in the Treasure Valley; operations, such as traffic signal coordination with Ada County Highway District and in the City of Coeur d'Alene; and traveler services.

Kathy Ruffalo, transportation policy advisor to Governor Kempthorne, will be leaving her position. Director Ekern reported that this will be Ms. Ruffalo's last week in the office.

Director Ekern was in Washington, DC last month attending meetings on the reauthorization of the Transportation Equity Act for the 21st Century (TEA-21). He reported that the U.S. House of Representatives is scheduled to work on its bill this week.

The budgeting process is undergoing a change, as the Department moves to program budgeting, according to Director Ekern. This will be a focus at the June workshop.

Director Ekern reported that the Harcon/Inland Crane claim has been resolved. A settlement was reached.

In conclusion, Director Ekern stated that staff has started discussions on the 2005 legislative session and on legislative outreach efforts. Chairman Winder requested a future work session on GARVEE bonding.

Public Transportation Administrator (PTA) Larry Falkner reported on the recent Public Transportation Advisory Council (PTAC) meeting. The Council received an update on the reauthorization efforts and discussed the future of public transportation. PTAC will review and update its vision and mission and then discuss its direction with the Board.

CE Ross believes the seat belt summit held last week was a beneficial meeting. Valuable information was provided to the attendees, including Idaho State Police personnel and Emergency Medical Technicians.

CE Ross attended a recent meeting with some legislators and other interested parties to discuss the SH-21 avalanche issues. He would like to update the avalanche study that was completed several years ago.

The annual Aviation Festival held earlier this month was another successful event, according to AA Martin. He summarized the various activities and reported that attendance, both by participants and vendors, continues to grow. Member Sweeney, who attended a portion of the festival, heard a number of positive comments about the event. He commended AA Martin and his staff for the educational outreach activities. He believes the efforts are elevating the awareness level of and interest in aviation in the state.

Administrative Services Division Administrator (ASDA) Susan Simmons briefed the Board on the status of the financial management system agreement. She also reported on the recent legislative audit on the Department for FY01-03 and thanked Member McHugh for his participation in that. ASDA Simmons believes the findings were immaterial financially, as they related to items such as inventory and the courtesy car program. Member McHugh concurred that the issues appeared non-substantive and can be resolved. Overall, he was pleased with the results. Chairman Winder thanked Member McHugh for his involvement in the audit.

SB Higgins summarized proposed changes for the District tour books. Information on all modes will be provided. Staff will continue to refine the process and material as it receives feedback from the Board.

Update on Federal Reauthorization Activities and State Legislation. Transportation Planning Administrator (TPA) Charles Rountree provided an update on the reauthorization efforts. It is hoped that the U.S. House of Representatives' bill will be available for review by the end of the week. Funding continues to be an issue that needs to be resolved. There is potential for the reauthorization to include a clause to revisit the funding level in the future. TPA Rountree added that the continuing resolution expires at the end of April.

Budget, Policy, and Intergovernmental Relations Manager Julie Pipal announced the state legislature adjourned last weekend. She reported that the Governor has signed ITD's appropriations bill and has the Department's other four legislative proposals for signature.

Vice Chairman Combo commented on Representative JoAn Wood's interest, if re-elected, to stop or limit the number of special license plates issued. Several years ago,

the Department proposed legislation to this effect. He asked if the Board would be willing to revisit this issue and support Representative Wood's efforts. The consensus of the Board was to discuss this issue at a future meeting. There was also some discussion on the legislative proposal, which failed, regarding election signs within the highway right-of-way. CE Ross summarized the procedures that the Districts have been following regarding these signs. Member Blick expressed concern for the safety of the maintenance employees who have to remove these signs, especially on busy highways. The consensus of the Board was to revisit this issue at a future meeting.

Interagency Working Group (IWG) Presentation. Dick Juengling, Administrative Support Manager, Idaho Commission on Aging, and Chair of the IWG, thanked the Board for the opportunity to elaborate on the IWG's efforts. PTA Falkner summarized the Four-County Demonstration Project, which consists of one public transportation provider coordinating the transportation system and service for area community and state agency clients. Additional counties have been added to the project, and it is hoped that all seven counties in District 5 will be participating by the end of the year. Pocatello Regional Transit is the lead agency on the coordination efforts. Ron Binggeli, City of Pocatello Public Transit Director, elaborated on the project, provided a history of public transportation in eastern Idaho, and emphasized that funding continues to be a challenge, especially for locals to provide match for federal funds.

Due to economic concerns, Magic Valley officials asked the IWG for assistance with needs analysis and recommendations, according to PTA Falkner. With the completion of those recommendations, it is anticipated that the area will implement a system that services workers, state agency clients, and the general public through an efficient and coordinated system. Currently, the IWG has a partnership with the College of Southern Idaho on this initiative.

Randy May, Deputy Administrator, Division of Medicaid, Idaho Department of Health and Welfare, explained the North Central Idaho Rural Access Initiative. It is an effort to reduce barriers to sharing school district and state agency resources so that buses delivering school children in the morning and afternoon are serving state agency clients during the day, such as delivering citizens to medical appointments. This initiative will result in substantial cost savings to the state. The Orofino and Kamiah School Districts are currently partnering with IWG on this initiative.

In closing, Mr. Juengling emphasized that the IWG will continue its efforts in the public transportation arena by promoting effective use of taxpayers' dollars, leveraging

available funds, and identifying and reducing barriers, and enhancing mobility. He believes the future of an effective, efficient public transportation system needs the support of a grass roots effort.

Chairman Winder thanked the IWG for the informative presentation. He also thanked the members for their dedication to public transportation and their efforts in this important arena.

Annual Report on Equal Employment Opportunity (EEO). EEO Manager Karen Sparkman reported on the activities of the EEO Office in 2003. The internal programs included Title VI monitoring, Americans with Disabilities Act, discrimination complaints, and outreach and education for employees. External efforts focused on Disadvantaged Business Enterprise and contract compliance activities, such as workshops, newsletters, and compliance reviews.

Chairman Winder thanked Ms. Sparkman for the report and for her efforts in this arena.

Executive Session on Legal Issues, Section 67-2345(1)(f), Idaho Code. Vice Chairman Combo made a motion to meet in executive session at 12 noon to discuss litigation matters. Member Miller seconded the motion and it passed 6-0 by individual roll call vote.

The general tenor of the discussion included potential litigation on a right-of-way issue, a contract bid, and the US-95, Bellgrove to Mica project, and an update on pending litigation on an access appeal.

The Board came out of executive session at 1:20 PM. No decisions were made.

Because Boise County officials, interested in the discussion on the Banks to Lowman Highway, were in the audience, Vice Chairman Combo made a motion to adjust the agenda to advance the Banks to Lowman item. Member Miller seconded the motion and it passed unopposed.

Administrative Settlement, US-95, Sandpoint North and South Project, Key #1729, District 1. District 1 Engineer Scott Stokes summarized the right-of-way acquisition efforts on the US-95, Sandpoint North and South project. Because of the complexity of the Lakeside Inn parcel, Legal staff has assisted the District with this acquisition. Based on negotiations, there is an opportunity to settle with an administrative settlement, which is preferable to the time and expense expected to be incurred through the condemnation process.

Vice Chairman Combo made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board recognizes the need for purchasing
ITB04-12 property associated with construction projects in Idaho; and

WHEREAS, the Board recognizes the need to ensure that all right-of-way purchases are properly valued and comply with Idaho Transportation Department and Federal Highway Administration policies and guidelines; and

WHEREAS, the US-95, Sandpoint North and South project, key #1729, is scheduled to begin construction this year and is an important regional and statewide project; and

WHEREAS, the Board recognizes that there are uncertainties associated with the valuation and negotiations of right-of-way parcels; and

WHEREAS, negotiations to acquire the Lakeside Inn parcel have resulted in the indication of a willingness by the property owners to accept an administrative settlement for an amount within 15% of the appraised value; and

WHEREAS, Board Policy B-03-01, Acquisition and Disposal of Real Properties and their Improvements, limits the Chief Engineer's authority on administrative settlements of up to 10% or \$100,000, whichever is greater, over the reviewed fair market value of the property.

NOW THEREFORE BE IT RESOLVED, that the Board approves the staff recommendation for administrative settlement of the Lakeside Inn parcel for an amount not to exceed 15% of the appraised value.

Banks to Lowman Highway Cooperative Agreement between ITD and Boise County, District 3. District 3 Associate Engineer Kyle Radek provided a history on the Banks to Lowman highway, including efforts by the Board Subcommittee on Adjustments to the State Highway System to add this route to the state's system. The highway, approximately 33 miles in length, connects SH-55 at Banks with SH-21 at Lowman. The District assessed the conditions of the highway and estimated costs for improving the route to state standards at \$7 million. Mr. Radek summarized an origin-destination study completed last July that indicated the majority of traffic is non-local, supporting the earlier evaluation of the route signifying that it functions more like a state highway than a local road.

Mr. Radek outlined a draft cooperative agreement between Boise County and ITD that would transfer the route in segments from the County to the State over time as improvement projects are completed. The County would be responsible to maintain the Banks to Lowman Highway to the fullest extent possible until ownership is transferred to the State. Additionally, after transfer of ownership of each segment, ITD would contract with Boise County to provide maintenance of the transferred sections until the Department has the resources available to provide the required maintenance.

Member McHugh expressed concern that Boise County does not levy taxes for road and bridge improvements. He supports local public agencies' efforts to provide funds for its infrastructure. He questioned the validity of the origin-destination study because it was completed during a three-day weekend. Member McHugh also expressed concern with Boise County's ability to fulfill its responsibilities outlined in the agreement.

Member McClure believes the Banks to Lowman Highway functions as a state highway and that the majority of motorists using the route are traveling between Boise and

Stanley. He added that the Board Subcommittee on Adjustments to the State Highway System has discussed this route extensively and supports transferring it to the State.

Vice Chairman Combo echoed Member McClure's comments and in support of the route's importance to the state, referenced the recent declaration by Lieutenant Governor Jim Risch of the state disaster on the route due to mud slides and rock falls. He asked Local Highway Technical Assistance Council (LHTAC) Administrator Joe Haynes for comments. Mr. Haynes emphasized the need to look at the whole transportation system, statewide. He believes transferring this route to the state is in the best interest of the citizens of the state. He added that he believes the proposed cooperative agreement is viable and he expressed support for the transfer.

Boise County Commissioner Dale Hanson reported that the Banks to Lowman Highway is a small part of the local road system. Funding is a concern for the County, particularly because this highway is a high maintenance route due to rock falls. He believes the majority of motorists using the highway are traveling between Boise and Stanley; non-local traffic.

Member Sweeney echoed Member McHugh's concern with the local entity's ability to complete its obligations outlined in the cooperative agreement.

Member McClure made a motion, seconded by Member Blick, to approve the following resolution:

RES. NO. WHEREAS, Boise County has requested that the Idaho Transportation Board

ITB04-13 consider adding the Banks to Lowman highway to the state highway system; and

WHEREAS, the Board Subcommittee on Adjustments to the State Highway System has reviewed the score of this route according to Idaho Transportation Department point rating criteria for adding routes to the state highway system, and has further conducted an origin-destination study to determine the extent of non-local use of this route; and

WHEREAS, the point rating criteria and the results of the origin-destination study indicate that the route is functioning as a state highway and will continue to do so; and

WHEREAS, the Subcommittee on Adjustments to the State Highway System has reviewed the projects and costs necessary to improve the highway to a level appropriate to the state highway system and to maintain it; and

WHEREAS, District 3 staff has prepared a cooperative agreement for the transfer of the highway from County to State ownership after the route has been improved as noted; and

and WHEREAS, Boise County has concurred with the terms of the agreement;

WHEREAS, the Subcommittee on Adjustments to the State Highway System recommends that the Board authorizes staff to sign the cooperative agreement.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes staff to sign the cooperative agreement for the transfer of ownership of the Banks to Lowman Highway from Boise County to the State.

Member Sweeney reiterated the need for the parties to fulfill their respective obligations. Vice Chairman Combo stressed that the proposal is a cooperative agreement; ITD and Boise County will work together on this issue. The motion passed 5-1 with Member McHugh dissenting.

