

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

January 21-22, 1999

The Idaho Transportation Board met at 8 AM, on Thursday, January 21, in Boise, Idaho at the Transportation Department to review the agenda. The following principals were present:

Charles L. Winder, Chairman
John McHugh, Member - District 1
Bruce Sweeney, Member – District 2
Monte C. McClure, Member – District 3
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

Chairman Winder convened the regular session at 8:30 AM and welcomed Member Bruce Sweeney to the Transportation Board.

December 17-18, 1998 Board Minutes. Member McHugh made a motion, seconded by Member McClure, to approve the minutes of the Board meeting held on December 17-18, 1998, as submitted. The motion passed unanimously.

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

February 11-12, 1999 – Boise
March 18-19, 1999 – Boise
April 15-16, 1999 – District 2
May 20-21, 1999 – District 6

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
TB99-01 the revisions to Board Policy B-01-09, Authority to Sign Contracts, Agreements, or Grants and their Registration; and has received and reviewed the administrative settlements of right-of-way acquisitions; speed minute entry changes for December, 1998; the contract awards; the new and supplemental professional agreements report; an update on the FY1999-2001 Statewide Transportation Improvement Program; the quarterly returned check report; the revised cost estimates for the Master Plan for Information Technology, FY99 and FY00; and the year 2000 computer report.

1) Board Policy B-01-09, Authority to Sign Contracts, Agreements, or Grants and their Registration. The Board policy was revised to update position titles, clarify language, and delete referenced policies that are no longer in effect.

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2) Administrative Settlements of Right of Way Acquisitions. Between October 1 and December 31, 1998, 23 parcels were processed, 4 of which had administrative settlements, or 17%.

3) Speed Minute Entry Changes for December. The Chief Engineer approved a decrease to the speed limit on SH-44, milepost 10.18 to 11.12 in Ada County, District 3, to 25 miles per hour (mph) with 45 mph transition zones at each end, as a result of a resolution passed by the Star City Council. In response to a resolution passed by the Jerome City Council, the speed limit on SH-79 in District 4 was decreased to 45 mph from milepost .81 to 1.418 and to 35 mph from milepost 1.418 to milepost 2.16.

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

ST-2390(654), key 6191 – Intersection Pole Line Road and Blue Lakes Boulevard, Twin Falls, Twin Falls County, District 4. Low bidder: Walton, Inc., Heyburn, Idaho - \$799,516.90.

IM-84-1(039)47, key 7506 – Camas Berm, I-84, Ada County, District 3. Low bidder: Allied Construction, Inc., Boise, Idaho - \$454,793.06.

BLDG-31104, key 7310 – New Meadows Equipment Storage Building, Adams County, District 3. Low bidder: A & R Construction, Inc., Lewiston, Idaho - \$184,000.

NH-F-3341(010), key 3550 – Mountain Home Railroad Underpass (Demolition), Elmore County, District 3. Low bidder: Asbestos Abatement, Inc., Boise, Idaho - \$55,000.

The low bid on STR-5120(623), key 6998 – Dover Bridge Deck Repair, Bonner County, District 1, was more than ten percent over the engineer's estimate. The District recommends rejecting the bids, reexamining the project and making appropriate changes for re-advertisement.

5) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$1,600,965 in new and supplemental agreements between December 5, 1998 and January 7, 1999.

6) FY1999-2001 Statewide Transportation Improvement Program (STIP). Upon approval by the Board in November, the FY1999-2001 STIP was submitted to FHWA and the Federal Transit Administration (FTA) in December for review and approval. ITD received word of this approval on January 12, with the following exceptions: 1) Due to current air quality non-attainment designations in the Boise and Pocatello metropolitan areas, federally-approved Transportation Improvement Program (TIP) conformity determinations are required to be in place before the TIPs for such areas can be incorporated into the STIP. 2) Consistent with this requirement, the Bannock Planning Organization (BPO) has submitted a particular matter (PM-10) conformity determination for the Pocatello metropolitan area's proposed FY1999-2001 TIP and this determination has been jointly approved by FHWA and FTA.

The conformity determination that was approved did not contain key 7508, Cheyenne Overpass nor key 7829, I-86, Chubbuck Interchange to Pocatello Creek Interchange.

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Additionally, Ada Planning Association (APA) has submitted a carbon monoxide conformity determination for the Boise metropolitan area's proposed FY1999-2001 TIP and this determination has likewise been approved by FHWA and FTA. APA has not submitted a PM-10 conformity determination in conjunction with the Boise metropolitan area's proposed FY1999-2001 TIP. This affects key 5153, SH-69, Kuna to Amity Road; key 6299, US-20, HP Main Entrance to Joplin Road; and key 7238, Five Mile Road, Franklin Road to Fairview Avenue.

Additionally, key 6492, I-84, Cole Interchange to Broadway Interchange, is limited to the air quality conformity exempt activities of preliminary engineering, including environmental documentation work. Similarly, with respect to the non-Tribal land portion of the Bannock/Power County PM-10 non-attainment area, inclusion of projects 7508, Cheyenne Overpass and 7829, I-86 Chubbuck Interchange to Pocatello Creek Interchange identified in the BPO's TIP are also limited to preliminary engineering and environmental documentation work. These limiting conditions will remain in affect until approval of the PM-10 revocation request submitted by the Governor to the Environmental Protection Agency (EPA).

7) Quarterly Returned Check Report. In the second quarter of FY99, \$21,273,573 in checks were received, while \$17,380, or .082% were returned. Collections amounted to \$17,616 for a collection rate of 82%.

8) Revised Cost Estimates for the Master Plan for Information Technology, FY99 and FY00. In September the Board approved the Master Plan for Information Technology, which identifies the major technology initiatives to be pursued over the next several years. When the Plan was developed, the full extent of the Y2K issues and problems had not been identified. The cost estimates included in the Master Plan have now been updated with respect to anticipated costs of Y2K remediation, \$3.1 million in FY99 and \$1.1 million in FY00. These cost estimates are consistent with the FY99 supplemental budget request and with the FY00 budget that has been submitted to the legislature.

9) Y2K Status Report. Work is on schedule and within budget for the three major areas of the project. All Mainframe, Distributed, and Embedded Project Plans have been completed. All Mainframe System remediation efforts are progressing as scheduled. The Distributed System team has established the necessary database to be utilized for monitoring the existing sixteen Distributed Systems, and inventory assessment forms have been distributed to the Districts.

Board Items. Although Member Combo is interested in the issue of phosphate slag for highway projects, he will not pursue this issue for the time being, but will attempt to keep informed on the issue. He said members of Coalition21 have expressed interest in the phosphate slag issue and may research it in the future. Member Combo requested an update on the status of the Gravel Extraction Team.

Member Combo reported on speed limits in Montana. The Montana Supreme Court ruled that the reasonable and prudent speed limit is unconstitutional. Various speed limit legislation is being considered in the Montana legislature.

Without objection, Member Combo was named to serve on the Board Subcommittee on Additions to and Deletions from the State Highway System.

Without objection, Member Sweeney was named the Board's liaison to the Division of Aeronautics.

Member McHugh questioned the status of the Snake River Slide in Lewiston in light of a recent letter from Nez Perce County. Initially, there was a major delay in the project because the County sought federal funds, according to CE Ross. The County's consultant also caused delays due to the slide still being active. ITD will review the County's work and schedule, and will try to accommodate the entity's plans. CE Ross said the District staff is in contact with the County officials and consultant on a regular basis, providing information and assistance. Due to the federal funds, the Department is required to be involved in the project and provide oversight. Member Sweeney encouraged staff to continue assisting the County in a timely manner.

Member McHugh asked for an update on the lift span system on the US-12 bridge. CE Ross believes there is a concern due to Washington DOT's moveable bridge program. If the funds are not used on the US-12 bridge, Washington will use that money on a different bridge in the state. The Washington local officials want that money to stay in the area. Staff will continue negotiating with the impacted entities on the memorandum of understanding.

Director's Items. Transportation Planning Administrator Charles Rountree elaborated on the STIP update that was included in the consent calendar. The EPA was supposed to act on the conformity determination by January 15. No action has been taken to date, probably due to the numerous comments received in opposition to this request. The comments need to be reviewed and the concerns addressed. Two separate requests have been submitted to EPA, one for Ada County and one for the other impacted areas. TPA Rountree clarified that although construction has been put on hold for select projects, work can continue on preliminary engineering.

The supplemental FY99 budget request was presented to the Joint Finance and Appropriations Committee (JFAC) and the Joint Germane Transportation Committee earlier this month. JFAC approved the supplemental request earlier this week. Chairman Winder thanked staff for its efforts on the presentations, and particularly in justifying the additional full-time positions requested. Director Bower reported that the FY00 budget presentations are scheduled on January 28 and February 4 for the germane committee and JFAC, respectively.

The Governor's Office has appointed a policy analyst, Kathy Ruffalo, to work with ITD, according to Director Bower. The Director reported that Ms. Ruffalo is very knowledgeable on the Transportation Equity Act for the 21st Century (TEA-21), as she was part of Montana Senator Baucus's staff when the bill was crafted. He added that ITD will provide half of Ms. Ruffalo's salary and benefits, which amounts to approximately \$40,000 annually.

The request for emergency relief funds for the US-95 Bonners Ferry slide have been submitted to FHWA, however, additional information has been requested. The consultant is preparing a final report with findings, which should be available next month.

The ITD annual report should be ready for distribution next week. Chairman Winder praised staff for the past reports which have been very thorough, informative, and professional.

Annual Report on Information Systems. Chief of Information Systems (IS) Mark Richardson summarized the activities of IS in 1998, including major project work on Y2K, the Integrated Financial Management System, expansion of the wide area and local area network infrastructure, and continuing changes in major support systems. He also elaborated on the difficulties the Bureau is having in hiring and retaining information technology staff. Some projects planned in 1999 include the creation of an enterprise data model, enhancing the Department's web presence and web development activities, connecting the District maintenance sheds to the ITD NT network, replacing older IBM mainframe disk drives, and migrating the Highway Safety Imaging System to NT and a Microsoft SQL Server database.

The Board thanked Mr. Richardson for the informative presentation.

Tour of the Bureau of Information Systems. The Board toured the IS area, viewed demonstrations on motor vehicle applications, and visited with employees.

Chief Engineer's Items. CE Ross reported that Brent Jennings will attend the monthly Licensing Board meetings on behalf of ITD.

Regarding the proposed traffic signal at SH-16 and SH-52, the city of Emmett has agreed to fund 25% of the project. The project will be submitted to the Board to advance and staff will expedite the development of the project. CE Ross added that staff is working with the city on its plans to incorporate storm water and sewer work as part of the traffic signal project.

CE Ross traveled to Bonners Ferry last month to meet with area resident Mr. Snow. Mr. Snow's farmland was inundated with water and debris from the mudslide. ITD staff, working with the Division of Environmental Quality and the Corp of Engineers, has resolved the water pollution issues, and the drainage ditch will soon be restored. Some debris remains on the farm. Staff will continue working with Mr. Snow to resolve this issue.

DE4 Devin Rigby elaborated on the Twin Falls Alternate Route project and additional river crossing study. The study is a feasibility study that will provide information on the need for another crossing, when one may be necessary, and feasible locations. If another crossing is suggested, a more in-depth study will be needed to determine more specific locations. The current study will not include the exact location or right-of-way, but will provide adequate information to build on.

The District recently received the first environmental assessment draft for the Twin Falls Alternate Route project. When the evaluation is complete, the draft will be submitted to FHWA. If a Finding Of No Significant Impact is issued, staff will proceed with a public hearing, followed by submittal of a preferred route to the Board. CE Ross added that a number of alternative alignments for the Twin Falls Alternate Route project were studied. A number of options need to be considered when determining feasible routes, including environmental issues and the desires of the community.

Member McClure does not believe the Twin Falls Alternate Route project should be delayed and encouraged staff to proceed with the hearing. In response to a question, DE Rigby stated that the additional river crossing study will be included as a discussion topic at the Twin Falls Alternate Route hearing.

Chairman Winder asked staff to continue reviewing the additional Snake River crossing study in conjunction with the Twin Falls Alternate Route project, proceed with the public hearing, and encourage area residents to testify at the hearing.

Speed and Collision Report. Congress repealed the national maximum speed limit law in 1995, followed by legislation in Idaho in 1996 allowing a maximum speed limit of 75 mph on rural interstate highways and 65 mph on urban interstates and other highways. In April 1996, the Board asked staff to develop benchmarks for evaluating the impact of increased speed limits on Idaho's collision rates. Evaluation reports were submitted to the Board after three months, six months, and twelve months. Assistant Traffic Engineer Lance Johnson provided the Board with a twenty-month report.

Highway data is divided into two categories, study and control corridors. Study corridors are highway segments where the speed limits were increased after May 1, 1996 and control corridors are segments where the speed limits remained unchanged. Following are the key preliminary conclusions of the report. Speeds have increased on all study corridors while speeds on control corridors were essentially unchanged. Total collision rates increased on all study corridors and increased on interstate control corridors while rates decreased slightly on non-interstate control highways. The percentage of motorists exceeding the posted speed limit has decreased. The percentage of vehicles in the pace has decreased, and the percentage of vehicles below the pace increased. (The pace is the ten mile-per-hour range of travel speeds which contains the highest number of vehicles.)

No widespread changes in speed limits are recommended, according to Mr. Johnson. Because of the variability of collision rates from year to year, it is typical to compare a minimum of three years of "before" collision data with three years of "after" collision data when analyzing the impacts of highway changes. At least two more years' data should be obtained before conclusions are made regarding the statewide effect of the speed limit change. He added that each District should review the collision data to determine if there are specific locations with collision rates and/or speed characteristics that justify a speed limit revision.

Move Key 7668, Honeysuckle Avenue Traffic Signal, Hayden from FY2001 State Restricted (STR) to FY2001 National Highway System (NHS) and Add SH-41, Twin Lakes Turn Lane and US-95 Elder Road intersection to FY2001 STR Program, District 1. As a follow-up to the District 1 tour last year, staff submitted information to the Board in November on a proposed Twin Lakes turn lane project on SH-41. The District is proposing accomplishing this project by transferring key 7668, US-95, Honeysuckle Avenue Traffic Signal, Hayden from the FY01 STR Program to FY01 NHS Program. In reviewing the federal-aid program, a project offset was identified in the FY01 NHS Program. Key 4177, US-95, Junction SH-1 Northeast, Boundary County, can be reduced by \$550,000, leaving more than \$2,000,000 per mile to

construct the project. The transfer of the Honeysuckle project would also allow one additional intersection safety project at Elder Road and US-95.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to
TB99-02 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 appropriated highway funding; and

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

WHEREAS, the transfer of key #7668 Honeysuckle Avenue Traffic Signal, Hayden to the NHS Program from the STR Program will allow the programming of two critical intersection safety improvement projects in District 1, at the intersection of US-95 and Elder Road and the intersection of SH-41 at Twin Lakes Road; and

WHEREAS, an offsetting reduction in key #4177, US-95, Junction SH-1 NE, Boundary County, will result in no increase in the FY1999-2003 approved Highway Program; and

WHEREAS, the changes to existing projects and the addition of two new projects will 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 the SH-41, Twin Lakes Road and the US-95, Elder Road projects into the FY2001 State Funded Restricted Program for the amounts of \$270,000 and \$230,000 respectively and scheduled preliminary engineering costs in FY1999 of \$30,000 and \$20,000 respectively; and

BE IT FURTHER RESOLVED, that the Transportation Department staff is authorized to request an amendment to the STIP to include the addition of key #7668 Honeysuckle Avenue Traffic Signal, Hayden into the approved FY1999-2003 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998.

Annual Safety Rest Area Status Report and Updated Planning Map. ITD is in the process of installing new rest area, Idaho Travel Council signs, according to Roadside Manager Gene Ross. The signs, which are a joint effort between the Department of Commerce, the Travel Council, and ITD, will be installed prior to the start of the tourist season. ITD also has signs at

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rest areas that provide information to the traveling public. These signs are out of date and are deteriorating. A proposal has been submitted to Highway Programming for funding consideration to replace these signs at an estimated cost of \$45,000 for 29 signs.

The issue of truck parking at rest areas is a concern. Mr. Ross said special attention is being given to provide additional and increased access, parking, and maneuverability in all existing rest areas scheduled for new construction and rehabilitation. He reviewed the status of all rest areas statewide. Member McHugh asked why rest areas aren't built in interstate medians, resulting in one rest area serving both directions of travel. Director Bower responded that FHWA discourages that practice due to safety concerns with left-on and left-off ramps.

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

RES. NO. WHEREAS, Transportation Board Policy B-05-14, Safety Rest Areas, requires
TB99-03 the Chief 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, tourist and traveler information is an integral function of ITD rest areas, in particular, those rest areas with staffed or unstaffed visitor information centers.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the updated rest area planning map dated January 1999, 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 work with federal, state, and local tourist and economic development agencies to provide

information in ITD rest areas which will complement motorist services, conveniences, and safety.

Member Miller expressed support for the rest area plan and believes staff is heading in the right direction with the additional truck parking spaces and the incentives and disincentives incorporated in some of the maintenance contracts.

Access at South Fifth Interchange, Pocatello, District 5. District staff analyzed options to modify the access to a parcel of land adjoining South Fifth Avenue and the southbound ramp exiting I-15. This was in response to an inquiry to remove the existing median on South Fifth Avenue or modifications to provide for unrestricted left-turn access to the subject property. The Board viewed the site during its October tour of District 5.

FHWA will not support removing the median. Other options included relocating the exit ramp, constructing a frontage road, installing signage, providing a turnaround at Fredregill Road, and maintaining the situation as is. The annual cost or return to the public was determined for each option by comparing the estimated cost of each improvement with the predicted annual tax revenues for a truck stop development. Until there is a formal request for access at this site, the District's recommendation is to do nothing.

Contract Awards. The low bid on STM-4200(616) and Yard No. 91000, keys 6060 and 6861 – Micro-surfacing, US-12, Spalding to Arrow Bridge and ITD Headquarters Slurry Seal, Nez Perce and Ada Counties, Districts 2 and 3, was more than ten percent over the engineer's estimate, requiring justification. The over-run was within the US-12 project. The engineer's estimate was based primarily on the average unit price lists and from projects of similar scope and size. The process needed to complete the project is basically proprietary by nature and therefore difficult to estimate. Two items of concern are SP-1A, Micro-Surfacing Aggregate Type III and SP-1B, Polymer-Modified Emulsified Asphalt. Staff underestimated production and material handling rates, thereby increasing production time and labor/equipment costs. This resulted in increased unit prices. The District recommends awarding the project.

Member Combo made a motion, seconded by Member Sweeney, and passed unopposed, to award STM-4200(616) and Yard No. 91000, keys 6060 and 6861 to the low bidder: Intermountain Slurry Seal, Inc., Watsonville, California - \$337,337.

Member McClure made a motion, seconded by Member McHugh, and passed unanimously, to award IM-STP-IR-184-1(008)0 and NH-IR-184-1(003)1, keys 2520 and 2610 – Wye Interchange, Boise, Stage 1 and Franklin Interchange to Curtis Interchange, Boise, Stage 1, Ada County, District 3. Low bidder: Nelson/McAlvain Construction J.V., Boise, Idaho - \$48,167,804.97.

Due to various obligations and the potential for incentives to the contractor, this project could run approximately \$4 million over the programmed amount. Chairman Winder asked where the additional funds would come from. Director Bower responded that staff will look at savings within District 3. Chairman Winder also commented that the Wye Interchange is a significant project to traffic movement and urged caution with the traffic plan and the impact to

daily traffic. CE Ross said provisions have been included in the contract to help with the traffic plan and a number of activities, including extensive public relations activities, are planned.

Member McClure made a motion to award STP-3811(100), key 5407 – Pine Road, Stage 1, Elmore County, District 3, to the low bidder: Western Construction, Inc., Boise, Idaho - \$3,030,303. Member Combo seconded the motion and it passed unanimously.

Contract Award, I-15, Chubbuck Road to Fort Hall Interchange, District 5. Bannock Paving's bid had been declared irregular on project IM-15-2(054)73, key 6236 because it did not include the TERO certification and the bid bond had an irregularity. Bannock Paving filed suit and the District Court ruled in Bannock Paving's favor on both issues. A Preliminary Injunction against ITD preventing it from awarding the contract to any contractor other than Bannock Paving was issued. The Court held that ITD's contract contained sufficient language covering the TERO ordinance, and that the mistake in the bid bond was an irregularity that could be waived.

Staff is determining if the TERO certificate can be eliminated from the bid package. The contract would still require full compliance with TERO; the only change would be to eliminate the certificate that the District Court found to be redundant. Staff is also reviewing the bid package to determine what clarifications can be made regarding what forms must be executed and to what level of completeness. Based upon the Court's decision, CE Ross said staff's recommendation is to award the contract to Bannock Paving.

Roy Eiguren, representing Nelson Construction who was named the low bidder when Bannock Paving's bid was declared irregular, expressed opposition to staff's recommendation. He believes his client's property rights are being violated and requested the Board delay action on this item.

Member McClure questioned the consequences of delaying the project. CE Ross was unsure of the cost impacts, but expressed concern with the time limit in which a contract must be awarded.

Member Combo made a motion at 3:30 PM, seconded by Member McClure, to meet in executive session to discuss the legal ramifications with DAG McMahon, per Section 67-2345(f), Idaho Code. The motion passed unopposed.

The Board came out of executive session at 4 PM. No decisions were made.

Chairman Winder said the Board would take no action on the contract award for the I-15 project at this time. He asked the respective legal counsels to meet on this issue and the Board would revisit this contract award tomorrow morning.

Proposed Legislation on Recreational Activities on Bridges. In response to last month's delegation opposing legislation prohibiting recreational activities on bridges, staff reviewed other options to control recreational activities on bridges. The proposals included legislation providing for a permit system; modifying Administrative Policy A-12-02, Special Events on State Highways, to include recreational activities on state highway bridges; and promulgating an

Administrative Rule which would incorporate controls similar to those provided in the proposed legislation.

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

RES. NO. WHEREAS, the Board is concerned about safety to motorists as related to
TB 99-04 increasing frequency of recreational activities such as bungee jumping and
paragliding being performed on and from state highway bridges; and

WHEREAS, the Board has considered controlling such recreational activities through proposed legislation, administrative rulemaking, and Department policy; and

WHEREAS, the Board has heard from spokesmen of responsible groups who have indicated that recreational activities can safely be performed from bridges and that permit systems to control such activities would be appropriate; and

WHEREAS, staff has provided alternative methods of controlling recreational activities on and from bridges, including proposed legislation, administrative rulemaking, and Department policy.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the concept of modifying ITD Administrative Policy A-12-02, Special Events on State Highways, to incorporate controls to govern recreational activities on state highway bridges; and

BE IT FURTHER RESOLVED, that proposed legislation submitted by ITD to control recreational activities on bridges be withdrawn from consideration.

State Owned Dwellings. The Board implemented Board Policy B-03-06, State Owned Dwellings, in January 1998 to be in compliance with IDAPA, 38.04.05, Rules Governing the Management of State Owned Dwellings, Idaho Code, 67-05707A, and Section 119, Internal Revenue Code. Facilities Manager Dave Brown reported that a uniform applicable fair market rental value and reduction formula was adopted statewide. He provided the Summary Rent Reduction Report, and added that each employee affected by this policy was notified in advance of the January 1, 1999 effective date. All employees impacted by this policy are required to sign the Employee Rental Agreement, even if the employee receives a 100% rent reduction.

Legislative Report. Budget, Policy, and Intergovernmental Manager Mary Detmar reported that of the bills introduced to date, none have a major impact to the Department. Both the House and Senate germane committees have reviewed ITD's administrative rules. She stated that JFAC approved the Department's FY99 budget supplement and concluded by summarizing the FY00 budget presentations for the joint germane committee on January 28 and JFAC on February 4.

WHEREUPON the meeting recessed at 5 PM.

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The Transportation Board meeting reconvened at 8:15 AM on Friday, January 22, at the Transportation Department in Boise. All members were present.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 8:15 AM, Member McClure 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 10:15 AM. No decisions were made.

Delegation – Joe Roche, Department of Administration. Mr. Roche, Administrator of the Division of Information Technology and Communication Services, explained the statewide long-distance telephone system. He negotiates contracts for state agencies and looks at a variety of services. The long-distance service is put out for bid, through the bid system established by the Division of Purchasing. Although the state has a three-year contract with renewal options, the long-distance rates are usually not fixed. The prices fluctuate, based on the market rate.

Member Miller questioned the need to dial numerous numbers, approximately 34 total, to place a call with his calling card. He also stated that if he hesitates briefly during this time, he is disconnected and has to start over with his call.

Mr. Roche will research these two issues and report back. In closing, he reported that the Bureau of Communications, which houses its microwave facilities at ITD, will be moving. The Bureau's new building should be ready this September, freeing up space at ITD.

Annual Administrative License Suspension (ALS) Program Report. Motor Vehicle Administrator (MVA) Morris Detmar explained that the ALS program allows law enforcement officers to immediately seize the drivers' license of and serve notices of suspension to motorists who fail an evidentiary test. This program has proven effective in deterring DUI and alcohol-related traffic accidents in other states with similar ALS laws. The program also provides for due process to ensure drivers get fair, immediate hearings, prior to a driver license suspension action.

MVA Detmar reported that in 1998 a total of 8,125 ALS records were received, with 7,016 resulting in suspended licenses and 109 pending. There were 1,457 hearings requested, with 1,092 hearings completed to date. A total of 782 were sustained and 303 were vacated. MVA Detmar believes the program is very successful. He added that the Department's two hearing officers can barely handle the hearing load, so three additional positions are being requested in the FY00 budget to help administer this program.

Member Combo commented that lawyers in the Idaho Falls area are very complimentary of this system and the Department's staff, particularly the employees involved in reinstating licenses. He congratulated MVA Detmar on the successful program and applauded the competent and professional staff. The Board thanked MVA Detmar for the informative report.

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Overlegal Permit Conditions Manual – Temporary Rulemaking. As a follow-up to the Board's approval of changes to the Overlegal Permit Conditions Manual in June and November, Port of Entry Manager (POEM) Alan Frew explained the Department is required to promulgate temporary rulemaking incorporating these changes to Administrative Rule by reference.

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

RES. NO. WHEREAS, the Idaho Transportation Board has the authority to approve changes
TB99-05 to the Overlegal Permit Conditions Manual; and

WHEREAS, the Idaho Transportation Board approved changes to the Overlegal Permit Conditions Manual at past regular meetings; and

WHEREAS, these approved changes to the Overlegal Permit Conditions Manual result in changes to Administrative Rule IDAPA 39.03.01.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the promulgation of temporary and permanent rulemaking to incorporate Board-approved changes to the Overlegal Permit Conditions Manual to Administrative Rule IDAPA 39.03.01.

Member Miller relayed a concern recently brought to his attention. When 53-foot trailers exit I-15, travel on a county road, and cross a state highway, a permit is required to cross the state highway. Because permits are not required for these trailers on the interstate, he asked if an exemption could be made to cross a state highway. POEM Frew said he is aware of this issue and is planning to present a rulemaking change to the Board next month.

Chairman Winder welcomed Representative Christian Zimmerman and Aeronautics Advisory Board Members Bill Parish, Harry Merrick, and Robert Hoff to the meeting.

Aeronautics Annual Report. Aeronautics Administrator (AA) Bart Welsh reported that the FY98 funds for aeronautics activities totaled \$2,184,800, with approximately 80% of the revenue generated from jet and general aviation fuel tax. These dedicated funds are restricted by statute to usage related to aviation activities. AA Welsh and staff members Wayne Pickerill and Mark Young summarized the aviation and safety education, search and rescue, airport maintenance, flight operations, and airport planning and development programs.

The Board thanked staff for the informative presentation and the AAB Members for their time and commitment to aeronautics activities in the state.

King Air Refurbishment, Certification, Operation, and Maintenance Revised Cost Estimates and Financing. The refurbishment and recertification of the state's recently-acquired King Air is progressing, according to AA Welsh. As reported in November the actual costs to perform the required work would depend on the condition of key components after inspection by the overhaul facility. After commencing the engine overhaul work and opening the airframe for a comprehensive inspection, the costs to bring the aircraft to a fully airworthy condition have

increased substantially over the original estimates. Additionally, the cost of the training program for the flight crew has increased over the original estimates to comply with insurance requirements. A revised summary of the estimated costs was presented and AA Welsh requested Board approval of the allocation of an additional \$135,100 toward the refurbishment and recertification of the aircraft.

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

RES. NO. WHEREAS, the state, through the Department of Law Enforcement, submitted an
TB99-06 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 and an aircraft was transferred to the state on July 6, 1998; and

WHEREAS, the aircraft was provided to the state on an “as-is” basis with certain radio and aviation equipment removed and one engine and both propellers having reached their 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 Transportation 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 Idaho Transportation Board previously authorized on November 19, 1998 the allocation of \$257,700 in dedicated unrestricted funds in the State Highway Fund and \$35,000 from the Aeronautics Fund from the prospective sale of a Cessna T-41 aircraft toward the refurbishment and recertification of the King Air aircraft; and

WHEREAS, receipts from the sale of the Cessna T-41 aircraft were approximately \$8,000 greater than and receipts from the Governor’s Office were approximately \$400 less than original estimates resulting in net additional revenue of \$7,600 from these sources; and

WHEREAS, the Division of Aeronautics has obtained more recent and accurate estimates of the costs to complete the refurbishment and recertification of the King Air aircraft and the costs of an expanded flight crew training program which are in excess of original estimates by a total of \$142,700.

NOW THEREFORE BE IT RESOLVED, that an additional amount of \$135,100 be allocated from dedicated unrestricted funds in the State Highway Fund toward the refurbishment and recertification of the King Air aircraft. Further, the Division of Aeronautics is authorized to allocate additional revenue in the amount of \$7,600 received from the sale of the Cessna T-41 aircraft toward the refurbishment and recertification of the King Air aircraft.

Member Combo questioned the state's total costs to date and what the aircraft would be worth on the market. AA Welsh reported that the additional costs explained today bring the total to approximately \$491,000. The airplane has a Blue Book value of \$1.6 million, while a new King Air costs \$3.4 million.

Chairman Winder does not believe cost is a factor when safety of the state travelers is considered. He believes the acquisition of the King Air is a great opportunity for the state and believes the cost is reasonable. Member McClure questioned the rental rate for the King Air and the Department's plans to subsidize the usage costs. AA Welsh responded that other states with similar airplanes subsidize their program, but added that the Division will monitor costs and usage closely and will make adjustments as needed.

The motion passed unanimously.

Contract Award, IM-15-2(054)73, Key 6236, I-15, District 5, Revisited. Chairman Winder asked if legal counsel had new information as a result of yesterday's meeting with the two parties' counsel. Although both positions were heard, DAG McMahon said the posture of the item before the Board has not changed.

Member McClure believes the integrity and sanctity of the bidding process needs to be protected. He added that an error on the bid bond is a major, significant mistake, and he disagrees with the judge's decision.

Member McClure made a motion to appeal the judge's decision to award the contract to Bannock Paving upon correction of the errors. Member Miller seconded the motion.

Member Combo believes there will be ramifications, regardless of the Board's decision. He expressed concern with appealing the decision because the project on I-15 is needed now and a delay may further deteriorate the condition of the interstate. He concurs with the need to keep the integrity of the bidding system intact, but questioned the impacts on the road.

The motion failed 2-3 with Members McClure and Miller voting in favor of the motion and Members Combo, McHugh, and Sweeney opposing.

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

RES. NO. WHEREAS, the Idaho Transportation Board awarded the contract for
TB99-07 Project IM-15-2(054)73, Key 6236, to Nelson Construction Company; and

WHEREAS, the Board had determined that the low bidder's bid on the project was irregular and non-responsive; and

WHEREAS, the low bidder, Bannock Paving, filed suit in Fourth District Court; and

WHEREAS, the Court ruled that the mistakes in Bannock Paving's bid should have been waived by the Department.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board rescinds its award of contract to Nelson Construction Company; and

BE IT FURTHER RESOLVED, that the contract for Project IM-15-2(054)73, Key 6236 is awarded to Bannock Paving.

Although Member Sweeney agrees with Member McClure on the need to keep the integrity and sanctity of the bidding process intact, he is also concerned with the timing and believes the project needs to be completed now. Member McClure responded that there will never be a good time to delay a project due to litigation and asked how long the highway will last without this project. CE Ross said the road is cracking and rutting and will continue to deteriorate, but he could not speculate on how long the road will last.

Because this project is in the Highway Development Program, which is based on need, Chairman Winder believes the project needs to stay on schedule. He believes the bid bond provision is very important to ITD's system and that the judge overstepped his bounds on this issue. Under the circumstances, he believes awarding the contract is the best option.

The motion carried 3-2 with Members Combo, McHugh, and Sweeney voting in favor of the motion and Members McClure and Miller opposing.

Financial Statement. Member Combo made a motion to accept the financial statements through December 1998. Member McClure seconded the motion and it passed unanimously.

Old/New Business. As a follow-up to the meeting with the Licensing Board, Member Combo suggested a meeting with the Department of Insurance to discuss bid bonds. Member McClure concurred to attending such a meeting with Member Combo.

WHEREUPON, the regular monthly Board meeting officially adjourned at 12:20 PM.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
February 11, 1999
Boise, Idaho

February 11, 1999

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

February 11-12, 1999

The Idaho Transportation Board met at 8:15 AM, on Thursday, February 11, in Boise, Idaho at the Transportation Department to review the agenda. 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
Dwight Bower, Director
Jimmy Ross, Chief Engineer
Jack McMahon, Deputy Attorney General

Chairman Winder called the regular session to order at 8:30 AM.

Election of Vice Chairman. Member McHugh made a motion to elect Member Combo as Vice Chairman. Member Miller seconded the motion and it passed unanimously.

January 21-22, 1999 Board Minutes. Member Miller made a motion, seconded by Member McHugh, to approve the minutes of the Board meeting held on January 21-22, 1999 as corrected. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:
March 18-19, 1999 – Boise
April 15-16, 1999 – District 2
May 20-21, 1999 – District 6
June 16-18, 1999 - 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 has
TB99-08 received and reviewed the speed minute entry changes for January 1999; the contract award information; the new and supplemental professional agreements report; the summary of out-of-state travel for the first half of FY99; and the Year 2000 computer report.

1) Speed Minute Entry Changes for January. The Chief Engineer approved an increase to the speed limit on SH-13, milepost 25.89 to 26.39 in District 2, to 35 miles per hour (mph) following a speed study performed on this section, as requested by the city of Kooskia. SH-55 was decreased to 25 mph between milepost 144.365 and milepost 145.159, District 3, as a result

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of a resolution passed by the McCall City Council. The speed limit on US-20 in District 6 was decreased to 35 mph between milepost 307.901 and milepost 308.158 based on a speed study performed on this section.

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

ER-3882(102) and ER-3882(103), keys 7541 and 7542 – Milepost 6 to Milepost 10, West of Cambridge and Landslide Repair, SH-71, Washington County, District 3. Low bidder: Adair & Sons Construction Inc., Post Falls, Idaho - \$222,898.77.

CM-0100(131), key 6007 – Signal Interconnect, Meridian, Ada County, District 3. Low bidder: Park Towne Construction Inc., Nampa, Idaho - \$197,636.34.

3) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$963,976 in new and supplemental agreements between January 8 and January 26, 1999.

4) Out-of-State Travel Summary. During the first half of FY99, 159 out-of-state trips were taken at an estimated cost of \$151,456. The budgeted amount for FY99 is \$422,042.

5) Y2K Status Report. For the three major areas of the project, the mainframe systems, distributed systems, and embedded systems, most projects are either on schedule or within acceptable parameters. All are within budget.

Board Items. Andrea Scott, Public Affairs Specialist, summarized the plans for the press conference later in the morning promoting child passenger safety awareness week. The Board will be participating in this event along with Governor Kempthorne, the Department of Law Enforcement, the Department of Health and Welfare, and students from Garfield Elementary School in Boise.

Vice Chairman Combo concurred to assist Chairman Winder with the performance evaluations for Director Bower and Secretary Higgins.

Chairman Winder asked for an update on the clean air act conformity determination for PM-10 in Northern Ada County. Senior Transportation Planner Jim McFarlane reported that the Environmental Protection Agency (EPA) will publish the revocation, but it is expected to be challenged in court. He did not have a time frame for this process.

Director's Items. Staff prepared a briefing paper for Governor Kempthorne's meeting with Oregon officials. Some of the issues addressed are support for TEA-21 funding mechanisms (Revenue Aligned Budget Authority) and an additional Snake River crossing in the Ontario area.

Director Bower announced the promotion of Dave Jones, currently Assistant District 2 Engineer, to Maintenance Engineer.

Director Bower has been involved in ongoing discussions with the Governor's Office, the Public Utilities Commission (PUC), and Representative JoAn Wood regarding reorganizing the PUC. One proposal would shift safety officers from the PUC to the Department of Law Enforcement and move two motor carrier insurance employees to ITD. Some discussion has also been held on consolidating rail functions in the PUC. This would transfer responsibility for rail planning and rail crossings.

At a recent Idaho Highway Users luncheon, Director Bower received a copy of a recent Idaho Highway User Survey. Pavement conditions, safety, and traffic flow were the top three priorities identified in the survey. Additionally, 60% of survey takers are willing to pay more for infrastructure improvements.

ITD has completed its FY99 supplemental budget and FY00 budget request presentations to the Joint Germane Committee and the Joint Finance and Appropriations Committee. Staff is responding in writing to several questions raised at the Joint Germane Committee meeting. Chairman Winder reported that he received positive comments from legislators on the various presentations.

Director Bower said an update will be provided tomorrow morning on the American Trucking Association lawsuit activities. Several meetings have been held to consider replacing the weight distance tax. Although staff is not taking the lead on this, it is providing support and information to the group.

Meeting with Governor Kempthorne at the State Capitol Building. Chairman Winder thanked Governor Kempthorne for his time and offered the Board's support to the Governor and the state.

