

## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

January 15-16, 1998

The regular session of the Idaho Transportation Board meeting convened at 8:15 AM, on Thursday, January 15, in Boise, Idaho at the Transportation Department. The following principals were present:

Charles L. Winder, Chairman  
John McHugh, Member – District 1  
Monte C. McClure, Member - District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member - District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jack McMahan, Deputy Attorney General  
Jack Coe, Division Administrator – Federal Highway Administration

Division of Aeronautics' FY97 Annual Report. Chairman Winder welcomed Aeronautics Advisory Board (AAB) Members Bill Parish, Harry Merrick, and Robert Hoff to the meeting. Aeronautics Administrator (AA) Bart Welsh reported that the FY97 funds totaled \$1,834,706, with 80% of the revenue generated from jet and general aviation fuel tax. Over the last few years there has been a steady increase in the revenue, primarily reflecting the increased jet fuel purchased by air carriers at the Boise City Airport. He emphasized the economic impact aviation has in Idaho, including \$3.1 billion annually and 56,000 jobs.

AA Welsh reported on the search and rescue and flight operations programs, and Frank Lester, Mark Young, and Wayne Pickerill summarized the activities of the aviation safety/education, airport maintenance, and airport planning and department programs, respectively. The Board thanked staff for the report.

December 18-19, 1997 Board Minutes. Member Smith made a motion, seconded by Member McHugh, to approve the minutes of the Board meeting held on December 18-19, 1997, as submitted. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

February 19-20, 1998 – Boise  
March 19-20, 1998 – Boise  
April 16-17, 1998 – District 2  
May 21-22, 1998 – District 3

Consent Calendar. Member 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 Transportation Board approves

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TB98-01        the SH-55 addition in Eagle and relinquishment to the Ada County Highway District, District 3; and revisions to Board Policy B-06-08, Professional Services Agreements; and has received and reviewed the contract awards; the administrative settlements of right-of-way acquisitions; the new and supplemental professional agreements report; and the financial statement.

1) SH-55 Addition in Eagle and Relinquishment to Ada County Highway District (ACHD), District 3. SH-55 from the junction of SH-44 north to Beacon Light Road was completed in November 1997. The road closure and maintenance agreement with ACHD dated July 1996 states that ITD will give notification to ACHD of the relinquishment of a portion of former SH-55. This action is shown as Exhibit 196, which is made a part hereof with like effect.

2) Board Policy B-06-08, Professional Services Agreements. Last month, the Board approved changing the term agreement limits for consultant services to \$500,000 for a two year period with a maximum single work task of \$250,000 and a maximum accumulated amount of all professional agreements and work tasks on a single project of \$500,000. The Board and Administrative policies have been revised to reflect these changes.

3) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

ER-4722(100), key 6405 – Kidder Ridge, Idaho County, District 2. Low bidder: Wasco, Inc., Orofino, Idaho - \$100,601.10.

ST-5110(625), key 5897 – Intersection Alderson Lane, US-95, Boundary County, District 1. Low bidder: Thorco, Inc., Coeur d'Alene, Idaho - \$149,357.40.

STPG-2800(108) and ST-5110(630), keys 6327 and 6186 – Intersections Garwood Road and Garwood Road UPRR XING/SH-53, US-95, Kootenai County, District 1. Low bidder: Coeur d'Alene Asphalt, Inc., Dalton Gardens, Idaho - \$372,995.

4) Administrative Settlements of Right-of-Way Acquisitions. From October 1, 1997 through December 31, 44 parcels were processed, 14 of which had administrative settlements, or 32%.

5) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$1,153,573 in new agreements and supplementals between December 6 and December 31.

6) Financial Statement. The Board reviewed the financial statement through December 1997.

Board Items. Member Combo questioned ITD's coordination with other state agencies on various issues, but particularly with economic growth projections. Several years ago memorandums of understanding were established with other state agencies. He asked that these MOUs be reviewed and the relationship with other agencies be revisited at a future meeting.

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Member Miller reported on Montpelier's Oregon Trail Museum project. He summarized the city's plans for this project and stated the locals are proceeding with a bond issue for additional revenue.

Recently, a constituent asked Member McClure to support the approval of a new gravel pit in the Boise area. Because aggregate sources are a concern statewide and he was unsure of the Board's position, he did not send a letter in support of this gravel pit. He acknowledged the good sources in the area, the difficulty of getting gravel pits approved, and also the objection of citizens near the gravel pits.

Chairman Winder suggested revisiting this issue, including the Department's sources, how much is available, where future sources will come from, and state ownership of gravel pits. Member Smith voiced concern that ITD's ownership may create conflicts with local officials and citizens. In the Boise area, he would encourage relaxation of zoning restrictions and increasing the number of public or private pits.

With staff's assistance, Members McClure and Smith will prepare a resolution for the Board on this issue.

On behalf of the Board, Chairman Winder presented Jack Coe, Division Administrator, FHWA, a certificate in recognition of his support for a quality transportation system, his cooperation, guidance, and positive attitude. The Board extended its appreciation to Mr. Coe for his service to Idaho since 1985.

Member Combo reported that he presented the Harwood Elementary School fifth graders an award for their work on the Adopt-A-Highway program. The school has been participating in this program for the past eight years. He added that meeting with the students was an enjoyable experience.

Director's Items. The Board members reviewed the revised employee survey. After suggesting minor revisions to the consultant's cover letter, the consensus of the Board was that the survey was acceptable and the consultant should proceed.

Congress is still in recess, so there is no new development on the reauthorization of ISTEA. The Senate indicated it would like to move quickly on a new bill, according to Director Bower, and an Enhancement Program is very likely to be included in a final bill. He added that the Department is basically on track to obligate its \$52.8 million by May 1.

Earlier this week, Director Bower, Highway Programming Manager (HPM) Dave Amick, and Mr. Coe went to Missoula, Montana to discuss the proposed interpretive center at Lolo Pass. It was a good opportunity to strengthen the partnership with the Montana Department of Transportation, the Regional Forest Service, and the local Forest Services, which were all represented. Staff is working on making this project eligible for Enhancement funds. The project is proposed for construction in FY2000. Because ITD is providing a large portion of construction funds, the Forest Service and Montana DOT will provide the ongoing maintenance. Although a number of issues still need to be resolved, work is proceeding well on this project.

The Lost Trail project was also discussed at the meeting. That project should be ready in FY99. ITD has the Lost Trail project programmed in FY00, so that schedule may have to be revisited.

Director Bower briefly covered items in the Governor's budget, and added that Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Mary Detmar will review that in more detail tomorrow. He concluded by informing the Board that ITD has submitted the Mesa Falls Scenic Byway project as a candidate for the FY98 Public Lands Highways Discretionary Program. The project request totals \$4 million. An additional \$3.5 million in planned Forest Highway funding will be combined with the requested Discretionary funds to construct this project.

Update on Integrated Financial Management System (IFMS). Deputy Director (DDIR) Keith Bumsted reported that the IFMS project went live on January 1. Key components, including vendor payments and cost accounting, billing and revenue collections, payroll, and extracting eligible transactions for reimbursement from FHWA are all operating well. Some staff complaints received include long response time, difficulty navigating through screens, and more work is now required. DDIR Bumsted reported that with additional training and familiarity with the system, some of those issues should be resolved.

Member Smith visited District 4 recently and received comments such as the new system is more time-consuming and requires more staff. Staff admitted that with more experience, some of the problems may be alleviated. Member Smith added that the District staff had a positive attitude on the new system and believes it is better than the old system.

DDIR Bumsted provided a summary of the costs to date, starting in FY96, for the information systems projects. The total, including the client/server infrastructure, statewide network, department-wide data management, and integrated financial management system, is \$6,283,796. Chairman Winder thanked DDIR Bumsted for the report and also for his efforts and oversight with this project.

FY98-00 Statewide Transportation Improvement Program (STIP) Update Process. According to Intermodal Planning Manager Jim McFarlane, this year's planning process will replicate the same goals as last year, including coordinated modal, metropolitan planning organizations and district planning processes which are district-oriented and promote increased public involvement. As part of the STIP updating process, the Division of Transportation Planning continues to develop a more direct and committed working relationship with all affected, including internally and externally. The increased interaction should result in a more effective STIP and provide customers with a more useful intermodal product addressing all transportation projects and programs under ITD's charge.

Scenic Byway Discretionary Projects. Last month FHWA advised ITD that the Scenic Byways Discretionary Grants Application process was underway, according to Garry Young, Senior Transportation Planner. The Scenic Byways Advisory Committee (SBAC) has the responsibility to oversee this program and makes recommendations to the Board. SBAC members have been sending grant application packages to their respective contacts throughout the state, with a due date for applications of January 26. Because notification of the available

funding opportunity was not made until December, the potential Scenic Byway Discretionary projects are not currently in the approved Highway Program. All grant requests will be made to the Division of Financial Management through Highway Programming. A complete list of proposed scenic byway projects, as submitted to FHWA, will be provided at the February Board meeting for approval.

Presentation – Federal Formula B and Issues Regarding Pilot Projects. Bridge Design Engineer Matt Farrar explained the federal bridge formula and structural analysis for permit loads that exceed the bridge formula. Information on figuring legal weights, permitting requirements, and common vehicle configurations was presented by Port of Entry Operations Officer Reymundo Rodriguez. Traffic Survey and Analysis Manager (TSAM) Glenda Fuller concluded the presentation by explaining how the federal formula B applies to pilot project criteria and recommended pilot project routes.

Mike Dolton representing Idahoans for Safe Highways said he is not satisfied with the safety aspects for heavier trucks. He also voiced concern on the impacts to the infrastructure the additional weight may have.

Dar Olberding, Idaho Grain Producers, believes the trucking industry will become more efficient if increased weight limits are allowed. He expressed support for pilot projects, stating it is a worthwhile program.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 2:40 PM, Member Combo made a motion, seconded by Member Miller, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

The Board came out of executive session at 3:40 PM. No decisions were made.

Pilot Project Routes. TSAM Fuller presented a revised map, based on last month's discussion, designating routes for pilot projects involving increased weights. Another change was to allow for weights up to 129,000, as outlined in the criteria approved in October 1997. She emphasized that truckers would have to apply for permits up to the allowable weight limit.

Representative Jim Kempton provided a brief history on the issue to increase gross vehicle weight limits, including the recommendations of the Intermodal Commercial Freight Task Force in 1996. He believes most people do not want increased weight limits, however, the pilot projects may be more acceptable if the speed limit for trucks is reduced. He summarized the proposed legislation on this issue, including allowing for weights up to 129,000 pounds by permit; allowing local jurisdictions to increase truck weights on their system based on the Board-approved criteria; requiring weight-distance taxes to be paid at the higher weight limit; requiring vehicles operating at higher weights to meet all current length requirements; reducing speeds on pilot routes for five-axle, greater than 26,000 pound trucks to 60 miles per hour; and requiring biennial reports to the Legislature on safety, bridge, and pavement impacts of the pilot projects.

Member Smith stated that the Board has reviewed the issue of differential speed limits and due to safety concerns, determined to have equal speeds for trucks and cars. Representative Kempton responded that accident information has to be reviewed. He suggested looking only at accident statistics for the interstate, so no crossing accidents are included, only linear. He believes it would be beneficial to have a reduced truck speed on pilot project routes for monitoring purposes and also if Congress would allow increased weights on the interstate, data would be available to make an informed decision on differential speeds for other routes at that time.

Member McClure said passing opportunities also have the potential to cause accidents, and those statistics need to be included. He added that the Board is charged with establishing speed limits based on engineering and traffic studies.

Representative Kempton believes the legislature supports reduced speed limits for trucks, however, he appreciates the Board's position. He added that approximately 12 states have differential speed limits, although he does not have accident information from those states. Chairman Winder replied that staff is trying to obtain that information.

Chairman Winder reported that the Idaho Intermodal Commercial Freight Task Force did not approve weights up to 129,000 pounds, but staff has indicated there would not be any additional impacts if the weight were increased from 118,000 to 129,000. He supports pilot projects up to 129,000 pounds so Idahoans can be competitive, however, safety is still a concern that staff is reviewing.

Representative Kempton added that a 129,000 pound limit would provide more uniformity, as most of the surrounding states allow weights of that limit. He encouraged standardization and also believes this would be more efficient for truckers.

Member Combo expressed concern with the resolution prepared by staff, as he did not think it was definitive enough. He added that it is his understanding there would be less wear and tear on the infrastructure because additional axles would be required for the increased weight.

Member Miller made a motion directing the Chairman to appoint a Board Subcommittee to revise the proposed resolution overnight and present it to the full Board tomorrow. Member McClure seconded the motion.

Member McHugh expressed his opposition to including US-95 north of Lewiston as a pilot project route. He believes the highway is unsafe in some areas to accommodate increased weights. Member Smith commented that a pilot project route from Twin Falls south to Nevada was considered briefly last year, resulting in opposition to heavier trucks traveling through Twin Falls. Now several routes throughout the state are being proposed, without continuity. In order to facilitate the legislature, he suggested providing some routes that qualify according to the criteria, but that the Board not endorse the routes or increased weights.

The motion passed four to one with Member Combo dissenting.

The consensus of the Board was to provide information to the legislature. Chairman Winder asked Members Combo, Miller, and Smith to revise the resolution on pilot projects for increased weights. He thanked Representative Kempton, as well as the other individuals, for attending the meeting and providing comments. (See later minute entry on this subject.)

WHEREUPON the meeting recessed at 4:50 PM.

January 16, 1998

The Transportation Board meeting reconvened at 8:10 AM at the Transportation Department in Boise on Friday, January 16. All members were present except Vice Chairman Mitchell.

Legislative Update. At last month's meeting, Public Transportation Administrator Larry Falkner stated rule-making would be part of the packet for the public transportation policy. The rule-making procedure has been eliminated and will be included in Board policy instead, according to BPIRM Detmar. Additionally, it was reported that staff would provide an annual report to the legislature; BPIRM Detmar stated that will be an annual report to the Board as part of the STIP process instead.

BPIRM Detmar reported that the House Transportation Committee has already approved the legislation cleaning up drivers' license issues. The results of AAA's survey should be available at the end of this month and copies will be shared with the Board. Staff is continuing to work with the Idaho Motor Transport Association on the replacement of the weight-distance tax. She concluded by stating several license plate proposals are being discussed.

FY99 Budget Presentation to JFAC and Germane Committees. BPIRM Detmar reported highlights of the Governor's budget recommendations for FY99. Some of the proposals include a 5% change in employee compensation, reversing the deletion of 29 positions, 2.6% inflation, deleting \$56,900 for additional equipment in highway operations, and increasing the Department's capital facilities request of \$70,000 to \$300,000.

BPIRM Detmar outlined the presentation prepared for the Germane Committee and JFAC Committee meetings scheduled January 22 and February 6, respectively. Some items to be reported include accomplishments from 1997, appropriations history, actual FY97 expenditures, and program enhancements. She recognized Technical Writer Rik Hinton and Public Involvement Coordinator Julie Pipal for their hard work and extra efforts in preparation for the two presentations.

Highway Development Program Supplement 98-2. HPM Amick described the objectives of Supplement 98-2, including modifying and rebalancing the Highway Development Program to include project changes since October 1, 1997; updating the cost of existing projects to current costs; and republishing the FY98 Emergency Relief Programs in the Highway Development Program to incorporate delayed projects which were obligated in FY98 instead of FY97 as

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planned. HPM Amick added that the Federal Highway Program continues to operate in FY98 under the provisions of an interim highway act granting only partial funding through April 1998.

Member Combo 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 Transportation Department to  
TB98-02 publish and accomplish a current, realistic and fiscally constrained Highway Development Program; and

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

WHEREAS, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 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 has received Federal Emergency relief allocations of \$16.6 million in the first quarter of FY98 to continue work on projects addressing the FY96 and FY97 flood events; and

WHEREAS, the changes in Supplement 98-2 to the FY1998-2002 Highway Development Program fully utilize the estimated FY98 federal highway funding obligation authority of \$106 million; and

WHEREAS, the Surface Transportation Extension Act (STEA) of 1997 has provided a partial FY98 formula obligation authority of \$52.9 million to continue the funding of the Federal Highway Program through April 30, 1998.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2002 Highway Development Program itemized and explained in Highway Development Program Supplement 98-2, as shown as Exhibit 197, which is made a part hereof with like effect, and authorizes staff to make the appropriate changes to the FY1998-2000 Statewide Transportation Improvement Program in accordance with the provisions of the ISTEA of 1991 and STEA of 1997.

Final Amount versus Contract Bid Amount. The Board reviewed a report outlining the final amount for construction contracts versus the bid amount for projects in FY94 through FY97. CE Ross stated the amounts are for construction costs only; no preliminary engineering or right-of-way costs are included. Director Bower emphasized that the number of contracts awarded increased from 140 in FY96 to 158 in FY97.

Annual Safety Rest Area Status Report and Updated Planning Map. Board Policy B-05-14, Safety Rest Areas, requires Board review and approval of an updated planning map and status report of the state's safety rest areas. Roadside Manager Gene Ross outlined the changes planned for the state's rest areas and provided a status of other projects in the rest area program.

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He also reported on the working relationship ITD has with the Department of Commerce and with the Department of Parks and Recreation on rest areas.

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

RES. NO. WHEREAS, Board Policy B-05-14, Safety Rest Areas, requires the Chief  
TB98-03 Engineer to prepare and submit annually an updated rest area planning map, along with a brief status report, to the Board for review and approval; and

WHEREAS, additional and more improved roadside rest areas are needed on the state highway system to provide motorists convenience and safety; and

WHEREAS, the cost of constructing and operating rest areas is significant while limited funding is available for new rest areas, considering the backlog of highway improvement and maintenance needs; and

WHEREAS, opportunities are arising for joint development and operation of rest areas with other agencies which could reduce the cost impact of new rest areas on highway funding; and

WHEREAS, commercial activities in rest areas, in particular, those rest areas with visitor information centers, could help reduce costs of rest area operations.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the updated rest area planning map dated January 1998, and the rest area status report; and

*BE IT FURTHER RESOLVED*, that ITD staff should actively pursue partnering when opportunities allow with other agencies in the development and implementation of new rest areas identified on the rest area planning map with costs shared on an equitable, if not equal, basis between all partners and that such partnering projects shall be presented to the Board annually for consideration along with proposals for all other capital improvement projects; and

*BE IT FURTHER RESOLVED*, that ITD staff is directed to explore means of acceptable and appropriate commercial activities in rest areas which would complement motorists services, conveniences, and offset rest area operational costs to the state.

Board Policy B-03-06, State-Owned Dwellings. Board and Administrative Policies, along with procedures, have been developed to address tax requirements for employees that are provided state-owned dwellings. A new Administrative Rule, IDAPA 38.04.05, Rules Governing the Management of State-Owned Dwellings, is being presented to the 1998 legislature by the Department of Administration. ITD's policies and procedures will enable the Department to enact these new requirements. In response to whether these policies are in concert with other state agencies, Maintenance Engineer Clayton Sullivan replied yes.

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

RES. NO. WHEREAS, a proposed rule, IDAPA 38.04.05, Rules Governing the  
TB98-04 Management of State-Owned Dwellings, is being presented to the 1998 legislature by the Department of Administration; and

WHEREAS, IDAPA 38.04.05 defines the management requirements for state agencies that provide dwellings for employees and tax requirements for employees that are provided state-owned dwellings; and

WHEREAS, Board and Administrative Policy B- and A-03-06, State-Owned Dwellings, and accompanying procedures have been developed to address the requirements for ITD and employees required by proposed rule IDAPA 38.04.05.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves proposed Board Policy B-03-06, State-Owned Dwellings.

Pilot Projects, Revisited. Representative Kempton explained revisions to the proposed legislation for pilot projects regarding permitting authority and differential speed limits. Chairman Winder thanked him for expediting the changes and for considering the Board's comments.

Member Smith outlined the changes to the map designating pilot project routes: the Ashton to Twin Falls to Nevada route will bypass Twin Falls via SH-25, SH-50, and SH-74; the route from Nampa to Nevada was deleted for enforcement purposes; and the US-95 route from Grangeville will stop at Moscow. Bridge Engineer Matt Farrar reported that the Hansen Bridge could handle the increased weight.

Charlie Clark with Union Pacific Railroad (UP) reported on rail line activities in the Grangeville and Lewiston areas. He admitted that UP was having problems getting rail cars in that area earlier, but those problems are being resolved and the congestion is decreasing. He does not believe the elimination of the route accessing Nampa's intermodal facility will be detrimental, as UP pays by the number of containers moved.

Chairman Winder thanked Mr. Clark for his comments.

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

RES. NO. WHEREAS, Idaho Transportation Department staff has been asked to identify  
TB98-05 routes meeting engineering and feasibility requirements for increase of gross vehicle weights on pilot project(s); and

WHEREAS, input has been received from staff indicating that most non-mountainous state highways in Idaho would qualify for a pilot project with increased weights under the federal bridge formula "B"; and

WHEREAS, local highway authorities will retain jurisdiction over weight limits on local roads; and

WHEREAS, the Idaho Transportation Board submits preferred pilot project(s) for legislative consideration, with the caveat that the Idaho Transportation Board is not promoting pilot projects but rather, is attempting to facilitate legislative consideration of same; and

WHEREAS, legislation will be required granting the Idaho Transportation Board authority to increase weight limits on non-interstate state highways for approved pilot project(s); and

WHEREAS, the pilot program will require the application for and the issuance of a permit for each truck by the Idaho Transportation Department under its Permit Conditions Manual which, among other things, provides “The primary concern of the Department....shall be the safety and convenience of the general public and preservation of the highway system.”

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board has determined that the routes indicated on the attached map, titled “Designated Pilot Project Routes”, meet the criteria (attached hereto) of the Idaho Transportation Board and are acceptable for a pilot project(s). The pilot project would allow issuance of permits for gross vehicle weights between 80,000 and 129,000 pounds subject to Legislative action granting the Idaho Transportation Board authority to issue such permits for the increased gross vehicle weight limits for the pilot project(s); and

*BE IT FURTHER RESOLVED*, that the Board authorizes the Board Secretary to transmit this resolution, the attachment and the map to the House Transportation and Defense Committee.

Chairman Winder thanked staff for its efforts on the pilot project and the public for its comments and interest in this issue.

Chief Engineer’s Items. Consultants for the Rose Road overpass project are holding a value engineering workshop yesterday and today, according to CE Ross. No decisions will be made at this time; however, they will follow-up with recommendations and data so an informed decision can be made.

SH-21 from Grandjean Junction to Banner Summit is still closed because of avalanches. When the area has stabilized, the maintenance crews will clear the road, however, that may not be for some time. CE Ross stressed that safety will not be jeopardized.

A short summary explaining the procedures to dispose of property was presented to the Board. Right-of-Way Manager Leonard Hill clarified that surplus property has to be declared so

by ITD and that ITD does not want it. Excess property is land that ITD does not need currently, but may in the future.

Earlier, Hagadone Corporation requested property along old I-90 near Coeur d'Alene. District 1 Engineer Scott Stokes has reviewed this request and because the Department does not want to jeopardize the highway, recommended an easement for one of the parcels. He indicated there does not appear to be any major issues on the disposal of the property, and added that appraisals have been obtained on the parcels.

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

RES. NO.      WHEREAS, the Idaho Transportation Department completed the construction of  
TB98-06      I-90 east of Coeur d'Alene; and

WHEREAS, the Idaho Transportation Department has retained ownership and maintenance responsibility for the old I-90 now referred to as Coeur d'Alene Lake Drive; and

WHEREAS, the bike path construction and trail head facilities along Coeur d'Alene Lake Drive have been completed; and

WHEREAS, the Hagadone Corporation has requested ITD disposal of surplus properties in this area; and

WHEREAS, two surplus lots remain in the Potlatch Hill vicinity that are not needed for the maintenance, operation, or preservation of the bike path or highway; and

WHEREAS, these surplus properties are not on lake frontage nor on man-made fill and therefore not susceptible to erosion or undermining which would jeopardize the bike path or highway; and

WHEREAS, the Department has obtained and reviewed an appraisal for the surplus lots for a combined minimum value of \$60,000.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorize the disposal of these two lots in accordance with Department policy, with Board concurrence.

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

RES. NO.      WHEREAS, the Idaho Transportation Department completed the construction of  
TB98-07      I-90 east of Coeur d'Alene; and

WHEREAS, the Idaho Transportation Department has retained ownership and maintenance responsibility for the old I-90 now referred to as Coeur d'Alene Lake Drive; and

WHEREAS, the bike path construction and trail head facilities along Coeur d'Alene Lake Drive have been completed; and

WHEREAS, the Hagadone Corporation has requested ITD grant a permanent easement or land transfer to secure a permanent enhanced landscaping program adjacent to the golf course and to enhance security for the golf course; and

WHEREAS, the ITD is unable to landscape the area or provide security at the levels desired by the Hagadone Corporation; and

WHEREAS, the Transportation Department has obtained and reviewed an appraisal for a potential permanent easement to be granted to the Hagadone Corporation in the amount of \$9,600.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorize the sale of an easement to the Hagadone Corporation on a strip of land parallel to Coeur d'Alene Lake Drive as shown on the attached exhibit. Said easement is terminable by ITD for good cause, and the existing encroachment permit is to be embraced by the easement contract.

Legal Issues. Member Smith made a motion, seconded by Member Combo and passed unopposed, to approve the following resolution:

RES. NO. *BE IT RESOLVED*, that the Idaho Transportation Board authorize Deputy  
TB98-08 Attorney General Jack McMahon to retain one of the below-named law firms (in descending order) to represent the Idaho Transportation Department in two pending condemnation cases, State of Idaho v. Stahl and Dowding, and State of Idaho v. Rock Contractors, Inc., and to develop procedures for prosecution and defense of civil litigation at ITD:

- Evans Keane (Bill McCurdy)
- Cantrill Skinner (David Cantrill)
- Hawley Troxell (John Kurtz)
- Hall Farley (Phil Oberrecht)

Member Miller left the meeting at this time.

Tour of Area Projects. The Board members and appropriate staff toured the Boise area with District 3 Engineer Loren Thomas, Assistant District 3 Engineers Jeff Miles and Greg Laragan, and District 3 Traffic Engineer Lance Johnson. The group traveled the recently constructed SH-55, Jct. SH-44 north project and the SH-55, Fairview to Eagle, widening project currently under construction. The intersection of SH-69 and Amity Road was viewed, and staff explained a recent request for a pedestrian crossing on SH-69 at the I-84 overpass by Meridian to

accommodate pedestrian traffic to Boondocks, a new development. The Board viewed the proposed Flying Wye interchange project before returning to Headquarters.

WHEREUPON, the regular monthly Board meeting officially adjourned at 2:15 PM.

signed

CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
February 19, 1998  
Boise, Idaho

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## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

February 19, 1998

The regular session of the Idaho Transportation Board meeting convened at 8 AM, on Thursday, February 19, in Boise, Idaho at the Transportation Department with a review of the agenda. The following principals were present:

Charles L. Winder, Chairman  
John McHugh, Member – District 1  
Monte C. McClure, Member - District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member - District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jack McMahon, Deputy Attorney General  
Jack Coe, Division Administrator – Federal Highway Administration

January 15-16, 1998 Board Minutes. Member Combo made a motion, seconded by Member McClure, to approve the minutes of the Board meeting held on January 15-16, 1998, as submitted. Member Miller questioned staff's direction to explore acceptable and appropriate commercial activities in rest areas, as he did not think this was legal. Director Bower stated that some commercial activities are allowed now that were not allowed in the past. Mr. Coe added that the Commission for the Blind is given the first opportunity to conduct commercial activities. Member Miller asked if there was a deadline for exploring commercial activities and if staff would then report its findings to the Board. Director Bower responded that a specific due date would be determined for providing this information to the Board. The motion passed unanimously.

March 19, 1998

Election of Vice Chairman. Member Combo made a motion to re-elect Mike Mitchell as vice chairman. Member McHugh seconded the motion and it passed unopposed.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

March 19-20, 1998 – Boise

April 16-17, 1998 – District 2

May 28-29, 1998 – District 3

June 18-19, 1998 – District 6

June 25, 1998 – Boise, Statewide Transportation Improvement Program Work Session

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves  
TB98-09 the appointment of District 4 Regional Public Transportation Advisory  
Committee member; and has received and reviewed the contract awards; the new  
and supplemental professional agreements report; the FY98 out-of-state travel  
budget versus the expenditures, first half; the quarterly returned check report; and  
the financial statement.

1) Appointment to District 4 Regional Public Transportation Advisory Committee (RPTAC). Susan Noel, Sun Valley, was appointed to the District 4 RPTAC through June 2001.

2) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

ER-6768(100), key 7078 – Twin Bridges, South Fork Snake River; Jefferson and Madison Counties; District 6. Low bidder: Cannon Builders, Inc., Blackfoot, Idaho - \$2,143,769.65.

STM-0001(623), key 6329 – FY98 Districtwide Brooming (North), US-95, US-2, SH-5, SH-41, SH-53, and I-90, Kootenai, Boundary, and Bonner Counties, District 1. Low bidder: Aero Power Vac Inc., Missoula, Montana - \$61,157.60.

STM-0001(620), key 6042 – FY98 Districtwide Brooming (South), I-90, SH-3, and SH-6, Kootenai, Benewah, and Shoshone Counties, District 1. Low bidder: Aero Power Vac Inc., Missoula, Montana - \$127,675.60.

ST-4807(603) and ST-4807(604), keys 6564 and 6574 – White Pine Drive and Overlay, SH-6, Latah County, District 2. Low bidder: M.L. Albright & Sons, Inc., Lewiston, Idaho - \$1,084,010.65.

NH-3340(100), key 6292 – US-20, Immigrant Road to Milepost 112.9, Elmore County, District 3. Low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$1,240,354.60.

ER-4110(125), key 7259 – Paving Diversion, Slide Repair, North of Riggins, US-95, Idaho County, District 2. Low bidder: Ascorp Inc., dba Debco, Orofino, Idaho - \$225,743.64.

ST-6470(618), key 6878 – Intersection I-15 at Exit 119, Idaho Falls, Bonneville County, District 6. Low bidder: Wheeler Electric, Inc., Idaho Falls, Idaho - \$77,592.16.

ST-4200(619), key 6565 – Jct. US-12 and SH-13, Kooskia, Idaho County, District 2. Low bidder: Aztech Electric Inc., Spokane, Washington - \$40,820.80.

3) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$764,887 in new agreements and supplementals between January 1 and February 5.

4) FY98 Out-of-State Travel Budget versus Expenditures. During the first half of FY98, \$85,676 of the budgeted \$357,959 was expended for out-of-state travel.

5) Quarterly Returned Check Report. During the second quarter of FY98, \$19,041,922 in checks were received while \$10,899, or .057%, were returned. Collections amounted to \$8,504 for a collection rate of 78%.

6) Financial Statement. The Board reviewed the financial statement through January 1998.

Board Items. In a recent edition of “The News”, an article reported that approximately \$80,000 worth of aluminum guardrail was stolen from the Bliss maintenance shed in January 1997. District 4 Bridge and Building Foreman Rick Lehr did some detective and investigative work and eventually tracked the stolen property at a salvage yard in Portland. Member Combo applauded Mr. Lehr for his efforts in pursuing the stolen property. Member Combo made a motion to recognize Mr. Lehr by acclamation for his commendable work. Member McClure seconded the motion and it passed unanimously.

Contract Award. Member McClure made a motion, seconded by Member McHugh, and passed unopposed, to approve the following construction contract in accordance with Board Policy B-14-06:

STR-1804(605), STR-1490(607), STM-1490(608), STM-1707(600), STKP-5580, and STKP-5583, keys 6621, 6622, 6690, 6109, 6684, and 6730 – Riverdale to Treasureton, Whitney to Preston, Bear River Hill to Red Rock, Mud Springs to Weston, Preston Maintenance, and Cleveland Site; US-91; Franklin, Bannock, and Oneida Counties; District 5. The low bid was more than ten percent over the engineer’s estimate, requiring justification.

The majority of the increase was due to a discrepancy in prices for the cold-in place recycled pavement for the Whitney to Preston portion and anti-skid material in stockpile for the Preston maintenance yard project. The cold-in-place recycled pavement price was based on bids from recent projects in District 5. The depth of pavement to be recycled is approximately twice that of other cold-recycled pavement projects and the contractor may have felt that non-traditional methods of construction may be required. For the anti-skid material, the special provisions specify that a contractor-furnished source may be used. Because a source was not designated, the contractor had no way of knowing if the specified gradation could have been achieved without additional cost, such as washing the anti-skid material.

The District feels that these increases are minor and justified and that no benefit would be gained by rejecting the bids for readvertisement. The recommendation is to award the contract. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,847,517.97.

Member Combo relayed a recent conversation with Mr. Bruce Davis, a top-rated official with Robert V. Burgraff Company, Inc., who is leaving the construction business. Overall, Mr. Davis had no problems with ITD's bid advertising and letting process, however, postponing bid openings caused the greatest conflict because bids are based on the availability of personnel and equipment. Member McClure added that bid openings right after a holiday can create hardships. CE Ross concurred and stated the Department tries to avoid bid openings the day after a holiday.

Board Items, Continued. Chairman Winder received a letter from Roy Eiguren requesting consideration of five additional routes for the pilot project to allow gross vehicle weight limits up to 129,000 pounds. Member Smith expressed concern with the fiscal impact and enforcement if additional routes are included. He questioned the inclusion of local roads in the additional routes proposed. He reiterated the Board's position to provide information and assistance to the Legislature on this issue, but that the Board does not endorse the increased weight limits. Member Smith made a motion to respond to Mr. Eiguren that due to the cost factors, monitoring difficulties, and enforcement considerations, the Board would not endorse additional routes to be added to the pilot project. Member Combo seconded the motion.

Member Combo reported that Representative JoAn Wood considered an additional route from Idaho Falls to INEEL. A local gravel hauler believed his competitor had an unfair advantage because of one route included in the pilot project that this gravel hauler could not access. In responding to Representative Wood, Member Combo relayed the concerns of the fiscal impact and enforcement that additional routes would create.

Chairman Winder suggested staff analyze the routes and provide information for this issue. He added that a sunset provision of three years has been included in the legislation for the pilot project. Staff will report the impacts every year, according to Director Bower. He believes the broader the pilot project is and the more routes included, the harder it will be to monitor and study the impacts. Staff will need criteria for the investigation and he questioned involving Idaho's Consortium (INEEL and the University of Idaho) in this issue.

Member Miller concurred that the more routes included, the more difficult it will be to gather data and prepare a meaningful analysis. He also expressed concern with illegal operations if the project is wide spread, and believes the pilot project needs to be kept in control.

Member McHugh made a substitute motion to have staff review the requested additional routes and provide the information next month. Member McClure seconded the motion.

Director Bower believes the March meeting will be too late to discuss this item, because of the current bill before the Legislature. Member McClure suggested staff could provide the fiscal impact if the additional routes are added, which would be helpful. Member Miller

reiterated the need to keep the pilot project small and controlled in order to gather pertinent data and keep the fiscal impact and enforcement problems to a minimum.

The substitute motion failed on a 1-4 vote.

The original motion passed.

Annual Report on Audits. Carri Rosti, Internal Review Manager, reported on the internal audits and special projects performed in 1997, including a follow-up review to a 1994 audit on professional agreements, a review of the district records inspector functions, a study on the Haugen Port of Entry, a study on overtime, a review of the Integrated Financial Management System project, and a physical inventory of personal computers. Some of the external audits completed were on consultant agreements, construction claims, railroad agreements, and an emergency relief billings review. The work planned for 1998 and the status of audit resolution of audits on ITD operations were also reviewed.

Member Miller questioned ITD's efforts to reduce the inventory level, particularly in the District warehouses, and to buy parts locally as needed rather than investing money to stockpile parts. Ms. Rosti reported that she is not working on inventory reduction currently, but believes the Division of Highways is. Member Miller also asked if the Department's overtime could be broken down for work related to the floods last year, the Integrated Financial Management System project, and etc. A chart showing the activities resulting in overtime was presented.

Chairman Winder thanked Ms. Rosti and staff for the review of the Internal Review Section's activities.

Annual Report on Safety Program. Employee Safety and Risk Manager Cheryl Rost reported that her efforts are directed toward preventing employee injuries and equipment damage, thorough investigation of tort claims, identifying hazardous work sites and practices, informing management of losses and potential losses, and providing supervisors with consultative services. Some of the program activities during 1997 included inspecting all Department facilities, participation in the annual Construction Projects Safety Review Team and in the Maintenance Tool Box meetings, alcohol and controlled substance testing, and biological monitoring program testing.

Ms. Rost reported that the Department of Administration discounted ITD's liability insurance by \$1,860 due to the employee participation in Defensive Driving Classes. The State Insurance Fund recently presented ITD with \$719,635 in dividends, representing a 54.96% savings on the premium paid in calendar year 1996. This is based on the experience loss ratio versus premium averaged over a three-year period.

Member Combo questioned the outreach program and asked if other entities, such as INEEL or Potlatch can provide assistance. Ms. Rost reported that she uses outside assistance such as Potlatch and the Vocational Education Program at Boise State University. She added that she is a member of the American Society of Safety Engineers and gains valuable information from that group.

Chairman Winder thanked Ms. Rost for the annual presentation.

Annual Report on Wellness Program. The Wellness Program continues to promote health and wellness, according to Wellness Council Representative Jenna Gaston. She praised the work of the wellness coordinators in the Districts, who are excellent resources on a voluntary basis. An employee evaluation survey of the program revealed that only 3% of employees are not satisfied with the program. Employees believe the most beneficial wellness offerings are the flu shots, the ice machines, and the exercise challenges.

A new program on back and carpal tunnel injury prevention was introduced this past year. Sessions were provided by physical therapists and chiropractors in both Headquarters and the Districts. Headquarters also conducted work area evaluations to analyze potential areas prone to high risk for back injury. Identification of needs has encouraged the Wellness Council to pursue a statewide program for back injury prevention. Ms. Gaston provided a summary of statewide accomplishments for the past year.

Member Smith emphasized his support for the Wellness Program and applauded the Wellness Council for its efforts in spite of a very small budget and the voluntary nature of the Program. He asked if the Board could provide assistance and encouraged the continuation of this Program. In response to whether other transportation departments have a Wellness Program, Ms. Gaston responded that New York has a similar program and Colorado used to, but its program is not as strong as it used to be.

Chairman Winder thanked the Wellness Council for its work and for the update on the Wellness Program.

Corridor Planning Guidebook and Policies. ITD has developed an Idaho Corridor Planning Guidebook to assist staff, in close cooperation with local governments and with extensive public involvement opportunities, to develop state highway system corridor plans. Senior Transportation Planner Ron Kerr said the document follows a step-by-step process and uniform format, while the focus of each plan will be tailored to the specific corridor. Along with the guidebook, board and administrative policies were also developed to provide direction for development and implementation of corridor plans. The policies recognize that the corridor planning process should be based on: the protection of transportation investments; promotion of a shared state and local vision; identification of transportation issues and problems; resolution of major planning issues prior to project development; and application of the most economic and efficient solutions.

Mr. Kerr added that the Local Highway Technical Assistance Council (LHTAC) reviewed and provided comments on the guidebook and policies. Mr. Kerr anticipates a wide distribution, including to the local highway jurisdictions, and making the document accessible on the Internet.

Because this working document will be utilized at the District level, Member Combo asked for the District's perspective on this guidebook. District 6 Senior Transportation Planner

Lance Holmstrom expressed his pleasure with this document and the process. He is looking forward to using it. District 1 Senior Transportation Planner Jim Armitage believes it is an important document and will facilitate a collaborative effort with the local entities. He added his pleasure with the good public participation included in the guidebook. Judy Harmon, District 5 Senior Transportation Planner, concurred with the previous statements and added that this document brings all of the information for corridor planning together in one single document.

Joe Haynes, LHTAC Administrator, said he is pleased with the guidebook. He provided a draft copy to the consultant working on the Buhl to Wendell route. Ken Harward, Executive Director of the Association of Idaho Cities, also believes the document will be a valuable tool. He commended those involved in the development of the guidebook and is looking forward to using it.

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

RES. NO. WHEREAS, the Idaho Transportation Board adopted Resolution #TB97-06, in  
TB98-10 January 1997, to initiate a cooperative corridor planning process for the Idaho Transportation Department (ITD) in partnership with local governments, to develop long-range plans for managing and improving transportation facilities; and

WHEREAS, the ITD has developed an Idaho Corridor Planning Guidebook in association with consulting firms CH2M Hill and Olson Planning Consulting, the Corridor Planning Team, the Intermodal Working Group, and local government associations; and

WHEREAS, the Idaho Corridor Planning Guidebook is designed to assist ITD staff, in close cooperation with local governments and with extensive public involvement opportunities, to develop state highway system corridor plans that follow a step-by-step process and uniform format, while the focus of each plan will be tailored to the specific corridor; and

WHEREAS, Board Policy B-09-04 and Administrative Policy A-09-04, Corridor Planning for Idaho Transportation Systems, have been developed to provide direction for the development and implementation of corridor plans; and

WHEREAS, Policies B-09-04 and A-09-04 recognize that the corridor planning process should be based on: the protection of transportation investments; promotion of a shared state and local vision; identification of transportation issues and problems; resolution of major planning issues prior to project development; and, application of the most economic and efficient solutions.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board adopts the Idaho Corridor Planning Guidebook, dated February 1998, and Board Policy B-09-04 and Administrative Policy A-09-04, Corridor Planning for Idaho Transportation Systems, to guide and direct the development and implementation

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of state highway system corridor plans by the Idaho Transportation Department in close cooperation with local governments.

Gravel Extraction. A Gravel Extraction Team was formed in 1996 to address difficulties in using existing approvals for new sources due to population growth, competing uses, inconsistent land use ordinances and permitting processes, and mitigation for noise, traffic, dust, and aesthetics. Mr. Kerr reported that the Team subsequently developed a “Gravel Extraction Report” which concluded that the issues of gravel extraction were very complex and that it would take a concerted effort to resolve them. Recently, a draft 50-year aggregate needs assessment containing ITD projections by county for aggregate needs has been developed for review and finalization by the Team. The report will be presented to the Board when completed.

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

RES. NO.      WHEREAS, the Idaho Transportation Board is concerned that it is becoming  
TB98-11      more difficult to use existing materials sources and obtain approvals for new  
                 sources due to population growth, competing uses, inconsistent land-use  
                 ordinances and permitting processes, and mitigation for noise, traffic, dust, and  
                 aesthetics; this can pose problems such as higher costs, uncertainty of available  
                 sources, and possible project construction delays; and

WHEREAS, a Gravel Extraction Team (Team) was formed to address the  
concerns of gravel extraction sites as expressed by the Idaho Transportation  
Board; and

WHEREAS, the Team subsequently developed a “Gravel Extraction Report” to  
address the problems associated with using existing materials sources as well as  
obtaining approvals from local governments for new sources; and

WHEREAS, a “draft” 50 Year Aggregate Needs Assessment containing Idaho  
Transportation Department (ITD) projections for aggregate-needs, but exclusive  
of local and commercial needs, has recently been developed for each county; and

WHEREAS, this needs assessment, when finalized, can be used by each district to  
work with local governments to estimate current and projected total ITD and local  
aggregate needs; and

WHEREAS, local governments are encouraged to use this information to develop  
local plans to address total projected aggregate needs and incorporate them into  
local comprehensive plans; and

WHEREAS, the Senior Transportation Planner in each ITD district will be the  
designated contact person to work on gravel extraction issues with local  
governments; and

WHEREAS, there is a lack of consistent criteria, zoning, and conditional use standards for site selection, maintenance, and operation of aggregate sources; and

WHEREAS, ITD and the Idaho Department of Lands currently work cooperatively with local governments regarding site location, operations, and reclamation plans, and should continue to do so; and

WHEREAS, the Idaho Transportation Board, through the efforts of the Team, is committed to the development of a comprehensive, cooperative, and continuing long-range planning process to develop and utilize aggregate sources for ITD.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board supports the direction of the Team and directs the Team, through each District, to work with local governments to develop consistent criteria and zoning and conditional use standards for site selection, maintenance, operation, and reclamation of aggregate sources; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board is committed to work cooperatively with local governments to develop and implement local plans and ordinances for aggregate source siting, extraction, and reclamation.

Chairman Winder thanked the Team for its efforts on this important issue.

FY98 Scenic Byway Discretionary Projects. The Scenic Byways Advisory Committee reviewed and prioritized the projects submitted statewide for FY98 Scenic Byway Discretionary funding. The projects included in the Idaho Scenic Byway Grant Application package have been forwarded to FHWA for funding consideration, according to Senior Transportation Planner Garry Young. The projects were due to FHWA by February 9.

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

RES. NO.      WHEREAS, the Idaho Transportation Board established the Scenic Byways  
TB98-12      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 Idaho Transportation Board; and

WHEREAS, all state and local Scenic Byway grant applications are to be submitted by the Idaho Transportation Department to the Federal Highway Administration for Federal Scenic Byway Discretionary Funding; and

WHEREAS, FY98 Scenic Byway Grant Applications have been received, reviewed, and prioritized by the SBAC with recommendations to the Idaho Transportation Board.

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*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the following FY98 projects in priority order for Federal Scenic Byway Discretionary funding totaling \$2,262,250 and inclusion in the Statewide Transportation Improvement Program:

- 1) US-12/SH-13, Northwest Passage Scenic Byway interpretive site improvements for \$213,000;
- 2) SH-55, Payette River Scenic Byway corridor management plan for \$104,000;
- 3) US-12 Northwest Passage Scenic Byway passing lane for \$1,488,000;
- 4) US-12/SH-13 Northwest Passage Scenic Byway interpretive information development/distribution for \$29,800;
- 5) US-91/SH-34 Pioneer Historic Byway corridor management plan for \$68,000;
- 6) SH-200 Pend Oreille Scenic Byway CD-ROM development and kiosk for \$6,400;
- 7) Mesa Falls Scenic Byway Big Falls Inn interpretive exhibits for \$64,000;
- 8) SH-21 Ponderosa Pine Scenic Byway enhancement projects for \$106,600;
- 9) SH-55 Payette River Scenic Byway "Gateway" project for \$140,000; and
- 10) US-30 Thousand Springs Scenic Byway Cedar Draw Park site improvements for \$42,450

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 11:25 AM, Member McClure made a motion, seconded by Member McHugh, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

The Board came out of executive session at 1:10 PM. No decisions were made. Chairman Winder left the meeting at this time and Member Smith presided.

Memorandum of Understanding (MOU) – ITD and Kootenai County, District 1. District 1 Engineer Scott Stokes has been working with Kootenai County, the cities of Rathdrum and Post Falls, and the Post Falls Highway District to develop some form of access management in a high-growth area of SH-41. He said an MOU, which is quite aggressive in restricting new approaches to SH-41, has been developed, to identify procedures and the responsibilities of ITD and Kootenai County. This action will not diminish ITD's role in the issue of encroachment permits on the state highways. The County will recommend approval or denial on all access applications. The District will be responsible to issue any permits.

Mischelle Fulgham, Kootenai County legal counsel, said the population in the area has doubled. The County wants to improve the safety on SH-41. She stated that there will be challenges to this proposal, particularly the takings issue. She added that a provision for setbacks has been included. The County will work closely with ITD and needs the Department's assistance and expertise with data and traffic counts.

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

RES. NO.      WHEREAS, SH-41 is a minor arterial state route which carries a high percentage  
TB98-13      of through north-south traffic; and

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WHEREAS, the traffic volumes have increased from 6,100 to 11,020 over the last six years, a 180% increase; and

WHEREAS, the majority of accidents (63%) on SH-41 are intersection-related involving traffic entering and exiting the highway; and

WHEREAS, current standard approach policy will not adequately manage the anticipated demand for new approaches to SH-41; and

WHEREAS, the Kootenai County Board of Commissioners are pursuing a land use ordinance which would require properties to be accessed via public roads other than SH-41.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board supports the efforts of Kootenai County and the proposed access control policy; and directs staff to pursue the implementation of a Memorandum of Understanding with Kootenai County for the cooperative administration of the proposed land use ordinance, subject to approval of the final document by the Department's Deputy Attorney General.

Review of Speed Limits on Certain Segments. In 1996 the Board increased speed limits on the interstate and state highways. During that time, the public petitioned the Board to reduce the speed limits on several sections of highway. Traffic Engineer Larry Van Over said new traffic studies have been conducted on those segments and recommendations for current speed limits prepared.

Previously, the Board asked law enforcement to enforce the posted limits. Member McClure said either the enforcement was non-existent or not effective. He concurred with the recommendations to raise the speed limits, but questioned the recommendation to raise the speed limit on a portion of US-95 to 60 miles per hour instead of 65. Mr. Van Over responded that the 60 mile per hour limit was recommended due to the geometrics of the roadway, the sight conditions, the poor shoulders, and the high volume of truck traffic.

Member McClure made a motion to approve the following resolution. Member Miller seconded the motion.

RES. NO.      WHEREAS, the Districts have prepared new traffic engineering studies on  
TB98-14      segments of SH-1, SH-41, I-184, US-26, and US-95, and roadway characteristics  
                 and conditions, accidents, and roadside activities have been addressed, and the  
                 traveling public is driving at a speed that is perceived as a safe speed; and

WHEREAS, the I-184 Connector is scheduled to be widened in the near future and District 3 recommends retaining the 55 mile per hour speed limit, until the Connector is widened to three lanes in each direction and a new traffic engineering study is conducted to evaluate the changed conditions.

*NOW THEREFORE BE IT RESOLVED*, that based upon traffic and engineering studies as stated in Idaho Code, the speed limits shall be as follows:

<u>District</u>	<u>Route</u>	<u>Milepost</u>		<u>Milepost</u>	<u>Speed Limit</u>
1	SH-1	0.000	to	10.420	60
1	SH-41	8.610	to	17.844	60
1	SH-41	19.663	to	26.120	60
1	US-95	491.771	to	504.970	60
1	US-95	510.371	to	519.140	60
1	US-95	519.250	to	538.000	60
3	I-184	0.000	to	3.620	55
4	US-26	150.355	to	155.300	65

Member McHugh said the Boundary County Commissioners notified him of their opposition to increase the speed limit on portions of SH-1 and US-95. He added his objection to increasing the speed limit on those routes and also on SH-41. Member McHugh made a substitute motion to omit the first six routes in the resolution above. The motion died due to a lack of a second.

Member Combo emphasized Idaho Code's direction to establish speed limits based on engineering and traffic studies. Member McClure added that due to major construction projects planned on the I-184 Connector in the near future, that speed limit should remain as posted.

The motion passed 3-1 with Member McHugh dissenting.

Speed Zone Review of I-84, Broadway Avenue Interchange to Gowen Road Interchange, District 3. Per Board request, District 3 completed a speed study on I-84 from milepost 54.485 to milepost 56.932. The study determined that the 85<sup>th</sup> percentile speed for this segment is 79 miles per hour for the westbound lanes and 80 miles per hour for the eastbound lanes. Currently, this section is posted at 75 miles per hour.

The accident rate for this section from 1992 through 1996 was lower than the base rate. In consideration of the accident rates and history for this section, it appears that lowering the speed limit may increase the accident rate. It has been demonstrated that the probability of accident occurrence is lowest for vehicles traveling at or slightly above the 85<sup>th</sup> percentile speed. Because the majority of accidents were caused by vehicles traveling too fast during periods of poor road surface conditions such as wet, slushy, icy or snowy, it does not appear that lowering the posted speed limit would reduce the number of accidents on this segment. The District recommends keeping the speed limit at 75 miles per hour.

Director's Items. Director Bower reminded the Board that the Surface Transportation Extension Act of 1997 expires at the end of March, but the obligation authority expires on May 1. Congress is looking at the options, with another six-month extension a possibility. Director Bower reported that he will be in Washington, DC next week for an AASHTO executive committee meeting. He plans to meet with Idaho's congressional delegation to discuss the reauthorization of ISTEA, as well as other topics such as the discretionary program. He added that the balanced budget agreement is another issue Congress is wrestling with. Staff is

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continuing its close working relationship with the five-state coalition on the reauthorization of ISTEA and Director Bower hopes to broaden support for Senate Bill 1173 next week.

Board Items, Continued. Member Combo recently reviewed the statutes and National Highway System Designation Act of 1995 regarding the Enhancement Program. Some local entities have difficulty funding preliminary engineering. ITD could provide money up front for this, rather than on a reimbursement schedule. He questioned the current policy on match and added that ITD could provide 100% of the funds. He believes the Enhancement Program will be continued, at a higher funding level, and possibly with less restrictions in the reauthorization of ISTEA. Member Combo asked for a discussion with staff on this Program at next month's meeting, focusing on such issues as alternatives, criteria, match, and maximizing flexibility.

Report on RegioSprinter Demonstration Project, District 3. Clair Bowman, Executive Director, Ada Planning Association (APA), expressed his pleasure with keeping this project, held last fall, on budget. He commended Charles Trainor, Project Manager, for his work on the RegioSprinter. Mr. Trainor reiterated the reasons for the demonstration project, including preserving the rail corridor, promoting existing alternative transportation, educating the community about regional public transit authority issues, providing information on rail feasibility, and the need to look ahead and plan for the future. A major marketing effort was held and ridership totaled approximately 15,700. Overall, he was pleased with the success of the demonstration project.

Recognition of Lee and Mary Wilson's Assistance with RegioSprinter. APA Deputy Director Erv Olen thanked the Board for the opportunity to honor Lee and Mary Wilson for their efforts on this project. Mr. Wilson, Rail-Highway Safety Specialist in the Traffic Section, provided technical expertise and time for insuring the safety of the two-week demonstration. His contributions went well beyond what was expected. Mr. Olen also provided Mrs. Wilson with a certificate of appreciation for her daily volunteer work providing information to riders at the Meridian station. He added that the project relied heavily on volunteers and it would not have been a successful project without the volunteers.

Member Smith thanked APA for the report on the RegioSprinter, congratulated it on the success of the project, and commended the Wilsons for their involvement.

Board Items, Continued. Earlier, Member Miller asked for an update on efforts to implement Iowa's condemnation process, or a hearing panel. Because it was too late to prepare this proposal for the 1998 legislative session, staff delayed this issue until after the current legislative session. Member Miller expressed concern with this timetable. He encouraged a more aggressive schedule. Because the Department is making other changes, such as the development of a condemnation manual and other improvements to the condemnation process, Member Smith asked if staff should continue to pursue Iowa's process.

Director Bower said there were three pieces to this issue. A new process to improve the time frames for condemnations has been adopted. The Department's Deputy Attorney General's Office and the Right-of-Way Section have developed a memorandum of understanding to better define each Section's role and provide a better, cooperative working relationship with each other.

and the Districts. The last part was to consider a hearing panel, which will be actively pursued soon.

Member Combo thought the three parts would be done in parallel, rather than in series. He asked if new legislation is necessary or if the existing statute could be built on. Member Smith stated his pleasure with the progress made to date.

Briefing on Administrative License Suspension (ALS) Program. ITD is responsible to hold hearings through the ALS Program, where licenses are seized immediately when a driver fails an evidentiary test. Motor Vehicle Administrator (MVA) Moe Detmar introduced the two hearing officers, Mark Richmond and Dave Baumann. During the first six weeks of the Program, which was reinstated January 1, 1998, there were 827 ALS suspensions. Of those suspension, 120 requested hearings. To date, 46 have been held with 37 sustained and 9 vacated. MVA Detmar stressed the close working relationship they have with the Deputy Attorney General's Office.

DAG Mary York reported that two appeals have been filed in District Court. The appeals are not related to the constitutionality, but rather challenging the probable cause for stopping the vehicle, the testing equipment, and the tests.

The Board thanked the staff for the update on the ALS Program.

Legislative Update. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Mary Detmar reported on the current legislative session and bills impacting ITD. The pilot project proposal, increasing gross vehicle weight limits to 129,000 pounds and reducing truck speed limits on the interstate, was amended to remove the US-95 pilot project route from Grangeville to Moscow. A proposal increasing registration fees to fund 28 specific projects statewide, with a sunset provision in eight years, was sent to print. Two proposals for the repeal of the weight-distance tax were distributed by the Governor's Office to industry representatives, with comments due tomorrow. There are a number of license plate proposals that the Department is monitoring. BPIRM Detmar concluded by stating the public transportation policy legislation is scheduled in the House Transportation Committee tomorrow and the funding proposal is on next week's agenda.

Delegation – Oneida County. The County is in the process of upgrading old SH-37, according to Oneida County Commissioner Jerry Bush. This route extends from SH-37 at the Power County line to the Utah border, approximately 2 miles from I-84. Traffic is increasing on this route, particularly truck traffic that can avoid the ports of entry on the interstate system. Commissioner Bush asked the Board to consider adding this route, approximately 27 miles, to the state highway system in exchange for SH-38, approximately 24 miles.

Member Combo made a motion for staff to provide background information on this route and to direct staff to perform a preliminary evaluation to determine if this route may warrant consideration for addition to the state highway system. Member McClure seconded the motion and it passed unopposed.

Commissioner Bush, representing the Idaho Association of Counties, expressed concern with the legislation to allow pilot projects for increased weights. He believes truckers will access the designated pilot project routes via local roads. The local roads were not built for the additional weight being proposed.

Member Miller explained that the Board did not endorse the pilot project routes, but is providing engineering data to the legislature on this issue. He added that he is sympathetic to the locals' position. Member Smith thanked Commissioner Bush for his comments.

Board Items, Continued. On behalf of Vice Chairman Mitchell, Member Smith asked staff to perform a preliminary evaluation of the Snake River Avenue in Lewiston to determine if the route may merit consideration for addition to the state highway system. The route is approximately 1.9 miles long and connects US-12 to the joint Idaho/Washington Bridge over the Snake River. Member Combo made a motion, seconded by Member McClure, to direct staff to complete a preliminary evaluation of the Snake River Avenue for possible consideration for addition to the state highway system. The motion passed unopposed.

Director Bower reported on an earlier discussion he had with Bingham County Commissioners and Member Miller regarding the Rose Road overpass. The cost difference to relocate the overpass is approximately \$2.4 million. Director Bower encouraged the Commissioners to appear before the Board to discuss this issue. The Commissioners declined the invitation and decided to rebuild the overpass at the Rose Road location.

WHEREUPON, the regular monthly Board meeting officially adjourned at 4:40 PM.

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signed  
CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
March 19, 1998  
Boise, Idaho

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## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 19-20, 1998

The regular session of the Idaho Transportation Board meeting convened at 8:05 AM, on Thursday, March 19, in Boise, Idaho at the Transportation Department with a review of the agenda. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member – District 1

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Monte C. McClure, Member - District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member - District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer  
Jack McMahon, Deputy Attorney General  
Jack Coe, Division Administrator – Federal Highway Administration

February 19, 1998 Board Minutes. Member Smith made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on February 19, 1998, as corrected. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
April 16-17, 1998 – District 2  
May 27, 1998 - Boise, Budget and Statewide Transportation Improvement Program  
Work Session  
May 28-29, 1998 – District 3  
June 18-19, 1998 – District 6  
July 16-17, 1998 – District 4

Consent Calendar. Board members asked for clarification on the quarterly report on legal activities, regarding collections, who monitors them and how other states handle them, and nonpayment of highway use fees. DAG McMahon will report back on those items. He added his intent to reformat this quarterly report.

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves  
TB98-15 the revisions to Board Policies B-31-01, Port of Entry Program; B-31-02, Roving Port of Entry Program; B-31-03, Joint Ports of Entry; B-31-04, Commission of Department Employees as Peace Officers; B-31-05, Emergency Vehicle Operations; B-31-06, Permit Vendors; and B-31-07, Overlegal Permit Operations; and has received and reviewed the contract awards; the new and supplemental professional agreements report; the quarterly report on legal activities; and the financial statement.

1) Board Policies B-31-01, Port of Entry Program; B-31-02, Roving Port of Entry Program; B-31-03, Joint Ports of Entry; B-31-04, Commission of Department Employees as Peace Officers; B-31-05, Emergency Vehicle Operations; B-31-06, Permit Vendors; and B-31-07, Overlegal Permit Operations. The policies for the Port of Entry were revised to reflect the transition of the Port of Entry from the Division of Highways to the Division of Motor Vehicles.

2) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

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ST-5110(637), key 6850 – Intersection US-95 and SH-54, Athol, Kootenai County, District 1. Low bidder: Thorco, Inc., Coeur d’Alene, Idaho - \$184,776.25.

STP-3270(110), STP-3270(111), STP-3270(112), STP-3270(113) and STP-3270(114), keys 6511, 6512, 6514, 6515, and 6516 – Guardrail priority 1 through 5, Valley County, District 3. Low bidder: Marcon Inc., Nampa, Idaho - \$615,337.60.

STR-3270(618), key 6613 – SH-55, Milepost 123 to Donnelly, Valley County, District 3. Low bidder: Valley Paving and Asphalt, Inc., Cottonwood, Idaho - \$1,177,300.47.

BRF-5110(106), key 6020 – Spokane River Bridge, Coeur d’Alene, Kootenai County, District 1. Low bidder: N.A. Degerstrom, Inc., Spokane, Washington - \$795,412.24.

3) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$2,190,727 in new agreements and supplementals between February 6 and March 4.

4) Quarterly report of legal pending cases.

5) Financial Statement. The Board reviewed the financial statement through February 1998.

Board Items. Vice Chairman Mitchell asked when right-of-way costs are determined for highway projects. CE Ross reported when a project is being developed and the alignment is known, the required right-of-way is estimated. As the plans are defined, staff has a better concept of the exact right-of-way needed and refines the cost, however, right-of-way cannot be purchased until an environmental clearance is obtained.

Vice Chairman Mitchell expressed concern with the escalating costs of right-of-way and requested the Board be informed when expensive right-of-way has been identified for specific projects. CE Ross stated that the Highway Development Program sheets have been reformatted to include right-of-way costs for each project, however, it takes time to determine the exact costs of right-of-way. Vice Chairman Mitchell said there may come a point where the right-of-way costs may be the deciding factor for scheduling projects. Chairman Winder stated the comprehensive plans and future land use plans need to be considered. Member Combo added that environmental impacts, such as wetlands, may also be factors that are hard to identify early on. In conclusion, Vice Chairman Mitchell believes the public needs to be informed of the impacts the increased right-of-way costs have to the Department.

Recently, Member McHugh received a time-line for the US-95, Belgrove to Mica project, indicating over five years for completion of this project. He questioned this time frame and reiterated the high visibility this project was given in the Legislature this session. Director Bower responded that this time frame, prepared at the Governor’s request, assumed this was a normal project. The project could be expedited, if requested, however, if there are a number of environmental factors, the project could take longer.

Chairman Winder said if additional federal funds are received, this project should be considered a high priority and expedited. Director Bower added that the list of demonstration projects submitted to Idaho's congressional representatives has been revised to include this US-95 project.

Last week Members Combo and Smith met with Director Bower, Secretary to the Board (SB) Higgins, DAG McMahon, and Bill McCurdy to discuss the two condemnation cases Mr. McCurdy is handling. Member Smith believes a good plan has been developed to expedite and improve ITD's condemnation process. Member Combo concurred and added that although the two cases are in District 3, Mr. McCurdy's guidance and recommendations can be applied statewide.

Member Miller reported that a railroad crossing on SH-39 in an industrial area by Blackfoot is in dire need of improvement. He received a letter from the Union Pacific (UP) Railroad Company asking for \$13,500 to make improvements, with UP overseeing the work. Member Miller added that District 5 Engineer Brent Frank requested a total of \$25,000 to include flagging and paving.

Vice Chairman Mitchell asked if the railroad company is responsible to fix the crossing. Only the Public Utilities Commission has authority to require railroad companies to improve crossings, according to CE Ross. The railroad usually oversees the project, but ITD provides funding, so there is a need to work cooperatively on these crossing projects. He added that there are sufficient funds in the Board's unallocated account for this project in FY1999.

Member Miller made a motion to approve up to \$25,000 from the FY1999 Board State-Funded Unallocated Account to improve the railroad crossing on SH-39. Member McHugh seconded the motion.

Member Smith asked if the \$25,000 figure is a rough estimate. He suggested approving the project, but revisiting the amount when it has been refined. The District would put in new planking and grading on each side, according to CE Ross, and he believes the requested figure is a good estimate of the actual amount needed.

Member McClure asked if the District has funds in its budget for this project. He suggested if the District does not have the funds, then the Board could be approached for money. Member Smith concurred, stating the funds could come from the District's operating budget. Director Bower suggested approving \$13,500, per UP's request, and asking the District to provide the remaining funds.

Member Smith made a substitute motion to approve \$13,500 in the FY1999 Board State-Funded Unallocated Account to improve the SH-39 railroad crossing, and that the District supplement the remaining funds. Member McClure seconded the motion.