SH-55, Eagle Road Arterial Study Workshop. DE 3 Pamela Lowe provided a history on the development that has occurred on SH-55, Eagle Road. Traffic has exceeded projections, as the estimated average daily traffic (ADT) count for 2017 was 21,450, while the ADT is currently 31,000. SH-55 is the only north-south state highway in the area. DE Lowe summarized last month's workshop that was held to determine the best alternatives for addressing issues with the corridor. It is imperative to provide for a safe transportation corridor that moves traffic efficiently while also addressing needs of the adjacent property owners, such as access. The next steps include obtaining support from the local jurisdictions and public on recommendations.

District 3 Federal Highway Program Changes to Fund Increases to McCall East-West Loop, Key #5030, District 3. District 3 Project Development Engineer Daris Bruce provided a history of the McCall East-West Loop project. It is a local project to construct approximately 1.2 miles of new roadway, including two major structures. The project was initially programmed for construction in 1992 at a total cost of \$4.105 million. Due to additional right-of-way and construction costs, the project is now estimated at \$10.472 million. Approximately \$1 million is needed to settle a condemnation case on one parcel. Mr. Bruce noted that the Department elected to use Flexible Funding to set the sponsor's match at zero. He believes the project is beneficial, as it would provide a second river crossing in McCall and would alleviate some traffic on SH-55. He outlined the District's plan to fund the increased costs.

Member Blick expressed concern with the right-of-way costs and asked how the initial estimate on the condemned parcel could have been so far off. Mr. Bruce said the appraiser was one that ITD often uses, and the appraiser was confident with his appraisal. The additional compensation was apparently for the impact to a business rather than the value of the land. Member Blick also expressed concern that the project is being funded entirely with federal funds; the City of McCall is not providing any local funding.

McCall Community Development Director Lindley Kirkpatrick stated that the match is being provided from the Local Rural Investment Program administered by LHTAC. He said the intent of the Investment Program was to provide match for federal projects. He also reported that the City of McCall scaled back the project to reduce costs.

In response to Member Miller's question on whether access will be controlled on the route, Mr. Bruce replied yes. Vice Chairman Combo asked about the condemnation process. DAG Parry replied that the condemnation was between the City of McCall and

the landowner. Because this is a local project, ITD was not involved. Vice Chairman Combo asked staff to review the judgment on the condemnation.

Some discussion followed on the issue of whether the McCall East-West Loop project will be a bypass of SH-55. Because of the curves and 6% slope on the route, Mr. Bruce said it is undesirable for a truck route. He added that the City wants the route for local traffic, not trucks.

Member McClure emphasized the need for this project to address safety concerns, as it will provide an additional river crossing in McCall. He also believes it will improve traffic circulation in the city. Although he has concerns with the additional costs, he noted that the funds are coming from within District 3.

Because the Board has questions on the project and no consensus was reached, Member Miller made a motion to table District 3's program changes to fund the McCall East-West Loop project for one month. Vice Chairman Combo seconded the motion and it passed unopposed.

District 4 Federal Highway Program Changes to Fund Second Quarter Project Cost Increases. CE Ross requested delaying the SH-75, Basin Creek Bridge, Custer County project, key #6645 from FY04 to FY06 and the removal of the SH-75, Big Wood River Bridge #17681, Blaine County, key #8965 in District 4. These modifications would provide funding for the changes in scope of the I-84, East Bliss Interchange to Milepost 149.5 project, key #8364, and the I-84, South Wendell Interchange to West Jerome Interchange project, key #8894, in the amount of \$5.6 million.

Member Sweeney made a motion, seconded by Vice Chairman Combo, to approve the following resolution:

WHEREAS, it is in the public's interest for the Idaho Transportation
Department

to publish and accomplish a current, realistic, and fiscally constrained
Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, District 4 has identified changes to the approved FY04-08 and Preliminary Development Highway Development Program based on delivery status and current cost estimates.

NOW, THEREFORE BE IT RESOLVED, that the Board approves the delay of SH-75, Basin Creek Bridge, Custer County (key #6645, project #STP-BR-2390(126)) from FY04 to FY06 and the removal of SH-75, Big Wood River Bridge #17681, Blaine County (key #8965, project #STP-2390(147)) from FY04 of the approved FY04-08 and Preliminary Development Highway Development Program; and

BE IT FURTHER RESOLVED, that staff is authorized to make appropriate changes to the FY04 STIP in accordance with the provisions of the TEA-21.

Chairman Winder requested that additional information be included in the resolution, such as costs. He asked the Board to hold this item until staff could revise the resolution. The Board concurred. (See later minute entry.)

Contract Awards. CE Ross reported that S.A. Gonzales, Inc., Newman Lake, Washington, submitted the low bid, in the amount of \$17,000,843.07 for the US-95, Setters to Bellgrove, Stage 1 project, key #8070, District 1 project. However, the second low bidder, Scarsella Brothers, Inc. has disputed the responsiveness of the low bid. An administrative hearing is scheduled later this month to resolve this issue.

Member Sweeney made a motion, seconded by Vice Chairman Combo, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the bids on the US-95, Setters to Bellgrove, Stage 1 project, key

ITB04-14 #8070, District 1, opened March 9, 2004 and requires Idaho Transportation Board approval to award, in accordance with Board Policy B-14-06; and

WHEREAS, the low bidder for this proposal is S.A. Gonzales Construction, Inc.; and

WHEREAS, the second low bidder for this proposal, Scarsella Brothers, Inc., has filed a bid protest; and

WHEREAS, an administrative hearing is being scheduled and all parties want the matter heard before the end of March; and

WHEREAS, the administrative hearing will determine whether S.A. Gonzales Construction, Inc. submitted a responsive bid; and

WHEREAS, there are some very tight time constraints required by the contract.

NOW THEREFORE BE IT RESOLVED, that the Board approves the recommendation of staff to award the Setters to Bellgrove, Stage 1 project to S.A. Gonzales Construction, Inc. pending an affirmative determination that the bid of S.A. Gonzales Construction, Inc. was the lowest and best bid pursuant to Section 40-902, Idaho Code.

Presentation – Community Transportation Enhancement Program. Dave Stephenson, Project Coordinator, Department of Lands, reported on the Community Transportation Enhancement Program, which was established to enhance transportation corridors in communities through landscaping. The program continues to be popular, as 14 cities submitted applications totaling \$175,074 in FY04, while only eight received funding totaling \$100,000. He praised ITD's partnership in this program and encouraged the Board to continue funding the program and to consider increasing the annual funding amount, which is currently \$100,000.

Mr. Haynes relayed the Association of Idaho Cities' appreciation of and support for this program.

Chairman Winder thanked Mr. Stephenson for the informative presentation and his efforts with this important program.

WHEREUPON, the meeting recessed at 4:20 PM.

March 23, 2004

The Board reconvened at 8:35 AM on Tuesday, March 23, 2004, at the Transportation Department. All members were present.

Annual Report on Audits. Internal Review Manager Carri Rosti summarized the audits and reviews completed in 2003. Some of the internal work included the road equipment, Port of Entry cash control, and quality assurance/quality control specifications. External audits included railroad and utility reviews, public transportation sub grantees, and an Office of Highway Safety contract review. Part of the 2004 work plan includes improving responsiveness to customer needs and hosting the American Association of State Highway and Transportation Officials' Audit Subcommittee meeting in Boise in July.

Member McHugh expressed appreciation for the Internal Review Office's efforts. He believes the staff is professional and does an excellent job in the audit arena. Chairman Winder thanked Member McHugh for his efforts in this field. He also thanked Ms. Rosti for the presentation and for the service and dedication to the Department.

Annual Report on the Safety Program. Employee Safety Risk Manager (ESRM) Cheryl Rost reported on the Safety Program. Some of the activities in 2003 included drug and alcohol testing of positions requiring a commercial drivers' license, medical testing for employees that work with hazardous or possible contaminated materials, and promoting safety and health awareness. ESRM Rost was pleased to report that the total number of industrial accidents and vehicular accidents decreased in FY03 from FY02 and that the Department received a dividend of \$73,699 from the State Insurance Fund against the calendar year 2002 premium.

ESRM Rost answered questions related to the drug and alcohol testing program, medical testing for contamination, and tort claims.

Chairman Winder thanked Ms. Rost for the report.

Annual Report on the Wellness Program. Wellness Council Chair Pauline Davis summarized the activities the Wellness Council offered to employees last year to promote overall health and wellness. She also provided an overview on the activities of each District and Headquarters during 2003 and their respective accomplishments.

Vice Chairman Combo praised the Council's efforts, as it is a volunteer organization. He believes the Council has established a commendable program, and he expressed support for it.

New Business. Member Blick expressed concern with LHTAC's funding programs. It is his understanding that some local public agencies have projects that have not been completed because of lack of funding. Local agencies are only eligible to receive funds through LHTAC occasionally, so some projects may be left unfinished for a number of years. Director Ekern indicated that he would visit with Mr. Haynes about this issue.

Member Miller questioned the Board's interest in increasing speed limits. He believes some highways that are wide, have adequate shoulders, good sight distance, and low ADT, should be posted at 75 miles per hour. He realizes increasing the speed limit would take legislative action. Chairman Winder asked that this subject be discussed at a future meeting.

Commercial Air Service. AA Martin said his counterparts from Washington and Oregon have held discussions regarding commercial air service. Smaller communities, particularly, have concerns with the availability of commercial air service. He introduced Mike Boggs, a consultant with Mead and Hunt, who has been assisting the three states with this issue.

Mr. Boggs provided a historical trend on commercial air service in the northwest. He stated that it is difficult for airlines to be successful in small markets due to competition, frequent flyer programs, existing travel habits, corporate purchase agreements with airlines, and name or service awareness. Some communities are exploring incentives, such as subsidies or guaranteeing revenue, to attract air service. He also emphasized that communities need to take a regional approach to address their commercial air service needs. Mr. Boggs believes the next steps Idaho needs to take to retain existing and enhance services are to identify a lead organization on this effort, secure regional buy-in, raise the awareness level of the issue, and conduct research and an evaluation of services.

Chairman Winder thanked Mr. Boggs and AA Martin for the information and efforts on this important matter.

Old Business. District 4's request for changes to the Statewide Transportation Improvement Program was revisited at this time. Vice Chairman Combo made a motion, seconded by Member Blick, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-15 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, the FY03 minor pavement rehabilitation projects, I-84, East Bliss Interchange to Milepost 149.5 (key #8364, project #CM-IM-84-3(069)147) and I-84, South Wendell Interchange to West Jerome Interchange (key #8894, project #IM-84-3(073)156) have been increased in scope by \$5.643 million to utilize traffic crossovers for safety of the traveling public; and

WHEREAS, the Chief Engineer has approved the use of \$2.641 million in FY04 District 4 releases to prior year projects to partially offset this increase; and

WHEREAS, District 4 has identified \$1.17 million of undeliverable right-of-way in FY04 to partially offset this increase; and

WHEREAS, \$200,000 of the Department's FY04 Interstate Maintenance Discretionary earmark is available to partially offset this increase; and

WHEREAS, District 4 has identified the following changes to the approved FY04-08 and Preliminary Development Highway Development Program based on delivery status and current cost estimates.

NOW THEREFORE BE IT RESOLVED, that the Board approves the delay of SH-75, Basin Creek Bridge, Custer County (key #6645, project #STP-BR-2390(126)) from FY04 to FY06 for \$842,000 and the removal of SH-75, Big Wood River Bridge #17681, Blaine County (key #8965, project #STP-2390(147)) for \$790,000 from FY04 of the approved FY04-08 and Preliminary Development Highway Development Program to fund the remaining \$1.632 million of cost increases to prior year projects in District 4; and

BE IT FURTHER RESOLVED, that staff is authorized to make appropriate changes to the FY04 STIP in accordance with the provisions of the TEA-21.

Employee Service Awards. The Board participated in the Employee Service Awards, with Member Sweeney providing comments on behalf of the Board.