Governor Kempthorne praised the Board and Department for its efforts and commitment to improve the transportation infrastructure in the state. Because of the backlog of needs and the requirement to match federal funds, Governor Kempthorne expressed his opposition to two legislative proposals to repeal part or all of the four-cent fuel tax.

Chairman Winder reported that President Clinton is proposing additional fuel tax revenue be shifted to research, transit, and CMAQ rather than distributing the additional funds according to the formula, as stated in TEA-21. These additional funds amount to approximately \$1.5 billion nationally, and \$10.8 million for Idaho. Chairman Winder encouraged Governor Kempthorne to oppose this proposal. In closing, he again expressed the Board's support and assistance to the Governor.

Press Conference Promoting Child Safety Seat Awareness Week. The Board participated in the press conference promoting child safety seat awareness week with Governor Kempthorne on the Statehouse steps.

The meeting resumed at the Transportation Department.

Update on EPA Revocation. Senior Transportation Planner Matthew Moore reported on EPA's decision to publish the final rule for revocation of PM-10 standard status, upon reviewing legal arguments. The decision will become effective following notice in the Federal Register. Director Bower asked if everything is put on hold if there is a lawsuit. Mr. Moore said it depends on the action taken, such as an injunction. Chairman Winder asked DAG McMahon to determine if ITD would be involved in an injunction.

Annual Report on Human Resources. Human Resource Services (HRS) Manager Mary Harker and Training and Development Manager Marcia Aitken reported on the overall direction and accomplishments of the Human Resource activities. During the past year, a lot of focus was given to the recruitment and retention efforts of ITD employees and organizational development efforts. A breakdown of the training provided to employees was also presented.

Some of the challenges facing HRS include insufficient classroom and office space, recruitment of a quality workforce, retention of the Department's highly skilled and knowledgeable employees, turnover issues, and compensation. Additionally, HRS is working diligently to gain delegated authority from the Idaho Personnel Commission to conduct certain personnel functions independent of the Personnel Commission. In conclusion, Ms. Harker stated the affects of TEA-21 on the Department's human resource needs will be a challenge to meet.

Chairman Winder asked if turnover is due to pay issues, advancement, or some other reason. Ms. Harker replied employees usually leave for higher wages. Currently, there is high demand for staff in the information technology field. Member McClure asked if that will reverse after the Y2K issue is over. Ms. Harker believes Y2K has some impact on information technology, however, that field changes rapidly and is unpredictable.

In response to the Personnel Commission's role and responsibilities, Ms. Harker elaborated that it establishes policies and rules and provides instructions on conducting personnel issues such as layoffs, discipline, hiring, and pay. Because we need approval for numerous personnel actions, including testing and hiring, she believes a lot of duplication of effort occurs.

Vice Chairman Combo asked if the Board could help with some issues. The consensus of the Board was to send the Idaho Personnel Commission a resolution outlining the Department's personnel concerns and identifying solutions such as delegated authority and multiple paylines. Chairman Winder thanked Ms. Harker and Ms. Aitken for the informative presentation.

Chief Engineer's Items. District 2 Engineer Jim Carpenter is working with the entities involved in the US-12 bridge lift-span system. An agreement has almost been finalized that will activate the lift-span system if any unit of government requests it for commerce. CE Ross said the lift would be re-activated within a year after the request, and ITD would work in conjunction with the Washington Department of Transportation on the project.

CE Ross reported that DE Carpenter has been meeting weekly with Nez Perce County Commissioners to discuss the Snake Avenue slide. Yesterday the Commissioners met with FHWA Administrator Jack Coe. This meeting resulted in a better understanding of the federal regulations, the process that must be followed, and direction on what they can proceed with at

this time. CE Ross added that the temporary road sunk one foot yesterday, so the slide is still moving.

The Department has received several correspondences from Floyd Harvey recently regarding the radio tower site on Lewiston Hill. Mr. Harvey sent the Department a rent check for the communications site. ITD's Legal Counsel returned the check because Mr. Harvey's lease agreement expired in 1995. DAG Steve Parry added that Mr. Harvey has been asked to provide a timetable for removing his building and radio tower from the property. CE Ross said ITD received approval to re-zone that property, so we will proceed with selling the parcel.

CE Ross announced the promotion of Pam Lowe to the Assistant District 3 Engineer (Engineering) position. Ms. Lowe is currently a Resident Engineer in District 3.

Public Works Contractors State License Board. Assistant Chief Engineer (Operations) Clayton Sullivan reported that Brent Jennings, the Assistant Construction Engineer, has been appointed to attend the Contractors State License Board monthly meetings. He will be able to provide input to the Licensing Board concerning the performance of highway construction contractors. ACE(O) Sullivan also reported that staff will work with the contracting community to develop a process that allows ITD and the contractor to jointly review and evaluate each other's project performance.

Yesterday Vice Chairman Combo, Member McClure, and ITD staff met with representatives from the Department of Insurance to discuss sureties. Member McClure reported that Idaho's surety requirements are more stringent than the U.S. Treasury's requirements. Idaho does not investigate underwriting because no sureties are domiciled in Idaho. Idaho relies on the states where the sureties are domiciled. Sureties are restricted to a single bond limit of 10% of its capital in reserve. The minimum reserve requirement in Idaho is \$2 million. He added that sureties are required to file quarterly financial statements, which are public record. If the Department has a concern with a surety, we can request the financial reports from the Department of Insurance.

Annual Report, Right-of-Way Property Management. Right-of-Way Manager Leonard Hill provided a brief outline of the process for the disposal of surplus property. In FY98, 38 parcels were sold for \$905,977. To date, 114 parcels remain as surplus.

For property valued over \$10,000, term sales of up to 20 years may be offered at the discretion of the Department. Member Miller asked if that is a common practice or if the Department tries to avoid the 20-year terms. It depends on the situation, according to Mr. Hill. He said ITD wants to sell the property and is willing to work with interested buyers. Member Miller also questioned the interest rate. The Land Board determines the interest rate, according to Bob Snyder. He added that the Department communicates with the Land Board in the process of selling a parcel.

Director Bower said the 1995 Legislative Interim Committee identified disposing of surplus property as an important item. He believes a lot of progress has been made in this area. Mr. Hill added that the Department should obtain its goals for disposing of surplus property.

Status of SH-75 Projects near Ketchum, District 4. District 4 Engineer Devin Rigby outlined the SH-75 projects in the Ketchum area scheduled in the Highway Development Program. Staff is considering changes to the Program to better accommodate the scheduling of these projects. The District is considering one environmental document for the entire impacted area, with individual documents for each project. He added that staff is still negotiating with Blaine County and St. Lukes Hospital on the memorandum of understanding (MOU). It is anticipated that the MOU will be presented to the Board next month for review and approval.

Presentation – Wye Construction Congestion Mitigation Project. Pat Nelson, Ada County Highway District (ACHD) Rideshare Coordinator, elaborated on the congestion mitigation project planned during the reconstruction of the Wye Interchange in Boise. Not only were the impacts to the traveling public considered, but also the impacts to the adjacent local roadways. She emphasized that this has been a joint venture with the Ada Planning Association (APA), ACHD, City of Boise, Treasure Valley Transit, and ITD. The entities are close to finalizing an MOU for the project.

Component one emphasizes information and marketing, according to Ms. Nelson. Some elements include an advertising campaign to encourage ridesharing, an alternative transportation hotline, a consolidated website, and variable message signs. Component two is comprised of service expansion and capital improvements. This stage includes renting additional park and ride lots, additional vanpool vehicles, new bus services, and communication equipment for vanpools and buses traveling through the construction site. In conclusion, Ms. Nelson said the program will be evaluated by various methods, including reports from all participating agencies, ridership counts, telephone surveys, and website and hotline counts.

Chairman Winder thanked Ms. Nelson for the update on the mitigation activities planned and for her efforts on this project.

Funding for the Wye Congestion Mitigation Plan, Key 7604, District 3. The Wye Interchange (I-84 and I-184) will be reconstructed in two stages over the next four years. A significant amount of traffic congestion is anticipated. In an effort to address this expected traffic congestion, ITD has partnered with APA and ACHD to develop a congestion mitigation plan. A total of \$500,000 has been allocated for the congestion mitigation project, key #7604, in FY99. The project is programmed in the Surface Transportation Program - Local Urban, for \$463,302. The balance of the project money, \$36,698, would come from local sources.

Because this project directly benefits the state's highway system, staff is requesting to modify the project's federal match, by reclassifying the project as a 100% federal-aid project. The project will maximize the people-moving capability of the transportation system by increasing the number of persons in a vehicle or by influencing the time, or need, to travel. The project meets the criteria of a rideshare or van-pooling project, which is eligible for 100% federal funding.

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

RES. NO. WHEREAS, the I-84 and I-184 Wye Interchange is of regional and statewide
TB99-09 importance; and

WHEREAS, the Idaho Transportation Department has approved a project to reconstruct the Wye Interchange in order to provide increased traffic capacity and improved trip distribution; and

WHEREAS, the Ada County Highway District has programmed a Congestion Mitigation Plan in order to facilitate the Idaho Transportation Department's efforts during the Wye Interchange construction project; and

WHEREAS, the majority of the funding for the Congestion Mitigation Plan is being provided by Ada County Highway District from its own Surface Transportation Program – Local Urban funds; and

WHEREAS, the Idaho Transportation Board recognizes that the Wye Congestion Mitigation Plan will directly benefit the state's highway system; and

WHEREAS, this project is eligible to be funded at 100% federal-aid because it is a rideshare project; and

WHEREAS, savings associated with the bid award on key #7506, Camas Berm, is available to replace the non-federal share federal funds.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Department authorizes the Wye Congestion Mitigation Plan to be reclassified as a 100% federal project; and

BE IT FURTHER RESOLVED, that the \$36,698 in federal-aid necessary to fund the Wye Congestion project fully at \$500,000 will be transferred from the state federal-aid program to the STP Local Urban balance of the City of Boise, using savings associated with the bid award on key #7506, Camas Berm.

Annual Report on Audits. Internal Review Manager Carri Rosti summarized the internal audits and reviews, special projects, and external audits performed in 1998. Some activities included contractor concerns review, the Integrated Financial Management System project review, a peer review of Internal Review by a team of auditors from three other state Departments of Transportation, and emergency relief billings assistance.

Some of the work planned for 1999 includes public transportation audits of sub-grantees, auditing change orders and claims processing, reviewing cost allocation teams, and external audits on consultant agreements and construction claims. Ms. Rosti also provided a summary of prior audit recommendations.

Chairman Winder thanked Ms. Rosti for the informative presentation.

Delegation – Metropolitan Planning Organizations (MPOs). APA Executive Director Clair Bowman thanked the Board for the opportunity to address the proposed CMAQ policy revisions. Some of the MPOs' concerns include the \$2.3 million funding level, which the MPOs believe is inadequate to address the state's air quality needs; the complexity of the project development process; and the high ratio of local match required. Mr. Bowman said only large agencies have been able to prepare and complete projects because of the complexity of the program, and areas with serious air quality issues have dramatically increased their use of other FHWA funds to address these issues. The MPOs recommend simplifying the process, requiring projects to be drawn from a cooperatively-developed plan, exchanging the LHTAC committee representative for a local government air quality representative, and eliminating the funding cap on the program.

Member McClure was not aware of the complexity of the process and believes it could be simplified. He would like the CMAQ Program to be easier for small communities to apply for funding. He added that the \$2.3 million amount is not intended to be a cap. If worthwhile projects are requested, up to \$8 million could be funded. Director Bower also supported simplifying the process and suggested establishing a team with local representatives to resolve this issue.

Bannock Planning Organization (BPO) Commissioner Carolyn Meline thanked the Board for the previous CMAQ projects funded in the Pocatello area. The projects have helped BPO with conformity and the area has realized a 30% reduction in road emissions. She suggested CMAQ funds be used for strategic plans to develop cost-effective air quality solutions.

Chairman Winder believes the funding amount needs clarifying. Because this Program is for air quality, Member McClure believes projects that truly address air quality problems should be funded. Director Bower reminded the group that Idaho has flexibility to use CMAQ funds because there is no certified non-attainment area in the state. If Idaho would have such an area, that area would receive all of the CMAQ funds.

The consensus of the Board was to have the Board Subcommittee on the CMAQ Program revisit the funding for the CMAQ Program and other issues as needed. Department staff will establish a team to simplify the process. Chairman Winder thanked the MPO representatives for attending the meeting and providing input.

Northwest Passage Scenic Byway Extension on US-12 to Lolo Pass, District 2. The Kooskia GEM Community, with support from numerous local entities and businesses, has proposed extending the Northwest Passage Scenic Byway designation along US-12 from Kooskia to Lolo Pass at the Montana state line. This section of highway is expected to receive increased visitation as a result of the Lewis and Clark Bicentennial and needs Scenic Byway funding to develop points of interest and provide tourists with turnouts, kiosks, and other informational enhancements. Scenic Byway designation will open the opportunity for federal discretionary funding of rest area facilities, interpretive kiosks, and other tourist amenities.

Garry Young, Senior Transportation Planner, said District 2's concerns that the designation not limit the highway to a two-lane route and that the maintenance operations will

not be impacted, have been incorporated into the language of the corridor management plan. Mr. Coe added that there are no restrictions with the state designation, but if the route were declared a federal scenic byway route, restrictions may apply. The Scenic Byway Advisory Committee has reviewed the application and corridor management plan and recommends that the Board support this proposal.

Vice Chairman Combo questioned the status of the route in Montana and asked if ITD is coordinating its efforts with the Montana Department of Transportation. Mr. Young responded that Montana does not have a scenic byway program, so no coordination on Idaho's designation is necessary. He added that the two states are cooperatively developing a rest area at Lolo Pass.

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

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byways
TB99-10 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 Kooskia Revitalization/GEM Community Committee has submitted a proposal to extend the Northwest Passage Scenic Byway designation from Kooskia to Lolo Pass at the Montana state line; and

WHEREAS, issues identified by District 2 have been incorporated into the proposal/corridor management plan submitted; and

WHEREAS, the SBAC 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 US-12 from Kooskia to Lolo Pass at the Montana state line as part of the Northwest Passage Scenic Byway and with the regional designation: Lewis and Clark Trail; and

BE IT FURTHER RESOLVED, that the "Northwest Passage Scenic Byway: Lewis and Clark Trail" shall be so signed and designated on the Idaho Official State Highway Map.

WHEREUPON the meeting recessed at 3:55 PM.

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February 12, 1999

The Transportation Board meeting reconvened at 8:35 AM on Friday, February 12, at the Transportation Department in Boise. Chairman Winder, Vice Chairman Combo, Member McHugh, and Member Miller were present.

Annual Report on the Safety Program. Employee Safety/Risk Manager Cheryl Rost provided an overview of program activities during 1998, outlined the safety-related training conducted, and provided a synopsis of the Districts' accomplishments. The annual inspection of all Department facilities was also conducted and deficiencies were corrected to bring the Department into compliance with the State of Idaho's Division of Building Safety, General Safety and Health Standards.

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 Bureau of Risk Management frequently compliments the ITD Safety Coordinators for the work performed in investigating and documenting tort claims and situations of potential tort claims. She added that the Department recently received \$490,940 in dividends from the State Insurance Fund, representing a 44% savings on premium paid in calendar year 1997.

Chairman Winder thanked Ms. Rost for the update on the Safety Program activities and for the valuable efforts in the safety arena she provides.

Annual Report on the Wellness Program. Wellness Council Representative Jenna Gaston stated that the Wellness Program has enabled more employees to experience health improvements. The Wellness Council strives to bring health care knowledge, awareness, and services to the ITD staff. The goal for more cost-effective preventative health care also brings more convenient access to services while minimizing time away from work. Ms. Gaston reported on activities and accomplishments during the past year.

The Board complimented the Wellness Council for its successful program, and thanked the representatives for the voluntary time and effort committed to this program and for the annual report.

Update on ATA Lawsuit Activities. Deputy Attorney General Mike Gilmore reported that the impacted parties have been meeting regularly to develop a proposal to replace the weight distance tax. One of the areas that needs to be addressed is the low-mileage commodities. A two-tiered limited rate for high- and low-mileage haulers is being considered. He believes the group is making progress and is optimistic a proposal will be developed. He added that legislative leadership and the Legislative Transportation Committees have been involved in meetings.

Chairman Winder thanked Mr. Gilmore for his assistance and efforts in this area.

Video – ITD Accomplishments in 1998. The Public Affairs Section developed a video depicting the accomplishments of the Department from the past year. The video, prepared as the

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conclusion to the FY00 budget request presentation to the Joint Germane Committee, was shown to the Board.

The Board members complimented staff for the excellent video and encouraged staff to use it, both internally and externally, as the material is valuable and informative.

Legislative Update. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Mary Detmar reported that all of ITD's administrative rules were approved with the exception of the request to repeal the rules governing overlegal permits manual. The intent was to publish the information in a manual and incorporate the manual by reference in a single rule.

Department staff is analyzing 57 bills that may have an impact on ITD, including two that would repeal all or part of the four-cent gas tax. There are also some new license plate proposals. The Governor signed the Department's FY99 budget supplement, according to BPIRM Detmar. She added that the FY00 budget will probably be set next week. The snowplow lights and inoperative signals at four-way intersections bills were both held in committee, while the open container bill failed in the Senate. BPIRM Detmar also reported that the Senate confirmed Member Sweeney yesterday.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. At 11 AM, Member McHugh made a motion, seconded by Member Miller, to meet in executive session to discuss personnel issues. The motion passed unanimously.

The Board came out of executive session at 11:45 AM. No decisions were made.

Old/New Business. Member McHugh made a motion, seconded by Member Miller, and passed unanimously, to approve the following resolution:

RES. NO. WHEREAS, the 1995 Legislative Interim Committee on Transportation
TB99-11 Resources reviewed the 1995 Idaho Highway Needs Assessment Study Update
that identified total transportation needs for all highway jurisdictions amounting
to \$8.7 billion including a backlog of \$4.1 billion resulting from past funding
inadequacies; and

WHEREAS, the Interim Committee also held hearings around the state with
cities, counties, highway districts and the public to gather input concerning
highway needs and funding mechanisms; and

WHEREAS, the January 1996 final report of the Interim Committee made a
number of recommendations to the Idaho Legislature including a 4-cent fuel tax
increase and a vehicle registration increase with all revenues specifically directed
to a new Restricted Highway Fund (RHF) for highway, bridge and rail crossing
projects that would address the identified backlog of highway needs; and

WHEREAS, the 1996 Idaho Legislature approved those fuel tax and vehicle
registration recommendations in the form of HB825 that also established the fair

distribution of highway user revenues between state and local highway jurisdictions; and

WHEREAS, in January 1996 severe flooding occurred in northern Idaho that damaged state and local highways and bridges; and

WHEREAS, the Legislature approved HB825 with an effective date of April 1, 1996 and directed that the first \$6 million of the revenue be reserved to match the federal disaster funds to repair state and local highways and bridges damaged by the floods; and

WHEREAS, in FY00 the RHF is expected to gross approximately \$51.6 million from the four-cent fuel tax and vehicle registration increases, plus the transfer fee from the Petroleum Clean Water Trust Fund; and

WHEREAS, the Idaho Transportation Board has programmed projects from its share of the RHF, amounting to \$25.8 million in FY00 and each year thereafter, to match federal aid, reduce deficient pavements, reduce the number of critical bridges, eliminate traffic congestion, and improve highway safety; and

WHEREAS, a proposal has been introduced in the 1999 Idaho Legislature (SB1172) to repeal two cents of the fuel tax being deposited into the RHF; and

WHEREAS, a proposal has been introduced in the 1999 Idaho Legislature (SB1167) to repeal four cents of the fuel tax being deposited into the RHF; and

WHEREAS, the Idaho Transportation Department's revenue would decline \$25.8 million each year from either of the two proposals; and

WHEREAS, if either of the legislative proposals is enacted, it will be necessary for the Board to reprioritize the FY00-03 highway construction program resulting in a \$25.8 million reduction of highway and safety improvements on highways and bridges each year from the Board-approved program; and

WHEREAS, many of the programmed projects that might be impacted are currently being designed and right-of-way acquisition is being negotiated; and

WHEREAS, state funds are required to match existing and new federal funds.

NOW, THEREFORE, BE IT RESOLVED, that the reduction of current fuel tax revenues would have an adverse impact on the state's ability to construct and maintain safe highways for the traveling public at a time when significant

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progress is being made to reduce pavement deficiencies, eliminate critical bridges, reduce traffic congestion, and improve highway safety; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board opposes SB1172 and SB1167 currently being considered by the 1999 Idaho Legislature because enactment would eliminate or delay more than \$100 million in highway improvement projects over the next four years; and

BE IT FURTHER RESOLVED, that the Board urges the continuation of the current fuel taxes, vehicle registration fees and revenue distribution as established in HB825.

WHEREUPON, the regular monthly Board meeting officially adjourned at 11:55 AM.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
March 18, 1999
Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 18-19, 1999

The Idaho Transportation Board met at 8:15 AM, on Thursday, March 18, in Boise, Idaho at the Transportation Department to review the agenda. The following principals were present:

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

Chairman Winder called the regular session to order at 8:30 AM.

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February 11-12, 1999 Board Minutes. Member McClure made a motion, seconded by Vice Chairman Combo, to approve the minutes of the Board meeting held on February 11-12, 1999 as corrected. The motion passed unanimously.

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

April 12-13, 1999 – District 2

May 19-20, 1999 – District 6

June 16-18, 1999 - District 3

July 8-9, 1999 – District 5

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves
TB99-12 revisions to Board and Administrative Policies B- and A-07-01, Entering Private Property; and has received and reviewed the speed minute entry changes for February 1999; comparison of final amount versus contract bid amount; the contract award information; the new and supplemental professional agreements report; and the Year 2000 computer report.

1) Revisions to Board and Administrative Policies B- and A-07-01, Entering Private Property. These policies were updated to clarify current requirements.

2) Speed Minute Entry Changes for February. A school zone speed limit of 25 miles per hour (mph) when lights are flashing was created on SH-33 in Sugar City, District 6, between milepost 338.689 and 338.934 based on a speed study. The speed limit on SH-67 in District 3 was decreased to 45 mph between milepost 3.86 and 4.535 based on a speed study. The speed limit on US-95 in District 3 was increased to 65 mph between milepost 54.555 and 60.585 based on a speed study performed following the reconstruction of this section.

3) Final Amount versus Contract Bid Amount. A report of the final amount versus the contract bid amount for construction contracts closed out during federal fiscal years 1995 through 1998 was reviewed. Individual projects for FY98 were also included.

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

STP-84-1(031)35, key 5765 – I-84, Nampa Boulevard Interchange to Franklin Boulevard Interchange, Nampa, Canyon County, District 3. Low bidder: Angle & Associates, Pocatello, Idaho - \$317,743.64.

STR-4200(622), key 6977 – Papoose Creek Bridge, US-12, Idaho County, District 2. Low bidder: GenCon, Orofino, Idaho - \$54,226.

STPG-RRP-2300(100), key 5713 – Cascade Road, Emmett, Gem County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$197,398.14.

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STR-3782(600), key 6611 – SH-69, Kuna Curve, Ada County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$855,678.25.

STP-5110(108), key 6323 – Worley North to Granite Lake Road, US-95, Benewah and Bonner Counties, District 1. Low bidder: Frank Gurney Inc., Spokane, Washington - \$225,279.81.

CM-0100(105), key 5528 – Doubletree to East 44th, Garden City, Ada County, District 3. Low bidder: Idaho Sand & Gravel Company, Nampa, Idaho - \$305,401.

IMG-0001(106), key 6240 – FY99, District 1 Pavement Markings, I-90, Kootenai County. Low bidder: Mark Rite Lines of Montana, Inc., Billings, Montana - \$109,413.57.

IMG-0003(110) and IMG-0004(104), keys 6242 and 6244 – Districts 3 and 4 Interstate Pavement Markings; I-84, I-184, and I-86; Payette, Canyon, Ada, Elmore, Gooding, Jerome, Minidoka, Cassia, and Oneida Counties. Low bidder: Mark Rite Lines of Montana, Inc., Billings, Montana - \$333,236.23.

IMG-0005(104) and IMG-0006(103), keys 5920 and 6248 – FY99, Districts 5 and 6 Interstate Pavement Markings; I-86 and I-15; Cassia, Power, Oneida, Bannock, Bingham, Bonneville, Jefferson, and Clark Counties. Low bidder: Action Services Corporation, Bremerton, Washington - \$207,520.08.

5) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$4,107,678 in new and supplemental agreements between January 27 and March 3, 1999.

6) Y2K Status Report. For the three major areas of the project, most projects are either on schedule or within acceptable parameters and all are within budget. The Division of Highways has created a special Y2K Team to address the majority of embedded systems.

Board Items. Chairman Winder shared a legal opinion on the validity of unsigned Board resolutions. The resolutions are valid without signatures. The Board started adopting resolutions in 1995 to clarify action taken, according to Vice Chairman Combo. The consensus of the Board was to continue the current practice of not signing the individual resolutions.

Chairman Winder reported that Director Bower, CE Ross, and he met earlier this month with Superintendent of Education Marilyn Howard. The school districts were encouraged to work closely with the Transportation Department when planning to build new or expand existing schools. Superintendent Howard was receptive to working together when school issues impact the transportation system. CE Ross added that Superintendent Howard mentioned compiling a guidance manual for school districts when considering building new schools. This manual would have a transportation component that ITD will assist in writing.

Last month Chairman Winder, Member McClure and various staff met with Senator Judi Danielson, representatives from the Governor's Office, and representatives from McCall to

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discuss the McCall Alternate Route project. Chairman Winder believes the meeting was very beneficial, and he expressed the need to continue communicating and working closely with the local officials on this project.

The mayor of Stanley called Vice Chairman Combo recently, expressing dissatisfaction with the long closure of SH-21 due to avalanches. He explained to the Mayor the Board's concern for safety of the traveling public and of the ITD maintenance crews when deciding to close and reopen this avalanche-prone section of highway. CE Ross added that staff is planning to meet with the mayor and area citizens in Stanley tonight to discuss this issue.

Chairman Winder received a letter from the mayors of Ketchum and Sun Valley regarding public transportation funding in the state. He asked the Director to look into the matter and respond to the mayors.

Member McHugh reported that a new high school is being built on Pole Line Road near SH-41 in District 1. Staff is planning a traffic signal at the SH-41 and Pole Line intersection in 2000 when the school is scheduled to open. Both the school district and highway district have committed funds for this project. He recommended staff investigate funding in FY00 with unallocated funds for this traffic signal project. The consensus of the Board was to have staff pursue funding this project.

Chairman Winder has been asked to serve on Idaho's Lewis and Clark Bicentennial Committee. However, the first meeting is scheduled for April 13, during the Board meeting and tour of District 2. He asked if an ITD employee could represent him at that meeting. Director Bower said Transportation Planning Administrator Charlie Rountree would attend the April 13 committee meeting.

Director's Items. Director Bower thanked Chairman Winder for his assistance with legislative issues during this session. The Chairman attended numerous meetings and was a big help to the Department. He added that it has been a challenging legislative session, and Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Mary Detmar will provide a full report tomorrow.

ITD has submitted another request to FHWA for Emergency Relief (ER) funds for the US-95 slide north of Bonners Ferry. A report has been finalized on the cause of the slide, which staff will report on tomorrow.

The King Air has been painted and is back in Boise, according to Director Bower. He added that additional flying time is needed for the pilots before the aircraft is in service.

Last month Director Bower attended an AASHTO briefing in Washington, DC. He also met with Representative Simpson and Senator Crapo to discuss several issues, including Idaho's application for corridor border crossings. The Congressmen agreed to support ITD's application. The Revenue Aligned Budget Authority was also discussed and supported by the congressional delegation. Representative Simpson asked for the Department's assistance on the aviation reauthorization bill.

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Staff has been asked to look into advance construction for the Flying Wye project in District 3. Director Bower said CE Ross will provide more information during his report.

In conclusion, Director Bower reported that 31 of the 41 new “Welcome to Idaho” signs have been erected.

FFY99 Public Transportation Grant Funding. The Division of Public Transportation has completed the application notification and review process for the federal fiscal year 1999 Federal Transit Administration Grant Funds and the Vehicle Investment Program. The Regional Public Transportation Advisory Committees and the Public Transportation Advisory Council (PTAC) reviewed staff recommendations for Section 5310 and 5311 Programs and support the staff decisions, according to Public Transportation Administrator Larry Falkner.

Vice Chairman Combo said allocating funds based on population has been an issue over the years. He asked for a document supporting this distribution. PTA Falkner said the distribution formula is in policy, however, the PTAC could revisit that issue. Chairman Winder suggested a briefing to the Board after the PTAC discussion.

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

RES. NO. WHEREAS, the Regional Public Transportation Advisory Committees and the
TB99-13 Division of Public Transportation have completed the review of all applications for funding and made project recommendations for the FFY1999 Federal Transit Administration programs as follows:

- Section 5310 Elderly and Disabled Transportation - \$325,822
- Section 5311 Rural and Intercity Formula Program - \$1,195,532; and

WHEREAS, the Public Transportation Advisory Council has reviewed and concurred with the funding recommendations as presented.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the funding recommendations for FFY1999, contingent on legislative approval of the Vehicle Investment Program in the amount of \$136,000.

Board Policy B-11-05, Congestion Mitigation and Air Quality (CMAQ) Improvement Program. Senior Transportation Planner Matthew Moore reported that the Environmental Protection Agency’s (EPA) revocation of Boise’s PM-10 standard was effective March 12. The previous PM-10 nonattainment status no longer exists and the associated conformity requirements as they pertained to PM-10 no longer apply to the Northern Ada County/Boise area. Mr. Moore reported that FHWA said ITD can proceed with the three projects impacted by this ruling. The APA Board followed with a resolution asking that those projects be moved forward. However, a lawsuit was filed against EPA on March 15 in the Federal 9th Circuit Court.

Chairman Winder asked if there is any indication when the court may rule on the petition for temporary restraining order. DAG McMahon did not have much information, as it was only filed three days ago. He said the state's immediate interest is to review it and try to determine whether to intervene. ITD has received correspondence from Land and Water Fund of the Rockies, a party to this suit, requesting clarification of how these projects were processed, according to Mr. Moore. DAG McMahon added that the letter stated if ITD goes forward and resubmits these projects in the STIP, they will file appropriate legal action.

Chairman Winder recommended the Department proceed with the three projects because they are very important for safety reasons, and the Board concurred.

Mr. Moore outlined the proposed changes to the CMAQ Program policy developed by the Board Subcommittee. The make-up of the technical review committee was changed, the funding for the Program will range from \$2 to \$4 million based on cost effectiveness of the projects, and other minor changes were made. He added that an administrative policy will be developed to coincide with the Board policy and that a process improvement team is in place to review and simplify the application process for CMAQ projects.

Vice Chairman Combo expanded on the funding range, stating that a worthwhile project may be identified over the \$4 million range and could be funded. The committee was expanded to include a citizen at large and former Board Member Mike Mitchell has concurred to be a member of the CMAQ committee.

Member Miller reported that Bannock Planning Organization is pleased with the revised CMAQ Policy. Ada Planning Association accepts the CMAQ policy proposed, according to Member McClure.

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

RES. NO. WHEREAS, the Transportation Board Subcommittee on the Congestion
TB99-14 Mitigation and Air Quality (CMAQ) Program met several times in 1998 to develop guidance for use in developing a revised Board policy on Idaho's CMAQ Program; and

WHEREAS, the Subcommittee identified several program options and prepared a draft policy for the full Board to review in December 1998; and

WHEREAS, at the December meeting, the Board directed staff to distribute the proposed policy to impacted areas for review and comment; and

WHEREAS, the Board reviewed a summary of those comments at the February meeting, and heard the comments and concerns from a delegation of the Metropolitan Planning Organizations; and

WHEREAS, the main concern focused on the annual funding level of \$2,300,000 in federal apportionment and obligation authority for the CMAQ Program; and

WHEREAS, the Board asked the Subcommittee to revisit the funding level for the Program and other issues as necessary; and

WHEREAS, the Subcommittee met on March 9 and revised the funding level to be within a range of \$2,000,000 to \$4,000,000, changed the make-up of the Technical Review Committee, and made other minor revisions to the CMAQ Policy.

NOW THEREFORE BE IT RESOLVED, that the Transportation Board approves the revisions to Board Policy B-11-05, Congestion Mitigation and Air Quality Program, as presented by the Subcommittee on the CMAQ Program.

Director Bower expressed his appreciation to the Subcommittee for its work on the policy. Vice Chairman Combo also thanked the Subcommittee members for their assistance. He was especially pleased with the assistance from Scott Frey from FHWA and Krishna Viswanathan from the Division of Environmental Quality.

Chairman Winder welcomed Representative Christian Zimmerman to the meeting and thanked him for his interest in ITD, particularly aeronautics issues.

Prospective King Air User Rate. Aeronautics Administrator (AA) Bart Welsh reported that the Beechcraft King Air has been painted, the pilots are finishing their training, and the plane should be in service by the end of this month. Staff reviewed the hourly user rates charged for other state-owned aircraft as well as hourly rates charged by private charter companies operating similar King Air aircraft. The prospective operating costs of the King Air and information regarding prospective sources of funding from the State Highway Fund were reviewed by the Aeronautics Advisory Board (AAB) last month.

The AAB concluded that the most appropriate hourly user rate for this aircraft is \$315 per hour plus \$30 per flight and standby hour for each pilot. In some instances, the aircraft will be operated with a single pilot whereas other flights will require two pilots. Flight time will be billed at \$345 per hour for a single pilot and \$375 per hour for two pilots. These user rates will be reviewed periodically by the Division. If adjustments in the hourly use rates for either the aircraft or pilots become necessary, AA Welsh said the Board will be informed prior to the effective date of the new rates.

Resolution on Employee Recruitment and Retention Issues. Last month the Human Resource Services Section provided its annual report to the Board. Based on this report and due to various concerns regarding the difficulty in recruiting and retaining employees that have been brought to the Board's attention recently, the Board asked for a resolution outlining some of these concerns. However, due to pending legislation and recent improvements to the recruitment system, staff does not believe it is timely to approve the resolution.

Chief of Administration (COA) Dick Transtrum said legislation transferring the Idaho Personnel Commission staff to the Governor's Office was passed yesterday and will be sent to

Governor Kempthorne. The bill leaves the merit system intact. Personnel actions such as recruitment, hiring, and promotions should not change. COA Transtrum added that some delegated authority has been provided to ITD, which is a big help in recruitment efforts.

Revisions to Board and Administrative Policies B- and A-18-02, Personnel Actions.

These policies have been revised to reflect current organizational titles, ensure that the Human Resource Services Manager and Section are involved with all personnel matters, and establish responsibilities for personnel actions and organizational structure. The Board policy also designates certain positions where the Board is to be notified of final candidate selection for its concurrence prior to formal appointment.

Vice Chairman Combo asked for clarification on filling vacant exempt positions. COA Transtrum explained that classified employees are hired through the merit system while non-classified, or exempt, positions are appointed by and serve at the pleasure of the Board or Director. Some time ago the Board requested to be notified of the vacancy and hiring of certain positions. This policy does not change that intent, but rather updates position titles and provides minor clean-up revisions.

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

RES. NO. WHEREAS, the Idaho Transportation Board has received and reviewed the
TB99-15 proposed revisions to Board Policy B-18-02 and Administrative Policy A-18-02,
Personnel Actions, which reflects current organizational titles, ensures that the
Human Resource Services Manager and Section are involved with all personnel
matters, and establishes responsibilities for personnel actions and organizational
structure; and
WHEREAS, the Transportation Board heard an explanation of the proposed
changes from Chief of Administration Dick Transtrum.

NOW THEREFORE BE IT RESOLVED, that the Transportation Board approves
the revisions to Board Policy B-18-02, Personnel Actions.

Overview on Winter Road Report. Although the winter road report has not ended for the season, Public Affairs Officer Jeff Stratten reported on the system. Through last week, over 120,000 calls were made to the winter road report. Some changes were made during the winter to improve the system and additional improvements are planned for next year. The 6 AM report will be changed to 5:30 AM to better accommodate morning news shows and citizens who have to commute a greater distance to work. Staff hopes to also include the estimated time of roads re-opening and to seek sponsorship for the report.

In response to plans for the road construction report, Mr. Stratten said information is currently available on the Wye Interchange construction project. Once the winter road report ends for the season, staff will switch the information to road construction. This year the switch will not be seamless, but plans are to have a seamless system in the future.

The Board thanked Mr. Stratten for the summary and complimented him on the excellent road report system that has been developed.

Chief Engineer's Items. Construction of the I-84 Wye Interchange began early this month, according to CE Ross. A glitch on the second or third day of construction resulted in gridlock. The subcontractor removing striping was approved to close one lane on the interstate between 10 PM and 6 AM. The subcontractor met the schedule, reopening the lane by 6 AM, however, rush hour starts at 5 AM instead of 6 as anticipated. The timeframes were adjusted so the lanes would be re-opened by 5 AM and no problems have occurred since then. CE Ross added that the contractor is progressing well and is on schedule.

Large projects such as the I-84 Wye Interchange/I-184, Franklin Interchange to Curtis Interchange take more than one year to construct. This does not allow efficient use of federal funds because it ties up the obligation authority for the full cost of the project, even though the actual expenditures occur somewhat uniformly over the duration of the construction. Staff is investigating phased obligation of the Wye and Franklin Interchange projects to free up the obligation authority in FY99 to be used to advance other projects which otherwise could not be constructed in the same fiscal year as these projects. CE Ross said a similar strategy was used successfully on the Cole-Overland project in Boise. The consensus of the Board was to proceed with this funding option.

CE Ross said a detailed report will be provided tomorrow on the US-95 slide near Bonners Ferry. The Department is awaiting FHWA's decision on the ER funding. He added that the contractor is ready to resume work shortly and plans to have the project paved by September, which is ahead of schedule.