Member Miller believes the District's estimate is good, because the road is four lanes and a detour will be needed. Member Combo sees the urgency of this project and suggested

authorizing ITD to enter an agreement with Union Pacific for \$13,500 and not address the other part of the project.

Member Smith revised his substitute motion to authorize ITD to enter an agreement with the Union Pacific Railroad Company for \$13,500, to be taken from the FY1999 Board State-Funded Unallocated Account. Member McClure concurred. The motion passed unanimously.

Director's Items. Director Bower informed the Board that an ITD trailer bill for additional appropriations of \$236,200, due to bills with fiscal impacts, was approved by the Joint Finance and Appropriations Committee.

He provided copies of a letter from AAA inquiring on the legal permissibility of establishing pilot test routes with increased gross vehicle weights on Idaho's national network. DAG McMahon provided an opinion, which was also distributed. Director Bower said AAA's concerns were also forwarded to FHWA for review and comment.

Two demonstration projects have been advertised, Bryden Canyon in Lewiston, and I-15, Clark Street Interchange to Pocatello Creek Interchange in Pocatello. The bids are scheduled to be opened on April 7.

Director Bower reported that Bill Parish was re-appointed to the Aeronautics Advisory Board for another three-year term.

The Governor has scheduled the signing of the pilot project legislation tomorrow morning. The bill reduces the speed limit on interstates for trucks, so the Department will replace or add signs accordingly for this change, effective July 1. This morning the Governor is holding a conference call with Idaho's Congressional Delegation regarding increased gross vehicle weight limits at the national level.

The remaining 29 positions scheduled for deletion this fiscal year have been held in abeyance by the Legislature, according to Director Bower. This decision was based on minimizing overtime, compensatory time, and the build-up of vacation time by employees.

ITD's requested legislation to allow State match for ER funds to be used for natural disasters rather than just flooding and to eliminate the requirement to revert unused portions of those funds on December 31, 1997 has been signed by the Governor.

At the national level, Director Bower reported that the House Committee intends to schedule the reauthorization of ISTEA on March 24. He provided data on the House and Senate bills.

In conclusion, Director Bower shared a letter from the City of Nampa offering to generate \$5 million for the railroad underpass project at 11<sup>th</sup> Avenue in Nampa if ITD would pay for the balance of the project. Staff will review this proposal and prepare a recommendation.

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Board Policy B-12-06, Transportation Impact Studies. This policy adopts the “Requirements for Transportation Impact Studies” document, provides the Transportation Impact Study (TIS) document to local governments and encourages them to use the procedure, and establishes one point of contact for developers to obtain information on TIS requirements. The Local Highway Technical Assistance Council (LHTAC) was instrumental in reviewing and finalizing the policy, memorandum of understanding, and “Requirements for Transportation Impact Studies” document. The advantages to TIS, according to Planning Services Manager Gary Sanderson, include the establishment of definite standards and close coordination with local agencies. He added that the Department’s traffic engineers will be given training on the TIS procedures.

Member Combo made a motion, seconded by Member McClure, to approve the following resolution:

RES. NO.      WHEREAS, new land developments, and the expansion of existing  
TB98-16      developments, can have a significant impact on the surrounding transportation  
                 system, particularly if adequate improvements are not addressed; and

WHEREAS, a Transportation Impact Study (TIS) should be written to detail the highway improvements that are necessary to accommodate new or expanded developments; and

WHEREAS, ITD needs a consistent approach for determining the need for and content of TIS; and

WHEREAS, local public agencies (LPAs) will also benefit from adopting requirements and procedures for using a TIS, and, in many cases, ITD and the LPA share a coordinated interest in proposed developments; and

WHEREAS, the proposed Board Policy B-12-06 describes the need for and the procedures for using a TIS, and has attached to it a sample Memorandum of Understanding (MOU) that describes the TIS coordination with LPAs; and

WHEREAS, the technical document “Requirements for Transportation Impact Studies” details the procedure for researching and writing a TIS; and

WHEREAS, these documents have been reviewed and accepted by appropriate ITD personnel, and reviewed and supported by the Local Highway Technical Assistance Council.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board adopts Board Policy B-12-06, Transportation Impact Studies, with its attached sample MOU and the document “Requirements for Transportation Impact Studies.”

Vice Chairman Mitchell asked if other states’ procedures were reviewed and considered in the development of this process and if those programs were successful. Mr. Sanderson replied

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that some information was obtained from other states, but he did not know how successful their procedures are.

Member Miller expressed support for TIS, however, he questioned the local entities' endorsement and participation. The Department will work with local officials and educate them on this process. Mr. Sanderson said no local agency will be required to follow this procedure, and added that ITD does not have control or authority on the local system.

The motion passed unanimously.

Chairman Winder thanked Joe Haynes, Administrator, LHTAC, for his assistance in finalizing the TIS documents and process.

Preliminary Analysis of Snake River Avenue in Lewiston, District 2. Per Board request, staff performed a preliminary analysis of Snake River Avenue in Lewiston for possible addition to the state highway system. A possible rating of 81, with a minimum rating of 70 required for consideration as a state highway, was determined, however, the criteria was designed to rate rural routes. Because this route is in an urban area, it scored high in the average daily traffic and vehicle miles of travel index criterion, according to Senior Transportation Planner Garry Young. He added that the District would like this route to be five lanes if it is part of the state highway system, and stated that the road currently does not meet state standards.

Vice Chairman Mitchell stated his desire to not add additional mileage to the state's system, but rather consider trading mileage. He thanked staff for the preliminary evaluation and said it would be difficult to widen this route because there is insufficient right-of-way. He suggested putting this item on hold for the time being. Two demonstration projects will be completed in the area soon, Bryden Canyon in Lewiston and Fleshman Way in Clarkston. Those new routes may impact traffic patterns. He also stated an option may be to add this route to the state system, make improvements to it, and then relinquish it to the city. The consensus of the Board was to defer this item until the completion of the demonstration projects.

Public Transportation Grant Funding. The application, notification, and review process for the FY1998 grant funds has been completed. Public Transportation Administrator (PTA) Larry Falkner said the Regional Public Transportation Advisory Committees, and the Public Transportation Advisory Council (PTAC) have reviewed the applications and provided recommendations for the FY1998 Federal Transit Administration Programs. Section 5310 funds are distributed by population by ITD District, based on elderly population and disabled population. Section 5311 funds are distributed by population by ITD District based on the rural population. FY1998 is the third year of the four-year implementation for the population-based formula.

Member McHugh expressed frustration with the current program and suggested revising the system, keeping the federal regulations in mind. Member Smith concurred and said the distribution should not be based on population. PTA Falkner replied that the PTAC is working on the funding distribution and hopes to present options to the Board soon. The various needs are being prioritized and a public hearing process is being developed. He believes an area's

unique needs should be identified and funded. In response to the progress of the Interagency Working Group, PTA Falkner said a data collection system is in place and he believes this Group is making progress. He added that other agencies are more cooperative in the coordination of public transportation.

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

RES. NO. WHEREAS, the Regional Public Transportation Advisory Committees and  
TB98-17 Division of Public Transportation have completed their review of all applications for funding and completed their recommendations for the FY1998 Federal Transit Administration Programs as follows:

- Elderly and Disabled Transportation (5310) for \$308,431
  - Rural Public Transportation – Base (5311) for \$746,313
  - Rural Public Transportation – Intercity (5311f) for \$197,284\*
- (\*includes unused District 3 Intercity funds from FY1996-FY1998); and

WHEREAS, the Public Transportation Advisory Council approved the funding recommendations as presented;

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the funding recommendations for FY1998.

The consensus of the Board was to hold a work session with the PTAC to discuss public transportation issues, particularly the distribution of funds and increasing utilization.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 11:25 AM, Member Smith made a motion, seconded by Member Miller, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

The Board came out of executive session at 1:10 PM. No decisions were made.

Update of the Forest Highway Program. The Tri-Agency Group met last month to update the Forest Highway Program. The changes to this Program will be included as part of the draft FY1999-2003 and Preliminary Development Program update and included in the Department's public involvement process, according to Highway Programming Manager (HPM) Dave Amick.

The Tri-Agency Group is planning to call for projects. A review of the Program showed that if the current projects proceed as scheduled, there will be no room to add projects. However, many of the projects programmed are complex and subject to delay. If delays occur, there are no smaller, easily planned and constructed projects that can be advanced to use the available funding. A working group of the Tri-Agency will meet to establish guidelines for project submittal.

Member McHugh asked if the Districts are responsible for identifying projects for this Program. HPM Amick responded that the procedures are not well defined. He added that local projects seem to receive more funding and that projects are usually based on readiness.

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

RES. NO. WHEREAS, the Tri-Agency Group met on February 18, 1998 to update the  
TB98-18 current approved Forest Highway Program; and

WHEREAS, changes to the current approved Program were required because of the time needed to develop certain projects; and

WHEREAS, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board concurs in the changes made to the approved Forest Highway Program as detailed in the Program sheets, as shown as Exhibit 198, which is made a part hereof with like effect, and authorizes staff to request a modification to the FY 1998-2000 Statewide Transportation Improvement Program, because of project delays and advances, in accordance with the provisions of the ISTEA of 1991.

District 3 Request to Delay two FY1998 State Projects and Advance Several FY1999 State Projects. Last year's flooding along the Little Salmon River resulted in Emergency Relief (ER) project US-95, Hazard Creek to Pinehurst, key 6868. At that time, two state funded projects, US-95, Hazard Creek to Pinehurst North Section, key 6880 and US-95, Hazard Creek to Pinehurst South Section, key 6881, were companioned with the ER project. Due to several environmental issues associated with the ER project, it will not be ready to obligate until after the close of the state fiscal year. The District requests the delay of the state funded projects into FY1999 so that all three projects can be advertised together as companion projects.

To offset these delays, the District proposes utilizing a portion of the available funding to increase several State-funded projects in FY1998 to match their detailed estimate. Also, the following seal coat projects: SH-55, Porter Creek to Banks, key 6074; SH-52, Hamilton's Corner to Emmett, key 5805; and SH-21, Lowman to Banner Summit, key 6678, would be advanced.

Additionally, the District requests that I-84B, Garritty Boulevard to Nampa City Limits, key 6997, in the FY1998 State Restricted Program be delayed to FY2001 because of a change in project scope requested by the city of Nampa. To offset this delay and to balance the State Program, staff requests SH-55, Donnelly to McCall, key 6776, and US-20 Intersection Chinden and Veterans Parkway, key 6924, be moved to the FY1998 State Restricted Program. HPM Amick said no overall increase in funding is required for the requested changes and the program balances in the FY1998 State and State Restricted Programs.

Vice Chairman Mitchell asked if there will be money available in FY1999 to fund the delayed projects on US-95. HPM Amick admitted that the FY1999 Program is overprogrammed and the District will need to prioritize the projects. He added that the reauthorization of ISTEA may provide additional funds. Vice Chairman Mitchell expressed concern for the Hazard Creek to Pinehurst projects and does not want these projects jeopardized. CE Ross explained that the ER project can be completed without the two state projects that were added to each end of the project.

Member McClure made a motion, seconded by Member Combo, to approve the following resolution:

RES. No. WHEREAS, it is in the public's interest for the Transportation Department to  
TB98-19 accomplish a current, realistic, and fiscally constrained Sate Funded Highway Development Program; and

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

WHEREAS, the proposed changes to the FY1998-2001 State Funded Highway Development Program bring the FY1998 State Highway Programs within the current available funding levels.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2001 State and State Restricted Programs, itemized and explained in Exhibit 199, which is made a part hereof with like effect, and authorizes staff to make the appropriate changes to the Approved Highway Program, and to reflect these changes in Supplement 98-3 to the Approved Highway Development Program.

The motion passed 5-1 with Vice Chairman Mitchell dissenting.

District 3 Request to Delay an FY1998 National Highway System (NHS) Program Project. The District would like to delay SH-55, Lake Fork Canal South of McCall, key 7157, in the NHS Program to FY1999 because acquisition of right-of-way has been delayed. To utilize available funding from this delay, staff proposes increasing consultant preliminary engineering on I-84, Oregon State Line to Black Canyon Interchange, key 6241 in the Interstate Maintenance Program. To offset the delay in FY1999 the District recommends reducing the scheduled right of way on SH-55, McCall Alternate Route, key 688, by \$281,000. This will leave \$829,000 scheduled in FY1999. The District is still working with the community on a final route and will not need the full amount scheduled in FY1999. The \$281,000 reduction will be delayed to Preliminary Development for scheduling in the FY1999 update of the Program, according to HPM Amick. He added that no overall increase in funding is required for the requested changes.

Member McHugh 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 Transportation Department to

TB98-20      accomplish a current, realistic, and fiscally constrained Highway Development Program; and

WHEREAS, it is the intent of the Transportation Board to effectively utilize all available Federal and State highway funding; and

WHEREAS, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program; and

WHEREAS, the proposed changes to the FY1998-2002 Highway Development Program bring the FY1998 Highway Program within the current available funding levels.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2002 Highway Development Program, itemized and explained in Exhibit 200, which is made a part hereof with like effect, and authorizes staff to make the appropriate changes to the FY1998-2002 Statewide Transportation Improvement Program in accordance with the provisions of the ISTEA of 1991 and to reflect these changes in Supplement 98-3 to the Approved Highway Development Program.

Adequacy of Funding for Design of US-12, Lolo Passing Lanes, District 2, and US-95, Milepost 527 to Canadian Border, District 1. Per Board request, HPM Amick reported that sufficient preliminary engineering has been scheduled for the US-95, Milepost 527 to Canadian Border project. A consultant contract to proceed with design is underway and \$100,000 has been obligated in FY98. The project is currently programmed in Preliminary Development.

Additional PE funding for the US-12, Lolo Passing Lane projects will be required for the projects to be constructed in FY2000, prior to the Lewis and Clark Bicentennial celebration. The projects are currently in Preliminary Development, however staff is evaluating some project shifting to make funds available to advance these projects. A proposal will be presented at the April meeting.

Enhancement Program. Senior Transportation Planner Pat Raino reviewed the eligible activities for the Enhancement Program and summarized the current Board policies for this Program. Member Smith believes ITD should consider funding projects with Enhancement funds. He thinks the SH-55 Rainbow Bridge would qualify for either the historic preservation or rehabilitation/operation of historic transportation structures categories. Some local entities have difficulty providing the match for Enhancement projects. Member Smith suggested revisiting the match and if the project benefits the state highway system, the local's match could be reduced or waived. He endorsed establishing a Board subcommittee to evaluate this Program and prepare recommendations for the full Board's consideration.

The Senate's reauthorization bill increases flexibility in the Enhancement Program, according to Member Combo. He believes the current Board policy is constraining and should be reviewed to increase flexibility, including the match and consideration for advanced funds.

The consensus of the Board was to establish a Subcommittee to review the Enhancement Program. Members Combo and McHugh agreed to serve on the Subcommittee.

Pavement Maintenance Procedures. Upon Board request, Maintenance Engineer Clayton Sullivan reported on the Department's procedures on crack and joint filling on highway surfaces. Crack filling of asphaltic pavements should be performed in spring or fall, using asphaltic or asphalt/rubber compounds. In spring and fall, the cracks are opened approximately half way, allowing the crack filler to stretch moderately during the coldest weather, as the cracks tend to open as pavements shrink. Conversely, in summer as pavements expand, the crack filler has room to compress without extruding from the crack. ITD maintenance crews accomplish most asphaltic pavement crack sealing.

Procedures for filling of joints and cracks in Portland Cement Concrete (PCC) pavements basically parallel those for asphaltic pavements when asphalt based sealants are used. However, the more durable and more cost-effective sealers for PCC pavements include polymers and silicones, which have higher adhesion strengths, greater elasticity, and longer life materials. PCC pavement joint sealing has been accomplished primarily by contract in conjunction with slab replacement and pavement profiling.

The Department is working toward development of more comprehensive criteria for the preventative maintenance of PCC pavements. The Division of Planning will need to modify its collection of pavement condition data to incorporate a measure of PCC joint faulting. Development of PCC pavement maintenance guides based on measurable indicators will assist the Districts in programming appropriate preventative and rehabilitation projects before pavements deteriorate to a point that more costly major reconstruction is required.

Intelligent Transportation Systems (ITS) in the Treasure Valley, District 3. ITS applies emerging technologies in fields such as information processing, communications, electronics, and control strategies to help state and local governments solve transportation problems. Traffic Engineer (TE) Larry Van Over reported that specific technology categories applicable in the Treasure Valley include traffic signal control, freeway management, transit management, incident management, traveler information, emissions mitigation, emergency management, and electronic payment.

Ada Planning Association (APA) initiated a Treasure Valley ITS planning process, conducted by an ITS Committee. The Committee is comprised of policy and technical level representatives from all area cities, Ada and Canyon Counties, all area highway districts, ITD, all public transit groups, FHWA, emergency and law enforcement agencies, and one private business. The goal of Phase I was to bring together area transportation and other governmental agencies. The Committee demonstrated enthusiastic support for investigating and identifying potential ITS applications. The planning process identified 45 separate potential applications, 27 of which were deemed necessary in the next five years. The ITS Committee developed a

Memorandum of Agreement that provides a cooperative approach to pursuing future development of ITS technologies in the area.

Phase II will develop an implementation plan and identify specific projects in enough detail to incorporate into the Statewide Transportation Improvement Program/Transportation Improvement Program. A portion of Phase II will address what systems are needed on I-84 and all parallel routes between Boise and Caldwell.

The University of Idaho has technical expertise in this area and has done some projects. Vice Chairman Mitchell asked if the University has been involved in the ITS Committee's efforts. TE Van Over said the University has not been involved to date, however, a statewide ITS steering committee is planned, which the U of I would be a part of. Clair Bowman, Executive Director, APA, added that due to finances and the level of Phase I, the University was not involved. However, he said the U of I will participate in Phase II.

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

RES. NO. WHEREAS, Ada Planning Association has initiated a Treasure Valley Intelligent  
TB98-21 Transportation Systems (ITS) planning process to determine if ITS technologies have application in the area to help solve transportation problems; and

WHEREAS, the ITS Committee has successfully brought together area transportation and other governmental agencies to identify potential ITS applications in the Treasure Valley; and

WHEREAS, the ITS Committee has recommended that all government agencies approve the Memorandum of Agreement to show support for developing an implementation plan and identifying specific projects to be incorporated into the Statewide Transportation Improvement Program/Transportation Improvement Program.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board hereby authorizes Charles L. Winder, Chairman, to sign the Memorandum of Agreement on the application of Intelligent Transportation Systems.

Right-of-Way Permit 05-98-58, District 5. Mr. Jeffrey Harris has requested an 80-foot commercial approach on US-30 near McCammon for a truck stop/convenience store. TE Van Over said this is in a partial control of access and this proposed approach at station 31+53 will be exchanged for an existing approach at station 33+28. Only one approach will be granted.

Due to various combinations of trucks and trailers, the standard 40-foot approach will not allow proper turns without the trailers off-tracking into the borrow ditch. Trucks can make the turn by encroaching into the opposing lane of travel, which produces a dangerous situation. The Right-of-Way Use Policy is being revised to allow larger approaches for industrial and commercial sites that have the large truck and trailer combinations.

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

RES. NO.        WHEREAS, Mr. Harris has requested an 80-foot commercial approach on US-30  
TB98-22        near McCammon for a truck stop/convenience store; and

WHEREAS, the Traffic Section realizes the need for wider approaches for large truck and trailer combinations and is in the process of updating the Right-of-Way Use Policy; and

WHEREAS, other states have accommodated large truck and trailer combinations by allowing wider approaches.

*NOW THEREFORE BE IT RESOLVED*, that an 80-foot approach with a 4-foot median will be granted if constructed in accordance with staff's specifications, and this approach at station 31+53 will be exchanged for an existing approach at station 33+28.

Request to Increase Project Consultant Cap, STP-IM-IR-184-1(008), Key 2520, District 3. The Wye Interchange, Stage 1 project, is scheduled in the Interstate Maintenance Program for construction in FY1998 pending discretionary funds availability. The estimated construction cost for the project is \$23.5 million. The project is being designed with state forces while consultants are being utilized for location surveying, materials investigation, traffic control, and drafting plans. However, additional manpower is necessary to meet the construction schedule.

Because every District is engaged in meeting many project deadlines, District 3 is unable to request assistance from within the Department to ensure that this project is completed on time. Additional consultant services are being requested to supplement the District 3 Design staff. Currently, this project has an accumulative amount of \$483,436 authorized under work tasks. It is anticipated that an additional \$200,000 will be required for consultant use.

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

RES. No.        WHEREAS, the I-84, Wye Interchange is of regional and statewide importance;  
TB98-23        and

WHEREAS, the Idaho Transportation Department, District 3, has identified a need for consultant assistance in order to insure that the Wye Interchange, Stage 1 project is constructed on time; and

WHEREAS, the Idaho Transportation Board recognizes that the current workload by all Districts restrict the use of internal ITD staff to fully design this project; and

WHEREAS, the Idaho Transportation Board acknowledges that the use of consultants for this project will be a good use of state resources.

March 19, 1998

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves and authorizes District 3 to use consultant assistance up to \$200,000 for the Wye Interchange, Stage 1, above the \$500,000 per project limit established by Board Policy B-06-08, Professional Services Agreements, part 3.

Requirements for Outdoor Advertising Signs. Last December Mike Macgowan, Read Ink Outdoor Advertising, appeared before the Board with concerns and questions pertaining to the outdoor advertising sign restrictions. Staff reviewed those issues. Right-of-Way Manager Leonard Hill said several concerns, including the 600-foot spacing rule within incorporated cities and actual use area in the county are established in Idaho Code and would take legislative action to change. He also provided definitions that Mr. Macgowan had requested clarification on.

Construction Claims Process. Members of the Associated General Contractors (AGC) of Idaho and ITD formed a joint committee to review and streamline the claims review process. The resolution of construction claims was a cumbersome process. Additionally, the Standard Specifications did not address the element of submittal or review time, nor did it address the required information the contractor had to submit to properly document the claim.

The Standard Specification has been completely rewritten and now clearly defines the administrative and judicial review process. It also mandates the use of strict time frames for review and gives clear guidance in respect to the submission of the claim. The audit process is also defined. Contract Claims Engineer Brent Jennings believes this change will greatly improve and streamline the construction claims process.

Some concern was voiced that the 90-day time frame for the Chief Engineer to review the claims was too long. Because this was a joint effort, the Board concurred to try this process. The Board expressed appreciation to staff for its efforts to improve this process and commended it for working with the AGC.

Human Resource Services Annual Report. Human Resource Services Manager Mary Bradford and Training and Development Specialist Marcia Aitken reported on the overall direction and accomplishments of the entire Human Resource function. Some of the goals included becoming an integral support function to the Department in managing its human resources; assisting in recruiting and retaining highly skilled and qualified staff; assisting and consulting in managerial skills and effective implementation of policies and procedures and governmental regulations affecting employees; and increasing knowledge and effective use of the performance management system. Ms. Bradford added that the Section is shifting from an emphasis on classroom training to performance consulting and organizational development.

Chairman Winder thanked staff for the annual report.

District 2 Contractor Concerns Review. Internal Review Manager Carri Rosti provided a status report of Internal Review's special-purpose review of contractor concerns involving construction projects in the Lewiston area. Staff identified valid issues in the following categories: District 2 project specific contractor issues; ITD systemic/process issues; and District 2 management/staffing issues. Presentation of the complete report is planned for the April meeting.

Miscellaneous Items. Member McHugh made a motion to adopt the change in employee compensation package recommended by the Director, including a 2% across the board raise, merit increases based on performance, and moving employees that have been at ITD six years or longer to the policy line. Vice Chairman Mitchell seconded the motion and it passed unopposed.

Member McHugh made a motion to adopt the Director's recommendation on the 29 full-time equivalent positions held in abeyance, including retaining 5 in Management and Support, 1 in the Division of Motor Vehicles, 22½ in the Division of Highways, and ½ in the Division of Public Transportation. Vice Chairman Mitchell seconded the motion and it passed unanimously.

Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Mary Detmar reported that she attended a conference call in the Governor's Office this morning with the transportation representatives for Idaho's Congressional Delegation. The Governor requested consideration for increased gross vehicle weight limits on the Interstate system, with the omission of I-90, and for specific commodities on some routes.

WHEREUPON the meeting recessed at 5 PM.

March 20, 1998

The Transportation Board meeting reconvened at 8:05 AM at the Transportation Department in Boise on Friday, March 20. All members were present.

Civil Rights Annual Report. Chief of Civil Rights Kintu Nnambi provided a general overview of the Civil Rights Bureau. FHWA performed a management review last August and staff has either completed the recommendations or is in the process of remedying them.

Heidi Gordon, Civil Rights Affirmative Action Officer, reported on the internal programs, including Americans with Disabilities Act, complaints received, Civil Rights workshop, respectful workplace training, equal employment opportunity (EEO), and hiring goals and accomplishments. The EEO Contract Compliance Officer, Julie Caldwell, provided an overview on the external programs: contract compliance, training special provisions, and disadvantaged business enterprise (DBE). Elizabeth Healas, DBE Supportive Services Coordinator, concluded the presentation with the DBE supportive services activities and Native American Outreach Program.

April 16, 1998

The Board thanked the Civil Rights staff for the informative presentation.

Development of 1-800 Telephone System to Benefit Public. Public Affairs Manager Jeff Stratten provided an overview of the Department's current road report process, and outlined the development of a summer road construction report and the need for a citizen hotline. He worked with the Maintenance Section to improve the winter road report service and develop a toll-free line to also include the summer road construction report and a citizen hotline. The Division of Highway's operating budget would provide the majority of funds for this system. He added that more information is being disseminated electronically and hopes to improve ITD's Home Page.

Chairman Winder stressed the need for one number to handle problems or emergencies. Mr. Stratten concurred and stated the operation of the hotline has not been finalized. Staff is still working on the final details. Vice Chairman Mitchell believes part of the problem is the need to refer citizens to the Secretary of State's office when they want to file a tort claim. He asked if ITD could either mail the necessary form to the caller or handle those claims internally. The consensus of the Board was to have staff work with the Secretary of State's Office and Risk Management on improving the claim process.

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

RES. NO. WHEREAS, the Idaho Transportation Department winter road report service  
TB98-24 needs a substantial investment of new technology to meet the growing demands of the public; and

WHEREAS, there is a need to further inform the public of summer road construction and the potential impacts to travel; and

WHEREAS, during crisis and disasters, there is a need for a single telephone number that can be reached by the public for information and assistance; and

WHEREAS, the Transportation Department staff studied options to meet these needs and determined that a toll-free system would meet these needs.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approve the establishment of a toll free telephone system to operate the winter road report, a summer road construction report, and a citizen's hotline.

Tour of the Office of Highway Safety. The Board members toured the Office of Highway Safety and visited with employees. The Board appreciated the presentations on the various activities in the Section and the computer demonstrations.

Chairman Winder left the meeting at this time and Vice Chairman Mitchell presided.

Employee Service Awards. The Board participated in the employee service awards. Member Smith provided remarks on behalf of the Board.

Supply Inventory Reduction. Jim Larson, Manager of the Procurement and Materials Management Section, reported on the supply inventory operation. ITD utilizes contract purchasing and price agreements with local vendors, with the Districts managing most of these. This not only saves money, but also provides the Districts more power in what they can purchase locally. The Department also takes advantage of just-in-time delivery, which allows for a reduction in inventory. He added that a higher inventory is retained for some parts that take longer to deliver, such as traffic signal parts. Safety is also an important factor for keeping some of these parts on stock.

Regarding specific concerns with the warehouse inventory in District 5, CE Ross said a new employee is overseeing the warehouse and is making changes and reducing the inventory. In response to whether we inventory railroad traffic signals, CE Ross stated the railroad companies purchase those items and install them. He added that the Department could improve its coordination with the railroads on those projects.

Delegation – Gordon Paving Company. Ken Hansen, representing Gordon Paving Company, thanked the Board members for the opportunity to report on the hot-in-place recycle process. He provided a video of this method and a report on projects completed by Gordon Paving using this process. When the Company began this process in the early 1990s, Mr. Hansen admitted there were problems, however, they have learned a lot about this method and have made improvements. He said hot-in-place recycling is economical, and should be considered more because good aggregate is harder to find and oil is expensive. He added that this process is not always the best procedure, particularly if the road is seriously rutted, but expressed disappointment that ITD did not have any hot-in-place recycle projects last year.

Although there have been problems with temperatures too low and with uniformity in the past, CE Ross said this method is still an option the Department considers. Recently, more focus has been given to surfacing projects instead of pavement rehabilitation. Chief of Highway Operations Monte Fiala concurred and stated this process will be used again.

The Board expressed appreciation for the evaluations of the hot-in-place recycle projects Gordon Paving Company has completed and for the information provided.

Delegation – City of Shelley. Mayor Heber Hansen thanked the Board members for their time. He also thanked them for the traffic signal recently installed on US-91 in Shelley. Last summer when I-15 was closed because of flooding, US-91 was used as a detour, and he was grateful this signal was in place for the additional traffic.

The New Sweden Road is a farm-to-market road that traverses through a residential section in Shelley before connecting with US-91 at a five-point intersection. The Department has scheduled a project in 2001 to widen US-91. Mayor Hansen requested a connector road be built from New Sweden Road to US-91 to eliminate the truck traffic through the residential area. If this connector road is built, the current New Sweden Road connection to US-91 would be closed, eliminating one part of the dangerous five-point intersection. He asked the Board to consider funding this project and added that the District 5 Office is looking at this proposal in conjunction with the project to widen US-91.

Member McClure asked if the corridor for the proposed connector road has been preserved or if the city has started purchasing right-of-way for this route. Mayor Hansen responded that the corridor is being preserved; it is currently zoned heavy commercial. He stated that some property owners have stated their intent to donate right-of-way for this road. Additionally, the Bingham County Commissioners are willing to participate in this project.

Vice Chairman Mitchell asked staff to provide a summary of activities to date and a schedule for this proposed project. Member McClure added that the city needs to work with LHTAC on this proposal.

Legislative Update. BPIRM Detmar provided a summary of the legislative session. ITD bills that the Governor signed include fees for overweight nonreducible vehicles; and driver's licenses clean up. Some of the bills that have been sent to the Governor for signature are to increase truck weights up to 129,000 pounds on specified pilot project routes; ITD's appropriation of \$328,219,000; 96-hour trip permit fees; increase in dealer plate fees; penalties for violating spring freeze/thaw cycle restrictions; and revisions to the license suspension legislation. The public transportation policy legislation was held in the Senate Transportation Committee and the public transportation funding bill failed in the House. The trailer appropriation bill for \$236,200 also failed.

Regarding the pilot project legislation, Director Bower said the transportation consortium (comprised of the U of I, INEEL, ITD, and FHWA) will be contacted to assist with the reporting process. The funding source has not been identified yet. He expressed appreciation to BPIRM Detmar and staff for the hard work and extra time dedicated to this legislative session. The Board concurred and thanked staff for its excellent efforts.

New Business. The I-15, Clark Street Interchange to Pocatello Creek Interchange demonstration project, key 5311, is currently being advertised for construction, according to CE Ross. The Department will need outside assistance to administer this project. CH2M Hill, the consultant who designed this project, was approached and indicated they could have someone available to manage the construction of the project. The position, under the supervision of the resident engineer, would provide contract administration services and construction support. The cost would be approximately \$330,000 for a 20-month period. Member Smith asked if retired ITD employees were considered for this position. CE Ross did approach a qualified retiree, but he was not interested in the job.

Member Miller made a motion authorizing the Chief Engineer to negotiate with CH2M Hill for contract administration services and construction support for the I-15, Clark Street Interchange to Pocatello Creek Interchange demonstration project, if an eligible retiree cannot be hired to perform these services. Member McHugh seconded the motion and it passed with Member Smith casting the only opposing vote.

The Board received a letter from Eterna-Line Corporation of Idaho requesting dismissal from the Department's administrative process for the claim on the Twin Falls Bike Route A project. Member McHugh made a motion authorizing an agreement between Eterna-Line and the Transportation Board to waive further administrative process for the claim on the Twin Falls

Bike Route, with the understanding that the Board's agreement not to review the claim is based on the company's request. Additionally, if the claim proceeds to District Court, the substance of the claim will not change from what has been previously submitted. If the claim changes substantially, the Board reserves the right under the agreement to review and hear the revised claim. Member Combo seconded the motion and it passed unopposed.

Director Bower reported that Transportation Planning Administrator Ray Mickelson would be retiring in June. He would like to begin the process to hire a replacement for Mr. Mickelson. Member Miller made a motion to authorize Director Bower to begin the search for a Transportation Planning Administrator to replace Mr. Mickelson. Member McHugh seconded the motion and it passed unanimously.

SB Higgins reported that the Washington Transportation Commissioners have suggested a joint meeting with the Idaho Transportation Board on October 1 in Spokane. The consensus of the Board was to have some members attend this meeting, but not the entire Board. Vice Chairman Mitchell and Member McHugh indicated they would attend the meeting.

Executive Session, Section 67-2345(b), Idaho Code. Upon unanimous consent, the Board met in executive session at 2:30 PM to discuss personnel issues.

The Board came out of executive session at 3 PM. No decisions were made.

Tour of the Right-of-Way Section. The Board members toured the Right-of-Way Section and visited employees.

WHEREUPON, the regular monthly Board meeting officially adjourned at 3:45 PM.

Read and Approved  
April 16, 1998  
Lewiston, Idaho

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signed  
CHARLES L. WINDER, Chairman  
Idaho Transportation Board

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REGULAR MEETING AND DISTRICT 2 TOUR  
OF THE IDAHO TRANSPORTATION BOARD

April 15-17, 1998

At 3:30 PM on Wednesday, April 15, Chairman Winder, Members Combo, Miller, and Smith, and Transportation Department staff toured several Lewiston projects. Lewiston Public Works Supervisor Bud Van Stone provided an overview of the Bryden Canyon project and also

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explained the proposed Southway bike path that the city applied for funding in the Enhancement Program. He stated the city has developed a bicycle/pedestrian master plan. The group also traveled Snake River Avenue. Mr. Van Stone reported on the increased traffic on this route and the need to improve it to state standards.

Port of Lewiston Commissioners Dale Alldredge and Pete Wilson and Port of Lewiston Manager Dave Doeringsfeld joined the Board for a tour of the Port of Lewiston. The commissioners provided history and background on the facilities. Manager Doeringsfeld reported on the increased traffic, particularly rail, at the Port, and on long-range plans. The Board members thanked the Commissioners and Manager for the informative tour. The tour ended at 5:30 PM.

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The regular session of the Idaho Transportation Board meeting convened at 8 AM, on Thursday, April 16, at the District 2 Office, 2600 North and South Highway, Lewiston, Idaho. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member - District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer  
Jim Carpenter, District 2 Engineer  
Jack McMahon, Deputy Attorney General  
Jack Coe, Division Administrator – Federal Highway Administration

Judie Rowbury, Senior Financial Analyst, Division of Financial Management, was also present.

March 19-20, 1998 Board Minutes. Member Smith made a motion, seconded by Member Combo, to approve the minutes of the Board meeting held on March 19-20, 1998, as corrected. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
May 27, 1998 - Boise, Budget and Statewide Transportation Improvement Program  
Work Session

May 28-29, 1998 – District 3  
June 18-19, 1998 – District 6  
July 16-17, 1998 – District 4  
August 20-21, 1998 – District 1

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

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RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board has  
TB98-25 received and reviewed the Shelley Connector schedule; the condemnations submitted to Legal; the quarterly report on administrative settlements of right of way acquisition; the contract awards; the new and supplemental professional agreements report; the annual report of state railroad grade crossing protection account; the quarterly returned check report; and the financial statement.

1) Shelley Connector, District 5. In response to Shelley Mayor Heber Hansen's request last month for a connector road from the New Sweden Road to US-91, staff reported that a project to widen US-91 from Center Street to the north city limits is scheduled for construction in 2001. In correlation with this improvement, Bingham County and the city of Shelley plan to construct the connector route. City officials have advised staff that the connector will be developed and constructed without federal aid. Because the project is not federally funded, ITD has no involvement except correlation of the approach connection to ITD's US-91 project.

2) Condemnations Submitted to Legal. During the months of February and March, the Director authorized condemnations on parcels 16 and 42, key 713, project NH-F-5116(026); parcels 16, 18, and 25, key 6868, project ER-3110(117); parcel 7, key 3550, project NH-F-3341(10); and parcel 23, key 6868, project ER-3110(117).

3) Administrative Settlements of Right of Way Acquisitions. From January 1 through March 31, 1998, 23 parcels were processed, 4 of which had administrative settlements, or 17%.

4) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

RA-1-1, key R101 – Huetter Rest Area/Port of Entry Maintenance, Kootenai County, District 1. Low bidder: Rocky Mountain Services Company LLC, Blackfoot, Idaho - \$127,663.92.

UST-51000, 51500, and 51900, keys 6163, 7074, and 7075 – Pocatello, Preston, and Montpelier Yards; Bannock, Franklin, and Bear Lake Counties; District 5. Low bidder: Leonard Petroleum Equipment, Idaho Falls, Idaho - \$126,716.90.

STR-3703(600), (601), and (602), keys 6507, 6612, and 6614, SH-78, Bennett Creek Bridge, Jct. SH-51 to Milepost 90.5, and Milepost 90.5 to Hammett; Elmore and Owyhee Counties; District 3. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$1,889,818.40.

ER-4749(100) and ER-4749(606), keys 6355 and 6385 – Gilbert Grade Slide Repair and Gilbert Grade Excess Rock, Lewis and Clearwater Counties, District 2. Low bidder: Ascorp, Inc. dba Debco, Orofino, Idaho - \$896,073.30.

STPG-2800(100), key 5148 – Ramsey Road, Kootenai County, District 1. Low bidder: Interstate Concrete and Asphalt, Company, Coeur d'Alene, Idaho - \$98,403.23.

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IMG-0001(105), key 6233 – FY98 District 1 Pavement Markings, Kootenai and Shoshone Counties. Low bidder: Mark Rite Lines of Montana, Inc., Billings, Montana - \$114,843.92.

IMG-0003(109) and IMG-0004(103), keys 6234 and 6235 – FY98 Districts 3 and 4 Interstate Pavement Markings; Payette, Canyon, Ada, Elmore, Gooding, Jerome, Minidoka, Cassia, and Oneida Counties. Low bidder: Mark Rite Lines of Montana, Inc., Billings, Montana - \$354,110.

5) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$634,594 in new agreements between March 5 and April 2. No supplementals were processed during this period.

6) Annual Report on Railroad Grade Crossing Protection Account. To date, four railroad grade crossing protection projects have been obligated in FY98 with an additional four projects anticipated to be obligated. The Board also reviewed the number of crossing closures and the incident summary for calendar years 1993 through 1997.

7) Quarterly Returned Check Report. During the third quarter of FY98, \$19,090,121 in checks were received while \$12,806, or .0671%, were returned. Collections amounted to \$7,627 for a collection rate of 78%.

8) Financial Statement. The Board reviewed the Department's financial statement through March 31.

Vice Chairman Mitchell questioned the status of disposing of excess and surplus property. The excess and surplus parcels have been identified and work is proceeding on disposing of that property, according to Director Bower. He stated a detailed report would be provided to the Board.

Chairman Winder expressed concern with the appraisal process, particularly that ITD does not appraise to the future, higher value. He questioned the ability to adjust that procedure and asked staff to review that possibility.

Board Items. Chairman Winder shared a letter from Paul Sudmeier, President of the Idaho Motor Transport Association, regarding equitable user fees and a request for the Board to study this matter. Chairman Winder suggested establishing a committee to evaluate the weight distance tax and determine if it is an equitable method. If it's not, then the committee should prepare recommendations for the replacement of the weight distance tax for the Board's consideration. Member Miller said both interstate and intrastate trucking companies need to be represented and emphasized the need for a system that is easy to administer.

Member Smith made a motion to authorize Chairman Winder to establish a committee to outline the objectives for reviewing the weight distance tax, including determining if it is a fair, equitable tax, and if not, to prepare recommendations for the replacement of the tax for the Board's consideration. Vice Chairman Mitchell seconded the motion and it passed unopposed.

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Chairman Winder and Vice Chairman Mitchell have had communication from Sonny Kinsey, President, Pierce Merchants, regarding SH-11 through Pierce. Mr. Kinsey expressed concern that the current Forest Highway project on SH-11 does not include paving the highway through Pierce, nor does it provide for handicap access on the sidewalks. District Engineer (DE) Jim Carpenter reported that the project includes reconstruction, not an overlay, in Pierce. He believes five handicap accesses could be added for approximately \$20,000, however, the sidewalk is not continuous in town, so may be a problem. A SH-11 project in Preliminary Development of the current Program could be expanded to include curbs, gutters, and sidewalks, according to DE Carpenter. Vice Chairman Mitchell asked staff to consider advancing that project and to work with the Pierce Merchants, as they have indicated a willingness to provide assistance on a project like that.

Vice Chairman Mitchell made a motion to instruct staff to review the handicap access issue and determine if funds are available for that project, consider advancing the SH-11 project currently in Preliminary Development, and work with the city officials and merchants on a joint curb, gutter, and sidewalk project. Member Combo seconded the motion and it passed unanimously.

Member Miller reported that Bingham County officials are concerned with the gravel bars in the Snake River, a result of last year's flooding. Funds are available to partially remove two of the five gravel bars, but that activity will be inadequate, according to Member Miller. Chairman Winder asked Director Bower to look into the matter and determine what assistance, if any, the Department can provide.

Member Miller recently discussed the New Sweden connector road in Shelley with the Bingham County Engineer. The Engineer indicated the county would not be opting out of the federal aid secondary exchange program to fund this project. Member Miller said, however, that DE 5 Brent Frank is proceeding with the state project on US-91.

Vice Chairman Mitchell expressed concern with the old signs at Idaho's borders that reference the state's centennial. He added that a number of adopt-a-highway signs are fading and should be replaced. It is his understanding that Enhancement funds cannot be used for these signs, however, he asked staff to look at replacing these signs and at various funding options.

Member Smith has received a request to improve Pole Line Road in Twin Falls due to a proposed development planned for that area. Staff has reviewed the proposal, according to Director Bower, and estimated the project to cost \$1.5 million plus match. He added that there are projects in the current Program for a Twin Falls alternate route, which includes this portion of Pole Line Road, and the addition of this route to the state highway system. Member Smith expressed concern with the city's ability to provide the match for this project.

Vice Chairman Mitchell made a motion to support the City of Twin Falls' request for a project to improve Pole Line Road in an amount not to exceed \$1.8 million, contingent on the Boise Cascade telecommunications center going in as a planned development along that corridor. Member Miller seconded the motion and it passed unopposed.

Director's Items. Ken Harward, Executive Director of the Association of Idaho Cities, discussed the Association's annual conference in Idaho Falls this June with Director Bower. Tentative plans include a breakfast meeting with the two Boards followed by a general session on transportation issues that Director Bower and Chairman Winder would lead.

The Department has received unofficial notice that five of the ten projects submitted for the Scenic Byway Discretionary Funds have been approved. The approved projects include SH-55, Payette River Scenic Byway corridor management plan; US-12/SH-13, Northwest Passage Scenic Byway interpretive information development and distribution; US-91/SH-34, Pioneer Historic Byway corridor management plan; SH-200 Pend Oreille Scenic Byway CD-ROM development and kiosk; and Mesa Falls Scenic Byway Big Falls Inn interpretive exhibits on the local system, according to Director Bower. The funding total for the five projects is \$345,000.

Director Bower distributed information on the reauthorization of ISTEA, including comparisons of the average annual apportionments, formulas, and language for the various bills. He does not know the conference committee's schedule for the bill.

The financial statement indicated a high cash balance in the State Restricted fund. Director Bower said a team has been formed to look into the cause of the high balance and consider options to reduce the high cash balance. A report on the findings will be presented to the Board.

Staff has identified where the 29 positions that were held in abeyance by the Legislature will be placed. Director Bower reported on the Division of Highways' plans for its positions.

Director Bower reported several changes the Division of Aeronautics is making regarding its aircraft pool, such as placing ITD decals on the aircraft doors and revising the manifest to indicate the aircraft is a state aircraft to be used solely for state business. This is in response to a recent incident where a state official used the Division of Aeronautics' services for unofficial business. Information on surrounding states' aircraft operations was also provided.

The Department anticipates personnel and operating savings in FY98. Staff will determine the amount of money available, and also the recommended projects to fund with these savings, according to Director Bower. Vice Chairman Mitchell questioned the feasibility of providing additional salary for some positions that are hard to fill and retain due to competition with the private sector. Member Smith concurred with the concerns to hire and retain positions, particularly in the engineering and technology fields. The consensus of the Board was to have staff review options for some of these positions and provide recommendations.

FY2000 Budget Policy Direction. Staff is still reviewing the proposed budget for FY2000, according to Director Bower. Because the Department does not know what the impacts of the reauthorization of ISTEA will be, it is difficult to determine how much state match will be required. A recommendation on the budget will be provided at the May workshop.

Intermodal Issues. Senior Transportation Planner Ron Kerr summarized the activities with the Port of Lewiston. Staff will work with the Port on updating its Master Development Plan, however, other priorities, including the dam-breaching issue and obtaining a new crane, have delayed this project for the time being. The new transportation act, when passed, will be reviewed to determine what assistance can be provided to the Port. Rail improvements and dock expansion projects are some items that will be considered.

Port Manager Dave Doeringsfeld reported on the high growth in container movement out of the Port. If the growth continues, the current dock and facilities won't be able to accommodate the traffic. He expressed a desire to partner with ITD on intermodal issues, particularly improving 3<sup>rd</sup> Avenue North and 6<sup>th</sup> Avenue North to alleviate safety concerns. New development north of the Port is also affecting the intersection with SH-128, and he added that US-95 has a big impact to the Port. He concluded by thanking the Board for touring the facilities yesterday and for its interest in the Port of Lewiston.

Mr. Kerr reported that the Camas Prairie Railroad was recently sold to North American Rail Net, Inc. (NAR). This company was formed in 1996 to acquire and operate short line railroads and it plans to start operating in the area this week. Roger Nelson, President, provided background information on himself and the company. He emphasized that safety is the number one concern of the company, and that he hopes to increase business on the newly-acquired railroad. Some of NAR's strategies include bringing in management with significant railroad expertise; taking advantage of fundamental railroad industry realignment among major railroads toward long-haul focus and divestiture of feeder lines; and partnering with Class I railroads and major shippers to provide seamless service, while increasing business and managing costs.

Chairman Winder thanked Messrs. Doeringsfeld and Nelson for the information.

Although the Union Pacific Railroad Company continues to struggle in some parts of the country due to service problems, Mr. Kerr informed the Board that the service has improved somewhat in Idaho. He concluded by summarizing the roles of various organizations with railroad oversight, including the Surface Transportation Board, the Federal Railroad Administration, ITD, the Idaho Public Utilities Commission, the Idaho Rail Advisory Council, Class I Railroads, and short line railroads. One of the recommendations of the Intermodal Commercial Freight Task Force of 1996 included combining the Rail Advisory Council and the Motor Carrier Advisory Committee. In response to the status of that recommendation, Mr. Kerr said the Rail Advisory Council has had some discussion on that subject. Although early indications are to keep the two groups separate, the Rail Advisory Council plans to revisit this issue at its next meeting.

The Board thanked Mr. Kerr for the informative presentation, encouraged him to continue working closely with the Port of Lewiston and railroads, and to keep the Board informed of the various activities of these modes.

Delegation – City of Moscow. Mayor Marshall Comstock thanked the Board for its time and expressed appreciation to DE Carpenter for working with the city on transportation issues. With the completion of the Styner Avenue couplet recently, development and traffic have

increased on that route, creating a safety concern, according to Mayor Comstock. He presented a video of the US-95 and Styner Avenue depicting the traffic flows, and requested a traffic signal at this location. Public Works Supervisor Gary Presol reported the level of service for traffic turning north off of Styner is E and turning south is D. With the projected traffic counts, he said the level of service will be worse. He added that the city has budgeted for a traffic signal at this intersection in the past and will again budget for this project in the next fiscal year.

If a traffic signal was installed, Chairman Winder questioned vehicles stopping on the vertical curve on US-95. Mayor Comstock believes the area is flat enough at the top of the hill and that there is plenty of storage area, so that should not be a problem. A systems warrant, completed last fall, indicated a signal was justified, according to Mr. Presol. He added that at this time, the accident rate does not warrant a signal, however, he believes it will soon.

The District also prepared warrants for this intersection. DE Carpenter does not believe the systems warrant is met. He added that the level of service on US-95 would drop to a C with a signal, and of the reported accidents at that location, only one would have been prevented with a traffic signal. He believes the Moscow South Couplet project will help alleviate the safety concerns at this intersection.

The consensus of the Board was to have staff continue working with the city of Moscow on the US-95 and Styner Avenue intersection, to complete a study on this issue, and prepare a recommendation for the Board.

Delegation – Bob Crump, Riggins Councilman. Councilman Crump said he is looking forward to the US-95 project through Riggins in FY1999, especially the addition of curbs, gutters, and sidewalks. He said sidewalks are needed on both sides of the highway, as well as lighting and additional parking. The average daily traffic count is continuing to increase and he expressed safety concerns in town. Additionally, US-95 north of Riggins to the Goff Bridge is in need of improvements.

Vice Chairman Mitchell suggested erecting signs along US-95 for off-street parking. He also asked if consideration has been given to moving the tennis courts to provide additional parking. Councilman Crump replied that he has not considered that option, but will contact the school district about that. Vice Chairman Mitchell expressed environmental concerns with the stretch of US-95 north of Riggins, but concurred improvements are needed. Director Bower stated that the US-95 north of Riggins to Goff Bridge project has been listed as an unfunded priority.

Chairman Winder thanked Councilman Crump for his presentation and asked staff to consider his comments.

Delegation – City of Lewiston. Public Works Director Bud Van Stone expressed the city's appreciation to the Department for the assistance provided in the past, particularly for the completed East Main Street project and the Bryden Canyon project expected to commence soon. He asked for a partnership with ITD to improve Snake River Avenue. That route is the main connection to the airport and boardings are expected to continue to increase in the future.

Additionally, that route receives a lot of truck traffic, and there is a lot of community support to improve this road.

The consensus of the Board was to have ITD staff look at alternatives for Snake River Avenue, but also to consider the impacts the completion of the Bryden Canyon and Washington's 15<sup>th</sup> Avenue/Fleshman Way projects will have on traffic.

The city recently applied for Enhancement funds for the Southway bike path, and Mr. Van Stone encouraged the Board to consider funding that project. Chairman Winder thanked Mr. Van Stone for the information and also for touring the area with the Board yesterday.

Bryden Canyon Road Contract Award. Vice Chairman Mitchell made a motion, seconded by Member Miller, and passed unanimously to approve the following contract: DPI-0060(001) and DPI-0060(002), keys 5310 and 6263 – Bryden Canyon Road and Bryden Canyon Road Stage 1, Nez Perce County, District 2. Low bidder: Steelman-Duff, Inc., Clarkston, Washington - \$6,760,600.35.

Request to Adjust the State Funded (ST) and State Funded Restricted (STR) Programs, District 1. DE Stokes requested changes to the ST and STR Program to allow for cost increases, the advancement of key 6973, US-95, Junction SH-200 to North of Ponderay and key 6584, SH-200, UPRR to Kootenai into FY98 so they may be advertised as companion projects, and the creation of the Clark Fork Pend Oreille Wetlands Trust Fund Settlement. This \$445,000 is part of a consent decree on US-95 environmental litigation and a US-2 lawsuit with the Army Corps of Engineers. To offset these changes, key 6918, SH-3, Santa North, key 6919, SH-5, Parker Pass, and key 6922, US-95, Latah County Line to Sheep Creek would be eliminated from the Program. Key 6043, SH-3, Junction SH-97 to Swan Creek would be delayed into FY1999 and key 6586, SH-3, Latah County Line to Harvard Hill would be delayed from FY1999 to FY2001. No overall increase in funding is required for the proposed changes.

Vice Chairman Mitchell made a motion to approve the following resolution. Member McHugh seconded the motion. Member McHugh expressed concern that District 1 is responsible to fund the Wetlands Trust Fund Settlement although it was due to projects under construction before DE Stokes was in District 1. Member McHugh made a substitute motion to fund the Clark Fork Pend Oreille Wetlands Trust Fund Settlement out of the FY99 discretionary fund and to reinstate the three projects proposed for elimination. Member Smith questioned if all districts' litigation would be handled this way. Member McHugh was unsure and suggested looking at each one on a case by case basis. Vice Chairman Mitchell suggested approving the original motion and then revisiting this issue at a later meeting. Director Bower suggested establishing a separate statewide fund for litigation. Member McHugh rescinded his amended motion. The original motion passed unopposed.

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to  
TB98-26 accomplish a current, realistic, and fiscally constrained State Funded Highway  
Development Program; and

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

WHEREAS, the proposed changes to the FY1998-2001 State Funded Highway Development Program bring the FY1998 State Highway Programs within the current available funding levels.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2001 State and State Restricted Programs, itemized and explained in Exhibit 201 which is made a part hereof with like effect, and authorizes staff to reflect these changes in Supplement 98-3 to the approved Highway Development Program.

Executive Session on Legal Issues, Section 67-2345(f), Idaho Code. At 12:10 PM, Vice Chairman Mitchell made a motion, seconded by Member Combo, to meet in executive session to discuss legal issues with DAG McMahon. The motion passed unanimously.

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

Legal Issues. Member Smith made a motion to approve and authorize Deputy Attorney General McMahon to accept the offer of judgment submitted by Don Copple on April 13, 1998, on civil case #9504629D. Vice Chairman Mitchell seconded the motion and it passed unanimously.

Vice Chairman Mitchell made a motion to hire outside counsel, with approval of the Board, to handle the Acme Paving vs. Western Ash and the State of Idaho case. Member Miller seconded the motion and it passed unopposed.

Airport Operational Permit. Aeronautics Administrator Bart Welsh said Kevin Kellogg, Backcountry Airventures, has submitted a request to operate a commercial sightseeing operation from the Smiley Creek Airport. These operations would cover random periods of time, including both summer and winter. Mr. Kellogg would fly to Hailey for fuel in the summer months and fuel on-site during the winter. At no time would fuel be stored on state property.

Staff suggested an operational permit between ITD and Backcountry Airventures requiring both general and passenger liability insurance. Additionally, staff suggests that no plowing of snow be permitted in winter months, including the access road from SH-75 to the airport. An operational fee of \$15 per month with a maximum annual fee of \$100 would be required. These fees and other conditions are similar to those contained within existing permits at the Stanley airport. Both the Aeronautics Advisory Board and the Department's legal staff reviewed and approved the operational permit.

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

RES. NO. WHEREAS, the Idaho Transportation Department operates the Smiley Creek  
TB98-27 Airport via a perpetual agreement from the Salmon Falls Land and Livestock  
Company of Hagerman, Idaho; and

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WHEREAS, the approval of commercial operations at the airport will not pose a hazard to other users; and

WHEREAS, similar agreements and/or permits are currently in place at the Stanley Airport; and

WHEREAS, the Idaho Transportation Board hereby concurs with the Aeronautics Administrator that commercial sightseeing operations from the Smiley Creek Airport would be in the public interest.

*NOW THEREFORE BE IT RESOLVED*, that the Transportation Department, Division of Aeronautics, be given the authority to execute an operational permit to Backcountry Airventures for the purpose of commercial sightseeing and charter operations.

Three-Year Airport Improvement Program. The FY1999 budget for Aeronautics included \$500,000 for airport improvement grants. The estimated fuel tax revenue funding the Aeronautics Division are sufficient to fund airport improvements at the recommended levels, according to Airport Planning and Development Engineer Wayne Pickerill.

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

RES. NO. WHEREAS, the Division of Aeronautics has solicited, received, and reviewed  
TB98-28 applications from municipal airport owners for financial assistance; and

WHEREAS, the Division staff has evaluated these applications and prepared the Aeronautics Three-Year Program; and

WHEREAS, the Aeronautics Advisory Board has concurred with these recommendations.

*NOW THEREFORE BE IT RESOLVED*, that the Aeronautics' Three-Year Program, as shown in Exhibit 202, which is made a part hereof with like effect, be approved; and

*BE IT FURTHER RESOLVED*, the Division of Aeronautics shall issue grant offers for the FY1999; and

*BE IT FURTHER RESOLVED*, the proposed airport funding formulas be adopted by the Idaho Transportation Department.

District 2 Contractor Concerns Review. Internal Review Senior Auditor Bob Medley reported the scope of the review on contractors' concerns included interviews with construction contractors who have worked on projects in District 2; a limited procedure analysis in areas that appear to adversely affect contractor relations; inspection of project documentation to determine time for processing pay estimates, final contract payments, and claims; and conducting

interviews to understand how contract time was determined. Additionally, the bidding schedules for specific projects identified by contractors was reviewed.

Some of the specific issues identified were payments on pay estimates, change order work, and the final contract payment are not complete or timely; the time it takes for Residency personnel to respond to questions; communication with the District personnel was poor or lacking; and shortage of personnel staffing and lack of experience.

Mr. Medley outlined the recommendations provided as a result of the review. To improve efficiency and effectiveness of processing contractor payments, the Department should consider modification to streamline procedures involving contractor payments. Contract Administration should continue to improve procedures and actively educate and advise district personnel regarding change order payments. Procedures and specifications should be modified to specify time restrictions that are allowed after the contractor has formally announced their intention to file a claim and need to require the contractor to identify what the claim pertains to.

Mr. Medley summarized some of the conclusions of the review. Contractors have valid issues regarding project-specific payments and response time for claims; however, the District is addressing these issues and follow-up is expected. Contractors have valid issues regarding delayed payments and response time for residency decisions, claims, and inquiries. Employee turnover, lack of experience, and resident organization coupled with the construction workload and procedure requirements have had a direct impact on the District's performance resulting in contractors' concerns. Nothing came to Internal Review's attention that would indicate the District's actions were illegal, fraudulent, or unethical. There is evidence of highly concerted efforts to comply with laws, policies, and procedures.

Chairman Winder thanked Internal Review for the report and encouraged staff to continue improving the system and the relationship with contractors.

Transportation Component Guidelines. Idaho Code requires city and county governments to develop comprehensive plans for their jurisdictions. Although this requirement has been in effect since 1975, few local entities have a transportation component. Because local decisions regarding issues such as land use, installation of public facilities, and economic development can seriously impact the state highway system, ITD planners and other members of the ITD Intermodal Working Group determined that planning for transportation systems under the jurisdiction of local officials was just as important to ITD as it was to the local jurisdictions. This group concluded that step-by-step guidelines for preparing local transportation components should be developed.

Judy Harmon, Senior Transportation Planner, District 5, said this guidebook has been developed to explain and describe contents and procedures for developing the transportation component of a comprehensive plan and is to be a partnership with local entities. The document encourages developing a cooperative, multi-jurisdictional planning effort involving other organizations and agencies and as many members of the public as can be drawn into the planning process. It explains the type and sources of data and analysis needed to provide a strong foundation for developing transportation policies. Additionally, selecting implementation

strategies and the importance of coordinating the transportation component with other related comprehensive planning components are discussed and a list of planning resources is included. Ms. Harmon emphasized the collaboration with local entities in developing the document and thanked the local governments for their partnership in this project. More than 40 individuals and organizations reviewed the document and provided assistance.

The Board thanked Ms. Harmon for her coordination efforts on this guidebook and believes it will be a valuable tool for local governments.

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

***RES. NO. WHEREAS, the Idaho Transportation Board has expressed its desire and***

TB98-29      intention to initiate a cooperative planning process with local governments to develop long-range plans for managing and improving transportation facilities; and

WHEREAS, Goal 5, Objective A of the *Idaho Transportation Plan* calls for providing a continuing and cooperative planning process between state and local jurisdictions; and

WHEREAS, it is recognized that some state and local transportation decisions need to be approached in a cooperative and collaborative manner; and

WHEREAS, it is recognized that selecting the most economic and efficient solutions to transportation problems is desirable and can best be achieved when decisions are based on comprehensive planning efforts and resolution of major planning issues prior to project development; and

WHEREAS, a transportation component of a local comprehensive plan will enhance Idaho's corridor planning efforts.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board adopts *Transportation in Your Local Comprehensive Plan, A Guide for Local Government Officials*, dated April 1998, and approves it for distribution.

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

RES. NO.      WHEREAS, the Idaho Transportation Board has adopted the *Transportation in*  
TB98-30      *Your Local Comprehensive Plan, A Guide for Local Government Officials*, dated April 1998, and has approved the document for distribution.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board commends District 5 Senior Transportation Planner Judy Harmon, and all of those

involved in the development of this guidebook, for the cooperative undertaking in preparing this valuable document.

Delegation – Area Contractors. Chairman Winder welcomed the contractors to the meeting and reported that an internal audit has been performed on a number of issues relating to highway construction projects and recommendations provided to improve the process. He said a letter summarizing those issues and changes will be sent to the contractors. He added that the Department is striving to improve its system as well as its relationship with contractors.

Representative Chuck Cuddy, Cuddy and Associates, thanked the Board for its time. He has received several calls from contractors regarding construction concerns, prompting this meeting. Jerry Cox, Steelman-Duff, Inc., would like the Associated General Contractors (AGC) of Idaho to sponsor a forum to discuss various construction topics, as well as to provide an opportunity to evaluate projects before they go to bid and also to close out completed projects. He suggested meeting biannually or quarterly, with several permanent members and the others attending on a rotating basis from throughout the state. The forum would not be limited to members of the AGC. He stated his pleasure with the changes made to the claims procedures.

Lonnie Simpson, Debco Construction, stated communication is the biggest problem. The resident engineer is hard to contact and responses are not timely. CE Ross reported on the plans to add additional staff to the District 2 complement. Tom Reinner, Seubert Excavator, concurred with the breakdown in communication, but believes the additional staff will help alleviate that problem. He was also pleased to hear of the changes to the claims resolution process. He emphasized the importance of partnering and preventing claims, and expressed concern with the breakdown of partnering.

Contract Administration Engineer Gene Wortham concurred with the importance of partnering and communicating. He believes establishing a forum is a good idea. Chairman Winder concurred and asked staff to develop an outline for establishing such a forum. He stated the Board's desire to improve the system.

Mr. Cox added that the contractors are also committed to making improvements. He concluded by thanking the Board for its time.

Board Items, Continued. Member McHugh asked if the Department is planning to pursue legislation on studded tires. A regional task force, which Maintenance Engineer Clayton Sullivan is a member, is researching this issue, according to Mr. Coe. One charge of the task force is to prepare common legislation for the northwest. An expert on this subject from Alaska may be available to discuss this issue with the Board.

Director Bower distributed an update on studded tires prepared recently by Mr. Sullivan. Research results and actual performance indicate conclusively that studded tires cause premature pavement distress in the form of pavement surface abrasion and/or rutting and obliterate pavement markings. These conditions can contribute to serious safety hazards. The consensus of the Board was to have staff present additional information on studded tires, including a

recommendation, at a later meeting and to consider having an expert on studded tires appear before the Board.

Contract Awards. Member McHugh made a motion, seconded by Vice Chairman Mitchell, to ratify the following construction contract:

STM-0003(618), key 6672, District Wide Brooming; Ada, Adams, Boise, Canyon, Elmore, Payette, Valley, and Washington Counties; District 3. The low bid was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was based on similar contracts for the past several years. This year the project was advertised later than the previous brooming contracts with the same completion dates, which shortens the brooming time. This change in work schedule was not considered in the engineer's estimate. District 3's pavement marking was scheduled for bid opening at the end of March. The pavement marking work is dependent on the brooming being completed as scheduled. Based on the urgency of getting the brooming work completed so the pavement marking project could go as scheduled, staff recommended awarding this project.

Low bidder: Aero Power-Vac. Inc., Missoula, Montana - \$106,800.

and to approve the following construction contract in accordance with Board Policy B-14-06:

DPC-0031(001) and STP-15-1(116)63, keys 5311 and 6322 – Clark Street Interchange to Pocatello Creek Interchange, Pocatello and Portneuf Road to Clark Street Interchange, Pocatello, Bannock County, District 5. Low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$6,029,566.47.

The motion passed four to one with Member Smith dissenting. Mr. Smith opposed the brooming contract because it was advertised so late. He believes if it would have been advertised earlier, the Department could have saved approximately \$20,000.

Member Combo made a motion to request reconsideration of the previously-approved motion. Member McHugh seconded and the motion passed unanimously.

Member Combo made a motion to approve the contract for projects DPC-0031(001) and STP-15-1(116)63, keys 5311 and 6322. Member Miller seconded the motion and it passed unopposed.

Member Combo made a motion to approve the contract for project STM-0003(618), key 6672. Vice Chairman Mitchell seconded the motion and it passed four to one with Member Smith dissenting.