WHEREAS, the Board meeting adjourned at 11:20 AM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

April 16, 2004

Lewiston, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 22-23, 2004

The Idaho Transportation Board met at 8:35 AM, on Monday, March 22, 2004, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Steve Parry, Deputy Attorney General

February 25-26, 2004 Board Minutes. Vice Chairman Combo made a motion to approve the minutes of the Board meeting held on February 25-26, 2004 as submitted. Member Miller seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

April 15-16, 2004 – District 2

May 20-21, 2004 – District 6

June 16-18, 2004 – District 3

Consent Calendar. Member Blick made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board ITB04-11 approves the supplemental agreement request, US-95, Bellgrove to Mica, key #2815, District 1; and the speed minute entry changes US-20, west of Idaho Falls, District 6; and has received and reviewed the contract award information, the new and supplemental professional agreements report, and the quarterly report on legal actions and contract claims.

1) Supplemental Agreement Request, US-95, Bellgrove to Mica, Key #2815, District 1. ITD entered into an agreement with CH2M Hill in the amount of \$1 million for construction support for the US-95, Bellgrove to Mica project in June 2001. Staff is requesting a supplemental agreement in the amount of \$372,540 for roadway design and right-of-way plans for the relocation of Whitlaw Road, additional cultural survey for a waste site, survey services related to right-of-way monuments, testing of a well, and continued water quality monitoring.

2) Speed Minute Entry Changes, US-20, District 6. Staff conducted an engineering and traffic investigation on US-20 from milepost (MP) 301.19 to MP 305.33. Based on the speed study, road conditions, and safety evaluation, it is recommended that the speed limit be increased from 55 miles per hour (MPH) to 65 MPH from MP 301.19 to MP 304.92, and to reduce the speed limit from 55 MPH to 45 MPH from MP 304.92 to MP 305.33.

3) Contract Award Information. Key #8966 – I-84, Intelligent Transportation System Oregon Department of Transportation Cooperative Agreement, District 3. Low bidder: Quality Electric Inc. - \$205,131.

Key #8530 – US-12, Clearwater River Bridge to Rose Garden Lewiston, District 2. Low bidder: Acme Concrete Paving, Inc. - \$2,218,255.

Key #9082 – US-20, Sign Replacement and Upgrade, District 6. Low bidder: Southfork Construction - \$166,535.

Key #9144 – I-15B, Signal Upgrade, Stage 2, District 6. Low bidder: Beco Construction Company, Inc. - \$111,000.

Key #8736 – Idaho Road Surfacing, District 1. Low bidder: Poe Asphalt Paving, Inc. - \$95,124.

Key #8069 – I-90, FY04 District 1 Pavement Striping. Low bidder: United Rentals Highway Technologies - \$115,442.

Key #8244 and #8237 – SH-67, Feed Lot to Simco Road and Simco Road to Airforce Base Road, District 3. Low bidder: Idaho Sand and Gravel Company, Inc. - \$2,208,841.

4) New and Supplemental Professional Agreements Report. From February 2 through March 5, the Consultant Administration Unit processed \$1,405,967 in professional, supplemental, and term agreements.

5) Quarterly Report on Legal Actions and Contract Claims. The quarterly report on legal cases resolved and a status of current legal cases and contract claims were presented.

In response to the speed minute entry item, Vice Chairman Combo announced that District 6 Traffic Engineer John Becker is retiring. Vice Chairman Combo commended Mr. Becker for his service to ITD and wished him well in his retirement.

State Institution Road Improvement Funds Annual Allocation and January Financial Statement Analysis. The Department of Administration Division of Public Works (DPW) solicited road improvement projects from state institutions. DPW requested \$30,000 in FY05 for the grounds of the Idaho Department of Lands Mica Forest Protective District Office in Coeur d'Alene. The Governor has endorsed this project. DPW will receive the funds and administer or oversee the administration of this project.

Member McHugh commented that District 1 was not aware of this project. CE Ross reported that ITD only provides funds for the state institution road improvement program; it does not administer the project. DPW is responsible for this program.

The January financial statement analysis revealed that total federal aid revenue from FHWA was \$15.2 million or 9.5% below projections through the month. Revenue from the Highway Distribution Account was \$595,800 or 0.6% below the forecast. The revenue source showing the largest dollar weakness is passenger car registration. Personnel and operating expenditures were less than budgeted through the month. Capital equipment showed a negative variance of 37% due to expenditures and encumbrances from the issuance of purchase orders and is a timing difference. In Contract Construction, the federal program is behind spending projections by 34% and the state program is 29% less than projected.

Aviation fuel tax revenue through the end of January was 12.3% or \$118,500 below projections. Miscellaneous revenue was 3.5%, or \$3,600, more than forecasted. Overall expenditures were ahead of last year, mainly due to increased federal grant funds in the Trustee and Benefit category. Although there were no aircraft pool billings in January, the Aircraft Operations Fund has a positive variance to forecast of 7%. Expenditures were less than projected.

Member McHugh noted that the expenditures in the Aeronautics' Fund continue to exceed revenue. Aeronautics Administrator (AA) Bob Martin said that the Division expends federal grant money and then gets reimbursed by the Federal Aviation Administration. In response to Member McHugh's question on the timing, AA Martin replied that the Division gets the reimbursements approximately six weeks after issuing the grants.

Member McHugh made a motion to approve the State Institution Road Improvement Fund allocation, \$30,000 for the grounds of the Idaho Department of Lands Mica Forest Protective District Office in Coeur d'Alene, and to accept the January financial statement analysis. Member Blick seconded the motion and it passed unopposed.

Board Items. Member Sweeney provided a brief overview on District 2's tour plans for next month. A number of local entities are scheduled to meet with the Board.

Department Activities. Director Ekern outlined the focus areas for the next three years that he and the Executive Team have been refining. Some of the initiatives include partnerships with agencies in the Treasure Valley; operations, such as traffic signal coordination with Ada County Highway District and in the City of Coeur d'Alene; and traveler services.

Kathy Ruffalo, transportation policy advisor to Governor Kempthorne, will be leaving her position. Director Ekern reported that this will be Ms. Ruffalo's last week in the office.

Director Ekern was in Washington, DC last month attending meetings on the reauthorization of the Transportation Equity Act for the 21st Century (TEA-21). He reported that the U.S. House of Representatives is scheduled to work on its bill this week. The budgeting process is undergoing a change, as the Department moves to program budgeting, according to Director Ekern. This will be a focus at the June workshop. Director Ekern reported that the Harcon/Inland Crane claim has been resolved. A settlement was reached.

In conclusion, Director Ekern stated that staff has started discussions on the 2005 legislative session and on legislative outreach efforts. Chairman Winder requested a future work session on GARVEE bonding.

Public Transportation Administrator (PTA) Larry Falkner reported on the recent Public Transportation Advisory Council (PTAC) meeting. The Council received an update on the reauthorization efforts and discussed the future of public transportation. PTAC will review and update its vision and mission and then discuss its direction with the Board. CE Ross believes the seat belt summit held last week was a beneficial meeting. Valuable information was provided to the attendees, including Idaho State Police personnel and Emergency Medical Technicians.

CE Ross attended a recent meeting with some legislators and other interested parties to discuss the SH-21 avalanche issues. He would like to update the avalanche study that was completed several years ago.

The annual Aviation Festival held earlier this month was another successful event, according to AA Martin. He summarized the various activities and reported that attendance, both by participants and vendors, continues to grow. Member Sweeney, who attended a portion of the festival, heard a number of positive comments about the event. He commended AA Martin and his staff for the educational outreach activities. He believes the efforts are elevating the awareness level of and interest in aviation in the state.

Administrative Services Division Administrator (ASDA) Susan Simmons briefed the Board on the status of the financial management system agreement. She also reported on the recent legislative audit on the Department for FY01-03 and thanked Member McHugh for his participation in that. ASDA Simmons believes the findings were immaterial financially, as they related to items such as inventory and the courtesy car program. Member McHugh concurred that the issues appeared non-substantive and can be resolved. Overall, he was pleased with the results. Chairman Winder thanked Member McHugh for his involvement in the audit.

SB Higgins summarized proposed changes for the District tour books. Information on all modes will be provided. Staff will continue to refine the process and material as it receives feedback from the Board.

Update on Federal Reauthorization Activities and State Legislation. Transportation Planning Administrator (TPA) Charles Rountree provided an update on the reauthorization efforts. It is hoped that the U.S. House of Representatives' bill will be available for review by the end of the week. Funding continues to be an issue that needs to be resolved. There is potential for the reauthorization to include a clause to revisit the funding level in the future. TPA Rountree added that the continuing resolution expires at the end of April.

Budget, Policy, and Intergovernmental Relations Manager Julie Pipal announced the state legislature adjourned last weekend. She reported that the Governor has signed ITD's appropriations bill and has the Department's other four legislative proposals for signature.

Vice Chairman Combo commented on Representative JoAn Wood's interest, if re-elected, to stop or limit the number of special license plates issued. Several years ago, the Department proposed legislation to this effect. He asked if the Board would be willing to revisit this issue and support Representative Wood's efforts. The consensus of the Board was to discuss this issue at a future meeting. There was also some discussion on the legislative proposal, which failed, regarding election signs within the highway right-of-way. CE Ross summarized the procedures that the Districts have been following regarding these signs. Member Blick expressed concern for the safety of the maintenance employees who have to remove these signs, especially on busy highways. The consensus of the Board was to revisit this issue at a future meeting.

Interagency Working Group (IWG) Presentation. Dick Juengling, Administrative Support Manager, Idaho Commission on Aging, and Chair of the IWG, thanked the Board for the opportunity to elaborate on the IWG's efforts. PTA Falkner summarized the Four-County Demonstration Project, which consists of one public transportation provider coordinating the transportation system and service for area community and state agency clients.

Additional counties have been added to the project, and it is hoped that all seven counties in District 5 will be participating by the end of the year. Pocatello Regional Transit is the lead agency on the coordination efforts. Ron Binggeli, City of Pocatello Public Transit Director, elaborated on the project, provided a history of public transportation in eastern Idaho, and emphasized that funding continues to be a challenge, especially for locals to provide match for federal funds.

Due to economic concerns, Magic Valley officials asked the IWG for assistance with needs analysis and recommendations, according to PTA Falkner. With the completion of those recommendations, it is anticipated that the area will implement a system that services workers, state agency clients, and the general public through an efficient and coordinated system. Currently, the IWG has a partnership with the College of Southern Idaho on this initiative.

Randy May, Deputy Administrator, Division of Medicaid, Idaho Department of Health and Welfare, explained the North Central Idaho Rural Access Initiative. It is an effort to reduce barriers to sharing school district and state agency resources so that buses delivering school children in the morning and afternoon are serving state agency clients during the day, such as delivering citizens to medical appointments. This initiative will

result in substantial cost savings to the state. The Orofino and Kamiah School Districts are currently partnering with IWG on this initiative.

In closing, Mr. Juengling emphasized that the IWG will continue its efforts in the public transportation arena by promoting effective use of taxpayers' dollars, leveraging available funds, and identifying and reducing barriers, and enhancing mobility. He believes the future of an effective, efficient public transportation system needs the support of a grass roots effort.

Chairman Winder thanked the IWG for the informative presentation. He also thanked the members for their dedication to public transportation and their efforts in this important arena.

Annual Report on Equal Employment Opportunity (EEO). EEO Manager Karen Sparkman reported on the activities of the EEO Office in 2003. The internal programs included Title VI monitoring, Americans with Disabilities Act, discrimination complaints, and outreach and education for employees. External efforts focused on Disadvantaged Business Enterprise and contract compliance activities, such as workshops, newsletters, and compliance reviews.

Chairman Winder thanked Ms. Sparkman for the report and for her efforts in this arena.

Executive Session on Legal Issues, Section 67-2345(1)(f), Idaho Code. Vice Chairman Combo made a motion to meet in executive session at 12 noon to discuss litigation matters. Member Miller seconded the motion and it passed 6-0 by individual roll call vote.

The general tenor of the discussion included potential litigation on a right-of-way issue, a contract bid, and the US-95, Bellgrove to Mica project, and an update on pending litigation on an access appeal.

The Board came out of executive session at 1:20 PM. No decisions were made.

Because Boise County officials, interested in the discussion on the Banks to Lowman Highway, were in the audience, Vice Chairman Combo made a motion to adjust the agenda to advance the Banks to Lowman item. Member Miller seconded the motion and it passed unopposed.

Administrative Settlement, US-95, Sandpoint North and South Project, Key #1729, District 1. District 1 Engineer Scott Stokes summarized the right-of-way acquisition efforts on the US-95, Sandpoint North and South project. Because of the complexity of the Lakeside Inn parcel, Legal staff has assisted the District with this acquisition. Based on negotiations, there is an opportunity to settle with an administrative settlement, which is preferable to the time and expense expected to be incurred through the condemnation process.