CE Ross reported that there may be a potential materials source problem on the US-95, Weiser Alternate Route project. The subcontractor secured a proposal for the materials source and upon review by a qualified archeologist, recommended a no significant impact determination. Work proceeded before final approval was obtained. It has now been determined there may be some historical significance to the site. ITD is awaiting FHWA's response to the situation. Staff will review the Department's procedures and its role in these instances.

Chairman Winder welcomed Member Gary Blick to the meeting. Governor Kempthorne appointed Member Blick to represent District 4 on the Board earlier in the week. Chairman Winder thanked Member Blick for arranging his schedule so he could be at the remainder of the March meeting.

Review of Speed Limit on I-84 at Gowen Road, District 3. A speed limit study on I-84, milepost 54.485 to 56.932 was completed in December 1997. The study determined that the 85th percentile speed for this segment is 79 mph for the westbound lanes and 80 mph for the eastbound lanes. Currently this section is posted at 75 mph. Accident rates and history for this section were also reviewed and this stretch was found to have a rate lower than the base rate. The frequency of accidents has remained fairly uniform over the past five years with the majority of accidents attributed to vehicles traveling too fast during periods of poor road surface conditions.

The studies suggested that the speed limit is appropriate. However, the traveling public has voiced concern and is uncomfortable merging onto the interstate with heavy on-ramp traffic. Subsequently, the District retained the services of Pline Engineering, Inc., early in 1999 to complete an independent study of the area. The consultant recommended additional signing, a public information campaign, enforcement of the existing speed limits, and ramp improvements.

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

RES. NO. WHEREAS, by virtue of Sections 49-201, 202 and 49-661, Idaho Code, it is the

TB99-16 duty of the Idaho Transportation Department to regulate traffic in the form of speed zones, parking restrictions, the use of traffic control devices, railroad grade crossings, and selective vehicle exclusions on the State Highway System upon the basis of an engineering and traffic investigation; and

WHEREAS, an engineering study has been completed which supports the current posted speed limit; and

WHEREAS, driver behavior patterns are a major contributor to potential accidents, and behavior may be modified by multi-discipline approach including additional signs; and

WHEREAS, driver education through multi-media campaign can influence driver behavior and influence travel patterns; and

WHEREAS, working with the various enforcement entities to design a selective enforcement program can address the variation between design speed and posted speed.

NOW THEREFORE BE IT RESOLVED, that the Board takes the following action:

1. Add additional “MERGING TRAFFIC” and “THRU TRAFFIC USE LEFT LANE” warning signs westbound at the Gowen Road IC and “MERGING TRUCKS” eastbound at the Broadway IC.
2. Prepare public information for the Micron Newsletter, Statesman, Road Wizard article and ITD News Release.
3. Program parallel ramp construction over the UPRR Overpass at the Broadway and Gowen Road Interchanges at the most feasible opportunity in conjunction with other construction.
4. Work with Idaho State Police, City of Boise, and Ada County Sheriff to obtain enforcement of the existing speed limits.

Greater Yellowstone Rural Intelligent Transportation Systems (ITS) Corridor Project, I-15 and US-26, District 6. Steve Albert with the Western Transportation Institute, Montana State University – Bozeman, provided background on the research, testing, and evaluation of advanced technologies within the Greater Yellowstone Project Corridor. The project corridor extends from

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Bozeman, Montana to Idaho Falls, Idaho and is approximately 500 miles in length. The corridor represents a truly rural environment that is relatively large in areas and is a tremendous opportunity to test and showcase rural ITS applications.

Mr. Albert stated that different areas of the corridor have different problems. Some of the concerns include weather, response time to accidents, communications, and animal-vehicle accidents. The number of visitors to Yellowstone Park is expected to continue increasing and there is a need to provide real-time information and to make that information very accessible to the traveling public. Some potential demonstration projects may include touch screen information kiosks, incident reporting hotline signing, dynamic warning variable message signs, incident management plan, and automatic vehicle identification system at park entrances.

Montana Department of Transportation, FHWA, Western Transportation Institute, Wyoming Department of Transportation, Yellowstone National Park, Travel Montana, Grants and Contracts at the Montana State University – Bozeman, and ITD have developed a memorandum of understanding for implementation of this ITS project. Montana will provide federal funds under a special high priority project in TEA-21.

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

RES. NO. WHEREAS, the Idaho Transportation Department is actively pursuing
TB99-17 implementation of Intelligent Transportation Systems (ITS) on all of the State
Highway System; and

WHEREAS, the Department has participated in team meetings to establish priorities for the Greater Yellowstone Rural ITS Priority Corridor Project; and
WHEREAS, the Western Transportation Institute has received federal-aid funding to initiate ITS implementation on the corridor between Idaho Falls, Idaho and Billings, Montana; and

WHEREAS, ITD will receive \$123,200 from the Montana Department of Transportation to be combined with \$38,667 in state funds for the installation of a dynamic speed warning sign and cellular hotline signs at selected sites; and

WHEREAS, a memorandum of understanding (MOU) has been prepared and approved for signing by the Legal Section; and

WHEREAS, the MOU has been signed by all of the other participating parties; and

WHEREAS, the addition of the Greater Yellowstone Rural ITS Priority Corridor Project will be shown in the Supplement 99-2 to the Highway Development Program.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of the Greater Yellowstone Rural ITS Priority Corridor

Project to the State Funded Program in the amount of \$27,500 to cover consultant preliminary engineering and sign purchase in FY1999 and \$134,400 in FY2000 for construction.

Chairman Winder thanked Mr. Albert for the informative presentation and for his efforts on this project.

Picostrain™. The Picostrain™ Engineering Data Acquisition System is a patent pending device invented by Mitchel Latta of the Department's Traffic Signal Shop. This invention provides, among other possible uses, an economical and effective method to determine vehicle presence (including bicycles, motorcycles, and pedestrians), weight, speed, identification, and classification. Traffic Engineer Larry Van Over said Picostrain™ can be used to study any event that produces a dynamically applied force. Additional capabilities of this technology include evaluation of the structural integrity of pavement, bridges and other structures; detection of snow, mud, and rockslides; and detection of seismic events.

The commercialization of the technology will proceed. Preliminary discussions have been conducted with Preco, an electronics-manufacturing corporation in Boise. They have expressed interest in developing and marketing this technology and plan to submit a proposed licensing agreement.

Chairman Winder commended Mr. Latta for his invention and believes it is a wonderful opportunity and very significant. He presented Mr. Latta with a plaque, recognizing his accomplishments. Mr. Latta responded that he had a lot of help from staff and that the project was a team effort.

Chairman Winder said both Micron and Preco have contacted him about acquiring the licensing rights for Picostrain™. Both companies believe there are thousands of applications for this device and recognize its potential. It is a very significant invention.

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

RES. NO. WHEREAS, the Picostrain™ Engineering Data Acquisition System is a patent
TB99-18 pending device invented by the Idaho Transportation Department; and

WHEREAS, the invention has the capacity to provide a data acquisition system that surpasses the durability, reliability and accuracy of existing systems; and

WHEREAS, the Traffic Signal Shop Supervisor, Mitchel Latta, is the sole Picostrain™ inventor; and

WHEREAS, a patent application has been submitted for Picostrain™; and

WHEREAS, the patent rights have been assigned to the Idaho Transportation Department; and

WHEREAS, the Idaho Transportation Department must pay Mitchel Latta the sum of one U.S. dollar for the Picostrain™ patent rights, as stipulated in the patent documents.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board pays Mitchel Latta the sum of one U.S. dollar for the Picostrain™ patent rights.

Delegation – Minico High School. Jesse Allen, Study Body President of Minico High School, summarized the activities of the study committee established to improve the intersection at SH-25 and Minico High School. One of the conclusions was that there is a problem with teenage drivers throughout the county. A comprehensive youth driver education program is needed. Mr. Allen outlined the proposals the committee developed. Some of the recommendations include implementing a citation/safety class program at Minico High School, developing a traffic safety incentive program, installing video monitoring equipment at the intersection, implementing an intersection monitoring program at Minico High School, re-engineering the intersection to restrict use of the outside lanes as turn or acceleration lanes, reducing the speed limit directly in front of Minico High School to 45 miles per hour, installing intersection warning devices ahead of the intersection on SH-25, and installing a warning light at the intersection. An open house style public information meeting is planned to present this proposal to the community. Mr. Allen said after one complete school year, the effectiveness of the changes made and programs established will be re-evaluated.

Member Blick asked about the suggestion for Minico High School to have a closed campus. Because of limited space and inadequate facilities at the school, that is not an option at this time, according to Mr. Allen. In response to where the funds would come from, Director Bower said he hopes funds could be allocated to this project from administrative savings throughout the Department.

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

RES. NO. WHEREAS, the safe use of the intersection of SH-25 and County Road 300
TB99-19 West is a safety concern for the state, Minico High School, local law enforcement, Minidoka Highway District, Minidoka County, and the citizens; and

WHEREAS, the intersection is the location of several recent accidents including one fatality; and

WHEREAS, the Mini-Cassia Transportation Committee formed a subcommittee to asses the issues associated with the intersection; and

WHEREAS, the subcommittee presented a proposal to the Mini-Cassia Transportation Committee; and

WHEREAS, the Mini-Cassia Transportation Committee endorsed the proposal; and

WHEREAS, the proposal is based on sound engineering, a student education program, and local law enforcement participation; and

WHEREAS, the estimated cost to improve the intersection is \$50,000.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves a State FY99 safety project to construct safety features at the intersection of SH-25 and County Road 300 West.

Member Miller complimented the subcommittee on its approach to resolve the safety concerns. Director Bower was also impressed with the subcommittee's work and believes this method could be used throughout the state. Vice Chairman Combo believes District 6 has already formed a subcommittee patterned after this one in response to a recent fatality in the Idaho Falls area. Dan Rogers, Minico High School Principal, thanked District 4 Engineer (DE) Devin Rigby for his assistance. Mr. Rogers said DE Rigby was very knowledgeable and very helpful in the subcommittee's endeavor.

Delegation – City of Jerome. The city of Jerome planned a belt loop around the city a number of years ago. Mayor Dennis Moore said the first part of that project was completed, however, the second phase was designed, but never built. The city would like this project, 8th Avenue West and Date Street, to be included in the Highway Development Program. The city's engineer, Scott Bybee, said some changes will need to be made to the project, but the city would like the project programmed in three to six years. Jerome will have funds available at that time. He also asked that the preliminary engineering which was completed earlier, be included in the city's match for the project.

In response to including the project in the Program, DE Rigby believes there would be funds available in the STP Local Program for this project. The consensus of the Board was to have staff include the 8th Avenue West and Date Street project in the Highway Development Program, if feasible. The city of Jerome is to submit a letter indicating its desire to schedule this project.

Advance Acquisition Information from Other States. Senior Right-of-Way Agent, Property Management, Bob Snyder reported that a review was done on 11 other states on how they finance their advance acquisition program. No single method of funding was found with the states varying widely in how funds are utilized for advance purchases. This issue appears to be a nationwide concern. He believes this is an important issue and needs to be addressed in Idaho. A summary of the states' information and comments was provided.

Chairman Winder doubts that corridor preservation legislation will be approved. Creative measures need to be explored to resolve the corridor preservation and private property rights issues. Member Miller believes a plan to acquire right-of-way needs to be developed. Vice Chairman Combo suggested discussing this issue in more detail at a future meeting.

Optimal Statewide Roadway Weather Information System. Last year ITD entered into a research contract with Weather Solutions Group for development of a Statewide Road Weather Information System (RWIS) Plan. RWIS includes in-pavement and roadside sensors for

determining the site-specific pavement and atmospheric conditions. This real-time information is transmitted via phone line or radio signal to the district office or maintenance shed to assist in decision making for winter maintenance operations. Maintenance Engineer Dave Jones said staff can use this information to make more timely decisions for the effective and efficient use of resources. He also stated ITD's intent is to work with neighboring states to coordinate RWIS activities.

The implementation of a statewide RWIS will give ITD one more important tool in its evolution to a more proactive winter maintenance approach of its highways. Using RWIS has been shown to be a means to improve the level of service from winter maintenance procedures and to reduce the costs of chemicals and labor expense.

The consensus of the Board was to pursue RWIS and use these guidelines for future projects.

Request by Ada Planning Association (APA) to Add a New Project in the FY00 Local Rural Program, District 3. Ada County Highway District (ACHD) requested that APA add an FY00 Rural Overlay project to its FY1999-2001 Metropolitan Transportation Improvement Program utilizing ACHD's available STP local rural balance. APA has added a project for construction costs of \$1,000,000 in FY00 and preliminary engineering of \$38,000 in FY99 and is now requesting that ITD amend the current Statewide Transportation Improvement Program with the addition of this project. The preliminary engineering needs to begin on this project in FY99 necessitating the need to add the project prior to the update of the FY00 Highway Program.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
TB99-20 to 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 appropriate highway funding; and

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

WHEREAS, Ada County Highway District has a projected STP Local Rural balance of \$1.274 million in FY2000; and

WHEREAS, the STP Local Rural Program has \$3.9 million in un-programmed funding in FY2000; and

WHEREAS, Ada County Highway District and the Ada Planning Association are requesting the addition of a Rural Overlay Project to the FY2000 for \$1 million.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of FY2000 Rural Overlay Project into the FY2000 STP Local Rural Program for \$1,000,000 in construction funds with an additional \$38,000 scheduled in FY1999 for preliminary engineering; and

BE IT FURTHER RESOLVED, that Department staff is authorized to request an amendment to the STIP to include the addition of the FY2000 Ada County Rural Overlay Project into the approved FY1999-2003 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998 and to show said project in Supplement 99-2 following public involvement and STIP amendment approval.

Highway Development Program Supplement 99-1. Highway Programming Manager (HPM) Dave Amick explained the objectives of this supplement are to report the status of FY99 federal funding obligation authority under TEA-21; modify and rebalance the Highway Development Program to include project changes, advances, and delays to date; update the cost of FY99 federal and state projects to current costs; and report the status of ER projects.

Member McHugh expressed opposition to delaying the I-90, Northwest Boulevard/Ramsey Road project to FY00. CE Ross does not believe the project will be ready to advertise before September because of right-of-way issues. He recommends advancing a project the Department is sure it can construct this summer and let the I-90 project later this calendar year. Due to the obligation authority, ITD's Program has been reduced by approximately \$20 million, according to Director Bower. Staff determined that delaying projects that may not be ready would be the best approach.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
TB99-21 to publish and accomplish a current, realistic, and fiscally constrained Highway Development program; and

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

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

WHEREAS, the changes in Supplement 99-1 to the FY1999-2003 Highway Development Program fully utilize the estimated FY1999 federal highway formula funding obligation authority of \$138.5 million and the minimum guarantee obligation authority of \$27.1 million.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the changes to the FY1999-2003 Federal Highway Development

Program itemized and explained in Highway Development Program Supplement 99-1 (which is on file in the Highway Programming Section) and authorizes staff to make the appropriate changes to the FY1999-2001 Statewide Transportation Improvement Program in accordance with the provisions of the TEA-21.

State Fiscal Year 1999 Adjustments to the State (ST) and State Restricted (STR) Program Based on Readiness and Available Funding. In order to tie FY99 encumbrances to the FY99 construction season, all ST and STR projects will be encumbered if they are awarded by the end of the state fiscal year. This means that all projects to be encumbered must be ready for Plans, Specifications and Estimates (PS&E) no later than April 1. This will allow sufficient time to go out to bid and award contracts.

Director Bower said the Department will realize some administrative savings in FY99 and staff plans to recommend projects to fund with those savings next month. He encouraged the Board to provide input on advancing projects. Chairman Winder commented that the US-30 passing lanes are a high priority.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
TB99-22 to 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, including Board Unallocated funding; and

WHEREAS, savings, available funding, unused preliminary engineering and cost increases, and delayed projects in FY1999 have made funding available for advancing projects and for cost increases on projects in the State and State Restricted Programs; and

WHEREAS, these changes will be reflected in Supplement 99-2.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the delay and removal in the State and State Restricted Program of key numbers 7549, 6880, 6881, 6999, 6458, 6633, 6309, 6650, 6109, 6699, and 6929; and

BE IT FURTHER RESOLVED, that the Transportation Department staff is authorized to advance the State and State Restricted projects identified in this agenda item as capable of being ready for PS&E submittal by April 1, 1999, as such projects become ready and FY1999 funding becomes available.

HPM Amick reported that there are \$1,185,000 in the FY99 Board Unallocated account. As with the State Program, projects using this fund source must be in for PS&E by April 1.

March 18, 1999

Member McHugh made a motion to advance the SH-21, Discovery Park to Ada County Line, District 3, key 6638 project to FY99, utilizing the Board Unallocated funds. The project is programmed at \$2,024,000. Member McClure seconded the motion and it passed unopposed.

Appeal on Construction Contract Claim. Poe Asphalt Paving, Inc. has filed an appeal to the Board of the Chief Engineer's decision on a construction contract claim. Poe was awarded a contract to widen sections of US-12. The dispute is over the amount of excavation that was required to complete the contract. CE Ross found entitlement in the amount of \$89,240.96 in additional compensation. Poe's claim of damages is over \$550,000. The disputed matters are in two main areas. Poe claims to have excavated approximately 17,000 cubic meters of material more than the Department recognizes. Secondly, Poe is claiming for several items of consequential damages that ITD does not believe are recoverable under the contract. These include loss of opportunity on lease/purchase of equipment, loss of net income, impairment of bonding capacity, and prejudgment interest on the claim.

Staff has thoroughly analyzed the claim and met with the contractor in an attempt to negotiate a settlement of this claim. Because the parties are so far apart on the question of damages, it is recommended that the Board denies the claim and let the matter proceed to litigation.

Vice Chairman Combo questioned the other alternatives, such as mediation, arbitration, or proceeding with a hearing officer. DAG Steve Parry concurred that those are viable options. Member McClure believes one of these options should be considered. He feels litigation is too time-consuming and costly. The consensus of the Board was to have DAG Parry approach Poe Asphalt Paving Inc. about mediation or arbitration. (See later minute entry.)

WHEREUPON the meeting recessed at 4:50 PM.

March 19, 1999

The Transportation Board meeting reconvened at 8:20 AM on Friday, March 19, at the Transportation Department in Boise. All members were present.

Legislative Update. BPIRM Detmar reported that ITD staff analyzed 124 bills this year. Five of ITD's 14 bills passed. She reviewed the status of legislation impacting the Department.

BPIRM Detmar also outlined the Department's FY00 budget appropriation. Some of the highlights of the budget include no increase for standard inflation, allowance for non-standard inflation plus funding to cover additional state controller fees and attorney general fees, and a 3% change in employee compensation. The legislative intent language included follow-up reporting on the Vehicle Investment Program and the Air Pool Program; approval for carryover authority on contract construction funds; more emphasis on public information to improve safety on state highways; a report on the use of studded tires; and the unused balance of the FY99 disaster appropriation will be reappropriated through FY00.

Director Bower added that ITD's budget is based on anticipated revenue. Some pending legislation decreases the Department's revenue, so staff will have to revisit the budget. Chairman Winder thanked BPIRM Detmar for her efforts and extra time dedicated to legislative issues. BPIRM Detmar also thanked the Board for its assistance, attendance at committee meetings, and discussing issues with legislators.

Employee Service Awards. The Board participated in the employee service awards. Chairman Winder provided remarks on behalf of the Board and Vice Chairman Combo assisted with distributing the awards.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 11:15 AM, Member McClure made a motion, seconded by Member Miller, to meet in executive session to discuss legal and personnel issues. The motion passed unanimously.

The Board came out of executive session at 12:30 PM. No decisions were made.

Bonnors Ferry Landslide, US-95, District 1. Staff has made application to FHWA for ER funding to mitigate damages incurred by ITD and others as a result of the landslide in October 1998. Assistant Chief Engineer (Operations) (ACE(O)) Clayton Sullivan said the damage is estimated at \$8.3 million total. The original application was made in November, however, FHWA requested more justification for the ER funding. The services of a geotechnical engineering firm were obtained to evaluate the project design, as well as construction procedures, to

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determine if the landslide could have been anticipated. The selected firm, Landslide Technology, completed the forensic report on March 4. That report was submitted to FHWA as additional evidence that the catastrophic landslide does meet the criteria for FHWA-ER funding. The report concluded that the slide could not have been predicted.

ACE(O) Sullivan also reported on last night's meeting in Stanley to discuss the closure of SH-21 due to avalanches. A number of area citizens, including from Salmon and Challis, were in attendance. Stanley Mayor Hilda Floyd expressed concern with the duration of the closure this winter. The route has been closed since mid-January and plans are to re-open it before the end of this month. ACE(O) Sullivan said staff clarified the Department's policy on this avalanche-prone stretch of highway, summarized how we determine when to close and re-open the route, and emphasized the importance of safety to the traveling public and ITD employees. The mayor expressed disappointment that the road is not open year-round and suggested either re-locating the highway or constructing snow sheds to keep the highway open.

Annual Civil Rights Update. Heidi Gordon, Civil Rights Affirmative Action (AA) Officer reported on the Equal Employment Opportunity (EEO)/AA activities from the past year. Underutilization of protected member groups remains an area of focus, with white women representing the largest underutilized group. Contract Compliance (CC) Officer Julie Caldwell elaborated on the EEO/CC program, including the Disadvantaged Business Enterprise (DBE) activities. CCO Caldwell said this year the Department will revise procedures in establishing DBE goals, continue to work to ensure that the needed information is available to those that are required to participate in all external Civil Rights programs, work towards increasing the number of minority and female trainees on projects to eliminate the under utilization in the highway construction crafts, and continue to educate contractors and ITD personnel on the authority and requirements of Idaho Tribes when projects are on a reservation.

Chief of Civil Rights Kintu Nnamdi summarized the new DBE rule. Member McClure believes the new rule is an improvement and will be beneficial. Liz Healas provided an overview of the DBE Supportive Services Program. Some of the Department's efforts in this area include increased outreach and services to prime contractors, expanded identification of non-ITD contracting opportunities, and a number of training opportunities.

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

Construction Contract Claim, Revisited. DAG Parry reported that Poe Asphalt Paving, Inc. is receptive to mediate, and then possibly arbitrate the construction claim.

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

RES. NO. WHEREAS, Poe Asphalt Paving, Inc. has filed an appeal to the Idaho
TB99-23 Transportation Board over a construction contract claim for the Lenore to Peck
project, known as ST-4200(617), key no. 6188; and

WHEREAS, the Board has reviewed the information pertaining to this claim which includes the claim and the Chief Engineer's decision; and

WHEREAS, Poe Asphalt Paving, Inc. has agreed to participate in non-binding mediation with the Department.

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NOW THEREFORE BE IT RESOLVED, that the Transportation Department staff pursue non-binding mediation with Poe Asphalt, Inc. through a neutral third party; and

BE IT FURTHER RESOLVED, that if the construction claim cannot be resolved through mediation, staff is to pursue a binding arbitration agreement with a single arbitrator to resolve the construction claim.

Old/New Business. Member McHugh expressed concern with the pavement striping on I-90. When traveling the route at night recently, he could not see the striping and believes this is a serious safety issue. He asked if the Department could re-stripe more often or use a better quality paint. Member Miller also believes the quality of paint is an issue and questioned the new regulations addressing the paint.

Although the Department had concerns when the new regulations specified water-borne paint, CE Ross now believes the water-borne paints are more durable. He said retaining striping in District 1 is more difficult because of the weather and sanding material used. He is planning to use more permanent striping and concurred that striping is a concern.

The quarterly report on legal actions and financial statement were both presented to the Board for informational purposes.

WHEREUPON, the regular monthly Board meeting officially adjourned at 2:50 PM.

Tour of the Division of Motor Vehicles. Chairman Winder, Vice Chairman Combo, and Members Blick, McClure, and Sweeney toured the Division of Motor Vehicles. Staff provided an overview of its activities and responsibilities.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
April 13, 1999
Lewiston, Idaho

REGULAR MEETING AND DISTRICT 2 TOUR
OF THE IDAHO TRANSPORTATION BOARD

April 12-13, 1999

The Idaho Transportation Board met at 7:45 AM, on Monday, April 12, at the Grangeville, Idaho airport. The following principals were present:

Charles L. Winder, Chairman
John X. Combo, Vice Chairman - District 6
John McHugh, Member - District 1

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Bruce Sweeney, Member – District 2
Monte C. McClure, Member – District 3
Gary Blick Member – District 4
Neil Miller, Member – District 5
Sue S. Higgins, Secretary to the Board
Dwight Bower, Director
Jimmy Ross, Chief Engineer
Jim Carpenter, District Engineer
Doug Moore, Assistant District Engineer
Jack Coe, Region Administrator – Federal Highway Administration

Tour of District 2. Representative Twila Hornbeck joined the Board as it traveled US-95 south to the Goff Bridge north of Riggins. The bridge is currently under construction. The tour continued north on US-95 to a slide at milepost 210.5. The removal of the waste from the slide has almost been completed. From there the group traveled US-95 north. Representative Hornbeck departed the tour in Grangeville, then the tour continued north on old SH-7 and east on SH-162 to Kamiah.

After viewing the recently-completed Kamiah Bridge project, the Board traveled US-12 west to Orofino and viewed the Orofino Bridge, which is almost complete.

Lunch with Area Officials. Senator Marguerite McLaughlin, Orofino Mayor Roy Clay, and Orofino City Administrator Rick Laam joined the Board for an informal luncheon meeting. Mayor Clay welcomed the Board to Orofino and thanked the members for stopping in Orofino. The city is working on a pathway application for the Enhancement Program, according to Mr. Laam. He stated that the city does not have money to design the project, which is approximately 6.5 miles in length.

Director Bower suggested exploring other funding options, such as Millennium Trails (Federal Lands Discretionary). Because of the path's proximity to the Lewis and Clark Trail, he believes this pathway project would be a good candidate for Millennium Trails funding. Mr. Coe added that the Recreation Trails Program, funded through the Department of Parks and Recreation, is another possible funding source. District staff will assist the city with its application.

Mr. Laam thanked the Board for the projects recently completed and still under construction in the area. He also expressed appreciation to DE Carpenter and his staff for the excellent working relationship that has been established.

Senator McLaughlin questioned the status of the SH-11 projects. DE Carpenter reported that the Pierce to Grangemont section should be completed this summer. The second phase should be finished by the Lewis and Clark Bicentennial.

Chairman Winder thanked Mayor Clay and Mr. Laam for the remarks and expressed appreciation to Senator McLaughlin for her interest in transportation issues. He also commended her for her assistance with legislative issues this past session.

The Board departed Orofino on SH-7, viewed the Ahsahka Bridge, returned to US-12 and continued west on US-12 and US-95.

Presentation – Weigh-in-Motion/Automatic Vehicle Identification (WIM/AVI) System.
At the Lewiston Port of Entry, Port of Entry Manager (POEM) Alan Frew outlined the strategic plan to implement WIM/AVI at the Lewiston Port. The estimated cost for installing the system on US-95 westbound is \$470,000. POEM Frew said the project could be obligated by September 1. Local motor carriers were contacted to determine support for a mainline pre-clearance system, and responded favorably to the proposal.

Member McHugh questioned installing the WIM/AVI only on the westbound lane. POEM Frew said staff is investigating utilizing the recent Picostrain™ invention on US-95 eastbound.

POE Senior Inspector Don Richardson demonstrated the operations of the facility. The 100-foot scale was also observed. Representative June Judd joined the Board during the demonstration of the scale. The Board thanked staff for the informative presentations.

The group traveled to the recently-completed Bryden Canyon project in Lewiston and participated in the ribbon-cutting ceremony for this route. Former Board Member Mike Mitchell also participated in the ceremony.

Susan Faigan, representing Senator Craig's office, joined the Board as it traveled to Snake River Avenue to view the slide. Several Nez Perce County Commissioners also viewed the slide with the Board.

WHEREUPON the meeting recessed at 5 PM.

April 13, 1999

The Transportation Board meeting reconvened at 8 AM on Tuesday, April 13, at the District 2 Office in Lewiston. All members were present.

May 19, 1999

March 18-19, 1999 Board Minutes. Member McClure made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on March 18-19, 1999 as corrected. The motion passed unanimously.

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

May 19-20, 1999 – District 6

June 16-18, 1999 - District 3

July 8-9, 1999 – District 5

August 19-20, 1999 – District 1

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves
TB99-24 Board Policy B-23-03, Workplace Violence; and has received and reviewed the annual report on railroad grade crossing protection account; the administrative settlements of right-of-way acquisition; the contract award information; the new and supplemental professional agreements report; the Year 2000 computer report; and the financial statement.

Member McHugh commented that the federal obligations for FY99 are below the project readiness target, according to the financial statement. CE Ross said it has been a challenge getting the state projects ready, but he believes the federal projects are in good shape. He added that the Department is understaffed because of a number of vacant positions, but is optimistic all of the funds will be obligated.

The motion passed unanimously.

1) Board Policy B-23-03, Workplace Violence. A new Board and Administrative Policy have been developed to address concerns about workplace violence.

2) Annual Report on Railroad Grade Crossing Protection Account. Five railroad grade crossing protection projects have been obligated in FY99 to date, 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 1994 through 1998.

3) Administrative Settlements of Right-of-Way Acquisition. From January through March, 12 parcels were processed with none having administrative settlements.

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

NH-4110(119), key 6489 – US-95, South of Cottonwood to Ferdinand, Idaho County, District 2. Low bidder: Penhall Company, Anaheim, California - \$1,293,191.80.

STM-0002(616), key 6752 – SH-3, 6, 7, 8, 9, 11, 13, 14, 62, 64, 66, 99, 128, and 162, and US-95 and 12; FY99 District-wide Weed Spraying; Clearwater, Idaho, Latah, Lewis, and Nez Perce Counties; District 2. Low bidder: Perfection Weed & Pest Control, Lewiston, Idaho - \$237,524.95.

May 19, 1999

STR-4110(644), key 6576 – US-95, Lewiston Hill Resurfacing, Nez Perce County, District 2. Low bidder: Poe Asphalt Paving, Inc., - \$749,913.43.

RA-5-2, key R502 – Inkom Rest Area/Port of Entry, Bannock County, District 5. Low bidder: Environmental Services Company, Blackfoot, Idaho - \$74,880.

RA-5-3, key R503 – North Blackfoot Rest Area, Bannock County, District 5. Low bidder: Verl G. Wilcox, Blackfoot, Idaho - \$113,952.

RA-5-1, R501 – Cherry Creek/Malad Summit Rest Area, Bannock County, District 5. Low bidder: Environmental Services Company, Blackfoot, Idaho - \$119,912.

STM-0003(619), key 6676 – I-84, US-95, SH-55, SH-19, and SH-67; FY99 District-wide Brooming; Ada, Adams, Boise, Canyon, Elmore, Payette, Valley, and Washington Counties. Low bidder: Emery Brothers Construction, Filer, Idaho - \$97,413.

BR-3270(119), key 6457 – Boulder Creek Bridge, Donnelly, Valley County, District 3. Low bidder: Universal Construction Inc., Emmett, Idaho - \$743,120.

STR-3270(630), key 7363 – SH-55, Spring Valley to Horseshoe Bend Summit, Ada County, District 3. Low bidder: Boise Paving & Asphalt Company, Boise, Idaho - \$569,316.34.

RA-4-1, key R401 – District-wide Rest Area/Port of Entry Maintenance; Gooding, Twin Falls, Jerome, Cassia, and Blaine Counties; District 4. Low bidder: Rocky Mountain Services Company L.L.C., Blackfoot, Idaho - \$312,960.

STP-0900(108), key 5966 – Sandpoint Streets, Bonner County, District 1. Low bidder: Interstate Concrete & Asphalt, Sandpoint, Idaho - \$327,199.09.

STM-84-1(529), key 6775 – I-84, SH-16, 18, 19, 21, 44, 45, 51, 52, 55, 67, 69, 71, 78, and US-20/26, 30, and 95. Interstate District-wide Spraying, FY99; Ada, Adams, Boise, Canyon, Elmore, Gem, Owyhee, Payette, Washington, and Valley Counties. Low bidder: I.V.I.M, Vancouver, Washington - \$146,169.43.

ST-3290(622), key 6678 – SH-21, Lowman to Banner Summit, Boise County, District 3. Low bidder: Kloefer Inc., Paul, Idaho - \$676,542.44.

STM-0001(637), key 7398 – I-90, Loop Replacement, Kootenai County, District 1. The low bid was more than ten percent over the engineer's estimate. Because only one bid was received and it was more than ten percent over the engineer's estimate, the District recommended rejecting the bid. Staff will reexamine the project and make changes for readvertisement.

5) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$1,175,733 in new and supplemental agreements between March 4 and March 30.

May 19, 1999

6) Y2K Report. Across the three major areas of the project, most projects are either on schedule or within acceptable parameters and all are within budget.

7) Financial Statement.

Board Items. Chairman Winder reported that he attended a meeting with Director Bower, Governor Andrus, and Forest Service representatives last week to discuss the Stanley Airport. The property owner is interested in selling the 80 acres the airport is located on. To ensure the scenic view is kept intact, the Conservation Fund may provide assistance to acquire the property. Due to the airport's economic impact and safety aspects, Chairman Winder believes it would be beneficial for the Department to investigate purchasing the airport and adjoining acreage.

The consensus of the Board was to request the Aeronautics Advisory Board's involvement in exploring this issue. Director Bower added that the Right-of-Way staff will work with the Forest Service on an appraisal.

Vice Chairman Combo made a motion to direct staff to work with the Aeronautics Advisory Board, Forest Service, and other appropriate parties, to investigate obtaining the 80-acre parcel of land where the Stanley Airport is located. Member Sweeney seconded the motion and it passed unanimously.

After the March Board meeting, a press release was issued regarding changes to the Congestion Mitigation/Air Quality Program Policy. Vice Chairman Combo expressed concern that this press release did not go through the proper channels before it was released. The Secretary to the Board and the Chairman usually review press releases resulting from Board action. For several reasons, the CMAQ Program press release was not handled this way. Earlier, Vice Chairman Combo relayed his concern with this press release and Public Affairs Officer Jeff Stratten prepared a memo explaining the situation. Vice Chairman Combo was satisfied with the information from Mr. Stratten, but suggested staff not use this specific press release as a guide when discussing the CMAQ Program because of several inaccuracies in the press release.

Member Blick reported that he has had several discussions lately on the Snake River Crossing Study in the Twin Falls area. He senses the community is uniting on this issue and suggested they appear before the Board when they are ready. Chairman Winder added the importance of a community's involvement and support for transportation projects. Member Miller suggested exploring National Defense funds for this crossing, as he is aware of a bridge in Mississippi that was recently funded with National Defense money.

The University of South Carolina at Charlotte's Center for Interdisciplinary Transportation Studies recently released its study of cost-effective highway performance. Idaho ranked fifth in 1997, according to Chairman Winder. He commended Director Bower and the Department for the excellent rating. Director Bower added that it was a team effort and many employees were instrumental in the Department's accomplishments and this ranking.

Chairman Winder and Director Bower recently met with John Goedde of Coeur d'Alene to discuss a proposal for a US-95 alternate route around Coeur d'Alene. Mr. Goedde also suggested coordinating with Washington and Canada to develop a long-range plan for a regional corridor. Chairman Winder asked for a presentation from staff on these issues at a future meeting.

Director's Items. Director Bower reported that he would need to leave the meeting early today to attend the Governor's cabinet meeting in the afternoon.

The Statewide Transportation Improvement Program has been approved with the inclusion of the three projects in Ada County impacted by the recent Environmental Protection Agency ruling on air quality, according to Director Bower. The projects include keys #5153, SH-69, Kuna to Amity Road, #6299, US-20, HP Main Entrance to Joplin Road, and #7238, Five Mile Road, Franklin Road to Fairview Avenue.

As a follow-up to legislation approved this past session, staff is working on the motor carrier financial responsibilities being transferred from the Public Utilities Commission, along with the transfer of employees. Additionally, the elimination of the State Restricted Fund is proceeding. Director Bower added that staff is also reviewing the FY00 budget, which needs adjusting based on legislation negatively impacting ITD's budget by approximately \$5 million.

CE Ross will be leaving for Little Rock, Arkansas tomorrow and Director Bower will depart on Friday for AASHTO meetings.

Chairman Winder welcomed Senator Stegner and former Board Member Mike Mitchell to the meeting.

New Motor Carrier Financial Responsibility Requirements. Legislation approved in 1999 transfers the oversight of motor carrier financial responsibility from the Public Utilities Commission to ITD, effective July 1. Motor Vehicle Administrator (MVA) Morris Detmar said the intent of the legislation is to place all motor-carrier activities under the purview of Motor Carrier Services' One-Stop Shop. This will simplify the process motor carriers have to go through in order to operate their commercial vehicles within Idaho by consolidating insurance filing with all other motor-carrier related activities. MVA Detmar said minor rule changes are needed to reflect the changes in legislation.

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

RES. NO. WHEREAS, the Division of Motor Vehicles (DMV) operates under the
TB99-25 provisions of Idaho Code; and

WHEREAS, Title 49, Section 1233, Idaho Code, requires the Idaho
Transportation Department to oversee motor carrier financial responsibility as of
July 1, 1999; and

WHEREAS, Title 49, Section 1233, Idaho Code, requires the Transportation Board to promulgate rules establishing the amount of liability coverage to be carried by motor carriers operating on Idaho highways.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board authorizes DMV staff to promulgate a rule implementing the provisions of Title 49, Section 1233, Idaho Code.

Strategic Plan to Implement WIM/AVI at the Lewiston Port of Entry. As a follow-up to yesterday's presentation at the Lewiston Port, POEM Frew explained the funding available to implement this project. He added that approximately 30% of trucks are expected to participate in the WIM/AVI project and bypass the Port.

Member Miller said the Department is a service organization and as the state continues to grow, other ports throughout the state should be reviewed. He expressed concern with the Inkom POE because trucks occasionally back-up onto the interstate while waiting to go through the Port. He believes a number of the same trucks pass through the Inkom Port several times in one day, so that location would be a good candidate for WIM/AVI. Director Bower stated that staff is developing a multi-year plan for the POEs statewide.