Chairman Winder left the meeting at this time and Vice Chairman Mitchell presided.

Request to Adjust the State Funded (ST) and State Funded Restricted (STR) Programs, District 2. DE Carpenter reported that key 6576, US-95, Lewiston Hill Resurfacing, has exceeded the programmed amount and requested the project be delayed to FY1999 in the STR Program. With this delay, key 1749, SH-64, Long Hollow Creek Bridge would be advanced and

a new ST project, Grangeville Miscellaneous Improvement, would be developed. The city of Grangeville is ready to start their city utility replacement project on SH-13 and the District would like to participate in this project by sponsoring storm sewer, curb returns, and other subsurface work in conjunction with the city's underground work.

To offset the increase in the FY1999 STR Program due to the delay of the Lewiston Hill resurfacing project, staff proposes delaying key 6631, US-95, Palouse River Bridge to FY2000 and advancing key 6977, US-12, Papoose Creek Bridge to FY1999. Additionally, the scope of work on key 6971, SH-8, Troy Main Street would be reduced and the project would be delayed to FY2001 at the request of the city of Troy. Key 7162, US-12, First Lolo Passing Lane could be advanced to FY2000, meeting the Department's objective of completing as much as possible of the US-2 work prior to the Lewis-Clark Bicentennial Celebration. No overall increase in funding is required for the requested changes.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to  
TB98-31 accomplish a current, realistic, and fiscally constrained State Funded Highway Development Program; and

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

WHEREAS, the proposed changes to the FY1998-2001 State Funded Highway Development Program bring the FY1998 State Highway Programs within the current available funding levels.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2001 State and State Restricted Programs, itemized and explained in Exhibit 203, which is made a part hereof with like effect, and authorizes staff to reflect these changes in Supplement 98-3 to the approved Highway Development Program.

US-95, Cambridge South/Stage Coach Road Detour Partnership, District 3. District 3 proposes a partnership agreement with Washington County for mutual benefits on the US-95, Cambridge South project and Stage Coach Road. This partnership would fund the design and construction of the improvements to Stage Coach Road, a county highway, to serve as the detour during construction of the Cambridge South project, currently scheduled in FY2002. The total estimated cost of improvements for the detour is \$2,221,500.

This proposed detour would eliminate the safety hazard to traffic during the blasting operations on the Cambridge South project. It would also provide continuous traffic flow around the US-95 project, rather than intermittent traffic flow through the construction zone, resulting in completing the project faster while minimizing both user costs and traveling inconvenience. Stage Coach Road improvements would provide a future disaster detour for US-95 in the event of a flood, such as occurred during 1997, or other emergency.

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The Cambridge South project has \$530,000 budgeted for traffic control, which would be reduced by the availability of a detour. Additionally, user costs, estimated at \$240,000, would be minimized. Staff is proposing to fund up to \$770,000 of the detour improvements because of the benefits to the State. Washington County presently has \$766,714 in its Surface Transportation Program – Local Rural allocation account available for this project. To improve Stage Coach Road to acceptable standards to serve as a US-95 detour, the County requests ITD allow it to exceed its allocation balance by up to \$684,786 to fund the remaining costs. The County would then repay ITD from its future annual allocations and from approximately \$400,000 FEMA Emergency Relief funds. ITD would be repaid in approximately two years.

Washington County Commissioner Tony Edmondson said ITD would maintain Stage Coach Road while it is a detour route for US-95 and after the detour, the County would resume maintenance. County Engineer Mike Holladay said Stage Coach Road is a logical detour route because it provides direct access to US-95 and is in good shape. Vice Chairman Mitchell questioned the standards that the detour route will be improved to. Mr. Holladay said there will be two 12-foot lanes with three-foot shoulders. CE Ross said that is acceptable to ITD.

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

RES. NO. WHEREAS, the Idaho Transportation Department and Washington County desire  
TB98-32 to enter into a State and Local partnership agreement to fund the design and construction of a traffic detour, using Washington County's Stage Coach Road for ITD's US-95, Cambridge South project. This partnership is to be known as the Cambridge South/Stage Coach Road Detour Partnership; and

WHEREAS, the Cambridge South project's safety will be increased by detouring the traveling public away from the blasting operations required on the construction site; and

WHEREAS, Stage Coach Road improvements will provide a future state highway disaster detour in the event of a future emergency; and

WHEREAS, both the public's traveling delays and user costs will be minimized by using a free flowing Stage Coach Road detour, rather than using an intermittent traffic flow through the project construction site; and

WHEREAS, ITD's Cambridge South project has budgeted \$530,000 for project traffic control and project user costs of \$240,000 are to be used on Stage Coach Road to mitigate the traveling time delays; and

WHEREAS, Stage Coach Road improvements on the local, federal-aid highway system will benefit Washington County residents and commercial transportation needs; and

WHEREAS, Washington County has an FY1998 Local Rural balance of \$766,714 to contribute to the Stage Coach Road detour design and construction

and Washington County has requested a loan from ITD of \$284,800 against Washington County's future Local Rural fund accruals; and

WHEREAS, Washington County will be reimbursed \$400,000 by FEMA for the construction work on the Stage Coach Road detour.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorizes staff to enter into the Cambridge South/Stage Coach Road Detour Partnership agreement between the Transportation Department and Washington County, with review of the agreement by the Department's legal staff prior to finalizing.

Designate New Recipient for 5307 Funds. The Targhee Regional Public Transportation Authority (TRPTA), created in May 1996, is charged with providing public transportation services, encouraging private transportation programs, and coordinating both public and private transportation programs, services, and support functions. The Governing Board is operational and has requested the designation as grant recipient for Section 5307 funds. These federal funds are available to urbanized areas with populations over 50,000 and can be used for capital, administrative, and operating purposes. In FY1998, \$528,472 are available.

Member Combo said the city of Idaho Falls has been the Section 5307 grant recipient since 1993, but it has voted to relinquish its designated recipient status and endorse TRPTA as the new grant recipient.

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

RES. NO. WHEREAS, the Targhee Regional Public Transportation Authority (hereinafter  
TB98-33 referred to as the TRPTA) was duly formed on May 1, 1996, Title 40, Chapter 21 of the Idaho Code to "...provide public transportation services, encourage private transportation programs, and coordinate both public and private transportation programs, services, and support functions..." (IC 40-2104) by a vote of the electorate of Bonneville County; and

WHEREAS, TRPTA is charged by Idaho Code to have "...exclusive jurisdiction over all publicly funded or publicly subsidized transportation services and programs except those transportation services and programs under the jurisdiction of public school districts and law enforcement agencies..." (IC 40-2109); and

WHEREAS, Federal Transit Administration Circular 9030.1B, Chapter II, Section I, recognizes the State of Idaho as the primary recipient for Section 5307 funds in areas under 200,000 population and authorizes the Governor of Idaho or his designee, the Idaho Transportation Department, to designate recipients in such areas; and

WHEREAS, the current designated recipient, the City of Idaho Falls, therefore has voted to relinquish its designated recipient status as made by the State of Idaho on May 6, 1993; and

WHEREAS, the Governing Board of TRPTA has voted to request the designation by the State of Idaho of TRPTA as recipient of Section 5307 funding under 49 USC 53 dealing with mass transportation; and

WHEREAS, the Division of Public Transportation agrees the TRPTA be recognized as the Section 5307 grant recipient.

*NOW THEREFORE BE IT RESOLVED*, by the Idaho Transportation Board that:

1. The Targhee Regional Public Transportation Authority be designated as the recipient for Section 5307 funds under 49 USC 53 with the beginning of fiscal year 1999 (October 1, 1998); and
2. The Idaho Transportation Department will coordinate with the TRPTA Governing Board or its designated agents on any federal or state funding for public transportation services involving residents of or designations within the boundaries of TRPTA.

Delegation – North Central Idaho Jurisdictional Alliance (NCIJA). Dan Johnson, Chairman of the Alliance, provided background on the group. NCIJA was formed to defend the members - area counties, cities, school districts, and highway districts - and citizens of the area from the expanding claims of the Nez Perce Tribe to jurisdiction over the residents and property of the area within the treaty boundary. The Alliance does not believe the Tribe has authority to impose taxes on non-members. He submitted letters of opinion from the Idaho Attorney General's Office regarding the Tribal Employee Rights Ordinance (TERO) and also briefs on a legal case in South Dakota, which may impact the Nez Perce Tribe.

Mr. Johnson believes TERO established a bad precedence, as it implies they have jurisdiction over non-members. The NCIJA opposes the taxes TERO imposes because it is taxation without representation and citizens' constitutional rights are not guaranteed. Because contractors are required to pay a TERO tax for highway projects on the reservation, passing the costs on to ITD, Mr. Johnson suggested the Board cease compliance with TERO and cease enforcement of contractors' compliance with TERO as well. Mr. Johnson said the Nez Perce Tribe and members own approximately 12% of the reservation land; the rest of the land has been sold.

Member Combo made a motion to have Deputy Attorney General McMahon review the tribal law and federal law, including the Intermodal Surface Transportation Efficiency Act, and also the impact on the Department of the referenced Supreme Court case, and provide an opinion on complying with TERO to the Board. Member McHugh seconded the motion.

Member Smith asked if this only applies to the Nez Perce Tribe, or if all Idaho Tribes are included. Member Combo suggested starting with the Nez Perce Tribe, then, because of the differences among the tribes, consider other tribes. DAG McMahon said this is a complex issue, and the federal implications will need to be researched closely. He added that the Department's Civil Rights Bureau is reviewed by FHWA annually for compliance with TERO. Member Combo said he is unsure if the Board has any authority on this issue.

The motion passed unanimously.

Old/New Business. Secretary to the Board Higgins distributed the results of the employee survey to the Board members. She said approximately 1,160 surveys were returned.

WHEREUPON the meeting recessed at 4:40 PM.

April 17, 1998

The Transportation Board meeting reconvened at 8 AM at the District 2 Office in Lewiston on Friday, April 17. All members were present except Chairman Winder and Member McClure. CE Ross was also absent. Ms. Rowbury and Representative June Judd were present.

The Board and staff departed Lewiston via US-12 east and traveled SH-3 north.

Delegation – Cities of Juliaetta and Kendrick. Juliaetta Mayor Jeff Lohman said the cities have applied for an Enhancement project for a bike path between the two communities. The bike path, approximately 5.2 miles, would utilize the old railroad bed. Both cities are in the process of acquiring right-of-way in the cities for the path. A recreation district has been formed to develop the bike path. Dana Magnuson, recreation district representative, said the district cannot own property, so it is looking for someone to own the property. The district would then lease the property and maintain the bike path. He believes ITD is the logical entity to own the right-of-way because the path parallels SH-3. The Mayor of Kendrick, Jerry Brown, also provided comments in support of the bike path.

Chairman Winder joined the meeting at this time.

The delegation said a bike path would be very beneficial to the communities and would be very accessible to citizens because of its location. It would also provide a connection to the schools. Cost is estimated at \$467,000 and the group encouraged the Board to fund the project.

The Board members thanked the delegation for the information.

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The tour continued north on SH-3 to a local road. While traveling Cavandesh Grade, the Board viewed work completed recently due to flooding a year ago. After driving over Dworshak Dam, which will be used as a detour during the replacement of the SH-7, Ahsahka Bridge, the Board stopped to view the bridge programmed in FY98. From Ahsahka, the group traveled SH-7 to Orofino.

An informal luncheon meeting with area officials was held in Orofino. Orofino City Administrator Rick Laam expressed appreciation to DE Carpenter and his staff for their assistance during last year's flood. He said there had been a lot of communication from the District Office and the city wanted to thank ITD for its support and cooperation. He also said the city applied for a pathway project along SH-7 and asked the Board to consider funding this Enhancement project.

Senator Marguerite McLaughlin thanked the Board and Department for its communication and willingness to help. She said ITD has a good attitude and she appreciates the good relationship that has been established with local officials and legislators.

Sheriff Nick Albers represented Clearwater County. He was asked to relay the county officials' appreciation to the Department for its assistance and that the County is looking forward to continuing the good relationship that has been established.

The Board thanked the officials for attending the luncheon and for the comments. Chairman Winder said the Board and ITD want to work with and help the local officials and added that Mr. Coe is also a valuable resource and willing to provide assistance.

The tour continued east on US-12 to Kamiah where construction of the new Kamiah Bridge is occurring. After viewing the project, the Board returned to Lewiston via US-12 west.

WHEREUPON, the regular monthly Board meeting and tour of District 2 officially adjourned at 3:20 PM.

Read and Approved  
May 29, 1998  
Boise, Idaho

signed  
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CHARLES L. WINDER, Chairman  
Idaho Transportation Board

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REGULAR MEETING AND DISTRICT 3 TOUR  
OF THE IDAHO TRANSPORTATION BOARD

May 27-29, 1998

May 27, 1998

The regular session of the Idaho Transportation Board and District 3 tour convened at 9:30 AM, on Wednesday, May 27, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member – District 1  
Monte C. McClure, Member – District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member - District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer  
Jack McMahon, Deputy Attorney General

Update on Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). Director Bower reported on the recent passage of TEA-21. This bill provides a significant amount of additional federal funds for Idaho, approximately 62% more. He commended Senator Kempthorne and his staff for their efforts in the passage of this bill, but added the President has not signed the bill yet.

Some highlights of TEA-21 include 11 demonstration projects for Idaho, a special grant for the Lolo Pass visitor center, and recognition of US-95 as a national high priority corridor. From a preliminary review, the Programs basically remain the same as they were in the Intermodal Surface Transportation Efficiency Act of 1991. He added that a number of changes will need to be made to the Department's budget and Statewide Transportation Improvement Program.

Work Session on FY2000 Budget, Out-of-State Travel, and Capital Facilities Budget. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Mary Detmar reported that a 5 percent change in employee compensation has been factored into the FY2000 budget, plus a 2.6% increase for operating expenses and non-standard adjustments. The Board reviewed the proposed budget, including program enhancements.

The revised FY1999 and proposed FY2000 out-of-state travel requests were reviewed. Staff also presented the proposed capital facilities program for FY2000-2005. The base in FY2000 is \$1.2 million for alterations and repair plus \$1.6 million for buildings.

The Board commended staff for the improvements made to the budget process and its work compiling the draft budget.

Work Session on Draft Statewide Transportation Improvement Program (STIP).

Intermodal Planning Manager Jim McFarlane introduced the representatives of the metropolitan planning organizations: Erv Olen, Ada Planning Association; Darrell West, Bonneville Metropolitan Planning Organization; and Mori Byington, Bannock Planning Organization. The various modal planners gave a brief summary on changes to their respective modes.

Dave Amick, Highway Programming Manager (HPM) and Pat Raino, Senior Transportation Planner, outlined the current estimated highway funding plan assumptions, the estimated available funding compared to the draft Program, the district targets, specifics on the Enhancement Program, and statewide projects to program with additional funds.

Because the impacts of and dollar amounts from the transportation bill are not known at this time, the consensus of the Board was to hold another workshop on the STIP. In the interim, staff is to advance projects that were delayed in the draft Program and also schedule projects from a list of statewide projects which can be ready within two years in the first three years of the Highway Development Program. Reviewing the first three years of the Program and scheduling projects in the remaining years, including Preliminary Development, will be the focus of the next workshop.

According to HPM Amick, staff is considering apportioning a percentage of the total federal aid, excluding the Demonstration projects, Enhancement Program, Congestion Mitigation/Air Quality Program, and recreation trails, for the local entities. Based on the previous local apportionments under ISTEA, the percentage would be 6.3 for the Rural Program and 6.3 for the Urban Program, or approximately \$10.3 million for each Program. This results in basically the same percentage increase for the locals that ITD will be receiving. The consensus of the Board was for staff to proceed with this proposal.

Idaho's Consortium, comprised of INEEL, NCATT, FHWA, and ITD, will be performing the study for the pilot project to increase gross vehicle weight limits to 129,000 pounds on selected highways. Traffic Survey and Analysis Manager Glenda Fuller reported that the Consortium has completed the scope of work, however, the budget needs to be finalized. The estimated cost for the 3-year study is \$780,000. For the pilot project, the pavement, bridges, traffic, and safety will be studied. The differential interstate speed limit for trucks will be studied separately. A more in-depth report will be presented in June.

WHEREUPON the meeting recessed at 4:50 PM.

May 28, 1998

The Transportation Board meeting reconvened at 8 AM at the District 3 Office in Boise on Thursday, May 28. Chairman Winder was absent. All other members were present.

The group departed Boise on SH-55 north. At Smiths Ferry Representative Christian Zimmermann joined the Board as it traveled the proposed Smiths Ferry to Round Valley route,

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then continued north on SH-55. District 3 staff provided an overview of the Smiths Ferry to Round Valley route, which is included as a demonstration project in TEA-21. In McCall, ADE3 Jeff Miles provided an update on the McCall alternate route. He stated staff intends to begin preserving the corridor this fall.

Senator Judi Danielson joined the Board for lunch in New Meadows. Senator Danielson and Representative Zimmermann left the group in New Meadows. The tour continued on US-95 south. Chairman Winder joined the group at this time. The Board drove a portion of the proposed Indian Valley route from Mesa south, then rejoined US-95 at Midvale. The Board viewed the Manns Creek curves north of Weiser, scheduled as a demonstration project in TEA-21 and flooding south of Weiser. The tour continued through the US-95, I-84 to Canyon County line project currently under construction, east on US-20/26, and I-84 to Nampa.

Delegation – City of Nampa. Mayor Maxine Horn, Director of Administration and Finance Jerry Gunstream, and various legislators, local officials, and business representatives met the Board at the 11<sup>th</sup> Avenue underpass. Mayor Horn thanked the Board for visiting Nampa. She said improving the 11<sup>th</sup> Avenue underpass is a high priority. Because of recent developments in the area and increased traffic, this area is a traffic hazard and there is strong community support to improve the underpass. In response to financing the improvements, Mayor Horn said the city would commit \$5 million from its urban renewal taxing district. However, these funds would only be available until 2005, and the city would like to commit the funds over a five-year period. She added that the Union Pacific Railroad Company would provide \$2 million, leaving approximately \$7 million for the Transportation Department to fund for this project estimated at \$14 million.

Mr. Gunstream emphasized the partnership of the city, state and railroad and believes this project will be a model for other municipalities statewide. He concluded by thanking the Board for its time.

Chairman Winder thanked the delegation for the presentation. Staff will look into this proposal and provide a recommendation to the Board.

The Board returned to Boise via US-20/26 east.

WHEREUPON the meeting recessed at 6:20 PM.

May 29, 1998

The Transportation Board meeting reconvened at 8:10 AM at the District 3 Office, 8150 Chinden Boulevard, Boise on Friday, May 29. All members were present.

April 16-17, 1998 Board Minutes. Vice Chairman Mitchell made a motion, seconded by Member Smith, to approve the minutes of the Board meeting held on April 16-17, 1998, as corrected. The motion passed unanimously.

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Board Meeting Dates. The following meeting dates were scheduled by the Board:

June 18-19, 1998 – District 6

July 16-17, 1998 – District 4

August 20-21, 1998 – District 1

September 16-18, 1998 – Boise

October 8-9, 1998 – District 5

Consent Calendar. Member 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 Transportation Board approves  
TB98-34 the Technology Transfer Center Advisory Committee appointment; the Right-of-Way Permit No. 5-98-44, District 5; the Right-of-Way Permit No. 5-98-57, District 5; the Right-of-Way Permit No. 6-98-112, District 6; request for consultant services, I-84, District 3; request for consultant services, I-184, District 3; and request for consultant services, US-93, District 4; and has received and reviewed the condemnations submitted to Legal; the contract awards; the new and supplemental professional agreements report; and the financial statement.

1) Technology Transfer Center Advisory Committee. With the retirement of William Schnelle of the US Forest Service Ogden office, his position on the Advisory Committee is vacant. James Saubier, Transportation Development Engineer for the US Forest Service Northern Region is recommended as Mr. Schnelle's replacement on the Committee. Replacement of one Forest Service representative with another will maintain the balance of the committee and give voice to the perspective of a federal land management agency. There are no set term limits for committee membership.

2) Right-of-Way Permit No. 5-98-44, District 5. Lynn and Luann Cole requested a 40-foot commercial approach at Station 105+42.09 LT on US-91 in a Type 1 partial control of access area in exchange for the rights and removal of the existing farm approaches at Station 96+60 LT and Station 107+50 LT and one future commercial approach at Station 108+40 LT. There is adequate sight distance on US-91 at the requested location. The new approach is to be constructed in accordance with state standards.

3) Right-of-Way Permit No. 5-98-57, District 5. Leland Ward requested to expand and make permanent the current approach at Station 84+45 LT on US-26 in a Type 1 partial control of access area from a 20-foot residential to a 40-foot joint use residential/commercial approach. Mr. Ward agrees to give up all rights to a 40-foot future unrestricted approach at Station 85+50 LT upon construction of the approach at Station 84+45 LT. The District recommended approving the request based on the elimination of the unrestricted future approach and adequate sight distance and if the 40-foot joint use approach is constructed in accordance with state standards.

4) Right-of-Way Permit No. 6-98-112, District 6. Fred and Venus Fisher have requested to move the current 20-foot farm approach at Station 839+60 RT on SH-33 in a Type 1 partial control of access area to Station 840+49 RT. Mr. and Mrs. Fisher agree to extinguish all rights to the approach at Station 839+60 RT. Based on the elimination of the existing farm approach,

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adequate sight distance, and the construction of the 20-foot approach at Station 840+49 RT in accordance with state standards, staff recommended approving the Fisher's request.

5) Request to use Consultant for Project Development, Project IM-84-2(049)73, Key 6254, I-84, District 3. Staff is requesting to solicit for consultant services for the project development of the I-84, Regina to Clift, westbound project. Currently in Preliminary Development, the project is programmed at \$12.2 million for construction. The consultant duties will include project concept preparation; preliminary design; design approval; final design; plans, specifications, and estimates; and construction assistance. Fees are expected to be \$900,000. The use of consultant services in the development of this project will supplement District staff and help to keep projects on schedule.

6) Request for Consultant Services, Project IDR-IM-184-1(019)0, Key 5919, I-184, District 3. The I-184, Wye Interchange Stage 2, discretionary project is programmed for construction in FY2000 for \$19.8 million. District 3 is currently designing Stage 1 with assistance from a consultant. Consultant duties for Stage 2 would include surveying; traffic control plans; roadway design; storm water prevention plan; landscaping; special provisions; final design review; plans, specifications and estimates preparation and submittal; and construction assistance. The environmental reevaluation and structures will be prepared in house. The project development fees are expected to be between \$1,000,000 and \$1,500,000.

7) Request for Consultant Services, NH-F-22390(104), key 5137, US-93, District 4. The Twin Falls Alternate Route, Stage 1 is currently scheduled for construction in FY2001 with an estimated construction cost of \$4.5 million. The work for this phase consists of the evaluation of alternative routes, environmental concerns, public hearing requirements, and preparation and approval of the environmental document. Consultant services are needed to supplement the District's staff to keep this project on schedule. The cost is estimated at \$307,000.

8) Condemnations Submitted to Legal. During the month of April, the Director authorized condemnations on parcels 13 and 14, key 3550, project NH-F-3341(10).

9) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

STP-BROS-2500(007) and STP-BRS-4710(003), keys 4792 and 4791 – Rock Creek Bridge South and Rock Creek Bridge North, Idaho County, District 2. Low bidder: Universal Construction, Inc., Emmett, Idaho - \$660,920.20.

IMG-0005(103) and IMG-0006(102), keys 5683 and 6239 – FY1998 Districts 5 and 6 Interstate Pavement Markings; I-86 and I-15; Cassia, Power, Oneida, Bannock, Bingham, Bonneville, Jefferson, and Clark Counties. Low bidder: Mark Rite Lines of Mt., Inc., Billings, Montana - \$199,311.93.

STM-0002(614), key 6750 – Idaho County Weed Spraying, US-12, SH-13, SH-14, and US-95, Idaho County, District 2. Low bidder: Perfection Weed and Pest Control, Lewiston, Idaho - \$74,146.99.

ST-3230(603), ST-3230(604), and ST-3320(605), keys 6194, 6195, and 6590 – US-20, Intersection Middleton Road, US-20, Intersection Star Road, and SH-44, Junction SH-16; Canyon and Ada Counties; District 3. Low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$554,851.46.

STM-0002(620), key 7299 – District 2 North Weed Spraying; SH-3, SH-6, SH-7, SH-8, SH-9, SH-11, US-12, SH-66, US-95, SH-99, and SH-128; Clearwater, Idaho, Latah, Lewis, and Nez Perce Counties. Low bidder: Perfection Weed and Pest Control, Lewiston, Idaho - \$71,126.56.

ER-5711(100), ER-5752(101), and ER-5750(100), keys 6424, 6444, and 6423 – Moon Pass Road, Coeur d'Alene River Road, and Pine Creek Road, Shoshone County, District 1. Low bidder: Waldo Construction, Inc., Post Falls, Idaho - \$496,359.65.

ST-2340(611), key 7255 – US-20 Stanton Crossing Bank Protection, Blaine County, District 4. Low bidder: The Gardner Company, Idaho City, Idaho - \$55,672.60.

STOCKPILES-3679, 3680, and 3681, keys 6729, 6807, and 6808 – US-95, SH-55, New Meadows, Cascade, and Paddy Flats Stockpiles, Adams and Valley Counties, District 3. Low bidder: Seubert Excavators, Cottonwood, Idaho - \$196,098.

ST-3707(605), key 6577 - SH-78, Murphy to Sinker Creek East, Owyhee County, District 3. Low bidder: Western Construction, Inc., Boise, Idaho - \$1,175,877.23.

STP-3707(101), key 5953 – SH-78, Marsing to Givens Hot Springs, Owyhee County. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$1,332,587.19.

STP-3707(102), key 6483 – SH-78, Jct. SH-45 to Murphy, Owyhee County, District 3. Low bidder: Western Construction, Inc., Boise, Idaho - \$1,062,339.24.

STM-3110(615), STR-3270(620), and ST-3270(609), keys 6827, 6776, and 6074 - US-95, New Meadows to Pinehurst; SH-55, Donnelly to McCall; and SH-55, Porter Creek to Banks; Adams, Valley, and Boise Counties; District 3. Low bidder: Snake River Construction, Inc., Twin Falls, Idaho - \$597,164.26.

ST-3110(612), key 6578 – US-95, Weiser River Bridge to Tamarack, Adams County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$911,096.66.

STKP-2567 and STKP-2569, keys 6720 and 6722 – Bald Mountain and Moscow Stockpiles, Idaho and Latah Counties, District 2. Low bidder: Quad-Cities Construction, Inc., Lewiston, Idaho - \$271,352.

STR-7231(609), key 7030 – I-15B, Sublette to Oak, Pocatello, Bannock County, District 5. Low bidder: Hunziker Construction Company, Pocatello, Idaho - \$296,435.05.

STKP-5586, STKP-5587, and STKP-5589, keys 6817, 6818, and 7275 – Downey, McCammon, and Pocatello Maintenance Yards, Bannock County, District 5. Low bidder: Bannock Paving Company A Company of Jack B. Parsons Companies, Pocatello, Idaho - \$296,550.

STKP-6741, 6744, 6745, 6746, 6742, and 6743, keys 6731, 6734, 6735, 6736, 6733, and 6732 – Ashton, Rigby, Idaho Falls, Sugar, Irwin, and Dubois Yards; Fremont, Jefferson, Madison, Bonneville, and Clark Counties; District 6. Low bidder: Gale Lim Construction, Inc., Blackfoot, Idaho. The low bid was more than ten percent over the engineer's estimate, requiring justification. The District reviewed the proposal of the lone bidder and recommended rejecting the bid and modifying the original bid proposal and readvertising.

10) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$947,683 in new and supplemental agreements between April 3 and May 13.

11) Financial Statement. The Board reviewed the Department's financial statement through April 30.

Board Items. Due to recent correspondence, including a petition, requesting a lower speed limit on US-26 in the Gooding area, Member Smith asked to revisit the policy for establishing speed limits. Member McHugh reiterated that Idaho Code states the speed limits should be based on engineering studies. He believes the Board should abide by that. Member McClure concurred.

Member Combo asked if this is to be applied on a case by case basis as petitions are received. Member McHugh believes it should be done that way. Vice Chairman Mitchell said different states handle speed limits differently. He suggested the Board members attending WASHTO next month discuss this with other Board and Commission members.

Member Miller made a motion, seconded by Member McClure, to base the established speed limits on engineering studies, including accident history, sight distance, vertical and horizontal curves, access points, and the 85th percentile speed, until there is an overwhelming reason to do otherwise on all requested changes to speed limits. The motion passed unopposed.

The Board recently received a letter from the Hagerman Highway District requesting consideration to add the Wendell to Hagerman route onto the state system. Following an earlier request, staff evaluated this route in 1990. Senior Transportation Planner Garry Young reported that the 1990 rating resulted in a score of 68. A rating was also completed at that time based on planned development in the area, which resulted in a score of 72. To his knowledge, that development never occurred.

Member Smith made a motion to direct staff to complete a preliminary evaluation of the Wendell to Hagerman route for consideration for addition to the state highway system, then to forward that report to the Board Subcommittee on Additions to and Deletions from the State Highway System. Member Combo seconded the motion and it passed unanimously.

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Vice Chairman Mitchell referenced a packet of information, including letters to the editor, received recently from an individual that had incorrect information. He asked how the Department should handle erroneous information and if the media determines if the information is factual before printing it. Member Miller does not think the untrue statements or articles misrepresenting the Department should be ignored.

Director Bower reported that he called Vaughn Peterson, who sent the packet of articles. Director Bower also sent him a copy of ITD's annual report. Public Information Officer Jeff Stratten reported that he contacted the paper to discuss the erroneous material and suggested the paper contact the Department before publishing such articles.

Chairman Winder suggested leaving this issue to the Director's discretion.

The flooding last year in District 5 created a heavier workload for staff, according to Member Miller. He believes the district is understaffed and will not be capable of handling the preliminary engineering, design work, and etc. for the projects that may be funded with the additional federal funds. He encouraged utilizing consultants, or for the Director and Chief Engineer to do what needs to be done to handle this workload. Member Smith believes other Districts are also facing this problem. He senses a reluctance to use consultants, and emphasized the need to get projects ready for construction.

CE Ross said staff is aware of the importance to get projects ready and to utilize consultants as needed. He is planning on approaching the legislature for additional staff for the work the additional federal funds will create. He added that District 3 uses consultants to design approximately 60% of its projects.

Member Combo concurred that the workload is a problem statewide. He asked if there is redundancy in reviewing projects. CE Ross stated that the process is being reviewed and should become more efficient.

Director's Items. Director Bower announced that Tom Baker, Materials Engineer, has been selected as the recipient of the Dr. Hewes Award. Mr. Baker will be recognized at the WASHTO meeting next month in Wyoming. The Board expressed its congratulations to Mr. Baker.

Over \$3 million in personnel expenses will be unspent this fiscal year, according to Director Bower. A later agenda item asks for Board approval to advance five projects from FY99 to utilize these funds.

Director Bower provided an update on Emergency Relief (ER) funds. Prior to the passage of the transportation bill, there were no additional ER funds available, however, numerous projects still need to be obligated. The city of Orofino has expressed concerns on funding for its Michigan Avenue project. Director Bower said Congress passed a discretionary funding bill recently which provides an additional \$23 million in obligation authority for ER funds. He does not believe this will cover all of the ER projects planned. He added that staff is working on another application for ER funds in Lewiston due to a slide on Snake River Avenue.

Director Bower was pleased to report that the Department received discretionary funds for the Mesa Falls project. He said Pat Raino was instrumental in preparing the application. The \$4 million discretionary funds will be combined with approximately \$3.5 million in forest highway funds to upgrade the entire section of the Mesa Falls road from SH-47 to US-20. Direct Federal will administer the project.

At a recent meeting with Governor Batt, Director Bower discussed items such as the direction ITD is headed, partnerships, and efficiency measures. The Governor was complimentary of the Department and particularly of its employees. Chairman Winder concurred that the Governor is pleased with the direction the Board and Department are headed and particularly with the efforts to be more efficient.

Director Bower recapped the TEA-21 information provided at the May 27 workshop. Idaho's funding increased approximately 62% from the previous bill, which was the 4<sup>th</sup> largest increase in the nation. He commended Senator Kempthorne and his staff for the excellent working relationship and great cooperation on this bill. The consensus of the Board was to send key players in the passage of TEA-21 a thank you letter for their efforts.

Director Bower distributed the annual pavement performance report. He believes the Board's commitment to improve the pavement condition is paying off. He thanked staff for its work preparing this document.

Information on the recent Hartgen report, from the University of North Carolina at Charlotte, was forwarded to the Governor. Idaho moved up to fourth place from fifth place in the report. Director Bower indicated the Governor was pleased with the improvements ITD made.

The Joint Finance and Appropriations Committee will review the Department's legislative audit on June 6 in Lewiston. The report has been embargoed.

Transportation Planning Administrator Ray Mickelson is retiring. Today is his last day. Director Bower congratulated TPA Mickelson and thanked him for all of his efforts at ITD. The Board also congratulated him and stated it has been a pleasure working with him.

Chief Engineer's Items. CE Ross presented the bid on the Overland Bridge project. Vice Chairman Mitchell made a motion, seconded by Member Miller, and passed unanimously, to approve the award of project STP-7592(101), key 5171 – Overland Bridge, Burley; Cassia and Minidoka Counties, District 4, to the low bidder: Harcon Inc., Spokane, Washington - \$6,850,070.80.

CE Ross announced the retirement of Monte Fiala, Chief of Highway Operations, effective the end of June, and DE5 Brent Frank's last day is today. He also announced that Marie Bishop has left ITD and JoAnn Moore is the acting Office of Highway Safety Manager.

Add Historical Marker Book Project into the FY1998 Enhancement Program of the FY1998-2002 Highway Program. The Office of Public Affairs is requesting the addition of a project to the FY1998 Enhancement Program. The project, the Historical Marker Book, would

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cost \$80,000 and staff is asking the Board to waive the requested 20% match on enhancement projects and allow 100% federal funding in order to minimize the use of state funds as match.

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 Transportation Department to  
TB98-35 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 Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Historical Marker book serves as a convenient reference guide for both Idahoans and out-of-state visitors; and

WHEREAS, the use of de-obligated enhancement funds from prior year projects provides a source of funds to reprint this book; and

WHEREAS, the addition of this project is shown in the May, 1998 98-3 Supplement to the approved Highway Program.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the addition of the Historical Marker Book project for a cost of \$80,000 with a federal share of 100 percent into FY1998 of the Enhancement Program; and

*BE IT FURTHER RESOLVED*, that staff is authorized to request an amendment to add this project to the FY1998-2000 Statewide Transportation Improvement Program in accordance with the provisions of the ISTEA of 1991.

District 4 Request to Delay Four FY1998 State (ST) Projects and Advance Five FY1999 ST Projects. Due to delays associated with local issues and signal design, key 5894, North 5 Points to Falls Avenue, Twin Falls; key 6925, Intersection 7<sup>th</sup> Street, Burley; and key 6926, Intersection 21<sup>st</sup> Street, Heyburn, will not be ready for obligation. Staff proposes delaying these projects to FY2000. Environmental issues regarding storm water disposal will also delay key 6595, Junction SH-24 to Junction US-26, Shoshone into FY1999.

To offset these delays, HPM Amick recommended advancing and increasing the following FY1999 projects: key 6087, Rupert to Minidoka to \$152,000; key 5493, Oakley to Burley to \$246,000; key 6782, Junction I-84 to Jerome to \$76,000; key 6933, Red Cap to Hansen to \$53,000; and key 6781, Valley Creek to Clayton Ranger Station to \$372,000. No overall increase in funding is required for the requested changes.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to  
TB98-36 accomplish a current, realistic, and fiscally constrained State (ST) Funded Highway Development Program; and

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

WHEREAS, District 4 has projects in FY1998 of the FY1998-2001 State Program which cannot be made ready to construct in FY1998 and has other State projects in latter years of the Program which can be advanced to offset these delays; and

WHEREAS, any of District 4's changes to FY1998 and FY1999 of the ST Program are shown in the Highway Development Program Supplement 98-3; and

WHEREAS, the projects delaying beyond FY1999 from the FY1998 year of the FY1998-2001 ST Program will be rescheduled in the 1999 update of the Highway Program in September, 1998.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the advance of keys 6087, 5493, 6782, 6933, and 6781 into FY1998 of the ST Program and the delay of keys 5894, 6925, 6926, and 6595 from FY1998 of the FY1998-2001 State Funded Program.

Highway Development Program Supplement 98-3. This supplement includes a current status of the Board's State-Funded Un-allocated Account; a project tracking changes summary which includes changes since October 1, 1997; an updated comparison of available funding compared to Board approved projects; Highway Development Program sheets annotated to reflect changes to the Highway Program; and a project obligations to date report showing how ITD utilized the \$52.9 million in Federal obligation authority provided by the Surface Transportation Extension Act. Additionally, \$3.34 million in FY1998 personnel cost savings have been identified and recommended transferred to the capital construction budget. To utilize these savings, the following projects are recommended for advancement into the FY1998 State Program based on project readiness: key 6931, SH-46, Johnson Hill to Junction US-20; key 6932, US-20, Fairfield East; key 6043, SH-3, Junction SH-97 to Swan Creek; key 6956, US-20, Oregon State Line to US-95; and key 6599, SH-33, East of Newdale to Canyon Creek.

Member Smith 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 Transportation Department to  
TB98-37 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

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WHEREAS, the Intermodal Surface Transportation Efficiency Act (ISTEA) of 1991 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 has received additional Federal Emergency Relief allocations of \$23.4 million in FY1998 to continue work on projects addressing the FY1996 and FY1997 flood events; and

WHEREAS, the changes in Supplement 98-3 to the FY1998-2002 Highway Development Program fully utilize the estimated FY1998 Federal Highway funding obligation authority of \$106 million; and

WHEREAS, the STEA of 1997 has provided a partial FY1998 formula obligation authority of \$52.9 million to continue the funding of the Federal Highway Program through April 30, 1998.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2002 Federal Highway Development Program itemized and explained in Highway Development Program Supplement 98-3, as shown in Exhibit 204, which is made a part hereof with like effect, and authorizes staff to make the appropriate changes to the FY1998-2000 Statewide Transportation Improvement Program in accordance with the provisions of the ISTEA of 1991 and STEA of 1997; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board approval of the State Funded and State Funded Restricted Programs is limited to fiscal years 1998 and 1999 as modified by Supplement 98-3.

Request for Consultant Services, NH-STP-84-1(038)0, Key 7147, District 3. The I-84 corridor study in the Treasure Valley is programmed in FY1998 for \$550,000 as consultant services. The project will study the current condition, operation, future needs, capacity and overall function of I-84 and parallel state highways through the Treasure Valley. It will also consider the impacts of local roads systems as well as alternate modes of transportation. The study will identify and establish a set of prioritized projects according to funding availability.

This study is a partnership between eight local entities with a cooperative agreement defining the roles and responsibilities of each agency. The state portion of the study is \$275,000 from the National Highway System with the remaining funds provided by local agencies from various sources. District 3 would administer the contract.

Member Smith made a motion, seconded by Member McClure, to approve the following resolution:

RES. NO.      WHEREAS, the I-84 corridor study is of regional importance; and  
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WHEREAS, ITD and local agencies have been seeking new methods to improve the transportation network in Ada and Canyon Counties; and

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WHEREAS, the growth in Ada and Canyon Counties has established the need for a rapid approach to solve system-wide transportation problems across multi-jurisdictional boundaries; and

WHEREAS, the use of consulting engineers is the most viable practice for studying the needs of the interstate as well as the traveling public's needs; and

WHEREAS, the surrounding state highways and local roads are directly impacted by the increased traffic within a corridor bounded by State Highway 44 on the north and Lake Hazel Road on the south; and

WHEREAS, ITD staff will negotiate with the highest ranked firm selected through the qualification based selection process.

*NOW THEREFORE BE IT RESOLVED*, that ITD staff is authorized to negotiate and contract consultant assistance to perform the corridor study as requested by District 3 and the participating local agencies.

Member Smith questioned the process for approving the use of consultants. Staff is identifying funding for preliminary engineering by consultants in the STIP. He asked if the Board approves the use of the consultants when the STIP is approved. Although that would be one way to expedite the process, he believes the Board needs to be kept apprised of consultant use. Member McClure said if the dollar amount for consultant use is outlined in the STIP, he does not believe the Board needs to approve the use of the consultant again. He suggested, however, that the Board be informed of the use and cost of consultants. The consensus of the Board was to have staff review the consultant process, particularly the Board's role, and revisit Board Policy B-06-08, Professional Services Agreements.

The motion passed unanimously.

Disposal of Highway Right-of-Way – Potlatch Point near Coeur d'Alene, District 1. The District has received and reviewed a proposal from the Hagadone Corporation for a trade of properties of equal or greater value in exchange for the two parcels of surplus highway right of way in the Potlatch Point vicinity just east of Coeur d'Alene that have been approved for disposal, according to DE Scott Stokes. Hagadone Corporation representative Don Barlow elaborated on the proposal, which included an option of either of two potential rock quarry sites, which would likely provide good quality basalt rock for aggregate production on highway construction and maintenance projects. He distributed a draft conditional exchange agreement.

Member Combo expressed concern with trading scenic land for a gravel site and questioned the extent to which a public entity obtaining the land has been explored. Secretary to the Board Higgins reported that 45 Coeur d'Alene-area residents have either called the Director's Office or written to oppose the disposal of this property to a private industry. They believe this land should remain under public domain. Two calls have been received in support of trading the parcels to Hagadone Corporation.

Chairman Winder questioned the impact to Hagadone Corporation if one of the parcels were retained under public ownership. Mr. Barlow stated the corporation made plans under the assumption it could acquire the land. He added that the parcels should be on the tax roll and the corporation would like to manage the land.

In response to the Department of Parks and Recreation's opinion on this issue, DE Stokes said Parks and Recreation has indicated it does not want ITD to dispose of the property. It would like this property held in public ownership and eventually expand the trail. He added that Parks and Recreation does not have an interest in buying the parcels, however, he has not had communication with that Department since it was learned that the parcels are smaller than originally thought; therefore not as expensive to purchase.

Member Smith made a motion to table this item until July. He would like Legals' review of the issue, and staff to review the access, the Department of Parks and Recreation's interest, and retaining one of the parcels in public domain. Member Combo seconded the motion and it passed unopposed.

Equitable User Fees/Weight Distance Tax. Due to concerns with the current motor carrier user fees expressed by the Idaho Motor Transport Association in a March 1998 letter, last month the Board asked for a review of equitable user fees and specifically the weight distance tax. SB Higgins reported that a presentation will be given at the July Board meeting on the weight distance tax, the American Trucking Association lawsuit, and the Cost Allocation Study. If the Board would like a more in-depth review of the current Idaho motor carrier tax structure and alternatives for the replacement of the current system, a task force could be established.

In reviewing a possible make-up of task force members, Member Smith encouraged a smaller group. He suggested having representation from other state agencies, but not included as members, and possibly one local representative from LHTAC. He added that all of the trucking areas should be represented, such as interstate and intrastate truckers.

Member Miller made a motion if the Board desires to develop information and define objectives and establish a task force, to keep the members to a minimum and to work with the local entities and trucking industry on representation. Member Smith seconded the motion and it passed unopposed.

FY1999 Out-of-State Travel and FY2000-2005 Capital Facilities Budget. The revised FY1999 out-of-state travel requests were reviewed at the May 27 workshop, along with the FY2000-2005 capital facilities program.

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

RES. NO. WHEREAS, the Budget Council has approved the Idaho Transportation  
TB98-39 Department's revised FY1999 out-of-state travel requests; and

WHEREAS, the Budget Council has approved the Department's FY2000 capital facilities program.

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*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board does hereby approve the revised FY1999 out-of-state travel requests and the FY2000 capital facilities program as presented.

The consensus of the Board was to have staff continue developing the budget based on the presentation at the workshop. Some discussion was held on establishing a revolving fund for corridor preservation. Staff was directed to pursue a revolving fund for corridor preservation; report on what can be done with current legislation; and what additional legislation would enable.

Western Construction & Logging. Western Construction & Logging has filed an appeal with the Transportation Board. The company is seeking relief from the assessment of liquidated damages, \$7,500, prejudgment interest of \$1,250, and claims consultant fees of \$3,000 for a total of \$11,750. CE Ross denied the claim.

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

RES. NO.      WHEREAS, Western Construction & Logging was awarded a construction  
TB98-40      contract in District 2, known as project No. ER-4200(112), key 6365; and

WHEREAS, said contract had a fixed completion date of October 18, 1996; and

WHEREAS, Western Construction & Logging was late in completing the work under the contract; and

WHEREAS, the Transportation Department assessed liquidated damages against Western Construction & Logging; and

WHEREAS, Western Construction & Logging had appealed the assessment of liquidated damages to the Idaho Transportation Board.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorizes staff to resolve this dispute in the most expeditious manner possible.

Presentation – Greg Smith, Idaho Consulting International, Employee Survey. Mr. Smith reported that overall job satisfaction is high at ITD. Compared to the 1991 survey, improvements appear to have been made in the equipment, discrimination, workspace and environment. Identified concerns related to a perceived lack of verbal communication from management, fairness in merit pay, promotions, career opportunities, and performance appraisals, and training opportunities.

Chairman Winder thanked Mr. Smith for the report. He also expressed the Board's appreciation to the employees for participating in the survey. The input will be taken under advisement.

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Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 12 noon, Vice Chairman Mitchell made a motion, seconded by Member McClure, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

The Board came out of executive session at 2 PM. No decisions were made.

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

RES. NO. WHEREAS, the Idaho Transportation Department has filed a condemnation  
TB98-41 action on parcel #036955 on federal aid project STP-F-3271(033); and

WHEREAS, the Department has obtained an appraisal of the property indicating just compensation at \$460,000; and

WHEREAS, there may be other damages to the property that can be cured by making certain improvements to the highway.

*NOW THEREFORE BE IT RESOLVED*, that the Transportation Board authorizes staff to offer the property owner \$460,000 as just compensation plus prejudgment interest and costs and attorney fees incurred to date; and

*BE IT FURTHER RESOLVED*, that staff is to work with the Director on arriving at an appropriate dollar amount for improvements to the highway that will cure the other damages.

Boise State University (BSU) Internship Program. Gary Sanderson, Planning Services Manager, provided a brief history of this program and summarized the various projects and activities being performed by the current interns. The proposed FY99 agreement reflects an increase of \$12,200 from the previous year. The Legislature approved pay increases for state employees, impacting the salaries of a BSU faculty coordinator and BSU secretary who administer this program. Secondly, staff is requesting the addition of one intern position to support the Geographic Information Systems. Another proposed change is to incorporate a two-year agreement.

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

RES. NO. WHEREAS, the Boise State University (BSU) Internship Program has been  
TB98-42 beneficial to the Idaho Transportation Department, BSU, and the interns since 1980; and

WHEREAS, the BSU-ITD Internship Program is already successfully supporting the sections of Construction, Design, Planning Services, Highway Programming, and Traffic Survey and Analysis; and

WHEREAS, funds for this program for FY1999 and FY2000 will be provided by federal-aid State Planning and Research funds and state matching funds, which have an 80-20 matching ratio.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves \$201,700 for the FY1999 BSU-ITD Intern Contract Agreement and \$202,800 for the FY2000 BSU-ITD Intern Contract Agreement.

Chairman Winder believes the internship program is a big success and supports this program.

Delegation – Washington Water Power. One of Washington Water Power Energy Services' goals is to help businesses and individuals save money by managing energy resources more efficiently by providing information, financial assistance, and services. Neil Colwell and John Dunlop provided an overview on new technologies being developed in the transportation arena. One method, the light emitting diode (LED) traffic lights, is more visible and more cost effective. Mr. Dunlop said these lights are also safer because they don't burn out all at once like the incandescent. The LEDs begin to dim over prolonged use and can be spotted and repaired before there is a complete outage. The initial cost of the LED is higher than the typical incandescent. However, LEDs have an increased life span, reduced maintenance costs, 60% power use reduction, and a pay back time of three and a half years.

In conclusion Mr. Colwell thanked the Board for its time and stated Washington Water Power will continue working with ITD staff on testing the LED.

The Board members thanked Messers. Colwell and Dunlop for the presentation.

Member Miller left the meeting at this time.

Delegation – Simco Road Association. Jim Porter, JUB Engineers, representing the Simco Road Association, outlined several options to reconstruct Simco Road. At this time, the Association does not have a preferred alternative, however, it would like the project built fairly soon; it wants to keep the costs down; and the project would be completed in accordance with federal standards. Eventually, the Association would like to relinquish this route to the state. Mr. Porter realizes the local entity needs to consider adding mileage from the state's system onto its system. In order to receive federal funding, the project needs to be requested by the Mountain Home Highway District and included in the STIP.

Mr. Porter wanted to inform the Board of this proposed project and hopes to present a specific proposal to the Board soon, including a funding commitment from the Association. It is the Association's desire to start construction by spring of 1999. He concluded by thanking the Board for its time and encouraged it to consider this public/private partnership which includes innovative financing.

The Board asked staff to do a preliminary evaluation of Simco Road for possible inclusion on the state highway system.

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Delegation – Glenns Ferry Highway District. According to the Highway District's consultant, Jim Porter, Stage I of the Pine Road project is programmed in FY98 for \$1.52 million. Because of last year's flood, the design of the project was modified. This factor plus additional costs for construction surveying and field laboratory resulted in a cost increase of approximately \$2 million. The project is ready for advertisement.

Mr. Porter reported that the Pine Road Stage II project is not in the current Highway Development Program, however, it is designed and ready for plans, specifications, and estimates review. This project is estimated at \$3.2 million. He requested additional funding for Stage I and to advance Stage II. He added that the Glenns Ferry Highway District has the matching funds for both projects.

In response to whether Forest Highway funds have been applied for, Mr. Porter responded yes. Although funds were denied for Stage I, he intends to seek funds for Stage II. Mr. Haynes added that the Tri-Agency Group is meeting on June 8 and will look at parameters for calling for projects.

The Board thanked Mr. Porter for the presentation. Staff was directed to review project priorities and to consider funding options for both Stage I and Stage II.

Delegation – Dale Riedesel. Mr. Riedesel appeared before the Board representing the City of Buhl, the Buhl Highway District, and the Wendell Highway District. He requested trading \$270,000 in federal aid funds for state unallocated funds to develop a corridor environmental study from Buhl to Wendell. The local jurisdictions have the funds. All involved local entities have signed a memorandum of understanding (MOU) for the extension of SH-46. This trade would enable the local entities to proceed on the project as outlined in the MOU.

The Board directed staff to review funding options for this study and prepare a recommendation for the Board's consideration. Mr. Haynes expressed a desire to work with staff on this issue.

Old/New Business. Staff is still working with the City of Pierce on its request for handicap curb access, according to Vice Chairman Mitchell.

The Board set June 30 as a tentative date for a STIP workshop.

WHEREUPON, the regular monthly Board meeting and tour of District 3 officially adjourned at 4:25 PM.

Read and Approved  
June 19, 1998  
Idaho Falls, Idaho

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signed  
CHARLES L. WINDER, Chairman  
Idaho Transportation Board

June 18, 1998

## REGULAR MEETING AND DISTRICT 6 TOUR OF THE IDAHO TRANSPORTATION BOARD

June 18-19, 1998

The regular session of the Idaho Transportation Board meeting convened at 9 AM, on Thursday, June 18, at the Arco Airport. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member – District 1  
Monte C. McClure, Member – District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member - District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer  
Jim Richard, District 6 Engineer  
Ed Bala, Assistant District 6 Engineer  
Jack Coe, Division Administrator – Federal Highway Administration

The group departed Arco via US-20/26 east in a liquefied natural gas (LNG) bus provided by the Idaho National Engineering and Environmental Laboratory (INEEL). Ted Thomas explained INEEL's LNG program. He added that INEEL also has a number of compressed natural gas buses in its fleet. At Experimental Breeder Reactor 1 (EBR-1), the world's first nuclear power plant, Don Miley, Tour Director, INEEL, provided a history and overview of the site.

From EBR-1, the Board traveled to the Radioactive Waste Management Complex. The facility has two operating areas. The subsurface disposal area is an 88-acre area containing an active shallow-land-burial area for the permanent disposal of solid, low-level waste. Jerry Gilman also reported that Pit 9 is a remediation site, where radioactive and chemically hazardous waste will be cleaned up. The next site, the transuranic storage area, is a 56-acre area dedicated to storage of contact- and remote-handled solid transuranic waste. Transuranic waste is contaminated with radioactive elements heavier than uranium. Mr. Gilmore briefed the Board on the planned shipments of transuranic waste to the Waste Isolation Pilot Plant in New Mexico. Current plans are to haul the casks via highway. He emphasized the safety precautions when transporting waste, as well as observed at the site.

Max Ruska, manager of transportation and shipping, reported that INEEL has an excellent working relationship with the Transportation Department on items such as obtaining permits, road closures, and maintenance. He said the trucks are weighed at the site to ensure safe and legal loads. The group viewed the US-20/26 overpass, constructed in the early 1990s, which Assistant District Engineer Ed Bala said was an excellent partnership project between INEEL and ITD.

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Basil Barna explained the composite bridge project which FHWA and the Department of Energy are partnering on. The bridge is constantly collecting data at the site. Jerry Lyle Assistant Manager, Office of Program Execution, Department of Energy, provided an overview of INEEL and its long-range plan. Dr. Clay Nichols, Senior Scientist, DOE, reported on the cooperative effort with national parks on transportation issues, particularly mass transit and utilizing compressed natural gas buses.

Lew Powell led the group on a tour of the Advanced Test Reactor (ATR) facility. The ATR was originally designed to study the effects of intense radiation on reactor material samples, especially fuels. It now has a second mission, the production of isotopes, which are used in medical, industrial, agricultural, environment, and research activities.

Alan Robb led a tour of the Idaho Nuclear Technology and Engineering Center. He explained the plans for dry storage of foreign research reactor fuel and its shipments. The site will be receiving 3 shipments from Korea. Plans are for the shipments to arrive at the site via railroad.

The Board departed the INEEL site on SH-33. After a brief stop at the Sage Junction Port of Entry to observe its operations and visit with employees, the group traveled to Idaho Falls via I-15.

WHEREUPON the meeting recessed at 5:45 PM.

## ***June 19, 1998***

The Transportation Board meeting reconvened at 7 AM at the Shilo Inn, Idaho Falls. All members were present. After a breakfast meeting with the Association of Idaho Cities' (AIC) Board of Directors, the Board attended a general session of the AIC's annual conference. Chairman Winder and Director Bower spoke at the session, focusing on the importance of planning cooperatively on transportation issues and the Transportation Equity Act for the 21<sup>st</sup> Century.

At 10 AM the meeting resumed at the Idaho Falls City Council Chambers, City Electric Building, Idaho Falls.

May 27-29, 1998 Board Minutes. Member Combo made a motion, seconded by Member McClure, to approve the minutes of the Board meeting held on May 27-29, 1998, as submitted. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
July 16-17, 1998 – District 4  
August 20-21, 1998 – District 1  
September 16-18, 1998 - Boise  
October 8-9, 1998 – District 5

July 16, 1998

November 19-20, 1998 - Boise

Invited Speaker – Al Hoskins, Lockheed Martin’s Department Manager for INEEL Spent Nuclear Fuel Program. INEEL is planning to receive three cask shipments this year via railroad from a west coast port. The shipping casks survive rigorous testing completely intact. Annual training is provided to the various entities along the route who would respond to an accident involving radioactive materials. Mr. Hoskins emphasized that INEEL works closely with the agencies along the route.

The Board thanked Mr. Hoskins for the informative presentation.

Board Items. Member Miller expressed pleasure with the “Newsline”, a quarterly newsletter published by the Division of Motor Vehicles. Member Miller said the brochure had a lot of valuable information and is user-friendly.

Next month, the Board is scheduled to revisit the disposal of property near Coeur d’Alene that the Hagadone Corporation is interested in trading for potential rock quarry sites. Member McHugh stated his desire to resolve this issue in July.

Canyon County and the cities of Nampa and Caldwell agree that the best location for a new interchange on I-84 should be at Karcher Road, according to Member McClure. He stated, however, that the highway district officials believe the interchange should be located at Middleton Road. Currently, the Highway Development Program includes a Karcher interchange project in Preliminary Development. Member McClure asked if there is Board support for an interchange at the Karcher Road location.

Director Bower believes the Board’s decision to place the Karcher Interchange project in the Program is supportive of the project at that location.

Member Smith made a motion authorizing the Chairman to send the local officials in Canyon County a letter on behalf of the Board in support of the Karcher Interchange project. Member Combo seconded the motion and it passed unopposed.

Director’s Items. Staff is planning a meeting in September with the House and Senate Transportation Committee leaders regarding TEA-21. The meeting will focus on the funding, projects, and staffing needs as a result of the transportation bill. The Joint Finance and Appropriations Committee requested a meeting this fall on TEA-21. Vice Chairman Mitchell suggested inviting the senior minority member from both the House and Senate Transportation Committees to the meeting with the chairmen and vice chairmen.

Last month staff explained a new recommended option for the McCall alternate route project. Director Bower would like the Board to make a final decision on the alignment this fall. Member Smith believes the city’s Deinhard Lane, intersection SH-55 to Boystun, project would provide a good alternative route in the interim and questioned providing additional funds for that project. The current Highway Development Program includes \$4,367,000 in fiscal year 2002 for the Deinhard-Boystun project. Member McClure reported the city is having difficulty acquiring

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right-of-way because the alignment had to be changed due to the close proximity of the airport. He believes the city is in debt and questioned its ability to provide the matching funds.

Vice Chairman Mitchell suggested obtaining the city's plans for Deinhard Lane. The consensus of the Board was to have the city of McCall provide information and plans on the Deinhard Lane to Boystun project for the Board's review in September. At the November meeting, the Board will revisit the McCall alternate route project.

A Department employee, who has a master's degree in analyzing statistics, has requested the raw data on the employee survey, according to Director Bower. Because of his background, this employee would be willing to analyze the data for the Board. Chairman Winder suggested waiting with a decision until the Board has had an opportunity to review all of the written comments. Member Smith thought another analysis may be beneficial. Because Vice Chairman Mitchell had other items relating to the survey to discuss during executive session, he recommended continuing this discussion in executive session under personnel items. The Board concurred.

Staff developed new draft program sheets for the Interstate Maintenance, a combined National Highway System and Surface Transportation Program, and Demonstration Programs. Director Bower distributed these sheets along with a district target balance summary. These sheets were developed based on direction from the May workshop to program the Demonstration projects to fully accomplish the project; advance those projects from the list that could be made ready to use the additional funding in FY1998-2000; restore those projects that had been significantly delayed in the draft program; and to move projects from the State Restricted Program to the federal program to provide sufficient state match for the federal program. Director Bower asked the Board to review the draft programs and submit comments prior to the June 30 workshop. He added that the technical corrections bill has not passed Congress yet, but staff prepared the program sheets under the assumption that it will pass.

Director Bower has received several phone calls regarding the King Hill Bridge project, under Glenns Ferry Highway District's jurisdiction in District 3. The calls questioned the cost of the project and why the Department is replacing the bridge at that location with the low average daily traffic count. The project was originally programmed for \$300,000, but is now at \$1.7 million, according to Director Bower.

Joe Haynes, Executive Director, Local Highway Technical Assistance Council, provided background information on the King Hill Bridge project. In the early 1990s, ITD crews performed an underwater inspection of the bridge and discovered erosion under the piers. The load capacity of the bridge was questioned and a recommendation made to close the bridge. The highway district applied for bridge replacement funds and a location study was performed to determine the best site for the bridge. Mr. Haynes believes the initial funding was for the location study. Due to railroad tracks, at-grade crossings, and irrigation structures, it was decided to construct the bridge at the original location. The design has been completed and the project is ready for plans, specifications, and estimates, then advertisement.

Earlier, Member McClure questioned this bridge project scheduled for a low average daily traffic route. Because the locals have spent their funds for this project and the project is almost ready to advertise, he believes the project should remain in the Program.

Delegation – Gary Rose, Idaho Traffic Safety Commission. Mr. Rose thanked the Board for the opportunity to update it on the activities of the Traffic Safety Commission. He then asked the members to observe a moment of silence in remembrance of Idaho State Police Officer Linda Huff who was shot and killed in the line of duty Wednesday night in Coeur d'Alene.

The Commission met recently to review the highway safety grants for next year. Consideration was given to purchase measuring devices for officers to use when collecting accident data. The device measures distances, such as skid marks, electronically, rather than having the officers physically measure marks on the highway. The measuring device significantly reduces the amount of time required to collect accident information, allowing the officers to return to patrolling the highways a lot sooner.

When considering funding applications, the Commission is looking at a community's willingness to provide matching funds. Mr. Rose believes community's need to buy into the project and help more. Some of the projects he mentioned were the safe graduation parties, child safety, including restraints and bicycle helmets, and Emergency Medical Services (EMS). Because of the high number of volunteers involved in EMS and the rural nature of Idaho, the EMS program is a high priority.

In closing, Mr. Rose commended the acting Highway Safety Manager, JoAnn Moore, and the office's staff for its work and assistance. The employees are professional and provide the necessary information to the Commission.

The Board thanked Mr. Rose for the update on the Traffic Safety Commission and for his service to the Commission.

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves  
TB98-43 the appointments to the Public Transportation Advisory Council and the Regional Public Transportation Advisory Committees; the FY1999 Strategic Plan Summary submittal; the 2005 Statewide Rural Functional Classification System Update; and the request for consultant services, US-95, District 2; and has received and reviewed the preliminary analysis of STC 1703/STC 1701 in Oneida County, District 5; appraising at future, higher value; the contract awards; the new and supplemental professional agreements report; and the summary of legal cases.

1) Appointments to the Public Transportation Advisory Council (PTAC) and the Regional Public Transportation Advisory Committees (RPTAC). Jerry Schutz was re-appointed to the PTAC, with a term to expire June 2004. The following were reappointed to the respective RPTACs through June 2001: Ken Korczyk and George Bloomsburg, District 1; Elwin Grout and Monte Munn, District 3; Lynn Hughes, District 4; Sister Anthony Marie Greving, District 5; and

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Ken Myers and Gary Lambson, District 6. New appointments include Johnna McClure to the District 2 RPTAC and Terry Hawley to the District 5 RPTAC. Both terms expire June 2001. The appointment of Bill Staker to the District 3 RPTAC will expire June 1999, to bring back into sequence the expiration of committee member appointments on a three-year cycle.

2) The FY1999 Strategic Plan Summary Submittal. Idaho Code requires the administrative head of each state agency to submit to the Division of Financial Management (DFM) by July 1, a strategic plan for program activities. Last year DFM agreed to a summary format for the Department's strategic plan. The full FY1999 Strategic Plan will be available for distribution on October 1.

3) 2005 Statewide Rural Functional Classification System Update. In accordance with Board Policy B-09-02, an updated functional classification map of the state highway system is to be presented to the Board for approval. No changes were recommended to the map.

4) Request for Consultant Services, District 2. Staff is requesting to solicit for consultant services for the US-95, Electrical Substation to Benewah County Line project, currently programmed for construction in 2002 at \$4.5 million. The consultant would study the concept options and alternatives and provide a recommendation of preferred alternatives for the concept. After concept approval, the consultant shall provide full project development for construction. The major activities for the consultant shall be field survey; materials reports; environmental permits and studies; all other permits required; design from concept to plans, specifications, and estimates; right-of-way development; utilities; and the plans, specifications and estimates package. Consultant project development fees are expected to cost \$500,000.

5) Preliminary Analysis of STC 1703/STC 1701 in Oneida County, District 5. Staff performed a preliminary evaluation of the Oneida County road from the Power County line south to the Utah state line for possible addition to the state highway system. The route received a rating of 36, with a minimum rating of 70 required for consideration as a state highway. The route scored low primarily because of the low average annual daily traffic and the low vehicle miles of travel index.

6) Appraising at Future, Higher Value. When appraising property, one of the first and foremost items that the appraiser must consider is the highest and best use. This is the reasonably probable and legal use of property, which is physically possible, appropriately supported, financially feasible, and that results in the highest value, as defined in the Uniform Standards of Professional Appraisal Practice. The appraiser within this highest and best use definition and standards must consider potential future uses as long as they are reasonably probable and supportable. Additionally, the Uniform Appraisal Standards for Federal Land Acquisitions states under established law the criterion for just compensation is the fair market value of the property at the time of taking.

7) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

ST-7386(602), key 6928 – Broadway, Yellowstone to Snake River Bridge, I-15B, Idaho Falls, Bonneville County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$356,869.