Vice Chairman Combo made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board recognizes the need for purchasing

ITB04-12 property associated with construction projects in Idaho; and

WHEREAS, the Board recognizes the need to ensure that all right-of-way purchases are properly valued and comply with Idaho Transportation Department and Federal Highway Administration policies and guidelines; and

WHEREAS, the US-95, Sandpoint North and South project, key #1729, is scheduled to begin construction this year and is an important regional and statewide project; and

WHEREAS, the Board recognizes that there are uncertainties associated with the valuation and negotiations of right-of-way parcels; and
WHEREAS, negotiations to acquire the Lakeside Inn parcel have resulted in the indication of a willingness by the property owners to accept an administrative settlement for an amount within 15% of the appraised value; and
WHEREAS, Board Policy B-03-01, Acquisition and Disposal of Real Properties and their Improvements, limits the Chief Engineer's authority on administrative settlements of up to 10% or \$100,000, whichever is greater, over the reviewed fair market value of the property.

NOW THEREFORE BE IT RESOLVED, that the Board approves the staff recommendation for administrative settlement of the Lakeside Inn parcel for an amount not to exceed 15% of the appraised value.

Banks to Lowman Highway Cooperative Agreement between ITD and Boise County, District 3. District 3 Associate Engineer Kyle Radek provided a history on the Banks to Lowman highway, including efforts by the Board Subcommittee on Adjustments to the State Highway System to add this route to the state's system. The highway, approximately 33 miles in length, connects SH-55 at Banks with SH-21 at Lowman. The District assessed the conditions of the highway and estimated costs for improving the route to state standards at \$7 million. Mr. Radek summarized an origin-destination study completed last July that indicated the majority of traffic is non-local, supporting the earlier evaluation of the route signifying that it functions more like a state highway than a local road.

Mr. Radek outlined a draft cooperative agreement between Boise County and ITD that would transfer the route in segments from the County to the State over time as improvement projects are completed. The County would be responsible to maintain the Banks to Lowman Highway to the fullest extent possible until ownership is transferred to the State. Additionally, after transfer of ownership of each segment, ITD would contract with Boise County to provide maintenance of the transferred sections until the Department has the resources available to provide the required maintenance.

Member McHugh expressed concern that Boise County does not levy taxes for road and bridge improvements. He supports local public agencies' efforts to provide funds for its infrastructure. He questioned the validity of the origin-destination study because it was completed during a three-day weekend. Member McHugh also expressed concern with Boise County's ability to fulfill its responsibilities outlined in the agreement.

Member McClure believes the Banks to Lowman Highway functions as a state highway and that the majority of motorists using the route are traveling between Boise and Stanley. He added that the Board Subcommittee on Adjustments to the State Highway System has discussed this route extensively and supports transferring it to the State.

Vice Chairman Combo echoed Member McClure's comments and in support of the route's importance to the state, referenced the recent declaration by Lieutenant Governor Jim Risch of the state disaster on the route due to mud slides and rock falls. He asked Local Highway Technical Assistance Council (LHTAC) Administrator Joe Haynes for comments. Mr. Haynes emphasized the need to look at the whole transportation system, statewide. He believes transferring this route to the state is in the best interest of the citizens of the state. He added that he believes the proposed cooperative agreement is viable and he expressed support for the transfer.

Boise County Commissioner Dale Hanson reported that the Banks to Lowman Highway is a small part of the local road system. Funding is a concern for the County, particularly because this highway is a high maintenance route due to rock falls. He believes the majority of motorists using the highway are traveling between Boise and Stanley; non-local traffic.

Member Sweeney echoed Member McHugh's concern with the local entity's ability to complete its obligations outlined in the cooperative agreement.

Member McClure made a motion, seconded by Member Blick, to approve the following resolution:

RES. NO. WHEREAS, Boise County has requested that the Idaho Transportation Board ITB04-13 consider adding the Banks to Lowman highway to the state highway system; and

WHEREAS, the Board Subcommittee on Adjustments to the State Highway System has reviewed the score of this route according to Idaho Transportation Department point rating criteria for adding routes to the state highway system, and has further conducted an origin-destination study to determine the extent of non-local use of this route; and

WHEREAS, the point rating criteria and the results of the origin-destination study indicate that the route is functioning as a state highway and will continue to do so; and

WHEREAS, the Subcommittee on Adjustments to the State Highway System has reviewed the projects and costs necessary to improve the highway to a level appropriate to the state highway system and to maintain it; and

WHEREAS, District 3 staff has prepared a cooperative agreement for the transfer of the highway from County to State ownership after the route has been improved as noted; and

WHEREAS, Boise County has concurred with the terms of the agreement; and

WHEREAS, the Subcommittee on Adjustments to the State Highway System recommends that the Board authorizes staff to sign the cooperative agreement.

NOW THEREFORE BE IT RESOLVED, that the Board authorizes staff to sign the cooperative agreement for the transfer of ownership of the Banks to Lowman Highway from Boise County to the State.

Member Sweeney reiterated the need for the parties to fulfill their respective obligations.

Vice Chairman Combo stressed that the proposal is a cooperative agreement; ITD and Boise County will work together on this issue. The motion passed 5-1 with Member McHugh dissenting.

SH-55, Eagle Road Arterial Study Workshop. DE 3 Pamela Lowe provided a history on the development that has occurred on SH-55, Eagle Road. Traffic has exceeded projections, as the estimated average daily traffic (ADT) count for 2017 was 21,450, while the ADT is currently 31,000. SH-55 is the only north-south state highway in the area. DE Lowe summarized last month's workshop that was held to determine the best alternatives for addressing issues with the corridor. It is imperative to provide for a safe transportation corridor that moves traffic efficiently while also addressing needs of the adjacent property owners, such as access. The next steps include obtaining support from the local jurisdictions and public on recommendations.

District 3 Federal Highway Program Changes to Fund Increases to McCall East-West Loop, Key #5030, District 3. District 3 Project Development Engineer Daris Bruce provided a history of the McCall East-West Loop project. It is a local project to construct approximately 1.2 miles of new roadway, including two major structures. The project

was initially programmed for construction in 1992 at a total cost of \$4.105 million. Due to additional right-of-way and construction costs, the project is now estimated at \$10.472 million. Approximately \$1 million is needed to settle a condemnation case on one parcel. Mr. Bruce noted that the Department elected to use Flexible Funding to set the sponsor's match at zero. He believes the project is beneficial, as it would provide a second river crossing in McCall and would alleviate some traffic on SH-55. He outlined the District's plan to fund the increased costs.

Member Blick expressed concern with the right-of-way costs and asked how the initial estimate on the condemned parcel could have been so far off. Mr. Bruce said the appraiser was one that ITD often uses, and the appraiser was confident with his appraisal. The additional compensation was apparently for the impact to a business rather than the value of the land. Member Blick also expressed concern that the project is being funded entirely with federal funds; the City of McCall is not providing any local funding.

McCall Community Development Director Lindley Kirkpatrick stated that the match is being provided from the Local Rural Investment Program administered by LHTAC. He said the intent of the Investment Program was to provide match for federal projects. He also reported that the City of McCall scaled back the project to reduce costs.

In response to Member Miller's question on whether access will be controlled on the route, Mr. Bruce replied yes. Vice Chairman Combo asked about the condemnation process. DAG Parry replied that the condemnation was between the City of McCall and the landowner. Because this is a local project, ITD was not involved. Vice Chairman Combo asked staff to review the judgment on the condemnation.

Some discussion followed on the issue of whether the McCall East-West Loop project will be a bypass of SH-55. Because of the curves and 6% slope on the route, Mr. Bruce said it is undesirable for a truck route. He added that the City wants the route for local traffic, not trucks.

Member McClure emphasized the need for this project to address safety concerns, as it will provide an additional river crossing in McCall. He also believes it will improve traffic circulation in the city. Although he has concerns with the additional costs, he noted that the funds are coming from within District 3.

Because the Board has questions on the project and no consensus was reached, Member Miller made a motion to table District 3's program changes to fund the McCall East-West Loop project for one month. Vice Chairman Combo seconded the motion and it passed unopposed.

District 4 Federal Highway Program Changes to Fund Second Quarter Project Cost Increases. CE Ross requested delaying the SH-75, Basin Creek Bridge, Custer County project, key #6645 from FY04 to FY06 and the removal of the SH-75, Big Wood River Bridge #17681, Blaine County, key #8965 in District 4. These modifications would provide funding for the changes in scope of the I-84, East Bliss Interchange to Milepost 149.5 project, key #8364, and the I-84, South Wendell Interchange to West Jerome Interchange project, key #8894, in the amount of \$5.6 million.

Member Sweeney made a motion, seconded by Vice Chairman Combo, to approve the following resolution:

WHEREAS, it is in the public's interest for the Idaho Transportation Department to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, District 4 has identified changes to the approved FY04-08 and Preliminary Development Highway Development Program based on delivery status and current cost estimates.

NOW, THEREFORE BE IT RESOLVED, that the Board approves the delay of SH-75, Basin Creek Bridge, Custer County (key #6645, project #STP-BR-2390(126)) from FY04 to FY06 and the removal of SH-75, Big Wood River Bridge #17681, Blaine County (key #8965, project #STP-2390(147)) from FY04 of the approved FY04-08 and Preliminary Development Highway Development Program; and

BE IT FURTHER RESOLVED, that staff is authorized to make appropriate changes to the FY04 STIP in accordance with the provisions of the TEA-21.

Chairman Winder requested that additional information be included in the resolution, such as costs. He asked the Board to hold this item until staff could revise the resolution. The Board concurred. (See later minute entry.)

Contract Awards. CE Ross reported that S.A. Gonzales, Inc., Newman Lake, Washington, submitted the low bid, in the amount of \$17,000,843.07 for the US-95, Setters to Bellgrove, Stage 1 project, key #8070, District 1 project. However, the second low bidder, Scarsella Brothers, Inc. has disputed the responsiveness of the low bid. An administrative hearing is scheduled later this month to resolve this issue.

Member Sweeney made a motion, seconded by Vice Chairman Combo, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the bids on the US-95, Setters to Bellgrove, Stage 1 project, key ITB04-14 #8070, District 1, opened March 9, 2004 and requires Idaho Transportation Board approval to award, in accordance with Board Policy B-14-06; and

WHEREAS, the low bidder for this proposal is S.A. Gonzales Construction, Inc.; and

WHEREAS, the second low bidder for this proposal, Scarsella Brothers, Inc., has filed a bid protest; and

WHEREAS, an administrative hearing is being scheduled and all parties want the matter heard before the end of March; and

WHEREAS, the administrative hearing will determine whether S.A. Gonzales Construction, Inc. submitted a responsive bid; and

WHEREAS, there are some very tight time constraints required by the contract.

NOW THEREFORE BE IT RESOLVED, that the Board approves the recommendation of staff to award the Setters to Bellgrove, Stage 1 project to S.A. Gonzales Construction, Inc. pending an affirmative determination that the bid of S.A. Gonzales Construction, Inc. was the lowest and best bid pursuant to Section 40-902, Idaho Code.

Presentation – Community Transportation Enhancement Program. Dave Stephenson, Project Coordinator, Department of Lands, reported on the Community Transportation Enhancement Program, which was established to enhance transportation corridors in

communities through landscaping. The program continues to be popular, as 14 cities submitted applications totaling \$175,074 in FY04, while only eight received funding totaling \$100,000. He praised ITD's partnership in this program and encouraged the Board to continue funding the program and to consider increasing the annual funding amount, which is currently \$100,000.

Mr. Haynes relayed the Association of Idaho Cities' appreciation of and support for this program.

Chairman Winder thanked Mr. Stephenson for the informative presentation and his efforts with this important program.

WHEREUPON, the meeting recessed at 4:20 PM.

March 23, 2004

The Board reconvened at 8:35 AM on Tuesday, March 23, 2004, at the Transportation Department. All members were present.