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

RES. NO. WHEREAS, the Idaho Transportation Board was petitioned by the Motor Carrier
TB99-26 Advisory Committee to consider improvements to motor carrier operations by
 implementing Weigh-in-Motion/Automatic Vehicle Identification systems in the
 Lewiston area; and

WHEREAS, the Board finds such systems to be beneficial to motor carriers, port of entry operations, the economy of the state and safety of its citizens; and

WHEREAS, staff has identified that sufficient funding exists from unused obligation authority from the East Boise Port of Entry automation project to implement such a system at the Lewiston Port of Entry.

NOW THEREFORE BE IT RESOLVED, that the Board directs staff to proceed with a project to implement a Weigh-in-Motion/Automatic Vehicle Identification System at the Lewiston Port of Entry with funding from unused federal obligation authority remaining from the East Boise automation project and other federal apportionments, such as Surface Transportation Program may be associated with the \$470,000 on obligation authority and used on the Lewiston automation project; and

BE IT FURTHER RESOLVED, that the Board directs staff to seek authorization for sole-source acquisition of such system from the Division of Purchasing.

Modify IDAPA 39.03.08, 09, 10, 11, 12, 13, 16, 17, 18, 19, 22, 24. Board approval to eliminate rules and implement permit conditions for the operation of overlegal vehicles and/or loads occurred in December 1997. Staff proceeded with the repeal of all rules, and presented that request to the 1999 legislature. By concurrent resolution, the legislature rejected the request to repeal all rules in regards to permits and incorporate them as conditions into a Permit Conditions Manual. The legislative rejection also included several changes made to the permit conditions under which the Department is currently operating. POEM Frew explained this rejection requires staff to incorporate all previously approved changes to the appropriate IDAPA rule for continued operation of those changes.

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

RES. NO. WHEREAS, the Idaho Transportation Board has the authority to approve
TB99-27 requested changes to Administrative Rules; and

WHEREAS, the Idaho Transportation Board finds the requested changes to the Administrative Rules provides substantial benefits to the economy of Idaho and the safety of its citizens by encouraging a uniform highway transport and safety requirements for the movement of overlegal vehicles and/or loads.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the recommended changes to Administrative Rules:

IDAPA 39.03.08 – Prequalification of VLS and Auxiliary Axles

Allows inspectors to split weight axles when a VLS axle is present.

IDAPA 39.03.09 – Special Permits General Conditions and Requirements

Modify permit requirements to not require permits when crossing over state highways.

IDAPA 39.03.10 – When an Overlegal Permit is Required

Allow a wrecker to tow a non-disabled vehicle to the point of disablement, to replace the disabled vehicle.

IDAPA 39.03.11 – Special Permittee Responsibility and Travel Restrictions

Modified hazardous travel restrictions so it would apply to all vehicles. Carrier no longer allowed to decide. Changed maximum length allowed on interstate for 24-hour travel from 115 feet to 120 feet.

IDAPA 39.03.12 – Safety Requirements of Special Permits

Modified entire rule dealing with flagging, signing and lighting requirements for oversize vehicles and/or loads.

IDAPA 39.03.13 – Overweight Permits

Non-reducible loads are not required to register for maximum legal weight to be eligible for an overweight permit.

IDAPA 39.03.16 – Oversize Permits for Non-reducible Vehicles and/or Loads

Private carriers (such as custom harvesters etc.) going from a farm to a farm, to be permitted. Non-reducible loads (smaller than the width of the trailer) may be hauled on 9-foot wide trailers.

IDAPA 39.03.17 - Permits for Manufactured Homes Etc.

Changed insurance requirement from \$500,000 to \$300,000 transporting own manufactured home. Deleted lighting requirement for daylight hours and added lighting requirement for movements after dark.

IDAPA 39.03.18 – Permits for Buildings or Houses

Changed insurance requirements from \$500,000 to \$300,000 for moving their own buildings.

IDAPA 39.03.19 – Annual Special Permits

Specified that annual permits could not exceed a gross weight of 200,000 pounds and that a vehicle configuration could not operate on less axles than the number of axles stated on the permit but could operate more axles. Specified that carriers could operate at lessor weights than listed on the permit, but not at greater weights.

IDAPA 39.03.22 – Overlegal Permits for Extra-Length Vehicle Combinations

Overall length restriction for blue routes to 90 feet instead of 85 feet.

IDAPA 39.03.24 – Self-propelled Snowplows

Changed size of flags from 18" x 18" to 12" x 12"; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board directs staff to promulgate temporary/regular rule making to the changes as listed above for Administrative Rules.

The Board expressed appreciation to staff, not only for its work on these rule changes, but also for its efforts on the Permit Conditions Manual.

Chairman Winder welcomed Representative Judd to the meeting.

Chief Engineer's Items. CE Ross reported that the Rose Road Overpass project in Bingham County, District 5, is proceeding on schedule. Although the emergency relief (ER) funds have not been secured, staff anticipates advertising the project soon. Staff is working on an agreement with the County stipulating the County will repay the State for the project if ER funds are not provided for the project.

The bids for the Three Island Crossing project in District 3 are scheduled to open today.

Staff is working with local entities in Boise regarding air space on Front Street, US-20/26, according to CE Ross. The Department has been asked to lease the air space for the convention center. Member McClure is supportive of leasing the air space as long as there are no safety issues and traffic is not impeded. Both Vice Chairman Combo and Member Sweeney are aware of a similar situation in Seattle where air space is leased that appears to be working well. It was suggested ITD contact Seattle to obtain information on their experience. Vice Chairman Combo believes this decision will be precedent setting and also questioned the ownership of the convention center, whether it's public or private.

Staff was instructed to pursue leasing the air space and provide a recommendation to the Board.

CE Ross received a message from the National Fisheries and Marines Services stating it would not work on federal highway projects at this time due to its limited staff and heavy workload. ITD works with this agency on endangered species and other issues and occasionally needs to obtain clearances on projects. CE Ross believes the Department may have to fund a position in this agency, and possibly other national resource agencies, to ensure the work is completed. Mr. Coe reported that the state of Washington is currently funding two positions to assist the national agencies and added that they are looking at programmatic agreements to simplify the process.

The consensus of the Board was to write to Idaho's congressional delegation informing it of these changes and the problems this is creating for ITD.

Incident Response Project in District 3, I-84 and I-184, Meridian through Boise.

Assistant Chief Engineer of Operations (ACE(O)) Clayton Sullivan said the incident response project was initiated in 1995 as a pilot project to determine the worth of such a program on the highly-trafficked portions of I-84 and I-184 in the Boise vicinity. The aim has been to reduce congestion and secondary accidents that result from accidents and other incidents on the freeway. Its goals are to reduce automotive emissions, provide reduced risk of injury to other emergency responders to accident scenes, and promote team-solution approaches to keeping traffic moving.

The program was reviewed this past year by a multi-agency team comprised of emergency responders from the Treasure Valley and ITD and FHWA personnel. The consensus of the group was that the program was fulfilling its objectives. The group recommends the program be expanded in hours of operation and area of coverage. Additionally, the Treasure Valley Intelligent Transportation Systems (ITS) study group endorsed the ITD incident response program as a needed element in the ITS program for the Treasure Valley.

The project has been staffed by District 3 and POE staff on a divided responsibility basis, and funded from the District 3 operating budget. ACE(O) Sullivan would like to remove the pilot project status and make it an ongoing program, expand the operation, and fund the project with its own operating budget.

Vice Chairman Combo expressed concern with funding the program with its own budget and also questioned the need for this program in Boise only, versus other parts of the state. The Boise area has the greatest need for an incident response unit because it has the highest traffic volumes, according to ACE(O) Sullivan. He concurred that it may be appropriate to incorporate a similar program in other areas of the state. Member McClure suggested that each District fund its own program based on need, rather than a statewide budget for this program.

Although the Board supports the District 3 incident response program, the consensus was to table this item and have staff review the statewide needs for such a program.

Delegation – Jack Marshall, Chairman, Idaho Traffic Safety Commission. Mr. Marshall announced his plans to retire from the Lewiston Police Department and step down from the Traffic Safety Commission within the next year. He provided background on the make-up of the Commission and emphasized the importance of having a large, diverse group. Some of the areas

represented on the Commission include the enforcement, education, and engineering. Mr. Marshall was pleased to announce that the highway fatalities in Idaho have decreased over the past ten years, and he is satisfied with the highway safety plan in place, as it should continue the trend of reduced fatalities.

The Board thanked Mr. Marshall for his report and especially for his years of dedication and service to the Traffic Safety Commission.

Presentation – ITS Integration Component of ITS Deployment Program, District 3. Dr. Michael Kyte, University of Idaho, provided background information on the ITS project in the Treasure Valley. Phase II, currently underway, will yield the planning documents required to develop, design, and deploy new components and sub-systems. The goal of this project is to provide the information needed by the transportation agencies in the Treasure Valley to operate and manage the region's transportation system and the information needed by the travelers to make optimal use of the transportation systems. Dr. Kyte also outlined the objectives, scope, partnership arrangements, and funding for the project.

Stage I is being funded by STP funds. Federal ITS and CMAQ funds are being used for Stage II, and the entities are requesting CMAQ funds for Stage III. Ada Planning Association, Ada County Highway District (ACHD), ITD, and the University of Idaho are all providing in-kind match for the three stages.

ACHD Traffic Engineer Terry Little provided additional background, including how ITS got started in the Treasure Valley. He reported that ACHD is managing the project and summarized some of the activities ACHD is doing. Although the Boise area has congestion problems that are unique to the state, ITS applications could be implemented elsewhere as the need arises, and he believes this project could be a prototype for the rest of the state.

Use of CMAQ Funds for Implementation of ITS Technology, District 3. Traffic Engineer Larry Van Over reported that FHWA has earmarked \$441,469 to the state of Idaho in FY99 for an ITS Program. These funds will require a 50 percent match, of which 20 percent must be from non-federal-aid sources, with the remainder coming from other federal-aid sources. The cost for the entire project is \$1,242,970. Staff is recommending utilizing \$450,000 in CMAQ funds. The application needs to be submitted to FHWA by April 30.

Member McHugh asked if an ITS project is premature for Kootenai County. Traffic Engineer Van Over said a statewide plan is being developed and meetings have been held with various entities throughout the state. He added that they have a good start on the Coeur d'Alene – Spokane corridor. He said the goal is to have a seamless system, where county lines or state lines won't matter.

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

RES. NO. WHEREAS, the Idaho Transportation Board supports Intelligent Transportation
TB99-28 System applications in the State of Idaho and in the Treasure Valley; and

WHEREAS, the Idaho Transportation Board has participated in the Treasure Valley Intelligent Transportation System Study; and

WHEREAS, the Idaho Transportation Board supports Incident Management along the I-84 Corridor; and

WHEREAS, Incident Management has proven to be a cost-effective solution for reducing congestion and air quality levels; and

WHEREAS, the U.S. Department of Transportation has earmarked \$441,469.51 of federal-aid funds for integration of Intelligent Transportation System programs; and

WHEREAS, said earmark requires a 50% match, a portion of which can be other federal funds; and

WHEREAS, the Idaho Transportation Board does not have projects programmed to fully utilize the available Congestion Mitigation/Air Quality funds in FY99.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board continues to support the application of Intelligent Transportation System programs throughout Idaho; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board approves \$450,000 in federal-aid CMAQ funds to implement and deploy Intelligent Transportation System technology in the I-84 corridor of the Treasure Valley pending FHWA approval of the proposed ITS project application; and

BE IT FURTHER RESOLVED, that Department staff is authorized to request an amendment to the STIP to include the addition of the Treasure Valley ITS project into the approved FY99-03 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998 and to show said project in Supplement 99-2 following public involvement and STIP amendment approval.

Selection of Education, Enforcement, and Engineering (3E) Project. Highway Safety Manager (HSM) JoAnn Moore said funds were included in TEA-21 for states that have an 0.08 breath/blood alcohol concentration law in effect. Idaho is one of 15 states with an 0.08 law and received a total of \$1,013,252 in FY98 funding. Four projects were funded, including the reinstatement of the high accident location program for \$86,000, safety equipment for the Idaho State Police at \$136,2000, new mountain top communication base stations for US-12 and I-84 at \$60,000 and a 3E project to be identified and funded at \$731,052.

The Office of Highway Safety worked with the districts and State Police to develop and submit grant applications demonstrating a three-pronged approach of education, enforcement, and engineering to resolve a high-accident location problem. A team reviewed and ranked the applications for potential funding, and the District 5 proposal was given the highest priority. The

project proposal includes the installation of rumble strips, increased enforcement, and a public information campaign regarding drowsy driving and the use of safety restraints.

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

RES. NO. WHEREAS, the Transportation Equity Act for the 21st Century provides Section
TB99-29 163 grants to states with 0.08 Breath Alcohol Concentration laws in effect; and

WHEREAS, the State of Idaho is one of 15 states that qualified for a Section 163 grant; and

WHEREAS, the State of Idaho was awarded a total of \$1,013,252 in FY98 Section 163 funding; and

WHEREAS, the Idaho Transportation Department has available \$731,052 to develop a new highway safety program entitled the Education, Enforcement, and Engineering (3E) Program; and

WHEREAS, Office of Highway Safety, ITD District and Idaho State Police personnel worked together to develop and propose district 3E projects for funding consideration; and

WHEREAS, the proposal submitted by District 5 was ranked number one by a project review team in meeting the criteria outlined for the program.

NOW THEREFORE BE IT RESOLVED, that the Transportation Board approves funding and implementation of District 5's 3E project proposal with FY98 funds, in the amount of \$545,024; and

BE IT FURTHER RESOLVED, that the remaining FY98 funds will be applied, as additional Section 163 funds are available, to funding of the next priority project as submitted by Districts and ranked by the review team.

Advance Construction of Wye Interchange (IC)/Franklin IC to Curtis IC Projects, I-84 and I-184, District 3. Large projects that take more than one year to construct do not allow efficient use of federal funds. These projects tie up the obligation authority for the full cost of the project even though the actual expenditures occur somewhat uniformly over the duration of the construction. Advance construction with partial conversion is a method to more effectively utilize Interstate Maintenance and National Highway System funds, according to CE Ross. Under this provision, the state may pay for a project in advance of obligating funds, but request obligations and reimbursement over several years concurrent with the project payout schedule.

A total of \$50.3 million has been obligated for construction of Stage 1 of the Wye IC project and Stage 1 of the Franklin IC-Curtis IC project, with estimated payouts totaling \$25.1 million. This would leave enough funds to cover extraordinary contingencies on these projects and allow the I-84, Oregon State Line to Black Canyon IC, westbound, Stage 1; US-95,

Cambridge South; US-95, Mesa, North; and US-95 Mesa North, Climbing Lane projects, all in District 3, to be advanced to FY99.

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

RES. NO. WHEREAS, it is the intent of the Idaho Transportation Board to effectively
TB99-30 utilize federal aid funding; and

WHEREAS, it is in the public's interest for the Transportation Department to most effectively utilize federal funds by building projects as soon as they can be made ready; and

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

WHEREAS, advance construction with partial conversion is an available method to more effectively utilize Interstate Maintenance (IM) and National Highway System (NHS) funds; and

WHEREAS, a large sum of IM and NHS funds are currently obligated to projects keys #2520 and #2610; and

WHEREAS, keys #7128, #3505, #3749, and #7710 can be advanced and shown in the Supplement 99-2 to the approved Highway Development Program.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves advance construction of keys #2520 and #2610; and

BE IT FURTHER RESOLVED, that Department staff is authorized to advance key #7128, #3505 into FY99 from FY00 and keys #3749 and #7710 into FY99 from FY01 in the approved FY99-03 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998.

King Hill Bridge Design Changes and Construction Cost Increases, District 3. The King Hill Bridge was obligated for construction in FY98 for \$1.7 million. J-U-B Engineers was employed by Glenn's Ferry Highway District to design the project. During the design of the bridge, there were two unknown issues that are now impacting the project, according to CE Ross. The designed elevation of the bridge is too low to meet design criteria. The bridge is to allow passage of a 50-year flood with 2 feet of clearance. Secondly, the bridge clearance for boats is important.

CE Ross said the consultant, at its expense, has redesigned the bridge to accommodate these two issues. Staff estimates a cost increase of \$250,000 for the modified project, however, the FY99 Local Bridge Program is not fully programmed and there are sufficient funds to cover the cost increase.

May 19, 1999

Request by Bingham County to Add a New Project in the FY99 STP-Local Rural Program, District 5. Highway Programming Manager (HPM) Dave Amick reported that Bingham County has requested funds to develop a transportation master plan in order to use their limited transportation funds in an effective and efficient manner.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to
TB99-31 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 appropriated highway funding; and

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

WHEREAS, Bingham County has a sufficient STP Local Rural balance in FY99 to fund the requested projects; and

WHEREAS, the STP Local Rural Program has \$4.4 million in unprogrammed funding in FY99.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of the requested FY99 transportation planning project (\$75,000) to the FY99-03 Highway Development Program; and

BE IT FURTHER RESOLVED, that Department staff is authorized to request an amendment to the STIP to add the specified transportation planning project to the approved FY99-03 and Preliminary Development Highway Program, in accordance with the provisions of the TEA-21 of 1998, and to show said project in Supplement 99-2, following public involvement and STIP amendment approval.

State FY99 Adjustments to the State (ST) and State Restricted (STR) Program Based on Readiness and Available Funding. Staff estimated \$3.5 million in administrative savings will be available to be redirected towards roadway projects. Also, three projects in District 6 will need to be delayed due to environmental issues. HPM Amick outlined the projects identified to advance from FY00 and FY01 plus the addition of two new projects to the Program to utilize these funds. The new projects include the Minico Signal and SH-75, Bellevue to Hailey Emergency Road Repair, both in District 4. The latter project will address an emergency situation with a failed road.

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
TB99-32 accomplish a current, realistic, and fiscally constrained State Funded Highway Development Program; and

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

WHEREAS, projected administrative savings estimated at \$3.5 million and delayed projects in FY99 have made funding available for advancing projects and for cost increases on projects in the State (ST) and State Restricted (STR) programs; and

WHEREAS, these changes will be reflected in Supplement 99-2.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the delay in the ST and STR Program of keys #5663, #6461, and #6462; and

BE IT FURTHER RESOLVED, that Department staff is authorized to add the SH-75, Bellevue to Hailey Emergency Road Repair Project for \$300,000 and the Minico Signal for \$50,000 and to advance the ST/STR projects, as such projects become ready and FY99 funding becomes available.

STP Local-Rural Exchange, Clearwater County, District 2. Clearwater County has historically exchanged its Local Rural Federal Apportionment for State Funds. However, due to an oversight in the County office during the aftermath of the 1996 and 1997 emergency events, the county clerk inadvertently failed to forward the Local Exchange Agreement for FY97. Therefore, Clearwater County did not participate in the FY97 Local Rural Exchange Program, but did participate in the FY98 Local Rural Exchange Program.

Due to a ceiling of \$2.8 million available for the Exchange Program, the Board Policy was revised in November 1998 to state those local highway agencies eligible for exchange will be limited to those who participated in the Exchange Program in FY97. HPM Amick said Clearwater County has requested the Board allow an exception to this policy.

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

RES. NO. WHEREAS, Clearwater County has historically participated in the Local Rural
TB99-33 Exchange Program; and

WHEREAS, Clearwater County did not participate in the Local Rural Exchange Program in FY97 due to an administrative error, even though they intended to do so; and

WHEREAS, it is the intent of the Transportation Board to limit the Rural-Exchange program to counties that participated in the Rural-Exchange program in FY97; and

WHEREAS, Clearwater County Commissioners have determined it to be in the County's best interest to continue to participate in the Local Rural Exchange Program.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board has determined that Clearwater County is eligible for participation in the Local Rural Exchange Program, effective in FY99.

Supplement to CH2M Hill Engineering Services Agreement, US-95, District 1. The US-95, Bellgrove to Mica project is a high priority project identified in TEA-21. An agreement for engineering services with CH2M Hill has been negotiated, including development of an environmental assessment for the project between mileposts 414.7 and 421.2. In order to better address cumulative effects, it became evident that the limits for the environmental assessment should be extended from Worley to Mica, mileposts 401.5 to 421.2. DE1 Scott Stokes said developing one environmental assessment for the entire US-95 corridor between Worley and Mica allows cumulative effects of the project to be addressed. Additionally, this expedites the development of the two remaining projects between Worley and Bellgrove, and is expected to result in a cost savings.

Vice Chairman Combo commended staff for the foresight to expand the environmental assessment on this corridor and to get projects ready. Vice Chairman Combo made a motion, seconded by Member McHugh, and passed unanimously, to approve the following resolution:
RES. NO. WHEREAS, the Idaho Transportation Department currently has an agreement
TB99-34 (#3712) with CH2M-Hill to develop an Environmental Assessment for the US-95, Bellgrove to Mica project; and

WHEREAS, in order to complete the Corps of Engineers 404 permit merger process it is necessary to develop and analyze alternative alignments and select a final alignment; and

WHEREAS, in order to assess the environmental impacts of the chosen alignment, it is necessary to develop a preliminary design and evaluate the entire corridor from Worley to Mica; and

WHEREAS, combining the design approval phases of the Bellgrove to Mica, Bellgrove to Setters, and Worley North projects could save approximately \$800,000 in engineering costs, while satisfying the need to evaluate the entire corridor at the same time.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves Supplemental Agreement #1 to professional agreement #3712 in the amount of \$1.8 million; and

BE IT FURTHER RESOLVED, that in order to fund this Supplemental Agreement, Department staff is authorized to utilize \$800,000 of preliminary engineering funds and \$1 million of right-of-way funds programmed in FY99 on the Bellgrove to Mica project.

Contract Awards. Member McClure made a motion, seconded by Member Miller, and passed unopposed, to approve the following contract awards:

STR-3110(613) and STM-3110(624), keys 6593 and 7538 – US-95, Council North to Weiser River Bridge and US-95, Culvert and Washout Repair, Adams 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 past projects of the same type of work in the same area. The majority of the items with high bids in the estimate are items that require production from a materials source. In this particular area, the material sources are limited and all owned by the low bidder. Staff believes this results in the low number of bidders and the higher bid prices. The District does not believe there is an advantage to readvertising the project, and due to the rutting and deteriorating of the highway, recommends awarding the project. Low bidder: Valley Paving & Asphalt, Inc., Cottonwood, Idaho - \$1,654,183.34.

STR-5120(623), key 6998 – Dover Bridge Deck Repair, Bonner County, District 1. 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 Bid Price Report combined with recent Abstract of Bids of similar projects. The major differences between the engineer's estimate and the low bidder is mainly in Item SP-01 Rent Portable Message Sign, Item SP-03 Expansion Joint System, and Item 629A Mobilization. The District believes the remote location and small quantities justifies the bids on the first two items, and the review of the mobilization costs does not seem to indicate an irregular bid. This was the second time the project was bid and the District does not believe a cost savings will be realized if the project is readvertised. Low bidder: Reliable Builders, Inc., Bonners Ferry, Idaho - \$132,523.20.

ER-3840(100), key 6872 – Ola to Sweet, Gem 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 with adjustments by the resident engineer for local conditions. Three bid items contributed to the difference between the engineer's estimate and the low bid: 502-C4, Concrete Class 40-A Schedule No. 2; 503-A, Metal Reinforcement; and 612-C5, Metal Terminal Section, Type 5. Both relatively small bid quantities and a remote construction site contributed to the higher bid prices. Staff does not believe readvertising the project would result in lower bids, and the Gem County Commissioners recommend awarding the project. Low bidder: Allied Construction, Inc., Boise, Idaho - \$38,582.30.

BROS-3500(103), key 6276 – 6th Street Bridge, Culdesac, Nez Perce County, District 2. The low bid was more than ten percent over the engineer's estimate, requiring justification. The City of Culdesac has requested additional funds to award the contract and staff concurred that funds are available in the STP Local Bridge Program. Low bidder: A & R Construction, Inc., Lewiston, Idaho - \$293,108.94.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 11:50 AM, Vice Chairman Combo made a motion, seconded by Member Sweeney, to meet in executive session to discuss legal and personnel issues. The motion passed unanimously.

The Board came out of executive session at 12:20 PM. No decisions were made.

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

RES. NO. WHEREAS, Eterna-Line Corporation of Idaho was a subcontractor on a project to
TB99-35 repair the Fairview Bridge in Boise; and

WHEREAS, Eterna-Line filed a claim for additional compensation; and

WHEREAS, the Chief Engineer had offered to settle the claim for \$124,000; and

WHEREAS, Eterna-Line rejected the offer and appealed its claim to the Transportation Board;
and

WHEREAS, the Board recommended mediation as a means of resolving the dispute; and

WHEREAS, the Chief Engineer and Department's Counsel mediated the claim with Eterna-Line on April 8, 1999 and reached a tentative agreement.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves and ratifies the settlement of the claim at \$192,000.

WHEREUPON, the regular monthly Board meeting officially adjourned at 12:25 PM.

Read and Approved
May 20, 1999
Idaho Falls, Idaho

signed
CHARLES L. WINDER, Chairman
Idaho Transportation Board

REGULAR MEETING AND DISTRICT 6 TOUR
OF THE IDAHO TRANSPORTATION BOARD

May 19, 1999

May 19-20, 1999

The Idaho Transportation Board met at 9:00 AM, on Wednesday, May 19, at the Driggs, Idaho airport. The following principals were present:

Charles L. Winder, Chairman
John X. Combo, Vice Chairman - District 6
John McHugh, Member - District 1
Bruce Sweeney, Member – District 2
Monte C. McClure, Member – District 3
Gary Blick Member – District 4
Neil Miller, Member – District 5
Sue S. Higgins, Secretary to the Board
Dwight Bower, Director
Jimmy Ross, Chief Engineer
Jim Richard, District 6 Engineer
Tom Cole, Assistant District 6 Engineer
Jack Coe, Region Administrator – Federal Highway Administration

Representative Jim Kempton was also present.

Driggs Maintenance Shed. The Board stopped at the Driggs Maintenance Shed. ADE Cole reported on the plans to expand the shed to accommodate larger vehicles.

Delegation. The Board met with local area officials at the Best Western in Driggs. Driggs Mayor Louis Christensen relayed the sheriff's concern with the 65 mile per hour speed limit on SH-33 from SH-31 to the Wyoming state line. He believes the sheriff will be contacting the Department to lower the speed limit. Mayor Christensen requested larger speed limit signs in the city and information on the proposed traffic signal at SH-33 and Little Avenue. CE Ross recommended posting orange flags on the speed limit signs for emphasis.

Craig Sherman, Victor City Administrator, expressed concern with the enforcement of the speed limits, particularly in the city near the elementary school. The city has doubled its size and tripled its population over the past ten years. He requested assistance to manage growth and deal with annexation issues. He added that the city is still working on an enhancement application to extend the existing county bikepath through Victor. Patty Bates, District Ranger, said the Teton Pass trail could tie into the city's path and said she will work with the city on the project.

Driggs City Administrator John Morrison said the limited principal arterials coming into the Teton Valley is a concern. Individual studies have been completed, but he realizes the need to look at the area and develop a regional master plan.

Funding for public transportation is a concern to Lynette Wade, District 6 Regional Public Transportation Advisory Committee member. She said the public transportation service provided is very beneficial and there is a great need to keep it going in the Teton Valley. Representative Kempton encouraged her to contact the area legislators. The Transportation

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Department has proposed legislation to fund public transportation over the years, but the legislature has been reluctant to approve the funding.

The Board emphasized its commitment to public transportation and will continue to pursue funding for this valuable service. The Board asked the District staff to continue communicating with the City of Driggs on the traffic signal project and to coordinate a meeting with the area officials to discuss planning and growth issues.

Vice Chairman Combo reported that the Board approved a resolution last fall designating a scenic overlook on Forest Highway 76 as the John O. Sessions Overlook. This recognition is on behalf of Mr. Sessions' service to the state, particularly in the legislature and as Chairman of the Idaho House Transportation and Defense Committee; his involvement and advocacy of the building and development of the Targhee Resort and improvements to Forest Highway 76; and for his love and adoration of the Teton Valley. Project Development Engineer Ken Hahn said an expansion of an existing overlook, including a place for the plaque in honor of the Honorable John O. Sessions, is included in the Forest Highway 76 project. The project is scheduled to be advertised in 2001, with the Little Avenue project in Driggs scheduled for the following year. Mrs. Alice Sessions thanked the Board for its recognition of her late husband and the designation of the overlook in his name.

The Board met at the Teton Basin Ranger District for a brief report on the Teton Pass trail. Ms. Bates said the project is being coordinated with the various entities involved. The recreational path is approximately 17 miles, from Victor to Wilson, Wyoming. Work is progressing on environmental clearances and the application for final design and construction. Jack Vogel, Recreation Staff Officer, added that the construction costs have not been determined yet and that it would take more than one construction season to build the project. The Board thanked the Forest Service employees for the information on the project.

The tour continued south on SH-33, south on SH-31 and east on US-26. After a brief stop at the Palisades Dam Overlook and visit with Bureau of Reclamation employee Dale Sutheimer, the tour continued west on US-26 and north on SH-48 to the District 6 Office in Rigby. The Board members toured the District Office and visited with employees. The group traveled south on US-20 to the Engineering and Research Office Building, Department of Energy (DOE), Idaho Falls.

DOE Presentation. Ralph Smith, Manager, Institutional Programs, Waste Isolation Pilot Plant, (WIPP) outlined the national routes that have been selected to transport transuranic waste to the WIPP storage site in New Mexico. The trucks travel on the interstate system except to access sites. In Idaho, these routes include US-26 from the Idaho National Engineering and Environmental Laboratory to I-15 south, and I-84 from the Oregon to Utah borders for shipments from the Hanford, Washington site. The trucks haul within legal limits, so do not require

permits. Mr. Smith reported that tracking systems are used on the trucks, and emphasized the safety measures that are followed, including walk-around checks of the vehicles every 100 miles.

Chairman Winder asked if Mr. Smith has the support and assistance needed in Idaho for transporting the waste and if there was anything the Board could help him with. Mr. Smith responded that they have a good working relationship with Idaho and he also reported that Idaho's roads are in good shape. Good communication on weather and road conditions, particularly in winter is important; however, Director Bower emphasized the need to communicate the summer construction schedule and delays or inconveniences those may cause.

The Board thanked Mr. Smith for the informative presentation. Chairman Winder also thanked Representative Kempton for touring District 6 with the Board and for his continued interest in and support of the Transportation Department.

WHEREUPON the meeting recessed at 5:30 PM.

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The Transportation Board meeting reconvened at 8 AM on Thursday, May 20, at the City Electric Building in Idaho Falls. All members were present.

Chairman Winder welcomed Bonneville County Commissioner Ralph Steele to the meeting.

April 12-13, 1999 Board Minutes. Member Blick made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on April 12-13, 1999 as submitted. The motion passed unanimously.

Board Meeting Dates. The following meeting dates were scheduled by the Board:
June 16-18, 1999 - District 3
July 8-9, 1999 – District 5
August 19-20, 1999 – District 1
September 15-17, 1999 - Boise

Consent Calendar. Member McHugh questioned the activity for FY96 in the State Highway Fund as shown on the financial statement. Director Bower explained that all encumbrances are tracked by specific projects and include a variety of projects. He will provide a list of those encumbrances to the Board, and added that the encumbrances are a concern to staff and are being monitored.

Member Sweeney asked for a briefing on the Department's policy for accepting checks. He noted the numerous returned checks reported in the quarterly report and was particularly concerned with the cost to process the low-dollar-amount checks that are returned. Staff will provide Member Sweeney with information on that subject.

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves TB99-36 Board Policy, B-01-02, Budget Preparation; Board Policy, B-01-10, Memorandum of Understanding; and Board Policy B-14-07, Landscaping; and has received and reviewed the contract award information; the new and supplemental professional agreements report; the quarterly returned check report; the Year 2000 computer report; and the financial statement.

1) Board Policy B-01-02, Budget Preparation. This policy details budget preparation responsibilities and documentation. An ITD Budget Development manual containing Budget Council guidelines, budget development timelines, and other related forms and instructions is being developed.

2) Board Policy B-01-10, Memorandum of Understanding. This policy was developed to establish guidelines and assign responsibilities for the development, form and content, signature, filing, review, and modification of memorandums of understanding.

3) Board Policy B-14-07, Landscaping. A definition of landscaping and reference to a new AASHTO publication guide were added, and other minor revisions were made to this policy.

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

STM-0001(636), key 7397 – FY99 Districtwide Brooming (North); US-2, SH-41, SH-53, and SH-57; Kootenai, Boundary, and Bonner Counties; District 1. Low bidder: Action Services Corporation, Bremerton, Washington - \$59,353.31.

STM-0001(626), key 6661 – FY99 Districtwide Brooming (South); I-90, SH-3, SH-5 and SH-6; Kootenai, Benewah, and Shoshone Counties; District 1. Low bidder: Action Services Corporation, Bremerton, Washington - \$111,670.79.

STR-84-1(522)0, key 6640 – I-84, Meridian Interchange, Westbound Offramp, Ada County, District 3. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$76,913.30.

STKP-4657, STKP-4623, STKP-4624, STKP-4625, STKP-4626, and STKP-4627, keys 7427, 7428, 7429, 7430, 7431, and 7432 – Juniper Rest Area, Salt Lake Interchange, Raft River Interchange, Declo Interchange, Rupert Yard, and Valley Interchange; Oneida, Cassia, Minidoka, and Jerome Counties; District 4. Low bidder: Walton Inc., Heyburn, Idaho - \$179,130.

STKP-4628, STKP-4629, STKP-4630, STKP-4632, STKP-4631, STKP-4633, and STKP-4634, keys 7433, 7434, 7435, 7437, 7436, 7438, and 7439 – Jerome Yard, Bliss Yard, Twin Falls Yard, East of Buhl, Gray's Landing, Hollister Port of Entry, and Junction SH-25/US-93; Jerome, Gooding, and Twin Falls Counties; District 4. Low bidder: Don Anderson Construction, Inc., Twin Falls, Idaho - \$164,436.

STR-5760(600), key 7155 – Frisco Bridge, Shoshone County, District 1. Low bidder: DG&S Company, Kingston, Idaho - \$354,673.21.

STKP-4635, STKP-4812, STKP-4614, STKP-4636, STKP-4637, and STKP-4613, keys 7740, 6811, 6810, 7441, 7442, and 6809 – Shoshone Yard, Fairfield Yard, Timmerman Rest Area Yard, Carey Yard, Pine Turn Off, and Hailey Yard; Lincoln, Camas, Blaine, and Elmore Counties; District 4. Low bidder: Walker Sand & Gravel Ltd. Co., Bellevue, Idaho - \$209,656.

STKP-5573, STKP-5593, and STKP-5590, keys 5785, 7464, and 7311 – American Falls Yard, Coldwater Hill STKP, and Bannock Creek STKP; Power County, District 5. Low bidder: Gale Lim Construction Inc., Blackfoot, Idaho - \$243,170.

STP-3110(111), (112), and (113), keys 6519, 6510, and 6520 – Guardrail Priority 7, 8 and 10, Payette and Washington Counties, District 3. Low bidder: MarCon Inc., Nampa, Idaho - \$369,949.92.

STKP-5594 and STKP-5595, keys 7465 and 7466 – Montpelier STKP, and Georgetown Summit STKP, Bear Lake County, District 5. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$238,086.

CM-0900(110), key 6268 – Forest, Hickory, and Ruth Streets, Sandpoint, Bonner County, District 1. Low bidder: Interstate Concrete & Asphalt, Sandpoint, Idaho - \$39,001.25.

STR-3270(617), key 6589 – Boydstun Lane to New Meadows, Valley and Adams County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$1,343,486.71.

STP-2000(101), key 6038 – Three Island State Park, Elmore County, District 3. Low bidder: The Ewing Company, Inc., Boise, Idaho - \$2,117,500.

STM-84-1(525)0, key 6677 – FY99 Roadside Mowing, I-84, Ada, Canyon, Elmore, and Payette Counties, District 3. Low bidder: Green Velvet Reclamation Inc., Sugar City, Idaho - \$39,924.

ER-4730(101), key 6425 – Glenwood Road, Embankment Failure, Idaho County, District 2. Low bidder: Geraldine Bernard, Kamiah, Idaho - \$184,260.44.

NH-2390(124), key 7474 – Shoshone South Sealcoat, US-93, Lincoln County, District 4. Low bidder: Snake River Construction, Inc., Twin Falls, Idaho - \$145,484.03.

STP-8102(100), key 6487 – SH-25/79 Intersection Main and Lincoln, Jerome, Jerome County, District 4. Low bidder: Kloefer Inc., Paul, Idaho - \$2,218,782.14.

STM-3290(625) and STM-3290(626), keys 6828 and 6829 – SH-21, Directed Guttering, Boise, County, District 3. Low bidder: Wright Brothers, The Building Company, Eagle, Idaho - \$183,009.04.

STP-84-1(041)0, key 6200 – I-84, Franklin Interchange, Nampa, District 3. Low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$2,088,888.

ER-15-2(060)96, ER-7711(101), and ER-1837(100), keys 7079, 7110, and 7112 – Rose Road Underpass, Rose Road Milepost 2 and Rose-Firth Road, Bingham County, District 5. Low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$2,795,496.98.

5) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$4,857,781 in new and supplemental agreements between March 31 and May 4.

6) Quarterly Returned Check Report. In the third quarter of FY99, \$17,574,915 in checks were received, while \$41,421, or .0817% were returned. Collections amounted to \$34,219 for a collection rate of 82%.

7) Y2K Report. Remediation and testing work for all major mission critical mainframe systems are progressing substantially on schedule and under budget.

8) Financial Statement through April 1999.

Board Items. Idaho Smart Growth, a non-profit organization, sent letters and background information to each Board member and suggested a meeting to educate the Board on the organization. Chairman Winder suggested asking Idaho Smart Growth to make a presentation at a future Board meeting. The Board concurred.