ST-2390(681), key 7256 – SH-75, Salmon River Bank Protection, Custer County, District 6. Low bidder: Tupper Construction, Inc., Challis, Idaho - \$72,165.

8) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$878,950 in new and supplemental agreements between May 14 and June 4.

9) Summary of Pending Legal Cases.

Financial Statement. Member McHugh questioned the revenue and expenditures for the Highway Safety fund. It appears the expenditures are lower than normal and the cash balance is high. Director Bower stated this is a reimbursable program. Because of the uncertainty of the amount that would be available in the new transportation bill, he believes the Department reduced the amount of grants, resulting in lower expenditures. However, he said he would look into the figures for the Highway Safety fund.

Member McHugh made a motion to approve the Department's financial statement through May 31. Vice Chairman Mitchell seconded the motion and it passed unanimously.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. At 1:35 PM, Vice Chairman Mitchell made a motion, seconded by Member Smith, to meet in executive session to discuss personnel issues. The motion passed unanimously.

The Board came out of executive session at 2:20 PM. No decisions were made.

Contract Awards. CE Ross reported that S.A. Gonzales is the apparent low bidder on the US-95, North Bonners Ferry to Jct. US-2 project, however, the contractor has submitted a letter requesting withdrawal of the bid due to an irregularity. Staff is in the process of reviewing the issue and preparing a determination on the low bid. CE Ross recommended awarding the bid to the second lowest bidder.

Member Smith made a motion to approve the contract award of NH-F-5116(026), key 713 – North Bonners Ferry to Junction US-2, US-95, Boundary County, District 1, to the second lowest bidder: Kiewit Pacific Company, Vancouver, Washington - \$13,901,192.95; and for staff to pursue S.A. Gonzales Construction, Inc.'s bond, if appropriate. Member Miller seconded the motion.

Member McClure questioned awarding the project to the second low bidder before staff's review and determination on the apparent low bidder. CE Ross restated S.A. Gonzales' request to withdraw the bid and said if staff makes a determination of irregularity, staff will ask for forfeiture of the bond, if appropriate. Deputy Attorney General Patrick Fanning said if the bid was irregular, the bond would not be forfeited. If staff determines it was a regular, responsive

bid, then the bond would be in question. Staff needs to review and analyze the issue. Director Bower suggested following the appropriate sequence; if the bid is withdrawn and the contractor won't sign the contract, staff will determine what to do with the bond and then proceed to the second low bidder.

Member Smith withdrew his motion with the concurrence of the second, Member Miller.

Member McHugh made a motion to pursue awarding the contract for NH-F-5116(026), key 713 – North Bonners Ferry to Junction US-2, US-95, to the low bidder: S.A. Gonzales Construction, Inc., - \$10,631,889.57, and if the contractor refuses to sign the contract, staff is to follow the proper procedures with S.A. Gonzales, and if the matter cannot be resolved, to award the contract to the second low bidder, Kiewit Pacific Company. Member Smith seconded the motion and it passed unopposed.

The low bid on project STR-5110(632), key 6453, was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was based on the Average Unit Price Report and another bridge deck rehabilitation project in District 1 earlier this year. The major price differences are in the bridge items, class 'A' deck removal and concrete overlay. There are a limited number of contractors bidding this type of work in the area. The deck rehabilitation projects in northern Idaho must be constructed in a limited work window because of temperature requirements for silica fume or latex concrete. Because the District intends to let more deck rehabilitation contracts next summer, there is little potential for savings through delaying the project to next year for re-advertisement.

Member Miller made a motion to approve the award of STR-5110(632), key 6453 – Deep Creek Bridge Deck Rehabilitation, Boundary County, District 1 to the low bidder: Concrete Barrier Inc., Everett, Washington - \$858,993.50 at 45 days. Member McHugh seconded the motion and it passed unopposed.

The low bid on project ER-3904(100), key 6875 was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was based on the Average Unit Price Report with adjustments for local conditions. The major differences between the engineer's estimate and the low bidder were in three bid items: 301-A, granular subbase; 405 A-6, plant mix pavement; and 629-A mobilization. The higher material costs are the result of a remote work site. This Emergency Relief project has a construction window that is limited by the environmental permits. Should this contract not be awarded in a timely manner, the contractor would have to wait until July of 1999 to perform the slope cleanup and reinforcement work in Trail Creek, due to restrictions imposed by the Department of Fish and Game. A one-year delay in the project's construction is unacceptable as the already failed slope continues to move, undermining the remaining roadway section.

Member McHugh made a motion to approve the award of ER-3904(100), key 6875 – Warm Lake Road, Valley County, District 3 to the low bidder: Haile Laser Leveling, Parma, Idaho - \$527,352.09. Member Combo seconded the motion and it passed unopposed.

Request for Consultant Services, District 3. Staff is requesting to use Centennial Engineering to provide continued design assistance to take the I-84, Wye Interchange, Stage 1

project, key 2520, through plans, specifications, and estimates. Centennial Engineering is currently providing design assistance to take this project to completion, designing the lighting, and providing the traffic control plans. The additional consultant work is estimated at \$200,000.

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

RES. NO. WHEREAS, the I-84, Wye Interchange is of regional and statewide importance;  
TB98-44 and

WHEREAS, the Idaho Transportation Department, District 3, has identified a need for additional consultant assistance in order to insure that the Wye Interchange, Stage 1 project is constructed on time; and

WHEREAS, the Idaho Transportation Board recognizes that the current workload by all Districts restrict the use of internal ITD staff to fully design this project; and

WHEREAS, the Idaho Transportation Board acknowledges that the use of consultants for this project will be a good use of state resources.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves and authorizes staff to negotiate with Centennial Engineering to assist state designers in taking the design of the Wye Interchange, Stage 1 to PS&E.

Right-of-Way Negotiations, District 5. Retsel Corporation has requested an 84-foot commercial approach (40-foot each side of a 4-foot divider) on US-30 near McCammon. This is an existing 40-foot approach at Station 71+36.35 Rt in a partial control of access. Due to various combinations of trucks and trailers, the standard 40-foot approach will not allow proper turns without the trailers off-tracking into the borrow ditch. Trucks can make the turn by encroaching into the opposing lane of travel, which produces a dangerous situation. Staff is in the process of updating the Right-of-Way Use Policy to allow larger approaches for industrial and commercial sites that have the large truck and trailer combinations.

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

RES. NO. WHEREAS, Retsel Corporation has requested an 84-foot commercial approach  
TB98-45 on US-30 near McCammon for a Truck Tire Service Business; and

WHEREAS, the Traffic Section realizes the need for wider approaches for large truck and trailer combinations and is in the process of updating the Right-of-Way Use Policy; and

WHEREAS, other states have accommodated large truck and trailer combinations by allowing wider approaches.

*NOW THEREFORE BE IT RESOLVED*, that an 84-foot approach will be granted if constructed in accordance with the attached drawing, and this approach at

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station 71+36.35 Rt. will be exchanged for the existing 40-foot approach at station 71+36.35 Rt.

Member Miller asked if it is necessary to include a center divider in the 84-foot approach. CE Ross believes the median would help distinguish between the entrance and exit, however, a painted median may be as efficient as a raised median. He stated that staff will consider that option as it continues to update the Right-of-Way Use Policy.

The motion passed unanimously.

Selection of CH2M Hill as Consultant for SH-75 Location Study, District 4. District 4 has been working with the Blaine County Transportation Committee on the selection of a consultant to undertake the location study on SH-75 in the Big Wood River Valley. The committee and staff endorse CH2M Hill to do the work when funding becomes available July 1.

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

RES. NO. WHEREAS, the Idaho Transportation Board approved the use of un-allocated  
TB98-46 funds for the completion of a Location Study on SH-75 in Blaine County; and

WHEREAS, the District has been actively involved with the local Blaine County Transportation Committee in the selection of a consultant to complete this project; and

WHEREAS, the District supports the decision made by the local committee to retain CH2M Hill as being the best choice to complete this work.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the selection of CH2M Hill as the consultant to complete the SH-75 Location Study, Project No. ST-2390(123), key number 7261.

Add Project to Convert the Federal Aid Accounts Receivable Billing System (FAARS) to be Year 2000 Compatible to the FY1998-2002 Federal Highway Development Program. Staff is proposing to add a project to the FY1998 Surface Transportation Program – State to convert the Federal Aid Accounts Receivable Billing System to be year 2000 compatible. Funding for the project is available through the use of de-obligated funds from prior year project savings. The proposed project would cost \$140,000 with a federal share of \$129,588. The project is anticipated to be completed by July of 1999.

Member Smith 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 Transportation Department to  
TB98-47 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

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WHEREAS, Title 23, Section 135 of United States Code requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program; and

WHEREAS, the solution to the year 2000 FAARS billing is essential to the smooth and timely operation of the Department; and

WHEREAS, the use of de-obligated funds from prior year projects provides a source of funds to fund this contract activity; and

WHEREAS, the addition of this project will be shown in the July, 1998 98-4 supplement to the approved Highway Program.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the addition of the FAARS Year 2000 project for a cost of \$140,000 with a federal share of 92.75 percent into the FY1998 STP-State Program; and

*BE IT FURTHER RESOLVED*, that staff is authorized to request an amendment to add this project to the FY1998-2000 Statewide Transportation Improvement Program in accordance with the provisions of Title 23, Section 135 of United States Code.

End of State Fiscal Year 1998 Adjustments to the State (ST) and State Restricted (STR) Program Based on Readiness and Additional Savings in ST and STR. Available funding in the amount of \$6,527,000 for new projects and increased costs remains in the FY1998 STR Program. The funds are available from savings in unused prior year STR encumbrances, scheduled preliminary engineering and right of way that will not be obligated by the close of the state fiscal year, and current year contract savings. Additionally, several FY1998 STR projects will not be ready to encumber state funds and will need to be delayed to FY1999.

In the ST Program, \$1,840,000 is available for new projects and increased costs in FY1998. These funds are from scheduled preliminary engineering and right of way that will not be obligated this fiscal year and from current year contract savings. Also, several FY1998 ST projects will not be ready to encumber state funds and will need to be delayed into FY1999.

Member Smith 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 Transportation Department to  
TB98-48      accomplish a current, realistic, and fiscally constrained state funded Highway  
Development Program; and

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

WHEREAS, savings, unused preliminary engineering and right of way, and delayed projects in FY1998 have increased funding available for advancing

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projects and for cost increases on projects in the State (ST) and State Restricted (STR) Programs.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board concurs with the decision of the Director, per the attached memo, to advance key numbers 6627, 7022, 6639, 7025, 6647, 6935, and 6788 into FY1998 of the STR Program and to delay key numbers 7155, 7457, 6506, 6620, 6461, and 6462 from FY1998 to FY1999 of the STR Program; and

**BE IT FURTHER RESOLVED, that the Idaho Transportation Board concurs with the decision of the Director, per the attached memo, to advance key numbers 7300, 7302, 7307, 6935, 6936, 6789, 6786, 6689, 6698, and 6695 of the ST Program and to delay key numbers 6923 and 6200 from FY1998 to FY1999 of the ST Program in the FY1998-2001 State Funded Program.**

Increased Truck Weight Impact and Differential Speed Limit Projects. The Idaho Legislature recently passed a bill allowing increased truck weights on specified state highways as a pilot project. Additionally, the bill sets a maximum speed limit of 65 miles per hour on interstate highways for vehicles with five or more axles and a gross vehicle weight of more than 26,000 pounds. The bill goes into effect July 1. ITD is to monitor, evaluate, and make annual reports to the Legislature on all important impacts, including safety, bridges, and pavement on all the pilot project routes. The increased weight limits will sunset in three years unless otherwise extended.

Because federal funds can be used on these studies, staff is proposing adding two projects to the FY1998 STP State Program. Funding for the projects is available through the use of de-obligated federal funds from prior year project savings. The Truck Weight Study, Phase 1 will cost approximately \$212,000 in FY1998 and the Truck Differential Speed Study, Phase 1 will cost approximately \$13,100. The Department is working with the Idaho Transportation Consortium to develop work plans to conduct studies of the effect of increased truck weights on pilot project routes and the effect of the speed limit differential on the interstate highways.

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

RES. NO. WHEREAS, on March 20, 1998 Governor Batt signed into law HB623 authorizing increased weight limits on specific routes on Idaho's highway system; and  
TB98-49

WHEREAS, HB623 sets a maximum speed limit of 65 miles per hour on interstate highways for vehicles with five or more axles and a gross vehicle weight of more than 26,000 pounds; and

WHEREAS, it is the intent of the Legislature that ITD report annually on the impact of this legislation on safety, bridges, and pavements on the pilot project routes; and

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WHEREAS, ITD is working with two members of the Idaho Transportation Consortium, the National Center for Advanced Transportation Technology and the Idaho National Engineering and Environmental Laboratory, to conduct an evaluation of the impacts; and

WHEREAS, the use of de-obligated funds from prior year projects provides a source of funds; and

WHEREAS, Title 23, Section 135 of United States Code requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program; and

WHEREAS, the addition of these projects will be shown in the Supplement 98-4 to the approved Highway Development Program.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the addition of the Increased Truck Weight Impact Project for a cost of \$212,000 and the Differential Speed Limit Project for a cost of \$13,100 into FY1998 of the STP-State Program; and

*BE IT FURTHER RESOLVED*, that staff is authorized to request an amendment to add these projects to the FY1998-2000 Statewide Transportation Improvement Program as required under Title 23, Section 135 of United States Code.

Permit Condition Changes to Chapters 5, 13, 19, and 22. Per Board direction, staff is striving to eliminate rules and implementing permit conditions for the operation of overlegal vehicles and/or loads. This will enable a timely and cost effective system to respond to the needs of ITD's customers when requests are made for changes to the permit conditions or when changes are required due to the passage of legislation. Port of Entry Manager Alan Frew outlined the recommended changes.

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

RES. NO.      WHEREAS, the Idaho Transportation Board has repealed all rules governing  
TB98-50      overlegal vehicles and/or loads and established permit conditions for overlegal  
                 permits effective February 1, 1998; and

WHEREAS, the Transportation Board has the authority to issue overlegal permits and establish conditions of the permit, under Section 49-1004 and 49-1011, Idaho Code; and

WHEREAS, with the passage of HB698, the requirement that the pressure regulator valve be sealed is now eliminated, there is no longer a need for Chapter 5 Variable Load Suspension Axles in the permit conditions manual; and

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WHEREAS, revision is needed in Chapter 13 Overweight Permits and Chapter 19 Annual Permits in order to clarify that overweight permits are issued to vehicles and/or loads that exceed legal axle weights and/or 80,000 pounds and with the passage of HB413 allowing the Department to increase the fees charged for non-reducible vehicles and or loads, minor modifications need to be made to the annual permit conditions for clarification on the types of vehicle configurations and maximum weight limits allowed to operate under an annual permit; and

WHEREAS, revision is needed in Chapter 22 Extra-Length Vehicle Combinations to accommodate the passage of HB623a which allowed the maximum legal gross weight limit to increase to 129,000 pounds on a pilot project basis and on designated routes, the conditions need to be modified in regards to the operation of these vehicles at the increased gross weight.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the requested changes to the permit conditions manual; and

*BE IT FURTHER RESOLVED*, that the Transportation Board approves the revised permit conditions manual for overlegal vehicles and/or loads with an effective date of July 1, 1998.

Member Combo reported that at the Sage Junction Port of Entry yesterday, a railroad representative met the Board to observe the port activities. The representative asked how trucks for the pilot project to increase the gross vehicle weight limit will be monitored to ensure the heavier trucks do not travel on the interstate.

Mr. Frew reported that the consortium is aware of this concern and is addressing this issue. Instrumentation will be installed to monitor interstate routes. He added that there are several Strategic Highway Research Program sites on the interstate to monitor weights and verify data.

Member Smith reported that the Board Subcommittee on Additions to and Deletions from the State Highway System will be meeting at the conclusion of the regular Board meeting. A report will be presented at the July Board meeting.

WHEREUPON, the regular monthly Board meeting and tour of District 6 officially adjourned at 3:05 PM.

signed

CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
July 17, 1998  
Twin Falls, Idaho

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July 16, 1998

## SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

June 30, 1998

The special session of the Idaho Transportation Board meeting convened at 8:35 AM, on Tuesday, June 30, at the Idaho Transportation Department, Boise. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
Monte C. McClure, Member – District 3  
Neil Miller, Member - District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer  
Jack McMahon, Deputy Attorney General  
Jack Coe, Division Administrator – Federal Highway Administration

***Review of FY2000 Budget. Mary Detmar, Budget, Policy, and Intergovernmental Relations Manager (BPIRM) reported that since the May workshop, \$20 million in additional funds are anticipated for the construction program in FY2000. Because of the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), approximately \$2 million more in state match will be required than what staff originally estimated. These funds will probably come from the State and State Restricted Programs. BPIRM Detmar added that not all of the information is available at this time to finalize the FY2000 budget.***

Vice Chairman Mitchell questioned the additional and matching funds that will be required for demonstration projects. Director Bower reported that the Department intends to fully fund the demonstration projects, utilizing federal funds plus a 20% match of state funds. Vice Chairman Mitchell suggested informing the legislature of the Department's need to provide matching funds for the additional federal funds ITD will be receiving.

BPIRM Detmar said the spending authority for the FY1999 budget is being reviewed, particularly the operating expenditures, to ensure the additional work will get done, either in-house with additional staff, or using consultants. The Department can either go directly to the Governor for additional staff, proceed with a supplement for the 1999 legislative session, or a combination of both. Staff is still reviewing the needs and the options. Chairman Winder asked that justification be provided for additional full-time equivalent positions and that staff prepare a plan before proceeding with requesting additional positions. CE Ross stated a plan should be ready next month. Director Bower added that the impacts of TEA-21 are being reviewed

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throughout the Department, not only by the Division of Highways. However, any additional positions need to be directly funded with federal funds.

Vice Chairman Mitchell suggested the Department look internally for public transportation funds. Staff is determining the match that will be required for the additional federal funds, according to Director Bower. He added that various funding sources for the match are being investigated.

A topic at the recent WASHTO meeting in Wyoming was the states' ability to check the amount of money paid into the national Highway Trust Fund, according to Chairman Winder. He asked if the Department has a mechanism to confirm the amount of money Idaho pays in. Director Bower said amounts from fuel tax and registration can be accurately determined, but not funds that the Department of Commerce monitors, such as tax on tires and parts. The Minimum Guarantee Program requires accurate data. The Department is looking into this issue.

Federal Aid Highway Funding to Local Public Highway Agencies (LPAs). The amount of federal aid provided to LPAs impacts the Department's funding level, according to Highway Programming Manager (HPM) Dave Amick. He provided history on how the funding level was established in the past, as shown as Exhibit 205, which is made a part hereof with like effect. He also outlined TEA-21's requirements, including \$900,000 annually to metropolitan planning, a minimum of 15% and maximum of 35% to bridges off the federal highway system, sub-allocation of the Surface Transportation Program (STP), and no sub-allocations of the new Minimum Guarantee category. HPM Amick explained several options for the STP-Rural and Urban Programs under TEA-21. Provisions include an amount to Transportation Management Areas (TMA) which are established for areas over 200,000 population. HPM Amick believes the Boise area will be a TMA after the next census, so consideration must be given to that possibility.

Member McClure questioned the fairness of taking the TMA money out of the Urban Program, as presented in the options. HPM Amick said the funds could come from the Rural Program or the STP-State. However, the options were based on history, dividing the Rural and Urban Programs. He added that the next census will be in 2000, so if a TMA is identified, it probably won't impact the Program until 2001.

Vice Chairman Mitchell asked if one option could be done now and after the full impacts of TEA-21 are known, the Board could change the funding level for the LPAs. For planning purposes, HPM Amick suggested sticking to one option for the life of TEA-21. Due to the lateness in this fiscal year, he suggested implementing the funding level starting in FY99. Director Bower added that if additional funds are provided to the local entities this fiscal year, they might not be able to get projects ready in time to obligate the funds. He recognizes the locals' needs and that the LPAs are partners with ITD, and believes giving the LPAs a percentage based on ISTEA is the fairest method. This was identified as Option D.

Member Combo asked for the locals' opinion on the funding alternatives. He also stated his belief that the Board needs to be fair with the local entities, however, he expressed concern that the LPAs have not always cooperated with ITD on various issues, including other funding

issues. Vice Chairman Mitchell concurred, adding that there has not always been unity on legislative issues either.

Local Highway Technical Assistance Council (LHTAC) Administrator Joe Haynes is in favor of establishing the locals' funding level based on a percentage of ISTEA, Option D, because of the great needs on the local system and because the LPAs are partners with ITD. Ada Planning Association Executive Director Clair Bowman also supports Option D. He believes it would be very beneficial and stated his appreciation to the Board for considering that option.

Member Combo made a motion, seconded by Vice Chairman Mitchell to approve the following resolution:

RES. NO.      WHEREAS, the Idaho Transportation Board recognizes the partnership with the  
TB98-51      Local Public Agencies and the needs of the local entities, as well as the state.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves Option D, applying the LPA's share of the Intermodal Surface Transportation Efficiency Act of 1991 to the Transportation Equity Act for the 21<sup>st</sup> Century, 12.6% after required deductions and reduced apportionments due to obligation authority, effective FY99.

Chairman Winder noted that the local entities are partners in all aspects. He asked for the local representatives' comments on the sharing of the obligation authority reductions portion of the motion. Mr. Bowman believes it is reasonable to share equally. Mr. Haynes and Stuart Davis, Executive Director, Association of Highway Districts, concurred.

Member McClure expressed the Board's desire to be partners with the locals, but he does not believe the partnership is always reciprocated. He asked the locals' for support in the future and to truly be partners with the Transportation Department.

The motion passed unanimously. Chairman Winder expressed appreciation to staff for its efforts on this issue. (See later minute entry on this subject.)

The Board recessed at 11:15 AM to attend Chief of Highway Operations Monte Fiala's retirement luncheon. The meeting continued at 1:45 PM. Member McHugh was present.

Local Bridge Programs. HPM Amick reviewed the current policy on the Local Bridge Program and outlined considerations for the Program under TEA-21.

The consensus of the Board was to continue the current policy of providing up to 35% of Bridge funding to local projects, combining the Local and Off-Federal System Highway Programs, and retaining the needs-based criteria.

Local Federal-aid STP-Rural Exchange Program. Vice Chairman Mitchell requested deferring this item until the Highway Development Program is established. The Board concurred.

Highway Development Program. Budget Analyst Gordon Wilmoth reviewed the funding assumptions and the funding plan for the Highway Development Program. Senior Transportation Planner Pat Raino distributed updated Program sheets for the Interstate Maintenance, combined National Highway System (NHS) and STP-State, Bridge, and Demonstration Programs. The revisions were based on Board direction from the May workshop. Because of the Statewide Transportation Improvement Program (STIP) process, staff requested approval for the above Programs for fiscal years 1998 through 2000. The most expedient process would be to amend the STIP at this time, followed by a new STIP in fall starting with FY1999, according to Director Bower. He added that no funds can be obligated on projects that are not in the STIP.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to  
TB98-52 accomplish a current, realistic, and fiscally constrained Highway Development Program; and

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

WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> 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; and

WHEREAS, the FY1998-2000 Highway Appropriation in TEA-21 is significantly larger than was anticipated when the FY1998-2000 Statewide Transportation Improvement Program was approved.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to fiscal years 1998-2000 of the Interstate Maintenance, National Highway, Surface Transportation-State, State Bridge Programs and the addition of TEA-21 projects into fiscal years 1998-2000 of the Demonstration Program as shown as Exhibit 206, which is made a part hereof with like effect; and

*BE IT FURTHER RESOLVED*, that the Transportation Department staff is authorized to request an amendment to the current FY1998-2000 Statewide Transportation Improvement Program, in accordance with the provisions of the TEA-21 of 1998, to include the project selection changes included in Supplement 98-4.

Because FY1998 is underprogrammed by approximately \$700,000, Member McClure asked staff to consider funding a sound mitigation project along I-84 where property owners donated property for a berm. This project would cost approximately \$600,000. Additionally, consideration should be given to fund the second phase of the intelligent transportation system study for Ada and Canyon Counties for approximately \$200,000. Vice Chairman Mitchell also asked staff to consider programming preliminary engineering in FY1998 for the US-95 bridge at Race Creek, south of the Goff Bridge project.

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Ms. Raino distributed a list of statewide projects for consideration to fund with the additional TEA-21 money. Projects for FY2001-2003 need to be identified. The consensus of the Board was to work with their respective District Engineers on identifying priority projects statewide and to provide input to HPM Amick next week. Staff will prepare a re-prioritized list of projects and also draft the FY2001-2003 Highway Development Program based on the members' comments. This information will be provided at the July Board meeting.

Revisit Contract Award for Project NH-F-5116(026), Key 713, US-95, North Bonners Ferry to Junction US-2, District 1. Member Combo made a motion to table revisiting the contract award for the above project until the regular July Board meeting. Member McClure seconded the motion and it passed unopposed.

Revisit Federal Aid Highway Funding to LPAs. Member Combo made a substitute motion on the funding proposal for local entities as follows:

RES. NO. WHEREAS, the Idaho Transportation Board has historically provided federal  
TB98-53 highway funding in support of urban and rural federal-aid highways under the jurisdiction of local highway public agencies (LPAs) through Board established programs such as the Federal-aid Urban and Secondary Programs under the 1987 Highway Act, and the Surface Transportation-Local Rural and Urban Programs under the 1991 Highway Act; and

WHEREAS, the LPAs continue to have jurisdiction over federal-aid highways in need of improvement; and

WHEREAS, the federal highway funding program has been continued through FY2003 under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA 21); and

WHEREAS, the Board has carefully reviewed, during its special meeting on June 30, 1998, the merits of various funding level options for continued sub-allocation of federal highway funding to LPAs responsible for improvements to highways eligible for federal-aid.

*NOW THEREFORE BE IT RESOLVED*, that the Director is authorized to draft for Board approval the necessary Board policies implementing the continuation of the annual sub-allocation of federal highway formula apportionments made available under TEA 21 to rural and urban LPAs having jurisdiction over federal-aid highways; and

*NOW THEREFORE BE IT FURTHER RESOLVED*, that, effective on and after federal FY1999, the method of calculation referenced as Option D in the Department's presentation to the Board titled, "Federal-aid Highway Funding to Local Public Highway Agencies", attached, be used to determine the annual federal funding level for the Urban and Rural LPA Federal-aid Programs.

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WHEREUPON the special session of the Idaho Transportation Board meeting adjourned at 4:25 PM.

signed

CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
July 17, 1998  
Twin Falls, Idaho

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REGULAR MEETING AND DISTRICT 4 TOUR  
OF THE IDAHO TRANSPORTATION BOARD

July 15-17, 1998

Chairman Winder, Vice Chairman Mitchell, and Members McClure and McHugh, Secretary to the Board Higgins, Chief Engineer Ross, and FHWA Division Administrator Coe met with the Oregon Transportation Commission and staff in Burns, Oregon on Wednesday, July 15, at 11:30 AM. The group toured the Burns area with the Oregon contingency and visited informally on various transportation issues. Some of the topics included differential speed limits, pre-qualification of contractors, and the Enhancement and Congestion Mitigation/Air Quality Programs.

ITD will provide ODOT with information on the Office of Highway Safety's activities regarding emergency medical services. Staff will also send the proposed corridor preservation legislation and related material. Transportation Planning Manager Charlie Rountree will contact Oregon to coordinate planning efforts. Oregon was asked to submit information on the intelligent transportation system program, its driving under the influence laws, and how funding to local entities is determined.

At 4:30 PM the Idaho group flew to Twin Falls.

**July 16, 1998**

The regular session of the Idaho Transportation Board meeting convened at 8 AM, on Thursday, July 16, in Twin Falls. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member – District 1  
Monte C. McClure, Member – District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member - District 5

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John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Jimmy Ross, Chief Engineer  
Devin Rigby, District 4 Engineer  
Scott Malone, Assistant District 4 Engineer  
Jack Coe, Division Administrator – Federal Highway Administration

Judie Rowbury, Senior Financial Analyst, Division of Financial Management, was also present.

The group departed Twin Falls via US-93 north and I-84 east. The group traveled SH-25 to Rupert where Representative Kempton and Rupert Mayor Allred joined the tour. The city of Rupert's priorities, according to the Mayor, are improvements to Cameron's Corner, long-term solutions to the Kelley Bean Corner, upgrading the traffic signal at F Street and SH-24, an overlay of SH-24 within the city limits, and bike path signing. He also expressed appreciation for the recent improvements to SH-24 east of town and for the good working relationship with ITD.

The tour continued south on SH-25 and SH-77 to Declo where the Board viewed two railroad crossings. District staff is working with the railroad company to improve the crossings.

Traveling south on SH-77, Representative Kempton expressed satisfaction with the improvements made to the stretch of highway south of Declo. He reported on the high recreation activity in the area, including bikers and joggers, and stated support for improving the Albion Grade. A project to widen the highway, add shoulders, and realign the grade is included in the current Program.

The tour continued on Howell Canyon Road, which was a direct Federal project completed in 1997 that paved the road, installed guardrail, and made slope improvements. Representative Kempton relayed the Albion and Burley Highway Districts' difficulty plowing the snow on the newly-paved route. Due to the guardrail, rotary plows are now required, which the local entities do not have. After traveling to the top of Harrison, the Board returned to the Pomerelle Ski Resort for lunch.

Delegation – Mini Cassia Transportation Committee (MCTC). MCTC President Woody Anderson thanked the Board for visiting the area and expressed appreciation for the good working relationship with the District staff. Because tourism/recreation is the third leading industry in the state, he would like the Governor, Legislature, and ITD to provide a strong commitment to tourism and a good infrastructure system. With the 2002 Olympics being held in Salt Lake City, he believes there will be a lot of activity, such as teams training in Idaho, that the state needs to be prepared for.

Committee Member Gary Asson reported that the City of Burley needs assistance with SH-27 north of the Overland Bridge. This .8 mile stretch has numerous arteries, but access to the arteries and storage capacity are problems. The city does not have the expertise to determine the best solutions. Mr. Asson believes a comprehensive plan is the first step, but cooperation and funding from the city, county, and state will be needed.

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Chairman Winder suggested applying for planning funds and working closely with the District.

Representative Kempton provided a video of the 17-mile road from Conner Creek Junction on SH-77 to Almo and the City of Rocks, which is a national reserve. The road is in poor condition with crumbling shoulders and deep potholes, resulting in safety concerns. With increased traffic and the local jurisdictions' inability to maintain the road, Representative Kempton, Representative Newcomb, and Senator Darrington strongly encouraged the Board to add this road to the state highway system; otherwise they will pursue this legislatively.

Chairman Winder thanked Representative Kempton for the presentation and stated this item may be referred to the Board Subcommittee on Additions to and Deletions from the State Highway System.

The tour continued north on SH-77 and SH-81, then I-84 west and US-93 south to Twin Falls.

Delegation – Clay Handy, Chairman, Motor Carrier Advisory Committee (MCAC). The Committee will be taking a more pro-active role this legislative session and plans to keep the Governor more informed of its activities. MCAC will continue working on moving the remaining transportation functions at the Public Utilities Commission to ITD, according to Mr. Handy. To date, no one has purchased a permit for the pilot project for increased weight limits. He expressed concern that there are not enough routes included in the pilot project, resulting in a switch to higher weight limits being inefficient for truckers.

Chairman Winder mentioned the Intermodal Commercial Freight Task Force's recommendation to combine the MCAC and Rail Advisory Committee, or establish a new committee to address intermodal issues. Mr. Handy believes intermodalism is important and needs to be addressed, and suggested having the two committees meet annually or on a regular basis. He concluded by reporting on the good working relationship the committee has with ITD and his appreciation for staff's support and assistance.

Chairman Winder thanked Mr. Handy for the report and also for the time and dedication he has committed to serving on the MCAC.

Delegation – Ada Planning Association (APA). Clair Bowman, Executive Director, said Intelligent Transportation Systems (ITS) applies emerging technology to solve transportation problems through techniques such as information processing, communications control, and electronics. The goals include improving safety, reducing congestion, enhancing efficiency, and reducing harmful environmental impacts. Mr. Bowman said an ITS Committee was established in the Treasure Valley late last year to determine if and which ITS technologies have applications in the region and to help solve transportation problems.

Recommendations of this committee included executing a memorandum of agreement; continuing the committee's involvement; aggressively pursuing funding for the phase II implementation plan; integrating ITS into future planning programming activities; implementing

early start ITS projects; and designating ITS demonstration corridors. Accomplishments of the committee to date include the formation of the committee, awareness of and education on ITS capabilities, consensus for improved agency communication and integrated traffic control, and acknowledgment that ITS technology is applicable.

In response to whether the other metropolitan planning organizations (MPOs) can use this technology, Mr. Bowman responded that APA's model could be applied almost anywhere in the state, although there would be fewer applications in rural areas. Traffic Engineer Larry Van Over said a statewide project is planned. The next focus will be in the Idaho Falls and Pocatello area followed by a community in northern Idaho.

Chairman Winder thanked Mr. Bowman for the informative presentation.

Delegation – Twin Falls Chamber of Commerce. Chamber President Dale Riedesel thanked the Board for the projects recently completed in the area and for the good maintenance of the system. He is pleased with other projects planned for the area, including improvements to US-93 south to the Nevada line. Discussions are still being held on relocating the intermodal facility. Doug Vellom stated if that facility is moved they will request that SH-74 also be moved to better facilitate access. He also mentioned a proposed hog operation in Owyhee County. Because of its proximity, this operation would impact Twin Falls' economic base. He does not believe the local entities will be able to handle the increased traffic. Mr. Vellom thanked the Board for its time.

Delegation – St. Lukes Hospital. Gary Fletcher, Executive Vice President, provided background information on St. Lukes' plans to construct a hospital near Ketchum. With an aggressive schedule, they hope to open the hospital by December 2000. Mr. Fletcher would like a public/private partnership with ITD to achieve goals on SH-75 and make the route safer, as well as providing convenient access to the hospital. The proposal has been discussed with the District staff and Mr. Fletcher expressed appreciation for the cooperative attitude and willingness to work together.

Jeff Hull, Director of Architecture and Construction Services, requested exchanging ITD right-of-way, a current bike path, for right-of-way along SH-75 where plans are to widen the highway to five lanes. The current ITD right-of-way would become a county road with signalization at the south end intersecting with the state highway. Mr. Hull is working with the property owners along that stretch of SH-75 and plans are to change the property use and reverse access. This would close dangerous accesses along the state highway. He has support from those involved, including the county and the recreation district, as the current bike path would be relocated. Mr. Fletcher added that they have been trying to work cooperatively with all parties involved.

Chairman Winder thanked the gentlemen for the briefing and asked them to work with Member Smith and DE Rigby. (See later minute entry on this subject.)

Miscellaneous Item. Member Miller said the fuel tanks at the Mini Barn in Blackfoot need to be brought into compliance by the end of this year. This property is needed for the Ridgewood project. The owner is willing to sell the property to ITD at this time. If the property

is not purchased now, the owner will install the new tanks, resulting in a higher purchase price. Member Miller would like the property purchased now, which would save the Department money. Chairman Winder asked CE Ross to look into this matter.

WHEREUPON the meeting recessed at 5 PM.

## ***July 17, 1998***

The Transportation Board meeting reconvened at 8:05 AM at the Shields Building, College of Southern Idaho, Twin Falls. All members were present, as was Director Bower.

June 18-19, 1998 Board Minutes. Member McHugh made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on June 18-19, 1998, as submitted. The motion passed unanimously.

June 30, 1998 Board Minutes. Member Combo made a motion, seconded by Member McClure to approve the minutes of the special Board meeting held on June 30, 1998, as submitted. The motion passed unanimously, with Member Smith abstaining.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
August 20-21, 1998 – District 1  
September 16-18, 1998 - Boise  
October 8-9, 1998 – District 5  
November 19-20, 1998 – Boise  
December 17-18, 1998 - Boise

Consent Calendar. Member 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 Transportation Board approves  
TB98-54 the appointment to the Region 6 Public Transportation Advisory Committee; the request for a supplemental agreement, District 4; and a portion of US-95 relinquishment to the city of Homedale and addition of Homedale alternate route to the state highway system, District 3; and has received and reviewed the administrative settlements of right of way acquisitions; the contract awards; the new and supplemental professional agreements report; the preliminary analysis of STC 3805, Simco Road, District 3; the year 2000 computer report; and the financial statement.

1) Region 6 Public Transportation Advisory Committee (RPTAC). Lynnet Wade was appointed to the RPTAC with a term to expire June 2001.

2) Request for Supplemental Agreement, IVH-9316(601), Key 5627, I-84, District 4. The Idaho Storm Warning project is an ITS operational test of existing and emerging technology attempting to provide ITD with advanced notice of reducing visibility conditions and the means to provide meaningful information to motorists. The project is on I-84 from the I-86 junction to Utah, which is a major passenger and commercial travel route. This location is known to have extreme low visibility conditions due to blowing dust and snow. The project is a public/private partnership, including FHWA, ITD, CH2M Hill, Surface Systems, Inc., Handar Corporation, and Santa Fe Technologies.

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FHWA is interested in completing the project and being able to answer the questions originally proposed in the evaluation plan. The data collected to date has not provided enough information to accomplish this task. The Steering Committee has recommended a two-year project schedule extension, which includes the installation of a new sensing site and further project evaluation. The additional sensing site includes the installation of a complete weather/visibility station and an automated traffic counter. This third supplemental for \$110,000 is requested to continue the project management and computer support services for the next two years of project operation. The ITS project funding is available for this supplemental and is sufficient to accomplish these goals without the need for additional funding.

3) Portion of US-95 Relinquishment to City of Homedale; Addition of Homedale Alternate Route to State Highway System. The US-95 Homedale Alternate Route from milepost 33.197 to 34.71 was completed in May 1998. The former portion of US-95 from milepost 33.424 to 34.195 is no longer essential to the state highway system. A Road Closure and Maintenance Agreement with the city of Homedale dated March 1997 states that the city of Homedale would assume jurisdiction of the former portion of US-95. The official minute is shown as Exhibit 207, which is made a part hereof with like effect.

4) Administrative Settlements of Right of Way Acquisitions. From April 1 through June 30, 1998, 28 parcels were processed, 8 of which had administrative settlements, or 29%.

5) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

STM-6390(604), key 6792 – Graveyard Hill, SH-75, District 6, Custer County. Low bidder: Sloan Fencing and Construction, Inc., Eagle, Idaho - \$56,608.75.

ST-5120(616) and ST-5110(641), Keys 6584 and 6973 – Union Pacific Railroad Crossing to Kootenai and Junction SH-200 to North of Ponderay; SH-200 and US-95; Bonner County, District 1. Low bidder: Interstate Concrete & Asphalt, Sandpoint, Idaho - \$556,156.60.

ST-15-1(530)16, ST-1751(601), ST-1707(601), and STKP-5588, keys 6934, 6788, 6689, and 7274 – Deep Creek to Devil Creek Interchange, I-15; Junction I-15 to Junction US-91, SH-40; Deep Creek to Mud Springs, SH-36; and Malad Stockpile; Bannock and Oneida Counties, District 5. Low bidder: Kloepper Inc., Paul, Idaho - \$634,239.54.

IM-15-1(119)57, key 6469 – Inkom to Clark Street Interchange, I-15, Bannock County, District 5. Low bidder: Bannock Paving Company, Pocatello, Idaho - \$641,944.50.

ST-1490(609), key 7033 – Franklin County Line to Redrock, US-91, Bannock County, District 5. Low bidder: HK Contractors Inc., Idaho Falls, Idaho - \$886,701.60.

ST-1480(617), key 6488 – Junction US-30 to Jct. I-15, Bannock County, District 5. Low bidder: HK Contractors Inc., Idaho Falls, Idaho - \$224,251.

ST-6830(607), ST-6830(606), ST-6830(605), and ST-6729(603), keys 6698, 6697, 6695, and 6700 – Driggs to Wyoming State Line; Canyon Creek to Clemetsville; Junction SH-32,

West; and Pine Creek to Milepost 7.3; SH-33 and SH-31; Teton, Madison, and Bonneville Counties; District 6. Low bidder: Kloepper, Inc., Paul, Idaho - \$402,842.07.

ST-4110(656), 4110(657), 4110(658), 7024(604), 4200(623), 4200(624), 4210(611), 4110(659), and STM-4716(600), keys 7300, 7301, 7302, 7303, 7304, 7305, 7306, 7307, and 5794 – FY1999 Seal Coats, Nez Perce, Idaho, and Lewis Counties, District 2. Low bidder: Poe Asphalt Paving, Inc., Lewiston, Idaho - \$423,094.53.

ST-1480(615), ST-1530(610), and ST-1480(614), keys 6936, 6789, and 6786 – Lund to Alexander, Big Hill to Border, and Ovid to Montpelier; US-89 and US-30; Bear Lake and Caribou Counties; District 5. Low bidder: Kloepper, Inc., Paul, Idaho - \$605,907.12.

STKP-6741, 6744, 6745, 6742, and 6743, keys 6731, 6734, 6735, 6736, 6733, and 6732 – Ashton, Rigby, Idaho Falls, Sugar, Irwin, and Dubois Yards; Fremont, Jefferson, Madison, Bonneville, and Clark Counties; District 6. Low bidder: Gale Lim Construction Inc., Blackfoot, Idaho - \$493,892.

IM-15-3(094)143, key 6470 – Sage to Hamer Northbound, I-15, Jefferson County, District 6. Low bidder: Western Construction, Inc., Boise, Idaho - \$1,378,342.06.

6) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$950,082 in new agreements between June 5 and June 29. No supplemental agreements were processed during this period.

7) Preliminary Analysis of STC3805 (Simco Road) in Elmore County, District 3. This route scored 59 points out of a possible 100. Although the annual average daily traffic is low, it has very heavy commercial usage. The traffic is regional in nature. The route is important economically and important to the state highway system grid because of its location. The road is in very poor condition due to heavy truck traffic and inadequate maintenance.

8) Year 2000 Project Status. Over the last several years, staff has been engaged in repairs and modifications to many of the most important computer systems to enable them to support the 2000-year code. This effort is necessary because in many areas of both hardware and software, date codes frequently used just the last two digits of the year to denote the year, which will lead to malfunctions in systems that rely on two-digit year codes when the year 2000 arrives.

The Department's most important systems and programs that are maintained by the Bureau of Information Services have been under modification for some time. A department-wide effort is underway to identify, diagnose, remediate, test and certify all other computer systems which may be affected. Carol Barton is the Department's Year 2000 Project Coordinator. She will work closely with COMSYS, a national consulting firm that has been retained to assess where we are in relation to what has been completed to date for Year 2000 compliance and to identify what still needs to be done.

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9) Year-End Financial Statements. Due to the end-of-the year closeout, the financial statement was not available at this time. However, preliminary reports indicate that ITD ended the fiscal year with revenues and expenditures approximately equal to forecasted levels.

Board Items. Chairman Winder, and Members McClure and Miller attended the WASHTO conference in Cheyenne, Wyoming last month. Some topics of interest included the design-build concept and the percentage of demonstration funds to be distributed over time. Member McClure commented on the tight schedule due to the two-day meeting. He felt the conference was too short. Director Bower reported that the WASHTO Board of Directors decided to go back to a three-day meeting format.

At a recent meeting, APA expressed frustration with the prioritization of Enhancement projects, according to Member McClure. The Association went through a time-consuming process to prioritize its projects and it felt like the Enhancement Committee ignored those priorities. Vice Chairman Mitchell believes some projects are more important than others and should be higher priorities. He added that the Enhancement Committee's recommendations have to be considered. Director Bower believes part of the problem was a misunderstanding of how the projects were to be prioritized. He thinks clearer instructions would be helpful. Because MPOs are responsible for establishing priorities and receive so much money, Chairman Winder questioned providing more control to the MPOs for the Enhancement Program. Member Combo reminded the group that a Board Subcommittee has been established to review the Enhancement Program, and it will be meeting soon.

The Subcommittee on Additions to and Deletions from the State Highway System met last month to review the preliminary evaluation on the Hagerman to Wendell route. Member Smith said because the road received a rating of 56, the Subcommittee is recommending not to consider this route for acceptance to the state system at this time.

Chairman Winder asked if the Subcommittee should review the request to add the route from SH-77 at Conner Creek to Almo to the state system. Member Smith suggested having DAG McMahon review the legal aspects because the route leads to a national reserve. Director Bower suggested determining if the route is eligible for Federal Lands Discretionary funding.

Member Smith made a motion to refer the route from SH-77 at Conner Creek to Almo to the Subcommittee for review, to evaluate the recent rating on the route, to explore funding options, to have Legal review the matter, and to update the traffic counts. Vice Chairman Mitchell seconded the motion and it passed unopposed.

Because the electronic transfer of construction payments is an option which Vice Chairman Mitchell believes is beneficial to both the contractor and the Department, he asked that staff inform contractors of this method. Director Bower said this topic could be included in the AGC forum and also at pre-construction meetings.

During yesterday's meeting with the Oregon Commissioners, Vice Chairman Mitchell discussed pre-qualification of contractors. For bidding on some projects, Oregon makes it project specific. Contractors cannot bid unless they have experience in that kind of work. Those

who submit bids must meet to discuss concerns and problems before bidding. If contractors don't come to those meetings, they cannot bid. He believes this may have value. Director Bower reported that ITD does this occasionally. This process was used on the Goff Bridge project. The Department also holds pre-bid conferences on large or unusual projects.

Last week Chairman Winder and Director Bower attended a Tribal Summit meeting in the Governor's Office. Director Bower will help bring federal, state, and local interests together regarding land and road issues. Chairman Winder encouraged the tribal members to get involved in local regional planning. Director Bower added that the Department will continue using the current policy for the Tribal Employee Rights Ordinance, which recognizes the traditional reservation boundaries.

Regarding the City of Burley's need for assistance on SH-27 north of Overland Bridge, the consensus of the Board was to have Transportation Planning Administrator Charlie Rountree contact the city, determine if planning funds would be available, and provide other assistance as feasible.

Director's Items. Work is in progress to allow ITD flexibility with demonstration funds. Language is included in the appropriations bill that would let us proceed with demonstration projects as they are ready, according to Director Bower. He added that the technical corrections bill for the Transportation Equity Act for the 21<sup>st</sup> Century, TEA-21, has passed Congress, but the President has not signed it yet.

Staff is reviewing the additional positions that may be required to handle the increased federal funds. Chairman Winder reminded Director Bower that a justification plan for requesting additional full-time equivalent positions was requested last month.

Director Bower distributed draft Program sheets that staff developed based on the Board's and staff's comments. Maps depicting the projects planned on US-95 and US-30 were also handed out. Following additional Board input, the Program sheets will be revised and brought back to the Board next month. The draft Statewide Transportation Improvement Program will go out for public comment after the August meeting and will be presented to the Board for final approval in November. Director Bower added that the obligation ceiling may impact the funding.

Member Combo made a motion to commend staff for compiling the Program sheets and list of statewide projects for funding consideration in the short time period. Member Miller seconded the motion and it passed unanimously. The Board also expressed appreciation for the corridor maps.

Director Bower reported that the Lolo Pass Visitor Center grant may be affected by the obligation authority. He will be meeting with FHWA, the Montana DOT, and Forest Service officials soon to finalize plans for the visitor center.

Chairman Winder welcomed Governor Batt to the meeting.

Director Bower report a C12, King Air, has recently arrived in Boise from the federal government. It is currently at the National Guard while the paper work is being completed. The plane should be in service in three to four months, after service to the plane and training for the pilots is completed.

The low bid for project NH-F-5116(026), key 713, US-95, North Bonners Ferry to Junction US-2, was unresponsive. Because the bid was unresponsive, the Department cannot hold the bond. Staff would like to award the bid to the second low bidder.

Member Smith made a motion to award the bid for project NH-F-5116(026), key 713, to the apparent second low bidder, Kiewit Pacific Company, Vancouver, Washington - \$13,901,192.95. Vice Chairman Mitchell seconded the motion and it passed unopposed.

Chairman Winder thanked Governor Batt for attending the meeting and turned the time over to him.

Governor Batt praised the Board, Director, and Department for the recent accomplishments and improvements. Some areas that the Governor is especially pleased with include the increased activity and funding for the roads, the reduction in FTEs, and a more efficient Department. He also referenced the Hartgen report that ranked Idaho 4<sup>th</sup> nationally, which is a big improvement from several years ago. He also thanked Director Bower for his efforts on TEA-21, which benefits Idaho with additional funds and identifies US-95 as a national high priority corridor.

Public-private partnerships are important, according to Governor Batt, and he believes they will play a major role in the future. Regarding the pilot projects for increased weight limits, he believes increased weights are essential for Idaho to be competitive. He added that the pilot project will need to be monitored closely because the bridges and pavements need to be preserved and safety must not be compromised. As for the differential speed limits on the interstates, he said that could be changed if it is not working.

In response to the weight distance tax structure, Governor Batt believes that issue needs to be resolved. He thinks the current system is too easy to evade. Chairman Winder stated the Board is considering establishing a task force to study the issue. The Governor offered his assistance.

Director Bower said the Governor has been very supportive of the Department in many areas, including the Ida Shield Program. He thanked Governor Batt for his support. The Board concurred and also thanked him for his support and assistance.

Governor Batt left the meeting at this time.

Chief Engineer's Items. CE Ross reviewed possible funding options for the environmental study on the Buhl to Wendell route, District 4, including using STP funds, which the locals would have to match, or unallocated State funds. Although this route is not on the

state highway system currently, plans are to add it to the system, so a means of using state funds could be determined.

Member Smith made a motion to advance \$320,000 in FY1998 for the environmental study on the Buhl to Wendell route with ITD staff overseeing the study. Vice Chairman Mitchell seconded the motion. Chairman Winder asked where the funds will come from. CE Ross said either STP Local Rural or State unallocated. His preference is STP and Chairman Winder concurred. The motion passed unopposed.

CE Ross suggested deferring funding for the Pine Road project in District 3 until August. At that time, staff should know if funds will be available through the redistribution of obligation authority; if other projects will delay, resulting in available funds; or if unused preliminary engineering or right of way funds could be de-obligated. Western Federal Lands said no money is available in the Federal Lands Program. Because of Elmore County's rural funds balance, it would take 10 years before they could repay ITD, if additional funds are approved. CE Ross added that an agreement with Mountain Home and Glenns Ferry Highway Districts will be required to stipulate their allocations will come back to ITD to repay these funds. Additionally, an agreement with the Local Highway Technical Assistance Council will be needed if the proposal for LHTAC to prioritize and control the STP-Local Rural and Urban funds is approved.

Vice Chairman Mitchell made a motion to delay funding the Pine Road project until August. Member McClure seconded the motion and it passed unanimously.

CE Ross presented the bid for ER-5170(101) and STR-5170(612), keys 6360 and 6870, St. Joe River Road to Meadowhurst Road and Reid's Corner near St. Maries, SH-3, Benewah County, District.

Member McHugh made a motion to accept the apparent low bidder for project ER-5170(101) and STR-5170(612), DeAtley Company, Inc., Lewiston, Idaho - \$3,982,812.22. Member McClure seconded the motion and it passed unopposed.

Intelligent Transportation System, Phase II, District 3. Last fall APA launched the development of a Preliminary Plan on ITS for the Treasure Valley, which is referred to as ITS Plan Phase I. The Phase I planning process was highly successful, as it raised the awareness of local, state, and federal transportation officials on the applicability of modern technology in transportation systems and fostered cooperation among the various transportation and emergency-response agencies in the Treasure Valley. The Treasure Valley ITS Committee recommends proceeding with Phase II, which is an implementation plan to address development of a signal system master plan; freeway management plan; communication master plan; and integration plan. The estimated cost is \$200,000. Federal STP funds would provide \$150,000 with Ada County Highway District contributing \$50,000 as the local match.

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

**RES. NO. WHEREAS, the application of Intelligent Transportation Systems (ITS) is of**

TB98-55 statewide interest and promises to improve the efficiency of local and state transportation systems; and

WHEREAS, the Idaho Transportation Department District 3 has participated in a preliminary ITS Plan for the Treasure Valley (Phase I) which calls for the integration of ITS into major project development activities, i.e. Wye Interchange, I-84 Corridor; and

WHEREAS, the Treasure Valley ITS Plan calls for the immediate funding of a Phase II implementation plan for ITS deployment within the Treasure Valley; and

WHEREAS, the initial Phase I study was funded from local sources and the Ada County Highway District has budgeted \$50,000 in FY98 to match federal funding for the Phase II implementation plan; and

WHEREAS, the Idaho Transportation Board desires to participate in the timely funding of the Phase II implementation plan to meet ITD's project development needs.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves adding \$150,000 in federal STP funds to FY98 of the Federal Surface Transportation Highway Development Program to be matched by \$50,000 in local funds (ACHD) for the purpose of the immediate funding of a Phase II implementation plan for ITS deployment within the Treasure Valley; and

*BE IT FURTHER RESOLVED*, that staff is authorized to revise the FY 1998-2000 Statewide Transportation Improvement Program as necessary to include the above project.

Camas Berm, I-84, District 3. Staff has worked with homeowners south of I-84 between Five Mile Road and Cloverdale Road, known as the South I-84 Coalition, to remedy concerns over noise and impacts of the increasing traffic. A poor layout of their subdivisions in relationship with the proximity of the interstate and inadequate berm constructed during the subdivision development many years ago is resulting in an increased degree of stress.

Working cooperatively, the group proposes a landscaping project with a fence, trees, and shrubs. The South I-84 Coalition has donated property for the project and has agreed to maintain the improvements upon completion. FHWA has participated in the discussions of this project and has assisted in coordinating the project so it will qualify for federal funding. The fencing is an innovative attempt to find a more cost-effective method to mitigate visual effects, while the berm will help reduce the impacts from sound. Traditional methods would require walls costing as much as \$1.5 million per mile. The estimated construction cost for this project is \$600,000.

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

RES. NO. WHEREAS, a landscaping project on I-84 will enhance and improve the  
TB98-56 esthetic value to the traveling public and adjacent land owners; and

WHEREAS, ITD will enter into a partnership with the South I-84 Coalition to allow the South I-84 Coalition to make property available for placement of the enhancement; and

WHEREAS, ITD will enter into an agreement allowing the South I-84 Coalition to maintain the enhancement and its improvements; and

WHEREAS, this landscaping enhancement project will consist of constructing a berm with a vinyl fence, trees, shrubs, and seeding.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the addition of the I-84, Five Mile to Cloverdale Landscaping project to FY1998 of the Federal Interstate Maintenance Highway Development Program for the cost of construction in the amount of \$600,000; and

*BE IT FURTHER RESOLVED*, that staff is authorized to revise the FY 1998-2000 Statewide Transportation Improvement Program as necessary to include the above project.

Member Smith believes the Department would be setting a precedent if it funds this project. Because the highway was there before the developments, he does not support this project. Vice Chairman Mitchell concurred and added that the berm should be the responsibility of the developer. Member McClure stated the existing fence was adequate when the subdivision was built, however the increased traffic has resulted in additional measures being needed. Because this is a pilot project that is cheaper than the sound barriers previously used and the property for the berm has been donated, he supports this project.

In response to where the funds would come from, CE Ross said money is set aside for construction engineering and preliminary engineering annually. Those funds are not always used and District 3 could de-obligate those funds for this project. He also emphasized the partnership with the property owners for this project.

The motion passed 4-2 with Vice Chairman Mitchell and Member Smith dissenting.

Sugar City Safety/Accessibility Options, NH-6470(104), Key 6297, US-20, District 6.  
The intersection of Third North Street and US-20 at Sugar City is one of 27 at-grade crossings that exist on US-20 between Idaho Falls and Chester. It is one of five at-grade interchanges that are programmed to be changed to grade-separated crossings. The Third North Street crossing is programmed for FY2000 while the full interchange at SH-33, one-half mile to the north, is programmed for FY2001.

A working group was formed last year to consider the access issue. Members Combo and Miller were on that team. Extensive public involvement has been held on this project, including a public hearing on February 25, 1998. Although safety is the primary concern, accessibility is also an issue. Based on the public testimony, the District recommends a half diamond interchange connecting at Third North Street, estimated at \$3.7 million.

Member Combo stressed that this has been an ongoing issue for many years. He was impressed with the testimony provided in the transcript of the recent hearing. He believes a half diamond interchange connecting at Center Street would be the best long-range solution and provide the best safety features for the school children. This option is estimated at \$4.1 million. Member Miller expressed concern with the SH-33 project, which needs to be considered in conjunction with the Sugar City access project.

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

RES. NO.        WHEREAS, the issues of eliminating at-grade crossings along the divided four  
TB98-57        lane US-20 from Idaho Falls to Chester go back many years; and

WHEREAS, the people of the Upper Snake River Valley area and the traveling public have waited long enough for final decisions as to the stretch between Rexburg and the US-20/SH-33 intersection; and

WHEREAS, ITD has conducted hearings and information meetings providing information to the public and receiving comments from the public, the most recent hearing being held by ITD on February 25, 1998, at Sugar City; and

WHEREAS, the transcript of said hearing having been provided to the Transportation Board and selection by the Board has been placed on the Board's agenda for July 17<sup>th</sup>, 1998; and

WHEREAS, subsequent to the hearing on February 25, 1998, Congress passed and the President signed the new six (6) year transportation program termed TEA-21 (Transportation Equity Act for the 21<sup>st</sup> Century) retroactive to October 1, 1997; and

WHEREAS, said legislation authorizes in the order of 62%, on an average yearly basis, more federal funding to Idaho than the previous federal program; and

WHEREAS, the Board set out the sum of \$3 million in the Board approved supplement 98-4 on June 30, 1998 for key number 6297, Sugar City Grade Separation in the FY2000 program; the Board has authorized the sum of \$5 million as to key number H697, US-20/SH-33 interchange in FY2001, for inclusion in the draft Statewide Transportation Improvement Program which shortly will be out for public comment before coming to the Board for final determination later this calendar year; and

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WHEREAS, the paramount guiding principle in the Board's function and accomplishment of highway routes, structures, and the location and design thereof is the safety of the traveling public, highway maintenance and construction crews and others along the travel route; and

WHEREAS, in furtherance and accomplishment of such principle consultation with local governmental units as to planing is required; and

WHEREAS, in examining each of the four (4) options presented by ITD in its February 25, 1998 hearing and the testimony (both oral and written) therefrom, the Board finds that Option 1 thereof better meets the safety and other considerations in formulating and accomplishment of its highway functions.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves Option 1, a half diamond interchange connecting at Center Street, rather than Option 2, a half diamond interchange connecting at Third North Street, which latter option had been recommended by the Department staff.

Review of Cotterell Rest Area, Visitor Information Center, I-84, District 4. In 1993 the Rest Area Task Force recognized the need for and recommended a Gateway Rest Area in the vicinity of the Salt Lake Interchange on I-84. This was based on the fact that no visitor information center facility was available in the area to provide needed information. The Idaho Department of Parks and Recreation (IP&R) participated on the Task Force and indicated an interest in providing information in this area. IP&R is willing to partner with ITD to fulfill this need.

Currently, Cotterell Port of Entry is operated as a joint rest area/POE facility, according to DE Rigby. Originally, the POE was to be upgraded and enlarged to handle larger volumes and size of commercial trucks, while the rest area facilities were to be removed. After further study, it was determined that the relocation of the Cotterell POE would be more cost effective and beneficial to the Department. When the POE relocation takes place, it is recommended that a visitor information center be constructed at a later date or the existing POE building modified.

Although Enhancement funds are not eligible for a rest area/visitor information center, DE Rigby would like to continue working on relocation of the Cotterell POE and development of a gateway rest area/visitor center. The projects are currently in Preliminary Development. Because of the proximity to various sites, such as the City of Rocks, and the Oregon Trail, Chairman Winder questioned the eligibility of Enhancement funds. DE Rigby said he will explore that funding option again.

FY1999 Funding for Statewide Rideshare Program. The Statewide Rideshare Program began in the early 1980s when Ada County Highway District (ACHD) was designated as the Statewide Ridesharing Office on behalf of ITD. Since then, ACHD has been instrumental in working with ITD to provide services statewide regarding establishing carpool or vanpool programs. Currently, Surface Transportation Program – Urban funds are used to finance the position of the Statewide Rideshare Coordinator, according to Public Transportation

Administrator Larry Falkner. Funding for FY1998 was \$70,000. ACHD has requested that the project be included in the STIP for FY1999 for \$80,000. The requested increase would be used to develop a statewide public service announcement ad campaign with generic messages that can be adapted to include local messages in all areas of the state. The Coordinator will work with the Association of Idaho Cities in the upcoming year to raise awareness of the benefits of carpooling and vanpooling in Idaho's larger cities and to distribute information about the services and information available from this Program.

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

RES. NO. WHEREAS, Ada County Highway District was designated in the early 1980s as  
TB98-58 the Statewide Ridesharing Office on behalf of the Idaho Transportation  
Department; and

WHEREAS, the Statewide Ridesharing Office has been instrumental in working with ITD to provide services to those in the state requesting information on establishing carpool and vanpool programs; and

WHEREAS, the demand for information about carpooling and vanpooling has increased in the past several years as Idaho's population levels have experienced rapid growth; and

WHEREAS, personnel costs have risen above the original funding level of \$55,000 and there is a need to create materials for use statewide on the opportunities that exist with carpooling and vanpooling.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the increase in funding to \$80,000 for the Statewide Ridesharing Office for FY1999 and the inclusion of the project into the FY1999 STP-Urban Program.

Presentation – Tony Barter, State Materials Engineer, Alaska Department of Transportation and Public Facilities. Mr. Barter has done extensive studies and research on pavement rutting, particularly due to studded tires. He reported that Alaska spends \$5 million annually to repair pavement damage due to studded tires. Lightweight studs can reduce pavement wear by 50% compared with conventional studs. He added that there is no difference in retail cost between lightweight and conventional studs, the handling characteristics and stopping distance are virtually identical, and the service life of lightweight studs is three to four years. External factors include speed, traffic volume, type of studs, road width, and climate. If legislation is being contemplated, Mr. Barter said to consider time of year when studded tires would be restricted, and also enforcement.

Chairman Winder thanked Mr. Barter for traveling to Idaho and for the informative presentation.

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Executive Session on Legal Issues, Section 67-2345(f), Idaho Code. At 12 noon, Vice Chairman Mitchell made a motion, seconded by Member McClure, to meet in executive session to discuss legal issues with DAG McMahon. The motion passed unanimously.

The Board came out of executive session at 1:30 PM. No decisions were made. Chairman Winder welcomed Representative Kempton to the meeting.

Contract Award for STP-7592(101), Key 5171, Overland Bridge, Burley, District 4. In May, the Board approved the award of the above project. CE Ross said staff has reviewed the bids and information provided and recommends rejecting all bids and readvertising the project.

Member Smith made a motion to reject the bids for STP-7592(101), key 5171, the Overland Bridge project, and to readvertise the project. Member Miller seconded the motion and it passed unopposed.

St. Lukes' Proposal to Exchange Right-of-Way, Revisited. Member Smith made a motion, seconded by Member Combo, and passed unanimously, to approve the following resolution:

RES. NO.        WHEREAS, St. Lukes has an aggressive timetable for construction of a hospital  
TB98-59        in Blaine County; and

WHEREAS, the Idaho Transportation Department has proposed programming this section as part of SH-75 improvements in FY2003; and

WHEREAS, St. Lukes' plan needs ITD's right-of-way conveyed to the county, presently used for a bike path; and

WHEREAS, St. Lukes needs to know if ITD will exchange right-of-way for property and services in order to adhere to its time line.

*NOW THEREFORE BE IT RESOLVED*, that the Transportation Board encourages District Engineer Rigby and the Department staff to negotiate an exchange of the old railroad right-of-way to St. Lukes, using some Board suggestions as guidance, which might include:

- 1) St. Lukes acquire all right-of-way necessary on the present alignment from a point south of the bike tunnel to West River Bridge for a five lane road;
- 2) Acquire all accesses on the west side of the highway for the length of the project between two entries (intersections) of proposed County Road;
- 3) Acquire all accesses on the east side except the two current ones in existence; and
- 4) Construct a 5-lane highway on SH-75 from the south end of the hospital's property through the south intersection with the proposed county road, and install traffic lights; and

*BE IT FURTHER RESOLVED*, that ITD will endeavor to schedule construction of SH-75 in the vicinity of St. Lukes' facility and coordinate with St. Lukes' construction of the County Road and intersections.

1999 Legislative IDEA Concept Review. Budget, Policy, and Intergovernmental Relations Manager Mary Detmar presented the legislative ideas for 1999. Two issues, the open container and multiple driving under the influence offenses, are a result of TEA-21. If the Department is not in compliance by October 2000, highway construction funds would be transferred into the Hazard Elimination or Section 402 highway safety programs.