Annual Report on Audits. Internal Review Manager Carri Rosti summarized the audits and reviews completed in 2003. Some of the internal work included the road equipment, Port of Entry cash control, and quality assurance/quality control specifications. External audits included railroad and utility reviews, public transportation sub grantees, and an Office of Highway Safety contract review. Part of the 2004 work plan includes improving responsiveness to customer needs and hosting the American Association of State Highway and Transportation Officials' Audit Subcommittee meeting in Boise in July. Member McHugh expressed appreciation for the Internal Review Office's efforts. He believes the staff is professional and does an excellent job in the audit arena. Chairman Winder thanked Member McHugh for his efforts in this field. He also thanked Ms. Rosti for the presentation and for the service and dedication to the Department.

Annual Report on the Safety Program. Employee Safety Risk Manager (ESRM) Cheryl Rost reported on the Safety Program. Some of the activities in 2003 included drug and alcohol testing of positions requiring a commercial drivers' license, medical testing for employees that work with hazardous or possible contaminated materials, and promoting safety and health awareness. ESRM Rost was pleased to report that the total number of industrial accidents and vehicular accidents decreased in FY03 from FY02 and that the Department received a dividend of \$73,699 from the State Insurance Fund against the calendar year 2002 premium.

ESRM Rost answered questions related to the drug and alcohol testing program, medical testing for contamination, and tort claims.

Chairman Winder thanked Ms. Rost for the report.

Annual Report on the Wellness Program. Wellness Council Chair Pauline Davis summarized the activities the Wellness Council offered to employees last year to promote overall health and wellness. She also provided an overview on the activities of each District and Headquarters during 2003 and their respective accomplishments.

Vice Chairman Combo praised the Council's efforts, as it is a volunteer organization. He believes the Council has established a commendable program, and he expressed support for it.

New Business. Member Blick expressed concern with LHTAC's funding programs. It is his understanding that some local public agencies have projects that have not been completed because of lack of funding. Local agencies are only eligible to receive funds

through LHTAC occasionally, so some projects may be left unfinished for a number of years. Director Ekern indicated that he would visit with Mr. Haynes about this issue. Member Miller questioned the Board's interest in increasing speed limits. He believes some highways that are wide, have adequate shoulders, good sight distance, and low ADT, should be posted at 75 miles per hour. He realizes increasing the speed limit would take legislative action. Chairman Winder asked that this subject be discussed at a future meeting.

Commercial Air Service. AA Martin said his counterparts from Washington and Oregon have held discussions regarding commercial air service. Smaller communities, particularly, have concerns with the availability of commercial air service. He introduced Mike Boggs, a consultant with Mead and Hunt, who has been assisting the three states with this issue.

Mr. Boggs provided a historical trend on commercial air service in the northwest. He stated that it is difficult for airlines to be successful in small markets due to competition, frequent flyer programs, existing travel habits, corporate purchase agreements with airlines, and name or service awareness. Some communities are exploring incentives, such as subsidies or guaranteeing revenue, to attract air service. He also emphasized that communities need to take a regional approach to address their commercial air service needs. Mr. Boggs believes the next steps Idaho needs to take to retain existing and enhance services are to identify a lead organization on this effort, secure regional buy-in, raise the awareness level of the issue, and conduct research and an evaluation of services. Chairman Winder thanked Mr. Boggs and AA Martin for the information and efforts on this important matter.

Old Business. District 4's request for changes to the Statewide Transportation Improvement Program was revisited at this time. Vice Chairman Combo made a motion, seconded by Member Blick, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-15 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, the FY03 minor pavement rehabilitation projects, I-84, East Bliss Interchange to Milepost 149.5 (key #8364, project #CM-IM-84-3(069)147) and I-84, South Wendell Interchange to West Jerome Interchange (key #8894, project #IM-84-3(073)156) have been increased in scope by \$5.643 million to utilize traffic crossovers for safety of the traveling public; and

WHEREAS, the Chief Engineer has approved the use of \$2.641 million in FY04 District 4 releases to prior year projects to partially offset this increase; and

WHEREAS, District 4 has identified \$1.17 million of undeliverable right-of-way in FY04 to partially offset this increase; and
WHEREAS, \$200,000 of the Department's FY04 Interstate Maintenance Discretionary earmark is available to partially offset this increase; and
WHEREAS, District 4 has identified the following changes to the approved FY04-08 and Preliminary Development Highway Development Program based on delivery status and current cost estimates.
NOW THEREFORE BE IT RESOLVED, that the Board approves the delay of SH-75, Basin Creek Bridge, Custer County (key #6645, project #STP-BR-2390(126)) from FY04 to FY06 for \$842,000 and the removal of SH-75, Big Wood River Bridge #17681, Blaine County (key #8965, project #STP-2390(147)) for \$790,000 from FY04 of the approved FY04-08 and Preliminary Development Highway Development Program to fund the remaining \$1.632 million of cost increases to prior year projects in District 4; and
BE IT FURTHER RESOLVED, that staff is authorized to make appropriate changes to the FY04 STIP in accordance with the provisions of the TEA-21.
Employee Service Awards. The Board participated in the Employee Service Awards, with Member Sweeney providing comments on behalf of the Board.
WHEREAS, the Board meeting adjourned at 11:20 AM.

signed
CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
April 16, 2004
Lewiston, Idaho

WORK SESSION AND REGULAR MEETING OF THE
IDAHO TRANSPORTATION BOARD

February 25-26, 2004

The Idaho Transportation Board met at 8:30 AM, on Wednesday, February 25, 2004, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Jimmy Ross, Chief Engineer

Chairman Winder welcomed Representative Bonnie Douglas to the meeting.

Discussion on Consultants. A team of ITD staff and consultants provided a thorough overview on the Department's use of consultants, focusing on the Division of Highways. The Board held an extensive discussion on topics such as the selection and negotiation process; consultants' costs, including overhead rates; how a consultant agreement is administered; staffing in-house versus utilizing consultants; resolution of design issues and conflicts; and consultants' accountability and maintaining project schedules.

The Board thanked the team for the informative presentation and discussion. Chairman Winder reminded staff that it needs to continuously review procedures to determine if efficiency or cost-effective measures could be implemented.

Representative Douglas left the meeting approximately half-way through the discussion.

Rest Area Construction Program for New Facilities. Rest Area Coordinator Cathy Ford and Senior Planner Nathan Hesterman presented the proposed Rest Area Construction Program for new rest areas. Since the June 2003 workshop, the District Engineers had an opportunity to learn about this program and identify statewide priorities for constructing new facilities.

The consensus of the Board was to construct two new rest areas every four years, although it was suggested that the priorities be revisited. Staff is also to continue exploring the feasibility of partnering on rest area facilities.

Access Management. Transportation Staff Engineer Assistant Steve Holland outlined the goals and recommendations of the Access Management Team to address issues with the current access policy. The current administrative policy would be revised to remove the requirement of appraisal or set reimbursement fees for all changes in regulatory access and for changing use of farm/field approaches to single family residential approaches in deeded access, and to address

interim access as a no fee condition. The next goal is to establish procedures for notification of the public when changes in access control place restrictions on property. The access classification categories and requirements would be revised to reclassify all urban segments on the state highway to Type III-F and Type IV and reduce the number of variances that slow the permit approval process. The Team also proposes establishing procedures to address interim access and to create a new approach spacing table that also addresses frontage roads.

The Board provided comments, but overall, supported the goals. Access, particularly in urban areas where growth and development are occurring, is an important issue. A good, fair policy is needed to address all aspects of access management, including private property issues. Staff is to continue refining this policy.

WHEREUPON, the meeting recessed at 4:50 PM.

February 26, 2004

The Board reconvened at 8:30 AM on Thursday, February 26, 2004, at the Transportation Department. All members were present. Deputy Attorney General Steve Bywater was also present.

Chairman Winder welcomed Representative Douglas to the meeting.

January 21-22, 2004 Board Minutes. Vice Chairman Combo made a motion to approve the minutes of the regular Board meeting held on January 21-22, 2004 as submitted. Member Miller seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

March 22-23, 2004 – Boise

April 15-16, 2004 – District 2

May 20-21, 2004 – District 6

Consent Calendar. Member McClure made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board

ITB04-05 approves the rest area planning map 2004; and has received and reviewed the contract award information and new and supplemental professional agreements report.

1) Rest Area Planning Map 2004. Per Board Policy, the rest area planning map was updated and presented for review and approval. The 2004 map, as shown as Exhibit 285, is made a part hereof with like effect.

2) Contract Award Information. Key #7670 – SH-4, Tamarack and Mace Bridges, District 1. Low bidder: S & L Underground Inc. - \$944,066.

Key #7722 – SH-11, Greer Grade Curve Improvements, District 2. Low bidder: S & S Contracting Inc. - \$1,057,417.

Key #8148 – Idaho Canal Bridge, Idaho Falls, District 6. Low bidder: Beco Construction Company, Inc. - \$358,518.

Key #8463 – US-20, Idaho Falls to Rigby Northbound, District 6. Low bidder: H-K Contractors Inc. - \$991,112.

Key #7681 – US-91, Firth to Goshen, District 5. Low bidder: H-K Contractors Inc. - \$817,103.

Key #8066 – West Oden Bay Road Near Kootenai, Railroad Crossing, District 1. Low bidder: Fix It Fitz Construction, Inc. - \$98,981.

Key #8157 – US-12, Westbound Passing Lane, Milepost 31, District 2. Low bidder: S A Gonzales, Inc. - \$2,638,638.

Key #8683 – Ada County Highway District Sealcoats, District 3. Low bidder: Kloepper Inc. - \$308,232.

Key #8121 and #8130 – I-15 and I-86, FY04 District 5 Pavement Striping and FY04 District 6 Pavement Striping. Low bidder: Promark, Inc. - \$196,790.

3) New and Supplemental Professional Agreements Report. From January 1 through February 1, the Consultant Administration Unit processed \$1,208,891 in professional, supplemental, and term agreements.

Resource Agency Funded Positions. Staff reviewed the feasibility of placing state employees in federal positions at resource agencies. Additional full time equivalent positions would be needed, and it is difficult to increase the personnel complement. Also, regulatory agencies are uncertain if they could legally agree with this type of arrangement. This would essentially make the person applying regulations an employee of the agency being regulated.

In response to questions by the Board, Assistant Chief Engineer-Development Steve Hutchinson provided additional information. The prioritization of projects is a collaborative effort between the agency and ITD. Once priorities are established, the resource agencies recognize the priorities and adhere to them. Depending on where the project is in the process, the positions in the resource agency can work on multiple

projects at a time. Each position is assigned to a specific agency, so it is unlikely that other staff members would provide assistance on transportation projects.

Member Blick made a motion to accept the report on resource agency funded positions. Member McHugh seconded the motion and it passed unopposed.

Board Items. Member Sweeney reported on a recent District-wide transportation summit held in Moscow. He believes it was a valuable meeting, with attendance from various entities. The group was supportive of conducting a similar summit on a regular basis. Member Sweeney also mentioned that he attended the recent Moscow Chamber of Commerce meeting at ITD in Boise. The group was participating in its annual legislative tour.

Member Blick discussed the Wendell to Buhl route with local officials recently. The officials appeared receptive to acquiring the needed right-of-way to facilitate the relinquishment of this route to the state. District staff will prepare a right-of-way plan for the local entities.

Member Blick also mentioned that District 4's various transportation committees are working cooperatively to address the concern with motorists blatantly running stop signs. The group is preparing an official proposal for ITD to provide assistance, likely through the Office of Highway Safety with an educational public service announcement.

Member Miller expressed several concerns related to delays and timeliness, including the delay of a payment to a subcontractor, a delay to a project due to an historical issue, and delays and inconveniences to the traveling public on the US-93, Seven Mile Slide project.

Chairman Winder relayed concerns on the Garrity Boulevard project in Nampa. District 3 Engineer Pamela Lowe concurred that the Department could have handled the contract and project differently to avoid some of the problems that occurred. The project should be completed in April.

Chairman Winder reported that the City of Mountain Home was contacted regarding purchasing surplus property in the vicinity of the underpass project. Because the city does not have the funds available to purchase the property, Mountain Home officials asked the Board for assistance. DE Lowe will look at the options and determine what assistance can be provided.

Member McClure attended portions of the recent three-day SH-55, Eagle Road Arterial Study workshop. He believes the workshop was beneficial, partly due to the various entities that participated. The consultant will have a recommendation for Board consideration in the future.