Chairman Winder received a phone call from the Idaho State Historical Society inquiring about its application for an Enhancement project. The Enhancement Advisory Committee determined this visitor center project was ineligible for funding. Member Miller requested this item be discussed during the presentation on the Enhancement Program. (See later minute entry.)

During a media interview yesterday, Chairman Winder was asked about the air carrier service in Idaho. Because this issue is a concern to the Board, he suggested contacting Governor Kempthorne about this matter. The Department of Commerce held a meeting several months ago to discuss this topic, according to Vice Chairman Combo. He suggested discussing this issue with the Aeronautics Advisory Board and also working with the Department of Commerce. Director Bower said staff would like another meeting with the Department of Commerce, and possibly other states, to discuss the use of regional jets. Member Sweeney added that the cities and airports need to be involved and aggressive on air carrier service.

Vice Chairman Combo reported that Mariam Taylor, Transportation Coordinator, DOE, Idaho, told him yesterday that they have a great relationship with District 6. The staff is very cooperative and communicates on a regular basis on road closures and other issues.

Vice Chairman Combo requested to be excused from the afternoon session. The senior partner in the law firm where he works passed away unexpectedly Monday night at age 51 and he would like to attend the funeral in the afternoon, as he was asked to be a pall bearer.

Vice Chairman Combo stated that he had problems with the Eckert pathway extension item scheduled at 2 PM and would not be present for the discussion and vote. He expressed concern with approving the project without its review by the Enhancement Advisory Committee.

A brief discussion was held on scheduling a Board retreat. Chairman Winder said the Board could hold a retreat, but that the open meeting law would apply. The consensus of the Board was to hold a retreat after September.

Member McClure made a motion to advance the agenda item on the FY2002 prioritization of Enhancement projects and report from the review committee scheduled later in the day to this time. Vice Chairman Combo seconded the motion and it passed unanimously.

FY2002 Enhancement Advisory Committee (EAC) Prioritization of Enhancement Project Submittals – Report of Enhancement Review Committee Meeting. Senior Transportation Planner Pat Raino summarized the application process for Enhancement projects and the ensuing review and prioritization by the EAC. A total of \$22 million in projects were submitted while only \$4.3 million in funds are available.

Ms. Raino was asked to elaborate on the Franklin projects in District 5. Two similar projects were submitted in the city of Franklin. The Idaho State Historical Society's project was declared ineligible because it would not be along the highway and because it is an historic museum and not transportation related. She added that the City of Franklin's project, a welcome center on a scenic byway, was recommended for funding. Mr. Coe reiterated that although there are a number of eligible categories for the Enhancement Program, the projects need to be transportation related. The Board requested an explanation of eligible projects at the June workshop.

Member Miller expressed concern with the recommendation to fund bicycle/pedestrian paths at 75% of the available Program, while the Board Policy recommends funding these paths in a range of 40 to 70%. He would like to see more welcome centers funded and questioned appointing a tourist-oriented member to the EAC. Discussion also focused on the balanced number of projects throughout the state. Member Blick believes projects should be funded on merit, not to meet a geographic target. Member Sweeney concurred and stated that this Board has historically funded projects on a statewide basis rather than a geographical basis.

The consensus of the Board was to continue discussion on the Enhancement Program next month. The Board expressed appreciation to the EAC for its efforts and time on the Program.

Director's Items. Director Bower reported that he attended the AASHTO Spring meeting last month in Arkansas. One of the discussion topics included streamlining the environmental guidelines.

Earlier this month Director Bower spoke at the state's Conference on Tourism and Recreation. He focused on ITD's role in supporting tourism and recreation. He received a number of comments from attendees that they were not aware of the Department's activities, and that ITD should be an ongoing partner with the Departments of Commerce and Parks and Recreation on this annual conference.

As a member of the Advisory Board for the University of Idaho's Engineering School, Director Bower participated as a judge at the annual exposition. He reported that there were a number of great projects and he was impressed with the quality of the presentations and students.

ITD has not received an answer on the eligibility for Emergency Relief (ER) funds for the US-95, Bonners Ferry slide last fall. Over \$8 million has been requested for that project. If ER funds are not received, either in whole or in part, that decision will impact the Department's budget. The obligation authority for ER funds has been used nationwide, so there will be no ER monies until Congress makes more funding available. ITD has approximately \$16 million in eligible ER projects that have not been funded. Director Bower added that one of those projects is the Rose Road overpass, which will utilize state funds until the ER funds are available.

Director Bower met with the Aeronautics Advisory Board (AAB) earlier this month to discuss the Stanley Airport. The AAB will appear before the Board later today to review this item. (See later minute entry.)

Micron Technology has transferred its share of the funds for the I-84, Franklin Interchange project in Nampa, according to Director Bower. The project is progressing well.

Director Bower reported that staff is proceeding with preparations to auction surplus property on Lewiston Hill. Mr. Floyd Harvey still has transmission equipment on the property that staff is working on removing.

All of the transactions have been completed for the property trade with the Hagadone Corporation near Coeur d'Alene, according to Director Bower.

Director Bower received an update on the Twin Falls Alternate Route project recently. Staff will obtain more public input before a hearing is scheduled.

The Department received the legislative audit and has responded to the findings. Director Bower was pleased to report that for the first time, all previous audit findings have been closed. He commended staff for its efforts and work on this. The report has six new findings, although Director Bower does not believe the issues are discerning. He added that the report also provided good recommendations that should be helpful to the Department.

Director Bower said a legislative interim committee on construction was established to consider the consolidation of government agencies for the efficient management of laws and rules that govern the licensing and operations of the construction industry. The committee will also review laws regulating the construction industry for sufficiency and relation to current

practices. Staff will attend the first meeting to discern the purpose and scope of this interim committee. Vice Chairman Combo commented that this may impact the Public Works Licensing Board and ITD.

Delegation – Bonneville Metropolitan Planning Organization (BMPO). Chairman Winder expressed appreciation to the City of Idaho Falls for the use of its facilities. He welcomed the BMPO Policy Board members to the meeting. BMPO Deputy Director Darrel West explained the requested amendments to its Transportation Improvement Plan (TIP) and the Statewide Transportation Improvement Program (STIP). The request is to add the Sunnyside project in FY02 and delay the Pancheri Drive project from FY02 to Preliminary Development. The right-of-way and design costs have increased on the Pancheri Drive project, causing some concern for the BMPO. Additionally, the STIP includes a Sunnyside interchange on I-15 in FY03, which will increase traffic on Sunnyside and decrease traffic on Pancheri Drive. Mr. West expanded on the public involvement process that has been conducted for these projects. He added that they are in the process of amending the long-range plan. The area including Pancheri Drive and Sunnyside will be reassessed, particularly the impacts to Sunnyside.

Vice Chairman Combo expressed concern with the aggressive schedule for the Sunnyside project if the Board approves it. He believes a number of environmental issues will need to be resolved and a new river crossing developed. Member McHugh said a citizen approached the Board several months ago regarding the schedule of the Pancheri Drive project, creating some concern with the proposed amendments.

Bonneville County Commissioner Bill Shurtleff said the Pancheri project has been in the process for approximately 13 years, and he understands the property owner's frustration. Once a project is announced, that property has basically been condemned until something physical occurs with the project. The Pancheri Drive project goes through the County. Pancheri Drive is two lanes over the overpass. Another road, Pioneer Road, intersects with Pancheri, creating safety problems. The County is looking at relocating that intersection to alleviate the safety problem, according to Commissioner Shurtleff.

Chairman Winder thanked Mr. West and Commissioner Shurtleff for the information. Vice Chairman Combo believes the presentation was informative and will be helpful to the Board when it reviews the draft Program next month.

Delegation – Don Thorpe, Community and Rural Transportation (CART). Mr. Thorpe said CART traveled 1.1 million miles last year, connecting eight of the nine counties in District 6. Routes have also been expanded into Missoula and West Yellowstone, Montana, and Alta and Jackson, Wyoming. The majority of funds CART receives are from the Federal Transit Authority and Medicaid. He provided a written report on funding. He commended the Board for the Vehicle Investment Program and also expressed support for the current allocation of funds. In response to a question, he said he has been trying to think of a better way to allocate funds, but has not been able to.

Vice Chairman Combo reported Randy, who drove the CART bus for the Board's tour yesterday, was very professional and represented CART well. Chairman Winder thanked Mr.

Thorpe for the informative presentation and for his efforts in the public transportation arena. He also expressed appreciation to Mr. Thorpe for providing transportation for yesterday's tour.

Chief Engineer's Items. CE Ross reported that a team responded to concerns with the cumbersome and complicated application process for the CMAQ projects and identified a number of ways to streamline the process. He believes the team made some good improvements and he will provide the team's report to the Board.

Staff has erected the signs warning motorists of merging traffic on I-84 near the Gowen Road and Broadway Interchanges in Boise.

A request for an approach for a new development on US-20/26 near the SH-55 intersection has been received. CE Ross will review the information and because ITD owns access control, may have a request next month for approval for the access.

Member McHugh emphasized the need to expand US-95 to four lanes on the Mica to Worley and on the Sandpoint alternate route projects. Director Bower responded that District Engineer Scott Stokes has been asked to consider the Mica to Worley project as four lanes.

FY01 Budget Development Update. Staff is continuing its work on developing the FY01 budget for the workshop next month. Director Bower said three issues are expected to negatively impact the budget; a suspension of the transfer fee from the Idaho Petroleum Clean Water Trust Fund; the modification of the Highway Distribution Account distribution formula; and a reduction in the estimates for the level of economic activity and fuel consumption.

Amendment of IDAPA 39.02.72, Rules Governing Administrative License Suspensions. Director Bower reported that Idaho Code requires law enforcement agencies to make sworn statements regarding Administrative License Suspensions on forms in accordance with rules adopted by ITD. Some law enforcement agencies have developed and are using their own probable cause affidavits instead of the affidavits provided by the Department. Staff recommends revising IDAPA 39.02.72 to allow law enforcement agencies to develop and use their own probable cause affidavits, as long as the affidavits comply with the requirements of Idaho Code. Member Blick asked why law enforcement doesn't use ITD's forms. Director Bower did not know.

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

RES. NO. WHEREAS, the Division of Motor Vehicles and the Department of Law
TB99-37 Enforcement operate under the provisions of Idaho Code; and

WHEREAS, Title 18, Section 8002A, requires law enforcement agencies to make sworn statements regarding Administrative License Suspensions on "...forms in accordance with rules adopted by the department"; and

WHEREAS, IDAPA 39.02.72 states “Each law enforcement agency shall use the forms supplied by the department in carrying out the requirements of Section 18-8002A, Idaho Code, and this Rule.”; and

WHEREAS, the Transportation Department has been made aware that some law enforcement agencies have developed and are using their own probable cause affidavits instead of the affidavits provided by the Department; and

WHEREAS, the driver licenses suspended by these law enforcement agencies may be vacated if the agencies fail to use the proper forms, as required by IDAPA 39.02.72.

NOW THEREFORE BE IT RESOLVED, that the Transportation Board authorizes the amendment of IDAPA 39.02.72, authorizing law enforcement agencies to develop and use their own probable cause affidavits in lieu of the affidavits supplied by the Department, with the requirement that the affidavits contain all of the elements required by Section 18-8002A, Idaho Code.

The motion passed 5-1 with Member Blick dissenting.

Repeal of IDAPA 39.02.77, Rule Governing Social Security Numbers on Applications for Driver’s Licenses, Identification Cards, and Instruction Permits. The 1999 legislature approved legislation allowing applicants who have not been assigned a Social Security Number to submit the following in lieu of a Social Security Number when applying for driver’s licenses, instruction permits, and identification cards: written verification from the Social Security Administration that the applicant has not been assigned a Social Security Number; a birth certificate, passport, or other identifying documentary evidence issued by an entity other than a state or the United States; and proof, approved by the Department, that the applicant is lawfully present in the United States. The intent of the legislation is to allow those who are legally in the United States but who have not been issued a Social Security Number to apply for driver’s licenses, instruction permits, and identification cards. IDAPA 39.02.77 contains duplicate language to and is superseded by Sections 49-306 and 49-2443, Idaho Code, and should therefore be repealed.

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

RES. NO. WHEREAS, the Division of Motor Vehicles operates under the provisions
TB99-38 of Idaho Code; and

WHEREAS, Title 49, Sections 306 and 2443, Idaho Code, require all applicants for driver’s licenses, training permits, and identification cards to provide a Social Security Number at the time of application; and

WHEREAS, Title 49, Sections 306 and 2443, Idaho Code, were recently amended by Senate Bills 1159 and 1170 to provide options for people without Social Security Cards to present alternate forms of identification in support of

applications for driver's licenses, training permits, and identification cards, effective March 24, 1999; and

WHEREAS, IDAPA 39.02.77 duplicates the language of and is superseded by Title 49, Sections 306 and 2443 Idaho Code.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board authorizes the repeal of IDAPA 39.02.77.

Three-Year Airport Improvement Program. Airport Planning and Development Engineer Wayne Pickerill outlined the recommended three-year airport improvement program and proposed matching ratios. The legislature approved \$300,000 in the budget for this program. He stated that the Division of Aeronautics has had to reduce the match rate that it has been providing, from 5% to 2% because of declining revenues. Member McHugh said local officials have expressed concern to him on this issue.

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

RES. NO. WHEREAS, the Division of Aeronautics has solicited, received, and reviewed
TB99-39 applications from municipal airport owners for financial assistance; and

WHEREAS, the Division staff has evaluated these applications and prepared the AERONAUTICS 3-YEAR PROGRAM; and

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

NOW THEREFORE BE IT RESOLVED, that the AERONAUTICS 3-YEAR PROGRAM be approved; and

BE IT FURTHER RESOLVED, that the Division shall issue grant offers for FY2000; and

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

Chairman Winder thanked the Aeronautics Advisory Board (AAB) Members for attending the meeting, and especially welcomed new AAB Member Russ Westerberg. He thanked the AAB for its involvement and efforts in aviation issues.

Status of Stanley Airport. AAB Chairman Bill Parish said the AAB unanimously supports acquiring the Stanley airport, and distributed a resolution the AAB approved earlier in the morning stating its position. The airport is responsible for a significant amount of economic activity in the summer. He said Mr. Pickerill is working on an easement in perpetuity to allow continuation of the operation of the airport in the interim.

Chairman Winder expressed concern with funding this acquisition, especially with the decline in aviation revenue. He added that the appraisals have not been completed, so the Department does not have any cost estimates at this time.

Member Sweeney made a motion to concur with the Aeronautics Advisory Board's report and recommendation to pursue efforts to preserve the Stanley Airport as part of the Idaho network of airports and landing strips. Member McHugh seconded the motion and it passed unanimously.

Director Bower reported that staff will continue its work on the appraisals and easements. Member Blick asked if the Department can make multiple-year payments. Chairman Winder said that needs to be researched. He thanked the AAB for its efforts and the information it provided on this issue.

Discussion continued with the AAB at an informal luncheon. AAB Chairman Parish invited the Board to the annual Northwest Family Fly-in in West Yellowstone in July.

Member Sweeney questioned the decline in aviation revenue and the source of funding. AAB Chairman Parish said the main source of revenue is fuel tax, with the majority of the tax collected at the Boise Airport. Aeronautics Administrator (AA) Bart Welsh said Idaho has the second highest tax rate in the Northwest, which seems to be a consideration for airlines when purchasing fuel. Idaho's tax is 4 ½ cents. He added that the passenger load appears to be increasing.

AA Welsh realizes the diminished airline service in Idaho is a concern. The use of regional jets is being explored, and he is planning to continue working with the Department of Commerce and would like to work with other states on this issue.

AA Welsh met with Boise Airport Manager John Anderson recently. Expansion plans at the airport may result in the need for the Division of Aeronautics to move its facilities. AA Welsh will continue working on this issue with Manager Anderson.

AAB Member Westerberg said he is pleased to be a member of the AAB and is looking forward to serving on the board. AAB Chairman Parish expressed appreciation for the meeting with the Board and for the good partnership that has been established.

Vice Chairman Combo excused himself from the meeting.

Presentation – District 6 Volunteer Group of the Year. Chairman Winder presented the Retired and Senior Volunteer Program with the 1998 Outstanding Group Award for its efforts in the Adopt-A-Highway Program. He expressed appreciation to the group for the work it does, which helps contribute a savings of \$280,000 to the District on litter efforts.

Delegation – Ada Planning Association (APA). APA Deputy Director Erv Olen thanked the Board for its time. APA is requesting an amendment to the TIP to increase the CMAQ funds to complete the Eckert pathway extension in FY00. The additional funds would allow this

project to be realigned to the east side of Healey Road, be completed in FY00 rather than phased over several construction years, and provide a savings of over \$200,000 in construction costs. Although APA initially planned on submitting an application for FY02 Enhancement funds to complete the project, Mr. Olen requested a change in scope to the current project and increasing its construction funding in the FY00 CMAQ Program to \$750,000 and scheduling \$140,000 for preliminary engineering in FY99.

Ada County Commissioner Vern Bisterfeldt said the Nampa/Meridian Irrigation District initially opposed the project on the east side, requiring the pathway to be constructed on the west side, which would be more expensive. The Irrigation District has now agreed to developing the pathway on the east side, resulting in the construction savings. He believes the pathway system is one of the area's biggest assets and encouraged the Board to support APA's request.

Boise Mayor Brent Coles thanked the Board for its assistance with the pathway system in Boise. He believes a good partnership has been established with ITD. He emphasized the need for this project to address air quality and safety issues. Ada County Highway District (ACHD) Commissioner Dave Bivens reiterated the concerns with air quality in the area and the benefits this pathway project would provide. He added ACHD's support for the project.

Clair Bowman, APA Executive Director, said there is a construction window because of the irrigation ditches, so the project needs to be designed as soon as possible for construction in FY00. He also emphasized the reduction in construction costs with the project on the east side and completed as one project instead of phasing it over several years.

Chairman Winder asked for the timeframe if the project goes through the application process. Senior Transportation Planner Matthew Moore said applications for CMAQ Projects are due in June. Recommended projects will be included in the draft STIP scheduled for distribution in July. If the project does not qualify for CMAQ funds, Chairman Winder asked for the timeframe for the Enhancement Program. Ms. Raino reported that the Enhancement application process has just been completed and that the next request for projects will be sent in January.

Member Sweeney suggested the project should go through the application process, like other local entities are required to follow. He said he would support the project if it has been reviewed and recommended by the review committee. In response to whether this would require an amendment to the STIP, Highway Programming Manager (HPM) Dave Amick said the project could be funded as a cost increase to an existing project. He added that there is a balance of \$1.6 million in the CMAQ Program. Member McHugh questioned the proposed funding match ratio of 90/10 while other FY99 and FY00 projects in the current Program require an 80/20 match.

Member McClure said the initial project has been through the process, however the location has been moved to the other side of the street. He believes APA would agree to the 80/20 match. Mr. Bowman concurred. Mr. Bowman added that APA is working on a written agreement with the irrigation district to ensure its commitment for this project.

Commissioner Bisterfeldt reiterated that the pathway is used as an alternative mode of transportation. People are commuting to work on the path. It is not only a recreation path.

Member Sweeney asked if APA would be amenable to submit an application for the project and follow the established procedures for funding these projects.

Chairman Winder said he will entertain a motion to either table this issue for one month or for a decision to be made.

Because of the urgency for APA to proceed with the design of the project, Member McClure suggested making a decision today.

Member McHugh made a motion to approve \$140,000 for engineering of the Eckert Pathway project in FY99 and to table the requested construction funds for one month.

The motion died due to the lack of a second.

Member Blick believes the cost savings are important and need to be considered. He expressed support for the project if APA will accept an 80/20 match.

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

RES. NO. WHEREAS, the Eckert Pathway has been identified as a transportation project of
TB99-40 significant local and regional importance; and

WHEREAS, the Idaho Transportation Board, the Idaho Transportation
Department, District 3, have recognized the need for the Eckert Pathway; and

WHEREAS, the Eckert Pathway functions as a transportation system for alternate
forms of transportation; and

WHEREAS, alternate forms of transportation have a direct impact on the
reduction of ambient air pollutants; and

WHEREAS, the Congestion Mitigation and Air Quality (CMAQ) funds received
by the State of Idaho are intended for the purpose of constructing and enhancing
transportation systems which reduce ambient air pollutants; and

WHEREAS, the CMAQ Program is not fully programmed in FY99 and FY00;
and

WHEREAS, the Idaho Transportation Board and the Ada Planning Association
have authorized the expenditure of the State of Idaho CMAQ funds for this
project in the Idaho State Transportation Improvement Plan and the Northern Ada
County Transportation Improvement Plan; and

WHEREAS, the Ada Planning Association Board has unanimously voted to approve an amendment to the FY99-03 Northern Ada County Transportation Improvement Plan, which designated additional CMAQ funds for the completion of the Eckert Pathway Extension in FY00.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board authorizes a change in scope to key #6546, Eckert Pathway Extension to increase its construction funding in the FY00 CMAQ Program to \$750,000 and schedule \$140,000 for preliminary engineering in the FY99 CMAQ Program; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board authorizes a federal-aid match rate of 20% on the project.

The motion carried 3-2 with Members Miller and Sweeney opposing. Member Miller opposed the motion because the Board sets guidelines and he does not believe those guidelines were followed for this project. He added that other entities should have the same opportunity to solicit the \$1.6 million in CMAQ funds.

Road Agreement with Blaine County Transferring Right-of-Way, District 4. Last year Blaine County and St. Lukes Hospital requested the transfer of state-owned right-of-way to the County for use as a county road. The Board resolved to have the District work with the County to develop a road agreement to exchange the rail right-of-way for right-of-way necessary for the reconstruction of SH-75 through McHanville. District 4 Engineer Devin Rigby said a memorandum of understanding has been developed that will allow the county road to be built and SH-75 to be reconstructed. He added that the appraisal has been started on the property ITD will be receiving. Following that, an appraisal will be conducted on the property ITD is trading to the County, then, once the value is known, the equity will be adjusted to ensure a fair trade.

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

RES. NO. WHEREAS, Blaine County has requested the transfer of state owned railroad
TB99-41 right-of-way to the County for use as a county road; and

WHEREAS, the County has requested that the Idaho Transportation Department enter into a road agreement to complete the transfer of the railroad right-of-way; and

WHEREAS, Blaine County has agreed to provide adequate compensation to the state for this requested transfer of the railroad right-of-way; and

WHEREAS, the compensation to the state for transferring this railroad right-of-way to the County shall be equally valued State Highway 75 right-of-way in the vicinity and other defined compensation.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board agrees with the Road Agreement as submitted by Blaine County; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board approves the Chief Engineer to sign the road agreement for the Idaho Transportation Department.

Contract Awards. By unanimous consent, the Board ratified its earlier action on the following contract:

STP-4000(100), key 5751 – Union Pacific Railroad Right-of-Way, Gondola to Division, Kellogg, Shoshone County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. Generally, higher than anticipated prices for most bid items were encountered, with the aggregate for base item the major difference. After a thorough review of all bid items, staff determined that the engineer's estimate may have been low based on the location of the project and the smaller quantities for the project. This project is a partnership with the City of Kellogg and readvertising the project at a later date is not an option for the City. Kellogg has obtained the funds necessary to pay for the additional cost of the project and has signed a State/Local Agreement for Construction. Therefore, staff recommends awarding the bid. Low bidder: Interstate Concrete & Asphalt Company, Coeur d'Alene, Idaho - \$254,440.30.

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

STM-0001(637), key 7398 - I-90, Loop Replacement, Kootenai County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was developed using the Average Unit Bid Price Report combined with recent Abstract of Bids of similar projects. The major differences between the engineer's estimate and the low bid is mainly in Item SP02 Stone Mastic Plantmix, Item SP-04 Night Work, Item SP-06 Quick Setting Seal Coat, and Item 629A Mobilization. The District has bid the project twice and for each advertisement only received one bid. Staff does not recommend readvertisement of this project because there is not potential for further savings. The project has a critical time line to complete the project within pavement specifications and avoid traffic conflict with other projects in the area. Low bidder: Interstate Concrete & Asphalt, Company, Coeur d'Alene, Idaho - \$243,270.08.

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

NH-F-4113(085), key 3743 – South City Limits to North City Limits, Riggins, US-95, Idaho County, District 2. The low bid was more than ten percent over the engineer's estimate, requiring justification. Review of the bids received shows that most items were bid within the range of the average unit price book and were anticipated with the exception of items involving excavation such as water lines, storm sewer pipe, manholes, etc. The bids for these items were considerably higher than the engineers' estimate and comprise the bulk of the difference between the low bid and the engineer's estimate. This difference is due to a concern bidders have encountering rock while excavating for underground items. This project is a partnership with the City of Riggins, and the City and ITD staff recommend approving the project. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$3,293,853.38.

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

STM-0003(623), key 7421 – SH-21 and SH-55, Rock Scaling, Boise and Valley Counties, District 3. The low bid was more than ten percent over the engineer's estimate, requiring justification. This is the first work of this type in District 3, so there is no history of prices. The item of major difference was 621-C, Mulching. The number of bidders indicates a lot of interest in this type of work. Staff does not believe there is an advantage in readvertising, and because there is an urgent need to get this work completed this summer, recommends awarding the project. Low bidder: Universal Construction Inc., Emmett, Idaho - \$320,784.40.

Proposed Traffic Signal, SH-41 and Pole Line Road, District 1. In 1996 the City of Post Falls, the Post Falls Highway District, and Kootenai County began to develop an access management plan for SH-41. The approved Transportation Plan for SH-41 details that a traffic signal should be constructed at Pole Line Road as soon as it is warranted. A new high school, located on Pole Line Road, will be completed in the fall of 2000, increasing traffic enough to warrant a traffic signal. The District would like to start developing the plans and specifications on the project now so that construction can be underway next spring.

The Post Falls Highway District has requested the project and with the help of the Post Falls School District would provide the local funds for the project based on their participation in the intersection. The cost of the project is estimated to be \$288,000, with \$38,000 anticipated for preliminary engineering. The Post Falls Highway District will provide \$72,000.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
TB99-42 to provide safe highways and intersections of county roads; and

WHEREAS, it is the intent of the Idaho Transportation Board to work with the Post Falls Highway District to develop and construct a traffic control signal; and

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

WHEREAS, the addition of the SH-41, Intersection Pole Line Road, Kootenai County project will be shown in the Supplement 99-2 to the approved Highway Development Program; and

WHEREAS, the approval of this project will leave a Board Unallocated fund balance of \$1,172,000 in FY2000.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of the SH-41, Intersection Pole Line Road, Kootenai County project to the State Funded Unallocated Program in FY2000 by programming \$38,000 for preliminary engineering and \$178,000 of the FY2000 Board Unallocated Fund for construction.

SH-55, Rainbow Bridge Project Scope Change, District 3. The Rainbow Bridge has been scheduled for improvements in FY99 with portions of the funding from the Bridge and Enhancement Programs. The concept was to replace the asphalt overlay on the bridge deck and to rebuild the historical bridge and approach rails. However, during detailed project assessment, it was found that the existing bridge deck asphalt overlay had allowed water to penetrate to the concrete deck. As a result, the water caused severe deterioration of the bridge deck. Based on this, it was determined that an asphalt overlay was inappropriate and that the top two to six inches of the concrete bridge deck needed to be replaced to ensure the safety and continued operation of the bridge. Due to the change in scope, and limitations on utilizing funds in the Bridge and Enhancement Programs, staff is recommending funding the project with National Highway System funds.

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

RES. NO. WHEREAS, the SH-55, Rainbow Bridge project is of regional and
TB99-43 statewide importance; and

WHEREAS, it is the responsibility of the Idaho Transportation Department to provide safe and continued operation of SH-55; and

WHEREAS, in order to provide the continued safe operation of the Rainbow Bridge immediate interim repairs must be made to the bridge deck; and

WHEREAS, the interim repairs associated with the bridge deck are of such a nature that they do not qualify for STP Enhancement funds; and

WHEREAS, the FY99 funds that were originally designated for repairs to the Rainbow Bridge were from both the Bridge Program and the STP Enhancement Program; and

WHEREAS, the FY99 obligation authority previously available to the project, due to the under programmed FY99 Bridge Program, remains sufficient to fund the Rainbow Bridge project under another federal-aid program.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board authorizes the removal of the project, (Key No. 6500) for the historic restoration of the SH-55, Rainbow Bridge, from the FY99 Surface Transportation-Enhancement Program, and the addition of a new project for \$795,000 in FY99 of the National Highway System Program for the purpose of interim repairs to the Rainbow Bridge.

Request by Bear Lake, Caribou, and Franklin Counties, District 5, to Add New Projects in the FY99 Local Rural Program. The Counties of Bear Lake, Caribou, and Franklin have requested funds to develop coordinated transportation master plans for their counties. The plans

will be valuable decision-making tools that will enable them to use their limited transportation funds in an effective and efficient manner.

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

RES. NO. WHEREAS, it is in the public interest for the Transportation Department to
TB99-44 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 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, Bear Lake, Caribou, and Franklin Counties have sufficient STP Local Rural balances in FY99 to fund the requested projects; and

WHEREAS, the approval of these projects will leave a STP Local Rural Program balance of \$4.187 million in unprogrammed funding in FY99.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of the requested FY99 transportation planning projects in Bear Lake, Caribou, and Franklin Counties for a total cost of \$180,000 to the FY99 STP Local Rural Program; and

BE IT FURTHER RESOLVED, that the Department staff is authorized to request an amendment to the STIP to add the specified transportation planning projects to the approved FY99-03 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998, and to show said projects in Supplement 99-2, following public involvement and STIP amendment approval.

Final Recommended FY2000-2003 State Funded Highway Program. HPM Amick summarized the changes in funding, both positive and negative, to the State Funded Highway Program due to the FY00 legislative shifts in funding from other sources to construction, the combination of the State and State Restricted accounts, and the impacts from the Clean Water Trust Fund. The legislature also provided language in the Department's current appropriation which extends the approval of FY99 and FY00 appropriations for contract costs only, into future years. Previous authorizations expired at the end of each fiscal year.

In response to a question on the minor rehabilitation program, Director Bower said the Department's goal has not changed. Combining the state and federal programs, ITD is exceeding its goals and commitments. Additionally, savings the Department realizes have been applied to the minor rehabilitation program.

Member McClure 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
TB99-45 accomplish a current, realistic, and fiscally constrained State Funded Highway
Development Program; and

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

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

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board
approves the FY2000-2003 State Funded Highway Development Program, on file
in the Highway Programming Office; and

BE IT FURTHER RESOLVED, that Department staff is authorized to include the
projects in the approved FY2000-2003 State Funded Highway Program in the
FY2000-2002 Statewide Transportation Improvement Program in accordance
with the provisions of the Transportation Equity Act for the 21st Century of 1998.

Right-of-Way Permit No. 3-99-295, District 3. Jack Wolford and the Idaho Department
of Lands as co-applicants have requested a temporary 40-foot commercial approach at Station
503+00 LT. on US-95 in a Type 1 partial control of access area. The access would be
established through Mr. Wolford's property to log timber owned by the Department of Lands,
and at the expiration of the access permit establishes a permanent 20-foot residential approach at
the same location. The time frame for the logging is three to four years.

US-95 is a Rural Principal arterial with 12-foot lanes and 3-foot shoulders. The speed
limit is posted at 55 miles per hour. Currently, Mr. Wolford has a deeded 20-foot residential
approach at Station 500+00 and no other access rights on his property along the west side of US-
95. There is a residential approach located at Station 503+00 RT and the co-applicants would
like to receive access directly opposite that approach. Staff would appraise the property
establishing a value with and without the permanent 20-foot residential access and would require
the landowner to pay the difference in appraisal values to ITD before the access is given final
approval.

The District recommends the request be approved based on satisfactory completion of
construction requirements for adequate sight distance and approach design per ITD requirements.
An additional requirement will be the payment to ITD of the difference in appraisal values
before any construction is allowed to take place within the highway right-of-way.

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

RES. NO. WHEREAS, Mr. Jack Wolford and the Idaho Department of Lands as co-
TB99-46 applicants have requested an additional 40-foot commercial approach at Station
503+00 LT. on US-95; and

WHEREAS, access on US-95 in this location is Type I partial control; and

WHEREAS, Mr. Jack Wolford and the Idaho Department of Lands will share the
use of the approach for a period of approximately four (4) years; and

WHEREAS, Mr. Jack Wolford will become sole owner/user of the approach after
the period of approximately four (4) years and the access use will be restricted to
residential access; and

WHEREAS, the District recommends approval of the request based on the
payment of the monetary difference in appraised values to ITD by the landowner.

NOW THEREFORE BE IT RESOLVED, that a 40-foot residential/commercial
approach will be granted if constructed in accordance with the State of Idaho
standards; and

BE IT FURTHER RESOLVED, that the approach at Station 503+00 LT. will be
constructed as a temporary 40-foot commercial approach for joint use by Mr. Jack
Wolford and the Idaho Department of Lands for a period of four (4) years for the
purpose of logging. At the end of the four-year period, the approach will revert to
an approved 20-foot residential approach at Station 503+00 LT. deeded to Mr.
Jack Wolford.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. At 3:50 PM,
Member Blick made a motion, seconded by Member Sweeney, to meet in executive session to
discuss personnel issues. The motion passed unanimously.

The Board came out of executive session at 4 PM. No decisions were made.

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

Read and Approved
June 18, 1999
Boise, Idaho

signed
CHARLES L. WINDER, Chairman
Idaho Transportation Board

REGULAR MEETING AND DISTRICT 3 TOUR

June 16, 1999

OF THE IDAHO TRANSPORTATION BOARD

June 16-18, 1999

The regular session of the Idaho Transportation Board and District 3 tour convened at 9:30 AM, on Wednesday, June 16, at the Idaho Transportation Department, Boise, Idaho. The following principals were present:

Charles L. Winder, Chairman
John X. Combo, Vice Chairman - District 6
John McHugh, Member - District 1
Bruce Sweeney, Member – District 2
Monte C. McClure, Member – District 3
Gary Blick Member – District 4
Neil Miller, Member – District 5
Sue S. Higgins, Secretary to the Board
Dwight Bower, Director
Jimmy Ross, Chief Engineer

Presentation on Idaho Highway Users Survey. Scott Ellsworth, Chairman of the Idaho Highway Users, reported that a survey was conducted last winter to determine the public's opinion of the state's transportation system. The survey was modeled after the National Quality Initiative survey done nationwide in 1996. Overall, Idahoans are satisfied with the state's highway system and are willing to pay more for improvements to the highways and bridges. The respondents identified pavement condition, safety, traffic flow, maintenance, and bridge conditions as the top priorities.

Lou Esposito reported on a breakdown of the findings by District. He added that the public recognizes the needs of the transportation system and the budget constraints of the Department. Dave Carlson said the survey indicates ITD is doing a good job. Although there are no plans at this time to do another survey, Mr. Carlson believes another survey in a couple of years would be very beneficial.

Chairman Winder thanked the gentlemen for the informative presentation.

Work Session on FY01 Budget and Out-of-State Travel. Mary Detmar, Budget, Policy, and Intergovernmental Relations Manager (BPIRM), outlined the preliminary summary of the FY01 budget request. The draft budget includes a 4% change in employee compensation for permanent positions and group costs, a 1.7% increase for operating expenses, and a \$2.8 million base for capital facilities. The state-funded portion of the contract construction program is \$27.1 million. BPIRM Detmar summarized the program enhancements, and the revised FY00 and proposed FY01 out-of-state travel requests were reviewed. Director Bower added that staff will continue to refine and balance the budget for the Board's approval in September.

June 16, 1999

The Board thanked BPIRM Detmar for the informative overview of the budget and for the efforts in preparing the budget.

Work Session on Statewide Transportation Improvement Program (STIP). Transportation Planning Administrator Charlie Rountree emphasized the involvement and inclusion of all of the Department's transportation modes in the STIP. He introduced representatives from the metropolitan planning organizations (MPOs): Erv Olen, Ada Planning Association; Mori Byington, Bannock Planning Organization; and Darrell West, Bonneville Metropolitan Planning Organization (BMPO), and expressed appreciation to the entities for their assistance and coordination in developing the STIP. TPA Rountree summarized the process and timelines to develop the STIP, and the on-going public involvement activities.

The draft STIP does not include FY00 CMAQ projects yet, according to TPA Rountree. He said the review committee will meet next week to prioritize the projects, and the draft STIP will be revised to include those projects before it is distributed for public review and comment.

Chairman Winder thanked TPA Rountree for his efforts in compiling the draft STIP and thanked the MPOs for their involvement and coordination.

Highway Programming Manager (HPM) Dave Amick outlined the funding levels and assumptions and the highway system program performance. Senior Transportation Planner Pat Raino reviewed the federal programs except for the STP-Local Rural Program, which Local Highway Technical Assistance Council Administrator Joe Haynes outlined, and the STP-Local Urban Program, which Mr. Byington summarized. He expressed appreciation to the Board for the additional funds it provided to this program.

The Board provided input on scheduling projects. In reviewing the Enhancement Program, Member McHugh questioned the Enhancement Advisory Committee's recommendation to fund projects outside of the funding ranges established in Board Policy. Vice Chairman Combo does not believe the policy ranges were absolute, but rather guidelines.

WHEREUPON the meeting recessed at 5:15 PM.

June 17, 1999

The Transportation Board meeting reconvened at 8:10 AM on Thursday, June 17, at the District 3 Office in Boise. All members were present.

Presentation on Corridor Studies in the Treasure Valley. Assistant District 3 Engineer (ADE) Pamela Lowe said three studies are either underway or will be shortly that will impact I-84 traffic corridors. The studies are needed because of the growth in the Treasure Valley and resulting congestion. Since 1990, traffic has increased 45%. The studies will identify projects that will maintain the system at a level of service better than E or F.