Vice Chairman Mitchell expressed concern with proposed legislation on the policy for public transportation and the funding for public transportation. He believes the state's role in public transportation was defined initially, and he requested to see the proposed legislation. He also commented that the funding proposal has failed previously, so other funding mechanisms should be explored. The consensus of the Board was to remove the two public transportation proposals from the list of legislative items at this time and explore these issues in more depth.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit  
TB98-60 proposed 1999 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Department Executive Team has approved the attached "Legislative IDEA Submittal Forms" as to concept and has submitted them to the Transportation Board for concept review prior to submission to the Division of Financial Management.

*NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves submittal of the following "Legislative IDEA Submittal Forms", attached, to the Division of Financial Management, and, upon approval, the development by ITD staff of draft legislation to be included as part of the Governor's 1999 legislative package, dependent upon subsequent review and approval by the Transportation Board and the Division of Financial Management.

Equitable User Fees. Herb Kinney, Motor Carrier Services Manager, explained how Idaho's mileage use fee works. There is a fixed rate per mile based upon the registered gross weight. The rate is expressed in mills per mile with quarterly reporting required. Mr. Kinney added that Idaho has a variation-multiple weight reporting system. Some legislative changes to the system since 1982 have included changing the beginning point for weight distance tax from 16,001 to 60,001 pounds; farm and non-commercial vehicles received a reduced fee schedule of up to 60% less than the commercial rate; rates for registration, use fee, and fuel increased 20% in 1982 and registration and use fees have not increased since; fuel-tax reporting and mileage use fee reporting were combined until 1984 when it was separated legislatively and transferred from ITD to the State Tax Commission; milk transporters were included in the reduced mileage use fee rates when transporting between the farm and processing plant; and multiple weight reporting

was provided as a fee exception first by attorney general guidance and then by inclusion in Idaho Code.

Regarding enforcement, Mr. Kinney said the first line of defense to evasion is ITD's ability to suspend or revoke an owner's registration for non-reporting. Another enforcement tool is close cooperation between the auditors and the POEs. Oregon, New Mexico, and New York are the other states utilizing a mileage use system. Arizona repealed the mileage fee beginning January 1, 1998, however, it is too early to tell what the outcome of Arizona's new system will produce. New York is in the process of dismantling the weight distance tax incrementally.

Doug Benzon, Economics and Research Manager, explained the cost allocation study. It compares the revenues collected by vehicle type and the costs to construct and maintain roads by functional classification. It does not attempt to estimate damage by vehicle types. The study examines all construction and maintenance elements to the taxes collected from each vehicle class. The comparison of revenues generated by vehicle class to the costs those vehicles demand for construction and maintenance is called the equity ratio. The Board reviewed the Idaho Cost Allocation Study equity ratio for various classes from 1994 and the preliminary figures for 1998. Revenue sources to the Highway Distribution Account and Restricted Highway Fund, and highway user revenues were also reviewed.

Deputy Attorney General Mike Gilmore reviewed the changes that can legally be accommodated within the constitutional provisions of federal and state law, and impacts of the American Trucking Association (ATA) lawsuit on the existing truck taxation system. A motion for summary judgment will be filed in two weeks, however, it may be a year before there is a ruling on the constitutionality. He cautioned establishing a new system until this lawsuit is cleared up.

Chairman Winder thanked the presenters for the informative briefing.

Welcome to Idaho Signs. The Board members viewed several different designs proposed for new Welcome to Idaho signs. The Department hopes to replace the 50 existing signs, which are faded and need replacing, by the end of the year. The Board approved a new Welcome to Idaho sign for installation.

The Iowa Plan. DAG McMahon explored alternatives to Idaho's totally judicialized approach to condemnation and studied how other states handle condemnations. The other states' methods can be summarized in three models. The condemnation commission model is comprised of a panel of private citizens appointed to conduct the proceedings, hear the case, and file findings of fact, conclusions of law, and an order awarding compensation. The appraiser/assessor model has a panel which serves as a special master for the presiding judge. The members—either lay people or professional appraisers—go out and investigate, find the facts, and report back to the judge. In the last model, the jury model, a judge presides over a courtroom proceeding. A panel of local citizens, knowledgeable about real estate matters, serves as a quasi-jury. Once the case is heard, the panel deliberates and writes a report to the judge, who may accept it, reject it, or modify it. This model may meet constitutional requirements and dispense with a de novo trial by jury.

In response to whether these methods would require legislation, DAG McMahon responded that they all would. Vice Chairman Mitchell expressed appreciation for the improvements that have already been made in ITD's condemnation process. Member McClure stated support for the condemnation commission. Member Smith concurred with the progress made on improving the system, however, he believes it is still adversarial. He suggested considering the activities of the legislative committee on private property rights.

Representative Kempton believes the Board's concerns are similar to those of the committee on private property rights, although he is working on regulation versus condemnation. He believes it may be advantageous for the two groups to be kept apprised of the others' activities and is interested in having DAG McMahon present this information to the committee.

Member Combo recommended continuing progress on this issue and stated time limits are beneficial for both ITD and the landowners. Chairman Winder added that the Department needs to be fair, have a speedy process, and findings that are admissible in court.

The Board thanked DAG McMahon for the presentation and stated the report was very informative.

DAG McMahon reported that staff worked with FHWA to resolve the federal share for the Haugeback case. FHWA agreed to pay a significant share for the acquisition of that property. He praised Mr. Coe for his efforts on this issue. Chairman Winder also thanked Mr. Coe for his work to resolve this case.

Additional Contract Awards. Both District 1 projects, ST-5110(638), key 6920, Junction US-95 and US-2, North, US-95, Boundary County, and STR-5726(602) and STR-5170(604), keys 6606 and 6043, Harrison to Harrison Junction and Junction SH-97 to Swan Creek, Kootenai County were more than ten percent over the engineer's estimate, requiring justification. CE Ross reported that the engineer's estimate was based on the Average Unit Price Report for standard items for both projects. The major price differences in both instances are in two of the special items, which were cement recycled asphalt base stabilization and pulverize existing surface. Staff believes the increase in price for these two items is due to the large amount of this type of work now being bid in Idaho and a limited number of subcontractors that have the specialized equipment required. There would be no savings by re-bidding at this time. Recycling prices may or may not drop next season, so rejecting the bid would lose a year of benefits to the traveling public with possibly no cost savings. Therefore the District recommends awarding both projects.

Vice Chairman Mitchell made a motion to award the contract for ST-5110(638), key 6920 to the low bidder: Interstate Concrete & Asphalt, Sandpoint, Idaho - \$1,206,485 and for STR-5726(602) and STR-5170(604), keys 6606 and 6043, to the low bidder: Poe Asphalt Paving, Inc., Lewiston, Idaho - \$1,660,594.47. Member McHugh seconded the motion and it passed unopposed.

Director Bower noticed that there have been fewer bidders on projects lately and the bids are a little higher. Staff will be watching this trend and looking at the availability of contractors.

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He believes the industry will have to expand to handle the additional work due to increased funding in TEA-21. Member McClure said the Department should be more vigilant when contracts are let.

Equitable User Fees, Revisited. Chairman Winder questioned the establishment of a task force to study this issue. Member Smith believes the weight distance tax should be eliminated, however, he suggested watching New York and Arizona as they phase out their system. Staff should see how those states are doing and keep the Board informed.

Representative Kempton concurred with watching how Arizona handles its transition. He would like to see this issue resolved, but there needs to be an agreement amongst the users on this and it needs to be revenue neutral. Director Bower suggested having someone from Arizona present information to the Board, as their system is similar to Idaho's.

Vice Chairman Mitchell suggested waiting until a new Governor is elected. He believes the Governor's support is needed, and should be involved in the issue. Member McClure believes the weight distance tax is the fairest method, if the collections are made and it is enforced.

Representative Kempton expressed support for a task force because nobody has defined where the problems are. He believes the issues need to be defined and Arizona's experiences need to be monitored and considered.

Instead of a task force, Chairman Winder suggested having the full Board study the issue. He asked the members to consider the options and provide him with input.

WHEREUPON, the regular monthly Board meeting and tour of District 4 officially adjourned at 4:10 PM.

Read and Approved  
August 21, 1998  
Coeur d'Alene, Idaho

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signed  
CHARLES L. WINDER, Chairman  
Idaho Transportation Board

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REGULAR MEETING AND DISTRICT 1 TOUR  
OF THE IDAHO TRANSPORTATION BOARD

August 19-21, 1998

The regular session of the Idaho Transportation Board meeting convened at 1 PM, on Wednesday, August 19, in Coeur d'Alene. The following principals were present:

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Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member – District 1  
Monte C. McClure, Member – District 3  
Leon E. Smith, Jr., Member – District 4  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Jimmy Ross, Chief Engineer  
Scott Stokes, District 1 Engineer  
Larry Wolf, Assistant District 1 Engineer

Representative Don Pischner was also present. The group departed Coeur d'Alene via I-90 east. Member Neil Miller, District 5, joined the group at the Wallace Visitors Information Center. The tour continued east on SH-4. Dave Autio, Maintenance Foreman, reported that SH-4 is approximately 6 miles of state highway, then becomes a county road. Efforts are underway to clean the lead out of the river. In conjunction with that process, the Frisco Bridge is being replaced. Some discussions have been held on the relinquishment of this route. The Board returned to I-90 on SH-4 and traveled west to Osburn.

Delegation – City of Wallace. Mayor Ron Garitone reported that the city applied for bridge replacement funds for the 6<sup>th</sup> Street Bridge. The project was on the Program earlier, but has been removed. The County indicated it will be removing one of its bridges on the Program, according to Mayor Garitone, so he asked the Board to place the 6<sup>th</sup> Street Bridge on the Program in place of the County's project. Joe Haynes, Local Highway Technical Assistance Council Administrator, reported that Shoshone County has received FEMA funds for the Steamboat Creek Bridge and will be withdrawing the project from the Statewide Transportation Improvement Program.

The city has applied for a grant to rehabilitate and beautify the city, according to Mayor Garitone. The plans include cleaning up the parapet rail along the business route into town. If the grant is not received, Mayor Garitone asked the Board for assistance with the rail. He added that the entire city is on the national historic register, so options for the parapet rail may be limited. Vice Chairman Mitchell suggested the city determine what options are available for the parapet rail so the national historic register designation is kept in tact.

In response to whether the city would consider adding the business route to its jurisdiction, Mayor Garitone said he personally does not believe it is in the city's best interest. The city has a very limited budget and may not be able to handle the winter maintenance needs.

He added that this loop is a vital route because of the viaduct; if I-90 had to be closed, the traffic would be routed through town on the business route.

Mayor Garitone said the city has applied for a bicycle/pedestrian path Enhancement project. The project received a low rating and is not included in the Program. He said the route would be a collateral off of the Mullen to Elizabeth Park trail, which is scheduled in the draft Program for FY2000. The Wallace bike path project is estimated at \$31,000 and Mayor Garitone asked the Board to consider adding this project to the Program.

Director Bower asked if the two projects could be combined into one. Mayor Garitone thought the projects could be combined and added that the bike path is also part of the city's beautification plan. Additionally, the city would like a conditional use permit, or some method to control and enhance the area along the viaduct. Although ITD owns the property, junked cars are often parked there. The city would like to clean up the area. In closing, Mayor Garitone said the city has an excellent relationship with DE Stokes and ITD and appreciates the work the Department is doing.

Chairman Winder thanked the Mayor for the comments and encouraged him to work with DE Stokes on the above-mentioned projects and concerns.

Delegation – City of Kellogg. Planning Administrator Walter Hadley provided a status report on the improvements underway on the old I-90 business route. The project is behind schedule because of earlier flood problems, but should be completed by June 1999. The city of Kellogg added that route to its system approximately one year ago. Mr. Hadley also extended support for the city of Wallace's bike path project. Kellogg's bike path projects, approximately 5 ½ miles in length, should be completed in a year.

The Board thanked Mr. Hadley for his comments, particularly the update on the old I-90 business route.

The Board returned to Coeur d'Alene on I-90. The group stopped at Potlatch Point to view the parcels declared surplus and under consideration for exchange. (See later minute entry on this subject.)

WHEREUPON the meeting recessed at 5:30 PM.

## ***August 20, 1998***

The Transportation Board meeting reconvened at 8 AM on Thursday, August 20, in Coeur d'Alene. All members were present. Jack Coe, Division Administrator, Federal Highway Administration, Senator Clyde Boatright, and Representative Hilde Kellogg were also present. The Board departed Coeur d'Alene north on US-95 to Ponderay.

August 20, 1998

Delegation – Sandpoint Area Officials. Jonathan Coe, Sandpoint Chamber Executive Director and Bonner County Advisory Transportation Team (BCATT) representative, relayed the great cooperation the Team is receiving from ITD. He thanked the Board for including the Sandpoint alternate route in the Program, and added gratitude for its inclusion in the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). The town is approaching gridlock, so this project will be very beneficial. He added that the community supports the project. DE Stokes reported that the draft final environmental impact statement has been sent to the environmental agencies. After a meeting with them next month, for final concurrence, the draft will be submitted to FHWA for final approval.

Sandpoint City Planner Kevin Klegg said the city is enjoying the growing cooperation with ITD and added that communication and working together is so important. He relayed the city's priorities. He also expressed gratitude for the scheduling of and the progress on the Sandpoint alternate route, and for ITD's willingness to work with the city on the design and aesthetics. Improvements are needed along 5<sup>th</sup> Avenue, including widening, a bike trail, and a median strip. ITD bought additional right-of-way for this route. He believes it could be a truck route, which would be an interim solution until the alternate route is completed. The city is also monitoring the Burlington Northern/Sante Fe's proposal for a double track. The area is continuing to grow, taxing the transportation system. Mr. Klegg thanked the Board for its time.

The Sandpoint Highway District works closely with the local entities in the area to establish priorities, according to Supervisor Dave Ohnstad. He reported on plans for Boyer Avenue, which complements US-95 and may be used as a detour if the state highway is closed. He added that the Kootenai Cut-off Road is an important link between US-95 and SH-200. In conclusion, he encouraged the Board to advance the area projects in the Program and added that work is being done to raise the locals' required match.

Ponderay Mayor James Hunt expanded on the use of Kootenai Cut Off Road as a truck route from one state highway to another. Although truck restrictions were placed on the county road, the restrictions are not being adhered to. He would like the road to be upgraded and a bike path added. He also expressed safety concerns on this route.

Chairman Winder thanked Senator Shawn Keough for attending the meeting. He also thanked the delegation for the presentation and asked them to work closely with DE Stokes on the various transportation projects and concerns. Director Bower reported that an application for Federal Lands Discretionary funds has been prepared for the Clark Fork Bridge, and support from the local entities would be appreciated.

Senator Keough expressed support for BCATT and commended the Team for its efforts. She joined the group as it continued north on US-95 to Bonners Ferry.

Delegation – City of Bonners Ferry and Chamber Committee. Mayor Harold Simms thanked the Board for its time and for traveling to northern Idaho. He also expressed appreciation for the traffic signal that was recently installed and for the North Hill project, which is underway. He added that DE Stokes has been very helpful and good to work with.

Chamber Representative Pete Wilson concurred with the Mayor's comments and added his appreciation for Member McHugh's interest and assistance in the area. Council Member Russ Docherty asked if a list of the area's priorities would be beneficial to the Department. Chairman Winder said the priorities would be helpful. Vice Chairman Mitchell added that a countywide plan and coordination with other counties are also beneficial.

Mayor Simms stated that public transportation is needed in the area. Member McHugh suggested contacting North Idaho Community Express to see if it could expand service to this area.

Chamber Subcommittee Member Bob Hayes asked the Board to observe US-95 north of Copeland. He believes this is a dangerous section and needs to be improved, particularly with the increased truck traffic from Canada traveling the route. Member McHugh reported that there is a project scheduled in FY2001 to improve that stretch of US-95.

Chairman Winder thanked the delegation for attending the meeting and providing comments.

The Board departed Bonners Ferry north on US-95 to Eastport. John Standal, Port Director, US Customs, provided an overview of the Customs operation. He reported that the truck traffic from Canada had been increasing steadily since 1991, but leveled off last year. He added that US-95 is a vital route and encouraged the Board to improve the highway, particularly south to the junction with SH-1.

John Niewieroski, Area Port Director, Immigration and Naturalization Service, believes traffic will increase as improvements are made to the highway. Expansion of the facilities at Eastport will be difficult because of the railroad track on the west side and the historic building to the east. He suggested focusing on Porthill and encouraged the Board to plan for the future. He added improvements are needed on US-95, but a long-range plan has to be considered.

Mr. Standal concurred that more immigration, or people, may go through the Porthill facility, but he believes the customs traffic will continue to use the Eastport facilities. The majority of customs traffic comes from Calgary, Edmonton, and points east of Eastport, resulting in Eastport being the more convenient and efficient route.

Chairman Winder thanked the gentlemen for the informative presentation and encouraged them to work with DE Stokes on transportation issues, particularly planning.

The tour continued on Canadian routes 3 and 21 to Porthill, Idaho, with two Canadian transportation officials traveling with the Board for informal visitation. A Porthill Customs official reported on the increasing truck traffic at the facility and shared other statistics. The facility also has an international airstrip for private aircraft.

The Board traveled SH-1 and US-95 south. The Board stopped at the Sandpoint Maintenance Shed to visit with employees. Senator Keough departed the tour at this time. The group continued south on US-95.

August 20, 1998

Delegation – Paul Morton. Athol resident Paul Morton met the Board at the US-95 and SH-54 intersection. Mr. Morton requested improvements to SH-54 from US-95 to SH-41. He expressed safety concerns because the road is narrow and traffic is increasing on the route. A new school will be opening soon, creating additional traffic. Mr. Morton expressed concern that there is no bike or pedestrian path for these students. In conclusion, he stated that a petition has been circulated, with approximately 1,000 signatures, asking for improvements to SH-54. The citizens of the area are concerned with the safety of this route and want it improved.

Chairman Winder thanked Mr. Morton for his presentation and sharing his concerns with the Board.

The Board traveled SH-54 west to SH-41. Sherry Howell, County Planner, joined the group as it traveled SH-41 south and returned to Coeur d'Alene via I-90 east. Ms. Howell reported on the recently-signed memorandum of understanding between Kootenai County and ITD on access control. She thanked DE Stokes for his cooperation and willingness to work together on access management and other transportation issues.

WHEREUPON the meeting recessed at 5:05 PM.

## ***August 21, 1998***

The Transportation Board meeting reconvened at 8:15 AM on Friday, August 21, at the District 1 Office in Coeur d'Alene. All members were present.

July 15-17, 1998 Board Minutes. Member Smith made a motion, seconded by Member McHugh, to approve the minutes of the Board meeting held on July 15-17, 1998, as corrected. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
September 17-18, 1998 – Boise  
October 1, 1998 – meeting with Washington Transportation Commission, Spokane, Washington  
October 8-9, 1998 – District 5  
November 18-20, 1998 – Boise  
December 17-18, 1998 - Boise

Consent Calendar. Member 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 Transportation Board approves  
TB98-61 the 1998-1999 Winter Maintenance Standards; rural highway access control map; recommended roadway and right-of-way width map; request for consultant services, I-84, District 3; request for consultant services, I-84/SH-55, District 3; request for supplemental agreement, SH-55, District 3; request for supplemental agreement, I-84B, District 3; request for consultant services, SH-25, District 4;

September 17, 1998

appointment of new District 4 Regional Public Transportation Advisory Committee member; and the annual account write-off; and has received and reviewed the report on extending the Pierce to Grangemont Road project, SH-11, District 2; the contract awards; the new and supplemental professional agreements report; the quarterly returned check report; the summary of FY1998 items submitted to the Board of Examiners; the FY1998 out-of-state travel budget versus expenditures; the Motor Carrier Audit Unit annual report; the year 2000 computer report; and the FY1999 year-to-date financial statement.

1) 1998-1999 Winter Maintenance Standards. Board Policy B-05-06 requires annual presentation to the Board of proposed levels of winter maintenance for all state routes for the coming winter. No changes were recommended from the 1997-1998 standards.

2) Rural Highway Access Control Map. The rural highway access control map is presented to the Board, in accordance with Administrative Policy A-12-15, for review with the following revisions: SH-8, Moscow to Troy, Type I to Type III; SH-8, Troy to Deary, SAP to Type I; US-20, I-84 at Caldwell to Boise, milepost 25 to 47, Type II to Type III; and US-91, Preston to Utah State Line, Type I to Type III.

3) Recommended Roadway and Right-of-way Width Map. The recommended roadway and right-of-way width map is presented to the Board, in accordance with Administrative Policy A-14-02, for review with the following revisions: SH-53, from 10.8 meters to 4-lane right of way with 10.8 meter initial construction; US-93, US-93/US-30 interchange to Nevada State Line, from 10.8 meters to 4-lane right of way with 10.8 meter initial construction; SH-77, I-84, Declo interchange to Albion, from 8.4 meters to 10.8 meters; US-30, McCammon to Wyoming State Line, from 10.8 meters to 4-lane right of way with 10.8 meter initial construction; and US-91, Preston to Utah State Line, from 10.8 meters to 4-lane right of way with 10.8 meter initial construction.

4) Request for Consultant Services, I-84, District 3. These I-84 projects, Oregon State Line to Black Canyon Interchange, westbound and eastbound, are programmed for FY2000, with an estimated construction cost of \$6.7 million and \$8.6 million, respectively. HDR Engineering, Inc., is currently under term agreement to provide the design of this pavement rehabilitation project, on the westbound lanes only, through the design approval stage. District staff would have then completed the design of the westbound lanes and all the design for the eastbound lanes. Increased federal aid funding has resulted in an increased workload for the District Design staff. The District requests approval to negotiate with HDR Engineering, above the \$500,000 term agreement limit, to provide for the completion of the design of the westbound lanes project, and the entire design for the eastbound lanes.

5) Request for Consultant Services, I-84 and SH-55, District 3. Earth Tech Engineers (formerly known as Bell-Walker Engineers) has been the design consultant for the Karcher Interchange project since its inception. The design process has been completed through the design approval stage. A significant amount of right-of-way has also been purchased. The project has been advanced in the draft Program to fiscal year 2002. The District requests approval to

negotiate with Earth Tech Engineers to provide for the completion of the design of the project, estimated at \$1.5 million, which is 6% of the construction budget.

6) Request for Supplemental Agreement, SH-55, District 3. The SH-55, Marsing to Sunny Slope project is currently programmed in FY2003 with an estimated construction cost of \$7 million. The original agreement for this project was for \$345,000 and only one supplemental agreement has been issued to date, for \$98,000. Staff is requesting a second supplemental agreement with Entranco to expand the effort on this project to provide a full 5-lane roadway design. The work will include the modification and/or revision of preliminary plans, extra surveying to delineate proposed right-of-way for negotiations, fields staking control, construction traffic control plans revisions, and a 5-lane paved roadway. This supplemental is for \$45,000, which increases the total agreement amount for this project to \$488,000.

7) Request for Supplemental Agreement, I-84B, District 3. The Mountain Home Underpass project is currently programmed for construction in fiscal year 1999 for \$14 million. The original design agreement with Higgins Engineer was signed in 1988 for \$422,686 and five supplementals have been issued to date, bringing the current agreement amount to \$784,202. Staff is requesting a sixth agreement for work to include installing de-silting and containment pond for 100-year event rainfall; increasing the size of structure planned for the Irrigation Lateral Crossing; removing the landscaped island within railroad property and relocating retaining walls; adding lighting to pedestrian tunnel at existing underpass; deleting curb, gutter, roadways, and landscaping south of the old highway 30 connection to the new roadway; environmental reevaluation and update; redesigning the pump station to simplify construction and maintenance; and revising the proposed shoofly design due to the recent reconstruction of Jackson Street; additional site investigations to determine the possibility of a dry excavation as the method of construction; and because preliminary testing and inventory of past and present use of adjacent properties has located contamination of the ground water, recommendations to prevent migration of this contamination into the project. This supplemental is estimated at \$500,000, which brings the total amount to \$1,284,202. This is approximately 9.2% of the current construction estimate.

8) Request for Consultant Services, SH-25, District 4. Cameron's Corner is located at the intersection of SH-24 and SH-25 in Rupert. The Eastern Idaho Railroad crosses SH-25 just west of the SH-24/SH-25 intersection. Both projects are on the same professional agreement and scheduled for construction in FY2000. The original agreement, issued in 1996, was \$115,000 and two supplementals have been added. Staff is requesting a third supplemental, estimated at \$48,000, with work to include right-of-way plans and right-of-way work, public involvement information, revisions to ITD-210 report, utility work, storm water plan and the addition of a seal coat. This supplemental would bring the agreement amount to \$269,059.

9) Extending Pierce to Grangemont Road at the Request of the City of Pierce, SH-11, District 2. In April, citizens of Pierce requested adding handicap ramps to this project and extending the project to the city's south limits. The city has been unable to commit funding at this time. The District has included handicap ramps within the current project by change order, but is not proposing that the current project be extended because of the funding issues and the contractor's schedule. Staff has proposed the addition of a new project to the STIP to meet the city's request.

10) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

RA-3-1, key RA-0-1 – Midvale Hill Rest Area, US-95, Washington County, District 3, Low bidder: American Building Maintenance Company West, Boise, Idaho - \$82,989.12.

ST-4743(603), key 1749 – Long Hollow Bridge, Nez Perce, SH-64, Lewis County, District 2. Low bidder: A&R Construction, Inc., Lewiston, Idaho - \$223,219.35.

BRS-4750(102), key 2839 – Ahsahka Bridge, Clearwater County, District 2. Low bidder: Wasco, Inc., Orofino, Idaho - \$2,859,369.98.

ST-1721(610) and STR-1721(609), keys 6597 and 6647 – North Pleasant Valley Road to Aberdeen and American Falls Dam to North Pleasant Valley Road, SH-39, Power and Bingham Counties, District 5. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,888,888.88.

ST-6804(603), key 6600 - Lamont East, SH-32, Fremont County, District 6. Low bidder: Desert Sage Contractors, Inc., Idaho Falls, Idaho - \$322,851.40.

ST-6500(614) and ST-6857(600), keys 6694 and 6693 – Ririe to Granite and Ririe Business Loop, US-26 and US-26B, Bonneville and Jefferson Counties, District 6. Low bidder: Kloepper Inc., Paul, Idaho - \$398,029.46.

ST-1721(612), key 6935 – Hoff Road to Riverside, Bingham County, District 5. Low bidder: Beco Construction Company, Inc., Idaho Falls, Idaho - \$549,996.50.

ER-5170(103), key 6375 – Peterson Hill Washout, SH-3, Kootenai County, District 1. Low bidder: DeAtley Company, Inc., Lewiston, Idaho - \$97,244.

ER-4782(100) and ER-4782(102), keys 6381 and 6408 – Michigan Avenue, Orofino and Grangemont Road, Orofino City Limits to Deer Creek, Clearwater County, District 2. Low bidder: Poe Asphalt Paving, Inc., Lewiston, Idaho - \$549,232.27.

STM-84-1(530)0, key 6826 – I-84, Remote Weather Information System Locations, Ada, Canyon, and Payette Counties, District 3. Low bidder: Quality Electric Inc., Boise, Idaho - \$199,992.

STR-5180(603), key 6627 – Washington State Line to Rathdrum, SH-53, Kootenai County, District 1. Low bidder: Interstate Concrete and Asphalt, Coeur d'Alene, Idaho - \$1,222,641.02.

STM-0005(613), key 7284 – Roadside Mowing, I-15 and I-86, Bannock, Power, Oneida, and Bingham Counties, District 5. Low bidder: Castello, Inc., LaGrange, Texas - \$36,127.90.

ST-2790(604), 2755(600), 2846(610), and 2859(600), keys 6087, 6782, 6933, and 5493 – Rupert to Minidoka, Jct. I-84 to Jerome, Red Cap to Hansen, and Oakley to Burley; SH-24, SH-79, US-30, and SH-27; Minidoka, Jerome, Twin Falls, and Cassia Counties, District 4. Low bidder: Snake River Construction, Inc., Twin Falls, Idaho - \$393,457.61.

ST-7872(600), key 6570 – Kelley Bean Intersection, Rupert, Minidoka County, District 4. Low bidder: Kloepper Inc., Paul, Idaho - \$139,393.89.

ST-2390(665), key 6781 – Valley Creek to Clayton Ranger Station, SH-75, Custer County, District 6. Low bidder: Nelson-Deppe Inc., Nampa, Idaho - \$376,798.16.

ST-2340(609) and ST-2779(607), keys 6932 and 6931 – Fairfield East and Johnson Hill to Junction US-20, US-20 and SH-46, Camas County, District 4. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,180,982.60.

ST-2390(635), ST-2340(605), and ST-2340(608), keys 5502, 5826, and 6780 – Jct. US-20 to Poverty Flat, Jct. SH-75 to Gannett Road and Cat Creek to Hill City; SH-75 and US-20; Blaine and Camas Counties. Low bidder: Snake River Construction, Inc., Twin Falls, Idaho - \$284,830.54.

ST-3110(619), key 6956 – Oregon State Line to US-95, US-20/26, Canyon County, District 3. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$249,826.10.

STR-2776(608), key 7025 – SH-46, Wendell to Gooding, Gooding County, District 4. Low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$1,328,387.

11) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$1,292,393 in new and supplemental agreements between June 30 and August 2.

12) Appointment of new District 4 Regional Public Transportation Advisory Committee Member. Doyl Hitt has been appointed to the District 4 RPTAC. His term will expire June 2001.

13) Quarterly Returned Check Report. During the fourth quarter of FY1998, \$15,429,318 in checks were received while \$45,632, or .2957%, were returned. Collections amounted to \$12,648 for a collection rate of 28%.

14) Summary of FY1998 Items Submitted to the Board of Examiners. This past year, requests were made to allow 31 employees to accrue vacation in excess of the maximum

allowable limit. All individuals included in the request were key personnel in the implementation of the new Financial Management System. The term of the request allowed excess accrual until July 1, 1998, and specified that any excess leave accrued would be liquidated prior to December 30, 1998. The request was approved as submitted and all but 1 individual has liquidated their excess leave.

15) FY1998 Out-of-State Travel Budget versus Expenditures. In FY1998, 248 out-of-state trips were taken at a cost of \$185,852, which was below the budgeted amount of \$357,959.

16) Motor Carrier Audit Unit Annual Report. From July 19, 1982 through June 30, 1998, the unit completed 12,307 use fee audits on in-state and out-of-state carriers. The audits resulted in assessments of \$16,183,127. Of the audits completed, 69% resulted in additional assessments, 3% resulted in a refund and 28% were accepted as reported.

17) Year 2000 Project Status. The project to assess the nature and extent of the Year 2000 problems and issues in all departmental computer and information processing systems continues on schedule and within budget. The current assessment phase is scheduled to conclude by mid-September with an initial cost projection of approximately \$194,000 for the contractor, Comsys. That cost estimate does not include the cost of ITD staff presently working on specific remediation efforts.

18) FY1999 Year-to-Date Financial Statement.

Rule 39.03.62, Rules Governing Logo Signs, and 39.03.64, Rules Governing Tourist Oriented Directional Signs (TODS). Modifications to each rule include the publication date and title for policies governing procedures and qualifications for logo and TODS permits. These policies have undergone extensive revision to clarify and address specific permit and signing issues.

Member McHugh believes the definition for service stations is too restrictive. If a facility has an air compressor or a jack, it is considered a service station. He does not believe this is being complied with and asked staff to review the definition and consider making it less restrictive.

Member McHugh made a motion to approve the revisions to Rule 39.03.64, Rules Governing Tourist Oriented Directional Signs, which modify the publication date and title of the policy. Member Smith seconded the motion and it passed unanimously.

Burlington Northern and Santa Fe Double Track, Washington State Line to Hauser and Algoma to Sandpoint, District 1. An Idaho Public Utilities Commission ruling states that the installation of a new track constitutes a new crossing. Staff reviewed the following railroad highway crossings for the proposed installation of a double track: Idaho/Washington state line to Hauser, adjacent to SH-53 – 66234M Beck Road, closure and frontage road; 66233F, Prairie Road, relocate signals and gates; 66231S Pleasant View Road, new signals and gates; and 66229R McGuire Road, relocate signals and gates; and Algoma to Sandpoint, adjacent to US-95

– 58828R, Lignite/Bottle Bay Road, relocate signals and add gates; and 58827J Birch Haven/Hanford, drive closure.

Staff believes BNSF has answered all concerns relating to the above crossings. The local roadway jurisdictions concur. All installations will be in conformance with the Manual on Uniform Traffic Control Devices.

Member McHugh made a motion to approve the installation of the new crossings at the above locations. Vice Chairman Mitchell seconded the motion and it passed unopposed.

Annual Account Write Off. Each year the Board reviews the outstanding accounts receivable determined to be uncollectible. Department policy requires that all uncollectible accounts exceeding \$1,000 be reviewed and approved for write off by the Board. The Director, or designee, reviews and approves write off of all accounts less than \$1,000. Chief of Administration Dick Transtrum approved the write off of 96 accounts totaling \$12,935.65. Ten accounts totaling \$45,821.04 were determined to be uncollectible and written off.

Member McHugh questioned the validity of writing off accounts because the statute of limitations had passed. He also suggesting eliminating the corporate shield by stating on the application that whoever signs is liable. The Board asked for a presentation on uncollectible accounts and the write-off process.

Member McHugh made a motion, seconded by Vice Chairman Mitchell, to approve the ten accounts totaling \$45,821.04 as uncollectible and to be written off, as shown in Exhibit 208, which is made a part hereof with like effect. The motion passed unanimously.

Financial Statement, FY1998 Year-End Report. Fund balances in the State Highway Fund and Restricted Disaster Fund at the close of the year were positive. The Restricted Highway Fund, however, showed a deficit of approximately \$280,000 due to encumbrances for incomplete highway projects. Overall, state revenue collections for the year ran approximately 2.4% above forecast levels.

Member McHugh questioned the projected revenues versus actual collections in the State Restricted account. Budget, Policy, and Intergovernmental Relations Manager Mary Detmar believes the beginning balance and also the interest were higher than anticipated.

Member McHugh made a motion, seconded by Vice Chairman Mitchell to accept the FY1998 year-end report. The motion passed unanimously.

Board Items. Member Combo reported that earlier this week, Member McHugh and he met with ITD and FHWA staff to discuss the Enhancement Program. The purpose of the meeting was to identify the areas of flexibility that will need Board guidance. Staff is reviewing options for the identified issues for the Board Subcommittee to consider before presenting to the full Board.

Vice Chairman Mitchell suggested establishing a Board Subcommittee to work with COA Transtrum regarding the turnover rate. Vice Chairman Mitchell reported the turnover rate is 10%, while it was 4% in 1996. He is concerned with the number of people leaving ITD, particularly in the engineering and technical fields, and would like to review options for retaining employees. Member Miller volunteered to work with Vice Chairman Mitchell on this issue.

Member Miller expressed concern with the Department's telephone system, which he believes is cumbersome. His small company pays \$.09 per minute for long distance, while the state's rates are \$0.10. He realizes the Department of Administration oversees the long distance telephone service, and suggested notifying it of the Board's concerns.

Director's Items. Staff has submitted two projects for emergency relief (ER) funding due to flooding this year. Snake River Avenue in Lewiston and SH-71 near the Oregon border both received some preliminary ER funds. Director Bower believes most of the \$12 million which was set aside by the legislature for ER and FEMA match has been utilized.

Applications for Federal Lands Discretionary projects are due next week. As mentioned yesterday, the Clark Fork Bridge will be submitted, along with the road from Conners Corner to Almo, leading to the City of Rocks.

On September 11, Director Bower, CE Ross, and DE Carpenter will be meeting with officials from FHWA, Montana Department of Transportation, and the Forest Service at the Lolo Pass Interpretive Center site to continue discussions on this joint project.

FHWA is sponsoring meetings on the implementation of TEA-21, according to Director Bower. The five-state coalition is working on a paper and will send someone to testify at each meeting. Transportation Planning Administrator Charlie Rountree is planning to attend the meeting on priority corridors and border crossings later this month in Detroit.

Per Board direction, a letter was sent to the city of McCall earlier this year, requesting a status report on its Deinhard Lane to Boydston project. Director Bower has received a response, indicating the project will be ready in 2000. Director Bower added that he plans to meet with city officials to discuss this project.

The C-12 has arrived at Gowen Field in Boise, but the paperwork has not been completed, according to Director Bower.

A lack of communication with the public on ITD's plans to replace the Ahsahka Bridge created some concerns and distress to the citizens of the area. In response, the contractor stopped work on the project temporarily and the Department held a public meeting earlier this week to work through the issues. The main concern was the detour route: the extra time needed for emergency vehicles to travel the detour and the safety of the route, particularly for school buses. The meeting appeared to be successful, as only one citizen opposed the continuation of the bridge project. The contractor is back at work, according to Director Bower. He stated staff did an excellent job organizing the meeting and in an expedient manner.

Chairman Winder thanked Senator Boatright and Representative Pischner for attending the meeting. Senator Boatright thanked the Board for touring the area and for the assistance DE Stokes has provided.

Delegation- Post Falls Highway District. Highway District Chairman Lynn Humphreys thanked the Board members for their time and for coming to northern Idaho. Daris Ruen, Highway District Engineer, reported on the entity's priorities. Seltice Way Bridge is a two-lane bridge along a four-lane road. The sufficiency rating is 19 and the average daily traffic count is around 25,000, with a high percentage of truck traffic. Mr. Ruen asked that the project to replace this bridge be advanced to eliminate the bottleneck at the bridge.

The extension of Pleasant View Road is another priority. This connection to SH-53 would alleviate traffic on SH-41, which has doubled since 1991. Most of the right-of-way has been acquired and a set of plans is being developed. The connection would have two railroad crossings. The Highway District has over \$300,000 available for this project, according to Chairman Humphreys, but additional funding is needed.

Member Smith asked if at-grade crossings will be sufficient. With gates and signals, Mr. Ruen believes at-grade crossings are acceptable for a local road. If the route would be added to the state's system, a grade separation would be needed. Several years ago the Board was approached to add this extension to the state's system, however, the Highway District is proceeding with the connection as a local road. Member Smith expressed pleasure with the progress made on this project, particularly the acquisition of the right-of-way and encouraged DE Stokes to work with the local officials on this project and determine if funding is available. Chairman Winder concurred, and added that the Highway District should also work with Member McHugh.

Delegation – Twin Lakes Improvement Association. Don Ellis, President of Twin Lakes Improvement Association, thanked the Board for its time. He provided a history of the Association, which was established in 1956 as a property owners association. The first priority of the Association is a turn lane for northbound traffic on SH-41 at Twin Lakes Road, followed by a southbound acceleration lane. The sight distance in this area is a problem, particularly for heavy vehicles such as logging trucks and school buses that may need to stop or slow down abruptly, according to Mr. Ellis. He added that the community supports these improvements and that DE Stokes has been very helpful.

Chairman Winder reported that the Board traveled this route yesterday and observed the intersection. He directed DE Stokes to review the issues, determine if funding is available, and provide a recommendation to the Board. He thanked Mr. Ellis for bringing this issue to the Board's attention.

Because Twin Lakes Road is under the Lakes Highway District's jurisdiction, Highway District Commissioner Dave Atwood offered assistance on this project.

Delegation – Idaho Transportation Coalition. The Coalition was established to provide additional funding for a free-flowing highway system in Idaho. Previously, the focus was on

improving US-95, according to John Goedde, however, there was not a lot of legislative support for US-95 only. Last year the legislation was expanded for statewide projects, with ITD's assistance, and received more support. Because the draft Highway Development Program includes the majority of projects in last year's proposed legislation, the Coalition is on hold until the STIP is approved. There are still serious concerns with the highways, and the Coalition wants to stay involved and provide input, but at this time no legislation is pending. Mr. Goedde encouraged the Board to keep the US-95 projects on schedule and to keep focusing on improvements to this major north-south highway.

Senator Riggs thanked the Board and ITD staff for the communication and cooperation on the proposed funding legislation. He expressed pleasure with TEA-21 and the Board's proposed Highway Development Program. He said state funding may still need to be increased, especially for local entities. He asked for another list of unfunded projects statewide after the STIP has been approved.

Chairman Winder thanked the gentlemen for their efforts and interest on improving US-95 and other major needs statewide. The Director added his appreciation to the gentlemen on their cooperation and partnership on transportation issues.

Chairman Winder thanked Representative Kellogg for her year of service and work on US-95 and transportation issues. Representative Kellogg said she is grateful for all of the work that has been done on US-95 and appreciates the Board's emphasis on this important route.

Representative Pischner thanked the Board for touring Shoshone County on Wednesday. US-95, Belgrove to Micah, is a concern to him and his constituents. He expressed concern that this project stays on schedule and emphasized the importance of improving this section.

Chairman Winder stated that this project, included as a demonstration project in TEA-21, will remain a high priority for the Department. He expressed gratitude to Idaho's Congressional Delegation, particularly Senator Kempthorne, for its efforts on this important legislation. He also thanked the legislators and Mr. Goedde for their work and contacts on behalf of TEA-21.

Delegation – City of Coeur d'Alene. Mayor Steve Judy welcomed the Board to Coeur d'Alene. He expressed appreciation for the recently-completed Spokane River Bridge project on US-95 and complemented the ITD staff for the good work and the support it is providing to the area.

Public Works Supervisor Rodger Lewerenz said the Government Way project is a high priority. The city supports the Post Falls Highway District's bridge project. Other priorities are the bridge at Government Way and I-90 which is under-height and congested, and an overlay on I-90 east of 9<sup>th</sup> Street. He added that KCATT is doing an excellent job and the city appreciates the Department's responsiveness and assistance.

Chairman Winder thanked the delegation for the comments and encouraged them to continue working with DE Stokes and also to keep Member McHugh informed of the activities and concerns in the area.

Background Information on Public Transportation Program. Public Transportation Administrator (PTA) Larry Falkner outlined three options for the Board's consideration. Policy legislation could be proposed to correct errors, provide a definition of public transportation, and to establish a clear direction from the legislature for the state's role in public transportation. Staff can continue searching for internal funds from ITD to increase the amount of money available to assist communities in matching additional federal funds generated through the reauthorization bill, TEA-21. Lastly, a budget request from the general fund to raise state funds for public transportation could be proposed. He added that one of the proposed changes regarding policy could be implemented through a Board policy; increasing the membership of the Regional Public Transportation Advisory Committees to five members and include a representative from the metropolitan planning organizations where one exists.

Vice Chairman Mitchell believes the legislature needs to support public transportation and help fund it. Member Smith discouraged seeking general funds for public transportation, as he believes the state's revenue may decrease, partly from the agriculture and the computer/technology industries. Chairman Winder added that obtaining funds from the general fund may be difficult and he suggested exploring internal funds within ITD. Vice Chairman Mitchell concurred that the general fund may not be a viable source.

Member Smith made a motion for the Director to review ITD's internal funds for public transportation and provide the Board with recommendations on the policy and funding issues.

The motion died due to a lack of a second.

Member Combo objected to policy legislation, as he believes those issues could be handled internally. He also stated his support for internal funding versus general funds. Member McClure believes the legislature needs to be supportive of public transportation and help fund it. He believes the policy issue should be taken to the legislature.

Director Bower stated that the policy needs strengthening as to the state's role and involvement. Also, state or local match will be needed for TEA-21. Because the legislature has not approved the proposed public transportation funding legislation in the past, he believes internal funds and the general fund need to be explored. Director Bower added that there are no extra internal funds, so if the funds were to be taken from within ITD, other areas will have to be cut.

Member Combo believes the previous funding legislation failed because it did not include a spending plan. He added that the legislature already provides public transportation funds to other agencies, such as Health and Welfare and the Office on Aging, but no funds to ITD. Better coordination with other agencies is needed.

Member Miller believes there is a negative attitude towards public transportation because the buses often have few passengers. He would like to see a policy developed for the legislature that defines the state's role and authority to dispense and control public transportation funds, including those from other agencies. PTA Falkner stated that the coordination with other agencies is improving.

Vice Chairman Mitchell made a motion to look at strengthening the public transportation policy and establishing a clear direction and to review possible funding options, excluding the general fund.

Member McClure made a new motion to look at strengthening the public transportation policy and establishing a clear direction and to review possible funding options, including the general fund. Member Miller seconded the motion and it passed four to two with Vice Chairman Mitchell and Member Smith dissenting.

Delegation – North Idaho Community Express and Spokane Transit Authority. Robert Schweim, Executive Director, Spokane Transit, said Washington went through a similar stage regarding the previous discussion on public transportation funding and policy. He offered his assistance, based on Washington's experiences, as Idaho struggles with these issues. Spokane Transit was asked to increase productivity without additional resources. The transit system has become more efficient and will provide more service where the service is being utilized by providing better accesses and connections and by removing service from areas where it was not used. Coordinating services is critical. A planning document is required annually, and Mr. Schweim emphasized the need to look ahead and to plan for the future. He added that the Coeur d'Alene-Spokane corridor needs transit service and he would like to work cooperatively on this need. He believes a light-weight rail system will be needed in the future.

Dick Wolff, Director of Communications for North Idaho Community Express (NICE), stated citizens of Idaho and Washington are commuting extensively between the two states and he sees a need for public transportation in the Coeur d'Alene-Spokane corridor. NICE has a good working relationship with ITD, according to Mr. Wolff. He reported on the services NICE provides, the growth it is experiencing, and the importance of public transportation in general. He added his support for establishing regional public transportation authorities.

Chairman Winder relayed Bonners Ferry Mayor Simms' request for public transportation services in that area. Mr. Wolff replied that NICE is planning on expanding service to that area soon. A new van for senior transit was recently obtained and will provide service three times a week to Bonners Ferry.

Chairman Winder thanked the gentlemen for the report and for the coordination between the two agencies.

Executive Session on Legal and Personnel Issues, Section 67-2345(f), and (b) Idaho Code. At 11:50 AM, Vice Chairman Mitchell made a motion, seconded by Member McClure, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

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

FY1999-2003 and Preliminary Development Draft Highway Program. Highway Programming Manager (HPM) Dave Amick outlined the available funding versus programmed

projects, the highway program funding plan, and the district balances compared to the funding targets. The individual program sheets for the draft FY1999-2003 and Preliminary Development Highway Program were reviewed and the Board provided comments.

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

RES. NO.      WHEREAS, it is in the public's interest for the Idaho Transportation Department  
TB98-62      to accomplish a realistic and fiscally constrained Highway Development Program;  
and

WHEREAS, it is the intent of the Transportation Board to effectively utilize all available federal and state appropriated highway funding; and  
WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) of 1998 requires that a priority list of projects covering up to a five-year period be provided in a Statewide Transportation Improvement Program and be made available for public comment.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board directs that the information contained in the FY1999-2003 and Preliminary Development Draft Highway Development Program, as shown in Exhibit 209 which is made a part hereof with like effect, be incorporated into a Draft FY1999-2003 Statewide Transportation Improvement Program and made available for public involvement in accordance with the Provisions of the TEA-21 of 1998.

Pine Road, Stage 1, STP-3811(100), Key 5407, District 3. This project, currently in the STP Local Program for \$1,511,000, is designed, submitted for PS&E review, and awaiting public advertisement. The engineer's estimate for construction is approximately \$3.6 million. Glenns Ferry Highway District has requested additional funds be made available for this project to go to bid in FY1998.

Both Glenns Ferry and Mountain Home Highway Districts in Elmore County have indicated they will enter into an agreement to dedicate their Local Rural allocations over the next ten years to pay back funds advanced by ITD to finance the Pine Road project in FY1998, according to HPM Amick. If a total of \$3,381,160 in federal STP Local Rural funds were provided, Glenns Ferry Highway District's match would be \$267,840. HPM Amick said the additional federal funds could be made available from delayed FY1998 federal projects and other cost savings.

Chairman Winder said he recently discussed this project with the Glenns Ferry Highway District Commissioners and they stated they would not seek funding for Stage II if the Board approves the additional funds for Stage I.

Member Combo made a motion, seconded by Member McClure, to approve the following resolution:

RES. NO.      WHEREAS, the Idaho Transportation Department District 3 has coordinated the

TB98-63        use of the allocation of STP Local, Rural funds by Glenns Ferry Highway District and the Mountain Home Highway District in Elmore County; and

WHEREAS, Glenns Ferry Highway District requests that additional federal funds be made available by ITD for the Pine Road, Stage I project to go to bid as scheduled in FY 1998; and

WHEREAS, the Pine Road, Stage I project was programmed and funded from STP Local Rural allocations and the Glenns Ferry Highway District has budgeted \$267,840 in FY98 to match federal funding for that project; and

WHEREAS, the Glenns Ferry Highway District has indicated it will not seek funding assistance for the Pine Road, Stage II, project if the Board approves the additional funding requested for Stage I; and

WHEREAS, the Idaho Transportation Board desires to participate in the timely funding of the Pine Road, Stage I project to improve Pine Road.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves providing \$3,381,160 in federal funds in FY1998 from the Federal Surface Transportation Local Rural Highway Development Program to be matched by \$267,840 in local funds from Glenns Ferry Highway District for the purpose of the immediate funding of the Pine Road, Stage I project.

*BE IT FURTHER RESOLVED*, that the above approval is contingent upon the agreement of the Glenns Ferry and Mountain Home Highway Districts that they will not participate in the STP Local Rural Exchange or the STP Local Rural Highway Development Program for at least 10 years or until there is sufficient funding in the Elmore County STP Local Rural allocation balance to fund a project.

The motion passed 5-0 with Member Smith abstaining due to a conflict of interest.

Proposed Joint Funding of Intersection Signalization at Junction US-2 and SH-41 in Oldtown, Cooperative Project with Washington Department of Transportation (WDOT) and ITD, District 1. The WDOT, the City of Newport, Washington, the city of Oldtown, Idaho and ITD District staff have discussed the safety and operations of the US-2 and SH-41 junction at the Washington and Idaho state line for a number of years. Improvements have been made to US-2 on the Idaho side and WDOT and Newport are now underway with a reconstruction of US-2 in Washington. ITD has been requested to share in the intersection signalization costs. WDOT would provide the remaining portion of the signal costs plus provide the necessary right of way, roadway improvements, and intersection reconstruction on the Washington side and through the intersection into Idaho.

WDOT would also accept the future operation and maintenance costs of the signal system at no further costs to ITD. The current estimate of the cost of the intersection

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signalization installation is \$200,000 with the proposal to share costs on an equal basis between WDOT and ITD, or \$100,000 each.

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

RES. NO. WHEREAS, the Idaho Transportation Department has received a request from the TB98-64 Washington State Department of Transportation (WDOT) to participate on a 50/50 basis in the costs of installing traffic signals at the intersection of US-2 and SH-41 on the Washington/Idaho state line in Oldtown, Idaho, the total costs of which are estimated to be approximately \$200,000, with ITD's share to be approximately \$100,000; and

WHEREAS, District One has identified that the traffic signals are needed at this location for the safety and operation of the intersection; and

WHEREAS, the WDOT will be responsible for the remainder of the project costs, including any needed right-of-way on the Washington side of the intersection, roadway widening, and intersection improvements, as well as the future costs of operating and maintaining the signal system.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the Department proceeding with the negotiation and execution of a Cooperative Construction and Maintenance Agreement with WDOT; and

*BE IT FURTHER RESOLVED*, that an amount of \$100,000 in State Funds from the FY1999 Unallocated Account is approved as a payment to the WDOT for the joint funding of the intersection signalization at Jct. US-2 and SH-41 in Oldtown, Idaho.

Twin Falls Bike Routes B and E, STP-4200(104) and STP-7042(100), keys 5759 and 5770, Bid Justification and Request for Additional Funds, District 4. The City of Twin Falls sponsored the above Enhancement project, which was obligated in FY1997. The two routes are programmed for \$1,053,622, with the city's match at \$210,724. The two bike routes have been advertised twice. The first advertisement resulted in a low bid of 124% of the engineer's estimate and the city requested that the bids be rejected. The consultant redefined several items and provided a more detailed survey to reduce the apparent risks to the bidding contractors. Also, a portion of bike route E was removed to minimize the scope of the project. The projects were readvertised and bids opened last month, with the apparent low bidder at 115% of the engineer's estimate.

The engineer's estimate was low on ¾" aggregate and excavation, and the consultant recommends awarding the low bid. The city is requesting raising the combined federal enhancement fund limits for both projects by the amount of \$116,000 which, in combination with current approved federal funds, will bring the total federal aid limit to \$958,898. The total project funds will increase from \$1,053,622 to \$1,198,622, which includes federal-aid and the City of Twin Falls' match of \$239,724. The District concurs with the bid justification and recommends award of the project to the low bidder, Idaho Sand and Gravel Company, Nampa, Idaho - \$895,222.71.

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

RES. NO. WHEREAS, the Twin Falls Bike Routes B and E are of state and local interest in  
TB98-65 providing alternative transportation opportunities to the community; and

WHEREAS, the city and its consultant have redesigned and reduced the project to attempt to stay within the programmed amount and to obtain the lowest construction bids; and

WHEREAS, the low bid has exceeded the engineer's estimate by 115%; and

WHEREAS, the city and its consultant have provided adequate justification to award the bid to the low bidder, Idaho Sand and Gravel Company; and

WHEREAS, the District agrees with the award of the projects to the low bidder, Idaho Sand and Gravel Company; and

WHEREAS, the city of Twin Falls has provided \$181,140 towards the projects for its 20% match and has paid all preliminary engineering and right of way costs to date; and

WHEREAS, the city has requested additional federal aid funds of \$116,000 to provide for the federal reimbursement for eligible preliminary engineering and right of way costs already paid by the city.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves adding \$116,000 in FY1998 Federal STP-Enhancement funds to the Twin Falls Bike Route B and E projects; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board approves the award of the project to the low bidder, Idaho Sand and Gravel Company, Nampa, Idaho, for the construction of the Twin Falls Bike Routes B and E projects, referenced as project numbers STP-4200(104) and STP-7042(100), keys 5759 and 5770.

Joint Funding with Washington DOT of Snake River Bridge, US-12, District 2. ITD and WDOT have a joint maintenance responsibility for the interstate bridge on US-12 between Lewiston and Clarkston. WDOT is the lead agency with ITD being a 50% financial partner. WDOT is proposing a project for FY99 to repair the mechanical lift system of the bridge at an estimated total cost of \$566,000. Dialogue has been held regarding the economic use of the lift span. The various agencies have advocated freezing the span due to the low use level. In 1996 the Lewiston Transportation Committee circulated a memorandum of understanding that the bridge lift span drawbridge operations be suspended. ITD signed the MOU, however, not all parties have signed it to date. Until this issue is resolved, the Department's agreement with

WDOT commits us to sharing in costs associated with continued maintenance of the drawbridge mechanical lift system.

Vice Chairman Mitchell made a motion, seconded by Member McHugh, to approve the following resolution:

RES. NO.      WHEREAS, the Idaho Transportation Department and the Washington  
TB98-66      Department of Transportation have a joint maintenance responsibility for the  
Interstate Bridge on US-12 between Lewiston and Clarkston, WA; and

WHEREAS, the Washington Department of Transportation is the lead agency and the Idaho Transportation Department is a 50 percent financial partner for maintenance and repair costs; and

WHEREAS, the Washington Department is proposing a project for FY99 to repair the mechanical lift system of the bridge at an estimated total cost of \$566,000.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves \$285,000 in funds from FY1999 of the State-Funded Highway Development Program to fulfill the Department's obligation with the Washington Department of Transportation to repair the mechanical lift system of the Interstate Bridge on US-12 between Lewiston and Clarkston.

The motion passed 5-1 with Member Miller dissenting.

The consensus of the Board was to submit a letter encouraging the closure of the lift span drawbridge operations.

Draft Board Policy B-11-04, Allocation of Surface Transportation Program (STP) Apportionments to Local Public Agencies (LPAs). On June 30, the Board approved continuing the annual sub-allocation of federal highway formula apportionments made available under TEA-21 to rural and urban LPAs having jurisdiction over federal-aid highways. The percentage to LPAs would be 12.6, effective October 1998. Based on this direction, staff drafted Board Policy B-11-04, Allocation of Surface Transportation Program (STP) Apportionments to Local Public Agencies (LPAs), and Director's Memorandum No. 28, Interim Guidance for Federal Local Urban and Rural Programs.

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

RES. NO.      WHEREAS, the Idaho Transportation Board has historically provided federal  
TB98-67      highway funding in support of urban and rural federal-aid highways under the  
jurisdiction of local highway public agencies (LPAs) through Board established  
programs such as the Federal-aid Urban and Secondary Programs under the 1987  
Highway Act, and the Surface Transportation – Local Rural and Urban Programs  
under the 1991 Highway Act; and

WHEREAS, the LPAs continue to have jurisdiction over federal-aid highways in need of improvement; and

WHEREAS, the federal highway funding program has been continued through FY2003 under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21); and WHEREAS, the Board has carefully reviewed, during its special meeting on June 30, 1998, the merits of various funding level options for continued sub-allocation of federal highway funding to LPAs responsible for improvements to highways eligible for federal-aid; and

WHEREAS, on June 30, 1998, the Board adopted Resolution No. 98-53 to become effective on federal fiscal year 1999, specifying the method of calculation referenced as Option D in the Department's presentation to the Board titled, "Federal-aid Highway Funding to Local Public Highway Agencies", to be used to determine the annual federal funding level for the Urban and Rural LPA Federal-aid Programs.

*NOW THEREFORE BE IT RESOLVED*, that staff is authorized to bring draft Board Policy B-11-04, Allocation of Surface Transportation Program (STP) Apportionments to Local Public Agencies (LPAs), back to the Board as a consent item following review of the policy through the Department's internal policy review and approval procedure.

FY1998 Advances and Delays of Federal Projects. Staff prepared a list of projects to advance in the current Highway Development Program or include for cost increases, to utilize available FY1998 federal funding. Funding for advanced projects will be made available because of additional obligation authority provided under the TEA-21; the anticipated delay of FY1998 projects which are not ready for contract; and anticipated savings in Program costs for preliminary engineering, right-of-way acquisition, and prior year project savings. The proposed changes in the Program approved by the Board will be reflected in Supplement 98-6.

HPM Amick reported that the Department intends to request \$7 million from FHWA in August redistribution of obligation authority from other states, which can be used to advance projects. He also provided a list of anticipated FY1998 federal project delays and savings, which will free up an estimated \$18 million in federal funds.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to  
TB98-68 publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

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

WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> 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; and

WHEREAS, there is available an estimated \$5.5 million in unused FY1998 formula apportionment obligation authority due to recently provided FHWA apportionment and obligation authority estimates; and

WHEREAS, the Transportation Department will request an additional \$7 million in additional obligation authority during the August redistribution by the Federal Highway Administration; and

WHEREAS, up to \$18.3 million in federal funding may be made available in FY1998 due to projects which are not sufficiently ready for obligation and other Program savings; and

WHEREAS, \$43.6 million in projects and increased costs can be ready for obligation in FY1998.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the delay of the projects identified in the attachment titled, "Anticipated FY1998 Federal Project Delays and Savings" and authorizes the staff to fund project cost increases and advances in priority order from the list of projects titled, "Federal Project Advances and Increases to FY1998" as Federal FY1998 funding becomes available for obligation; and

*BE IT FURTHER RESOLVED*, that the staff is authorized to make the appropriate changes to the FY1998-2000 Statewide Transportation Improvement Program in accordance with the provisions of TEA-21 of 1998.

Member Smith questioned the status of the King Hill Bridge project. HPM Amick stated that project is second on the list of project advances and increases to FY1998, which was just approved. Member Smith requested a re-vote on the previous motion.

The motion to approve resolution TB98-68 passed 5-0 with Member Smith abstaining due to a conflict of interest.

Highway Development Program Supplement 98-5. HPM Amick explained the objectives of Highway Development Program Supplement 98-5 are to report the status of FY1998 federal funding under the TEA-21; modify and rebalance the Program to include project changes since May 1998; modify the State Funded and State Funded Restricted Programs to update FY1999 only, until the funding levels beyond FY1999 are finalized; and to update the cost of FY1998 projects to current costs.

Member Smith 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 Transportation Department to

TB98-69      publish and accomplish a current, realistic, and fiscally constrained Highway Development Program; and

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

WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> 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 changes in Supplement 98-5 to the FY1998-2002 Highway Development Program fully utilize the estimated FY1998 Federal Highway formula funding obligation authority of \$115.8 million and the minimum guarantee obligation authority of \$29 million.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2002 Federal Highway Development Program itemized and explained in Highway Development Program Supplement 98-5, as shown in Exhibit 210 which is made a part hereof with like effect, and authorizes staff to make the appropriate changes to the FY1998-2000 Statewide Transportation Improvement Program in accordance with the provisions of the TEA-21; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board approval of the State Funded and State Funded Restricted Programs continue to be limited to FY1999 as modified by Supplemental 98-5, until the FY1999-2003 Draft Highway Development Program is approved, updating the Fiscal Years 2000-2002 of the State Funded Programs.

Disability Placard Fee. Idaho disability plates have been available since 1977 at no additional charge over regular registration fees. The disability placard program began in Idaho in 1985 as an enhancement to the disability plate program. Justified by volume, costs of materials, and administrative support, a \$5 fee was added to statute in 1987. Idaho Code 49-410(5) specifies that the fees be deposited in the state highway account.

In recent months, fees charged for disability placards have come under scrutiny in a number of states, being viewed by some as a violation of the Americans with Disabilities Act, and a form of discrimination directed against individuals with disabilities. Twenty-eight states charge a fee for disability placards. In thirteen states, there is pending litigation at the state and federal level, requesting relief and refunds of all fees collected. To avoid litigation, one state voluntarily removed the placard fee and refunded fees that were collected since 1992. Director Bower believes it is in the best interest of ITD to discontinue this charge and propose legislation to that effect.

Member Combo made a motion, seconded by Vice Chairman Mitchell, to develop legislation to eliminate the \$5 fee for the disability placard. The motion passed 5-1 with Member Smith dissenting.

Increase in Permit Fee for 129,000 Pound Permit. Legislation last year allowed ITD to issue permits for extra length vehicles to operate at 129,000 pounds on designated highways. It also stated that the fee for that permit would cover administrative costs up to a maximum of \$50. The current administrative cost for a similar type permit is \$38. Due to the limited number of permits issued, staff is unable to determine actual administrative costs and therefore recommends the continued administrative charge of \$38 for the annual 129,000 pound pilot project permit.

Member McHugh made a motion, seconded by Member McClure, and passed unopposed, to approve retaining the cost of the annual 29,000 pound pilot project permit at \$38.

Signalized Intersection at Styner Avenue and US-95, Moscow, District 2. At the April Board meeting, the City of Moscow requested a signalized intersection at Styner Avenue and US-95 south of Moscow. Staff reanalyzed the traffic data and met with city and University of Idaho (U of I) officials to discuss possible alternatives. A compromise agreement was reached dependent upon Board approval, involving three distinct parts. First, the city would like ITD to program a project in FY2001 north of the Moscow South project that would start at the northern approach of the bridge crossing the South Fork of the Palouse River and terminating at the south end of the Moscow South Couplet project. A joint project to improve the intersection at SH-8 and Mountain View Road to provide an improved alternate access from the east was the second part. Finally, the city, the U of I, and ITD agree that the desired main access to the U of I be at Sweet Avenue, which is currently signalized, and that the next best candidate for future signalization through planned growth and access is at Palouse River Drive. ITD's design will include the necessary underground conduits to signalize this intersection in the future if warrants are met. CE Ross said the locals will contribute their share for the project.

Vice Chairman Mitchell made a motion to accept the proposed plan and authorize District staff to proceed with this plan. Member Smith seconded the motion and it passed unopposed.

Contract Award, NH-STP-184-1(020)0, Key 5934, I-184, District 3. CE Ross said the low bid for this project, the Cole Off-Ramp in Boise, was 118% of the engineer's estimate, requiring justification. The Average Unit Price Report was the basis of the engineer's estimate. The items of significant difference were 409-A, concrete pavement (furnish), 409-B, concrete pavement (placing and finishing), and SP-09, impact attenuator. The concrete pavement item quantities were very small. The recent cost comparisons in the Average Unit Price Report were for large projects with large quantities. The engineer's estimate unit prices were raised because of the small quantities but were not raised enough. The SP-09, impact attenuator item was intended to be a rental item with the rental agreement being passed on to the state at the completion of this project. The rental explanation details were not clearly spelled out in the special provision, so the contractor purchased the item and the item will become the property of the state at the completion of this project. All the bidder prices indicate this same interpretation to the specification. In this case, the bid prices seem reasonable.

This project is needed to be in place prior to beginning the Wye Interchange project and the Franklin to Curtis project on I-184. The construction traffic control phasing of these projects are designed with this project completed. Because of the urgency of completing this project, the District recommends awarding this project.