Member McHugh expressed concern with the delay of Post Falls Highway District's Meyer Road project. The Congestion Mitigation/Air Quality project had been scheduled in FY04; however, when the Statewide Transportation Improvement Program was approved in September, the project had been delayed to FY05. He requested revisiting this project later, as he would like the project constructed in FY04. (See later minute entry.)

Department Activities. Motor Vehicle Administrator (MVA) Morris Detmar provided a brief summary of the presentation that the National Institute for Advanced Transportation Technologies made to the Legislature. This entity was contracted to prepare a report on the change from weight distance tax to the current registration system. The final report will be completed soon.

Representative Douglas left the meeting at this time.

Public Transportation Administrator (PTA) Larry Falkner and Administrative Services Division Administrator (ASDA) Susan Simmons reported on the changes that will be undertaken in the Information Services (IS) arena. An organizational change will move the ownership of the systems to the business area, although standards and an overall technology plan will remain centralized. A transition team will be established to implement this change. ASDA Simmons emphasized that all of the employees impacted by this conversion will be taken care of. Although some positions in the IS arena will be eliminated, no employees will be laid off.

Intermodal Planning Manager Pat Raino reported on a recent Community Planning of Southwest Idaho meeting where the Treasure Valley long-range transportation plan was discussed. She believes it was a beneficial meeting.

CE Ross said staff is making progress on the proposed I-84, Ten Mile Interchange project. A number of issues and details are being worked out.

Due to recent concerns with the proposed closing of the US-20, Holbrook intersection, District 6, CE Ross provided a brief history on that project. A comprehensive plan of the area is needed before a major decision is made.

December Financial Statement Analysis. Controller Dave Tolman said the total federal aid revenue from FHWA was \$11.3 million or 7.8% below projections through December. Revenue from the Highway Distribution Account was \$654,000 or 0.8% below the forecast. The revenue sources making up the majority of the dollar variance were miscellaneous revenues and vehicle registrations. Personnel and operating expenditures were less than budgeted through the month. Capital equipment showed a negative variance of 49%. This variance is due to a timing difference. In Contract Construction, the federal program is behind spending projections by 33% and the state program is 29% less than projected.

Aviation fuel tax revenue through the end of December was 18.6% or \$160,300 below projections. Miscellaneous revenue was 11%, or \$10,000, more than forecasted. Overall expenditures were ahead of last year due to increased federal grant funds in the Trustee and Benefit category. The Aircraft Operations Fund received \$8,600, which is a positive variance to forecast year to date of 15%; however, this trend is not expected to continue. Expenditures were less than projected.

FY04/SFY05 Public Transportation Grant Funding. Staff has completed the public meeting and application review process for the FY04 Federal Transit Administration Sections 5310 Elderly and Persons with Disabilities Program and 5311 Rural Program, and the State Vehicle Investment Program, according to PTA Falkner. He summarized staff's recommended projects and reported that the Public Transportation Advisory Council supports staff's proposal.

Vice Chairman Combo made a motion, seconded by Member Sweeney, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Division of Public Transportation has completed the review of

ITB04-06 all applications for funding, held meetings in each District for public input, and

developed project recommendations for the FY04 Federal Transit Administration

programs and SFY05 Vehicle Investment Program as follows:

Section 5310, Elderly and Persons with Disabilities Specialized Transportation - \$408,462;

Section 5311, Rural and Intercity Transportation - \$1,563,834; and

Vehicle Investment Program (VIP) - \$312,000; and

WHEREAS, the Public Transportation Advisory Council participated in the District public meetings, has worked with staff in evaluating applications, and has concurred with the funding recommendations as presented.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the funding recommendations for the FY04 Federal Transit Administration programs and SFY05 VIP, as shown as Exhibit 286, which is made a part hereof with like effect, contingent on Legislative approval for funding the VIP.

Motorcycle Training Program Testing Sites. MVA Detmar summarized the Department of Education's responsibilities for the motorcycle safety training program, known as STAR, which stands for Skills Training Advantage for Riders. One of the challenges for this program is securing training sites to hold one to three day courses. Certain

specifications need to be met, including a flat, unobstructed paved surface 200' by 300' painted to course specifications. MVA Detmar proposed assisting the Department of Education with securing training sites.

Member Blick questioned ITD's liability. DAG Bywater said he will work with the Division of Motor Vehicles on that. Member Sweeney expressed support for the motorcycle training program and for ITD's assistance with the training facilities. He believes the program has resulted in a decrease in motorcycle accidents.

Member Sweeney made a motion, seconded by Member McClure and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has made a commitment to support

ITB04-07 highway safety efforts and the partnership efforts of other agencies interested in the safety of the motoring public; and

WHEREAS, the Idaho Transportation Department cooperates with the Department of Education by approving and monitoring motorcycle skills testers and other driver training activities, as needed; and

WHEREAS, the Idaho legislature enacted legislation in 1994 that led to the creation of the Motorcycle Safety Education Training Program; and

WHEREAS, ITD through a partnership with the County Sheriff Offices issues a motorcycle "M" endorsement on a driver's license to applicants who complete the requirements to operate a motorcycle.

NOW THEREFORE BE IT RESOLVED, that the Board will support the Department of Education in securing Skills Training Advantage for Riders (STAR) training sites to include the use of available ITD property where appropriate; and

BE IT FURTHER RESOLVED, that the ITD Director shall communicate the Department's willingness to coordinate these efforts with the Department of Education.

Questar Regulated Services Gas Line Relocation, US-91, Utah Line to Preston, Key #7750, District 5. CE Ross provided a history of this project. Earlier, the Board denied Questar's request for reimbursement for 50% (\$500,000) of the total cost to relocate its gas line. Because the gas line originates in and primarily serves Utah customers, it is regulated by the Utah Public Service Commission. Questar's intent is to seek permission to apply a surcharge exclusively to the 1,650 Idaho customers served by this line to cover the relocation expense. The Idaho Public Utilities Commission (IPUC) has expressed a strong desire that Idaho ratepayers be protected to the extent practical from a rate increase not shared by their Utah neighbors. CE Ross requested \$150,000 to participate in the relocation costs. This compensation would be compatible with cost sharing in Utah and would help reduce the burden passed on to Idaho ratepayers.

Member Miller expressed concern that the Board would be setting a precedent if it participates in these relocation costs. CE Ross believes the Board needs to look at each request for relocation assistance individually and make its decision based on the circumstances and merits of the project. Each case is different and the hardships need to be weighed independently.

Vice Chairman Combo asked IPUC representative and former Bear Lake County Commissioner Ron Law for his opinion on whether the requested \$150,000 would be reasonable compensation. Mr. Law reported that the impacted Idaho residents had to pay a surcharge when the Questar line was brought into Idaho. Although that surcharge ended a couple of years ago, he expressed concern with a new surcharge for these customers due to the costs to relocate the utilities. He said the IPUC would appreciate any assistance the Transportation Board could provide to the Idaho customers.

Member McClure stated that his experience in the construction industry has been that the utility company is responsible for the costs of relocating its lines. Although he acknowledged the unique circumstances of this case, he also expressed concern with setting a precedent. Mr. Law concurred that this situation is unique. He added that the Utah Department of Transportation pays 50% of the costs to relocate utilities; therefore,

the Utah Public Service Commission does not believe it would be fair to make its Utah customers pay for the project in Idaho.

Vice Chairman Combo made a motion, seconded by Member Miller due to the extenuating circumstances, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board recognizes the need for flexibility

ITB04-08 and funding partnerships for projects; and

WHEREAS, the Board recognizes the need to relocate the Questar gas line on the US-91, Utah Line to Preston project, key #7750, District 5; and

WHEREAS, the Board recognizes that portions of the gas line are being relocated due to design changes to the highway, which were not anticipated by Questar when the line was originally installed; and

WHEREAS, the Board recognizes that all costs associated with relocating the gas line in Idaho will be passed on to Idaho ratepayers; and

WHEREAS, the Board recognizes that the cost of utility relocations associated with highway construction in Utah are shared equally between the state and the utility; and

WHEREAS, the Board recognizes that in order to maintain consistency for ratepayers in Utah and Idaho, costs to relocate the unexpected portion of the Questar line should be split between the state and the utility.

NOW THEREFORE BE IT RESOLVED, that the Board approves the staff recommendation, based on discussion, to provide compensation in the amount of \$150,000.

Member Blick also expressed concern with setting a precedent by approving funding for the relocation of these facilities. Due to the unique circumstances, however, he will support the motion. Member Sweeney asked if the Idaho customers will be responsible for the remainder of the relocation costs. Mr. Barry McKay, Questar Rates Director, responded that the utility company would pay for the additional costs. He believes this is a good resolution.

The motion passed unanimously.

Contract Award. Vice Chairman Combo made a motion to approve the contract award on the SH-33, Test Area North project, key #7068, District 6, to the low bidder: Jack B Parson Companies, Pocatello, Idaho - \$3,270,552.95. Member Sweeney seconded the motion and it passed unopposed.

District 3 State Program Changes. Highway Programming Manager (HPM) Dave Amick summarized District 3's proposed changes to the State Program. The changes are proposed due to the delivery status of projects and revised cost estimates.

Vice Chairman Combo made a motion, seconded by Member Sweeney, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-09 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a 3-year period

be provided in a Statewide Transportation Improvement Program (STIP);
and

WHEREAS, it is understood that continued development and construction of highway improvements are entirely dependent upon the availability of future federal and state funding in comparison to the scope and costs of needed highway improvements; and

WHEREAS, District 3 has identified delays and advances based on delivery status and current cost estimates for projects in the State Highway Program.

NOW, THEREFORE, BE IT RESOLVED, that the Board approves the delay of SH-55, Wetland Mitigation (key #8615) from FY04 to FY06; SH-55, Round Valley Passing Lanes (key #7024) from FY04 to FY05; SH-55, Round Valley to Clear Creek (key #7053) from FY04 to FY05; SH-55, Elo Road and Johnson Lane (key #6592) from FY05 to FY06; and SH-45, Deer Flat Road to Roosevelt (key #9063) from FY05 to FY06 in the State Program; and

BE IT FURTHER RESOLVED, that the Board approves the advance of US-20, Joplin Road to Glenwood (key #8227) from FY05 to FY04; US-20, Front Street, (key #8802) from FY06 to FY04; and US-20, Myrtle Street, (key #8831) from FY06 to FY04 in the State Program; and

BE IT FURTHER RESOLVED, that Department staff is authorized to make the appropriate changes to the FY04 to FY06 STIP in accordance with the provisions of the TEA-21.

Highway Development Program Supplement 04-1. HPM Amick revisited the Post Falls Highway District Meyer Road project scheduled in FY05 of the CMAQ Program. He believes the project is almost ready for advertising and that the District will explore options to fund the project when it is ready. He then outlined the objectives of the Highway Development Program Supplement: to report the status of FY04 estimated

federal apportionments and estimated obligation authority; report the status of funding for the State Funded Highway Construction Program; modify and rebalance the Highway Development Program to include project changes, advances, delays, and removals since the approval of the Highway Development Program; and update the cost of FY04 federal and state projects to current costs.

Member Miller made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department

ITB04-10 to publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Idaho Transportation Board to effectively utilize all available federal and state highway funding; and

WHEREAS, the 1998 Transportation Equity Act for the 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Department is estimating an overall obligation authority limit of \$216.3 million; and

WHEREAS, the changes in Supplement 04-1 to the FY04-08 Highway Development Program will fully utilize the estimated FY04 federal highway formula funding obligation authority of \$164.7 million and the Minimum Guarantee obligation authority of \$29.3 million.

NOW THEREFORE BE IT RESOLVED, that the Board approves the funding and project changes to the FY04-08 Highway Development Program itemized and explained in Highway Development Program

Supplement 04-1, which is on file in the Office of Highway Programming, and authorizes staff to make the appropriate changes to the FY04-08 STIP in accordance with the provisions of TEA-21.

Legislative Update. Budget, Policy, and Intergovernmental Relations Manager Julie Pipal provided an update on legislative activities. The Department's four legislative proposals are proceeding through the process.

Election of Vice Chairman. Member McHugh made a motion to re-elect John X. Combo as Vice-Chairman of the Board. Member Blick seconded the motion and it passed unopposed.