Mr. Olen reported that the APA is changing its name to Regional Planning Association to better reflect its mission and activities. The existing MPO will be expanded and will not be confined to Ada County. He gave an overview of the regional transportation forecast model being used, and thanked the Board for helping fund the origin-destination study that was recently completed in the area.

Dave Butzier, MK-Centennial Engineers, said the I-84 corridor study in the Treasure Valley includes approximately 32 miles and 17 interchanges. The outcome of the study will be a prioritized list of projects, including intelligent transportation systems applications, for the next 20 years. Because of the involvement of the Treasure Valley Transportation Team, which is comprised of local officials from the area, there should be consensus and buy-in on the recommended projects.

Norm Gutcher, HDR Engineers, explained the Boise Airport's expansion plans and internal road system plans. The I-84, Vista Interchange will not meet capacity needs and will need to be modified within ten years. Ted

June 17, 1999

Reynen, CH2M Hill, elaborated on the I-84, Orchard to Gowen study being undertaken in conjunction with the Boise Airport's expansion plans. He said the existing pavement needs to be replaced in three or four years and additional lanes will be needed in each direction on the interstate from Vista to Gowen. The interchanges will also need improvements. The concept report delineates improvements that are needed now, and the study will develop a long-range list of prioritized projects.

Local officials from both Ada and Canyon Counties identified a need for a southern corridor. A South Treasure Valley Arterial Study is proposed for next fiscal year at an estimated cost of \$400,000, according to Mr. Olen. The study will look at existing developments, the various landowners in the area, and tools to preserve the corridor.

Chairman Winder thanked the presenters for the information on the various studies and activities underway in the Treasure Valley.

The Board departed SH-44 west and SH-16 to Freezeout Hill, just outside of Emmett.

Delegation – City of Emmett and Gem County. County Commissioner Ed Mansfield said traffic has increased considerably on SH-16. He requested passing lanes on Freezeout Hill to alleviate traffic. Emmett Mayor Ron Morgan said Washington Street (SH-52) needs widening or turn lanes because of the developments along that route. Commissioner Norvil Elliott reiterated the need for passing lanes on Freezeout Hill or widening the road to four lanes, plus a traffic signal at SH-16 and South Substation. Mayor Morgan concluded by thanking the Board for funding the traffic signal at SH-16 and SH-52.

The tour continued west on SH-52 to Payette.

Delegation – Payette County. County Engineer Mike Holladay asked the Board to realign SH-52 and then extend the road to the US-95 Business route. The existing SH-52 is narrow, creating safety concerns. County Commissioner Ken Gissel added that there is a lot of traffic, especially truck traffic, that would be removed from town. Because the area is being considered for development, he believes the acquisition of right-of-way needs to begin soon. Mr. Holladay said the city and county would like to partner with ITD on the project. The locals would consider acquiring the right-of-way, and would also be willing to assume jurisdiction on the old SH-52. He believes approximately 70% of the traffic would utilize the realigned route.

Mr. Holladay also reported that the community would like improvements made to the existing intersection of US-95 and SH-52. There are a lot of safety concerns because children cross the highway at that location, according to Commissioner Gissel, and he suggested installing a traffic signal.

Chairman Winder thanked the gentlemen for the comments and encouraged them to pursue a partnership on the proposed SH-52 realignment project.

The Board traveled US-95 south to Fruitland.

Delegation – City of Fruitland. Mayor Tom Limbaugh emphasized the need for a turnbay on US-95 southbound at the US-30 intersection. Currently, a stacking problem exists for traffic turning west. ADE Lowe reported that the project is in the draft STIP in FY03.

The tour continued south on US-95 and east on I-84.

Delegation – City of Caldwell. Mayor Garret Nancolas thanked the Board for visiting Caldwell and meeting with the city officials. He expressed appreciation to the Department staff for its assistance and good working relationship. Earlier the city completed a study that showed the greatest needs are in the Franklin and 21st Street corridor. He believes the city's highest priority is improvements to the I-84, Franklin Interchange. City Engineer Gordon Law said the city wants to participate financially and encouraged the Board to consider funding this project. He added that the city has submitted a number of projects to improve the Franklin corridor over the next several years. Mayor Nancolas reiterated the willingness to partner with ITD for the Franklin Interchange project.

Chairman Winder thanked the delegation for the presentation.

The tour continued east on I-84.

Delegation – City of Nampa. Jerry Gunstream, City Administrator, welcomed the Board to Nampa and reported that Mayor Maxine Horn had a prior commitment and was sorry she could not attend the meeting. He also expressed appreciation to the District staff for the help they have provided the city. The city would like to partner with ITD to improve Garrity Boulevard. From I-84 south, approximately 1.3 miles, Garrity Boulevard needs to be widened to five lanes with curb, gutter, and sidewalk. The city would also like lighted intersections along this stretch. Mr. Gunstream said the city has some urban funds that could be dedicated to this project and a committee is looking into acquiring the right-of-way.

Chairman Winder thanked Mr. Gunstream for the presentation and encouraged the city to continue working with the District staff on this proposal. He also expressed appreciation to the city for its partnership efforts.

The Board traveled I-84 east to the Wye Interchange construction site. Regional Engineer Eric Shannon updated the Board on this major project.

While the Board traveled Capital Boulevard in Boise, Member McClure explained the proposed Enhancement project to improve Capital Boulevard, including landscaping and center traffic signals. Assistant Chief Engineer (Development) (ACE(D)) Steve Hutchinson pointed out the location for the Boise Auditorium District's proposal to lease air space above US-20/26 (Front Street) to expand the convention center. ITD is working with them and FHWA on a lease agreement.

WHEREUPON the meeting recessed at 4:20 PM.

June 18, 1999

The Transportation Board meeting reconvened at 8:05 AM on Friday, June 18, at the District 3 Office in Boise. All members were present.

May 19-20, 1999 Board Minutes. Vice Chairman Combo made a motion, seconded by Member Blick, to approve the minutes of the Board meeting held on May 19-20, 1999 as corrected. The motion passed unanimously.

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

July 8-9, 1999 – District 5
August 19-20, 1999 – District 1
September 15-17, 1999 – Boise
October 7-8, 1999 – District 4

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves
TB99-47 the Strategic Plan Summary; re-appointment of Public Transportation Advisory Council Committee Member; Board Policy B-18-06, Employee Education and Training; request for consultant inspection services, District 3; and request for consultant services, District 5; and has received and reviewed the contract award information; the new and supplemental professional agreements report; the speed minute entry changes; and the Year 2000 computer report.

1) Strategic Plan Summary. Idaho Code requires a strategic plan for program activities be submitted to the Division of Financial Management (DFM) by July 1. DFM has agreed to accept a summary format. The full FY00 Strategic Plan will be available for distribution on October 1.

2) Re-appointment of Public Transportation Advisory Council (PTAC) Member. The PTAC approved a request to re-appoint Norman Pumphrey as the District 5 PTAC member. His term will expire June 2003.

3) Board Policy B-18-06, Employee Education and Training. The policy has been revised to reflect organizational changes in the Human Resource Development Unit and to further specify types of organizational development and training activities that will be made available to employees.

4) Consultant Inspection Services, District 3. The I-84, Oregon State Line to Black Canyon Interchange, westbound, stage 1 project, key 7128, was advanced to FY99. This project will require more inspection resources than are currently available in District 3 because of the already full construction schedule. Staff requested consultant assistance in the amount of approximately \$1,000,000.

5) Consultant Services, District 5. The US-91, Utah State Line to Preston, key 7750, project is scheduled for construction in FY02 at an estimated cost of \$12 million. Consultant services are needed to supplement District

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5 staff and keep this project on schedule. The consultant services fee will exceed the amount approved by the Board in the STIP due to the additional work being added to the scope of work for bridge design of the Cub River Bridge, key 7066, and four Franklin County bridges, key 7065, plus aerial surveying work. Staff requested increasing the preliminary engineering from \$1.82 to \$2.1 million.

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

STKP-2581 and STKP-2582, keys 7870 and 7872 – Deary and Weippe STKP, Latah and Clearwater Counties, District 2. Low bidder: Seubert Excavators, Inc., Cottonwood, Idaho - \$104,842.

ST-4780(606), ST-4210(615), ST-4807(606), ST-4110(665), ST-4780(608), ST-4800(605), ST-4170(621), ST-4110(649), and STM-4749(608), keys 6759, 7858, 7859, 7860, 7861, 7862, 7863, 6756, and 6772 – Greer Grade to Weippe, Harpster Bridge to Kooskia, Harvard to Whitepine, Johnson Road Cut-off to Grangeville, Grangemont Road to Headquarters, Washington S 1 to Line Street, Top of Bear Ridge Grade to Deary, Lawyers Canyon to Craigmont, and Gilbert Grade; SH-11, SH-13, SH-6, US-95, SH-3, SH-8, and SH-7; Clearwater, Latah, Idaho, and Lewis Counties; District 2. Low bidder: Poe Asphalt Paving, Inc., Clarkston, Washington - \$979,618.42.

STR-1767(603), STR-1836(602), ST-1767(602), ST-1767(604), and STKP-5584, keys 6955, 6964, 6598, 7353, and 6815 – Tyhee to Bonneville County Line, Rose Road to Firth, Agency Road to South Blackfoot Interchange, Jct. I-15 to Blackfoot South City Limits, and Blackfoot Yard Stockpile, US-91, Bannock and Bingham Counties, District 5. Low bidder: Bannock Paving Company, Pocatello, Idaho - \$1,680,142.60.

STM-3260(608), key 7422 – SH-52, Squaw Creek Bridge Repair, Gem County, District 3. Low bidder: Concrete Placing Company Inc., Boise, Idaho - \$66,485.50.

ST-3340(609) and ST-3340(610), keys 6307 and 7178 – SH-51 Snake River Bridge South and Bruneau South, Owyhee County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$1,887,340.45.

ST-3330(602), key 6591 – SH-16, Beacon Light Road and Chaparral, Ada County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$201,932.14.

ST-1786(607), key 7354 – Wayan East, SH-34, Caribou County, District 5. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$197,768.05.

ST-3782(603), key 7874 – SH-69, Amity to I-84, Ada County, District 3. Low bidder: Snake River Construction, Inc., Twin Falls, Idaho - \$73,186.47.

7) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$1,938,061 in new and supplemental agreements between May 5 and June 2.

8) Y2K Report. The project is currently 2.5% ahead of schedule and 17.9% under budget. This includes elimination of four Mainframe Systems and some programs within the remaining systems. The reduction in the Distributed Systems scope, and the increased usage of staff resources also contributed to this condition.

Financial Statement. Deputy Director (DDIR) Keith Bumsted reported that cash balances within the State Highway and Restricted Highway Funds are at record high levels. Revenue from all state sources continues to exceed expectations, and the construction season is just getting underway, so construction payouts should increase considerably now. Expenditures for personnel, operating costs, capital facilities, and equipment continues at lower than anticipated rates for this point in the fiscal year. Expenses of planned operations in the final month of the fiscal year along with a significantly higher construction schedule are expected to reduce these variances accordingly. A free-fund balance of approximately \$6.5 million is anticipated at the end of the fiscal year after encumbrances are recorded.

Update on Integrated Financial Management System (IFMS). Final testing is being completed on the IFMS, according to DDIR Bumsted. There are some concerns with data entry, as it is cumbersome and time-consuming, but work is continuing with the major users to improve that. The internal business processes are also being reviewed. The grant accounting and federal-aid billing still have pieces to install, and streamlining efforts are

underway for the revenue intake. DDIR Bumsted said the system is working, but staff is continuing to make improvements to it. He added that user training is being offered.

Member McClure heard complaints on the inventory piece. DDIR concurred that that area is a high priority and is being looked at. Member McHugh said he hopes the district personnel and end-users are involved in the process. DDIR Bumsted responded that it is the intent to get input from the districts. Vice Chairman Combo also emphasized the need to listen to the end-users and involve them in identifying and resolving problems with the system.

Presentation on Y2K Contingency Plans. DDIR Bumsted said work on major pieces of the Y2K contingency plans are close to being completed. The mission critical pieces should be finished by September, and the project is under budget.

Dave Jones, Maintenance Engineer, is coordinating efforts on the embedded systems. To date, 11,000 items have been identified for review, with 5,000 of those classified as mission critical.

Board Items. Member Miller expressed concern with the proliferation of ordinances to ban compression brakes on big trucks on state highways because of the safety impacts of these bans. He asked staff to look into the legality of these ordinances, the safety implications, and the issue of signing these bans for the communities.

Member McClure suggested having the Board Subcommittee on the Enhancement Program provide more direction to the review committee on meeting targets. Member McHugh said problems may arise if there aren't enough projects in a specific category to meet the target, and he believes the Board should decide if the funding does not remain in the recommended targets versus the committee recommending funding limits outside of the targets. Member McClure added that some projects could also qualify in two different categories. The consensus of the Board was to have the Subcommittee revisit the Enhancement Policy.

Member Blick said the cities of Burley and Rupert requested clarification on the policy for signing museums. He is not familiar with the procedures and asked staff to follow up on this issue.

Delegation – Steve West, Division of Environmental Quality (DEQ). Mr. West reported that one of the agencies' goals is to meet national air quality standards, which protect public health, and avoid nonattainment. DEQ wants to ensure that air quality is maintained, not only in the Treasure Valley, but also statewide. Ada County has been classified nonattainment for carbon monoxide and particulate matter, although the airshed doesn't stop at the county line. He indicated Canyon County may need to be monitored. Mr. West said DEQ will be applying a science-based approach to airshed management in the area.

The growth in the area is a concern and emissions are expected to result in exceedances for particulate matter. Road dust emissions need to be managed. Other transportation-related air quality issues in the Treasure Valley include ozone, toxic air pollutants, and increased emissions. DEQ will continue to manage Treasure Valley as an air quality sensitive area. Mr. West emphasized the need to work with ITD and local communities to develop flexible strategies to manage air quality. He said that DEQ does not want to stop transportation or growth, and added that alternative forms of transportation are being looked into and encouraged.

DEQ Administrator Steve Allred said they want the most efficient transportation system. He encouraged the Board to make decisions based on a comprehensive basis, not just transportation. Land use also needs to be considered. He reiterated that DEQ does not want to stop transportation projects, but desires working together with ITD to protect the environment.

Chairman Winder thanked the gentlemen for the presentation and for their assistance on air quality and environmental issues.

Delegation – Boise Metro Chamber of Commerce. Gerry Armstrong, Armstrong Architects, elaborated on the proposed Enhancement project for improvements to Capital Boulevard in Boise. Plans are to make the gateway to the city pedestrian friendly without hindering traffic flow. Some of the plans for the project include pedestrian crossings, wider sidewalks, landscaping, historic lighting, and eliminating the overhead traffic signals. The project

is a public/private partnership with the city, state, and private businesses. The Capital City Development Corporation has approved the concept, so the next step is to secure funding and implement the plan.

Boise City Council Member Jerome Mapp said the city has budgeted \$100,000 for this project and is looking into additional funding. He emphasized the desire to complete this project all at one time instead of staging it over time.

Chairman Winder thanked the delegation for the presentation. He stated that the Board traveled Capital Boulevard yesterday and had a briefing on the proposed project.

Delegation – Ed Pilkerton, Boise Auditorium District. Mr. Pilkerton provided a history of the Boise Auditorium District and the convention center. When the Center on the Grove was built, it was planned for expansion over Front Street (US-20/26) along with a sky bridge for pedestrians. A feasibility study on expanding the convention center was completed earlier this year with the results indicating expansion is needed now. The Center is operating at almost 100%. The Boise Auditorium District wants to lid the space on Front Street between 8th and 9th Streets. Mr. Pilkerton said they are willing to build the sky bridge, estimated at over \$1 million, in exchange for no lease payment for 30 years. He added that the at-grade pedestrian crossing would not be eliminated, however, he estimates 70% of the foot traffic would use the sky bridge.

Vice Chairman Combo reported that at his request he had received from the State of Washington a copy of Washington Department of Transportation's procedures, lease form, and instructions on air space leasing. He stated a copy would be provided to ITD staff. He also stated that the relationship between the privately owned parking facility and the auditorium district ought be examined when ITD is considering the issue of lease payments under 23 U.S.C. 156 and that approval of FHWA is required before any effective approval by ITD.

The Board appreciated the overview of this proposal and encouraged Mr. Pilkerton to continue working closely with staff and FHWA on this project.

Presentation – Wye Interchange Project Media and Public Relations Efforts. Public Affairs Manager Jeff Stratten thanked the Board for the opportunity to relate how ITD is addressing the largest construction project in the state. He said the district has been very instrumental in the public involvement process, which actually started in 1991 when a strategic plan was developed. He added that the Department has had great cooperation from Commuteride.

Mike Vogel, Public Involvement Coordinator, elaborated on the media conference, which provided a good understanding of the events that would be occurring as part of the project. Mr. Butzier reported that approximately 50 presentations have been made since July to various groups, including hospitals and emergency services. The presentations emphasized alternative forms of transportation such as commuter rides and vanpools. Business representatives Rose Mary Curtin and Steve Russell praised the communication efforts with the businesses in the area.

Public Affairs Specialist Mollie McCarty spoke on the ongoing informational and educational efforts. Some of these activities include weekly media releases, contractor/ partnering meetings, and utilization of the web site. Public Affairs Specialist Joe Relk elaborated on the web site, which has received over 6,000 hits. He believes this method has been very successful in keeping the public informed of the project. In conclusion, Mr. Stratten stated that they are continuing to look at ways to improve and enhance the public relations efforts for the Wye construction project.

The Board thanked the group for the informative presentation and their efforts in this area.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 11:55 AM, Member McClure made a motion, seconded by Member Miller, to meet in executive session to discuss legal and personnel issues. The motion passed unanimously.

The Board came out of executive session at 12:20 PM. No decisions were made.

Director's Items. Director Bower reported that a TCSP grant has been received for the Treasure Valley partnership. He does not have the scope of the project at this time, however he did get additional information from the internet, which is available if the Board is interested.

The Department will be receiving \$1.2 million for a corridor project on US-95. The funds will be used for corridor planning, environmental studies, and preliminary engineering from SH-1 to the Canadian border. He added that staff will put a plan together to submit an application every year, for the life of TEA-21, for this corridor funding.

The Department has submitted a list of urgent projects for Emergency Relief funding to FHWA. He will provide the Board with a copy of that list.

Congress is working on the appropriations for the FY00 highway bill. Preliminary reports indicate the obligation authority will be 90%. The Revenue Aligned Budget Authority provision will be retained from TEA-21, which may result in approximately \$10.5 million in additional funding to Idaho, not including the obligation authority.

The House passed the Air 21 Bill. The five-year bill includes taking the aviation trust fund off budget. The Senate is working on another bill with a number of different provisions. It appears the conference committee has a lot of work to do and it may be a while before a bill is enacted.

FY00 Out-of-State Travel. BPIRM Detmar summarized the out-of-state travel request that was reviewed at the June 16 workshop.

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

RES. NO. WHEREAS, the Budget Council has approved the Transportation Department's
TB99-48 revised FY00 out-of-state travel requests.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board does hereby approve the revised FY00 out-of-state travel request as presented.

Vehicle Investment Program (VIP). Public Transportation Grants Manager Marty Montgomery welcomed General James Brooks, Chairman of the Public Transportation Advisory Council, to the meeting and thanked him for his service to public transportation. Mr. Montgomery reviewed the distribution of federal fiscal year 1999 Federal Transit Administration Grant Funds and the VIP as approved by the Board in March. Since then, one senior center reduced its request by purchasing a used bus instead of a new vehicle and made \$28,964 available to other applicants.

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

RES. NO. WHEREAS, the Idaho Transportation Board in October 1998 approved the
TB99-49 Vehicle Investment Program as a three-year pilot funded with internally generated funds not subject to the provisions of the Idaho Constitution; and

WHEREAS, the Vehicle Investment Program was approved by the Legislature of the State of Idaho for state fiscal year 2000; and

WHEREAS, the Division of Public Transportation presented funding proposals to the Transportation Board in March 1999 for the use of the Vehicle Investment Program funds which were approved; and

WHEREAS, the Division of Public Transportation has worked with one of the approved recipients, the Ageless Senior Center in Kimberly, Idaho to acquire a used vehicle and have the necessary repairs undertaken; and

WHEREAS, by purchasing a used vehicle, the Ageless Senior Center now does not need all of the Vehicle Investment Program funds approved by the Board.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the transfer of the \$28,964 of extra funds approved for the Ageless Senior Center to the following providers:

Valley Vista Care Corporation, St. Maries \$11,364

CART, Idaho Falls \$17,600

to assist with the purchase of three additional vehicles.

Medicaid Update. Mr. Montgomery summarized the ongoing debate with the Department of Health and Welfare, Division of Medicaid, on its rule requiring providers of transportation services to charge Medicaid no more than what is the usual and customary charge to the general public. One public transportation provider has been investigated and two more have been given notice of pending review. The remaining public transportation providers are now concerned that they will also be reviewed.

The Division of Public Transportation does not agree with the recent enforcement of the usual and customary charge rule because it decreases the Medicaid obligation at the expense of the general public. Nonprofit providers do not charge the public fares that cover the full cost of the ride. Modest fares charged to the general public are combined with FTA grants and local government match to cover the full cost of a ride. Payments for contracted services are expected to cover the full cost of the services provided. If Medicaid prevails on this issue, the difference between the fare and the full cost of the ride for Medicaid clients will need to be funded by other sources.

Staff is still working on resolving the issue with Health and Welfare, according to Mr. Montgomery. He expressed appreciation to Director Bower for his assistance and involvement in this matter. A letter from FTA regarding this issue was referenced and is shown as Exhibit ____, which is made a part hereof with like effect.

Public Transportation Funding Sources. The revenue sources for Idaho's 5311 transportation providers were presented. The information was based on FY99 grant applications expected revenue sources.

Population Based Funding Formula. Earlier this year, the mayors of Ketchum and Sun Valley requested a change in the current population-based funding formula for the Section 5311 Rural Transportation Program. Senior Transportation Planner Janet Weaver said the mayors wished to have ridership, miles, and hours of operation considered in the formula. The PTAC has considered this issue twice this year and has voted to leave the funding formula as it is until 2000 census numbers are available. She added that the Division of Public Transportation will continue seeking additional money for public transportation providers.

FY00 Scenic Byway Grant Applications. Garry Young, Senior Transportation Planner, reported that the Scenic Byways Advisory Committee (SBAC) reviewed and prioritized eight grant applications submitted for FY00 National Scenic Byway Discretionary funding. A total of \$1,326,981 is being requested under this program. Director Bower added that the US-12, Kamiah Bike/Pedestrian Path project was also submitted for Federal Lands Discretionary funds.

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

RES. NO. WHEREAS, the Transportation Board established the Scenic Byways Advisory
TB99-50 Committee (SBAC) 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, FY00 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 following FY00 projects in priority order for Federal Scenic Byway Discretionary funding totaling \$1,326,981 and inclusion in the Statewide Transportation Improvement Program:

- 1) SH-13, NW Passage S.B. Kooskia Main Street Lighting for \$150,000,
- 2) Local, Wildlife Canyon S.B. Corridor Management Plan for \$48,000,
- 3) Statewide, Scenic Byway Guide Reprint for \$34,848,
- 4) US-91/SH-34, Pioneer Historic Byway Interpretive Information for \$29,800,
- 5) US-12, Nature Guide for Lewis and Clark Trail, for \$21,870,
- 6) US-2, Panhandle Historic Rivers Passage, Rotary Park & Great Pend Oreille Interpretive Center and Trail for \$137,100,
- 7) SH-55, Payette River S.B. Carpenter's Shop Interpretive Center for \$105,884,
- 8) US-12, NW Passage S.B. Kamiah Bike/Pedestrian Path for \$815,279.*

*Pending local match provided by the Nez Perce Tribe.

SH-21 Avalanche Zone Report. Region 2 Engineer Todd Bartolome reported that SH-21 was closed on December 27, 1998 and crews reopened the road on January 11. On January 14 the road was again closed due to unsafe conditions. When the avalanche-forecasting model indicated it was relatively safe to enter the area on March 2, crews started clearing the roadway and had it reopened on March 24. The winter maintenance costs during this time were \$87,202.

ITD personnel met with contingencies from Challis, Salmon, and Stanley in March regarding the closure of SH-21. The consensus of the business owners was that the closure was crippling businesses in the area and that ITD should take extra measures to keep the route open year-around.

Mr. Bartolome reported that an avalanche forecaster for Utah Department of Transportation provided training to the Idaho City and Lowman employees in December 1998. Two weather stations have been purchased and will be installed this summer. These stations will provide the weather data from the upper start zones needed for use with the avalanche-forecasting model. Staff is looking into the feasibility of a full-time position to do avalanche forecasting and winter plan formation.

Vice Chairman Combo questioned the feasibility of sharing a full-time position with the Forest Service. Mr. Bartolome said the Department would have other duties for this position in summer. Chairman Winder asked if the current policy appears to be working well and if the District has enough personnel and funding. Mr. Bartolome believes the policy is working well and overall the District has the necessary resources, although it occasionally rents equipment.

Member Miller expressed concern with the estimated average cost of \$4,600 per mile to maintain this stretch of highway, when the average cost of maintaining a mountain road statewide is approximately \$1,000. Member Blick questioned the need to hire a full-time position for this route. Member Miller concurred and suggested hiring a consultant for forecasting avalanches on an as-needed basis. He also questioned the dangers to the public and ITD crews with keeping the road open more. He is concerned with the resources being expended for this effort. Member McClure stated that the costs to keep the road open versus the cost to open it once, in spring, are basically the same.

Chairman Winder thanked Mr. Bartolome for the update on this issue.

Request for Additional Consultant Services, I-84 and SH-55, Key #3214, District 3. ACE(D) Hutchinson said the Karcher Interchange project is scheduled in the STIP for construction in FY02 at an estimated construction cost of \$17.9 million. Staff's initial estimate to perform the design work was \$1.5 million as approved by the Board in August 1998. However, the current design will require more work than anticipated to bring this complex project to new standards during the final design. Consultant service fees have escalated due to additional environmental work, public involvement needs, and time constraints to complete this project on schedule. The total cost of this

work is \$2.2 million, which is 12% of the construction budget for this project. He added that the District is in the process of scheduling funds to cover the additional cost.

In November 1998, the Board approved a planning project to study the location of interchanges in the I-84 corridor between the SH-44 Interchange and the Garrity Boulevard Interchange, which will verify if Karcher Road is the appropriate location for this interchange. The results of the study are expected by the end of 1999. If this increase in the consultant contract is approved, the consultant will be able to reevaluate design standards and environmental concerns by that time. ACE(D) Hutchinson reminded the Board that this project was delayed to FY04 in the draft Highway Development Program because of funding constraints in earlier years.

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

WHEREAS, Project IR-84-1(13)33, Karcher Interchange, is of regional and statewide importance; and

WHEREAS, the project is currently in year 2002 of the Statewide Transportation Improvement Program; and

WHEREAS, the Idaho Transportation Department currently has an agreement with Earth Tech to provide design services on the project; and

WHEREAS, additional work beyond the scope of the current agreement is required to reevaluate the environmental document, update the design standards, and prepare for public information meetings; and

WHEREAS, this work needs to be started immediately in order to keep the project on schedule; and

WHEREAS, the additional amount required to complete the work identified brings the total amount of the agreement to \$2.3 million; and

WHEREAS, in August 1998 the Board approved an amount for this agreement of \$1.5 million; and

WHEREAS, a total of \$1.7 million is currently programmed for this project in the STIP for PE by consultant; and

WHEREAS, Board Policy B-06-08 requires that agreements that exceed the total amount identified in the STIP must be approved by the Board.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board authorizes an additional \$600,000 for the agreement with Earth Tech to complete the engineering work required to advertise the project.

If the additional funds are approved, Member McHugh believes the public perception will be that the Board endorses the Karcher location. He also expressed concern that money will have been wasted on this project if the study recommends another location. ADE3 Lowe responded that not all of the work done to date on this project will be lost. Some of this design work will be applicable at another location.

Chairman Winder asked if the work included in this agreement is environmental or design, and if the additional design work can be delayed for now. ACE(D) Hutchinson

responded that part of the work is environmental, but some design work is also included.

Member Blick asked if the STIP includes sufficient funds to continue the design work for the time being. Director Bower suggested writing the agreement in stages with dollar thresholds. The first stage could include the environmental work and some of the design work that is necessary now. ACE(D) Hutchinson concurred and stated that stage one could proceed within the current budget and additional funds could be included in the STIP for the additional stages.

Vice Chairman Combo withdrew his motion and the second, Member McClure, concurred.

The consensus of the Board was to have staff stage the agreement for additional consultant services on the I-84, Karcher Interchange project and inform the Board of the schedule and costs.

Traffic Control Maintenance Claim. H-K Contractors, on behalf of its traffic control subcontractor, is appealing the Chief Engineer's decision on a construction contract claim to the Board, according to DAG Steve Parry. The dispute centers on damage to tubular markers used in directing traffic. A total of 99 tubular markers were damaged on the project and had to be replaced. Of the 99, 22 of the damaged tubular markers had to have the post replaced and the base remained attached to the highway. ITD compensated the contractor for replacements. The other 77 tubular markers had to be replaced due to the base becoming disconnected from the highway. The contractor was not compensated for those because the tubular markers were defective or not properly installed because the base did not remain attached to the highway.

Vice Chairman Combo made a motion, seconded by Member Miller, to approve the following resolution:
RES. No. WHEREAS, the Idaho Transportation Department entered into a contract known
TB99-51 as project numbers STR-15-3(522)128 and ST-6742(604), keys 6246 and 6410; and

WHEREAS, the contractor, on behalf of its subcontractor, Eagle Rock Blasting has filed a claim for additional compensation; and

WHEREAS, the Chief Engineer and his staff have thoroughly reviewed the claim and have found no additional entitlement beyond what has been paid; and

WHEREAS, the Board is desirous of having this claim resolved in an expeditious manner.

NOW THEREFORE BE IT RESOLVED, that the Transportation Department staff is authorized to enter into an expedited binding arbitration agreement with the contractor.

In response to the cost of arbitration, DAG Parry believes it would cost approximately \$3,000 to \$4,000. Member McClure expressed concern that this decision would result in a proliferation of small claims under \$10,000 because the perception would be that ITD will not fight those claims. ACE(D) acknowledged his concern if the Board were to hear the claim that the action may be precedent setting.

The motion carried without objection.

Quarterly Report on Legal Actions. The Board reviewed the list of 47 pending cases. In response to a question on a settlement for a use fee tax audit, DAG McMahon said he did not have the exact figure of the settlement, but he elaborated on the case. DAG Steve Parry reported on a condemnation trial in District 1 as requested.

Contract Awards. Vice Chairman Combo made a motion to approve the following contract awards. Member Sweeney seconded the motion and it passed unopposed.

STR-2390(676), key 7027 – North Fork Canyon Road to 4 Mile Bridge, SH-75, Blaine County, District 4. The low bid was more than ten percent over the engineer's estimate, requiring justification. The primary deviation from the engineer's estimate is Plant Mix Pavement, Class I. Staff utilized figures from the Bid Average Unit Price Report, however, the low bid's unit price is generally consistent with bid unit prices from projects constructed in this area during the prior fiscal year. It is not anticipated that a lower bid will be achieved by rebidding the project and staff recommends awarding the project. Low bidder: Lakeside Industries A.J.V., Bellevue, Idaho - \$1,841,419.65.

ST-5120(617), key 6585 – Pack River to Hope, SH-200, Bonner County, District 1. 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 data for projects of similar size. Higher bid prices than expected for asphalt comprise most of the increase. The District has been experiencing higher asphalt prices in general since the PG-10 mix has been specified. No other specific items appear to be loaded or unbalanced in the low bid. The District does not anticipate a savings if the project is re-bid. Additionally, if the project is awarded promptly, it can be constructed this year. Staff recommends awarding the project. Low bidder: Interstate Concrete & Asphalt, Sandpoint, Idaho - \$1,149,362.35.

Request to Add Sunnyside Road Project and to Delay Key #5965, Pancheri Drive, Skyline to Utah, District 6. HPM Amick said the BMPO has requested the addition of the Sunnyside Road project to the STIP and the delay of Pancheri Drive. He said FHWA believes sufficient public involvement has occurred on this proposal. At the May Board meeting, MPO explained its desire to proceed with Sunnyside Road and elaborated on its long-range plans.

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

RES. NO. WHEREAS, it is in the public interest for the Transportation Department to
TB99-52 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 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Bonneville Metropolitan Planning Organization (BMPO) is requesting approval from the Board to delay the STP Local Urban project key #5965 Pancheri Drive, Skyline to Utah, from FY02 to Preliminary Development and place in FY02 the Sunnyside Road, Idaho Falls project; and

WHEREAS, the BMPO and City of Idaho Falls have had a significant level of public involvement regarding this exchange, and the Sunnyside project is the top priority of the public; and

WHEREAS, traffic analysis undertaken by the BMPO predicts that the Sunnyside Interchange and extension will increase traffic on Sunnyside by 65% and, when connected to Bellin Road, will reduce traffic on Pancheri by 35%; and

WHEREAS, traffic analysis predicts that the Sunnyside project will alleviate some of the problems on Pancheri during the short term.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of the Sunnyside Road project in FY02 of the STP Local Urban Program for \$3,221,000 in construction costs and \$200,000 scheduled in FY99 for preliminary engineering and the delay of key #5965 Pancheri Drive, Skyline to Utah, to Preliminary Development; and

BE IT FURTHER RESOLVED, that Department staff is authorized to request an amendment to the STIP to add this project to the approved FY99-03 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998, and to show said project in Supplement 99-2.

Right-of-way Permit No. 3-99-196, District 3. H. Kent Johnson has requested to upgrade an existing 20-foot unrestricted approach at Station 270+55 RT on SH-55 (Eagle Road) to a 40-foot commercial approach to establish access for new development. The requested location is 420 feet south of the intersection of SH-55 and US-20/26 (Chinden Boulevard) and falls within an existing left turn bay for westbound US-20/26 traffic, according to Traffic Engineer Larry Van Over.

Mr. Johnson has also requested to purchase an additional 40-foot commercial approach to establish access for the same development at Station 827+31 RT on US-20/26. The requested location is approximately 353 feet east of the intersection of SH-55 and US-20/26. This location also falls within an existing left turn bay for southbound SH-55 traffic.

Both approaches are in a Type I partial control of access area. SH-55 is an Urban Principal Arterial with 12-foot lanes. US-20/26 is a Rural Principal Arterial with 12-foot lanes and 3-foot shoulders. The speed limit is posted at 55 miles per hour on both routes. ITD, as part of the negotiation for the Eagle Road project, purchased control of access to insure motorist safety and proper intersection operation at this intersection.

Currently, Mr. Johnson has a 20-foot unrestricted approach at Station 270+55 on SH-55 as described in a right-of-way contract between ITD and Fearless Ferris Service Stations, Inc. dated January 10, 1995. No deeded access rights exist to his property from US-20/26, however ingress/egress does exist internally between his property and that of Hawkins-Smith Commercial Developers. Internal access is described in the warranty deed issued in 1992 between Jones and Jones, Inc. and Mr. Johnson. The rights of access easement consists of an internal 25-foot access easement parallel to the SH-55 right-of-way line and an internal 24-foot access easement parallel to the US-20/26 right-of-way line.

APA has future plans to make the Eagle Road/Chinden Boulevard intersection an urban interchange and along with this, Ada County Highway District (ACHD) has plans to install fiber optic cable to connect all signals along the US-20/26 corridor. This would allow the highway to be used as an alternate route in the event of an emergency closure on I-84 in and around the Treasure Valley. A 1999 Chinden Boulevard Corridor Study done for ACHD has recommended that in the future no access be allowed within 660 feet of the existing intersection.

Member McClure said he travels that intersection daily and does not support the requested access. Member Sweeney also expressed concern with the access because of the traffic levels and US-20/26's designation as an alternate route for the interstate.

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

July 8, 1999

RES. NO. WHEREAS, Mr. H. Kent Johnson, d.b.a. Fearless Ferris Service Stations, Inc.
TB99-53 has requested to update an existing 20-foot unrestricted approach at Station 270+55 RT on SH-55 (Eagle Road) to a 40-foot commercial approach at the same location and has requested an additional 40-foot commercial approach at Station 827+31 RT on US-20/26 (Chinden Boulevard); and

WHEREAS, access on both SH-55 and US-20/26 in these locations is Type I partial control; and

WHEREAS, Ada Planning Association (APA) has future plans to make the Eagle Road/Chinden Boulevard intersection an urban interchange; and

WHEREAS, Ada County Highway District (ACHD) has plans to install fiber optic cable to connect all signals along the US 20-26 corridor; and

WHEREAS, this would allow for US-20/26 to be used as an alternate route in the event of an emergency closure on the Interstate Highway System in and around the Treasure Valley; and

WHEREAS, a 1999 Chinden Boulevard Corridor Study done by MK-Centennial Engineers for Ada County Highway District has recommended that in the future no access be allowed within 660 feet of the existing intersection; and

WHEREAS, ITD, APA, and ACHD all recommend rejection of the requests based on operational and safety issues within the Chinden Boulevard Corridor.

NOW THEREFORE BE IT RESOLVED, that no additional accesses will be granted to this parcel and the existing access at Station 270+55 RT on SH-55 will be restricted to a 20-foot right-in/right-out access only.

(See later minute entry.)

Claim for Repair of Deteriorated Concrete, District 3. ACE(D) Hutchinson reported that the subcontractor, Eterna-Line of Idaho, is requesting additional payment of \$13,751. The claim revolves around the subcontractor's interpretation of a bid item that was designated as a contingency item with a pre-entered price. The Special Provisions are explicit on how the item is to be paid and no entitlement for additional payment was found. Eterna-Line has appealed the Chief Engineer's decision and requested a hearing before the Board.

Member Blick made a motion to submit the case to binding arbitration. Member Miller seconded the motion and it passed unopposed.