Member Smith made a motion to approve the award of project NH-STP-184-1(020)0, key 5934, Cole Off-Ramp, Boise, Ada County, District 3, to the low bidder, Central Paving Company, Inc., Boise, Idaho - \$717,883.17. Member McClure seconded the motion.

Member Miller asked for clarification that this off-ramp will provide access to the Boise Towne Square Mall. CE Ross reported that it will provide access to the mall. Member Combo questioned the cost of the project. CE Ross clarified that the bid is the construction cost and that the right-of-way and development costs are not included in this figure.

The motion passed unopposed.

Disposal of Highway Right-of-Way, Potlatch Point near Coeur d'Alene, District 1. In January 1998 the Board authorized the disposal of these properties near Potlatch Point, pending final Board concurrence. DE Stokes recommended pursuing a trade for parcels 2 and 3 for aggregate source property south of Coeur d'Alene, and requested guidance on parcel 1.

Because parcel 1 abuts Centennial Trail and the disposal of this property appears to be controversial to the area citizens, Chairman Winder recommended no action on parcel 1 at this time. In response to a question from the audience regarding transferring the parcel to the Department of Parks and Recreation (IDP&R), Director Bower responded that ITD has received a letter from Parks and Recreation on this subject. IDP&R has indicated it would like a buffer established along parcel 1, however, it has no objection to ITD disposing of the parcel. Member Combo mentioned that the Board viewed the parcels Wednesday afternoon. A map depicting the three parcels is shown in Exhibit 211 which is made a part hereof with like effect.

Member Smith made a motion, seconded by Member Combo, to approve the following resolution:

WHEREAS, the Idaho Transportation Department completed the construction of I-90 east of Coeur d'Alene; and

WHEREAS, the Idaho Transportation Department has retained ownership and maintenance responsibility for the old I-90 now referred to as Coeur d'Alene Lake Drive; and

WHEREAS, the bike path construction and trail head facilities along Coeur d'Alene Lake Drive have been completed; and

WHEREAS, the Hagadone Corporation has requested ITD disposal of surplus properties in this area; and

WHEREAS, the Idaho Transportation Department has a shortage of aggregate sources south of Coeur d'Alene; and

WHEREAS, parcels 2 and 3 have previously been deemed as surplus.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorize the Chief Engineer to grant an easement to the Hagadone Corporation for the area shown as parcels 2 and 3 in exchange for aggregate source property south of Coeur d'Alene. The terms of the exchange will be to the satisfaction of the Chief Engineer and will include, but not be limited to: structure restrictions on the easement, exchange based on equality of appraised values, proper zoning provisions allowing mining at the aggregate source. The easement will be for the purposes of landscaping and security. The easement shall be drafted so as not to preclude the expansion, maintenance, enhancement, or reconstruction of the highway. Said easement is terminable by ITD for good cause, and the existing encroachment permit is to be replaced by the easement contract; and

*BE IT FURTHER RESOLVED*, that parcel 1, although deemed as surplus to ITD, has inspired a great deal of public interest in retaining public ownership. A one-year suspension of efforts to dispose of this parcel shall be implemented. During the one-year period, ITD staff shall explore options and public or quasi public entities are invited to submit proposals for ownership, development, and maintenance; and

*BE IT FURTHER RESOLVED*, that the existing fence located on lot 1 be relocated to the southern border of said parcel 1.

Member Miller questioned the fence on parcel 1. He believes it keeps the property free from litter and vandalism and believes the fence should remain where it is. Member Combo said the fence precludes access to the parcel, and he believes the parcel and scenic view should be accessible to the public.

Member McClure expressed opposition to the one-year suspension on disposing of parcel 1. He believes ITD and IDP&R staff could meet within a couple of months and prepare a recommendation. Additionally, he does not believe staff should spend the time or money relocating the fence at this time.

Member McClure made a substitute motion to dispose of parcels 2 and 3, parcel 2 in fee and parcel 3 as a permanent easement, replacing the existing encroachment permit; and parcel 1 is to be tabled at this time to allow staff to work out a possible trade with the Idaho Department of Parks and Recreation, or establish an acceptable buffer along this parcel and proceed with its disposal because it has been declared surplus. Vice Chairman Mitchell seconded the motion.

Member Combo believes parcel 1 should be retained in public ownership. Because of the enhancement project, Centennial Trail, he does not think parcel 1 is surplus property. He

concurred with Member Smith's motion to wait one year before acting on parcel 1 and allowing entities to explore possible options regarding this parcel.

Because ITD does not need, use, or maintain parcel 1, Member McClure said it should be put back on the tax rolls. He does not believe that parcel is important to the Centennial Trail, and ITD has no future use for it. Member Miller added that ITD is not in the land business and should not hold on to this surplus parcel.

The motion passed 3-2 with Members Combo and Smith dissenting and Member McHugh abstaining due to a conflict of interest.

Chairman Winder stated the issue regarding parcel 1 would be brought back to the Board at its November 19-20 meeting in Boise. He encouraged the public to make their voices heard if they want the parcel retained in public domain and suggested the best way to get involved is on a community basis to see how the parcel might be preserved in public hands or for public use. He also thanked the public for its interest in this issue to date, for attending the meeting, and for submitting letters.

Approval of FY1999 Spending Plan for the Office of Highway Safety. The Board congratulated JoAnn Moore as the newly-appointed Office of Highway Safety Manager (HSM).

The Office of Highway Safety receives its funding for the highway safety grant program through submission of a Highway Safety Plan to the National Highway Traffic Safety Administration. Idaho must submit an annual spending plan that identifies specific grants to be implemented, according to HSM Moore.

The Idaho Traffic Safety Commission met on June 11, 1998, to review the FY1999 spending plan and make recommendations to the Board. The meeting concluded with a formal recommendation to the Board to approve the projects, with an amendment to the Celebrate Graduation project, funded under the Section 410 Statewide Services Grant. Funding for the Celebrate Graduation Program will be offered to high schools that have not as yet participated in the annual graduation night alcohol-free program

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

RES. NO. WHEREAS the Transportation Equity Act for the 21<sup>st</sup> Century provides that each

TB98-70 state shall have a highway safety program designed to reduce traffic accidents and deaths, injuries and property damage; and

WHEREAS the Idaho Transportation Department's Office of Highway Safety is the state's highway safety agency in accordance with 23 USC Title 1, Section 402(b)(1)(A); and

WHEREAS a Highway Safety Plan (HSP) was prepared in accordance with guidelines promulgated under 23 CFR Section 1204.4, Supplement B; and

WHEREAS the Idaho Traffic Safety Commission recommended a three-year, FY 1998-2000 HSP on June 12, 1997, and the Transportation Board approved the recommended plan on September 19, 1997; and

WHEREAS a spending plan for FY 1999 has been developed which conforms to the administrative and programmatic requirements of 23 USC 402 and 410; and

WHEREAS the Idaho Traffic Safety Commission recommended approval of the proposed FY 1999 spending plan on June 11, 1998.

*NOW THEREFORE BE IT RESOLVED* that the Transportation Board directs staff to submit the plan to the Federal Highway Administration and the National Highway Traffic Safety Administration for approval to implement projects beginning on October 1, 1998; and

*BE IT FURTHER RESOLVED*, that the Transportation Board directs staff to implement Idaho's Highway Safety Grant Program for FY 1999, once federal approval has been received.

Director Bower reported that TEA-21 has an incentive for states with a blood alcohol limit of .08, which Idaho has. HSM Moore is working on a project, targeting roadway sections where problems have occurred.

Litigation. Member Smith made a motion, seconded by Vice Chairman Mitchell, and passed unanimously, to approve the following resolution:

RES. NO.      WHEREAS, the Idaho Transportation Board awarded Project IR-84-2(035), key  
TB98-71      number 4470, for the repaving of I-84 in Elmore County; and

WHEREAS, the contractor brought suit against the Transportation Department claiming defects in the design of the project; and

WHEREAS, the contractor's alleged damages were over \$1 million; and

WHEREAS, the Idaho Transportation Board had previously authorized a settlement offer to the contractor in the amount of \$300,000.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorizes the Chief Engineer to settle the litigation for \$330,000.

Review Employee Complement. TEA-21 provided a 62% increase in funds for Idaho. Managing the new money requires additional resources in the form of personnel and operating expenses in the following areas of the Department; highway operations, contract construction, management and support, planning and public transportation. Director Bower distributed an

executive summary along with the proposed personnel and funding requirements, including justification. A total of 93 additional positions are being requested in three phases.

Staff requested asking the Governor for 16 additional positions at this time, requesting 44 positions through the legislature as a FY1999 supplemental, and an additional 33 full time equivalent positions as part of the FY2000 budget request. The estimated impact to the FY1999 budget is \$867,000 for personnel and operating costs.

Vice Chairman Mitchell made a motion to approve the requested 16 new positions, non-cognitized, and include \$867,000 in personnel and operating costs for these positions in the FY1999 budget. Member Smith seconded the motion and it passed unanimously.

Old and New Business. Secretary to the Board Higgins shared a letter from the Washington Transportation Commission confirming the joint meeting on October 1 in Spokane. She reported that CE Ross has discussed potential agenda items with his counterpart from Washington, including Idaho-Washington routes, Lewiston-Clarkston Bridge, and the increased truck traffic from the Canadian border. She asked the Board for topics to include on the agenda. The only item suggested was contractor qualification on special projects.

Member Combo questioned the practice of touring the first day and holding the business meeting the second day because staff has to travel Friday afternoons and may be delayed at the meeting. Member McHugh believes it is beneficial to tour first, as the items discussed and projects viewed on the tour may impact the business meeting, and issues can be resolved at the meeting the following day, rather than waiting a month.

The consensus of the Board was to discuss the tours at the November meeting, including what tours should consist of.

WHEREUPON, the regular monthly Board meeting and tour of District 1 officially adjourned at 4:30 PM.

Read and Approved  
September 17, 1998  
Boise, Idaho

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signed  
CHARLES L. WINDER, Chairman  
Idaho Transportation Board

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## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

September 17-18, 1998

The regular session of the Idaho Transportation Board meeting convened at 8 AM, on Thursday, September 17, in Boise, Idaho at the Transportation Department. The following principals were present:

September 17, 1998

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member – District 1  
Monte C. McClure, Member – District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member – District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer

August 19-21, 1998 Board Minutes. Member McHugh made a motion, seconded by Member McClure, to approve the minutes of the Board meeting held on August 19-21, 1998, as submitted. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
October 1, 1998 – meeting with Washington Transportation Commission, Spokane, Washington  
October 8-9, 1998 – District 5  
November 19-20, 1998 – Boise  
December 17-18, 1998 – Boise  
January 21-22, 1999 - Boise

Consent Calendar. Member Miller made a motion, seconded by Member McClure, and passed unopposed, to approve the following resolution:  
RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves  
TB98-72 the appointments of new Districts 2 and 5 Regional Public Transportation  
Advisory Committee members; Board and Administrative Policies B- and A-01-15, Release and Restriction of Department Records and A-06-25, Department Records Management; and Temporary Rule - Social Security Numbers; and has received and reviewed the new and supplemental professional agreements report; the 1998 annual report on the IdaShield project; the quarterly report on legal activities; and the FY1999 year-to-date financial statement.

1) Appointments of New Districts 2 and 5 Regional Public Transportation Advisory Committee Members. Charlotte Dasenbrock and Sandi Thomas were appointed to the RPTACs in Districts 2 and 5, respectively. Both terms will expire June 2001.

2) Board and Administrative Policies B- and A-01-15, Release and Restriction of Department Records and A-06-25, Department Records Management. In response to revisions to the Idaho Public Records law during the last legislative session, B- and A-01-15, Release and Restriction of Department Records, and A-06-25, Department Records Management, have been revised to be in conformance with the changes made in law.

3) Temporary Rule – Social Security Numbers. This temporary rule addresses a problem encountered by non-working resident aliens who do not have social security numbers and who encounter difficulties in obtaining an Idaho driver's license. Idaho Code requires applicants for a

driver's license or an identification card to produce either their social security card, or verification of their status by the Social Security Administration. The temporary rule makes it clear that verification by the Social Security Administration that the applicant has no social security number will suffice to fulfill this requirement and allow the applicant to obtain an Idaho driver's license. The temporary rule further requires proof of legal presence in the United States.

4) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$800,350 in new and supplemental agreements between August 3 and August 31.

5) 1998 Annual Report on the IdaShield Project. Because all of the railroads had problems meeting the December 1997 completion date due to weather and installation difficulties, the date was extended to June 30, 1998. A second time extension to August 1, 1998 was granted to two of the railroad companies. As of August 15, all of the installations have been completed. With part of the signs having been installed only a few days, it is difficult to compare the incident statistics. A full three-year study will be started on January 1.

6) Quarterly report on legal pending cases.

7) FY1999 Year-to-Date Financial Statement.

Request for Consultant Services, I-84 and I-184, District 3. The Wye Interchange is currently programmed at \$23.98 million for construction in FY1998 and its companion project, Franklin IC to Curtis IC is programmed at \$18.1 million in FY1999. This is a large, complex construction project with multiple construction phases ongoing during weekdays, evenings, and weekends for approximately two years. The District is understaffed to provide the construction supervision, inspection, and testing personnel that a project of this magnitude will require, therefore staff is requesting approval to negotiate and contract professional services to provide supplemental inspection personnel to adequately inspect the project. The current estimate for the consultant agreement is \$1.2 million over the 24-month construction period. The selected consultant will provide construction crew augmentation to assist staff with construction project inspection and materials testing under the direct supervision of the District Regional Engineer.

Vice Chairman Mitchell asked if consideration is being given to hiring additional employees rather than increasing the utilization of consultants. He also asked if the Department has sufficient personnel to monitor the consultants. CE Ross responded that staff is available to oversee the consultants. Member McClure added that a project of this magnitude would utilize almost all of the District's inspectors, whom are needed elsewhere.

Member McClure made a motion to approve the negotiating and contracting of professional services to provide supplemental inspection personnel for the I-84, Wye IC and I-184 Franklin IC to Curtis IC projects. Member Miller seconded the motion and it passed unopposed.

Request for Consultant Services, Various District 3 Projects. Increased federal aid funding has resulted in an increased workload for District 3 and consultant services are required

to meet project schedules. Staff is requesting approval to negotiate and contract professional services on ten projects.

I-84B, 11<sup>th</sup> Avenue Underpass, Nampa is programmed for construction in FY2001. JUB Engineers was the design consultant on the original project to replace this structure and associated approaches and is recommended to complete the design of this project.

The US-20 and SH-44 Corridor Preservation projects, in Preliminary Development, will provide for the preservation of future right-of-way necessary to widen these two routes between Boise and the interstate, near Caldwell. Preliminary engineering, including the surveying necessary to identify required right-of-way, as well as environmental documentation required for corridor preservation, will be performed.

US-95, Smokey Boulder to Hazard Creek, is a project in Preliminary Development for \$11.7 million to widen, realign, and reconstruct a 3.4-mile section of highway north of New Meadows.

US-95, Mann's Creek Curves, will realign a 3.6-mile section of US-95 between Weiser and Midvale. The project has received special High Priority Project funding in FY2003 for \$7 million.

SH-55, Smiths Ferry to Round Valley, will realign a 7-mile section of road between Boise and McCall. This project also received special High Priority project funding in FY2003 for \$17 million.

I-84, Franklin Interchange, Nampa, scheduled in Preliminary Development, will complete the second phase of the overall project to reconstruct and widen the Franklin IC. HDR Engineering has been the design consultant for this project since its inception and is recommended to complete the design of this project.

SH-69, Kuna to Amity, is programmed in FY2000. W&H Pacific has been the design consultant for this project since its inception and would be the most efficient consultant to continue designing the project.

US-95, Junction SH-55 to Homedale, will reconstruct and widen a 7.3-mile section between the SH-55 junction west of Marsing, to Homedale. This project is programmed in FY2002 for \$5.8 million.

SH-55, Banks to Silver Bridge, will widen and provide safety improvements to a 1.7-mile section of road between Boise and McCall. This project is programmed in Preliminary Development for \$5 million.

Vice Chairman Mitchell suggested checking with all of the Districts to determine if they have need for consultants. He believes focus should be given to the projects in the earlier years, FY2000-03 rather than Preliminary Development. Director Bower reported that all Districts have been asked to review their program to determine consultant usage. CE Ross and he will be

September 17, 1998

meeting with each District next month to look at the major projects and establish a plan to ensure the projects are developed in a timely manner.

Member Combo concurred that it may not be prudent to focus on the Preliminary Development projects at this time, but rather on the projects in FY2000-03. Vice Chairman Mitchell suggested holding this item until all of the Districts have reviewed their needs and then have the Board review a statewide packet requesting consultant services. Member McClure emphasized the need to have projects designed, ready to advertise.

Member Smith made a motion to approve the negotiating and contracting of professional services for the projects programmed in FY2000-2003: I-84B, 11<sup>th</sup> Avenue Underpass; US-95, Mann's Creek Curves; SH-55, Smith's Ferry to Round Valley; SH-69, Kuna to Amity; and US-95, Junction SH-55 to Homedale. Member Combo seconded the motion and it passed unopposed.

Contract Awards. The low bid on Project ER-7014(100), key 7521, Lewiston, Snake River Avenue Slide, Nez Perce County, District 2, was 66% of the engineer's estimate. The Nez Perce County Commissioners requested that the Department cancel bids for this project. The County desires to handle all emergency repair work itself, and will comply with all applicable federal and state guidelines regarding the use of federal aid emergency relief funds. The District concurs with the local sponsor's request and recommends rejection of all bids.

Member McClure asked if the County plans to do the work with its own forces. Vice Chairman Mitchell believes the County's engineering firm will handle the work. CE Ross stated that according to FHWA, the County can administer the project and that ITD's only responsibility is to pass the funds on to the County.

Vice Chairman Mitchell made a motion to reject the bid for Project ER-7014(100), key 7521, Lewiston, Snake River Avenue Slide, Nez Perce County, District 2. Member McHugh seconded the motion and it passed 4-2.

BLDG-41202, 41302, and 41801, keys 7241, 7240, and 7395 – Hailey, Carey, and Declo Interchange Sand Storage Buildings; Blaine and Cassia Counties, District 4. The low bid was more than ten percent over the engineer's estimate, requiring justification. Sand sheds are programmed at an estimated cost of \$100,000 to \$110,000 regardless of the location. The difference in bids between a 100 pound/square foot snow load at Carey and Hailey and a 40 pound/square foot snow load was \$26,500 for the metal building design. The program amount was used for the engineer's estimate with mobilization added. The District recommends reducing the size of the sand sheds to 3,000 cubic yards and readvertising the buildings with an option to bid either alternate without bidding both of them. The shorter roof truss span and additional bidders should reduce the bid amount on the buildings.

Vice Chairman Mitchell made a motion to reject the bids on BLDG-41202, 41302, and 41801, keys 7241, 7240, and 7395 – Hailey, Carey, and Declo Interchange Sand Storage Buildings; Blaine and Cassia Counties, District 4. Member McHugh seconded the motion and it passed 5-1.

The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

STP-M-7122(100), key 5667 – Addison Avenue East, Stage 2, Twin Falls County, District 4, Low bidder: P.M.F. Inc., Twin Falls, Idaho - \$1,051,696.01.

IVH-9316(601), key 5627 – Storm Warning System Operational Test, I-84, Cassia County, District 4. Low bidder: Robert L. Angle & Associates, Pocatello, Idaho - \$65,810.

IM-84-3(057)147, key 7132 – Tuttle IC to Jerome IC, I-84, Gooding and Jerome Counties, District 4. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$680,139.08.

STKP-1614, key 6715 – Priest River Stockpile, Bonner County, District 1. Low bidder: Wood's Crushing & Hauling, Inc., Sandpoint, Idaho - \$28,025.

STKP-1627, STKP-1618, and STKP-1649, keys 6804, 6795, and 7402 – St. Maries, Santa, and Clarkia Stockpiles, Benewah and Shoshone Counties, District 1. Low bidder: DeAtley Crushing Company, Lewiston, Idaho - \$239,300.

STKP-1609, key 6710 – Mullan Stockpile, Shoshone County, District 1. Low bidder: MJB Materials Company, Spokane, Washington - \$161,480.

STP-6803(101), key 6484 – North Bridge Street Intersection Improvements, US-20 Business Loop, St. Anthony, Fremont County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$297,112.62.

STR-2862(600), key 6930, Burley to Paul, SH-27, Minidoka County, District 4. Low bidder: Idaho Sand & Gravel Company, Nampa, Idaho - \$788,386.25.

ER-3811(101), key 7077 – Pine Road, Elmore County, District 3. Low bidder: Wright Brothers, The Building Company, Eagle, Idaho - \$496,236.86.

ST-6830(603), key 6599 – East of Newdale to Canyon Creek, SH-33, Madison County, District 6. Low bidder: Beco Construction Company, Inc., Idaho Falls, Idaho - \$644,923.35.

STM-3290(623) and STM-3290(624), keys 6823 and 6824 – SH-21, Directed Guttering, Boise County, District 3. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$83,461.25.

ST-4802(603), key 6575 – Kendrick to Troy, SH-99, Latah County, District 2. Low bidder: Poe Asphalt Paving, Inc., Lewiston, Idaho - \$543,955.75.

CM-0100(131), key 6007 – Signal Interconnect, Meridian, Ada County, District 3. Low bidder: Quality Electric, Inc., Boise, Idaho - \$239,401.05.

Board Items. Earlier, Vice Chairman Mitchell asked DAG McMahon for an opinion concerning pre-qualification of contractors. Vice Chairman Mitchell expressed concern that the

Department will be unable to protect itself against poor quality or unqualified contractors, particularly with the additional federal funds Idaho will be receiving and the increased amount of projects. Member McClure said the Licensing Board could tighten its qualification standards or the Bonding Companies could tighten the underwriting requirements. The other option would be legislation. Vice Chairman Mitchell shared DAG McMahon's opinion with the Board.

Member Miller relayed a Blackfoot citizen's complaint regarding traffic movement at a recent accident site. Idaho State Police (ISP) had the road closed for half a day while it cleared the accident site and investigated the incident. Member Miller said ISP needs to be more aware of the traveling public's needs. CE Ross reported that ITD has a Memorandum of Understanding with the Department of Law Enforcement to work together at accident scenes and to develop advance detour plans. He will revisit the MOU and contact DLE on this issue.

A public meeting was held earlier this week on the proposed improvements to the Grand Targhee Road, Forest Highway 76, according to Member Combo. Direct Federal is in the process of accepting testimony. Member Combo made a motion to send a letter and a resolution requesting a scenic overlook along F.H. 76 be designated the John O. Sessions Scenic Overlook to recognize Representative Sessions' service to transportation in Idaho and his activities in the Teton Valley. Vice Chairman Mitchell seconded the motion and it passed unopposed.

With the reconstruction of SH-55 south of Eagle complete, Chairman Winder has received some complaints on the speed limit, particularly in the McMillan Road area. He asked staff to prepare a speed limit study on SH-55 in the McMillan Road area, in the vicinity of two schools. He also suggested contacting the schools for input, including student movement.

Member McClure reported that the National Quality Initiative recently did a survey on transportation issues. The results indicate concern shifted from safety to surface condition. He believes the Idaho Highway Users Group will run a similar survey to determine if Idaho parallels the national trends. He suggested involving the media to educate the public on TEA-21 and also relay the results of the survey and what ITD plans to do in response to the outcome. Director Bower said he met with representatives of the Idaho Highway Users Group and discussion was held on holding a workshop on TEA-21. Staff will continue to work with this Group.

Yesterday the Board Subcommittee on Additions to and Deletions from the State Highway System met. Member Smith reported that the wording on approving funding for the Buhl to Wendell environmental study was misleading to staff. The motion in July 1998 stated ITD staff would oversee the study, however, the intent was to have final approval of the route.

Member Smith made a motion to modify the minute entry of July 17, 1998 to state ITD will advance \$320,000 in FY1998 for the environmental study on the Buhl to Wendell route with the final determination of the route and scope subject to approval of the District 4 Engineer and the ITD Director. Additionally, ITD need not be involved until such time as the final study is ready for approval. Member Combo seconded the motion and it passed unanimously.

Director's Items. Director Bower met with representatives from the Governor's Office for a telephone conference call with the Joint Finance and Appropriations Committee (JFAC) co-

chairs. The legislators agreed to the 16 non-cognitized full-time equivalent positions ITD is requesting at this time. At the end of this month, Mary Detmar, Budget, Policy, and Intergovernmental Relations Manager (BPIRM) will make a presentation to JFAC regarding this issue.

Director Bower also met with Senate Transportation Committee Chairman Evan Frasure and Vice Chairman Hal Bunderson and House Transportation and Defense Committee Chairman Jim Kempton and Vice Chairman JoAn Wood earlier this month. The meeting focused on TEA-21, high priority projects, additional employees, Federal Lands Discretionary projects, the use of consultants, legislation, and the pilot project for increased truck weights. Concern was expressed that only three permits have been issued for the pilot project and that the cost to study this project for the limited trucks may not be justified.

Last week Director Bower and ITD staff met with FHWA, Montana Department of Transportation, and Forest Service officials at Lolo Pass. The group worked through the implementation, funding, and maintenance issues for the Lewis-Clark Interpretive Center. In addition to the TEA-21 funds, an estimated \$1.5 million will be required. The Forest Service, Montana DOT, and ITD will share the remaining costs equally.

Staff has been reviewing the X33 shuttle project. Lockheed Martin is building a space shuttle that will be launched in California and is projected to land in Montana. The shuttle will then be transported back to California through Idaho. The total gross weight of the shuttle is estimated at 160,000 pounds. Staff is looking at transport issues such as traffic control and permits and will be meeting with other states impacted by this project prior to 2000 when the project is anticipated to start.

ITD received \$1,013,000 in redistribution of obligation authority, according to Director Bower.

SH-75, Hailey to Big Wood River Bridge Resurfacing Project, District 4. Chief Engineer Ross reported that the section of SH-75 between Hailey and Ketchum has been deteriorating at a faster rate than anticipated. Patching by maintenance crews has been continuous and has not been able to keep up with the surface failures. Several projects are currently proposed or programmed to provide new surfacing in the next two to three years, however, it is anticipated that if left unrepaired, the loss of pavement during the winter and spring will cause significant disruptions to the traveling public, significant maintenance costs, and delays.

The District is proposing an overlay over the travel way with selected areas of milling and inlay to provide a maintainable, safe surface until the programmed resurfacing and reconstruction projects can be completed. The estimated cost to complete this work is \$428,000. The District can fund \$278,000 from the deletion of a FY1998 State project (key #7026), savings on a project, and from the operations budget.

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

RES. NO. WHEREAS, State Highway 75 is the only link between Hailey and Ketchum; and  
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WHEREAS, the existing surface of SH-75 is deteriorating at a faster rate than can be repaired by maintenance personnel; and

WHEREAS, the District proposes to advertise a project immediately to resurface this section of roadway; and

WHEREAS, there are not sufficient District funds to complete the required resurfacing project.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the use of ST-Unallocated funds in the amount of \$150,000 to complete this work; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board authorizes the District staff to advertise, award, and administer the contract for this project.

FY2000 Proposed Budget Request. BPIRM Detmar reviewed the proposed FY2000 budget. Some of the highlights include a 5% change in employee compensation, an increase of 2.5% for operating costs, and a 2.5% increase for inflation. Personnel costs are based on 1843 full-time equivalent positions. It was noted that the aeronautics revenue was decreasing. Several things may be contributing to this, including a reduction in fuel sales which may be a result of less in-state flights, and a reduction in the use of the state airplane pool.

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

RES. NO. WHEREAS, the FY1999 Supplemental Budget Request and the FY2000  
TB98-74 Department Budget Request have been prepared in accordance with instructions in the Division of Financial Management's Budget Development Manual; and

WHEREAS, the Board has reviewed the estimated revenue and expenditures for the remainder of FY1999 and for FY2000.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board agrees with the budget request as presented in the Department Summary and Certification, submitted for approval September 17, 1998, as shown in Exhibit 211, which is made a part hereof with like effect, and authorizes the estimates to serve as the basis for the budget request to be submitted to the Division of Financial Management on or before September 30, 1998.

Chairman Winder welcomed Representative Dave Bivens to the meeting and thanked him for his efforts in the transportation arena.

Draft Legislation for 1999. Based on the Board approval of the legislative IDEA forms as to concept at the July meeting, staff developed draft legislation for review and approval. Two additional pieces of legislation have been added since the July meeting. One proposal concerns the Emergency Relief restricted account. An estimated \$1.5 million in funds remains from the \$12 million set aside to match federal ER funds for projects to repair damages from natural

disasters in 1996 and 1997. This legislation would allow the \$1.5 million to be kept in the State Highway Account and used to match federal funds for three natural disasters that occurred in 1998, instead of being returned to the Restricted Highway Fund.

The other addition concerns the vehicle disability placards. This legislation would voluntarily remove the current \$5 fee being charged for disability placards and would possibly avoid litigation as these fees have been legally viewed as discrimination against individuals with disabilities in several other states.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that State agencies  
TB98-75 submit proposed 1999 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Board at the July 16-17, 1998 meeting approved the 1999 "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 Transportation Board approves submittal of the "Legislative Proposal Forms" containing the proposed draft legislation, as shown in Exhibit 212 which is made a part hereof with like effect, to the Division of Financial Management.

ITD Memorandums of Understanding (MOUs). Transportation Legislation and Policy Specialist Tim Greeley summarized the MOUs the Department has with other governmental agencies. The agreements are divided into three different types. General, non-specific agreements were initiated in 1991 to establish a general line of communication between ITD and other state agencies. There are 15 agreements on file and in effect in this category. The 36 active agreements deal with specific projects or issues. Inactive agreements, expired or completed are no longer in effect. There are 14 agreements that have been completed or are out of date.

The Board thanked Mr. Greeley for compiling the information on the MOUs.

Chief Engineer's Items. CE Ross reported that the Bovey Oil Company, near Winchester, has again requested an approach permit on US-95. At a recent meeting with ITD staff, Mr. Bovey, and local officials, the Highway District agreed to construct a segment of road connecting US-95 with the US-95 Business route. Mr. Bovey is to work with the Highway District on this proposal and the ITD application will be presented to the Board for approval when it is ready.

Glen Waddell is the contractor on the SH-11, Pierce to Grangemont project. CE Ross reported that the contractor is in liquidated damages and is in default. A plan is needed to finish this project. Consideration was given to canceling the project and having another contractor

complete the project. However, Mr. Wadell has agreed to have his sub-contractor, Poe Asphalt Paving, Inc. complete the project, which is acceptable to the Department.

Director Bower reported that the documents for the King Air are being finalized and the airplane should arrive at the Division of Aeronautics soon.

Delegation – City of Caldwell. City Engineer Gordon Law relayed Mayor Garret Nancolas' regrets at being unable to attend the meeting. Mr. Law expressed the city's support for the Exit 29, Franklin Road project on I-84. The project is programmed in the draft Statewide Transportation Improvement Program for Preliminary Development. The city is planning and budgeting for the improvements to that exit and Mr. Law encouraged the Board to fund the project.

John Blaye, Executive Director of the Caldwell Economic Development Council, reported on the growth in the area and planned developments that will impact the I-84 interchange. He also expressed support for the Franklin Road project and a willingness to work with the Department on transportation issues.

Chairman Winder thanked the gentlemen for the remarks and stated the Board will take the comments under advisement.

Distribution of Highway Funds to Local Governments. Doug Benzon, Economics and Research Manager, explained how funds received at the state level are distributed to local cities, counties, and highway districts. He also outlined the sources of these funds and compared the gasoline tax and car registration fees in Idaho to surrounding states.

Member Smith asked if combining the Highway Distribution Account and the Restricted Fund would be easier and cheaper to administer. Mr. Benzon believes combining the funds would be easier on the receipts side, particularly for the Tax Commission. The Board asked staff to look into this issue. Joe Haynes, Local Highway Technical Assistance Council (LHTAC) Administrator, offered his assistance on this issue, particularly the locals' perspective. The Restricted Fund was partially established to provide accountability for the funds. The Board questioned Mr. Haynes on the locals' reporting system. Mr. Haynes responded that the form from the Controller's office is being used to identify which category the Restricted Funds were applied to, however, he is working on improving the reporting system to be more specific.

The Board thanked Mr. Benzon for the informative presentation.

Approval of FY1999 Scenic Byway Grant Applications. Last month the Scenic Byways Advisory Committee reviewed applications for Scenic Byway Discretionary funding. Six projects are recommended for funding in the amount of \$578,015.

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

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byways  
TB98-76 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 Idaho Transportation Board; and

WHEREAS, all state and local Scenic Byway grant applications are to be submitted by the Idaho Transportation Department to the Federal Highway Administration for Federal Scenic Byway Discretionary Funding; and

WHEREAS, FY1999 Scenic Byway Grant Applications have been received, reviewed, and prioritized by the SBAC with recommendations to the Idaho Transportation Board.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the application for the following FY1999 projects in priority order for Federal Scenic Byway Discretionary funding totaling \$578,015 and inclusion in the Statewide Transportation Improvement Program:

- 1) Taking the Scenic Route Brochure Reprint for \$20,000,
- 2) Bear Lake-Caribou S.B. Corridor Management Plan for \$56,000,
- 3) Pend Oreille S.B. Corridor Management Plan and Guidebook for \$60,000,
- 4) Salmon River S.B. Visitors Center at Lost Trail Pass for \$116,000,
- 5) Relocation/Restoration of Doney Pioneer Rock Home on the pioneer S.B. for \$52,480, and
- 6) Old McCall Jail Restoration and Interpretive Area on the Payette River S.B. for \$273,535.

Wildlife Canyon Scenic Byway Designation for the Banks-Lowman Highway, District 3.

The Greater Garden Valley Area Chamber of Commerce, with support of the Boise County Board of Commissioners and the cities of Crouch and Idaho City, requests approval for the designation of the Banks-Lowman Highway as the Wildlife Canyon Scenic Byway. The SBAC reviewed the request and determined that the application meets the guidelines for designation.

Member Smith reported that the Board Subcommittee on Additions to and Deletions from the State Highway System is reviewing this route for possible addition to the system. He asked what this designation would do to the route and if more restrictions would be in place. Mr. Haynes said he is not aware of any restrictions until the corridor management plan is prepared and restrictions outlined in the plan. Director Bower added that the national designation includes restrictions, but he did not believe restrictions would be in place at this level.

Chairman Winder asked if a scenic byway designation can be rescinded. Staff will research that issue and provide an answer to the Board.

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

RES. NO.      WHEREAS, the Transportation Board established the Scenic Byways Advisory  
TB98-76      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 Idaho Transportation Board; and

WHEREAS, all local requests for Scenic Byway designation are to be submitted to the SBAC for review and consideration; and

WHEREAS, the Greater Garden Valley Area Chamber of Commerce with the full support of the Boise County Board of County Commissioners, the City of Crouch, and the City of Idaho City has submitted a request to designate the Banks-Lowman Highway as the “Wildlife Canyon Scenic Byway”; and

WHEREAS, the SBAC has found the request for this designation to comply with its established criteria, recommending Idaho Transportation Board approval.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the designation of the Banks-Lowman Highway as the “Wildlife Canyon Scenic Byway”; and

*BE IT FURTHER RESOLVED*, that the “Wildlife Canyon Scenic Byway” shall be so designated on the Idaho Official State Highway Map.

Rule 39.03.62, Governing Logo Signs. Per Board request, the gas signing criteria in Section IV CRITERIA, subsection (3) Types of Services, has been revised to eliminate the requirement of an air compressor and a jack. Approval of these changes enables staff to update Administrative Rule 39.03.62, Rules Governing Logo Signs.

Member McHugh made a motion, seconded by Member McClure, to approve the changes outlined above to the policy, and update Administrative Rule 39.03.62, Rules Governing Logo Signs. The motion passed unanimously.

Revisions to Board Policy B-06-08, Professional Services Agreement. With the new TEA-21 bill, ITD is facing a significant increase in the number of projects that are to be built over the next six years. It is expected that at least 50% of the annual work for design and some construction monitoring will be performed by consultants. Consultant Administration Engineer Nestor Fernandez reported on the current consultant use, the anticipated use of consultants, the approval process to utilize professional services, term agreements, and utilization of consultants and the proposal to streamline the process. Mr. Fernandez also outlined the qualification-based selection procedure for selecting consultants, including negotiating fees and the auditing functions involved

Staff proposed identifying projects in the STIP to use consultant services, but not requiring additional Board approval for the use of the consultants unless the total agreement amount exceeds the amount programmed in the STIP. Another proposal is to allow the Director to authorize more professional service agreements.

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

RES. NO.        WHEREAS, the Idaho Transportation Department is responsible for the  
TB98-77        transportation needs of the citizens of Idaho; and

WHEREAS, the Idaho Transportation Department will receive a significant amount of highway funds from the TEA-21 bill; and

WHEREAS, this increase will require utilization of professional services in order to meet the schedules established in the Statewide Transportation Improvement Program; and

WHEREAS, the Idaho Transportation Board recognizes that use of consultants is an effective tool to supplement the current ITD work force to enable projects to be designed and constructed on time; and

WHEREAS, the streamlining of the process will be a process improvement activity that will encourage productivity and efficiency of current staff and consultants assisting the Department.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the revision of Board Policy B-06-08, Professional Services Agreements, to reflect the following:

- 1) Routine engineering agreements exceeding \$500,000 require approval from the Chief Engineer; and
- 2) Routine engineering agreements exceeding \$1,000,000 require Board approval; and
- 3) Projects identified in the STIP to use consultant assistance, in part or all, does not require Board approval unless the total agreement amount exceeds the amount programmed in the STIP; and
- 4) The accumulative amount of tasks related to a specific project or term agreement shall not exceed \$750,000; and
- 5) Board and Administrative Policies 06-08, Professional Services Agreements, are to be revised to reflect the above changes, with A-06-08 outlining the Director's or delegate's authority to approve agreements.

The motion passed 5-1 with Member Smith opposing.

Micron Electronics and Nampa Partnership – Request for Board Unallocated Funds, I-84, Keys 6923 and 6200, District 3. Last year Micron Electronics and the city of Nampa proposed a partnership to improve the conditions at the Franklin Interchange in Nampa. The project would add a new structure alongside the existing structure, adding two lanes of capacity. Micron Electronics proposed funding \$1.5 million and the city proposed funding \$300,000 of the estimated \$1.8 million bridge project. ITD programmed two traffic signal projects at each ramp intersection to complement the proposed bridge project.

In the last year, competition and lower profit margins have negatively affected the computer industry and Micron Electronics has changed its funding commitment for the project to \$1 million. The city of Nampa has committed an additional \$250,000 for a total of \$550,000. However, to complete the project, ITD will need to program an additional \$350,000 for construction and for consultant preliminary engineering to combine the projects for advertisement.

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

RES. NO. WHEREAS, the I-84, Franklin Interchange is of regional and statewide  
TB98-78 importance; and

WHEREAS, the Idaho Transportation Department, District 3, has entered into a public/private partnership with the City of Nampa and Micron Electronics to fund the design and construction for the Franklin Interchange, Phase I project; and

WHEREAS, the partners are now requesting that the Idaho Transportation Department, District 3 provide funding in the amount of \$350,000 toward the construction and design of this project; and

WHEREAS, the Idaho Transportation Board acknowledges that entering into a public/private funding partnership for this project will be a good use of state resources; and

WHEREAS, it is appropriate to combine key #6923 Int. Exit 36, Eastbound and Franklin Road with key 6200 Int. Exit 36, eastbound and Franklin Road and change the scope of key 6200 to include both signals and the interchange bridge and the name to be Franklin Interchange, Phase I; and

WHEREAS, the approval of this project will leave a fund balance of \$1,015,000 in the FY1999 Board Unallocated funds.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves use of \$350,000 from the FY1999 Board Unallocated Fund to fund a portion of the project costs associated with key #6200, Franklin Interchange, Phase I; and

*BE IT FURTHER RESOLVED*, that the District is authorized to negotiate a contract for consultant services with HDR Engineering for \$50,000 of this total amount to complete the design of the Franklin Interchange, Phase I project.

Add McCall Partnership Project to and Remove Marsing Partnership Project from the FY1999 State Program, District 3. ITD works with communities as they apply for community block grants and other municipal grants to enhance and improve their cities. Staff has met with the McCall Downtown Redevelopment group concerning plans to reconstruct the curbs, gutters, storm drains, sidewalks, and pedestrian features of 3<sup>rd</sup> Street and portions of Lake Street utilizing

a recently awarded community block grant. Drainage in this area has been a serious highway issue for many years, as the current system is inadequate, has failed, and empties directly into the lake.

Staff is requesting a new State Funded project in FY1999 to enter into a partnership with McCall to address the drainage and storm sewer issues within their project on SH-55. The District proposes paying the city \$110,000 to fund replacement of the storm sewers and curb and gutter within this project. The District currently has a partnership project with Marsing for the same type of work. Marsing was not able to secure its community development block grant. The funds from the removed Marsing partnership are available to equally offset the addition of the McCall partnership project.

Vice Chairman Mitchell 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 Transportation Department to  
TB98-79 accomplish a current, realistic, and fiscally constrained Highway Development Program; and

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

WHEREAS, the addition of the McCall Partnership project will provide a substantial return in benefit to the state; and

WHEREAS, the proposed project can fully utilize funding made available from the removal of key #7346 Marsing Partnership.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the addition of the SH-55 McCall Partnership project into the FY1999 State Funded Program for the amount of \$110,000 as a direct payment to the city of McCall.

Request for Consultant Services, Off-System, Deinhard Lane to Boydston, Key 5030, District 3. The Deinhard Lane to Boydston project will construct a second crossing alternate across the Payette River in McCall. This project is programmed in FY2002 for \$4.37 million. The District is working with the city of McCall and Valley County in a partnership to fund the design and construction of this project. Staff is requesting to hire a consultant to provide preliminary engineering for the project.

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

RES. NO. WHEREAS, the SH-55, Deinhard Lane to Boydston project is of regional and  
TB98-80 statewide importance; and

WHEREAS, the Idaho Transportation Department, District 3, has identified a need for consultant assistance to provide design work for the Deinhard Lane to Boydston project so that it will be constructed on time; and

WHEREAS, the Idaho Transportation Board recognizes that the current workload by all Districts limit the use of Department staff to fully design projects; and

WHEREAS, the Idaho Transportation Board acknowledges that the use of a consultant for this project will be a good use of state resources.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorizes Department staff to solicit for consultant services to complete the design of the Deinhard Lane to Boydston project.

Contract Awards. The low bid on project ER-3270(116), key 6902, SH-55, Upper/Lower Banks, Boise County, District 3, was more than ten percent over the engineer's estimate, requiring justification. The Average Unit Price report was the source for estimating the unit prices. The items of significant difference were excavation, silt fences, granular sub-base, concrete class 30, concrete guardrail, erosion blanket, loose rip rap, gabions, and mobilization. Having to do the work late in the construction season and having to work on the steep slopes are possible reasons for the higher prices, which the engineer's estimate did not account for.

Continuous erosion is occurring at the project site and the concrete guardrail on the roadway shoulder is being undermined. Redesigning and readvertising this project will not get the work done prior to winter, therefore, staff recommends awarding this contract.

Member McClure made a motion to award project ER-3270(116), key 6902, SH-55, Upper/Lower Banks, Boise County, District 3, to the low bidder: Nelson Construction Company, Boise, Idaho - \$460,724.46. Member Miller seconded the motion. Member McHugh questioned the lateness in the season for advertising this project. Vice Chairman Mitchell said he is familiar with this project. He understands the safety hazard and believes staff expedited this project to alleviate the dangerous situation. The motion passed unanimously.

The low bid on projects NH-STP-F-IR-3112(033) and STP-3782(101), keys 0685 and 5153, Weiser Alternate Route and Kuna to Kuna Canal Bridge, Washington and Ada Counties, District 3, was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was based on past demolition projects. It is difficult to estimate how much salvage value the buildings include, as each structure is unique and the value differs with each contractor. Due to the urgent need to complete this demolition work prior to other highway projects, the District believes these structures will become a hazard if left through the winter and recommends awarding the bid.

Member Smith made a motion to award projects NH-STP-F-IR-3112(033) and STP-3782(101), keys 0685 and 5153, Weiser Alternate Route and Kuna to Kuna Canal Bridge, Washington and Ada Counties, District 3, to the low bidder: Allied Construction, Inc., Boise, Idaho - \$41,800. Member Miller seconded the motion and it passed unopposed.

The low bid on project STR-1767(603), key 6955, Tyhee Road to Bonneville County Line, US-91, Bannock and Bingham Counties, District 5 was more than ten percent over the engineer's estimate, requiring justification. Because this guardrail project is a small specialty project, price variations have a profound effect. Also, average unit prices are not indicative of small quantities such as excavation and guardrail removal. The major differences between the bid and the engineer's estimate were removal of guardrails, excavation, metal guardrail, and mobilization. Staff does not believe readvertising would result in savings and it would be difficult to combine this State Restricted guardrail work with other district guardrail work planned utilizing federal aid. Also, it would be necessary to remobilize the design consultant. The District recommends awarding this project.

Member Smith made a motion to reject the bids on project STR-1767(603), key 6955, Tyhee Road to Bonneville County Line, US-91, Bannock and Bingham Counties, District 5, and readvertise next year. Member Combo seconded the motion. Member McClure asked if delaying this project would create a safety hazard. CE Ross stated this project could be delayed. The motion passed unanimously.

Plan for Establishing Local Federal-aid Incentive Program and Phasing out the Local Rural Federal-aid Exchange Program. Highway Programming Manager (HPM) Dave Amick and Mr. Haynes have been working on a proposal to establish a Local Federal-aid Incentive Program. Key elements include phasing out the STP Rural Exchange program; eliminating sub-allocations to local public agencies to allow for pooling of available annual STP apportionments; establishing criteria for project identification and prioritization which encourage local transportation planning and coordination; and retaining Board authority for project selection and approval. HPM Amick recommends capping the exchange program at \$2.8 million in FY1998. Mr. Haynes expanded that the program would also be funded at the \$2.8 million level in FY1999, but would be reduced by one third in FY2000, one third in FY2001, and eliminated in FY2002.

The Metropolitan Planning Organizations would not be impacted by the Local Federal-aid Incentive Program, according to Mr. Haynes. He believes the MPOs have an effective system and he hopes the local public agencies will emulate that process. He added that he would like to honor the projects in the current program and special projects, such as the Buhl to Wendell project.

Some phases still being worked on include developing draft proposals for phasing out the Exchange Program and phasing in a new Federal-aid Incentive Program; conducting a forum for local agency review and comment on the proposals; bringing final recommendations and local

public agency comments to the Board for review and approval; and redrafting Board policies and obtaining Board approval. The proposal is expected to be finalized by next summer.

The Board thanked Messrs. Amick and Haynes for the informative presentation and for the cooperative work on this issue.

WHEREUPON the meeting recessed at 5:15 PM.

## ***September 18, 1998***

The Transportation Board meeting reconvened at 8:05 AM on Friday, September 18, at the Transportation Department in Boise. All members were present.

Acceptable and Appropriate Commercial Activities in Rest Areas. Staff was asked to clarify appropriate commercial activities in rest areas. Roadside Manager Gene Ross explained staff's intent is to work with the Department of Parks and Recreation and the Department of Commerce in developing concepts only, for advertising motorist services in gateway rest areas which incorporate staffed visitor information centers. Federal and Idaho Code prohibit actual commercial activities in rest areas except by the Idaho Commission for the Blind and Visually Impaired, but allow the advertising of services which are pertinent to motorists.

The Board reviewed Board and Administrative Policies 05-14, Safety Rest Areas, which were revised to clarify the intent of commercial activities. The Board directed staff to revise A-05-14 to state that the District Engineer in coordination with the Roadside Manager would approve advertising in the rest areas ITD manages.

Member Combo made a motion, seconded by Member Miller, to approve the revisions to Board Policy B-05-14 and Administrative Policy A-05-14, Safety Rest Areas. The motion passed unopposed.

Vehicle Investment Program/Policy Legislation. Public Transportation Administrator (PTA) Larry Falkner reported on a pilot program created to meet the needs for vehicle purchases to meet the need for additional local match to utilize the increase in TEA-21 funding. A brief summary of this proposal was provided with a more detailed presentation planned at the October meeting.

Member Smith asked if local option funding has been explored for public transportation. PTA Falkner responded that the local option has been considered by the Association of Idaho Cities. Representative Kempton has also contemplated a constitutional change to provide funds for public transportation.

Hearing Officers. Public Involvement Coordinator Julie Pipal introduced Judie Cahoon, Gaye Hunsperger, Eric Moody, and Lois Wood as new hearing officers for the Department.

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Nancy Becker will also be a hearing officer, however, she was not present. All five employees work in the Division of Motor Vehicles. After receiving formal training, they will join Tim Greeley, Barbara Babic, Susan Bale, and Bob Medley in the field. It is estimated each hearing officer will attend three hearings per year.

The Board welcomed the new hearing officers and extended appreciation for their willingness to assume the extra duties involved as a hearing officer.

Statewide Air Quality Status and Future Planning. Matthew Moore, Division of Environmental Quality (DEQ), said significant improvement of air quality has been realized in Idaho over the past ten years. Work on statewide Congestion Mitigation/Air Quality (CMAQ) projects have been cost-effective and essential to improving air quality. Contributions from the CMAQ Program, along with local and national programs have allowed Idaho to meet its goals, and new goals and programs for transportation and air quality management have been established. Mr. Moore outlined the regulation changes, the common sources of PM2.5, and the agreement between DEQ and the Division of Public Transportation to encourage the use of transportation alternatives.

The Board thanked Mr. Moore for the informative presentation.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 9:15 AM, Member McClure made a motion, seconded by Member Combo, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

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

Employee Service Awards. The Board participated in the employee service awards. Member Miller provided remarks on behalf of the Board. Mr. Coe presented Materials Engineer Tom Baker and Training Specialist Garth Newman awards for their work on the Northwest Alliance for Quality Transportation Construction. These two individuals were instrumental in providing leadership, development, and coordination of a regional program for training, testing, and qualification of transportation technicians. The program started with Alaska, Washington, Oregon, Idaho, and FHWA, but has grown to include most of the western United States.

The Board members and Director Bower also participated in the dedication of the rock garden memorial in front of the Headquarters building. Chairman Winder recognized the ITD employees who died in the line of duty over the years and reiterated the hazards of constructing highways and the importance of safety.

Tort Claim Process. Cheryl Rost, Employee Safety and Risk Manager, summarized the tort claim process. The Department provides forms and instructions for claimants, which are submitted to the Secretary of State for processing and then to Risk Management. She added that the Department's maintenance personnel are trained on the process and have forms available in their vehicles.

Lunch with Aeronautics Advisory Board (AAB). The Board members visited informally with AAB Members Robert Hoff, Harry Merrick, and Bill Parish over lunch.

Master Plan for Information Technology. Chairman Winder welcomed Senator Cecil Ingram to the meeting. Deputy Director Keith Bumsted explained the purpose of the Information Technology Plan is to describe and explain the essential business goals, objectives, and strategies for information processing for the five-year period from July 1, 1998 through June 30, 2003 (FY1999-2003). This plan is intended to guide the planning and implementation efforts for the next generation of information processing systems and services as the Department shifts primary computing architecture and infrastructure from a centralized mainframe to a distributed client/server environment. This plan highlights many of the major developments and improvements that have occurred over the past several years when much of the client/server infrastructure was put in place. However, the plan focus is on future efforts and initiatives to be pursued over the next five years

The plan discusses the fundamental business needs for improved and modernized information systems in support of programmatic and service goals and objectives. It is anticipated that the plan will be monitored and reviewed on a quarterly basis and formally updated annually by June 30 as a means of measuring progress and charting future efforts and resource allocations in this important arena. The plan will provide project fiscal information sufficient for the timely preparation of the Department's annual budgetary projections for information processing services presented to the Departmental Budget Council, Transportation Board, the state-level Information Technology Resource Management Council, the Division of Financial Management, and legislative groups for review and approval. The annual revision on June 30 should also reflect specific budgetary allocations for projects to be conducted during the next subsequent fiscal year. Projected costs for Phases I and II in FY1999 are \$3.4 million.

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

RES. NO.        WHEREAS, transportation programs and services provided by the  
TB98-81        Department to its many constituents and stake holders depend heavily on the  
proper functioning and support of a comprehensive network of automated  
information systems and services; and

WHEREAS, information technology is used extensively to support Department  
planning, design and engineering operations at all levels and in the delivery of  
information to constituents and staff; and

WHEREAS, our goal is to develop and deploy comprehensive information  
systems that support the core business functions of the Department through an

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integrated environment that allows easy, high speed access to all data in an on-line mode; and

WHEREAS, there is a fundamental business need for improved and modernized information systems; and

WHEREAS, the Legislative Council Interim Committee on Transportation Resources Management in its report of January 1996 encouraged "the aggressive adoption of technology efficiencies that benefit the public and Idaho businesses as well as the ITD"; and

WHEREAS, the Information Management and Access Team (IMAT) was formed to "restructure the management and flow of information into an integrated environment to allow quick and easy access and use of that information in an on-line environment"; and

WHEREAS, IMAT has conducted a review of ITD's current information systems and has completed a master plan for Information Technology – Fiscal Years 1999-2003.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board hereby adopts and approves the Master Plan for Information Technology Fiscal Years 1999-2003.

The motion passed 5-1 with Vice Chairman Mitchell opposing.

Location of Interchange in Nampa Area, District 3. Because of recent letters from local officials opposing the Karcher Road Interchange project in Canyon County, Chairman Winder asked staff for a presentation on this project. Assistant District 3 Engineer Jeff Miles said FHWA approved the Karcher Road location for an additional I-84 interchange in 1980 and the Board approved the recommended location in 1987. To date, approximately \$1.5 million has been spent on preliminary engineering and right-of-way. The project, programmed in the draft STIP in FY2002, is estimated at \$28 million.

Because there has been support for an interchange at Middleton Road, Member McClure asked what the timetable and cost estimate are to construct that interchange. ADE Miles believes it would take 60 months to get the project ready for advertisement and cost approximately \$30 million.

Member Combo made a motion to leave the Karcher Interchange project in the draft STIP, subject to public comment, and review the STIP in its entirety in November. Member Miller seconded the motion. Since the project is in the draft STIP, Vice Chairman Mitchell believes no motion is necessary. Member Combo concurred, however, stated that the motion clarifies that staff is not to consider the Middleton Road interchange at this time. The motion passed unopposed.

Old/New Business. Vice Chairman Mitchell made a motion, seconded by Member Smith, to approve the following resolution:

WHEREAS, Eterna-Line has filed a claim for additional compensation for work it performed on interstate bridge repair, I-84 and I-184B Boise River Bridge (Fairview Avenue); and

WHEREAS, the Chief Engineer has denied entitlement for any additional compensation under the contract; and

WHEREAS, Eterna-Line has appealed the Chief Engineer's decision to the Transportation Board; and

WHEREAS, Eterna-Line has requested that the Board dismiss its claim and allow Eterna-Line to take the claim to District Court.

*NOW THEREFORE BE IT RESOLVED*, that the Chairman of the Board is authorized to execute a waiver agreement with Eterna-Line.

Member Smith believes it would be in ITD's best interest not to waive the appeal, but to have Eterna-Line go through the hearing process. The cost of this process was questioned, but not available. In response to the role of the hearing officer, Member Combo reported the duties would be to prepare the findings of fact, conclusions of law, and prepare a recommendation for the Board. Options other than utilizing a hearing officer were also questioned.

The motion failed 1-5.

Member Smith made a motion to deny Eterna-Line's request for a waiver and to ask Counsel to provide the Board with options on setting up a hearing, if Eterna-Line requests to proceed with the claim. Member Combo seconded the motion and it passed unopposed.

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

RES. NO.      WHEREAS, the Transportation Board has filed a condemnation on parcel no. 36  
TB98-82      on the Eagle Alternate project; and

WHEREAS, the Board has reviewed the valuations of the property.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorizes staff to make a settlement offer of \$650,000 plus accrued interest, less amounts previously paid to the property owner.

On behalf of the Board Subcommittee on Additions to and Deletions from the State Highway System, Member Smith distributed a position paper and resolution regarding the route from SH-77 at Conner Creek to Almo, or the City of Rocks. He asked the Board to review this information for action at a later date.

Vice Chairman Mitchell provided a brief summary of the meeting on the Subcommittee on Retaining Employees, which was held earlier this week. He will continue working with staff and provide additional information to the Board.

Director Bower reported that the Governors of Idaho, Montana, North Dakota, South Dakota, and Minnesota are making strident efforts to increase activities at the ports of entry along the Canadian border in response to the increased number of Canadian trucks entering the country. ITD will be working with the Idaho Departments of Agriculture and Law Enforcement to increase the efforts at the Bonners Ferry Port of Entry.

The Subcommittee on the Enhancement Program also met earlier this week, according to Member Combo. He reported the progress made and stated recommendations should be ready for the Board in November. He added that discussions were also held on the CMAQ Program and the Subcommittee is willing to address this issue also. Because Vice Chairman Mitchell was involved with the CMAQ Program earlier, he was invited to join this Subcommittee.

In a recent press release, Member Combo noticed that the speed limit on SH-33 from Terreton to the Wyoming state line was being increased to 65 miles per hour. He questioned staff's authority to set this speed limit, although the Board policy signed in 1977 states the Director or State Highway Administrator has this authority. Member Combo asked for clarification on this issue. CE Ross replied that he will look into this matter.

SB Higgins distributed the 1998 Transition Document which staff has prepared for the new governor.

WHEREUPON, the regular monthly Board meeting officially adjourned at 3:40 PM.

sigend

CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
October 9, 1998  
Pocatello, Idaho

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REGULAR MEETING AND DISTRICT 5 TOUR  
OF THE IDAHO TRANSPORTATION BOARD

October 8-9, 1998

The regular session of the Idaho Transportation Board meeting convened at 10 AM, on Thursday, October 8, in Montpelier. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2

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Monte C. McClure, Member – District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member – District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer  
Ed Bala, District 5 Engineer  
Bryant Brown, Assistant District 5 Engineer

The Board toured the Montpelier Oregon Trail Museum, which was partially funded with Enhancement Program funds. Although the facility has not been completed yet, work is progressing well on phase one. The Museum Committee members thanked the Board for its assistance and interest in this project.

The group traveled US-89 north. Alan Wubker, District Environmental Planner, briefed the Board on the environmental issues associated with this demonstration project from Montpelier to Geneva. The Board traveled Wyoming 89 south to Border, then US-30 west.

The group stopped at the Chevron Service Station near McCammon to view the commercial approach. Earlier this year, the Board approved an 84-foot approach with a median. Charles Hyer, owner, said the initial request was for a 100-foot approach, and when the 84-foot approach was approved, he did not realize it included a 4-foot median. He said large trucks have difficulty turning into and maneuvering around the station. DE Bala expressed safety concerns with a wider approach due to high-speed entering, often at an angle, and also the potential for vehicles exiting at the wrong place. Senator Frasure and Representative Kunz were also present and encouraged the Department to work cooperatively with Mr. Hyer on an acceptable solution. Chairman Winder thanked the delegation for the information.

The tour continued north on I-15 to the District 5 Office in Pocatello.

Delegation – Bingham County Commission. Commissioner George Katseanes thanked the Board members for their time. Although he voted to phase out the local rural federal aid exchange program as a member of the Local Highway Technical Assistance Council (LHTAC), he did not understand the ramifications of the proposal and is now opposed to eliminating the program. He believes the local entities are capable of determining the best use of its funds.

Commissioner Katseanes also expressed concern with the proposed local federal aid incentive program. He believes the entities that can write the best grant applications will receive funds, which would hurt small entities and those lacking expertise. Additionally, this program would create a lot of extra work for LHTAC.

Member Combo said both of these issues were recommendations from the 1997 Transportation Planning Task Force. Eliminating the buy-back program would also provide more state match for the additional federal funds Idaho will be receiving under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). Member McClure added that the incentive program would be beneficial to smaller entities that don't get much money under the current system. These local jurisdictions will be able to apply for funding for large projects. The consensus of the Board was to work cooperatively with local agencies to improve the current system. The Board would consider other options, or modifications to the incentive plan, if proposed.

Joe Haynes, LHTAC Administrator, said his first priority is to help locals utilize their money better. He said these issues are on LHTAC's agenda for its meeting later this month.

Chairman Winder asked Mr. Haynes to notify the Department of the outcome of the LHTAC meeting. He thanked Messrs. Katseanes and Haynes for their comments.

WHEREUPON the meeting recessed at 5 PM.

## ***October 9, 1998***

The Transportation Board meeting reconvened at 8 AM on Friday, October 9, at the District 5 Office in Pocatello. All members except Member McHugh were present.

September 17-18, 1998 Board Minutes. Member McClure made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on September 17-18, 1998, as submitted. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:

November 19-20, 1998 – Boise

December 17-18, 1998 - Boise

January 21-22, 1999 – Boise

February 18-19, 1999 - Boise

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves  
TB98-84 revisions to Board Policy B-11-04, Allocation of Surface Transportation Program  
Apportionments to Local Public Agencies; and has received and reviewed the

December 17, 1998

administrative settlement of right-of-way acquisitions; the condemnations submitted to Legal; the contract awards; and the year 2000 computer summary report.

1) Board Policy B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies (LPAs). Based on direction at the August Board meeting, staff revised this policy to implement "Option D" (12.6% of the total annual TEA-21 formula funding to LPAs after deductions, including obligation limitations) as the method of calculation to determine the annual federal funding level for the Urban and Rural LPA Federal-aid Programs. LHTAC and the Metropolitan Planning Organizations were provided opportunity for review and comment.

2) Administrative Settlement of Right-of-Way Acquisitions. During July 1 through September 21, 9 parcels were processed, 2 of which had administrative settlements, or 22%.

3) Condemnations Submitted to Legal. During August and September, the Director authorized condemnations on parcels 21, 29, 30, and 34, key 5153, project STP-3782(101).

4) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

RA-3-2, key R302 – Snake River View Rest Area, Eastbound, Payette County, District 3. Low bidder: American Building Maintenance Company West, Boise, Idaho - \$105,978.52.

IM-84-4(052)194, key 6255 – Greenwood to Burley Structures, I-84, Jerome and Minidoka Counties, District 4. Low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$935,951.40.

STR-3330(603), 3260(607), and 3260(605), keys 6639, 7022, and 5805 – SH-16, Milepost 9 to Emmett; SH-52, Cascade Road to Junction SH-16; and SH-52, Emmett to Hamiltons Corner; Gem County; District 3. Low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$1,779,635.95.

ST-2360(610), key 6643 – Malad River Bridge to Hagerman Rest Area, US-30, Gooding County, District 4. Low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$685,317.60.

IM-15-3(096)190, key 6481 – Humphrey Interchange to Montana State Line, Northbound, I-15, Clark County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,258,349.84.

5) Year 2000 Summary Report. ITD and its contractor, Comsys, have been developing an awareness of the year 2000 issues among staff, taking inventory of mainframe, distributing and embedding systems where computer hardware or software is utilized and year 2000 processing logic may reside, and assessing what needs to be done to make departmental systems ready for the year 2000. The outcome will be a comprehensive workplan that sets forth the remediation or repair work that is needed on the most important systems being operated by the

Department along with an estimate of the costs involved. Some systems presently in operation will simply be replaced rather than repaired while others may be abandoned altogether.

Revisions to Board Policy B-06-08, Professional Service Agreements. This policy was revised to finalize the changes made at the September Board meeting. The Director, or a delegate can approve routine engineering and right-of-way agreements which do not exceed a total amount of \$1,000,000. Supplemental agreements, including the original agreement, which would bring the Department's obligation to more than \$1,000,000, and subsequent supplements, require Board approval. The Director or a delegate is authorized to approve routine engineering agreements that do not exceed the total amount identified in the STIP for professional services. The accumulated amount of tasks relating to a specific project or term agreement was increased from \$500,000 to \$750,000. The corresponding administrative policy was also revised.

A-06-08, Professional Service Agreements, states the Legal Section shall approve all agreements as to form except for right-of-way and standard formatted agreements that have been previously approved. Member Smith emphasized the importance of using the correct form. Occasionally the wrong forms are used, and he asked that staff be more cognizant of the correct forms.

Member Smith made a motion to approve the revisions to B-06-08, Professional Service Agreements. Member Combo seconded the motion and it passed unopposed.

New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$1,176,859 in new and supplemental agreements between September 2 and September 23. Vice Chairman Mitchell questioned the funding sources for CM-0100(105), key 5528, Doubletree to East 44<sup>th</sup>, Garden City. He believes the project was initially funded in the Congestion Mitigation/Air Quality Program, but is now in the Enhancement Program. Director Bower reported that the project was phased with the preliminary engineering and right-of-way in the first phase, followed by construction.