Executive Session on Legal Issues, Section 67-2345(1)(f), Idaho Code. Member McHugh made a motion to meet in executive session at 12:25 PM to discuss litigation matters. Member Blick seconded the motion and it passed 6-0 by individual roll call vote.

The general tenor of the discussion included updates on pending litigation on the East Main Street project and an access appeal, discussions on the appeal of the United States Forest Service decision on backcountry airstrips, a settlement offer on a construction claim, and probable litigation relating to the operation of the state highway system.

Chairman Winder and Member Sweeney left the meeting at this time.

Discussion continued on probable litigation on a recent accident and the status of pending litigation on various contract claims.

The Board came out of executive session at 1:20 PM. No decisions were made.

Old/New Business. Member McClure revisited the McCall East-West Loop project, key #5030, District 3. The low bid was rejected last fall because it was more than ten percent over the engineer's estimate. Additional funds are needed for construction and a right-of-way parcel. He asked DE Lowe to elaborate on the status of the project. DE Lowe reported that staff met with the City of McCall. The city will provide match for the additional costs through the Local Rural Highway Investment Program. The right-of-way parcel is estimated at \$1 million. A constructability review was held and several changes were made to the construction of the project, including elimination of the time constraints. She said an agenda item will be submitted next month to address the additional costs of this project.

Member McClure asked for Board concurrence to re-advertise the project. He believes it is an important project, as it will provide an additional river crossing to the area.

City of McCall Mayor Kirk Eimers emphasized the need for this project. If the SH-55 bridge is out, motorists, including emergency personnel, have a long detour. He believes the East-West Loop project is needed to address safety issues.

Member Blick made a motion to proceed with re-advertising the McCall East-West Loop project. Member McClure seconded the motion.

Member McHugh asked for all original and revised cost estimates next month. Member Miller expressed concern with the match issue.

The motion passed unopposed.

Vice Chairman Combo distributed a letter from Representative Mike Mitchell and Senator Bert Marley asking the Board to address the safety issue of driving while using hand held cell phones. The legislators suggested that the Office of Highway Safety focus on this behavior and educate motorists on the dangers of driving while using a hand held cell phone.

Member McClure believes there are a number of other activities that are just as distracting as talking on cell phones. He asked that staff focus on inattentive driving rather than just one behavior. The Board concurred.

WHEREAS, the Board meeting adjourned at 1:40 PM.

signed

CHARLES L. WINDER, Chairman

Idaho Transportation Board

Read and Approved

March 22, 2004

Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

January 21-22, 2004

The Idaho Transportation Board met at 8:30 AM, on Wednesday, January 21, 2004, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman

John X. Combo, Vice Chairman – District 6

John McHugh, Member – District 1

Bruce Sweeney, Member – District 2

Monte C. McClure, Member – District 3

Gary Blick, Member – District 4

Neil Miller, Member – District 5

Sue S. Higgins, Board Secretary

Dave Ekern, Director

Jimmy Ross, Chief Engineer

Steve Bywater, Deputy Attorney General

December 12 and 17, 2003 Board Minutes. Vice Chairman Combo made a motion to approve the minutes of the regular Board meeting held on December 12, 2003 and the minutes of the special Board meeting held on December 17, 2003, as submitted. Member Miller seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates and locations were scheduled:

February 25-26, 2004 – Boise

March 22-23, 2004 – Boise

April 15-16 2004 – District 2

Consent Calendar. Member Blick made a motion, seconded by Member McHugh, and passed unopposed, to approve the following resolution:

RES. NO. NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board ITB04-01 approves the increase in federal-aid limit for Wallace bike path, District 1; Highway Development Program changes from the December Urban Committee meeting, District 3; District 3 FY05 Surface Transportation Program – Safety changes; consultant services, SH-55, Northbound Passing Lanes, District 3; and speed minute entry changes, SH-45, District 3; and has received and reviewed the contract award information, new and supplemental professional agreements report, administrative settlements of right-of-way acquisitions, annual report on status of state-owned buildings, quarterly returned check report, and November financial statement analysis.

1) Increase in Federal-aid Limit for Wallace Bike Path, I-90B, Key #7618, District 1. The Wallace Bike Path is a completed FY00 Enhancement project with a final voucher issued by FHWA in July of 2002. Discussions were held last month with the City of Wallace to discuss the dispensation of the final cost, \$47,758.53. The project was originally approved with an 80% federal participation of the initial estimated cost of construction. Before 1998, the use of federal aid limits and related financial responsibility was not clearly stated. The City of Wallace is requesting that the federal aid limit be increased to cover 80% of the total construction costs, including the cost overruns incurred during construction. This request would increase the federal aid limit from \$25,254 to \$32,883.46 to maintain the agreed-upon 80% participation rate. The city's total commitment would be \$14,875.07.

2) Highway Development Program Changes from the December Urban Committee Meeting, District 3. At the Urban Committee meeting last month, the Local Highway Technical Assistance Council proposed changes to the Program at the City of Payette's request. The Intersection 6th Avenue and SH-52, Payette project, key #6319, is to be removed from FY05 and the 7th Avenue North, Payette project, key #8799, is to be advanced to FY06. The cost of the 7th Avenue project will increase from \$1.53 to \$1.768 million. Staff will modify the Statewide Transportation Improvement Program accordingly.

3) FY05 Surface Transportation Program (STP) – Safety Program Changes, District 3. The District proposed removing two FY05 STP-Safety blunt end guardrail replacement projects, key #8940 and #8941. Additionally, it requested consolidating two blunt end guardrail replacement projects, key #9177 and #9179, into the newly scoped FY05 Region 3 and Region 4 STP-Safety projects, key #9178 and #8939, on US-95 and SH-55. Construction costs are \$1,055,000 and \$995,000, respectively.

4) Request for Consultant Services, SH-55, District 3. Staff requested authority to retain and contract additional work to assist in completing the memorandum of understanding, environmental approval, and additional roadway design for the SH-55, Northbound Passing Lane, Gardena South project, key #7791, District 3. The original agreement with Toothman Orton-Engineering Company to complete the roadway design was estimated at \$246,607. The estimated additional cost to complete the work is \$76,000, exceeding the \$250,000 limit for a single work task.

5) Speed Minute Entry Changes, SH-45, District 3. District 3 conducted an Engineering and Traffic Investigation on SH-45 from milepost (MP) 20.206 to MP 22.209. The

recommendation, based on the speed study, road conditions, a safety evaluation, and public support, is to decrease the speed limit from 65 miles per hour (MPH) to 55 MPH from MP 21.0 to 22.209 on SH-45.

6) Contract Award Information. Key #8575 – District 3 Region 4 Sealcoats. Low bidder: Snake River Construction Inc. - \$337,776.

Key #8631 – District 5 Road Weather Information System, Phase 2. Low bidder: Angle & Associates - \$263,716.

Key #8238 – SH-16, Intersection Substation Road near Emmett, District 3. Low bidder: Central Paving Company Inc. - \$632,978.

Key #9049 - SH-33, Henry's Fork Snake River Bridge, District 6. Low bidder: Cannon Builders Inc. - \$197,944.

Key #6517 – US-95, Upper Eastport Moyie River Bridge, District 1. Low bidder: Morgan & Oswood Construction Company Inc. - \$2,310,004.

Key #8375 – SH-11, Weippe Pedestrian/Bike Path, District 2. Low bidder: M L Albright & Sons Inc. - \$203,631.

Key #7089 – SH-200, East of Clark Fork, District 1. Low bidder: Noble Excavating, Inc. - \$1,584,012.

Key #8456 – US-93, Challis South, District 6. Low bidder: H K Contractors Inc. - \$2,591,596.

The low bids on key #8376, Pedestrian Pathway, Peck, District 2 and key #8385, University Place Pathway, District 6, were more than ten percent over the engineer's estimate and were rejected.

7) New and Supplemental Professional Agreements Report. From November 22 through December 31, the Consultant Administration Unit processed \$2,446,960 in professional, supplemental, and term agreements.

8) Administrative Settlements of Right-of-Way Acquisitions. During the second half of calendar year 2003, the Right-of-Way Section processed 182 parcels, of which there were 74 administrative settlements, or 41%.

9) Annual Report on the Status of State-owned Buildings. The status of the Department-owned dwellings was presented, including information on the monthly rental fee, the fair rental amount, and vacancies.

10) Quarterly Returned Check Report. During the second quarter of FY04, \$14,175,406 in checks were received. The returned checks amounted to \$166,066, or 1.17%. The collection of returned checks equaled \$151,412 for an annualized collection rate of 88.53%.

11) November Financial Statement Analysis. Total federal aid revenue from FHWA was \$6.9 million or 5.4% below projections through November. Revenue from the Highway Distribution Account was \$597,800 or 0.8% below the forecast. The revenue sources accounting for the variance were vehicle registration and miscellaneous. Personnel and operating expenditures were less than budgeted through the month. Capital equipment showed a negative variance of 1200% due to expenditures and encumbrances from the issuance of purchase orders and is a timing difference. In Contract Construction, the federal program is behind spending projections by 36% and the state program is 12% less than projected.

Aviation fuel tax revenue through the end of November was 20.9% or \$158,600 below projections. Miscellaneous revenue was 23.8%, or \$16,300, less than forecasted. Overall

expenditures were ahead of last year due to increased federal grant funds in the Trustee and Benefit category. The Aircraft Operations Fund received \$20,900, which is a positive variance to forecast year to date of 25%; however, this is due to outstanding receivables being booked and the trend is not expected to continue. Expenditures were less than projected.

Board Items. Member Blick reported on recent discussions to increase the safety of recreation activities from the Perrine Bridge in Twin Falls, particularly BASE (bridges, antennas, spans, and earth) jumping. The group is exploring options. Chairman Winder asked DAG Bywater to provide an update on this issue at a future meeting.

Member Sweeney read a letter he received from the City of Troy. The mayor thanked the Board and Department for its assistance with various projects and commended District 2 Engineer Jim Carpenter and his staff for their efforts.

Member McClure provided a summary of the January 20 Board Subcommittee on Adjustments to the State Highway System meeting. The main action was to proceed with the acquisition of the Banks to Lowman highway, which should be ready for the Board's consideration at the March meeting. Negotiations are continuing on other roads, such as the Buhl to Wendell route and SH-25. Based on a request from Bonneville County to trade Hitt Road for SH-43, staff will pursue the locals' interest in conducting a study of the transportation system in the area due to the number of changes occurring in the area, particularly the construction of several interchanges on I-15 and US-20.

Chairman Winder mentioned a concern he received on traffic backing up on I-84 at the Garrity Boulevard interchange in Nampa.

Report on Department Activities. Budget, Policy, and Intergovernmental Relations Manager Julie Pipal provided an overview on legislative activities and legislation being monitored by the Department. She also summarized the legislative presentations scheduled with the Germane Committees next week.

Director Ekern and DAG Bywater presented information on GARVEE bonds. The Department is exploring the feasibility of issuing bonds.

Member McClure left the meeting at this time.

Director Ekern outlined ITD's budget presentation for the legislative committees. The report will include projected outputs for FY05 and will stress the economic role that transportation plays in the state.

Administrative Services Division Administrator Susan Simmons expressed appreciation to the Board for approving the merit program and reported on its implementation. She also provided an update on the efforts to acquire a new financial management system. Staff is in the process of negotiating a contract.

Wild Horse Trail Scenic Byway Designation, US-95/SH-1, District 1. Jack Lavin, Scenic Byways Advisory Committee Member, reported on the Committee's recommendation to approve the Wild Horse Trail Scenic Byway, which would include the portion of US-95 from Sandpoint north to SH-1 and then on SH-1 to the Canadian border. If this request is approved, the sponsoring entities envision this loop becoming the first international scenic byway.

Member McHugh made a motion, seconded by Member Blick, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byways ITB04-02 Advisory Committee (SBAC) on June 21, 1996; and

WHEREAS, among its purposes the SBAC is to provide advice and recommendations concerning the Scenic Byway Program to the Board; and

WHEREAS, all local requests for Scenic Byway designation are to be submitted to the SBAC for review and consideration; and

WHEREAS, the International Selkirk Loop Board of Directors has submitted a request to designate a route to be known as the Wild Horse Trail Scenic Byway, which would begin at US-2 in the City of Sandpoint and would head north along US-95 to a connection with SH-1 and then follow SH-1 to the Canadian border; and

WHEREAS, the SBAC has found the request for this designation to comply with its established criteria, recommending Board approval, as does the cognizant ITD staff, including the ITD Scenic Byways Coordinator.