Right-of-way Permit No. 3-99-196, District 3 (Revisited). Due to a miscommunication on the scheduled time of this item, interested parties in this access issue showed up at this time. Member McClure made a motion to revisit right-of-way permit no. 3-99-196. Member McHugh seconded the motion and it passed unopposed.

Billy Ray Strite requested temporary right-in/right-out accesses on SH-55 and US-20/26. He understands ACHD's long-range plans for this corridor, and asked that the access be used on an interim basis. The access could be moved in 15 to 20 years when the urban interchange is constructed at the intersection of US-20/26 and SH-55.

Member Blick asked if the interior road shown on the plat would be adequate. Mr. Strite said he was not aware of that road, nor is he aware of an easement for its access. He said the current approach on Eagle Road could possibly be moved and shared with the Hawkins-Smith development.

Member McClure asked for clarification whether temporary right-in/right-out approaches on both US-20/26 and SH-55 would be acceptable until the Hawkins-Smith land is developed, then the access would be moved to that joint approach. Mr. Strite indicated that would be acceptable, as long as Hawkins-Smith concurred.

Because of this new proposal, Member Sweeney suggested the developer work with staff and submit a new application towards this effect. Chairman Winder suggested staff continue working on this right-of-way permit and report back to the Board as soon as possible.

Member Blick made a motion to have staff revisit right-of-way permit no. 3-99-196, working with the developer on an acceptable solution, and bring the issue back to the Board in a timely manner. Member Miller seconded the motion and it passed unanimously.

WHEREUPON, the regular monthly Board meeting officially adjourned at 3:50 PM.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
July 9, 1999
Pocatello, Idaho

REGULAR MEETING AND DISTRICT 5 TOUR OF THE IDAHO TRANSPORTATION BOARD

July 8-9, 1999

The Idaho Transportation Board met at 9 AM, on Thursday, July 8, at the Logan, Utah airport. The following principals were present:

Charles L. Winder, Chairman
John X. Combo, Vice Chairman - District 6
John McHugh, Member - District 1
Bruce Sweeney, Member – District 2
Monte C. McClure, Member – District 3
Neil Miller, Member – District 5
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
Jack Coe, Division Administrator – Federal Highway Administration

Rodney Terry, Region 1 Pre-Construction Engineer with the Utah Department of Transportation (UDOT), and Tom Fisher with the Logan Metropolitan Planning Organization (MPO) met the group at the Logan airport. The gentlemen reported on some of the traffic concerns Logan is facing. Mr. Terry also reported on UDOT's plans to improve US-91 north of Logan to the Idaho state line. UDOT has a project scheduled in FY03 and Mr. Terry said he will be coordinating the project with Idaho.

Chairman Winder thanked Messrs. Terry and Fisher for their time and for the information on the projects.

The Board traveled north on US-91 to Franklin, Idaho.

Delegation – City of Franklin. Rebeka Hunt explained the city's proposed Enhancement project, the Pioneer Historic Byway Welcome Center. She also elaborated on the plans to improve the park along US-91, the site of the proposed welcome center. The city is working on developing the scenic byway and increasing tourism,

July 8, 1999

especially by promoting the history of the area. Mayor Louis Mendoza reiterated the voluntary efforts that have gone into the project and have been committed for the welcome center and the development of the park.

The Board thanked the delegation for the informative presentation, then continued north on US-91 to Preston.

Delegation – Preston Airport Manager Dan Daniels. Mr. Daniels elaborated on the planned improvements to the runway. He hopes funding will be secured to complete the slurry

seal project next year. He also reported on the planned changes to the fuel system, the application for the Global Positioning System approach, and the usage at the airport.

Chairman Winder thanked Mr. Daniels and Franklin County Commissioner Larry Bradford for meeting with the Board and the information they presented. He also welcomed Representative Bert Marley who joined the tour at the airport.

Recognition of Adopt-A-Highway Groups. Member Miller honored the Bear Lake Regional Commission and ITD Montpelier Maintenance Foreman Byron Romrell for their efforts in the adopt-a-highway program. Bear Lake was the first county in Idaho to adopt all of its highway miles. Member Miller noted Mr. Romrell's excellent relationship with the local entities and thanked him for his work. Allen Harris, representing the Bear Lake Regional Commission, thanked Mr. Romrell for his support and assistance with the adopt-a-highway program.

The Board traveled SH-34 west, US-30 west, and I-15 north. At the Inkom Port of Entry, Joan Klingler, POE Supervisor, said the scales at the Port are inadequate to handle the longer trucks. Some of the trucks have quad axles, which cannot be weighed on the existing scale. Senior Inspector David Hankla expressed concern with the length of the ramps. Vehicles exiting I-15 get backed-up on the ramp and interstate. In conclusion, Ms. Klingler requested the removal of the adjacent rest area. She is concerned with safety of the traveling public; particularly the children who run around and play at the nearby rest area while the large trucks drive by.

The Board thanked the employees for the information, and the tour continued north on I-15.

Delegation – City of Pocatello and Bannock Planning Organization (BPO). Mayor Greg Anderson welcomed the Board members to Pocatello and thanked them for their time. BPO Director Mori Byington said the Pocatello metro area is experiencing congestion because of its geographic and manmade restrictions. Yellowstone Avenue, which is on the state highway system, is the most congested and the city is requesting ITD's help to improve that route. The city wants to focus on developing alternate means of transportation, and Mr. Byington stated that a corridor study is being planned in conjunction with ITD. DE Bala reiterated the need to work together on the area's transportation infrastructure.

The Board thanked the gentlemen for the informative presentation.

WHEREUPON the meeting recessed at 4:45 PM.

July 9, 1999

The Transportation Board meeting reconvened at 8:05 AM on Friday, July 9, at the District 5 Office in Pocatello. All members were present except Member Blick.

June 16-18, 1999 Board Minutes. Member McHugh made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on June 16-18, 1999 as corrected. The motion passed unanimously.

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

August 19-20, 1999 – District 1
September 22-23, 1999 – Boise
October 7-8, 1999 – District 4
November 18-19, 1999 - Boise

Consent Calendar. Member McClure 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
TB99-54 the 2005 Statewide Rural Functional Classification System Update and the Rural Highway Access Control Map; and has received and reviewed the quarterly report on administrative settlements; the contract award information; and the new and supplemental professional agreements report.

August 19, 1999

1) 2005 Statewide Rural Functional Classification System Update. Each District reviewed its highways to determine if functional classification changes were necessary. No changes are recommended to the 2005 Statewide Rural Functional Classification System map.

2) Rural Highway Access Control Map. No changes were recommended to the Rural Highway Access Control Map.

3) Administrative Settlements. During the quarterly period from April through June, staff processed 24 parcels, but there were no administrative settlements.

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

STR-3290(618), key 6638 – Discovery Park to Ada County Line, SH-21, Ada County, District 3. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$1,455,922.70.

ST-4210(613), key 6485 – Grangeville Main Street, SH-13, Idaho County, District 2. Low bidder: POE Asphalt Paving, Inc., Lewiston, Idaho - \$511,248.42.

STR-6840(601), key 7036 – Dubois, West, SH-22, Clark County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$697,216.84.

STR-2360(611), key 6644 – Banbury to Buhl, US-30, Twin Falls County, District 4. Low bidder: Gordon Paving Company, Inc., Burley, Idaho - \$939,595.07.

STR-2350(610), key 7029 – Bliss to Gooding, US-26, Gooding County, District 4. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$984,240.05.

STR-1804(606), key 6991 – SH-34, Cleveland Bridge to Niter Bench Road, Franklin and Caribou Counties, District 5. Low bidder: Beco Construction Company, Inc., Idaho Falls, Idaho - \$1,338,703.

ST-6350(633), ST-6830(609), ST-6350(631), ST-6470(623), ST-6350(632), and ST-6470(624), keys 7636, 7631, 7633, 7630, 7634, and 7635 – Craters to Arco, Clementsville to Driggs, Milepost 137 to Salmon River, Ucon to Rigby, North Fork to Gibbonsville, and Island Park to Montana Line; US-93, SH-33, US-20, SH-87; Butte, Teton, Custer, Bonneville, Jefferson, Lemhi, and Fremont Counties; District 6. Low bidder: Kloepper Inc., Paul, Idaho - \$1,657,714.30.

ST-1480(619), key 7684 – Montpelier South, US-30, Bear Lake County, District 5. Low bidder: Kloepper Inc., Paul, Idaho - \$140,701.71.

ST-2852(604), key 7351 – Wayside Inn to Rupert, SH-24, Minidoka County, District 4. Low bidder: Emery Bros. Construction, Filer, Idaho - \$78,255.36.

STM-0004(616), key 7424 – District Wide Mowing; I-84, I-86, US-93, SH-75, US-20, US-30, and US-30/93 Interchange; Blaine, Camas, Cassia, Elmore, Gooding, Jerome, Oneida, and Twin Falls Counties; District 4. Low bidder: Integrated Vegetation and Insect Management, Vancouver, Washington - \$33,0443.79.

5) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$2,229,100 in new and supplemental agreements between June 3 and June 23.

6) Y2K Report. The project is currently 1.4% ahead of schedule and 18.5% under budget.

Board Items. Member Sweeney reported that District 2 had a forklift that was bigger than what they needed and was not being utilized. He had an opportunity to look into this issue and reported that the procedures are in place for the District to get rid of a piece of equipment if it is not what is needed. He expressed concern with

equipment not being utilized, particularly because of the depreciation. Director Bower added that an equipment utilization system will be established, which should help ensure equipment is being used.

Member McHugh was pleased to announce that District 1 took top honors at the recent statewide rodeo contest.

Director's Items. Director Bower reported that a prioritized list of 12 Federal Lands Discretionary projects has been submitted to FHWA. Additionally, Congress, through the appropriations process, has earmarked money for Public Lands Discretionary projects. Although the Department does not support earmarking money for these projects, if Congress is going to earmark projects, Idaho would like projects funded. A letter was sent to Senator Craig and Idaho's congressional delegation requesting an earmark for the US-89, West Forest Boundary to Bishoff Canyon project. The Governor's Office is aware of this request and has offered assistance with this process.

The annual WASHTO Conference will be held in Juneau, Alaska on July 18-21. Director Bower said he, CE Ross, and DE Bala will be attending, along with five Board members. Chairman Winder reported that he has been asked to give a presentation on international trade corridors and impacts to Idaho. He thanked staff for its assistance in preparing for this speech.

The Department received a letter from the Governor regarding the proposed WestRock development near Cascade. ITD and several other state agencies have been asked to provide analyses on this proposal. Director Bower said a team has been established to work on the transportation component. The preliminary results will be provided to the Board before it is submitted to the Department of Lands.

Director Bower recently attended a meeting in Coeur d'Alene with the airport managers from the state's larger airports. Some of the topics included the importance of the state's airports and their economic impacts, and regional jets. The airport managers requested more involvement from the Division of Aeronautics, particularly on development. The Department has established a team to work on aviation issues, including planning, and will keep the Board informed of its work.

Member McHugh stated that there is some concern that the Aeronautics Advisory Board (AAB) is not currently represented by an airport manager. Chairman Winder emphasized the Board's interest in aviation. Although the AAB has the major role, the Transportation Board would like to be more involved in aeronautics issues. He asked staff to determine what the Board's involvement should be and to develop a policy statement on this.

Director Bower also reported that he requested that the Chief Engineer form a team to review the claims process and appeals process. Staff will investigate how other states handle this process and make recommendations.

Presentation – Joe Haynes, Administrator, Local Highway Technical Assistance Council (LHTAC). Mr. Haynes provided background on the establishment of the Transportation Planning Task Force, established in 1997, and its recommendations, including the development of a local federal-aid incentive program. He has been working with the three MPOs and 15 cities with populations over 5,000 to develop policies and procedures for prioritizing projects for the STP-Urban Program.

Mr. Haynes also reported that the local entities wish to continue the federal-aid exchange program. Local jurisdictions can use those funds to match money from the STP-Rural Program, better utilizing their money. LHTAC adopted two resolutions recently, supporting the federal-aid incentive program and encouraging the Board to continue the federal-aid exchange program. He asked the Board to authorize staff to continue working with him on this recommendation. He added that training sessions would be scheduled later this year with the District staff and local officials on this proposal.

The consensus of the Board was to have staff continue working with Mr. Haynes on the local federal-aid incentive program and the continuation of the federal-aid exchange program. Staff is to review the current policies and procedures to ensure compliance with the proposal and bring necessary revisions back to the Board. The Board thanked Mr. Haynes for the presentation and for the time and effort he has dedicated to this project. The Board believes Mr. Haynes has been a valuable link to the local officials and commended his coordination and liaison

efforts. Vice Chairman Combo added that LHTAC's charge, according to Idaho Code, is to make recommendations to the Transportation Board for the distribution and prioritization of federal funds for local highway projects. He believes Mr. Haynes has done a commendable job in this area.

Delegation – City of American Falls. Mayor Deborah Rudeen reported that the East American Falls interchange is inadequate and there are concerns with its functionality. She said a project to improve the interchange had been in the Program earlier, but was removed. She encouraged the Board to fund the project. The underpasses at Sunbeam and Jahnke are too narrow and have height restrictions. She requested improvements to those underpasses and stated that the City wants to work with ITD on resolving these problems. Additionally, the Marina Road, I-86B, crossing is a concern because of safety issues. Various options are being explored, including relocating the crossing over the railroad tracks west of the existing crossing. She requested assistance with approaching Union Pacific Railroad on this option.

DE Bala said staff will continue working with the City of American Falls on these issues. He added that due to funding limitations, the interchange project was removed from the Program. Chairman Winder thanked Mayor Rudeen for the presentation.

Delegation – Shoshone-Bannock Tribe. Transportation Planner Sherwin Racehorse said BPO does not consider the Tribe's needs, particularly regarding land-use and zoning issues. Although the Tribe is a non-voting member of the MPO, he believes its concerns and problems could be better addressed by the MPO. Additionally, Mr. Racehorse said the Tribe's mass transit needs are not being met. Pocatello Regional Transit provides public transportation service on an on-call basis, but a regular bus route is desired.

The Shoshone-Bannock Tribe is not sure who has responsibility to maintain the roads on the reservation, however, the Tribe would like to take the roads back onto the Bureau of Indian Affairs' system and be responsible for the maintenance, according to Mr. Racehorse. Additional funding from TEA-21 is desired, along with the right to tax to provide money for the transportation system on the reservation. He also questioned the planning requirements of TEA-21 and stated that Section 1204, Subsection C states that long-range transportation plans shall be developed with the consultation of the Tribe and the Secretary of the Interior. Mr. Racehorse does not believe ITD has been working with the Secretary of the Interior on these issues.

Chairman Winder thanked Mr. Racehorse for his comments and for voicing his concerns. The Department will arrange a meeting with the Shoshone-Bannock Tribe and entities responsible for the issues of concern expressed by Mr. Racehorse.

Delegation – City of Shelley. Mayor Heber Hansen said the city and county are continuing their efforts on a connector route between the New Sweeden Road and US-91. He asked that modifications to the impacted intersections be considered in the design of the Department's US-91 widening project. He also requested assistance with the local project, as the city's funds are limited. In response to the status of the right-of-way acquisition, Mayor Hansen said that several landowners have agreed to donate the right-of-way, but efforts are continuing with two more property owners.

DE Bala said staff is looking into the feasibility of providing assistance with the sub-grade work. Chairman Winder thanked Mayor Hansen for his remarks and encouraged him to continue working with Member Miller and DE Bala on this project.

Delegation – City of Blackfoot. Mayor Scott Reese thanked the Board for its time and reported that the City has recently completed a transportation plan. He also stated that the city of Blackfoot wants to work cooperatively with ITD on its transportation issues, and expressed appreciation for the good relationship that has been established with the District. Jay Walker with Keller and Associates elaborated on the comprehensive transportation plan. The major deficiencies were identified at the intersection of Bergener and Parkway, the ingress and egress on Bergener Avenue, the I-15 northbound ramp intersection, and West Bridge Street. He also outlined solutions for the identified problem areas.

Chairman Winder thanked the gentlemen for the informative presentation and encouraged them to continue working closely with Member Miller and DE Bala.

Delegation – Four-County Coalition. Bear Lake County Commissioner Don Clark reported that the counties of Bear Lake, Caribou, Franklin, and east Bannock have formed a coalition to address various issues of concern. Commissioner Clark thanked the Board for recent improvements to the transportation infrastructure in the area and encouraged the funding of the US-30, Georgetown alternate route. Caribou Commissioner Carol Davids-Moore encouraged the Board to continue improving US-30. Truck traffic is high on this route and the traffic concerns need to be alleviated, according to the Commissioner. She also expressed concern with the current speed limit on US-30 at Georgetown and suggested a speed limit of 45 miles per hour between the existing 65 and 35 mile per hour speed limits.

Chairman Winder reported that a number of significant projects are planned on US-30. The Board fully supports this route and recognizes it as a key corridor. Member Miller added that local assistance on acquiring right-of-way is helpful to ITD. He encouraged the Four-County Coalition to work with District staff on securing the right-of-way for the Georgetown project.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. At 10:45 AM, Vice Chairman Combo made a motion, seconded by Member McClure, to meet in executive session to discuss personnel issues. The motion passed unanimously.

The Board came out of executive session at 11:10 AM. No decisions were made.

Delegation – Bannock County. Bannock County Commissioner Tom Katsilometes thanked the Board for visiting Pocatello. He appreciates the assistance DE Bala has provided and the great relationship that has been established with the District. The County's Mink Creek project is designed, ready to be advertised. He believes the project is eligible for STP-Rural funding and encouraged the Board to fund this important project. The costs have escalated on this project due to a landslide and environmental issues. He also encouraged the Board to continue funding the federal-aid exchange program and expressed support for the proposed local federal-aid incentive program.

Mr. Haynes added his support to fund the Mink Creek project. He plans on meeting with Highway Programming Manager Dave Amick soon to review the STP-Rural Program and determine if funding is available for this project.

Member McClure asked how the County would use the exchange program funds. Commissioner Katsilometes said the money would be used for projects, such as the Mink Creek project. Public Works Supervisor Bill Aller added that the funds would also be used for preliminary engineering. In response to the amount of construction work Bannock County contracts, Mr. Aller replied approximately 50 percent is contracted. The County does not have the manpower to do the major construction.

Chairman Winder thanked the gentlemen for the informative presentation and encouraged them to continue working with Member Miller and DE Bala.

Delegation – Bingham County. Commissioner George Katseanes said that two county bridges sustained considerable damage in the flood a couple of years ago. Public Works Director Neil Morgan reported on preliminary costs to repair and also replace the structures. He added that if funds are available to replace the West Shelley and Tilden Bridges, that would be the County's preference. Although he is unsure how the funding works, he believes their costs would be about eight percent, and the County has those funds available.

Chairman Winder asked staff to continue working with Bingham County on these bridges. DE Bala added that this issue has recently been brought to the District's attention and they will explore options and work with the County.

Commissioner Katseanes also expressed support for the continuation of the federal-aid exchange program. At a meeting where all of the counties were represented, only one dissenting vote was received on the continuation of this program. He thanked Mr. Haynes for his work on this proposal.

In response to a question on what the County uses the exchange program funds for, Commissioner Katseanes responded that the funds are used for maintenance and construction of roads. Member McClure asked how much construction work is contracted out. Commissioner Katseanes said the majority of the work is done in-house.

Proposed 2000 Legislative Issues. Budget, Policy, and Intergovernmental Relations Manager (BPIRM) Mary Detmar reviewed the four concepts submitted for proposed 2000 legislation. Draft legislation will be submitted to the Board for review and approval at the September meeting, following review of the concepts by the Division of Financial Management. Proposed legislation includes bringing Idaho's "open container" law into compliance with federal code; bringing Idaho's ignition interlock law into compliance with federal code; restricting the use of photographs or electronically produced images kept by the Department in connection with the issuance of driver's licenses and identification cards; and changing the flag size requirement for projecting loads to a minimum of 12" by 12" and clean-up legislation pertaining to citations issued for violations of truck weight, speed, or tire regulations.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that State agencies
TB99-55 submit proposed 2000 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Department Executive Team has approved the "Legislative IDEA Submittal Forms" as to concept and has submitted them to the Transportation Board for concept review approval prior to submission to the Division of Financial Management.

NOW THEREFORE BE IT RESOLVED, that the Transportation Board approves submittal of the "Legislative IDEA Submittal Forms", as shown as Exhibit 217, which is made a part hereof with like effect, to the Division of Financial Management for its approval, and authorizes ITD staff to develop draft legislation to be presented at the September Board meeting, pursuant to Division of Financial Management approval.

Corner of Eagle Road and Chinden Boulevard Development Ingress/Egress, SH-55 and US-20/26, District 3. Following last month's meeting, staff met with parties interested in developing property at the intersection of SH-55 and US-20/26, to reach an agreeable solution to access issues. Two 40-foot wide approaches would be constructed as right-in/right-out only, one on SH-55 and one on US-20/26. Road improvements would be made on the state right-of-way to allow for acceleration and deceleration at the access points. The owners will be required to purchase the access point on US-20/26, as this is a partial control of access.

CE Ross said the efficiency and safe operation of the intersection is the Department's major concern. If an operational problem occurs that jeopardizes public safety or impedes the efficient operation of the intersection, a raised median will be installed on both highways to restrict cross movement of traffic from the property. It would be recommended that the developer be responsible for the costs associated with the installation of the raised curbing.

Kent Johnson, representing Fearless Farris Stinker Stations, Inc., concurred with the recommendation.

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

RES. NO. WHEREAS, the Fearless Farris Stinker Stations, Inc. has applied for access to
TB99-56 US-20/26 for the purpose of constructing a service station and fast food drive in; and

WHEREAS, Fearless Farris Stinker Stations, Inc. has one deeded approach on SH-55; and

WHEREAS, both approaches are near the intersection of SH-55 and US-20/26 and are within the limits of the left turn bays for these two highways; and

WHEREAS, the Idaho Transportation Board is committed to work with developments adjacent to the state highway system; and

WHEREAS, the Idaho Transportation Board desires to maintain the integrity of the transportation system.

NOW THEREFORE BE IT RESOLVED, that the Board takes the following action:

- obtain funds from the developer in an amount sufficient to ensure a commitment to move ahead with the purchase of the access point and allow the property to begin to develop;
- approaches are limited to right-in/right-out only;
- acceleration and deceleration lanes will be constructed as required by the District Traffic Engineer;
- proceed with the appraisal process for the access point onto Chinden Boulevard; and
- proceed with the legal agreement for the removal of both access points from the state highway at a future date at such time as needed for an urban interchange, future traffic operations, or safety issues and after the development of an internal access network.

Request for Design Approval, US-20, Sugar City and SH-33 Spur, Keys 6297 and 7637, District 6.

Following a public meeting in 1998, the Board approved the US-20, Center Street alignment and half interchange design as the preferred alternative. District 6 Project Development Engineer Ken Hahn said the US-20, Sugar City and SH-33 Spur projects were companioned in one environmental assessment. A design hearing was held in May on the design features for both projects and the environmental assessment. Of those providing testimony, 81% supported the Center Street half-interchange option and there was no opposition to the US-20/SH-33 interchange. The Board members received the hearing file for the May 11, 1999 and the February 25, 1998 hearing earlier.

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

RES. NO. WHEREAS, the elimination of US-20 at-grade crossings has long been the
TB99-57 ultimate goal; and

WHEREAS, the Transportation Board has scheduled the development of two interchange projects intent on the elimination of at-grade crossings; and

WHEREAS, ITD has conducted meetings and hearings providing information to the public and received comments from the public; and

WHEREAS, the Transportation Board has reviewed the hearing testimony from two separate hearings held on February 25, 1998 and May 11, 1999.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves a full diamond interchange connecting the SH-33 spur and US-20; and

BE IT FURTHER RESOLVED, that ITD District 6 is granted design approval and authorization to pursue final design for the two projects.

Contract Awards. Member McHugh made a motion, seconded by Member Sweeney, and passed unanimously, to approve the following contract award:

STPG-5786(100), key 5707 – Samuels Road Near Sandpoint, US-95, Bonner County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. Generally, most bid items were within reason with the exception of mobilization. After a thorough review of all items, staff determined that the engineer's estimate for mobilization may have been low. Staff would like to construct this project as soon as possible due to the number of accidents that have occurred at the crossing. Due to safety concerns, the District recommends awarding the contract. Low bidder: Interstate Concrete & Asphalt, Sandpoint, Idaho - \$442,406.70.

Member Miller made a motion to ratify the Board's earlier decision to award the following contract. Member McHugh seconded the motion and it passed unopposed.

STR-5738(601), key 6628 – Spirit Lake to Athol, SH-54, Kootenai County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. No one item was significantly higher than the engineer's estimate, which was based on the average unit price data for projects of similar size. Staff believes the delay in advertising the project, caused by unanticipated utility involvement, resulted in a less competitive bid. Due to the lateness of the season, staff does not believe a savings would be realized if the project were to be rebid. Additionally, the project could be constructed this year if the project is awarded soon, therefore staff recommends awarding the project. Low bidder: Interstate Concrete & Asphalt, Coeur d'Alene, Idaho - \$1,307,811.91.

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

NH-3270(120), key 6637 – SH-55, Cascade to Milepost 122.9, Valley County, District 3. The low bid was more than ten percent over the engineer's estimate, requiring justification. The items of major difference were the plantmix item and the recycled asphalt base stabilization item. The source used for aggregate in this area is a quarry and requires additional work for material. The recycled asphalt base item was bid higher because of the increased depth required, the added asphalt depth, and the poor timing for use of the pulverizers, which are being used on other projects. Based on this analysis, the District recommends awarding the project. Low bidder: Central Paving Company, Inc., Boise, Idaho - \$1,258,575.50.

CE Ross reported that one of the three bids received on the IM-90-1(196)0 and IM-90-1(194)6 projects was declared irregular. The bid was declared irregular because the faxed modifications referenced line numbers, which did not clearly match the items named; the modification of remove PCC Pavement states it is for a quantity of 1323, not the correct quantity shown in the bid schedule; and because the design concept sketches called for on the special provisions were not included with the bid.

Member Sweeney asked if these items are valid reasons and would not be declared technicalities by a judge. DAG McMahon believes the last item, particularly, is a strong issue. Member McClure concurred because the sketch was requested in the specifications.

Kim Trout, Attorney at Law, representing Acme Materials and Construction Company, expressed his agreement with Member McClure and added that the sketch issue is a contract principle. He believes that is an essential element of the bid.

Vice Chairman Combo made a motion, seconded by Member McHugh, and passed unopposed, to approve the following contract award:

IM-90-1(196)0 and IM-90-1(194)6, keys 7124 and 6475 – Washington State Line to Milepost 5.5 and Post Falls to S.I.R.R., I-90, Kootenai County, District 1. Low bidder: Acme Materials and Construction Company, Spokane, Washington - \$5,649,626.27.

Member Miller expressed concern with utility companies causing the Department delays because they do not get their work done in a timely manner. He asked if there are ways to remedy this situation because it is costing the Department time and money. CE Ross believes one way to remedy this would be to let the bids earlier, allowing the utility companies more time to move their utilities. Another option may be to impose a fee if the company takes too long to complete its work. Staff was asked to look into this issue.

Member McClure made a motion, seconded by Member Sweeney, and passed unanimously, to approve the following contract award:

BLDG-21803, key 7269 – Craigmont Sand Shed, Lewis County, District 2. The low bid was more than ten percent over the engineer's estimate, requiring justification. The items of major difference were due to the increased size and the siding that was not considered in the original estimate. Additionally, the 1.5% TERO tax was not included in the estimate. Staff recommends awarding the project. Low bidder: Arnzen Building Construction, Inc., Cottonwood, Idaho - \$148,704.

Chief Engineer's Items. CE Ross reported that staff will stage the design work for the Karcher Interchange project in District 3. The first stage will include geotechnical work, surveying, an environmental analysis, and

public meetings. Adequate funding authorization is in place for this stage and the draft STIP includes additional funding for the design work in stage 2.

Member McHugh expressed concern that money is being wasted on this project. Member McClure believes if the interchange location study recommends a location at a different site, some of the work done at the Karcher location, particularly the geotechnical work, will be applicable for any future work at the Karcher site.

CE Ross said a project will be completed this summer to upgrade the planking to concrete on the SH-55 railroad crossing in Horseshoe Bend.

In conclusion, CE Ross stated that due to the longer time frame between the July and August meetings, staff may poll the Board on contract awards. It is getting late in the construction season and staff is eager to get the contracts awarded.

WHEREUPON, the regular monthly Board meeting and tour of District 5 officially adjourned at 2:35 PM.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
August 20, 1999
Coeur d'Alene, Idaho

REGULAR MEETING AND DISTRICT 1 TOUR OF THE IDAHO TRANSPORTATION BOARD

August 19-20, 1999

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

Charles L. Winder, Chairman
John X. Combo, Vice Chairman - District 6
John McHugh, Member - District 1
Bruce Sweeney, Member - District 2
Monte C. McClure, Member - District 3
Gary Blick, Member - District 4
Neil Miller, Member - District 5
Sue S. Higgins, Secretary to the Board
Dwight Bower, Director
Jimmy Ross, Chief Engineer
Scott Stokes, District 1 Engineer
Andrea Storjohann, Assistant District 1 Engineer
Jack Coe, Division Administrator - Federal Highway Administration

Representative Don Pischner, Representative Hilde Kellogg, and Jeff Shinn from the Division of Financial Management joined the Board as it traveled south of Coeur d'Alene on US-95 to Plummer.

August 19, 1999

Delegation – Coeur d’Alene Tribe. Coeur d’Alene Tribe Chairman Ernest Stensgar welcomed the Board to the Indian Reservation and thanked the members for taking time to meet with the Council. He expressed concern with US-95 and emphasized the need to improve the highway to alleviate safety concerns.

Chairman Winder thanked Mr. Stensgar and the Council for the assistance they have provided to the District. He said the Transportation Equity Act for the 21st Century (TEA-21) designated several US-95 projects. The Board is continuing its focus on this major north-south highway and investing money to improve the route.

Good highways are vital to the economy, according to Mr. Stensgar. He added that northern Idaho is growing fast and good roads are very important. Council Vice Chair Norma Peone expressed concern that if the road is a 4-lane super highway, the speed will increase, creating safety concerns. Chairman Winder concurred that speed can be a problem and asked for assistance with enforcement. One option for the Tribe may be cross deputizing with Kootenai County.

Director Bower reminded the Council that the Transportation Department also has responsibilities for other areas such as aviation, public transportation, and motor vehicle issues. He offered assistance to the Tribe in these other areas as well as with highway issues.

Mr. Stensgar concluded by applauding the District staff for its assistance. He said DE Stokes has been very helpful and good to work with. Chairman Winder thanked Mr. Stensgar for his comments and added that ITD would like to partner with the Tribe on transportation issues.

Delegation – Cities of Plummer, Tensed, and Worley. Plummer City Clerk Donna Spier expressed interest in the Department’s long-range plans for US-95. She said that the City of Plummer does not want US-95 to bypass the city. She added that parking is a concern in the City, and that they are also looking at some beautification projects and signage.

The City of Worley also wants US-95 to go through the city, according to Worley Mayor Charlene Waddell. The City is also concerned with drainage.

City of Tensed Clerk Kimberli Michael asked about the future plans for US-95 in the area. The City is also working on a bike/pedestrian path from DeSmet to Tensed, approximately one mile in length. Keith Mabbutt, ITD Maintenance Foreman at St. Maries, elaborated on additional concerns of the City of Tensed, including the need for a center turn lane, replacing guardrail, and safety concerns at the school.

DE Stokes reported on the plans to improve US-95 and stated that the location and design features have not been finalized. The communities will be notified and asked for input as the plans progress. He expressed appreciation for Worley’s recently-established Transportation Committee and said he would like to be involved with that committee.

The Board encouraged the City of Tensed to submit an application for an enhancement project for their bike/pedestrian path.

As US-95 improves, Representative Pischner believes the traffic to St. Maries will increase. He asked if the Department has plans to improve access to St. Maries, either SH-5, or SH-3 south of I-90. DE Stokes replied that a corridor study should identify which route to focus on and what improvements are needed.

Chairman Winder thanked the city officials for their comments and encouraged them to continue working closely with Member McHugh and the District staff. Member McHugh added that their legislators are also good resources and asked the city officials to communicate with them.

The tour continued south on US-95 to Mineral Mountain Rest Area.

Delegation – Department of Parks and Recreation. Rick Cummins with the Department of Parks and Recreation thanked the Board for its assistance with park issues throughout the state, particularly through the Enhancement Program. He expressed concern with the SH-5, Pee Dee Hill project and encouraged the Board to

complete that project because of safety concerns, particularly with access to the park nearby. He also expressed concern with the Mullan to Plummer trail because of the contaminants on the approximately 70-mile trail.

Randall Butt, Department of Parks and Recreation said the nearby Mary Minerva McCrosky State Park is the second oldest park in the State. Access to the park from US-95, at Skyline Drive, needs improving, and he thanked the Department for the plans to add turn lanes at that intersection. As manager of the Coeur d'Alene Lake Drive, he thanked the Board for its assistance in establishing that facility. The trail gets lots of use and the project was a great cooperative effort between ITD and Parks and Recreation. The improvements required of the Hagadone Corporation as part of a land trade have been made. Mr. Butt is very pleased with the improvements and he believes the community is also very happy with the existing facility.

Representative Pischner expressed concern that the entire length of the Mullan to Plummer trail may not be paved because of the contaminants. He would like to see the entire trail paved. Mr. Coe believes an application to pave that portion of the trail has been received from the Tribe.

The Board traveled south on US-95, east on SH-6, and north on SH-3 to St. Maries.

Delegation – Benewah County and City of St. Maries. St. Maries Mayor Ernest Pendell asked the Board to support the Enhancement project for sidewalks. He is concerned with the safety of the children. The City would also like traffic control downtown to permit access to Main Street from the side streets; preferably a stop light at 10th and Main or possibly a four-way stop sign. Trucks have difficulty turning at the intersections at Third and Fourth Streets. Mayor Pendell believes a right turn lane on the south side of Third Street would alleviate this problem. He added that the sight distance needs to be improved at 23rd and Main. In conclusion, he thanked the Board for projects it has funded in the past and wants to work with ITD on the city's transportation needs.

County Commissioner Jack Buell encouraged the Board to complete the SH-5, Pee Dee Hill project. It is an important project to alleviate safety issues. On SH-3, Peterson's Hill and the Goose Haven dike need improving. Trucks have trouble getting in and out of St. Maries with combinations longer than 48 feet, according to Mr. Buell, and he said companies can not be competitive at that rate. He asked if the Board is looking at additional funding sources for US-95. He is concerned with the number of out-of-state trucks that are avoiding Idaho because of the poor condition of US-95, and he believes the state is losing out on a significant amount of sales tax. In conclusion, Mr. Buell thanked the District for the assistance and help they have provided.

In response to the need to improve US-95, Marsh Hill, Member McHugh said that project is in the Program in FY01. Chairman Winder added that the Board is investing a lot of money on US-95. The route is a high priority for the Department and projects will continue to be programmed to make this route safer. Mr. Buell said the counties should be helping acquire the right-of-way for the State. Member Sweeney stated that partnering can expedite projects and the Board is very receptive to partnering with entities.

Chairman Winder thanked the local officials for their time and comments. He encouraged them to continue working closely with Member McHugh and DE Stokes on the various issues.

The Board departed St. Maries north on SH-97 and returned to Coeur d'Alene on I-90.

WHEREUPON the meeting recessed at 4:30 PM.

August 20, 1999

The Transportation Board meeting reconvened at 8:05 AM on Friday, August 20, at the District 1 Office in Coeur d'Alene. All members were present. Chairman Winder welcomed Senator Shawn Keough and Kathy Ruffalo, Transportation Policy Advisor from the Governor's Office, to the meeting.

July 8-9, 1999 Board Minutes. Vice Chairman Combo made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on July 8-9, 1999 as corrected. The motion passed unanimously.

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

September 22-23, 1999 – Boise

October 7-8, 1999 – District 4

November 18-19, 1999 – Boise

December 17-18, 1999 - Boise

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves
TB99-58 the annual account write off and the 1999-2000 winter maintenance standards; and has received and reviewed the speed minute entry changes for July; the contract award information; the FY99 out-of-state travel; the year 2000 computer report; and the financial statement.

1) Annual Account Write Off. Department policy requires that all uncollectible accounts exceeding \$1,000 be reviewed and approved for write off by the Board. The Director, or designee, reviews and approves write off of all accounts less than \$1,000. Dick Transtrum, Chief of Administration (COA), has approved the write off of 90 accounts totaling \$13,991.62. The Board was asked to approve write off of 14 uncollectible accounts totaling \$35,540.73.

2) 1999-2000 Winter Maintenance Standards. No changes were recommended to the winter maintenance standards for the upcoming winter.

3) Speed Minute Entry Changes for July. The speed limit on SH-200 in Clark Fork was decreased to 25 miles per hour (mph) between mileposts 54.682 and 55.430 and to 35 mph between mileposts 55.43 and 55.6 based on a speed study. A school zone speed limit of 25 mph when lights are flashing was created in Bonners Ferry on US-95 between mileposts 505.668 and 506.189 based on a speed study.

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

STM-4170(620), key 7515 – Kendrick Storm Sewer, SH-3, Latah County, District 2. Low bidder: Western Construction & Excavation, Inc., Lewiston, Idaho - \$61,981.

NH-4200(105), key 2493 – Tumble Creek to Lochsa Ranger Station, US-12, Idaho County, District 2. Low bidder: Blahnik Construction Inc., Hamilton, Montana - \$1,492,516.13.

NH-IR-3112(062) and NH-3110(125), keys 3749 and 7710 – US-95, Mesa North and Mesa North Climbing Lane, Adams County, District 3. Low bidder: Idaho Sand & Gravel Company A Company of Jack B. Parson Companies, Nampa, Idaho - \$2,261,608.80.