Member McClure made a motion to accept the new and supplemental professional agreements report. Member Combo seconded the motion and it passed 4-1 with Vice Chairman Mitchell dissenting.

Board Items. At the special meeting on October 1 with the Washington Transportation Commission, the mechanical lift system on the US-12, Lewiston-Clarkston Bridge, was discussed. Washington does not want to fund the project because of the low usage of the lift system. Chairman Winder said Washington indicated the city of Lewiston desires keeping the lift system in operation. Vice Chairman Mitchell will contact the city regarding its position.

Although the state of Washington requires contractors to have a license to do business, the Washington Department of Transportation has a pre-qualification program, according to Member McClure. Member Combo added that the process includes a report card, or performance appraisal, for both the contractor and state to complete after a project is completed. In response to ITD's ability to implement changes, Director Bower replied that legislation would be needed to establish pre-qualification. He said the Department can do a number of things

without legislation like establish time-frames on projects, include A+B incentives in contracts, and authorize the quality of the materials used.

Member McClure reported that the Licensing Board has established a task force to look into these issues. He suggested meeting with the Licensing Board to discuss these concerns. Member Combo added that a pre-qualification system would require staff to oversee and administer the program, and indicated the Department currently does not have the manpower for this additional work.

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

RES. NO. WHEREAS, the Federal Highway Administration (FHWA), in cooperation with  
TB98-85 the Targhee National Forest; the Idaho Transportation Department; the Wyoming Department of Transportation; the City of Driggs, Idaho; Teton County, Idaho; and Teton County, Wyoming, is proposing to improve the Idaho/Wyoming Forest Highway (FH) 76, the Grand Targhee Road; and

WHEREAS, the proposed project would reconstruct the road from Idaho State Highway 33 to the Grand Targhee Ski and Summer Resort with the exception of a 2.0 mile portion from State Line Road to the Targhee National Forest boundary which does not require reconstruction at this time; and

WHEREAS, the late John O. Sessions, a resident of Driggs, was a long time chairman of the Idaho House of Representatives Transportation and Defense Committee; and

WHEREAS, John O. Sessions was a leading advocate of the building and development of the Targhee Resort and the improvement of the road from Highway 33 leading to the Resort; and

WHEREAS, John O. Sessions was well known for his love of the Teton Valley of Idaho and Wyoming and eloquently spoke of its natural beauty; and

WHEREAS, John O. Sessions was very supportive of the transportation needs of the traveling public including public transportation as well as state-wide and regional highway improvements; and

WHEREAS, the late John O. Sessions was among those primarily responsible for getting this improvement project started, and is very deserving of some type of recognition, such as an appropriate plaque at one of the valley overlook sites on FH-76, which recognition was unanimously supported at the May 29, 1997 meeting in Rigby, Idaho as reflected in the Field Trip Report of June 1, 1997, by the FHWA representative, a copy, marked "Attachment #1" is attached for convenient reference; and

WHEREAS, in view of the FHWA Public Notice, (copy marked "Attachment #2" is attached for convenient reference), of a meeting on September 16, 1998 at the Resort as a means of (1) presenting information and (2) providing an opportunity for review and comment, it is timely that such recognition of the late John O. Sessions be moved along in a coordinated and leadership fashion.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Department Director is requested through his delegees/designees/assignees, to coordinate approval by the cognizant public entities referenced above of the designation, design, and funding of an appropriate turn out/scenic overlook marked by an appropriate plaque "The John O. Sessions Overlook" followed by some type of official ribbon cutting ceremony when the road construction is completed.

Chairman Winder asked for the status of the speed study on SH-55 and McMillan Road, near Lowell Scott Middle School. CE Ross said the speed study is underway and the District should have the report available at the November meeting.

CE Ross clarified how speed limits are established and provided a brief history of the number of speed limits that have been changed from 1996 to the present. The Board has delegated establishing speed limits to the Director and Chief Engineer through a Board policy. Upon completion of a speed study, a speed limit entry is prepared.

Because some changes in statute have occurred since the Board policy was established, Member Combo suggested revising the policy. Member Smith suggested having Board involvement for significant, non-routine changes because there is now a Board member from each District. Staff will revisit the current policy.

Chairman Winder asked staff to review the speed limit on I-84 at Gowen Road. He believes the merging traffic creates a safety hazard, and suggested constructing a longer merge lane or posting signs on I-84 warning motorists of the heavy merging traffic if a reduced speed limit is not justified.

Vice Chairman Mitchell has been working with ITD staff on employee retention and compensation issues. Several options were shared with the Board, and he believes the options need to be pursued. A number of these issues were also identified in the employee survey completed earlier this year. Vice Chairman Mitchell would like to proceed with implementing some of the recommendations and notifying the employees of the measures under consideration.

Director Bower reported that other groups, such as the INTRMC, are also looking at options such as multiple pay line. A study is currently underway on multiple payline and should be completed next month. Chairman Winder suggested Vice Chairman Mitchell and Director Bower continue working on these issues and provide recommendations to the Board next month.

Director's Items. Director Bower reported that the Department received a number of awards for recognition and excellence in the transportation arena within the last month. The

Public Affairs staff received an award from the American Association of Motor Vehicle Administrators in the public affairs competition for both national and international recognition for internal/external video. The video was produced for the Western Association of State Highway Transportation Officials conference held in Sun Valley last year. The Idaho Planning Association presented ITD an award for the publication "Transportation in Your Local Comprehensive Plan, a guide for local government officials". The document was recognized as the best planning product of 1997-98. Chick Yates, Project Development, District 3, received the Ken Close Award from the Highway Engineering Exchange Program for his contributions to improve the use of technology in the transportation industry. Ron Kerr, Senior Transportation Planner, Transportation Planning Division, was selected to receive the American Association of State Highway and Transportation Officials' Presidential Transportation Award in the intermodal category. Mr. Kerr was recognized for his role in the development of the "Idaho Corridor Planning Guidebook".

The Board asked the Director to send a letter to the Governor recognizing these awards which reflect staff's abilities and the caliber of employees at the Department.

The King Air should be in service in approximately 60 days, according to Director Bower. Some items such as painting the plane and training the pilots still need to be completed. The memorandum of understanding (MOU) with the Department of Law Enforcement is also being finalized. Member Combo suggested referencing the Executive Order Governor Andrus issued regarding the Division of Aeronautics' responsibility for state planes in the MOU.

In conjunction with the Departments of Agriculture and Law Enforcement, ITD increased efforts at the Bonners Ferry Port of Entry for a one-week period. A preliminary report indicates 806 trucks were weighed and inspected with 60 citations reported. The majority of citations were due to no permits or were in violation of permits, with very few citations for overweight trucks.

Congress has not passed the transportation appropriation bill, and the continuing resolution ends tonight, according to Director Bower. ITD's provision on the high priority projects is still in the bill.

Director Bower distributed preliminary information on combining the Highway Distribution Account and the Restricted Account.

Director Bower reported that the Federal Highway Administration has been reorganized. The regional offices have been eliminated and replaced with resource centers. The Department will continue to work with Division Administrator Jack Coe and his staff in Boise.

A ribbon-cutting ceremony is planned on October 14 for the SH-55, Eagle to Fairview, project.

To date, eight permits have been issued to three different companies for the pilot project. The team is in the process of determining if the study of the pilot project as planned is justified. The study will continue on the differential speed limits on the interstate. Director Bower said the team will have a report for the Board next month. Member Miller believes the pilot project was

defective because it is only intrastate. He thinks more interest would have been generated if trucking companies could travel out-of-state with the heavier loads.

Chief Engineer's Items. CE Ross reported that DE4 Devin Rigby has met with the City of Burley to discuss improvements to SH-27, from I-84 to the Overland Bridge. The city gave a verbal commitment to utilize 40% of its Urban funds if the Department provides 60% to improve this route. The District will work cooperatively with the city to program a project.

Member Smith made a motion to approve the award of STP-7592(101), key 5171 – Overland Bridge, Burley, Cassia County, District 4 to the low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$6,926,636.80. Vice Chairman Mitchell seconded the motion and it passed unanimously.

Vehicle Investment Program. Public Transportation Administrator (PTA) Larry Falkner outlined a three-year pilot program for a Vehicle Investment Program. For FY1999, \$136,000 in state funds would be used to match the additional TEA-21 capital funds available to qualified grantees. The funds would be used in conjunction with federal and local funding, allowing transit providers to purchase an additional four to six transit vehicles.

The proposal provides for a joint partnership at the federal, state, and local level and expands the opportunity to help those qualified grantees match the additional federal funds. To continue the three-year pilot program, \$223,000 for FY2000 and \$312,000 for FY2001 is requested. Each February the proposed program of projects, including the Vehicle Investment Program, would be presented to the Board for approval. At the end of the three-year period, the program will be reviewed and information presented to the Board. If the program is deemed successful, PTA Falkner said the funding request would be increased to continue the program for matching the additional funds in TEA-21 available for capital.

In response to the funding sources, PTA Falkner said internal funds would be used, with Board approval. Director Bower added that the Department has some funds that are not protected constitutionally, and those funds could be redirected to this program. Chairman Winder said he believes this could be a beneficial program for Idaho.

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

RES. NO.      WHEREAS, there is a need for additional funds to match the increases in TEA-21  
TB98-86      available for capital purchases in the amounts of \$136,000 in FY1999, \$223,000  
                 in FY2000 and \$312,000 in FY2001; and

WHEREAS, requests for federal dollars for vehicle purchases annually exceed the federal funds available resulting in an aging fleet of vehicles where the majority of transit vehicles used for public transportation were purchased prior to 1993; and

WHEREAS, the current growth in population coupled with the rising replacement costs of equipment and limited federal funding limits transportation providers to

maintaining operations without having an adequate capital replacement program;  
and

WHEREAS, with the current level of federal funding, transit providers often have to accumulate capital funds over many years to acquire vehicles; and

WHEREAS, there are internally generated funds within the Idaho Transportation Department that are not constrained constitutionally; and

WHEREAS, the Division of Public Transportation shall develop criteria, rules, and procedures for administering the Vehicle Investment Program in conjunction with the federal grant program and all proposals for vehicles to be purchased would go through the formal approval process.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board establishes a three-year pilot program to be called the Vehicle Investment Program. Funding for the program shall be provided from appropriate state sources.

Public Transportation Policy Legislation. PTA Falkner explained the proposed legislation to define the state's role in public transportation. The legislation makes the current code easier to understand and establishes a new section to establish public transportation policy and its implementation.

Member Miller suggested coordinating transportation with the Department of Education. He is aware of some instances where adults in rural areas would have ridden to town on a school bus, but were prohibited. He believes Education needs to be included in the coordination of public transportation.

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

RES. NO. WHEREAS, Section 40-514, Idaho Code instructs the Idaho Transportation  
TB98-87 Department to improve the efficiency and productivity of public-funded transportation services in presently served areas of the state, and further, seek ways and means to extend needed services to un-served areas; and

WHEREAS, the state role in public transportation is to:

- Promote, support, and administer federal and state funding for public/private transportation systems and services that will enhance the mobility choices of Idaho citizens;
- Encourage and assist local and regional governmental agencies and officials in coordinating and reducing duplication in transportation services;
- Encourage and assist state, regional, and local government agencies in mitigating congestion and attaining air quality goals through expanded public transportation programs and services;

- Assist local governments in the formation and operation of regional public transportation authorities;
- Promote public/private partnerships;
- Work through the Public Transportation Advisory Council, the Regional Public Transportation Committees, and the Interagency Working Group to analyze public transportation needs and identify opportunities to coordinate strategies and public transportation services at the state level;
- Identify and negotiate solutions to overcome barriers in state regulatory and administrative processes and procedures in order to promote efficiency and effectiveness in public transportation services; and
- Maintain a comprehensive state plan for public transportation.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the proposed draft legislation.

Proposed Cassia County State Highway Addition of STC2841, District 4. Due to recent requests asking that the route from SH-77 at Conner Creek to Almo in Cassia County be added to the state highway system, the Board Subcommittee on Additions to and Deletions from the State Highway System reviewed this route last month. Staff updated the rating of this route in August, resulting in a score of 53. The Department is seeking funds to improve this road, including a request to FHWA for Public Lands Highways Discretionary Program funding. Additionally, other routes throughout the state have received higher scores than STC2841, but have not been added to the state's system. Because of these factors, the Subcommittee does not support adding STC2841 to the state highway system at this time.

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

RES. NO.      WHEREAS, Board Policy B-09-06, State Highway System – Additions and  
TB98-88      Removals, has established the procedure for considering roads proposed for state highway system status, including a minimum score in the rating evaluation of 70 out of a possible 100 points; and

WHEREAS, District 25 Legislators have recently requested that the Idaho Transportation Board consider adding to the state highway system a section of county road, STC 2841, from Conner Creek to Almo; and

WHEREAS, the Transportation Board directed staff to update the perfunctory analysis of the route that was completed last fall; and

WHEREAS, the revised evaluation of August 1998 resulted in a score of 53 out of a possible 100; and

WHEREAS, there have been other routes throughout the state that local public agencies have requested be added to the state highway system, and a number of those routes have scored greater than 53; and

WHEREAS, the Transportation Department has submitted an application for FY1999 Public Lands Highways Discretionary Program Funding, and has made this route its highest priority for these funds.

*NOW THEREFORE BE IT RESOLVED*, that because the route from SH-77 at Conner Creek to Almo does not qualify for addition to the state highway system under the current point factoring system, and the Department is actively seeking funds to improve this route, the Transportation Board will not consider adding this route to the state highway system at this time.

Sale of Access on SH-21 Easterly of SH-21 and Federal Way Intersection, Boise, Ada County, District 3. In 1992, ITD entered into an agreement with property owners (Grantors) for the donation of land to facilitate the construction of the I-84 to Diversion Dam, Stage One project. As to Grantor's land, the agreement designated three points of access to be constructed by ITD as part of the project and three access points to be constructed at a later time by Grantors, but the agreement limited access to the six points designated. Grantors determined that a seventh entrance to the property is needed and applied to the Department for a right-turn ingress near the corner of Federal Way and SH-21. The land consists of 24.8 acres and has been subdivided into 19 parcels and has two phases of development.

ITD's current policy controls the hiring and instructions to appraisers retained to value ITD surplus property or sales of access. The landowner retained a Certified General Idaho Appraiser who determined the value of the access at \$3,590. The ITD Review Appraiser did not believe this amount is an accurate reflection of the worth of the approach and suggested ITD obtain its own appraisal. The Department also hired a Certified General Idaho Appraiser who valued the approach at \$35,000. The difference between the two appraisals is due to the Grantor's appraiser determining the approach would serve two pad sites adjacent to SH-21 and ITD's appraiser concluding the access would serve the entire development to some degree. The reviewed fair market value as determined by the ITD Review Appraiser is \$35,000.

Vice Chairman Mitchell made a motion, seconded by Member Miller, to approve the following resolution:

RES. NO. WHEREAS, J.R. Simplot Company has requested from ITD an additional access  
TB98- point from SH-21 not otherwise granted in their deed to 24.8 acres of real property a portion of which is being developed as Columbia Market Place and which is located adjacent to SH-21 near the intersection of Federal Way and SH-21 (Gowen Road) in Boise, Ada County, Idaho; and

WHEREAS, the creation of an additional access will add value to the adjoining property owned by the J.R. Simplot Company; and

WHEREAS, the Idaho Transportation Department has secured the services of a Certified General Appraiser to determine the increase in value to the property served by the additional point of access and the appraiser has determined that amount to be \$35,000.

*NOW THEREFORE BE IT RESOLVED*, that the additional access point in the form of a right-turn ingress will be granted to J.R. Simplot Company and a deed issued upon the payment of \$35,000 to ITD.

Chairman Winder questioned the fee for this access when land was originally donated for the SH-21, Diversion Dam, project. Member Combo does not believe the donation of the land is an issue because Micron Technology actively sought the SH-21 project, and the J.R. Simplot Company was willing to donate the property to have the project constructed. He expressed concern that additional accesses may be requested in the future. CE Ross said the development plans were reviewed and a frontage road is planned. There has been no discussion on an additional access.

Member Combo made a motion to amend the last paragraph of the resolution to state:  
RES. NO.      WHEREAS, J.R. Simplot Company has requested from ITD an additional access  
TB98-89      point from SH-21 not otherwise granted in their deed to 24.8 acres of real  
property a portion of which is being developed as Columbia Market Place and  
which is located adjacent to SH-21 near the intersection of Federal Way and SH-  
21 (Gowen Road) in Boise, Ada County, Idaho; and

WHEREAS, the creation of an additional access will add value to the adjoining property owned by the J.R. Simplot Company; and

WHEREAS, the Idaho Transportation Department has secured the services of a Certified General Appraiser to determine the increase in value to the property served by the additional point of access and the appraiser has determined that amount to be \$35,000.

*NOW THEREFORE BE IT RESOLVED*, that the additional access point in the form of a right-turn ingress will be granted to J.R. Simplot Company and a deed issued upon the payment of \$35,000 to ITD, and that no additional access points be granted from SH-21 between Federal Way and the Boise River.

Member McClure seconded the motion and the amendment passed unopposed.

The original motion passed unanimously.

City of Arco Partnership Project, US-20/26/93, District 6. The City of Arco is requesting that ITD participate in funding a portion of a downtown revitalization project that includes the construction of curb, gutter, and streetlights on US-20/26/93 within the city limits. The project was funded by a Community Development Block Grant Program through the Department of Commerce. The basis for this request is that the cost of the project exceeded the available funds needed to add eight remaining streetlights. The project will benefit both the state highway system and the central business district. CE Ross said the City is requesting \$40,000 of Board Unallocated funds to fully complete this improvement.

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

RES. NO. WHEREAS, the Idaho Transportation Department is supportive of the efforts of  
TB98-90 local governments in improving the function and appearance of segments of the  
state highway system within their jurisdictions; and  
WHEREAS, this project will benefit both the state highway system and the Arco  
central business district; and

WHEREAS, it is in the public interest to complete the full scope of this project;  
and

WHEREAS, the approval of this project will leave a fund balance of \$825,000 in  
the FY1999 Board Unallocated funds.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board  
approves use of \$40,000 from the FY1999 Board Unallocated Fund as a payment  
to the City of Arco to fund a portion of the project costs associated with the  
proposed City of Arco Partnership project.

Arco Mayor Jaques Marcotte thanked the Board for the additional funds.

Contract Awards. Member McClure made a motion to approve the following contract  
awards. Member Combo seconded the motion and it passed unopposed.

STR-5760(600), key 7155 – Frisco Bridge, Shoshone County, District 1. The low bid  
was more than ten percent over the engineer's estimate, requiring justification. Higher bid prices  
than expected for aggregate base and concrete accounted for the majority of the difference. The  
low bidder had difficulty finding subcontractors and suppliers willing to bid on the project  
because of its remote location. Additionally, timing of the project is critical, as it must coincide  
with the low stream flow window this winter. Therefore, the District does not see an advantage  
in rebidding the project and recommends awarding the project.

Low bidder: Universal Construction, Inc., Emmett, Idaho - \$477,905.30. The motion  
passed unopposed.

ST-2390(675), key 7026, Hailey to Big Wood River Bridge, SH-75, Blaine County,  
District 4. The low bid was more than ten percent over the engineer's estimate, requiring  
justification. The difference in the engineer's estimate and the bid was Item 405-A-2 Plant Mix  
Pavement Class III Asphalt/Add. The bid was higher because there will be high volumes of  
traffic; there is a potential for inclement weather; and the contract limited the working hours to  
9:30 AM to 4 PM, limiting the quantity that can be placed each day and extending the time that it  
would take for the contractor to complete the project. The District recommends awarding the  
project. The Board ratified its earlier action to award this project.

Low bidder: Lakeside Industries AJV d/b/a Valley Paving, Bellevue, Idaho - \$400,406.75.

Highway Development Program Supplement 98-6. The objectives of Supplement 98-6 are to report the status of FY1998 federal funding under TEA-21; modify and rebalance the Highway Development Program to include project changes, advances, and delays since August; update the cost of FY1998 Federal and FY1999 State projects to current costs; and report the status of Emergency Relief projects.

Member McClure 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 Transportation Department to  
TB98-91      publish and accomplish a current, realistic and fiscally constrained Highway  
Development Program; and

WHEREAS, it is the intent of the Transportation Board to effectively utilize all available Federal and State highway funding; and

WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> 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, the changes in Supplement 98-6 to the Fy1998-2002 Highway Development Program fully utilize the estimated FY1998 Federal Highway formula funding obligation authority of \$115.8 million and the Minimum Guarantee obligation authority of \$29 million ; and

WHEREAS, the Department received \$1.6 million in the August 1998 redistribution of FY1998 Obligation Authority.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the changes to the FY1998-2002 Federal Highway Development Program itemized and explained in Highway Development Program Supplement 98-6, as shown in Exhibit 213, which is made a part hereof with like effect, and authorizes staff to make the appropriate changes to the FY1998-2000 Statewide Transportation Improvement Program in accordance with the provisions of the TEA-21; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board approval of the State Funded and State Funded Restricted programs continue to be limited to fiscal year 1999 as modified by Supplement 98-6, until the FY1999-2003 Draft Highway Development Program is approved, updating the Fiscal Years 2000-2002 of the State Funded Programs.

Union Pacific Railroad (UP) Line Abandonment, District 1. Two railroad spurs serve the Coeur d'Alene area. The UP spur crosses the Rathdrum Prairie diagonally and intersects I-90 near the Northwest Boulevard interchange. The Burlington Northern Railroad (BN) also has a spur that runs parallel with I-90 on the south side, crossing through Post Falls. Both lines serve the timber industry and other industrial businesses in the area and have a train moving in and out each day.

Negotiations had been underway to relocate the UP onto the BN line through Post Falls. UP was willing because its line was in poor, deteriorated condition. There was significant support from the Lakeland School District, which built a new school near the UP line, the city of Coeur d'Alene, Post Falls Highway District, congressional representatives, the Kootenai County Area Transportation Team, and ITD.

The abandonment would eliminate 22 railroad crossings, increasing safety. It would result in significant savings for the school district, as a new crossing over the UP spur would be required at approximately \$300,000. Indirect savings for transportation agencies would also result. Twin bridges on I-90, which carry the interstate over the spur, are in need of deck rehabs. Seltice Way crosses over this spur on a bridge, which is in the STIP for replacement. These projects may no longer be required if the line is abandoned. The railroad right-of-way along the abandoned line could be used for a bike/pedestrian trail connected to the Centennial Trail. Because of the deteriorated condition of the track, the Federal Railroad Administration designated this section as "exempt", meaning the trains could travel no faster than 10 miles per hour. Since that time, UP has done some upgrading work on the line. Additionally, the trains must blow their whistle at each of the 22 crossings, which occurs through a mostly residential area. Abandonment of the line would eliminate this noise pollution. Several entities, including ITD, have offered to participate in providing funding for track modifications to allow the switching to occur on the Prairie.

There are some concerns related to the abandonment. UP has invested funds to upgrade the line, and may not be willing to resume negotiations at this time. The city of Post Falls is opposed to the increase in train traffic through the city. Trains on the BN line travel at 25 miles per hour. Developers on the west side of the county have expressed concerns about what impacts this may have on the potential for development of their properties. The lumber mill, which both railroads serve, believes the competition between the two lines keeps freight costs down.

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

RES. NO.      WHEREAS, the Idaho Transportation Board recognizes the importance of  
TB98-92      intermodal transportation to the economy of Kootenai County; and

WHEREAS, the abandonment of the Union Pacific Railroad spur would eliminate up to 22 public and private railroad crossings, thereby increasing the safety of the traveling public; and

WHEREAS, abandonment of the Union Pacific line would result in a significant cost-savings to the Lakeland School District and other local agencies involved in transportation issues; and

WHEREAS, local agencies, including the city of Coeur d'Alene, Post Falls Highway District, Lakeland School District, and the Kootenai County Area

Transportation Team have given their support for the abandonment of the Union Pacific spur.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board supports and encourages the Union Pacific and Burlington Northern railroads to continue their negotiations to relocate the UP onto the BN track; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board also encourages the continued support of local community officials in coming to a successful resolution of the relocation of Union Pacific's rail traffic.

Delegation – Senator Evan Frasure, Chairman, Senate Transportation Committee.

Senator Frasure encouraged the Board to work with the Chevron Station owner near McCammon on the approach issue, as well as all businesses throughout the state because of their economic importance to Idaho. He emphasized the importance of US-30 from the Wyoming line to I-15 and reported on the high percentage of truck traffic on this route. There is strong support to make this highway a four-lane road. He extended appreciation for the improvements made and projects planned on US-95. He traveled that route last year and saw first-hand the condition of the road and the need for improvements. But now he asked the Board to focus on US-30. Senator Frasure said the section from Lava to I-15 should be the highest priority.

Senator Frasure also asked the Board to look into the access on South Fifth Avenue in Pocatello near I-15. There is support to have the I-15 on-ramps redesigned so the area can be developed and access improved.

Chairman Winder said the Board viewed the South Fifth/I-15 area this morning. DE Bala will look into the access issues.

Senator Frasure also notified the Board that there is support to repeal the four-cent fuel tax, although he has not committed his support to that effort. Some people believe the state tax is not needed due to the additional federal funds the Department will be receiving. He asked the Board to be prepared to justify that four-cent tax.

The Board concurred that US-30 is a high priority route, not only from the Wyoming border to I-15, but across southern Idaho. Chairman Winder thanked Senator Frasure for his comments and also for participating in part of the tour yesterday.

Delegation – City of Blackfoot Representatives. Blackfoot City Councilman Farrell Cammack thanked the Board for its time. Sandi Thomas, representing the Chamber of Commerce and Greenbelt Committee, reported on the progress made on the greenbelt and efforts to integrate multimodalism in the community. The Greenbelt Committee is working closely with area businesses, the District staff, and other impacted agencies as it continues its long-range plan, including developing a path along the Snake River. Ms. Thomas said they are exploring funding options and may submit an application for Enhancement funds.

Jim Hagar, Southeast Idaho Council of Governments (SICOG), is assisting the city with its comprehensive plan and recently completed traffic plan. A downtown revitalization plan underway will impact the state highway system. Some streets will be changed to one-way streets, affecting the signalization, which is antiquated and hard to maintain. The city is applying for a Commerce grant. DE Bala added that the District supports the plans and wants to work with the city on signalization.

SICOG representative Kathleen Lewis said the city should hear early next year on its grant application. It will notify the District of the outcome of the grant and will keep the District informed of its plans and progress.

Member McClure made a motion to support the City of Blackfoot's application for a Commerce Grant and to work cooperatively with the city on its downtown revitalization plan. If the city receives the grant, ITD will pursue programming a signalization project in conjunction with the city's project. Member Miller seconded the motion and it passed unopposed.

Councilman Cammack expressed appreciation to the District staff for the assistance it has provided and thanked the Board members for their time.

Chairman Winder thanked the delegation for the update on activities in the Blackfoot area and congratulated them for the progress made on the greenbelt. He encouraged them to work closely with Member Miller and keep him informed on transportation projects and issues.

Old/New Business. CE Ross reported that Dennis Clark, District 3 Environmental Manager, has been promoted to the Environmental Manager position at Headquarters.

Member McClure made a motion, seconded by Member Miller, to approve the minutes of the special Board meeting held on October 1, 1998, as submitted. The motion passed 3-0 with Vice Chairman Mitchell and Member Smith abstaining.

Director Bower reported that Budget, Policy, and Intergovernmental Relations Manager Mary Detmar made a presentation to the Joint Finance and Appropriations Committee recently on the additional employees the Department will be needing. He said the information was well received and there were no apparent issues or concerns.

WHEREUPON, the regular monthly Board meeting and tour of District 5 officially adjourned at 11:50 PM.

signed

CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
November 19, 1998  
Boise, Idaho

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December 17, 1998

## SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

October 1, 1998

The special session of the Idaho Transportation Board convened at 9:30 AM, on Thursday, October 1, in Coeur d'Alene. The following principals were present:

Charles L. Winder, Chairman  
John McHugh, Member – District 1  
Monte C. McClure, Member – District 3  
Neil Miller, Member – District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Jimmy Ross, Chief Engineer  
Scott Stokes, District 1 Engineer  
Larry Wolf, Assistant District 1 Engineer

The Board traveled Seltice Way to Post Falls. DE Stokes informed the Board of plans by the various entities with jurisdiction to improve this route. The City of Coeur d'Alene would like to widen the route from Northwest Boulevard to the Seltice Bridge to four lanes. The Post Falls Highway District plans on replacing the Seltice Bridge.

Post Falls City Administrator Jim Hammond met the Board near the I-90 and SH-41 interchange. He reported on planned development in the area and the need to improve the infrastructure. Bill Melvin, City Engineer, believes SH-41 needs to be widened and an additional turn lane to Seltice Way added. The city would like to partner with ITD on these improvements, estimated at \$2.3 million. With signalization improvements at Ross Point and Seltice Way, ITD's share would be approximately \$650,000. Mr. Melvin stated the project could be done in phases.

DE Stokes said the District would like to be a partner with the city on these traffic concerns and concurred with the need to increase capacity on SH-41. He extended his appreciation to the city for its efforts and the good working relationship that has been established.

Mr. Hammond thanked the Board for its time and for visiting the site.

DE Stokes updated the Board on several other area projects. The proposed extension of Pleasant View road was viewed. DE Stokes reported that a park and ride lot near the I-90 and Pleasant View interchange has been developed and the Department has an agreement with North Idaho Community Express for the lot.

During lunch in Post Falls, Doug McQueen, Director of the University of Idaho Research Park, explained the planned research park near Seltice Way. With 100 acres to be developed, he expressed concerns with the infrastructure system and believes I-90 access will need to be

December 17, 1998

improved and another interchange built in the future. He said alternative means of transportation, including car-pooling and buses, need to be encouraged, and added that the Centennial Trail will be expanded to the development.

Chairman Winder thanked Mr. McQueen for the briefing. Member Combo commended DE Stokes for arranging the mini-tour and delegations.

Meeting with Washington Transportation Commission. At 1 PM the Board met with the Washington Transportation Commission at the Washington Department of Transportation (WDOT) Eastern Region Headquarters in Spokane.

Charlie Howard, Manager, WDOT Transportation Planning Office, briefed the group on Washington's planning process and Statewide Transportation Improvement Program update. Some changes include better integration of the various modes, regionalizing the plan, and linking the plan to an implementation plan.

WDOT Secretary Sid Morrison summarized the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21). Washington was pleased with the increased funding level and the flexibility, but is concerned with the funding schedule for the priority projects, 15% each year over six years. Jerry Lenzi, WDOT Eastern Region Administrator, believes the corridor infrastructure and border-crossing program will be beneficial.

Chairman Winder stated the high priority project schedule is also a concern to Idaho and suggested working together to change that. Truck traffic from Canada has increased significantly, according to Chairman Winder, and he reported the efforts of several states to increase efforts, such as safety inspections and compliance, at the border ports of entry.

Mr. Lenzi believes the proposed drawdown on the lower Snake River could have a big impact on transportation. Both truck and rail traffic will likely increase, although Washington lost approximately 2,000 miles of rail line, mostly in the eastern part of the state. Shipping costs will increase. Along with impacts to the economy, irrigation, power, recreation, and employment will also be affected.

Chairman Winder reported Idaho may have fewer trucks, but increased rail usage. He added this is still an important issue to the state.

With the growth in the Spokane-Coeur d'Alene corridor, the Spokane Regional Transit Authority is pursuing a light rail system. Mr. Lenzi reported that Phase I would include 16 miles from eastern Spokane to Liberty Way. Eventually, the light rail would be continued to Post Falls and Coeur d'Alene. The environmental analysis on Phase I should be completed by January, but some right-of-way still needs to be acquired.

Chairman Winder relayed the Boise-area's experience with the RegioSprinter demonstration project last year. Although the rail line would probably be available, he does not believe the area has the population base to make this system viable at this time.

Mr. Lenzi reported on planned improvements to routes connecting the two states, I-90, US-2, SH-41, SH-8, and US-12. The Idaho Board recently approved funds for the joint project on the US-12, Interstate Bridge, according to Chairman Winder. He shared the Board's concern with funding the mechanical lift system improvements due to the low use levels. Commissioner Marr asked WDOT staff for an update at the November meeting on this issue. Commissioner Barnes said tours on the Columbia River out of Portland are increasing in popularity and he believes that interest will grow in the future and could possibly be expanded to Lewiston. He suggested keeping that in mind when contemplating the future of this bridge. It was also indicated that the city of Lewiston opposes terminating the use of the lift span. Chairman Winder said ITD will contact the City of Lewiston for input and comments.

With the Lewis and Clark bicentennial approaching, Chairman Winder reported on Idaho's plans for an interpretive center at Lolo Pass on US-12. National emphasis is being placed on the upcoming celebration and it is expected to draw a large number of tourists. He suggested coordinating signs on US-12. Secretary Morrison said WDOT's Heritage Corridor staff could contact ITD to coordinate efforts.

DE Stokes commended Washington's partnership on improvements to connecting routes, particularly US-2 in Oldtown. He expressed capacity concerns on I-90, as well as a need for an additional access in the future. One possibility is an interchange approximately 1 mile east of the state line, but DE Stokes wants to work together with WDOT on these I-90 issues. He also outlined ITD's plans for the routes impacting Washington. CE Ross elaborated on planned improvements on US-95 that may alleviate traffic on Washington 395.

Member Combo reported on ITD's proposed legislation for lightweight studs. Commissioner Niva said Washington is very interested in this issue and also considered legislation earlier. She believes the state could save approximately \$10 million in maintenance costs if lightweight studs were required, plus the noise level would be reduced.

In response to a question on Idaho's speed limits, Chairman Winder said after two years of increased limits, 75 miles per hour on the interstate and 65 on state highways, the overall speed of vehicles has not increased significantly. Fewer accidents were reported on the interstates, and overall, there appears to be minimal impact. He added that local entities have the authority to set speed limits in cities, so the Department is working closely with locals on those speed limits. Member McHugh added that the legislature reduced the speed limit for trucks to 65 miles per hour on the interstate this past year. Because that change was effective July 1, the Department does not have meaningful data on that change yet.

Member Combo shared concerns with contractors who are unqualified, but are the low bidder and are awarded construction contracts. A small company that is the low bidder on a very large project or a brand new company can cause concern. He asked how Washington's system works.

Legislation allowing WDOT to qualify contractors in specific areas was enacted about 60 years ago, according to Mr. Lenzi. The Department uses a "report card" on every contract to rate the contractors. If problems arise, the contractor is given a warning. After the second warning,

the Department limits the amount of work the contractor performs. Secretary Morrison elaborated that the contractors must be licensed at the state level, but WDOT then pre-qualifies contractors specifically for its projects. Contractors can qualify for additional work based on good performance, which also helps develop contractors. Secretary Morrison offered WDOT staff's assistance to review the process with ITD.

In response to Idaho's success in funding transportation, Chairman Winder emphasized the great support the Department receives from the legislature. A fuel tax and registration fee increase were enacted two years ago. He also believes Idaho's congressional delegation as well as the five-state coalition Idaho belongs to were instrumental in the passage of TEA-21, which was beneficial to western states. Member Miller added that the state legislature has been diligent in ensuring transportation dollars are dedicated to transportation.

Chairman Winder thanked the Washington Commissioners for the meeting and said the Board looks forward to continuing the dialogue with the Commissioners. He also expressed appreciation for staff's briefings and the updates on WDOT's activities.

WHEREUPON, the special Board meeting officially adjourned at 3:15 PM.

\_\_\_\_\_  
signed  
CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
October 9, 1998  
Pocatello, Idaho

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## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 19-20, 1998

The regular session of the Idaho Transportation Board meeting convened at 8:10 AM, on Thursday, November 19, in Boise, Idaho at the Transportation Department. The following principals were present:

Charles L. Winder, Chairman  
Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member, District 1  
Monte C. McClure, Member – District 3  
Leon E. Smith, Jr., Member – District 4  
Neil Miller, Member – District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director  
Jimmy Ross, Chief Engineer

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Jack McMahon, Deputy Attorney General

October 8-9, 1998 Board Minutes. Member Combo made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on October 8-9, 1998, as submitted. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
December 17-18, 1998 - Boise  
January 21-22, 1999 – Boise  
February 18-19, 1999 – Boise  
March 18-19, 1999 - Boise

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves  
TB98-93 the certification of revenue and disbursements; and has received and reviewed information on the SH-54, Spirit Lake to Athol project, District 1; the SH-41, Twin Lakes turn lane proposal, District 1; the speed limit entry changes for October 1998; the contract awards; the new and supplemental professional agreements report; the annual report of the Dealer Advisory Board; the quarterly returned check report; the pilot project study update; and the financial statement.

1) Certification of Revenue and Disbursements. The certification of revenue and disbursements is shown as Exhibit 214 which is made a part hereof with like effect.

2) SH-54, Spirit Lake to Athol, District 1. Staff revised the SH-54 project, Spirit Lake to Athol, to include widening the roadway to 28 feet. The project is funded in the State Program in FY1999.

3) SH-41, Twin Lakes Turn Lane, District 1. The SH-41/Twin Lakes intersection has one of the highest accident rates in the District. It has restricted sight distance and northbound turning traffic must wait in the travel lane before turning. The District intends to add the Twin Lakes turn bay project to the State Restricted Program in FY2001 for \$250,000.

4) Speed Minute Entry Changes for October. The Chief Engineer approved a decrease to the speed limit on SH-41, milepost 0.0 to 8.61 in Kootenai County, District 1 based on a speed study.

5) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

STR-6747(606) key 6496 – Howe – East, SH-33, Butte County, District 6. Low bidder: Bannock Paving Company, Pocatello, Idaho - \$856,298.

STP-84-2(045)50, key 5754 – Cole/Overland Interchange Landscaping, Ada County, District 3. Low bidder: Hansgeorg Borbonus Ldscp. Inc., Boise, Idaho - \$548,759.74.

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BLDG 41202, 41302, and 41801, keys 7241, 7240, and 7395 – Hailey, Carey, and Declo IC Sand Storage Buildings; Blaine and Cassia Counties; District 4. Low bidder: Hayes Construction Company, Inc., Buhl, Idaho - \$280,322.

BRS-3808(100), key 5161 – King Hill Bridge, Elmore County, District 3. Low bidder: Cannon Builders, Inc., Blackfoot, Idaho - \$1,442,728.47.

BLDG 21201, 22002, 22401, and 22501, keys 7330, 7329, 7328, and 7327 – Moscow, Grangeville, Fleming, and Powell Maintenance Building Extensions; Latah and Idaho Counties; District 2. Low bidder: All Steel Buildings LLC, Clarkston, Washington - \$482,260.

IM-CM-90-1(195)13, key 7123 – 9<sup>th</sup> Street Underpass to Sherman Avenue Overpass, Kootenai County, District 1. Low bidder: Interstate Concrete and Asphalt Company, Coeur d'Alene, Idaho - \$777,579.92.

IM-86-2(017)58 and IM-15-1(120)71, keys 7115 and 7114 – West Pocatello Interchange to Jct. I-15 and Pocatello Creek Interchange to Jct. I-86, Bannock County, District 5. Low bidder: MarCon Inc., Nampa, Idaho - \$929,077.95.

STR-5760(600), key 7155 – Frisco Bridge, Shoshone County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. The project is designed to construct a temporary channel for the creek flow while the box culvert and roadway typical are constructed. The late start of this project will mean that the work cannot be completed until next year and the temporary channel will not have the capacity to handle the spring water runoff. There is no alternative to this temporary channel because the final channel alignment will obliterate existing SH-4 which has to be maintained. Another problem is the disposal site for the excavated material. The disposal site is planned to be closed this year and therefore the contractor will not have a disposal site for the material excavated next year to complete the project. Therefore staff recommends rejecting the bids.

ST-3290(622), key 6678 – Lowman to Banner Summit, SH-21, Boise County, District 3. The low bid was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was based on the Average Unit Price Report. The items of major difference were 403-H-4, cover coat material class 4 and 407-A, plantmix scrub coat. The district's estimate assumed there would be a nearby source for materials in Garden Valley, however, there were no acceptable sources. The bidders estimated their haul from Boise, which drove the unit prices up. The District is seeking approval for a source near Garden Valley. The new source will eliminate hauling the material from Boise. The District believes lower bids will be received if this project is readvertised in the spring and recommends rejecting all bids.

ST-6350(628) and STKP-6747, key 6940 and 6737 – Salmon, North to Carmen Creek and Salmon Yard, US-93, Lemhi County, District 6. The low bid was more than ten percent over the engineer's estimate, requiring justification. This project contains a sanding stockpile for the Salmon maintenance area. There is an immediate necessity to deliver the stockpile before colder weather prevails. The District elects to purchase this year's minimum required quantity using District stockpile funds. The remaining stockpile quantity will be acquired over the next

calendar year using an open bid. The District recommends rejecting the bids and holding the roadway project until a companion project is completed and submitted to PS&E later this year.

6) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$4,177,995 in new and supplemental agreements between September 24 and November 3.

7) Annual Report of the Dealer Advisory Board (DAB). The DAB continues to support implementing and expanding the electronic lien program. To date, 16 electronic lienholders are operational, with two additional lienholders scheduled to come on board soon. The DAB initiated legislation last year to increase the dealer plate registration fee. The bill passed.

In September 1997 the board heard a proposal from Ken House for a Dealer Arbitration Review Committee. This three-member panel, composed of a representative from each region of Idaho, would arbitrate dealer-related disputes that could not be resolved by other means, making a recommendation to the DAB. Mr. House was encouraged to pursue this proposal. Other activities included supporting a dealer plate reciprocity with all other states and provinces, reviewing an automotive license extension, and reviewing a relocation dispute.

8) Quarterly Returned Check Report. In the first quarter of FY1999, \$15,243,191 in checks were received, while \$35,776, or .235% were returned. Collections amounted to \$32,801 for a collection rate of 92%.

9) Pilot Project Update. To date, eight permits have been issued for the heavier trucks to operate on the pilot project routes. Staff's focus will continue to be on estimating the effects of shifts in the use of heavier trucks and using standard engineering models for bridge, pavement, and traffic analysis. The data required to accomplish this effort has been identified and work has been started to gather this data.

The National Institute for Advanced Transportation Technology is working on a more focused assessment of the impact of this legislation. A number of issues will be addressed, including the service life of the pavement, a change in bridge sufficiency ratings, and implications for safety and traffic flow. ITD staff will survey the operators who have purchased permits to determine if heavier weights are being carried on existing trucks with no modifications, if the axle configuration was modified, if new trucks were purchased or leased, which routes are being used, how often and at what weights. If the legislature chooses to continue this project, the scope of work will be expanded.

10) Financial Statement through October.

The relinquishment of Osburn I-90 Business Loop, District 1. District staff reached an agreement with Shoshone County which transfers jurisdiction and responsibility for a portion of the Osburn I-90 Business Loop from the east city limits of Osburn to the Silverton Interchange. The Department is not required to make any improvements to the road or pay any funds to the County in the Road Closure and Maintenance Agreement dated October 13, 1998, effecting this transfer.

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Member McHugh praised the work of the District staff in assisting the Subcommittee on Additions and Deletions with this agreement to relinquish this route. He acknowledged the efforts of Dave Autio, maintenance foreman, on this issue.

Member McHugh made a motion to approve the relinquishment of the Osborn I-90 Business Loop, as shown in Exhibit 213, which is made a part hereof with like effect. Member Combo seconded the motion and it passed unopposed.

Board Items. Chairman Winder congratulated Director Bower on his five-year anniversary with the Department. Chairman Winder presented him with a five-year pin and thanked him for his service to ITD.

Vice Chairman Mitchell attended the recent AASHTO conference in Massachusetts. Some of the meetings he attended focused on fuel tax evasion and the Year 2000 issue. He was pleased to attend the awards ceremony when Ron Kerr, Senior Transportation Planner, was presented the 1998 AASHTO President's Transportation Award in Intermodal Transportation. In conclusion, he felt the conference was informative and beneficial.

Member Combo asked for a review of the Board tours. He believes the tours focus on highways and questioned incorporating more intermodal issues in the tours. The members appeared to prefer touring on Thursdays and conducting the business meeting on Fridays. It was suggested to include other modes of transportation in the tour schedule and also to visit small communities.

Member Combo has done some research into the use of phosphate slag for highway projects. Although the Environmental Protection Agency does not plan to list the slag as hazardous, it is not recommending using the material. CE Ross added that the quality of the material is acceptable and he would like to use slag for some projects, such as seal coats. Member Combo said he will follow up on this issue and report back at a later meeting.

The State Licensing Board has agreed to a joint meeting to discuss pre-qualification of contractors and related issues. The meeting will be December 7 in Boise. Members McClure and Combo indicated they would attend the meeting.

Members Combo and Smith met with DAG McMahon recently to discuss legal issues, particularly relating to condemnations and right-of-way issues. Member Smith said he is pleased with the direction the Department is headed and with the changes made to the process. Due to these improvements, such as hiring outside counsel, improving the time lines for condemnations, and hiring a condemnation specialist, Member Smith made a motion to accept closure on further study of the jury model or other plans, such as Iowa's, on condemnations. Member Combo seconded the motion. He added his concurrence with the improvements made and his appreciation to staff for all of the work and research on this issue. The motion passed unanimously.

The Board Subcommittee on Additions to and Deletions from the State Highway System met yesterday. The main focus of the meeting was the Banks to Lowman route. Member Smith made a motion, seconded by Member McClure, and passed unanimously, to approve the following resolution:

RES. NO.      WHEREAS, the Board Subcommittee on Additions to and Deletions from the  
TB98-94      State Highway System has held several discussions on the Banks to Lowman  
                 highway, old Highway 17; and

WHEREAS, the latest rating of this route, completed in October 1998, resulted in a score of 73, which meets the minimum requirement of 70 out of a total of 100 to be considered for addition to the state highway system; and

WHEREAS, the Subcommittee acknowledges that the Banks to Lowman route should be added to the state system; and

WHEREAS, the Subcommittee recognizes Boise County's limited resources and its struggle to adequately maintain this road; and

WHEREAS, the Subcommittee realizes the high cost initially for the state to add this route to its system plus the ongoing maintenance costs and additional manpower required.

*NOW THEREFORE BE IT RESOLVED*, that the Board Subcommittee on Additions and Deletions recommends that negotiations should proceed with Boise County to consider the following elements:

- 1) relinquish all of the old Horseshoe Bend highway (old SH-55) to Boise County; and
- 2) that a portion of the Banks to Lowman route, from SH-55 to Garden Valley, could be added to the state highway system; or
- 3) ITD could pay Boise County a set amount annually to assist with the maintenance of the Banks to Lowman highway; or
- 4) ITD could set a schedule to pursue the addition of the entire Banks to Lowman route in increments.

At the July meeting, St. Lukes presented a proposal relating to its planned hospital near Ketchum in Blaine County. Member Smith informed the Board that the negotiations are still underway. He believes St. Lukes is having problems with the access issues and may appear before the Board soon to discuss the proposal further.

Vice Chairman Mitchell believes Chairman Winder and Director Bower should meet with the newly-elected Superintendent of Education, Marilyn Howard, to discuss ITD's concerns with new schools. The two entities need to work cooperatively when new schools are being planned.

The Simplot Organization in Grand View contacted Chairman Winder about a proposed acceleration lane on SH-67 in Grand View. The District has apparently been contacted,

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however, no decision has been made to date. Chairman Winder asked staff to follow up on this request, contact all of the entities involved, and resolve this issue.

Director's Items. Director Bower has been a member of the AASHTO Executive Committee for several years and may be asked to serve another year. The executive committee is in the process of hiring a new executive director, and Director Bower indicated he may be requested to stay on the committee until that selection process has been completed. He also reported briefly on the recent AASHTO meeting. He had a beneficial meeting with FHWA, including Gloria Jeff, Deputy Federal Highway Administrator, and obtained more information on the corridor discretionary funds. He received additional information on the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21), including the obligation ceiling and Idaho's funding tables. Director Bower suggested the Board approve the Highway Development Program, which was funded at 100%, let staff adjust the Program to fit the obligation ceiling, and then present a revised Program to the Board.

Member Combo questioned the language for flexibility in funding the high priority projects. Director Bower reported that language was retained. The consensus of the Board was to thank Senators Kempthorne and Craig for their efforts on ITD's behalf.

Four of the Department's federal lands discretionary projects and eight of the scenic byway projects have been approved for funding. Director Bower added that some of the federal lands discretionary projects were for preliminary engineering, so he believes the chances of receiving construction funds in the future are very good.

A mudslide on the Bonners Ferry hill, north of town last month closed US-95 for approximately three weeks. The slide also damaged a rail line and county road. Director Bower praised staff for its efforts in responding to the disaster and re-opening the highway. Chairman Winder reported that he has received letters complimenting the Department for its work. Director Bower added that the contractors were also very committed to the project, and reiterated his praise for the ITD staff. The consensus of the Board was to acknowledge the efforts of all of the employees involved in the slide, not only those on location, but also those in the office and those who filled in for staff at the site.

Director Bower distributed information on the Department's non-restricted revenue.

Changes to Permit Conditions in Chapters 11, 17, and 21. Staff requested changes to the Permit Conditions Manual to modify the overall length restriction on interstates and four-lane highways from 115 feet to 120 feet and still allow 24 hours a day travel. The second change would clarify the type of license plates that can be used to transport manufactured homes, etc. and the circumstances under which each plate can be used. The last change would clarify that the only overlegal permits that may be voided up to two days after the start date are single trip permits.

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

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

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TB98-95 requested changes to the Permit Conditions Manual; and

WHEREAS, the Board finds that changes to the Permit Conditions Manual provides greater uniformity among the western states.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the following changes to the Permit Conditions Manual:

- Increase overall length limit from 115 feet to 120 feet and still travel 24 hours a day;
- Clarify the types of license plates that can be used to transport manufactured homes and under what circumstances each plate may be used. Also, clarifies that if the manufactured home etc. can not be transported under the license plate options available, then it must be trip permitted; and
- To clarify that the only overlegal permits that may be voided up to two days after the start date are single trip permits; and

*BE IT FURTHER RESOLVED*, that the Board approves the requested changes as listed above for Chapters 11, 17, and 21 of the Permit Conditions Manual to be effective immediately.

King Air Refurbishment, Certification, Operation, and Maintenance Financing.

Aeronautics Administrator (AA) Bart Welsh reported that the state has acquired a Beechcraft King Air from the U.S. Army for use as a state aircraft. An application to transfer the aircraft from the U.S. Department of Defense to the state was submitted last December by the Department of Law Enforcement (DLE). The application was approved in July 1998 and an aircraft was transferred to the state in September. ITD and DLE are in the process of finalizing an agreement on the King Air.

In anticipation of the approval of the application, ITD prepared a prospectus for the acquisition, refurbishment, recertification, and operation of the aircraft to describe and explain the opportunity and to identify various funding options. The refurbishment plan involved a combination of funding from the sale of existing aircraft supplemented with allocations of funding from current appropriations, both general funds of the state and dedicated funds of the Department.

Upon acquisition and further review of the aircraft, it was determined that an engine needs to be replaced and the propellers overhauled, according to AA Welsh. He added that other measures need to be taken to convert the plan from military to civilian use, such as a paint job and some radio work. The plane is estimated to be in service the middle of February. He asked for guidance relating to financing the refurbishment. Two options include selling the Navajo and using those funds for the refurbishment, or retaining the Navajo and allocating unrestricted state funds for the King Air.

Chairman Winder expressed pleasure with the acquisition of the King Air due to its safety features. Although Member Smith is also supportive of this acquisition, he expressed concern with the escalating costs. If the Navajo is retained, he believes the two planes may

compete for ridership. AA Welsh believes there is a need for both the King Air and Navajo. The Division of Aeronautics will also continue operating the 182 and 206, but will relinquish the lease on the 421.

Aeronautics Advisory Board (AAB) Chairman Parish believes the state needs the kind of transportation that the King Air can provide, especially because of the safety aspect. AAB Member Hoff would like to retain the Navajo for a period to determine its use and how it fits into the Divisions' operations.

Chairman Winder reiterated his support for the King Air and believes it is justifiable. He questioned the impact of retaining the Navajo for one year, then reviewing its utilization.

Member Smith made a motion, seconded by Vice Chairman Mitchell, to approve the following resolution:

RES. NO.      WHEREAS, the state through the Department of Law Enforcement submitted an  
TB98-96      application to the Defense Logistics Agency in December 1997 for the transfer of  
a military C-12 model aircraft (Beechcraft King Air, model 200) to the state; and

WHEREAS, the application was approved on July 6, 1998, and an aircraft was transferred to the state in September 1998; and

WHEREAS, the aircraft was provided to the state on an "as-is" basis with certain radio and navigation equipment removed and one engine and propeller having reached its service limits; and

WHEREAS, the aircraft needs to be converted to civilian usage and maintenance of key components brought up to date prior to placing in service as a state aircraft; and

WHEREAS, the Department has developed a draft memorandum of understanding with the Department of Law Enforcement for the utilization of the aircraft in support of strategic law enforcement and other missions of importance to the state including operations of the Idaho Transportation Department; and

WHEREAS, the Department has been advised of an initial commitment from the Governor's Office for partial funding of the refurbishment and recertification expenses in the amount of \$56,400 for the aircraft.

*NOW THEREFORE BE IT RESOLVED*, that the amount of \$257,700 be allocated from dedicated unrestricted funds in the State Highway Fund toward the refurbishment and recertification of the King Air aircraft. The Piper Navajo would be retained for departmental use as a backup passenger transport aircraft and for missions not requiring the capabilities of the King Air, for a period of six months after the King Air is in service. At which time its use will be reviewed by the Board. Should it be determined that there is insufficient utilization of the Piper Navajo to justify its retention after this six-month period, the Department could dispose of it; and

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*BE IT FURTHER RESOLVED*, that the amount of \$35,645 be allocated toward the annual fixed expenses, maintenance reserves and future capital costs for FY99 of the King Air aircraft; and

*BE IT FURTHER RESOLVED*, that the amount of \$71,289 be allocated toward the annual fixed expenses, maintenance reserves and future capital costs for FY00 of the King Air aircraft.

AA Welsh stated that it may be difficult to get good data in six months, and suggested reviewing the utilization rate after one year. Vice Chairman Mitchell clarified that the review period could be extended after the initial six months. Chairman Winder emphasized that the review period of the Navajo will commence when the King Air is in service.

The resolution passed unanimously.

Chairman Winder thanked the AAB for its work and efforts on this issue as well as its service to the Department.

Proposed Naming of the New Kamiah Bridge, District 2. The Kamiah Chamber of Commerce has requested naming the new Kamiah Bridge on US-12 the “Lewis and Clark Memorial Bridge”. The Manual on Uniform Traffic Control Devices allows states to adopt an act or resolution memorializing highways, bridges, or other components of the highway.

Member McClure made a motion to approve the following resolution:

RES. NO. WHEREAS, the Kamiah Chamber of Commerce has requested naming the  
TB98- bridge over the Clearwater River at Kamiah, located on US-12, Milepost 66.7;  
and

WHEREAS, the memorial name will be placed upon a plaque off the highway right-of-way within a city park that is located adjacent to the bridge; and

WHEREAS, the Manual on Uniform Traffic Control Devices allows states to adopt an act or resolution memorializing highways, bridges, or other components of the highway; and

WHEREAS, the Manual on Uniform Traffic Control Devices recommends memorial names be placed in appropriate locations off the highway right-of-way; and

WHEREAS, Idaho Code 40-513 establishes the name of Veterans Memorial Centennial Bridge for the Bennett Bay bridge located on I-90 in Kootenai County; and

WHEREAS, the memorial name commemorates the bicentennial celebration of the Lewis and Clark expedition; and

WHEREAS, the Idaho Historical Society has granted approval of naming the Kamiah bridge as the “Lewis and Clark Memorial Bridge”; and

WHEREAS, memorializing this bridge will in no way interfere with motorist safety.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board grants naming the bridge over the Clearwater River at Kamiah, located on US-12, Milepost 66.7 as “Lewis and Clark Memorial Bridge”.

The motion died due to a lack of a second.

Member Combo said historically, the Board has not named bridges. He said there are thousands of bridges in the state, and a lot of communities name local bridges. If the Board sets a precedent for naming bridges, he questioned the guidelines that should be used when reviewing requests. Member Smith expressed concern with the numerous requests the Board would have to review if it named this bridge.

The consensus of the Board was to defer this item.

Speed Minute Entry, District 1. The District has prepared a speed study to evaluate the existing posted speed limits on SH-54 from milepost 0.0 to milepost 15.51. The study supports maintaining the existing posted speed limits through the majority of the study area with the exception of a 4.014 mile section from milepost 7.916, at the junction of US-95, to milepost 11.93 near the boundary of Farragut State Park. Additionally, the study indicates the 55 mile per hour speed limit should be raised to 60 from milepost 8.116 to 11.930 with a 45 mile per hour transition zone from milepost 7.916 to 8.116.

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

RES. NO.      WHEREAS, by virtue of Section 49-201(4), Idaho Code, the Idaho  
TB98-97      Transportation Department may upon the basis of an engineering and traffic  
                 investigation determine and declare a reasonable and safe maximum speed limit at  
                 any intersection or other place or upon any part of the State Highway System; and

WHEREAS, the district has prepared a new traffic engineering study on the entire length of SH-54 in Kootenai County, from the junction of SH-41, milepost 0.00 to Bayview, milepost 15.51; and

WHEREAS, roadway characteristics and conditions, accidents, and roadside activities have been addressed, and the majority of the traveling public is driving at a speed that is perceived as a safe speed; and

WHEREAS, the previous speed limit on the section of SH-54 between the junction of US-95, milepost 7.90 and the west boundary of Farragut State Park,

milepost 12.066, was set at 55 miles per hour and the 85<sup>th</sup> percentile speed has been determined to be 62.5 miles per hour.

*NOW THEREFORE BE IT RESOLVED*, that based upon traffic and engineering studies as stated in Idaho Code, the speed limits shall be as follows:

	<u>District</u>	<u>Route</u>	<u>Segment</u>	<u>Milepost</u>	<u>Milepost</u>	<u>Speed Limit</u>
<b>1</b>	<b>SH-54</b>	<b>001640</b>	<b>7.916 to</b>	<b>8.116</b>	<b>45-</b>	
<b>mph</b>						
	1	SH-54	001640	8.116 to	11.930	60-mph

The motion passed 5-1 with Vice Chairman Mitchell dissenting.

Speed Study on SH-55, McMillan Road Area, District 3. The results of this speed study indicate that the 55 mile per hour speed limit should be retained. This is based on the 85<sup>th</sup> percentile speed, pedestrian/cyclist activity and development in the vicinity. Staff contacted the Principals at the near-by Pioneer Elementary School and Lowell Scott Middle School and the Idaho State Police to determine if there are any safety concerns in this area. The contacts indicated the existing speed limit is appropriate for the roadway. Based on the study, the District recommends retaining the existing speed limit.

Chairman Winder reported on a recent fatality near a Rupert school. Requests for a traffic signal at that intersection have been received and he asked staff to provide a report next month on that location and if a signal is warranted. Member Smith thought a study had been conducted and indicated a signal was not warranted, however, he questioned other measures that may be taken to improve safety, such as reducing speed limits or installing islands.

Funding for Garden City Pathway Project, CM-0100(105), Key 5528, District 3. The Double Tree to East 44<sup>th</sup> project in Garden City was programmed at a total cost of \$378,000 and a federal aid limit of \$309,600. In 1993 a consultant contract for preliminary engineering was approved. At that time, the needed preliminary engineering should have been programmed, however, the project was not changed during an update to the Program to reflect the actual cost. In FY98 the project was changed to a preliminary engineering and right-of-way only project. At the time of application, Garden City thought they had more support from the affected property owners in terms of gaining the necessary easements and property for constructing the pathway. As right-of-way negotiations proceeded, it became obvious that this was not so and had an impact on the funding for this project.

Garden City submitted an application for additional Enhancement funds in FY99 to construct the project. At the year-end close out of FY98, there was enough money available to obligate this project for construction. However, a revised cost estimate at the time of obligation brought an increase in construction costs to \$545,000. Assistant Chief Engineer (ACE) Hutchinson said the additional funds for this project will not impact the FY99 Program because of de-obligated funds that need to be used this year. In response to the length of the project, he said it is about 1.4 miles and added that the path may have some commuter traffic in addition to the recreational traffic.

Member McClure made a motion, seconded by Member Combo, to approve the following resolution:

RES. NO. WHEREAS, the Highway Programming Manager has determined there are  
TB98-98 currently an estimated \$1,425,648 of deobligations of prior year federal funds releasing obligational authority in FY1999; and

WHEREAS, the Idaho Transportation Department's intent has always been to cover the costs for preliminary engineering associated with the Double Tree to East 44<sup>th</sup>, Garden City project, key number 5528.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves an increase of \$100,000 (including match) to the Double Tree to East 44<sup>th</sup>, Garden City project to cover the unobligated consultant preliminary engineering costs from the FY1999 Congestion Mitigation/Air Quality Program; and

*BE IT FURTHER RESOLVED*, that the above approval is contingent upon the City of Garden City's acknowledgement that any further identified costs associated with project key number 5528 are the sole responsibility of the city.

Vice Chairman Mitchell believes the right-of-way costs are excessive for the 1.4 mile project. Member Miller reported that the City of Blackfoot recently completed its path, which is longer than this project, and that the city funded the project itself.

Member McClure supports the project and emphasized that a lot of funds have already been expended on this project. Chairman Winder questioned the consequences if the Board did not approve the additional funding. ACE Hutchinson reported that the city would have to pay back FHWA.

Chairman Winder broke the 3-3 tie with a yes vote. The motion passed 4-3.

Surplus Property, Old I-90, Potlatch Hill, District 1. Since the August Board meeting, DE Stokes reported that only one proposal has been received regarding Parcel 1 near the Centennial Trail. John Barlow, representing Hagadone Hospitality, expanded on the proposal submitted by Hagadone Hospitality, including improvements to the existing Centennial Trail. Parcel 1 would be traded for aggregate source property. In response to the value of the parcels, DE Stokes said parcel 1 was appraised at \$22,000.

Member Combo asked how we can assure the gravel pit will be operational in the future. DAG Parry said the trade would be for property adjacent to an existing mine owned by ITD. DE Stokes added that the exchange agreement is contingent on zoning, but admitted that there are no guarantees as to the operation of the pit in the future.

Member McClure made a motion, seconded by Vice Chairman Mitchell, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Department has retained ownership and

TB98-99        maintenance responsibility for the old I-90 now referred to as Coeur d'Alene Lake Drive; and

WHEREAS, the bike path construction and trail head facilities along Coeur d'Alene Lake Drive have been completed; and

WHEREAS, the Hagadone Corporation has requested ITD disposal of surplus properties in this area; and

WHEREAS, one surplus lot remains in the Potlatch Hill vicinity that is not needed for the maintenance, operation, or preservation of the bike path or highway; and

WHEREAS, this surplus property is not on lake frontage nor on man-made fill and therefore not susceptible to erosion or undermining which would jeopardize the bike path or highway; and

WHEREAS, the Idaho Parks and Recreation Department has approved a proposal from the Hagadone Corporation to beautify and improve the portion of the Centennial Trail adjoining the surplus property, and those improvements are to be in place by July 1, 1999.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board authorizes the disposal of this lot in accordance with Department policy; and

*BE IT FURTHER RESOLVED*, that this lot be exchanged for aggregate source property south of Coeur d'Alene. The terms of the exchange will be to the satisfaction of the Chief Engineer and will include, but not be limited to: exchange based on equality of appraised values and proper zoning provisions allowing mining at the aggregate source. The enhancement proposals to the Centennial Trail offered by the Hagadone Corporation will be in addition to valuation determinations on Parcel 1.

The motion passed 4-1 with Member Combo dissenting and Member McHugh abstaining due to a conflict of interest.

SH-41, Ross Point to Mullan Avenue, District 1. A project is proposed to improve SH-41 under I-90 in Post Falls and improve an existing capacity problem on Seltice Way for left-turning traffic onto SH-41. Development is proposed in the area. Albertson's Inc. and the city of Post Falls have proposed a partnership with ITD for a project that will alleviate existing left turn capacity problems, add an additional lane to SH-41, and allow for the development of land owned by Albertson's.

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

RES. NO.        WHEREAS, Albertson's, Inc. has proposed a development on a tract of land

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TB98-100 south of Seltice Way and SH-41 in the city of Post Falls; and

WHEREAS, there is an existing capacity problem for traffic on SH-41 and for north bound, left turning traffic from Seltice Way to SH-41; and

WHEREAS, the city of Post Falls and Albertson's Inc. have proposed a project to improve the intersection of Seltice Way and SH-41 with an additional lane from Seltice Way to Mullan Ave. along SH-41, and with dual left turn bays on Seltice Way; and

WHEREAS, the city of Post Falls and Albertson's, Inc. have requested the participation of the Idaho Transportation Department in the proposed project improvements; and

WHEREAS, the city of Post Falls has developed plans for an LID to provide over \$900,000 for the project; and

WHEREAS, the city of Post Falls anticipates a block grant from the Idaho Department of Commerce to provide \$280,000 for this portion of the project.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the participation of the Department in the proposed project by the allocation of \$650,000 in State Board unallocated funds for fiscal year 2000.