NOW THEREFORE BE IT RESOLVED, that the Board approves the designation of the Wild Horse Scenic Byway as described above; and

BE IT FURTHER RESOLVED, that the Wild Horse Scenic Byway shall be so signed and designated on the Idaho Official State Highway Map.

Sacajawea Historic Byway Designation, SH-28/SH-33, District 6. Mr. Lavin expressed the SBAC's support to designate SH-28 from the City of Salmon to the junction of SH-33 and then SH-33 easterly to I-15 as the Sacajawea Historic Byway. He said there is a lot of support for this request from various federal and local officials.

Member Blick made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byways ITB04-03 Advisory Committee (SBAC) on June 21, 1996; and

WHEREAS, among its purposes the SBAC is to provide advice and recommendations concerning the Scenic Byway Program to the Board; and

WHEREAS, all local requests for Scenic Byway designation are to be submitted to the SBAC for review and consideration; and

WHEREAS, the Salmon Valley Chamber of Commerce has submitted a request to designate a route to be known as the Sacajawea Historic Byway, which would begin at US-93 in the City of Salmon and would head southeast along SH-28 to a connection with SH-33 and then follow SH-33 to I-15; and

WHEREAS, the SBAC has found the request for this designation to comply with its established criteria, recommending Board approval, as does the cognizant ITD staff, including the ITD Scenic Byways Coordinator.

NOW THEREFORE BE IT RESOLVED, that the Board approves the designation of the Sacajawea Historic Byway as described above; and

BE IT FURTHER RESOLVED, that the Sacajawea Historic Byway shall be so signed and designated on the Idaho Official State Highway Map.

Dispute Review Board's (DRB) Amended Findings and Recommendations – Inland Crane/Harcon Appeal, Goff Bridge, Key #2636, District 2. DAG Karl Vogt summarized the claim filed by Inland Crane/Harcon. The matter was submitted to a DRB, Mr. C. W. Anderson, and the Board approved the DRB findings in October 2002. Following the Board's action, questions were raised by the claimants regarding the damage calculations. In March 2003, the DRB was reconvened to clarify its decision, and the DRB confirmed that the quantum calculations presented by ITD were in accordance with its decision. DAG Vogt reported that due to the claimants' disagreement regarding the quantum

calculation, it filed a lawsuit. Discussions are ongoing with the claimants; however, clarification of the Board's original Final Decision is needed to completely and accurately document the Department's position. ITD sent a letter to the DRB in October 2003 that set out the ITD quantum calculation, and requested a written finding memorializing the reconvened DRB hearing of March 2003. The DRB's response confirms that the ITD calculations conformed to the recommendations and findings issued.

Member Blick made a motion to approve the Amended Final Decision on the Inland Crane/Harcon appeal on the Goff Bridge claim, as shown as Exhibit 284, which is made a part hereof with like effect. Member Miller seconded the motion and it passed unopposed.

Member Blick made a motion to authorize Director Ekern to negotiate a settlement with the claimant. Vice Chairman Combo seconded the motion.

Although Member Miller supports the motion, he expressed concern with the length of time it is taking to resolve this issue. Director Ekern suggested amending the motion to state that the settlement should be reached by the March 2004 Board meeting.

Member Blick and Vice Chairman Combo concurred to including the March 2004 timeframe in the motion. The motion passed unopposed.

Delegation – Hagadone Hospitality Company: Right-of-Way on Coeur d'Alene Lake Drive, District 1. Prior to the start of the meeting, John Barlow, representing Hagadone Hospitality Company, requested that the scheduled appointment be postponed. The Board concurred; however, it discussed the history of the Coeur d'Alene Lake Drive Trail and related right-of-way issues at this time.

Member McClure joined the Board at its informal luncheon with the Aeronautics Advisory Board (AAB).

Annual Division of Aeronautics Report. AAB Chairman Rodger Sorensen, Board Chairman Winder, and Aeronautics Administrator (AA) Bob Martin recognized AAB Member Bill Parish for his service on the Board. Member Parish has served on the AAB since 1986 and was commended for his dedication to aviation and commitment to serving ITD and the state.

Chairman Sorensen provided an overview on the Division of Aeronautics' activities during the past year, including airport maintenance projects, the safety/education program, search and rescue efforts, and the airport planning and development program. He also mentioned the importance of interagency coordination and partnering efforts to address aviation concerns.

AA Martin elaborated on other aviation factors important to the state, such as passenger air service, air cargo operations, and business aviation activities. He also stressed the importance of the state's backcountry airstrips, particularly to the economy.

Chairman Winder thanked Messrs. Sorensen and Martin for the report and extended appreciation to the AAB for its service.

Upgrade Access Control Designation, SH-55, District 3. Pamela Lowe, District 3 Engineer (DE), requested designation of SH-55 from milepost 3.89 in Canyon County to 16.128 in the City of Nampa from Type III to Type IV access control. Because predominant parts of the highway are only two lane facilities, the policy automatically classifies it as Type III. Based on the function, current traffic volumes, and future traffic projections, the route should be classified as Type IV. DE Lowe believes upgrading this

section is inevitable. Upgrading it now will preserve right-of-way, manage development, and better accommodate future improvement projects.

Member Sweeney made a motion, seconded by Member Miller, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has made a commitment to support

ITB04-04 corridor planning as a means of facilitating long-range transportation planning in the State of Idaho; and

WHEREAS, the Board seeks to design and maintain the state's roadway systems in the best interests of the citizens of the State of Idaho; and

WHEREAS, the Idaho Transportation Department is given the responsibility to manage the state's roadways in a manner consistent with the State's Strategic Plan, Long-range Transportation Plan, and Access Management Policy; and

WHEREAS, Section 2.3 of the governing policy, known as "Access Management: Standards and Procedures for Highway Right-of-Way Encroachments", states that the Board has the "right to modify access control...for necessary modification or closure of approaches and points of access"; and

WHEREAS, portions of the below listed highway section are currently classified as Type III Access Control, but current and future projected traffic volumes and needs warrant Type IV Access Control.

NOW THEREFORE BE IT RESOLVED, that the Board designates Type IV Access Control for the following highway section:

SH-55: from milepost 3.89 in Canyon County to milepost 16.128 in Nampa.

Overview on Motorists' Devices to Change Traffic Control Signals. Assistant Chief Engineer – Operations (ACE-O) Greg Laragan explained the priority control signal preemption system that allows authorized vehicles to change the traffic signal at intersections from red to green. This ensures the authorized vehicle the right of way, allowing it to get to its destination more quickly. In some areas of the country, transit and snow removal vehicles are also authorized to utilize this type of preemption, but in Idaho, only designated emergency vehicles have this authority. He said that some entrepreneurs have begun offering these mobile infrared transmitter devices to the general public, creating public safety and congestion concerns.

Staff has been working with Ada County Highway District (ACHD) and monitoring national legislation on this issue, according to ACE-O Laragan. The devices used in Idaho are capable of being encoded with a specific code per vehicle assigned to specific jurisdictions. After encoding, the ability to preempt signals using transmitters with non-assigned codes will be lost. ACHD has recently embarked on a program to assign specific code ranges to specific emergency response agencies. Additionally, ACE-O Laragan said that ACHD is pursuing legislation and requested ITD's support and assistance. He has not seen the legislative proposal yet. He added that although Congress has introduced legislation making the sale and ownership of these devices to the general public illegal, he believes coding authorized vehicles in Idaho should also be pursued.

Vice Chairman Combo made a motion to direct staff to continue pursuing encoding the infrared transmitter devices for authorized vehicles, continue monitoring national legislation, and work with ACHD on its legislative proposal to make the use of the

infrared transmitter devices illegal for the general public. Member Sweeney seconded the motion and it passed unopposed.

Chairman Winder thanked ACE-O Laragan for the informative report and efforts on this important matter.

Executive Session on Personnel and Legal Issues, Section 67-2345(1)(b) and (f), Idaho Code. Vice Chairman Combo made a motion to meet in executive session at 3:15 PM to discuss legal and personnel matters. Member Blick seconded the motion and it passed 6-0 by individual roll call vote.

The general tenor of the discussion on the legal issues included updates on pending litigation on an access appeal, and the East Main Street project, it also included a discussion of probable litigation related to the crash of the state plane and the appeal of the United States Forest Service decision on backcountry airstrips.

The general tenor of the discussion on the personnel item regarded the performance of employees.

The Board came out of executive session at 4:50 PM. No decisions were made.

New/Old Business. Vice Chairman Combo mentioned the discussion at yesterday's Board Subcommittee on Adjustments to the State Highway System meeting regarding two new projects in the Treasure Valley. Director Ekern elaborated on the requested projects to address the continued growth in the Boise area. He believes the Treasure Valley needs a long-range plan and would like to partner with Community Planning of Southwest Idaho on this effort, with a commitment of up to \$500,000 from the Board State-Funded Unallocated Account. ITD would also provide technical assistance on the project.

Additionally, Director Ekern requested up to \$300,000 to partner with ACHD on its Three Cities River Crossing. This study will identify another Boise River crossing in the vicinity of the Cities of Boise, Eagle, and Garden City. It will impact the transportation system in the area. Because Director Ekern believes it also has statewide implications, he requested Board State-Funded Unallocated Account funds for this project.

Member McClure made a motion to approve funding the Treasure Valley Long-Range Transportation Plan up to \$500,000 and the ACHD Three Cities River Crossing Partnership up to \$300,000 from the Board's State-Funded Unallocated Account in FY04. Member McHugh seconded the motion and it passed unanimously.

WHEREUPON, the meeting recessed at 5 PM.

January 22, 2004

The Board reconvened at 8:15 AM on Thursday, January 22, 2004, at the Transportation Department. All members were present.

Winter Road Report. Public Affairs Manager (PAM) Jeff Stratten provided an overview of the Department's winter road report. He reported that due to numerous winter storms over the recent holidays, the number of calls to the system exceeded the capacity. He outlined additional measures that can be taken to improve the system and elaborated on other means of informing the traveling public of road conditions: the website, the media, and variable message signs. He added that ITD has a partnership on these efforts and works closely with State Communications.

Discussion on the road report system followed, with the Board members providing concerns and comments. Some of the suggestions included better identification of the locations of road closures so motorists unfamiliar with the area will be able to identify the

locations on the map; availability of services and turn-around areas at the closure sites; and improving awareness of road closures, such as increasing the use of variable message signs. Support was also expressed to dedicate additional resources to improve this important service.

PAM Stratten thanked the Board for the comments and said the remarks will be taken into consideration as staff continues to refine the system. Director Ekern added that operating systems is a major focus for the future. Customer service is important and ITD will continue exploring partnerships and technology to enhance this service. CE Ross said the highest priority is to ensure safety of the state highway system and the motorists. He acknowledged that improvements are needed to the winter road report system. Staff is continuing to pursue a 511 system, an enhanced transportation information system.

State Communications Tour. The Board traveled to Meridian to visit the State Communications facility. Shana Munroe, State Communications Center Manager, and Kathy Bessey, Shift Manager/ITD Coordinator, provided an overview of the dispatch system and elaborated on the entity's partnership and coordination with ITD, including on the road report system and with hazardous material situations.

The Board thanked Ms. Munroe and Ms. Bessey for the informative presentation and tour.

Idaho State Police (ISP) Tour. The Board discussed a number of issues with ISP officials. ISP Major Tom Thompson expressed support for ITD's incident response program in the Treasure Valley and said some discussions have occurred to expand the program to other populated areas. He also believes the 3E (engineering, enforcement, and education) Program is beneficial, as it promotes discussion between ITD and ISP on problem areas and addressing those concerns. Major Thompson encouraged the Board to continue funding the 3E Program. The concern with motorists using cellular telephones, the ability to clear accident scenes expeditiously to get traffic flowing efficiently, and speed, including the differential speed limit, were also discussed.

The Board toured some of the ISP facilities and thanked the ISP officials for their time and for the informative visit.

WHEREAS, the Board meeting adjourned at 11 AM.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
February 26, 2004
Boise, Idaho