Temporary Railroad Crossing, St. Michelle, Coeur d'Alene, District 1. DE Stokes said a new school along Kathleen Avenue has precipitated the need for a new railroad crossing. Although a permanent crossing is planned, the Coeur d'Alene School District is requesting a temporary crossing at this time. John Goedde, School Board Chairman, said children are crossing the railroad tracks now, which is creating safety concerns. He added that the School District is coordinating with the railroad and Operation Life Savers.

Member McHugh made a motion to approve the temporary railroad crossing at St. Michelle in Coeur d'Alene. Member Combo seconded the motion and it passed unopposed.

\$2.8 Million Annual Ceiling on State Funds Available for Board Policy B-10-09, Local Federal-Aid Surface Transportation Program Rural Exchange Program. Staff proposed capping the state funds available for the Exchange Program at the current FY99 budget level of \$2.8 million. Those local highway agencies eligible for the exchange will be limited to those who participated in the exchange Program in FY97, the last year under the Intermodal Surface Transportation Efficiency Act and the most recent year exchange data is complete. The currently budgeted \$2.8 million in state funds could exchange up to \$4.5 million in federal funds in the STP-Rural Program.

Member McClure made a motion, seconded by Member Combo, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board has increased the federal funding

TB98-101 for the Surface Transportation Local Rural Program under Board Policy B-11-04, from an average annual amount of \$6.6 million under the Intermodal Surface Transportation Efficiency Act (ISTEA) to approximately \$10 million per year under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21); and

WHEREAS, state highway account revenues have not increased to provide the non-federal match required under TEA-21 nor to increase state funding available for the Local Federal-Aid Surface Transportation Program Rural Exchange Program established under Board Policy B-19-09; and

WHEREAS, an annual average of \$8.1 million in state funds will be required of the most recent 4 cent per gallon tax increase just to match increased federal apportionments provided under TEA-21; and

WHEREAS, fully exchanging all the federal funding in the Surface Transportation Local Rural Program would require up to \$6.2 million in state funds leading to reductions in other state funded Department operations and highway construction activities; and

WHEREAS, the Idaho Transportation Planning Task Force Report in December 1997 recommended the Department consider the possible phasing out of the Exchange Program under Board Policy B-19-09.

*NOW THEREFORE BE IT RESOLVED*, that the state funds available for exchange under Board Policy B-10-09, be limited to \$2.8 million annually, the amount equal to that budgeted in state fiscal years 1999 and 2000 of the Department's budget; and

*BE IT FURTHER RESOLVED*, that the local highway agencies eligible for participation in the Exchange Program shall be limited to those agencies who participated in the Exchange Program in FY1997 the last year of the ISTEA of 1991.

Member McHugh asked if this starts the process of phasing out the program. Highway Programming Manager (HPM) Amick said this action only caps the program at \$2.8 million annually: it does not address eliminating the exchange program. Some meetings have already been held with local entities on the proposal to eliminate the exchange program. Plans are to present the final proposal to the Board next summer.

The motion passed unanimously.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 12:10 PM, Vice Chairman Mitchell made a motion, seconded by Member McClure, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

The Board came out of executive session at 1:30 PM. No decisions were made.

Contract Awards. Member McHugh made a motion, seconded by Vice Chairman Mitchell, and passed unanimously, to ratify the earlier decision of the Board to award NH-STP-F-IR-3112(033) and NH-3112(064), keys 0685 and 3752 – Weiser Alternate Route, US-95, and Weiser Satellite Port of Entry, Washington County, District 3. Low bidder: Western Construction Inc., Boise, Idaho - \$6,150,706.61.

Member Smith made a motion, seconded by Vice Chairman Mitchell, and passed unopposed, to approve the following contract: IM-15-2(054)73, key 6236 – Chubbuck Road to Fort Hall Interchange, I-15, Bannock and Bingham Counties, District 5. Low bidder: Nelson Construction Company, Boise, Idaho - \$3,129,762.50.

The low bid on NH-STP-F-2391(055), key 1045 – Junction US-30/93 to Twin Falls, US-30, Twin Falls County, District 4, was more than ten percent over the engineer's estimate, requiring justification. Based on the District's review of the bids, the engineer's estimate was low on 205-B2 – excavation sch. 2, 211-A – source reclamation, 301-A – granular subbase, 303-C1 – ¾" aggregate, 405-A1 – plantmix pavement class 1, and SP-07A – arterial approach. Adjustment of prices to the low bid for these items is recommended. The completion date of November 1999 is of importance. Should this project be delayed into late winter or spring, the irrigation construction window may be lost, requiring an additional season to complete the work. Staff recommends awarding the project.

Member Smith made a motion, seconded by Member Combo, and passed unanimously, to award the bid for NH-STP-F-2391(055), key 1045 to the low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$6,101,998.25.

Final Recommended FY1999-2003 Highway Development Program. The Board reviewed the analysis of the Program, the master funding plan, the available funding versus programmed project comparison, and the Highway Development Program sheets. Since the August workshop, HPM Amick said projects have been added to the Urban and Rural Programs because of increased funding levels. Intermodal Planning Manager Jim McFarlane emphasized the public involvement process and its importance to the update process. No major changes were made due to public input, according to Mr. McFarlane. He added that considerable input has been received on the Karcher Interchange project in District 3 since the public comment period ended.

Although Member Smith supports the proposed Program, he questioned the breakdown of funds, by percentage, that go to District 3. He realizes the majority of the population is based in Ada and Canyon Counties, but he recognizes a lot of other needs throughout the state. Member McClure emphasized the population and average daily traffic counts in District 3, which need to be considered. Vice Chairman Mitchell stressed the importance of a good infrastructure system to the economy, particularly US-95, which is the state's main north-south route. Chairman Winder believes the proposed Program is based on statewide priorities. A lot of US-95 projects are being funded. He added that the Board viewed a number of the statewide needs

and is including those projects in the Program. Additionally, Chairman Winder believes the overall access issue in the Nampa/Caldwell area is important and needs to be addressed.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to  
TB98-102 accomplish a current, realistic, and fiscally constrained Highway Development Program; and

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

WHEREAS, the Transportation Equity Act for the 21<sup>st</sup> 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 projects in the final recommended FY1999-2003 and Preliminary Development Highway Development Program meet all of the requirements of TEA 21 for inclusion in the FY1999-2001 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, the final recommended FY1999-2003 and Preliminary Development Highway Development Program was developed with opportunity for public involvement and comment; and

WHEREAS, the Idaho Transportation Board has been presented with specific project recommendations in the Highway Development Program resulting from public and public agency comments during the public involvement and comment period between the August 1998 Board meeting and October 1998; and

WHEREAS, since October 1998, the Department has received public input over the location of a new interchange on I-84, currently proposed for construction in FY2002 at the location of Karcher Road in Nampa under the project known as I-84, Karcher Interchange, Nampa, Key No. 3214.

*NOW THEREFORE BE IT RESOLVED*, that the amount of \$250,000 be made available in the National Highway System Program in FY1999 for a planning project to study the location of interchanges in the I-84 corridor from milepost 24.839 (SH-44 Interchange) to milepost 38.190 (Garrity Boulevard Interchange); and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board approves the recommended FY1999-2003 Highway Development Program including the addition of the above I-84 interchange location study; and

*BE IT FURTHER RESOLVED*, that Department staff is authorized to include the projects in the approved FY1999-2003 Highway Development Program in the FY1999-2001 Statewide Transportation Improvement Program in accordance with the provisions of TEA 21 of 1998.

FY1999-2003 Statewide Transportation Improvement Program (STIP). Mr. McFarlane expressed appreciation for the team effort in compiling the STIP. Ada Planning Association Executive Director Clair Bowman said an Environmental Protection Agency ruling may impact three projects in the STIP. The APA Board has reviewed alternatives and provided those to ITD staff. Chairman Winder asked if the Board could provide assistance. Matthew Moore, Division of Environmental Quality, responded that letters of support would be welcome.

Member McClure made a motion to send EPA a letter supporting the revocation request made by the Idaho Division of Environmental Quality with regard to the Northern Ada County PM10 Nonattainment Area. Member McHugh seconded the motion and it passed unopposed.

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

RES. NO. WHEREAS, the Idaho Transportation Department is required by 23 U.S.C.  
TB98-103 134, 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 each Metropolitan Planning Organization's Metropolitan Transportation Improvement Program (MTIP); and

WHEREAS, the STIP is consistent with the Department's Idaho Transportation Plan; and

WHEREAS, the STIP contains only transportation projects found to conform to air quality standards in the Clean Air Act; 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; 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 includes sufficient project descriptive material, costs, amount of federal funds proposed to be obligated during each program year, proposed category of federal funds and source(s) of non-federal funds, and identification of agencies responsible for carrying out the projects; and

WHEREAS, the STIP includes only those projects that have been selected in accordance with project selection requirements for non-metropolitan areas; 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 FY1999-2003 STIP for all modes (Aeronautics, Bicycle/ Pedestrian, Highways, Public Transportation, and Rail) as well as Highway Safety and statewide projects with changes incurred at the November 19-20, 1998 Idaho Transportation Board meeting for transmittal to FHWA and FTA for their review and approval, and use for ongoing public involvement; and

*BE IT FURTHER RESOLVED*, that the Idaho Transportation Board approves the Metropolitan Planning Organization's Metropolitan Transportation Improvement Programs as mirrored in the STIP.

Corridor Management Plans for Thousand Springs Scenic Byway (US-30/SH-50/US-93) and City of Rocks Back Country Byway (SH-77/Local), District 4. Senior Transportation Planner Garry Young reported that corridor management plans have recently been completed for the Thousand Springs Scenic Byway and the City of Rocks Back Country Byway. Numerous public hearings were held and ample opportunity has been given for interested individuals to provide input. Refinements have been made to the initial drafts because of concerns for local property rights. The District has also reviewed the plans and supports the contents and recommendations. Mr. Young added that no new standards need to be followed in conjunction with the plans, but the concerns identified in the plans need to be considered.

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

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byways  
TB98-104 Advisory Committee (SBAC) on June 21, 1996 to provide advice and  
recommendations concerning the Scenic Byway Program to the Idaho  
Transportation Board; and

WHEREAS, corridor management plans (CMP) are 1) important for the protection and orderly development of scenic byways, 2) required for National

Scenic Byway designation, and 3) key to gaining priority for National Scenic Byway Funding; and

WHEREAS, Gooding, Twin Falls, and Jerome Counties and Cassia County have completed CMPs for the Thousand Springs Scenic Byway on US-30/SH-50/US-93 and the City of Rocks Back Country Byway on SH-77/STC-2841, respectively; and

WHEREAS, all CMPs are to be submitted to the SBAC for review and consideration before Board action; and

WHEREAS, the SBAC has reviewed each CMP and concurs with District 4 that the plans adequately address the issues of each byway and recommend Board approval.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the corridor management plans for the Thousand Springs Scenic Byway and the City of Rocks Back Country Byway.

Transportation Enhancement Program. The Board Subcommittee on the Enhancement Program met on several occasions to discuss the Transportation Enhancement Program. The language in TEA-21 regarding this Program was reviewed and a number of options to improve the Program were considered. Member Combo summarized the proposed recommendations.

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

RES. NO. WHEREAS, the Idaho Transportation Board has established a subcommittee  
TB98-105 to review the Transportation Enhancement Program, particularly the language contained in the Transportation Equity Act for the 21<sup>st</sup> Century; and

WHEREAS, the Subcommittee has met on several occasions to contemplate the various issues relating to the Enhancement Program; and

WHEREAS, the Subcommittee has prepared a new statement of purpose for the Enhancement Program, "To preserve and create in Idaho more livable communities where roads blend with and preserve the natural, social and cultural environment by using the flexible and innovative funding and design features of the Transportation Enhancement Program"; and

WHEREAS, the Subcommittee recommends:

- continuing the current funding level for the Enhancement Program, subject to any obligation limitation;
- continuing the role and involvement of the Enhancement Advisory Committee in the process of selecting projects and providing recommendations to the Board, with the inclusion of a representative from the Federal Highway Administration as an ex-officio member;

- continuing the Enhancement Program on a statewide competition basis;
- establishing targets for funding categories, including:
  - 15-30% of available funding for historic enhancements;
  - 15-30% of available funding for scenic and environment enhancements;
  - and
  - 40-70% of available funding for pedestrian and bicycle enhancements;
- setting a limit of \$500,000 per project in federal funding, but accepting projects greater than this limit if the amount above the limit is a non-participating expense fully funded by the sponsoring agency;
- establishing a match ratio for the local or state share of funding based on the total federal project cost:
 

- \$ 0 to \$100,000	2%
- \$100,001 to 200,000	4%
- \$200,001 to 300,000	6%
- \$300,001 to 400,000	8%
- \$400,001 to 500,000	10%
- allowing any expenses allowed by FHWA to be a participating expense;
- continuing the current policy of not delaying projects in the contract schedule unless an exception is granted by the Chief Engineer; and
- allowing the advance payment option only for the construction phase of the project.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the recommendations listed above to be implemented for the Enhancement Program applications received after November 20, 1998, with projects in the FY1999-2003 Highway Development Program as of November 20, 1998, continuing to be programmed and managed under the previous policy; and

*BE IT FURTHER RESOLVED*, that the Board approves the revisions to Board Policy B-11-03, Transportation Enhancement Program, incorporating the above recommendations.

Video of US-95 Slide. The Board members viewed a video depicting the recent slide on US-95 north of Bonners Ferry. The video also showed the detour routes and the reconstruction of the highway.

Chief Engineer's Items. CE Ross reported that he spent considerable time in the Bonners Ferry area because of the slide. He commended DE Stokes and his crew for the excellent job in responding to the disaster and the timely manner in reopening this important route, especially considering the hazardous conditions.

CE Ross will meet with Idaho State Police early next month to discuss traffic movement at accident sites.

Staff is still working with the City of Wallace on an acceptable plan to replace the guardrail. CE Ross said this is a difficult project because both safety and historic issues have to be addressed.

Regarding the access at the Chevron Station on US-30 near McCammon, CE Ross reported that the radiuses are being cut back to an 84-foot width, and a median island and entrance and exit arrows will be painted at the approach.

At the recent AASHTO meeting, a mandate for standards for reflectivity signs and pavement markings was discussed. CE Ross believes a mandate will be difficult in Idaho because of the sanding operations. He expressed concern with a liability issue if the pavement markings are obliterated. A task force has been established to study this issue and Maintenance Engineer Clayton Sullivan will be a member of that group.

Two of the new "Welcome to Idaho" signs have been delivered. CE Ross believes one has been erected on I-15 near Pocatello and the second one may be up on I-84 in District 4. The rest of the signs should be delivered early next month. The signs will be posted at all border crossings.

Information on Federal Aid Incentive Program. Local Highway Technical Assistance Council Administrator Joe Haynes reported that at the recent council meeting, only one member opposed the proposed incentive program. Last month a meeting was held in Shoshone to discuss the incentive program. Some concerns were identified, are being addressed, and the group will meet again next week to discuss the proposal further.

Last week he addressed the annual Association of Highway District's convention. Two entities objected to the elimination of the exchange program, but in general, the proposal was well received. Mr. Haynes relayed the Highway Districts' gratitude for the Board's willingness to work together to improve the federal aid program. The entities are pleased to be involved in reaching an acceptable solution.

Update on the Winter Road Report. Public Involvement Officer Jeff Stratten reviewed the need to update the antiquated winter road report system and reported that the new toll-free number was activated earlier this month. The Department went from seven statewide numbers to two, one for Ada and Canyon Counties and one for the rest of the state. The report is updated three times daily. The new system allows staff to track information in a variety of ways. Improvements were also made to the WEB site.

Due to the snow in eastern Idaho yesterday, Member Combo called the new number and reported that he was very pleased with the system. The information was recorded very well and the sound was very good. He expressed satisfaction with the new system. Director Bower also praised Mr. Stratten and staff for the improvements to the winter road report.

In response to whether the system can be utilized for road construction reports in the summer, Mr. Stratten responded that the report would change to summer construction reports. Some of the information will include major construction, road closures, and seal coats.

WHEREUPON the meeting recessed at 4:50 PM.

### ***November 20, 1998***

The Transportation Board meeting reconvened at 8:10 AM on Friday, November 20, at the Transportation Department in Boise. All members were present.

Yearly Uncollectible Account Write Off. Kathy Chase, Financial Services, explained the write off method and said most delinquent accounts are due to bad checks. The write offs for the past nine years average less than .09% of the total revenue collected. The three-year statute of limitations for collecting delinquent accounts is based on Idaho Code. Ms. Chase reported that weight distance taxes represents 76% of the total amounts written off during the past nine years with 80% of the accounts belonging to non-Idaho based carriers. Piercing the corporate veil is very difficult, especially with out-of-state carriers. Companies will liquidate their assets without filing bankruptcy, so there will not be any assets to attach or principals to pursue.

In conclusion, the Department's major emphasis on collection is to bill promptly, follow up on delinquent accounts, and work with the account by establishing payment plans and contacting people regularly.

In response to whether the Department prosecutes for returned checks, Ms. Chase replied that the amounts are usually not large enough to justify prosecution. Other measures are taken first such as suspending licenses or canceling registrations. Vice Chairman Mitchell asked if the Ports of Entry are informed of delinquent accounts and if they can provide assistance. Ms. Chase responded that the Ports provide assistance and play an important part in the collection process.

The Board thanked Ms. Chase for the educational presentation.

Delegation – Idaho Tax Commission. Doreen Moore reported that the Commission is trying to decrease the cost of processing fuel tax information and is encouraging distributors to file electronically. Filing electronically is on a voluntary basis, and to date, approximately 26% are utilizing this method.

The Commission has two goals after the returns are filed, according to Dar Walter. The first goal is for total accountability of all fuel coming into the state, and the second one is equity in tax collections. Idaho incorporated joint auditing with surrounding states on distributors. Additional money is needed for educational training, to learn about non-compliance methods, and to learn about new products such as bio-diesel.

Robin Haley reviewed the historical expenditures and the proposed budget. In FY99, the Commission will receive \$25,000 from FHWA and an additional \$60,000 of STP funds is being requested from ITD. The additional funds would enhance the fuel tax evasion efforts. Commissioner DuWayne D. Hammond, Jr. added that the Commission wants to increase its responsiveness and outreach. In response to whether blending fuels is a problem, he reported that it is a small problem. He added that switching to dyed fuels helped.

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Member McClure asked if requiring electronic filing has been considered. Ms. Moore responded that many states have mandated electronic filing, but Idaho would like to keep it voluntary. She said states that have mandated it have had some problems and that Idaho seems to be just as successful with its voluntary program. Commissioner Hammond added that Idaho may have to mandate it in the future.

In deliberating the funding request, Member Smith believes more information would be helpful, such as what the administration fees are currently, what the new enforcement tools would be, and the cost for these efforts. Director Bower said that the ISTEA for 1991 recognized the national evasion problem and included funding for efforts to reduce evasion. TEA-21 reduced the amount for this endeavor.

The consensus of the Board was to revisit this issue next month. The Board requested a ledger sheet explaining what the additional \$60,000 in STP funds would provide and an outline of the current activities regarding fuel tax evasion efforts. Chairman Winder thanked Commissioner Hammond and his staff for the presentation.

Delegation – City of Emmett. Emmett Mayor Ron Morgan requested the proposed traffic signal at SH-52 and SH-16 be advanced. The project is currently in FY2001. Mayor Morgan does not believe staff has all of the accident information and said he has that data for ITD to review. He reported there were 291 citations. He explained the safety concerns at the intersection with the school nearby, and the commercial development. Heavy truck traffic from the nearby mill travels through the intersection as well as recreationists traveling to Black Canyon reservoir. Mayor Morgan added that the recent turn lane on SH-52 at 4<sup>th</sup> has helped the community tremendously.

Because the project is in the Program, Director Bower believes the signal is warranted. The urgency of the project will be reviewed and staff will determine if it should be advanced. CE Ross added that additional work needs to be done to advance the project.

Member McClure made a motion to utilize FY1999 Board unallocated funds to advance the project.

The motion died due to a lack of a second.

Member Miller made a motion to have staff review the traffic signal proposed at SH-16 and SH-52, currently in FY2001, to determine if funds are available to advance the project and also to determine if the project could be made ready to advertise earlier. Staff is to report its findings to the Board next month. Vice Chairman Mitchell seconded the motion and it passed unanimously.

Director Bower questioned the south leg of the intersection, as SH-16 ends at the intersection and SH-52 continues west. He added that the costs are normally shared based on ownership of the intersection legs. Mayor Morgan replied that the south leg leads to commercial

businesses. Although Emmett does not have the funds currently, Mayor Morgan said the city would like to help with this project.

Delegation – Bob Meikle. Mr. Meikle thanked the Board for its time. He is a property owner in Idaho Falls and is impacted by the city's Pancheri Drive project. Phase one is almost complete, but he is concerned with Phase two. He has been working with the city since 1984 on this project. There appears to be uncertainty as to where the alignment will be and the status of the project, according to Mr. Meikle. A lawsuit is pending because the project appears to have stalled. Mr. Meikle asked for answers related to the project, such as if the project is dead, if there will be additional public hearings, and the status of right of way acquisition. He would like to know the status of the project, and how his property is impacted.

Because of the pending lawsuit, the Board was unable to answer Mr. Meikle's questions or discuss the project. The Board took the information under advisement and asked staff for a presentation on this project at its next meeting. Chairman Winder thanked Mr. Meikle for his presentation.

Public Transportation Overview and Update. Helen Knoll, Federal Transit Administrator for Region X briefed the Board on TEA-21 and its benefits to transit. The Act provides more flexibility, more funding, and new categories of funding. She reported that Idaho's funding increased in every category. Administrator Knoll reported that her office administers the grants for ITD. She believes her office is more responsive to ITD and is of more assistance, particularly because of the FHWA liaison. Some of the efforts to improve communication and assistance include the establishment of a mentoring program, bi-weekly conference calls, and more visits with ITD staff. ITD's management review for compliance is scheduled next month. In conclusion, she praised the Public Transportation Advisory Council's (PTAC) grass roots efforts and the hard work it is providing to public transportation.

Chairman Winder thanked Administrator Knoll for her remarks, and particularly for her visit to Idaho.

Public Transportation Administrator Larry Falkner said the Division's role is to coordinate planning of all public funds for public transportation. The Division is working with state and local agencies to develop a statewide public transportation plan, is assisting transit operators, is committed to improve public transportation in Idaho, and is working to increase the efficiency and productivity of publicly funded transportation services.

The Division of Public Transportation staff outlined the planning and grant application processes, and explained the federal funding sections.

PTAC Chairman General James Brooks introduced the PTAC and Regional Public Transportation Advisory Committee members in attendance and presented the annual report. He thanked the Board for its support with recent legislation and its support in the establishment of the Vehicle Investment Program. Throughout the year, the Council held six meetings in four of the districts and heard from local citizens and officials about public transportation needs and

services. He thanked the Board members for attending those meetings. Policy legislation is still a high priority for the Council.

The Medicaid transportation program is undergoing a complete review. PTAC is questioning its role regarding the development of the welfare-to-work transportation programs. Additionally, ITD's role in other social service agencies' involvement with transportation has been questioned. General Brooks stated the Council is also contemplating its involvement in the formation of regional public transportation authorities.

Chairman Winder thanked the group for the informative presentation. He also expressed gratitude to the PTAC and RPTAC members for their efforts and service to the state.

Response to Employee Survey. Vice Chairman Mitchell said a Board subcommittee has been reviewing issues brought forth in the employee survey. The concerns identified can be categorized into four areas: salary, recruitment and retention of employees, training, and communication. The Subcommittee has discussed these issues and drafted a letter to the employees addressing these areas. The letter was distributed to the Board for review.

Vice Chairman Mitchell made a motion to approve the letter to all ITD employees in response to the employee survey. Member Miller seconded the motion and it passed unanimously.

Demonstration on Measuring Device. Highway Safety Manager JoAnn Moore said the Traffic Safety Commission was interested in funding the electronic measuring device to reduce the number of officers involved in traffic crash investigations and to get the officers back on the road sooner. This device is saving man-hours and results in clearing the accident scene quicker.

Idaho State Police (ISP) Major Fred Thomas said one officer can use the laser measuring device while another officer controls traffic, if necessary. The officer can stand on the side of the road to take the measurements, which greatly enhances safety.

ISP Corporal Rice demonstrated the measuring device. He emphasized the importance of accurate information for legal purposes and stated this device is more accurate than using a tape measure. After tape measures are taken, the officer has to manually draw diagrams of the accident site. With the laser measuring device, the information is downloaded onto a computer and the information is printed to scale. Instead of taking approximately ten hours, the process of obtaining measurements and a drawing takes about one.

In response to the cost, Corporal Rice said a total station costs approximately \$12,000. Major Thomas added that eventually, ISP would like 36. Member Combo inquired on the training process. Corporal Rice said a four-day school with hands-on training is required. Certificates are awarded to the trained staff.

HSM Moore reported that 14 pieces of equipment are currently programmed and that yesterday the Board approved 7 more in the STIP. Corporal Rice thanked the Board for its support and for funding this equipment.

Chairman Winder thanked the delegation for the interesting demonstration and data.

**Year 2000 Computer Report.** The Board reviewed the status of the mainframe and distributed systems being addressed under the Y2K project. Contractor costs are estimated to be approximately \$3.1 million and \$1.1 million for FY1999 and 2000, respectively. Costs for the Y2K project may be eligible for federal-aid reimbursement under the terms of TEA-21 and ITD intends to submit a federal-aid application. Other costs will be incurred in the operating expense categories of division budgets for replacement parts and upgraded software purchased for distributed and embedded systems. There will also be additional costs for departmental staff assisting on Y2K remediation work.

Old/New Business. Member Smith has been elected as a state representative in District 23 and will resign his position on the Board after this meeting. Chairman Winder thanked Member Smith for his service on the Transportation Board. His dedication and commitment to ITD and the state have been appreciated.

WHEREUPON, the regular monthly Board meeting officially adjourned at 12:05 PM.

signed

CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
December 17, 1998  
Boise, Idaho

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## REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 17-18, 1998

The regular session of the Idaho Transportation Board meeting convened at 8:10 AM, on Thursday, December 17, in Boise, Idaho at the Transportation Department. The following principals were present:

Mike P. Mitchell, Vice Chairman – District 2  
John McHugh, Member - District 1  
Monte C. McClure, Member – District 3  
Neil Miller, Member – District 5  
John X. Combo, Member - District 6  
Sue S. Higgins, Secretary to the Board  
Dwight Bower, Director

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Jimmy Ross, Chief Engineer  
Jack McMahon, Deputy Attorney General

In the absence of Chairman Winder, Vice Chairman Mitchell opened the meeting. He welcomed Representative Christian Zimmerman to the meeting. Representative Zimmerman was recently appointed to the House Transportation and Defense Committee for 1999.

November 19-20, 1998 Board Minutes. Member McHugh made a motion, seconded by Member McClure, to approve the minutes of the Board meeting held on November 19-20, 1998, as revised. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:  
January 21-22, 1999 – Boise  
February 25-26, 1999 – Boise  
March 18-19, 1999 – Boise  
April 15-16, 1999 – District 2

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves  
TB98-106 revisions to Board Policy B-06-11, Official Travel by Department Personnel; the creation of Board Policy B-11-02, Highway Development Program; revisions to Board Policy B-14-06, Approval of Plans/Specifications/Estimates and the Award of Construction Projects; and has received and reviewed the speed minute entry changes for November; the contract awards; the new and supplemental professional agreements report; the quarterly report on legal actions; the year 2000 computer report; and the financial statement.

1) Board and Administrative Policies B- and A-06-11, Official Travel by Department Personnel. These policies have been updated to clarify the definitions of both in-state and out-of-state travel, to establish monitoring of out-of-state trips by the Board, and to authorize the Director to approve unanticipated out-of-state trips.

2) Board and Administrative Policies B- and A-11-02, Highway Development Program. A new Board Policy has been developed to formalize the Board's commitment to effective and full use of all available highway improvement funds through the Highway Development Program. The Program shall include projects based on realistic plans and estimates of funding and other resources and shall be submitted to the Board annually. Revisions to the administrative policy include updating job titles and assigning responsibilities.

3) Board and Administrative Policies B- and A-14-06, Approval of Plans/Specifications/Estimates and the Award of Construction Projects. A minor addition has been made that authorizes the Director, or a delegate, to approve advertisement and award of current-year construction contracts provided the project is a state maintenance or stockpile project that is funded with District operating funds.

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4) Speed Minute Entry Changes for November. The Chief Engineer approved a decrease to the speed limit on SH-54, milepost 0.0 to 0.35 in Kootenai County, District 1, based on a speed study.

5) Contract Awards. The Board acknowledged action on the following construction bids in accordance with Board Policy B-14-06:

STR-6450(619) and ST-6450(620), keys 6649 and 6696 – Sage Jct. West and SH-28, Jct. SH-33 to Jct. SH-22; SH-33 and SH-28, Jefferson and Clark Counties, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,179,629.02.

STP-0100(122), key 5986 – East Boise River Footbridge, Stage 2, Boise, Ada County, District 3. Low bidder: Universal Construction Inc., Emmett, Idaho - \$577,381.80.

STP-7802(101) and BRM-7802(100), keys 6138 and 5694 – Rupert to 100 East Road and A Canal Bridge, SH-25, Minidoka County, District 4. Low bidder: Gordon Paving Company, Inc., Burley, Idaho - \$1,588,981.41.

ST-2390(660), key 6595 – Jct. SH-24 to Jct. US-26, Lincoln County, District 4. Low bidder: Gordon Paving Company, Inc., Burley, Idaho - \$784,364.89.

STP-7923(102), key 6318 – Int. Linden and Indiana Streets, Caldwell, Canyon County, District 3. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$274,899.

BROS-4200(102), key 5416 – Cedar Draw Bridge, Twin Falls County, District 4. Low bidder: Summit Excavation, Inc., Twin Falls, Idaho - \$318,204.77.

STP-6500(107), key 6522 – Palisades Guardrail Improvement 2, US-26, Bonneville County, District 6. Low bidder: C. P. Morgan Company, Orem, Utah - \$90,347.16.

ST-5170(608), key 6587 – Latah County Line to Metro Bridge, SH-3, Shoshone County, District 1. Low bidder: Inland Asphalt Company, Spokane, Washington - \$799,843.50.

NH-1480(114), key 6620 – Pegram Road to Wyoming State Line, US-30, Bear Lake County, District 5. Low bidder: Marcon Inc., Nampa, Idaho - \$172,683.09.

ER-4110(122), key 7082 - US-95, Slide Repair, North of Riggins, Idaho County, District 2. Low bidder: Deatley Company, Inc., Lewiston, Idaho - \$1,310,392.52.

ST-1530(611), (612), and STR-1530(613), keys 6937, 6938, and 6946 – 4<sup>th</sup> Street to US-89/Clay Street, Montpelier; Washington Street, Montpelier; and Montpelier to West Forest Boundary; Bear Lake County; District 5. Low bidder: Bannock Paving Company, Pocatello, Idaho - \$1,353,148.54.

STR-4800(603) and STR-4802(604), keys 6632 and 7362 – Moscow to Joel Overpass and Kendrick Grade, SH-8, Latah County, District 2. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$739,236.09.

STKP-5595, key 7466 – Georgetown Summit Stockpile, Bear Lake County, District 5. The low bidder was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was prepared from comparable local projects with haul adjustment by judgement. The Average Unit Price Report does not list anti-skid material. Bids for anti-skid were moderately above the estimate, but the mobilization item was over double the estimate. The District believes there is a potential for savings if the bids are rejected and the project re-advertised, possibly combining it with other similar work.

BROS-3500(103), key 6276 – 6<sup>th</sup> Street Bridge, Culdesac, Nez Perce County, District 2. The low bidder was more than ten percent over the engineer's estimate, requiring justification. Staff recommends revising the project, reducing the scope of work and re-advertising the project.

6) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$1,893,317 in new agreements between November 4 and December 4.

7) Quarterly Report on Legal Actions.

8) Y2K Status Report. Work is on schedule and within budget for the three major areas.

9) Financial Statement.

Rail-Highway Crossing Program. This program was created to improve safety at rail-highway crossings. A field review team examines many crossings throughout the state annually. Staff then prepares a prioritized list of crossing improvements, and, based on the availability of funds, programs these projects for construction. Since the Idaho Legislature began funding this program in 1980, the number of accidents at rail-highway crossings has decreased over 50 percent. Through continued program support, new technologies, and use of innovative ideas, this trend should continue.

Member Combo emphasized the importance of this program. He is especially pleased with the decline in accidents and hopes this trend continues. He encouraged staff to share this information with the legislature and others.

Outdoor Advertising Sign Status Report. As of September 1998, 58 illegal and 98 non-conforming signs remain throughout the state. Member Combo questioned the uniformity of this program throughout the state. He wanted to ensure that the districts are handling these signs the same way. CE Ross responded that the signs are addressed the same way in each district. A complete inventory of signs is taken annually. The districts try to be in compliance.

Member Combo made a motion to accept the rail-highway grade crossing program and outdoor advertising sign status reports. Member McHugh seconded the motion and it passed unopposed.

Board Items. Member McClure reported on the recent joint meeting with the Idaho Licensing Board. Member Combo and appropriate staff also attended the meeting. Member McClure suggested ITD pursue a report card system similar to Washington's. Not only would

the report card be an indication of how a specific contractor is doing, and that information could be provided to the Licensing Board, but contractors would also be able to rate ITD. He believes that may be especially helpful with the additional projects the Department will have due to TEA-21. Member McClure added that he would be willing to participate on a Licensing Board task force if one is established to continue reviewing methods to tighten licensing requirements and related issues.

Member Combo reported on other items that resulted from the joint meeting. ITD will determine if bonding companies can be required to be on the U.S. Treasury Department's approved surety list. ITD will have someone attend the Licensing Board's monthly meetings and will inform the Licensing Board of problems with contractors, providing facts. The Licensing Board will provide its proposed legislation and rule changes to ITD for review.

Because of the Licensing Board's important role to ITD, Vice Chairman Mitchell encouraged the Board and staff to keep communicating with the Licensing Board and provide assistance when possible. Member Combo added that upon review of the proposed legislation, if staff agrees with the revisions, the Department should support it.

Vice Chairman Mitchell distributed a document on completing successful surveys. He asked the other members to keep this information in mind if another survey is conducted.

Last month it was suggested that Chairman Winder and Director Bower meet with newly-elected Superintendent of Education Marilyn Howard. Vice Chairman Mitchell reiterated the need to communicate with the Department of Education, and especially to share various correspondence with the Superintendent. ITD needs to be informed of plans for new schools and work with school districts on related transportation needs. Member McHugh praised the local transportation committees in District 1 for their coordination with the school districts and involvement in planning new schools.

CE Ross said this issue has been a concern to the Department for a number of years. Several years ago the Districts sent each local school superintendent a letter asking them to keep ITD informed of plans. CE Ross recently asked the Districts to reissue that letter and encourage the schools to work closely with the Transportation Department.

With Leon Smith's resignation from the Board last month, Member McClure asked the Board to consider appointing another member to serve with him on the Subcommittee on Additions to and Deletions from the State Highway System.

Director's Items. Director Bower reported that the Department will request carryover authority language in the annual appropriation bill, starting with FY00 from the Joint Finance and Appropriations Committee. He distributed a handout outlining the carryover authority.

Director Bower recently met with Gary Smith, who is a member of Governor-elect Kempthorne's transition team. A number of issues were discussed, including ITD's budget and revenue. Director Bower also met with Phil Reberger, Governor-elect Kempthorne's appointed

Chief of Staff. The main focus of that meeting was the newly-acquired King Air. Mr. Reberger was very supportive of this airplane.

In a recent meeting with Jack Coe, Federal Highway Division Administrator, he indicated the US-95 Bonners Ferry slide may not be eligible for emergency relief funds. The application has been submitted to the Federal Highway Administration in Washington, DC with a recommendation for approval. In response to why this disaster may not be eligible, Director Bower reported that FHWA allocates \$100 million annually for emergency relief, and he believes all of that money has been committed. Additionally, the Department was working on an active project at the site of the mudslide, so formula funds were already being used. The Department believes the mudslide is a separate incident, not related to the active project.

Member McClure questioned the other impacted entities such as the county and railroad. Director Bower said there are five parts to the application for emergency relief: the detour and emergency roads, buttressing US-95, rebuilding US-95, the railroad, and cleaning up the valley floor. He said the application, for approximately \$8 million, is for all parts, but not all aspects may be eligible. The figure for US-95 is around \$2.58 million. The Director reiterated that no official action has been taken on the submitted application.

Director Bower recently attended the memorial service for Colin Quinn, Executive Director of the Associated General Contractors of Idaho. Director Bower said Mr. Quinn will be missed, as he was a great partner with ITD and really improved the relationship between the AGC and ITD.

Last week Director Bower gave a presentation on TEA-21 at the AGC meeting. He wants to continue communicating with the AGC on a variety of issues, and enhance the partnership that has been established. The AGC gave Director Bower an award, recognizing him for his accomplishments and efforts in the transportation arena in Idaho.

Director Bower was pleased to report that District 3 won the American Concrete Pavement Association National Award for Excellence in Concrete Pavement for the I-84, Sebree Interchange to Fairfield Interchange Westbound project. Assistant District 3 Engineer Greg Laragan introduced the project coordinator and designer Jeff Morf, project inspector Gary McKinney, and region 2 engineer Todd Bartolome, who were instrumental in the success of this project. Director Bower presented the plaque to the District staff.

The Board congratulated the gentlemen for their efforts and the national recognition for a job well done.

At a recent meeting with the Idaho Motor Transport Association, the weight distance tax was discussed. Director Bower reported IMTA would like to move to a two-tiered system with fuel tax and registration and the Department was asked to work with them on this issue. ITD's concern is that any system be revenue neutral, fair to Idaho truckers, easy to administer, and that the system be reviewed after a couple of years to ensure it meets these requirements. Director Bower also reported that IMTA was very complimentary of Herb Kinney and his staff for the service they provide, particularly in the one-stop shop.

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Director Bower has been asked to serve another year on the Executive Committee of AASHTO. He asked to be excused later in the morning for a conference call to finalize the selection of a new Executive Director. Director Bower has also been asked to serve as chairman of the AASHTO Standing Committee on Research.

Chief Engineer's Items. Staff is continuing its research on establishing a revolving fund for corridor preservation. TEA-21 contains new language that may be applicable. The Department may advance purchase right of way, then during the construction of the project, FHWA will reimburse the Department. Seed money will be needed, and, according to CE Ross, some states are using general fund money as seed money. He believes it is premature to develop a revolving fund at this time. He believes a plan should be developed, including identification of the routes that should be preserved, before a revolving fund is established. CE Ross believes \$5 million should be available in this fund. He added that District 3 is already identifying right-of-way needs and programming funds for future projects.

Member McClure asked if the funds could start accumulating now while the plan is developed. Legislation is needed to establish a revolving fund, according to CE Ross. He added that once legislation is in place, the funds could start accumulating. Member Miller expressed his support for the revolving fund and encouraged the Department to pursue legislation now, or at least inform the legislature of this need. Member Combo requested information from surrounding states and those states similar to Idaho on their processes.

Representative Zimmerman believes people are aware of the inflating property values and believes the revolving fund proposal would be well received and would work well for ITD.

In response to last month's request to determine if the proposed traffic signal at SH-52/SH-16 in Emmett could be advanced, CE Ross reported that the District is working with the city officials on this. ITD's policy requires the responsible jurisdiction to pay for the project in proportion to the number of approach lanes under the jurisdiction of each entity. At the subject intersection, the state would be responsible for three of the four legs. Once an agreement has been reached with the city, staff will bring a recommendation to the Board as a supplement to the Highway Development Program.

Emmett Mayor Ron Morgan reported that a fatality occurred near that intersection recently. Vice Chairman Mitchell asked that the accident report be provided to the Board when it is available.

Although the speed study has been completed on I-84 near Gowen Road, CE Ross reported that staff is still reviewing options. The traffic and engineering investigations reveal the 85<sup>th</sup> percentile speeds are 79 and 80 miles per hour for the east- and west-bound lanes and there is no history of accidents to warrant a lower speed limit. After staff completes its gap analysis, a report will be provided to the Board.

Vice Chairman Mitchell questioned posting a temporary speed reduction while the study is being completed. Because the speed limit does not warrant a lower speed limit, CE Ross

expressed concern with enforcement and stated the lower speed limit could be challenged in court. Member McClure believes that artificially lowering the speed limit would have the potential to create accidents.

District 2 is working on an agreement with the local entities regarding the Interstate Bridge in Lewiston, according to CE Ross. The agreement would close the lift span until two parties request that the drawbridge be reactivated.

CE Ross met with Idaho State Police Colonel Strickfadden to discuss accident sites. Colonel Strickfadden is conscientious of impeding traffic and tries to have accident sites cleared as soon as possible. He believes the new electronic measuring devices being purchased will help and is willing to work with ITD to improve this situation.

Chairman Winder joined the meeting at this time. He had a prior speaking engagement at the Boise Leadership meeting.

Legislative Update, 1999 Session. Budget, Policy, and Intergovernmental Affairs Manager (BPIRM) Mary Detmar provided an overview of the Department's presentations to the JFAC and Joint Germane Committee, scheduled in January and February.

Staff would like to withdraw two pieces of legislation for 1999, according to BPIRM Detmar. Idaho meets all the provisions of the repeat offender section, except for the minimum penalties of impoundment or immobilization of an offender's vehicles, or the installation of an ignition interlock system on all vehicles owned by a repeat offender. Considerable resistance by judges is expected. This mandate was included in TEA-21 with a compliance date of October 1, 2000. Staff is recommending that this bill be held for one year while congressional action on this mandate is monitored and discussions can be held with the Supreme Court personnel, judges, and law enforcement.

ITD has been informed that the future acquisitions map places an undue burden on cities and is unacceptable to the Association of Idaho Cities. Staff has discussed changes to the land use planning act as an alternative to modification of the future acquisitions map legislation. It is recommended that the proposed future acquisitions map legislation be withdrawn this year and staff continues to work with local jurisdictions on acceptable alternatives. This would not preclude ITD from working on future acquisitions under the current law. Chairman Winder asked staff to review what the Department can do under the current law.

Upon review of Idaho Code, staff determined there is no language indicating if a traffic signal is inoperable, the intersection is to be handled as a four-way stop. Staff is recommending proposed legislation to address this issue.

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

RES. NO.        WHEREAS, the Transportation Board approved the 1999 proposed legislation in TB98-107        September 1998; and

WHEREAS, the Governor has approved said legislation; and

WHEREAS, the Transportation Department staff has reviewed the proposed legislation relating to multiple DUI and recommends that it should be withdrawn this year and reintroduced in 2000 after discussions with the Congressional delegation as well as the judicial and law enforcement community; and

WHEREAS, the Department staff has reviewed the legislation relating to future acquisitions map and recommends that it be withdrawn so that staff can work with local jurisdictions on acceptable alternatives; and

WHEREAS, the Department staff reviewed existing Code and determined that adequate instruction is needed to advise motorists how to handle an intersection if a traffic signal is inoperable.

*NOW THEREFORE BE IT RESOLVED*, that the Transportation Board agrees that the previously proposed legislation on multiple DUI and future acquisitions map should be withdrawn from consideration by the 1999 Legislature. Further, the Board agrees that the newly proposed legislation regarding stoplight failures should be submitted for consideration by the 1999 Legislature. The Governor's Office will be so notified.

FY99 Supplemental Budget Request Revision and FY00 Budget Request Revisions.

BPIRM Detmar presented the proposed changes to the FY99 supplement. A reduction in TEA-21 related position control numbers from 45 to 38 is being requested. An increase for Y2K remediation costs and program enhancements for information technology and a reduction in contract construction are also being requested.

Changes to the FY00 budget request include a reduction in positions from 36 to 31, additional Y2K remediation costs, the addition of the Vehicle Investment Program, and a reduction in contract construction. BPIRM Detmar explained the reduction in position control numbers is due to the obligation authority. Because of the legislative direction several years ago to reduce full time positions, Chairman Winder reiterated the need to justify the request for additional positions.

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

RES. NO.        WHEREAS, the revised FY99 Supplemental Budget Request and the FY00  
TB98-108        Department Budget Request have been prepared in accordance with instructions  
                     in the Division of Financial Management's Budget Development Manual; and

WHEREAS, the Board has reviewed the revised estimated revenue and expenditures for the remainder of FY99 and for FY00.

*NOW THEREFORE BE IT RESOLVED*, that the Transportation Board agrees with the revisions to the FY99 Supplemental Budget Request and the revisions to

the FY00 Budget Request as presented this date, and authorizes the revisions as submitted to the Division of Financial Management.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 10:55 AM, Vice Chairman Mitchell made a motion, seconded by Member McClure, to meet in executive session to discuss legal issues with DAG McMahon and personnel issues. The motion passed unanimously.

The Board came out of executive session at 12:05 PM. No decisions were made.

Luncheon Meeting with the Motor Carrier Advisory Committee (MCAC). MCAC Chairman Clay Handy thanked the Transportation Board for meeting with the MCAC. With a cost allocation study completed several years ago and an update in progress, Mr. Handy encouraged the Board to consider those findings when considering future revenue. Chairman Winder reported that the Board held discussions earlier this year on the weight distance tax system. Due to a pending lawsuit, the consensus of the Board was to take no action on the current system until the lawsuit has been resolved.

In response to utilizing the cost allocation study, Director Bower responded that the findings would be considered. He added that the federal cost allocation study would also be very helpful.

Various proposals, such as bonding, have been presented to improve US-95. Mr. Handy asked what the plans are to improve US-95 and what the Board's position is on legislation to fund US-95. The Board is committed to improving this major north-south highway, according to Chairman Winder. He added that ITD has dealt with extra problems on this route due to mudslides and floods. Environmental issues are also a major consideration. Director Bower reported on several corridor studies scheduled throughout the state and emphasized the transportation needs statewide.

MCAC Member Jim Pingree thanked the Board for the improvements made to US-95 over the years. He realizes the emphasis the Department has given to this route and the projects have been appreciated.

Although the Department could use additional funds for US-95, Member McClure does not want the legislature identifying the projects to fund. He believes the Board, with staffs' and locals' input, should program the projects. Member Combo concurred that the scheduling of projects should be the Board's responsibility. He added that legislators in eastern Idaho do not support legislation to fund US-95.

Mr. Handy expressed MCAC's support for weigh-in-motion in Lewiston. Chairman Winder asked why more truckers do not use the transponders. Mr. Handy believes part of the problem is ignorance of the system. He believes weigh-in-motion should be promoted. MCAC Member Robert Brice believes the transponder use will increase as more ports of entry have weigh-in-motion installed. MCAC Member Ed Brandt applauded ITD for its efforts in intelligent transportation systems and weigh-in-motion, as this system is timesaving. Chairman

Winder reported that the Board is supportive of weigh-in-motion and will encourage staff to continue its efforts in this arena.

The MCAC was briefed this morning on the status of the 129,000-pound pilot project. Mr. Handy is not aware of an effort to add additional routes to the program. Representative Zimmerman stated that the reduced speed limit for trucks on the interstates helped that legislation pass. He believes there is a problem with enforcement for the lower truck speed limit. MCAC Member Jerry Whitehead asked if local entities have requested assistance to establish increased weight limits on their roads. Director Bower is not aware of any requests, but emphasized the Department's willingness to provide assistance.

The demand for overnight parking spots for truckers is increasing, according to Mr. Handy, particularly along the interstate. MCAC Member Wayne McKinnon said parking areas are needed along I-86 near Cold Water. Mr. Handy added that District 4 has been asked to open the old Raft River Rest Area for parking. He also suggested widening the entrances and exits at rest areas to accommodate parking. MCAC Member Mike Reese added that facilities and beautification are not needed; only parking spaces.

Chairman Winder thanked the MCAC for its time and the discussion on the various topics. He also thanked the members for their service to the MCAC and Idaho. He believes the MCAC plays a valuable role to the industry and its efforts are appreciated.

Y2K Legal Issues. DAG McMahon reported that lawsuits have already arisen relating to year 2000 issues, mostly due to credit cards with expiration dates beyond 1999. The United Nations identified electricity, financial services, government functions, world markets, and transportation as the main concerns for Y2K. DAG McMahon believes the legal magnitude will be in litigation. Two areas of liability are of concern. The first is tort law, or personal injury and property damage. An example of this may be if traffic signals fail. The second area is contract claims. Defenses are statute of limitations, requirement of timely notice, contract limitations on damages, and commercial impracticality and waste. He believes Idaho is making good progress to address the Y2K issues.

Chairman Winder thanked DAG McMahon for the informative overview.

Panhandle Historic Rivers Passage Designation for US-2, Oldtown to Sandpoint, District 1. The Priest River Chamber of Commerce, with the full support of the other area local public agencies, requested Board approval for the designation of US-2 as the Panhandle Historic Rivers Passage. The Scenic Byway Advisory Committee has reviewed the request and has determined that the application meets the guidelines for designation. District 1 also supports this designation.

Area representative Steve Klatt emphasized the scenic beauty of this route. He stated the promotional approach is based on history, with three museums in the area. The corridor management plan will be started soon.

Member McHugh believes this is an excellent proposal. He made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byway  
TB98-109 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 Idaho Transportation Board; and

WHEREAS, all local requests for Scenic Byway designation are to be submitted to the SBAC for review and consideration; and

WHEREAS, the Priest River Chamber of Commerce has submitted a request to designate US Highway 2 as the “Panhandle Historic Rivers Passage” with the full support of Bonner County and the cities of Oldtown, Priest River, and Sandpoint; and

WHEREAS, the SBAC has found the request for this designation to comply with its established criteria, recommending Idaho Transportation Board approval; and

WHEREAS, projects are already scheduled in the FY1999-2003 Highway Development Program on this section of US Highway 2.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the designation of US Highway 2 as the “Panhandle Historic Rivers Passage”; and

*BE IT FURTHER RESOLVED*, that this designation will not affect the FY1999-2003 programmed projects on US Highway 2; and

*BE IT FURTHER RESOLVED*, that the “Panhandle Historic Rivers Passage” shall be so designated on the Idaho Official State Highway map.

Revision of Board and Administrative Policies B- and A-12-03, Traffic Minute Entries.  
Traffic minute entries are used to document ITD’s regulation of traffic as supported by an engineering and traffic investigation. Revisions to the policies would provide the Board with approval authority for all speed limit increases except those established within city jurisdictions, and any selective vehicle exclusion on controlled access highways. The Director, or a delegate will approve all other traffic minute entries and the speed limit adjustments will be submitted to the Board for informational purposes.

Member McClure questioned staff’s approval for all speed limit reductions, particularly if the speed study does not warrant a decrease. CE Ross said non-routine changes would be presented to the Board for approval, but added that the speed limits will be established according to Idaho Code. Chairman Winder suggested presenting the Board with all changes that are non-routine, or that don’t conform to the speed study. He asked staff to revise the policy and resubmit it later during the meeting.

Congestion Mitigation/Air Quality (CMAQ) Board Subcommittee Report of Activity. Senior Transportation Planner Pat Raino reported that the Subcommittee has developed guidelines for a revised Board policy on the CMAQ Program. The program options and recommendations of the Subcommittee were reviewed. Based on the Board's comments, staff will prepare a finalized policy for approval at a later meeting.

Chairman Winder questioned the status of Ada County's PM10 problem and the impacts to two of ITD's projects in the current STIP. Matthew Moore, Senior Transportation Planner, reported that significant public comment has been received and will require time to review. He believes EPA will have a decision by the end of February, but it appears favorable that the request will be supported.

Chairman Winder commended the Subcommittee for its work on this issue. He asked if \$2.3 million annually for this program will be adequate to meet the needs statewide. Member McClure believes that amount will be sufficient. He added that the proposal also focuses on areas that have the potential to become an air quality problem area.

The consensus of the Board was to have staff distribute the proposed CMAQ Program revisions to impacted areas, and prepare a finalized policy for Board approval.

Video – Welcome to Idaho Signs. Public Affairs Officer Jeff Stratten presented a video of the new "Welcome to Idaho" signs. The signs on I-84 and I-15 have been posted, and the rest of the signs will be shipped to the districts tomorrow. The districts will erect the signs as time and weather allows. The Board expressed pleasure with the signs.

Delegation – Eric Lyman, President, Over the Edge, Inc. Mr. Lyman is opposed to ITD's proposed legislation to prohibit bungee jumping from bridges for a number of reasons. He believes the statement of purpose is inaccurate, as it tries to address a problem that does not exist. Mr. Lyman has never seen distractions to the motoring public or accidents as a result of bungee jumping from bridges, as implied in the statement of purpose.

Secondly, there is a misconception that the sport is unsafe. Bungee jumping is safe and jumping from bridges is the safest place to jump from. He believes bungee jumpers are being punished because of this misconception. Thirdly, he believes eliminating this activity from bridges will hurt tourism. The sport is growing in popularity and some states are even endorsing it. In conclusion, Mr. Lyman does not believe the proposed legislation would reduce distractions. Out-of-staters unfamiliar with the law will still jump in Idaho while others who are aware of the legislation may jump at night. He urged the Board to reconsider the proposed legislation and suggested signage to accommodate the perceived problem.

Member McHugh asked if one lane of traffic is closed during a jump. Mr. Lyman replied no. Participants walk out on the bridge, like pedestrians, and do not impede traffic. Most motorists don't notice them. In response to the state's liability if a jumper is hurt, Mr. Lyman believes the liability is minimal and compared it to a pedestrian getting hit by a truck. In response to the number of jumps occurring statewide, Mr. Lyman estimated 2,000 jumps are

made annually. He also stated that he occasionally asks ITD for permission to jump from state bridges.

Director Bower expressed concern with a bungee jumper on the SH-21, Diversion Dam Bridge, who he witnessed being pulled up by people crossing the lanes of traffic on SH-21. Over the Edge, Inc. uses a mechanical device toward the exterior to retrieve jumpers, according to Mr. Lyman, and he emphasized they do not get on the highway. He added that motorists usually do not notice this procedure. Chuck Ramsey and Warren Lundquist supported Mr. Lyman's position and emphasized the safety of the sport.

In response to the possibility of establishing a permit system or rules or regulations, Mr. Lyman welcomed those suggestions and offered assistance with developing criteria. Vice Chairman Mitchell believes there are other, more serious, distractions for the traveling public, such as the numerous kayakers on the Payette River along SH-55.

The consensus of the Board was to have staff look into the liability issue of a permit system and revisit the proposed legislation to prohibit bungee jumping off of bridges.

Legal Issues. Member Combo made a motion, seconded by Member McHugh, and passed unanimously, to approve the following resolution:

RES. NO.      WHEREAS, the Transportation Department has filed a condemnation action on  
TB98-110      Parcel No. 36 for the Eagle Alternate project; and

WHEREAS, both parties agreed to participate in non-binding mediation; and

WHEREAS, the parties came to an agreement to settle the condemnation subject to Transportation Board approval by way of a payment of an additional \$713,990.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves settling the condemnation on Parcel No. 36 of the Eagle Alternate project by way of a payment of an additional \$713,990.

Revision of Board and Administrative Policies B- and A-12-03, Traffic Minute Entries, Revisited. The policy was revised to require Board approval on all non-routine changes in permanent speed limits, except for speed limits established within city jurisdictions. Non-routine changes are those changes not supported by an engineering and traffic investigation. Member McClure made a motion to approve revisions to B- and A-12-03, Traffic Minute Entries. Member Combo seconded the motion, and it passed unopposed.

WHEREUPON the meeting recessed at 4:30 PM.

### ***December 18, 1998***

The Transportation Board meeting reconvened at 8:40 AM on Friday, December 18, at the Transportation Department in Boise. All members were present.

Delegation – Idaho Tax Commission. Commissioner Duwayne Hammond clarified a statement made last month that administrative costs to collect fuel taxes do not rise as collections increase. He presented an outline of the request for \$60,000 in FY99 STP funds to enhance the fuel tax evasion efforts with more personnel for cross checking and verification, and operation expenses for promotion of electronic filing and traveling to conduct joint audits with other states. Dar Walters elaborated on the specific projects.

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

RES. NO. WHEREAS, Section 114 of the Transportation Equity Act for the 21<sup>st</sup> Century  
TB98-111 (TEA-21) of 1998, amended Section 143(b)(8) of Title 23, U.S. Code, to allow a state to expend up to ¼ of 1% of the Surface Transportation Program (STP) funds apportioned to the state, at 100% federal share, for initiatives to halt the evasion of payment of motor fuel taxes; and

WHEREAS, in Idaho, for FY99, this amount would be approximately \$106,000, subject to obligation limitation; and

WHEREAS, Idaho has been a member of the Highway Use Tax Evasion Project since 1992, receiving \$50,000 annually from the International Revenue Service for fuel tax evasion special activities; and

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WHEREAS, that program has been reduced by Congress to \$25,000 annually; and

WHEREAS, the Idaho Tax Commission requested \$60,000 in FY99, \$50,000 in FY00, \$40,000 in FY01, \$40,000 in FY02, and \$40,000 in FY03 from the STP State Program for personnel and operating expenses for special activities to combat fuel tax evasion; and

WHEREAS, the Commission expects to continue its past recovery performance, which has been at least \$3 of fuel tax recovered for every \$1 of personnel related expenditures; and

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

WHEREAS, the addition of this project would be shown in the Supplement 99-1 to the approved Highway Development Program.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the addition of a Tax Evasion project in FY99 of the FY1999-2003 Highway Development Program for \$60,000 to supplement the \$25,000 IRS-funded fuel tax evasion program at the Idaho Tax Commission to continue a maintenance of effort; and

*BE IT FURTHER RESOLVED*, that the Idaho Tax Commission present annually in July a request to continue funding of the fuel tax evasion project with a detailed accounting of expenditures and performance measurements; and

*BE IT FURTHER RESOLVED*, that the Department staff is authorized to request an amendment to the STIP to include the above new FY99 project in the FY1999-2001 Statewide Transportation Improvement Program in accordance with the provisions of the TEA-21 of 1998.

Delegation – St. Lukes Regional Hospital. Gary Fletcher, Executive Vice President, reported on the status of the planned hospital near Ketchum and related transportation issues. The Blaine County Planning and Zoning Commission approved the project plans and construction should commence in spring. In response to the status of the bikepath, he reported that has been completed and the wetlands have been relocated.

Blaine County Commissioner Len Harlig expressed concern with the requirement to acquire the accesses along SH-75. There is a proposal to rezone the west side and close access. He believes all of the west side accesses will be acquired, but it may take more time than initially planned. The County supports ITD's plans to widen SH-75 in the area, however Commissioner Harlig encouraged the Board to schedule the three area projects at the same time to minimize the inconveniences caused by construction. The projects include the intersection at Alturas Drive to Timber Way, the Big Wood River Bridge at Greenhorn, and Timber Way to Serenade Lane.

The Board asked staff for a briefing on the proposed projects, including time frames, cost, and if the projects could be scheduled simultaneously.

John Gorskey, St. Lukes Legal Counsel, expressed appreciation to District 4 Engineer Devin Rigby for the cooperation and good working relationship on this project. Two issues on Resolution Number TB98-59, approved in July 1998, need clarification, according to Mr. Gorskey. The timing for acquiring the access on the west side of SH-75, as mentioned earlier, and the right-of-way exchange. He asked if that was to be a value for value exchange.

The consensus of the Board was that the exchange was not value for value, but rather the needed right-of-way would be acquired. Chairman Winder asked Secretary Higgins to check the records and confirm this assumption. He added that the Department wants a fair and reasonable deal, and is open to revisiting this issue if there is a problem. The Board concurred with the extended time frame to acquire the accesses on the west side of SH-75.

In conclusion, staff is to continue negotiations on the memorandum of understanding, brief the Board on programmed projects in the area, and review funding scenarios for the scheduling of the projects.

SH-25 Intersection near Minico High School, West of Rupert, District 4. DE Rigby reported that staff has been working with the Minico School District and community for some time regarding the approach at Minico High School on SH-25. There was a recent fatality at the intersection, increasing the safety concerns at this location and the urgency for improvements.

The Mini-Cassia Transportation Committee has established a subcommittee to investigate options. DE Rigby would like to focus on engineering, education, and enforcement, and said the subcommittee will be comprised of these components. Some of the members will include school officials, student leaders, community representatives, elected officials, Idaho State Police, and ITD. Governor Evans has concurred to chair the subcommittee. DE Rigby hopes to have a comprehensive plan, with recommendations, completed by March.

Vice Chairman Mitchell suggested interim measures while the subcommittee develops its proposal, such as lowering the speed limit by the school. Although that is a possibility, DE Rigby expressed concern that a lower speed limit may be difficult to enforce because SH-25 is four lanes in front of the school.

Chairman Winder thanked DE Rigby for the briefing on this issue.

Delegation on Twin Falls Alternate Route. Gerald Tews, property owner near Twin Falls, presented the Board with a petition with approximately 2600 signatures requesting that ITD delay all engineering, design, surveying, and planning of the US-93 alternate route project until the study of a new Snake River crossing is completed. Mr. Tews believes this river crossing study, currently underway, can then be used to help determine the best location for the Twin Falls alternate route. Although he supports the alternate route project, he believes the location of an additional crossing should be part of the decision process for the alternate route project. He emphasized the need for another river crossing, particularly if the US-93 Perrine Bridge were to be out of service.

Kent Just, Twin Falls Chamber of Commerce, supports the alternate route project and encouraged the Board to keep the project on schedule. He expressed concern if the crossing study indicates no bridge should be built, or it should be built on the east side of Twin Falls; then delaying the badly-needed alternate route project would have been in vain. For the past six years, the Greater Twin Falls Area Transportation Committee has been supporting the alternate route project as a high priority, according to Chairman Dale Riedesel. He also encouraged the Board to keep this project on schedule. Because of the public safety issue and the need to reduce traffic on Blue Lakes Boulevard, Twin Falls Mayor Gale Kleinkopf also stressed the importance of the Twin Falls alternate route project and the need to construct the project.

Chairman Winder thanked both groups for their comments. The Board will take both sides under advisement, review the petitions, and consider the information presented. He also asked staff for a briefing on the study process and how the selected alternate routes were chosen for the Twin Falls project. He added that the Board viewed the area during one of its District 4 tours, so is familiar with the location and the issues.

Contract Award. Vice Chairman Mitchell made a motion, seconded by Member McHugh, and passed unopposed, to approve the following contract award:

IM-IR-84-4(003)269, IM-IR-84-4(025)269, and IM-84-4(010)269, keys 2789, 6468, and 3713 – Juniper Rest Area to Utah State Line Westbound Stage 1; Juniper Rest Area to Utah State Line Eastbound Stage 2; and Juniper Rest Area near Utah State Line; I-84, Oneida County, District 4. Low bidder: Nelson Construction Company, Boise, Idaho - \$10,133,375.58.

Briefing on Weigh in Motion. Port of Entry Manager Alan Frew reported that approximately 5% of vehicles are using transponders at the East Boise Port of Entry. Although there are still some flawed components, adjustments are being made to the system. He believes Lewiston would be an excellent site for the next weigh-in-motion installation because of the quantity of local traffic through the port. Savings would result for the truckers and safety would be enhanced. Depending on the specifications and site needs, the system would cost between \$360,000 and \$420,000. Some funds from the East Boise site are available for this project.

The consensus of the Board was to have staff compile a strategic plan to implement weigh-in-motion at the Lewiston Port of Entry, along with input from local truckers on their intended utilization of transponders.

Old/New Business. Member Combo questioned the need for staff to present information, such as guidelines, for naming highways and bridges next month. He does not believe the Board should name bridges. Member McClure expressed concern with the numerous requests the Board would have to address if it names the Kamiah Bridge on US-12, and concurred that the Board should not name bridges. The consensus of the Board was that it would not name bridges and highways.

Chairman Winder thanked Vice Chairman Mitchell for his years of service to the Transportation Board. This is Vice Chairman Mitchell's last meeting, and the commitment and

leadership Vice Chairman Mitchell has provided to the Department and to the state has been greatly appreciated.

WHEREUPON, the regular monthly Board meeting officially adjourned at 11:40 AM.

signed

CHARLES L. WINDER, Chairman  
Idaho Transportation Board

Read and Approved  
January 21, 1999  
Boise, Idaho

January 16, 1998