ER-7034(100), key 7975 – Snake River Slide Detour (Country Club Drive), Lewiston, Nez Perce County, District 2. Low bidder: M. L. Albright & Sons Inc., Lewiston, Idaho - \$280,686.45.

September 22, 1999

IM-84-4(026)222, key 7133 – Salt Lake Interchange to Cotterell, I-84, Cassia County, District 4. Low bidder: Western Construction, Inc., Boise, Idaho - \$2,719,767.02.

STKP-1651 and STKP-1652, keys 7896 and 7897 – Plummer and Sheep Creek Stockpile, Benewah County, District 1. Low bidder: DeAtley Crushing Company, Lewiston, Idaho - \$140,855.

ST-6350(628), key 6940 – Salmon North to Carmen Creek, US-93, Lemhi County, District 6. Low bidder: Beco Construction Company, Inc., Idaho Falls, Idaho - \$474,962.18.

ST-6470(621), key 6939 – Lower Valley Ice Detection, Bonneville, Jefferson, and Madison Counties, District 6. Low bidder: Silver Creek Construction Company, Inc., Rigby, Idaho - \$256,989.

ST-7802(601), key 7371 – Rupert Streets, SH-24 and SH-25, Minidoka County, District 4. Low bidder: Gordon Paving Company, Inc., Burley, Idaho - \$430,860.13.

IM-15-3(101)167, key 7156 – Sage Junction to Montana State Line, I-15, Jefferson and Clark Counties, District 6. Low bidder: Poteet Construction Inc., Missoula, Montana - \$145,514.24.

ST-2390(685), key 7889 – Bellevue to Hailey, SH-75, Blaine County, District 4. Low bidder: Idaho Sand & Gravel Company A Company of the Jack B. Parson Companies, Nampa, Idaho - \$255,585.03.

STKP-1656 and STKP-1657, keys 7976 and 7977 – Mullan and Osburn Stockpiles – Shoshone County, District 1. Low bidder: Interstate Concrete & Asphalt, Coeur d'Alene, Idaho - \$376,670.25.

STKP-1653, 1655, and 1654, keys 7967, 7973, and 7972 – Bonners Ferry, Copeland, and Moyie Scales Stockpiles, Boundary County, District 1. Low bidder: Interstate Concrete & Asphalt, Sandpoint, Idaho - \$180,759.25.

IM-15-3(095)185, key 6471 – Stoddard Creek to Humphrey Interchange, Northbound, I-15, Clark County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,677,023.61.

NH-3270(133), key 7966 – Rainbow Bridge Deck Repair, SH-55, Valley County, District 3. Low bidder: Concrete Placing Company, Inc., Boise, Idaho - \$498,895.20.

STM-4110(666), key 7876 – US-95 Surface Repair, Lewis and Nez Perce Counties, District 2. The low bid was more than ten percent over the engineer's estimate. Comparison of the bids showed the main differences between the engineer's estimate and the contractor's bid were Plant Mix Pavement Class III, Bid Item 405-A3 and Cold Milling Bid Item SP-1A. After discussing the unit bid prices with the Residency, the contractor had three concerns about the project. They could not find a three-foot head for the cold milling, diamond grinder and paver. The only size they could find had four-foot heads, therefore they bid high to account for the overruns in quantities. Based on the review, staff recommends rejecting the bids.

ST-005(616), key 7355 – Districtwide Bridge Repair, Bingham County, District 5. The low bid was more than 25% below the engineer's estimate. The large discrepancy between the low bidder and the other bidders is of concern to the District. Staff does not believe the low bidder would be able to satisfactorily complete the project for the amount bid. The amount of money lost by readvertisement would be insignificant compared to the amount of money lost by change orders, claims, and time extensions. Financially, it is in the best interest of the state to reject all bids and readvertise the project. Another area of concern is the project time of 66 working days. Based on the type of work being performed and the contingency item for the superstructure jacking system, it is conceivable that this project could stretch out indefinitely, causing safety and convenience concerns for the traveling public. Staff recommends rejecting the bids.

5) FY99 Out-of-State Travel. In FY99, 265 out-of-state trips were taken at a cost of approximately \$252,438, which was below the budgeted amount of \$422,042.

6) Year 2000 Computer Status Report. The project is ahead of schedule and projected to be completed at a cost approximately \$867,000 under the original budget. All of the mainframe systems are scheduled to be complete by August 18; all mission critical distributed systems in the desktop environment will be completed by November 30; and the embedded systems are scheduled to be completed by October 29.

7) Financial Statement. The draft statements and reports for June 30 were presented. Staff is preparing to close the books on FY99 and there are a few adjustments to total expenses incurred in the capital construction program which are being researched and reconciled. The Department ended FY99 with a free fund cash balance of \$49 million.

New and Supplemental Professional Agreements Report. Member McHugh asked for clarification that this monthly report depicts only the new, including supplemental, agreements. CE Ross said the listing indicates new agreements that have been negotiated in the reporting period. The Consultant Administration Unit processed \$5,982,691 in new and supplemental agreements between June 24 and August 4.

Member McHugh made a motion to accept the new and supplemental professional agreements report. Member McClure seconded the motion and it passed unanimously.

Motor Carrier Audit Unit Annual Report. From July 19, 1982 through June 30, 1999, the auditors completed 12,996 use fee audits. Total assessments were \$17,726,466. Of the audits completed, 69% resulted in additional assessments, 4% resulted in a refund and 27% were accepted as reported. Additionally, 181 International Registration Plan (IRP) audits and several joint IRP/International Fuel Tax Agreement audits with the State Tax Commission were completed.

Member McHugh asked if AAA of Idaho receives this audit information. He said AAA's last newsletter had an article about the weight distance tax versus registration fees. He asked staff to send information to AAA, particularly the cost of audits and how much is collected by the auditors.

Member McHugh made a motion to accept the annual Motor Carrier Audit Unit report. Member Blick seconded the motion and it passed unopposed.

Quarterly Returned Check Report. During the fourth quarter of FY99, \$15,983,802 in checks were received while \$15,808, or .099% were returned. Collections amounted to \$17,911 for an annualized collection rate of 112%.

Member Miller emphasized the need to be aggressive in the collection efforts. The Board asked staff to present information on the evasion of sales tax by out-of-state truckers as reported by Mr. Buell yesterday.

Member McClure made a motion, seconded by Member Blick, and passed unanimously, to accept the quarterly returned check report.

Board Items. At last month's Western Association of State and Highway Transportation Officials conference, Member Miller attended a presentation on distribution of funds to local entities. He said Idaho is generous in its distribution formula and is pleased with the way ITD treats the local entities. Member Sweeney said the conference was an excellent opportunity to meet new people involved in transportation. He believes those contacts and networking are important. Member McHugh reported that he had good discussions with consultants, both from Idaho and from other states. Member McClure attended a meeting with Director Bower and Gloria Jeff, Deputy Director for the Federal Highway Administration. He expressed appreciation to Director Bower for his contacts in the federal government and for his good working relationship with that agency. Chairman Winder believes his presentation on international trade corridors and impacts to Idaho was well received and he thanked the ITD staff for the assistance provided in preparation for his speech.

The Board viewed slides from the US-95, Bonners Ferry slide, which occurred last October. DE Stokes said the project is progressing well and is ahead of schedule. He praised the various entities for the cooperation and involvement in remediating this situation. Senator Keough also commended staff for the admirable job in responding to this disaster.

Chairman Winder is still pursuing a visionary retreat or work session for the Board, possibly early next year. It was suggested to hold the work session in conjunction with one of the legislative presentations, either to the Joint Finance and Appropriations Committee, or the Joint Germane Committee. In the interim, the Board is to consider topics of discussion to determine the involvement of staff and if a facilitator is needed.

Vice Chairman Combo reported that the State of Montana was sued because it charged \$1 for a handicap placard. The state must refund the fee it collected since April 1996 because it violates the federal Americans with Disabilities Act. He commended Vehicle Services Manager Ed Pemble for identifying this issue last year and preparing legislation to correct it. Vice Chairman Combo believes the Department has a very good legislative process in place, enabling staff to bring forth various issues to address.

The Jerome Highway District contacted Member Blick recently regarding stop signs being knocked down on rural highways. This creates a serious safety hazard. The Commissioners asked Member Blick if he would support allowing anonymous callers to notify 911 of signs that have been knocked over and need replacing. Member Blick wasn't sure how to respond to this issue and asked for guidance.

Director Bower believes 911 could be contacted and stated that the Department has a good relationship with most law enforcement agencies. Chairman Winder suggested a public service announcement to address this matter and asked the Public Affairs staff to look into this.

Byron Keely, Local Highway Technical Assistance Council (LHTAC), said LHTAC has a sign vandalism program. He will contact the Jerome Highway District to offer assistance.

Director's Items. Director Bower reported that Senior Transportation Planner Pat Raino has been promoted to the Intermodal Planning Manager position in the Division of Transportation Planning. Because Transportation Planning currently manages the Scenic Byway and Congestion Mitigation/Air Quality Programs and because of Ms. Raino's expertise on the Enhancement Program, Director Bower is recommending moving the management of the Enhancement Program to the Division of Transportation Planning. The Board concurred.

The walls of the Sage Junction Port of Entry scale have collapsed, according to Director Bower. Staff is in the process of replacing the scales with 12'x20' scales. He does not have a time frame of when the scales will be operational. The cost is estimated at \$65,000 and this project will appear in Highway Development Program Supplement 99-3.

The Department is planning ribbon-cutting ceremonies for the US-95, Weiser Alternate Route and the US-95, Goff Bridge projects on September 1 and 13, respectively.

The U.S. House of Representatives passed the AIR-21 bill, which has a sizable increase in funding, according to Director Bower. The Senate passed a two-month extension for funding, but neither of these bills passed both houses. With Congress in recess now, no action will be taken on aviation for some time. Director Bower added that he will be meeting with the Director of the Department of Commerce, Gary Mahn, later this month to continue dialogue on the utilization of regional jets.

US-95 Coeur d'Alene Alternate Route. District Traffic Engineer John Perfect said there is a growing interest in an alternate route for US-95 in Coeur d'Alene. The existing facilities will soon be reaching full capacity in terms of traffic flow due to the tremendous growth in the Coeur d'Alene area. From 1990 to 1998, the population in Kootenai County increased 45% with similar increases in traffic volumes. The District is preparing to initiate detailed corridor plans intended to establish a logical strategy to these types of needs. A scope of work outlining the development of a corridor plan of US-95 in Coeur d'Alene is almost complete, with plans to pursue corridor plans for the entire length of US-95 in District 1.

Director's Items Continued. Director Bower reported that one of the mid-management academy classes has been completed. Three more training sessions for mid-managers are planned. He reminded the Board that the need for additional training was an issue identified in the employee survey.

The Department received word that it will be receiving blood alcohol content of .08 incentive grant funds. Two additional states have been added to the distribution of these funds because they have recently complied with the .08 requirement. Director Bower anticipates receiving approximately \$1 million, which will be used for the 3E (education, engineering, and enforcement) program.

Staff is finalizing its report on the proposed WestRock Development near Cascade. The report will be presented to the Land Board, at its request, next month.

Presentation to *The Crossroads* for Adopt-A-Highway Efforts. With 186 adopt-a-highway groups in District 1, Member McHugh was pleased to recognize *The Crossroads Dance Club* for its outstanding efforts in this area. He thanked the members for the valuable service they provide, not only to ITD, but also to the community and state.

Delegation – Steve Klatt. Mr. Klatt reported on the efforts to date on the corridor management plan for US-2. He believes these plans are valuable planning tools. He created forms to evaluate the scenery along the byway, and added that accident information along the byway is also reviewed.

Chairman Winder thanked Mr. Klatt for the update on his activities.

Chairman Winder thanked Senator Keough for the note of support for the draft STIP and appreciation for the Board's commitment to address the needs of the area. He thanked her for her continued interest and involvement in transportation.

Delegation – Senator Jack Riggs. Senator Riggs thanked the Board for the various projects to improve US-95. He believes the Board did a good job prioritizing projects with the additional federal funds the Department received in TEA-21. However, because of the tremendous growth in the Coeur d'Alene area, he believes the Board needs to focus on an alternate route around Coeur d'Alene. Moscow also needs an alternate route to ensure a free-flowing transportation system. The couplet projects in Moscow will help, but he believes a bypass on the western side is also needed. Additionally, Senator Riggs voiced support for the Indian Valley project. He expressed his desire to work with the Board and to look for additional funding rather than displacing other projects.

Chairman Winder thanked Senator Riggs for his comments and for his continued interest in and support of transportation issues in the state. He again emphasized the Board's commitment to improving US-95.

Delegation – John Goedde. Mr. Goedde said the Coeur d'Alene area is exploring the feasibility of establishing a regional public transportation authority. He has received assistance from the Division of Public Transportation on this issue and added that the group hopes to have this item on the ballot for the public next year.

Mr. Goedde explained that the Cascadia Group was initially comprised of members from British Columbia, Washington and Oregon, but Alberta and Idaho were invited to the last meeting. The group's initial objective was to explore options to relieve congestion on the I-5 corridor. Now an international corridor between I-5 and I-15 is being explored. One option would be US-95 from the Canadian border to I-90, then west into Washington. Mr. Goedde emphasized the need to improve US-95, as it is vital to the state's economy. He distributed a resolution for the Board's consideration in support of US-95 as an international corridor and improving the route to a four-lane, limited access highway.

Member McHugh concurred that the Transportation Department should be a player in this endeavor, however, he believes the Department of Commerce should take the lead. Mr. Goedde responded that the Department of Commerce has not been contacted, but he believes the Transportation Department is the key player because of its responsibility for the infrastructure.

Director Bower expressed concern with the condition of US-95. The legal load lengths from the Canadian border south to SH-1 need to be addressed, as well as other improvements. He added that if there is an effort to identify an international corridor, ITD should be involved, and should prepare a strong statement in support of this proposal.

Member Blick made a motion to direct staff to review the proposed resolution designating a portion of US-95 as an international trade corridor, and to contact the Department of Commerce for economic information on this proposal and direction or assistance. Member McClure seconded the motion and it passed unopposed.

Representative Kellogg thanked the Board for all of the projects recently completed and planned on US-95. She added her support for Idaho's involvement in the Cascadia Group and for the efforts to identify US-95 as an international corridor.

Delegation – City of Coeur d'Alene. Coeur d'Alene Mayor Steve Judy thanked the Board for its time and for the recent I-90 landscape enhancement project. He is looking forward to continuing the good working relationship that has been established with ITD. The City is proposing a landscaping project on Northwest Boulevard, the key gateway to Coeur d'Alene. Mayor Judy expressed concerns with safety, especially at the college. Plans call for a four-lane, landscaped median route with parkways adjacent to the outside lanes and free of overhead utilities. The City would like to schedule this project in the STP-Urban Program now so work can commence on the utilities, right-of-way, and design. However, the city does not have funds in its account to pay for the project at this time. Mayor Judy said if ITD programs this project, the City would assume jurisdiction of this route, I-90 Business, upon completion of the project.

Member McHugh expressed support for this project and believes it is a unique opportunity for both the city and state. The Board directed staff to review the feasibility of funding the Northwest Boulevard landscaping project, and to have the Board Subcommittee on Additions to and Deletions from the State Highway System consider the proposal to remove the I-90 Business route from the state's system.

Chairman Winder thanked Mayor Judy for the presentation.

Delegation – Kootenai County Area Transportation Team (KCATT). Gordon Dobler provided a history of KCATT and reported on the final transportation plan. He said this plan will be a tool to address future issues and needs, such as land use and right-of-way widths. Chuck Larson provided an overview of the study process. He said corridor preservation is an important aspect that needs to be addressed. Mr. Dobler added that the funding of this plan was a concern initially, but ITD provided planning funds, which he was thankful for. He believes one of the main benefits derived from the plan was the interagency cooperation.

The Board thanked the gentlemen for the informative presentation and for their efforts in the transportation arena.

Delegation – Bonner County Area Transportation Team (BCATT). Brian Orr thanked the Board for its time and provided a brief history of BCATT. He expressed appreciation for the partnership with ITD, and particularly for Member McHugh's involvement with the Team. One of the main concerns of BCATT is access on the Sandpoint alternate route project. He said that Boyer Avenue in Sandpoint also needs improvements. The Team is looking at its gateways from Canada, Washington, and Montana, and may seek assistance from ITD for enhancements such as visitor centers. He concluded by thanking the Board for the various projects it funded, particularly on US-95.

Chairman Winder thanked Mr. Orr for his comments and encouraged him to continue working closely with Member McHugh and DE Stokes.

Director's Items, Continued. Director Bower reported that Oregon passed a fuel tax increase along with legislation to remove the weight distance tax. The Governor of Oregon had not signed the bill yet. Director Bower said Idaho may receive additional pressure to remove its weight distance tax system because it will now be the only state in the northwest with such a tax structure. He added that he will obtain additional information on Oregon's status.

Staff is still reviewing the year-end financial statement, according to Director Bower. Indications are that the free-fund cash balance is higher than anticipated due to the close out of federal-aid projects from previous years and revenues higher than expected.

An automobile dealership brokerage near the ITD Headquarters went bankrupt. Director Bower said a number of claims have been received on this company and ITD put it on notice. Staff will continue its investigations on this matter.

Director Bower said he will be attending an AASHTO AGC/ARTBA joint committee meeting at the end of this month. The joint committee meets on an annual basis.

Idaho is a member of the Multi-State Highway Transportation Agreement (MHTA), according to Director Bower. The state is represented by one senator and one representative. At its last meeting, a resolution was passed for the MHTA to continue to explore the merits of an interstate compact. One issue the MHTA is reviewing is uniform weight limits. Staff has been asked by Idaho's legislators on the MHTA to review the interstate compact proposal and its impacts to Idaho.

Executive Session on Legal and Personnel Issues, Section 67-2345(f) and (b), Idaho Code. At 11:55 AM, Member McClure made a motion, seconded by Member Blick, to meet in executive session to discuss legal and personnel issues. The motion passed unanimously.

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

Disadvantaged Business Enterprise (DBE) Program Plan. COA Dick Transtrum, Acting Chief of Civil Rights, reported that significant changes have been made to 49 CFR Part 26 reflecting the requirements and guidance in implementing the DBE Program required on U.S. Department of Transportation assisted contracts. He summarized staff's efforts to develop a new DBE plan, which needs to be submitted to FHWA by September 1. ITD's annual participation goal is 7.6%. Once the plan is approved, staff will present a more-in-depth report to the Board on the plan and the implementation strategy.

Member McClure expressed concern with the good faith effort to contract with DBEs because it is subjective. Chairman Winder thanked Mr. Transtrum for the presentation and staff for its efforts on the DBE Plan.

Chairman Winder excused himself from the meeting at this time, and Vice Chairman Combo chaired the meeting.

Approval of the FY00 Spending Plan for the Office of Highway Safety. Highway Safety Manager JoAnn Moore reported that the Traffic Safety Commission met in June to review the FY00 spending plan and make recommendations to the Transportation Board.

Member McHugh asked if AAA receives a copy of the plan and if the public is aware of these projects. Ms. Moore responded that the Department works closely with AAA and sends them a copy of the plan. These projects are also included in the STIP, so the public has an opportunity to review and comment on these projects.

Member McHugh asked if safety restraints is an emphasis area because he does not believe Idaho is seeing the results, or increased usage, that it should. Ms. Moore replied that safety restraints has been a high priority for the past three years and that usage increased from approximately 51% to about 57%. She added that the 3E projects also focus on safety restraints.

In response to Vice Chairman Combo's question on the membership of the Traffic Safety Commission, Ms. Moore replied that Paula Hornbeck has been appointed to fill Member Sweeney's term on the Commission. Ms. Hornbeck is from Lewiston and has background in the medical field. Director Bower added that there is interest outside of the Department to change the membership of the Commission and legislation may be proposed next session to this effect.

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

RES. NO. WHEREAS, the Transportation Equity Act for the 21st Century provides that
TB99-59 each state shall have a highway safety program designed to reduce traffic collisions 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 12 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 HSP, for FFY1998-2000, on June 12, 1997, and the Transportation Board approved the recommended plan on September 19, 1997; and

WHEREAS, a spending plan for FY2000 has been developed which conforms to the administrative and programmatic requirements of 23 USC 402, 410, 163, and 157; and

WHEREAS, the Idaho Traffic Safety Commission recommended approval of the proposed FY00 spending plan on June 17, 1999.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board directs staff to submit the plan to the National Highway Traffic Safety Administration and the Federal Highway Administration for approval to implement projects beginning on October 1, 1999; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board directs staff to implement Idaho's Highway Safety Grant Program for FY00, once federal approval has been received.

FY99 Congestion Mitigation/Air Quality (CMAQ) Projects – Recommendation for Approval. Highway Programming Manager (HPM) Dave Amick reported that the CMAQ Technical Review Committee evaluated the applications for CMAQ projects. The Committee determined that the projects recommended for funding will provide significant air quality benefits and are cost-effective. Although the draft STIP includes projects for FY00, HPM Amick said Board approval is needed for FY99 projects.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to
TB99-60 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 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, there is sufficient funding available in the CMAQ Program to fund the addition of \$995,000 in FY99 projects; and

WHEREAS, the approval of these projects will leave a CMAQ program balance of \$2,042,000 in unprogrammed funding in FY99.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of the following projects for a total cost of \$995,000 to the FY99 CMAQ Program as shown in Supplement 99-2:

- 1) C102-Regenerative Air Street Sweeper Purchase, Sandpoint Independent Highway District, \$115,000
- 2) C103-Regenerative Air Street Sweeper, City of Post Falls, \$109,000
- 3) C104-Combination Deicer/Anti-Skid Truck Purchase, Sandpoint Independent Highway District, \$110,000

- 4) C202-Road Stabilization/Dust Control Application, Clearwater Highway District, \$44,700
- 5) C501-Street Sweepers (2) and Flusher Truck (1) Purchase, City of Chubbuck, \$456,300
- 6) C502-Bus Purchase (2), City of Pocatello/Pocatello Regional Transit, \$160,000

BE IT FURTHER RESOLVED, that Department staff is authorized to request an amendment to the STIP to add the specified CMAQ projects to the approved FY99-03 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998.

Technical Review Committee Member and former Board Member Mike Mitchell said the committee recommended funding projects that are good and needed. He believes the composition of the committee is good, as there is a broad range of expertise amongst the members. He added that strong District support is needed for the CMAQ Program.

Highway Development Program Supplement 99-2. HPM Amick said the objectives of this supplement are to update the contract construction funding level for FY00 of the State-Funded Highway Development Program; modify and rebalance the Highway Development Program to include project changes, advances, and delays since approval of Supplement 99-1; update the cost of FY99 Federal and FY00 State projects to current costs; provide a list of projects obligated under the FY99 State-Funded Program; and incorporate the most recent Indian Reservation Road Program in the current STIP.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
TB99-61 to 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 21st Century (TEA-21) requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the changes in Supplement 99-2 to the FY99-03 Highway Development Program provide a balance of available funding of \$18.5 million; and

WHEREAS, the August Board item, "Fiscal Year 1999 Adjustments to the Federal-aid Program Based on Readiness and Available Funding," addresses how the Program will be adjusted to fully utilize the estimated FY99 Federal Highway formula funding obligation authority of \$138.5 million and the Minimum Guarantee obligation authority of \$27.1 million.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the changes to the FY99-03 Federal Highway Development Program itemized and explained in Highway Development Program Supplement 99-2, on file in the Office of Highway Programming, and authorizes staff to make the appropriate changes to the FY99-01 STIP in accordance with the provisions of the TEA-21.

Environmental Clearances – Funding Positions in National Marine Fisheries, Corps of Engineers and Fish & Wildlife Service. Coordination with environmental resource agencies is a necessary and productive step in obtaining environmental clearances for transportation projects, according to CE Ross. Approvals and/or permits are often required from these agencies to obtain clearances. Due to increased transportation funding, environmental resource agencies are being asked for more involvement in the transportation project development process without increases to their staffing or budget.

FHWA and ITD have received communication from the U.S. Fish and Wildlife Service and the National Marine Fisheries Service documenting their workload and limited staffing which results in time delays in their

response to requested work on transportation projects. TEA-21 allows funding to other agencies in order to meet expedited environmental review time for transportation projects. In reviewing the 2000 and 2001 Program, staff determined approximately 94 projects will require coordination or approval from these two agencies. Additionally, other projects in the Program will require preliminary coordination work. The Corps of Engineers, U.S. Fish and Wildlife Service and the National Marine Fisheries Service have each asked that ITD consider funding positions in their agencies.

Member Blick asked if these employees would work on ITD projects first, then the agency's other projects and if this staffing would be on an ongoing basis. CE Ross believes ITD has enough work for these positions that the employees would only work on ITD projects. He also believes there may be an ongoing need to fund these positions.

The consensus of the Board was that funding positions for these agencies was like an unfunded mandate. Member Sweeney suggested writing to Idaho's Congressional Delegation encouraging funding for these requirements or the elimination of the requirements. The Board expressed opposition to funding these positions, but does not believe there is a choice because of the need to get projects ready for construction.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to
TB99-62 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 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, projects are experiencing increased delays in processing environmental clearances due to the increased project workloads generated under the increased TEA-21 funding; and

WHEREAS, TEA-21 authorizes providing funding to other agencies in order to meet expedited environmental review time for transportation projects; and

WHEREAS, project delays in the FY99 Highway Program are sufficient to allow for the programming in FY99 of \$375,000 to fund three separate positions in the Corps of Engineers, U.S. Fish and Wildlife Service, and the National Marine Fisheries Service.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of three projects in the FY99 STP-State Federal Program, a Corps of Engineers Environmental Services Contract, a U.S. Fish and Wildlife Services Environmental Services Contract, and National Marine Fisheries Services Environmental Services Contract, each for \$125,000; and

BE IT FURTHER RESOLVED, that the Department staff is authorized to request an amendment to the STIP to add the specified Environmental Service Contract projects to the approved FY99-03 and Preliminary Development Highway Program in accordance with the provisions of the TEA-21 of 1998.

FY99 Adjustments to the Federal-aid Program Based on Readiness and Available Funding. Staff has reviewed the projects not currently obligated in the FY99 Federal-aid Program to determine those projects that will not be ready to obligate by the end of the fiscal year. Cost increases or decreases on projects that are ready to obligate were also identified, according to HPM Amick. Lastly, projects in FY00 or FY01 of the STIP that could advance to FY99 were identified. This information also enables the Department to respond to FHWA's request for redistribution of unused obligation authority. The FY99 summary formula federal-aid highway program balances; FY99 project delays and savings to the federal-aid formula programs; FY99 project increases to the federal-aid

formula programs; and FY00 and FY01 prioritized list of potential project advances into FY99 and proposed projects to use redistributed federal-aid obligation authority were reviewed.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to
TB99-63 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 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, Supplement 99-2 details a Program funding balance of \$18.5 million; and

WHEREAS, FY99 projects have been identified that will delay or produce savings of \$28 million in the Program; and

WHEREAS, FY99 projects have been identified that will require cost increases to the Federal-aid programs of \$13.7 million in order to be obligated; and

WHEREAS, a list of prioritized projects has been identified that can advance from FY00 and FY01 of the current STIP; and

WHEREAS, a list of prioritized projects has been identified in the current STIP that can advance to FY99 to use any redistribution of obligation authority awarded to Idaho; and

WHEREAS, the results of these proposed delays, cost increases and advances will fully utilize the estimated FY99 Federal Highway formula funding obligation authority of \$138.5 million and the Minimum Guarantee obligation authority of \$27.1 million; and

WHEREAS, these changes will be reflected in Supplement 99-3.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board authorizes staff to advance projects from the "FY2000 and FY2001 Prioritized List of Potential Advances into FY99" in priority order as funding is available due to FY99 project cost reductions or delays, redistribution of obligation authority, and other remaining formula Program funding balances; and

BE IT FURTHER RESOLVED, that staff is authorized to make the appropriate changes to the FY99-01 STIP in accordance with the provisions of the TEA-21.

Railroad Grade Crossing Protection Account – Permission to Utilize for New Projects. Annually, \$250,000 is deposited in the Railroad Grade Crossing Protection Account. These funds may be used to match federal funds in part or whole or it may be used to pay the entire cost of engineering, installation, reconstruction or improvement of any railroad crossing signal or device. Federal-aid projects are selected based on a priority index, which is based on existing conditions at the crossing and incident history ranked from high to low. Field reviews are conducted at the crossings to determine if any safety improvements are needed. Excess funding has been building up in this Account due to some projects being funded with 100% federal aid. Staff is recommending four projects to revise existing railroad grade crossing signal systems to decrease traffic delays and increase safety by improving track circuitry to detect trains in motion.

Member McHugh questioned the ranking of these projects, as one is ranked 336. CE Ross said the ranking is mostly based on safety and accident information, while these projects are being recommended for operational concerns. Member Blick suggested looking at the ranking system, as this operational problem exists throughout the state.

Member Miller believes the existing systems are the problem and those need to be addressed. He believes the recommendation for these projects is based on different information than the regular ranking system.

Member Miller made a motion, seconded by Member Sweeney, to approve the following resolution:
RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department
TB99-64 to provide safe railroad crossings on Idaho roadways; and

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

WHEREAS, there is a carryover balance of funds of \$510,151 in the "Railroad Grade Crossing Protection Account" over and above what is required to match federal-aid funds on projects proposed for funding within the next year; and

WHEREAS, these funds can be used to fund the entire cost of engineering, installation, reconstruction or improvement of any signal or device.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves \$380,000 from the "Railroad Grade Crossing Protection Account" for the addition of railroad crossing signal circuitry improvement projects at the railroad crossings located at SH-52, Washington Street in Emmett (818725R); SH-55, Main Street in Cascade (818775U); Midland Boulevard in Nampa (819363K); and Karcher Road in Nampa (819364S).

In response to Member McClure's question on the number of other crossings statewide with this problem, CE Ross said he did not have that number. These crossing were brought to ITD's attention. Member McClure suggested the Department identify all of these types of crossings. The consensus of the Board was to have staff give a presentation on the ranking system at a future meeting.

The motion carried, with Members Blick and McHugh opposing.

Contract Claim Appeal by Pacific Pavement Recycling, Inc., District 2. Pacific Pavement Recycling has filed a claim for additional compensation in the amount of \$506,227.48 for a contract awarded in July 1996 on a US-95 project in Nez Perce and Lewis Counties. The contractor is claiming a differing site condition. CE Ross said he reviewed the claim and found no entitlement to additional compensation. Staff recommended authorization from the Board to negotiate an agreement with Pacific Pavement Recycling for binding arbitration of their contract claim.

Mark Scoccolo, President of Pacific Pavement Recycling, Inc., expressed concern with staff's recommendation. The 1995 specifications do not include binding arbitration as an option. Additionally, the 1999 specifications have a \$250,000 maximum limit for binding arbitration. This claim exceeds that amount. He asked the Board to consider non-binding arbitration or non-binding dispute resolution, which would be more cost effective.

Member Blick made a motion to have this item returned to staff to work out an agreeable method to settle the contract claim with Pacific Pavement Recycling, Inc. 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 contract award:

ST-7231(614), key 7352 – Junction I-15 to Fredregill, Pocatello, Bannock County, District 5. The low bid was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was prepared in April with minor adjustments for small volumes and was valid for competitive bids early in the construction season. The major price variations are associates with two items, the plant mix seal and mobilization, reflecting a busy, ongoing construction season for the sole bidder. With only one bid received on this project and it being late in the construction season, the District believes the potential savings from re-advertising would be minimal and the delay effects would be counterproductive. The City of Pocatello has agreed to pay the excess costs associated with this bid. Staff recommends awarding the project. Low bidder: Bannock Paving Company A Company of the Jack B. Parson Companies, Pocatello, Idaho - \$278,212.

Delegation – Post Falls Highway District. Daris Ruen, Post Falls Highway District Engineer, said the funding for the Pleasant View Road has not been secured. There is not enough support for a local improvement district. A grant from the Department of Commerce is still an option if jobs can be generated. The Highway District has met with Union Pacific Railroad and Burlington Northern railroad to discuss the two crossings. The railroad companies are still reviewing the estimates for that work. Because the Highway District won't have a positive balance in its STP-Rural account until 2003, Mr. Ruen is under the impression that the entity cannot submit an application for a project to be included in the STIP. He encouraged the Board to waive the policy and allow them to include the Pleasant View Road project in the Program. He added his support to LHTAC's proposal for a federal-aid incentive program.

Commission Chairman Lynn Humphreys said the Pleasant View Road would complement the state's system and remove a lot of traffic, especially truck traffic, from SH-41. He said all of the right-of-way has been acquired and asked the Board to fund the project.

Member McHugh said he does not believe the policy prohibits entities from applying for projects even if the entity does not have a positive balance to fund the project. HPM Amick clarified that projects can be placed in the Program in the year in which the local jurisdiction will have the money in its account. He added that he is reviewing the current policies to ensure compliance with LHTAC's proposal on pooled funds.

Member McHugh suggested placing this project in Preliminary Development, so when LHTAC's proposal is in place, the project will be ready. Member Miller recommended using this project as a model for the new federal-aid incentive program when it is implemented.

Old/New Business. Member McHugh asked staff to contact the City of Wallace to offer assistance with its application for an Enhancement project. He believes the city's last project was declared ineligible partly because of the way it was written.

Members McClure and Miller left the meeting at this time.

Tour of Coeur d'Alene Airport. Representative Pischner thanked the Board for taking time to tour the airport and meet with airport officials. Airport Manager Greg Delavan said transportation is only 20% of the airport's activities while businesses, leasing, and etc. comprise 80%. A recent study of aviation's economic impacts to Idaho showed the Coeur d'Alene airport contributes \$30 million annually to the economy. Although the airport does not have tower operations, some airlines have approached the airport about being an alternate to the Spokane airport. That is being researched. Mr. Delavan said there are problems with cracking on and delimitation of the runway. A rehabilitation project is planned next year, but the local match is a concern. In conclusion, he said the airport is developing a master plan and one of the issues identified in the plan is ground transportation.

Vice Chairman Combo thanked the delegation for the tour of its facilities and for the informative presentation.

WHEREUPON, the regular monthly Board meeting and tour of District 1 officially adjourned at 4:35 PM.

Read and Approved
September 22, 1999
Boise, Idaho

signed
CHARLES L. WINDER, Chairman
Idaho Transportation Board

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

September 22, 1999

September 22-23, 1999

The Idaho Transportation Board met at 8:15 AM, on Wednesday, September 22, in Boise, Idaho at the Transportation Department to review the agenda. The following principals were present:

Charles L. Winder, Chairman
John X. Combo, Vice Chairman - District 6
John McHugh, Member - District 1
Bruce Sweeney, Member – District 2
Monte C. McClure, Member – District 3
Gary Blick, Member – District 4
Neil Miller, Member – District 5
Sue S. Higgins, Secretary to the Board
Dwight Bower, Director
Jimmy Ross, Chief Engineer
Mary York, Deputy Attorney General

Chairman Winder called the regular session to order at 8:30 AM.

August 19-20, 1999 Board Minutes. Vice Chairman Combo made a motion, seconded by Member McClure, to approve the minutes of the Board meeting held on August 19-20, 1999 as corrected. The motion passed unanimously.

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

October 7-8, 1999 – District 4
November 18-19, 1999 – Boise
December 16-17, 1999 - Boise
January 20-21, 2000 – Boise

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board approves
TB99-65 the portion of US-95 relinquishment to the city of Weiser, District 3; and deletion of Board Policy B-05-25, Snowplowing Outside of State Highway Boundaries; and has received and reviewed the contract award information; the new and supplemental professional agreements report; the speed minute entry changes for August 1999; and the year 2000 computer report.

1) Portion of US-95 Relinquishment to the City of Weiser, District 3. With the completion of the US-95, Weiser Alternate Route project in August, the former portion of US-95 from milepost 82.327 to 83.652 is no longer essential to the state highway system. A road Closure and Maintenance Agreement with the city of Weiser states that the city will assume jurisdiction of the former portion of US-95. The Official Minute transmitting this portion of US-95 to the City of Weiser is shown as Exhibit 219, which is made a part hereof with like effect.

2) Deletion of Board and Administrative Policies B- and A-05-25, Snowplowing Outside of State Highway Boundaries. Because the Maintenance Manual contains the same wording regarding snowplowing outside of state highway boundaries as found in these policies, staff recommends deleting the referenced policies.

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

ST-2779(604) and ST-2360(614), keys 5819 and 7677 – Wendell to South Gooding and Malad River Bridge to Gridley Bridge, Gooding County, District 4. Low bidder: Emery Brothers Construction, Filer, Idaho - \$276,800.02.

ST-5110(652), key 7853 – US-95, Intersection Elder Road, Kootenai County, District 1. Low bidder: Glen L. Waddell, Inc., Coeur d'Alene, Idaho - \$246,247.87.

September 22, 1999

NH-STP-4114(062), key 2783 – Moscow Couplet, South Connection, US-95, Latah County, District 2.
Low bidder: Motley-Motley, Inc., Pullman, Washington - \$2,020,352.48.

4) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$6,823,568 in new and supplemental agreements between August 5 and September 7.

5) Speed Minute Entry Changes for August. The speed limit on SH-44 in Star, District 3, was increased to 35 miles per hour (mph) from 25 mph between milepost 10.18 and 10.36 and between milepost 11 and 11.12 based on an amended city ordinance. The speed limit in Preston on US-91, District 5, was increased from 45 mph to 60 mph on the southbound side of the highway. This action was supported by a speed study.

6) Y2K Report. All of the main frame systems are now Y2K compliant and in production. All county-based systems used in support of the Division of Motor Vehicle applications and the Integrated Financial Management System were completed last month. Other significant distributed systems will be completed before December. Approximately 98% of the embedded systems are Y2K compliant and efforts continue to track and certify the remaining items. All 935 traffic control devices are Y2K compliant.

Quarterly Report on Legal Actions. Member Miller questioned two appraisals on a condemnation settlement in District 3 and how the right-of-way acquisition process is working. Director Bower reported that improvements have been made in the appraisals and time frames for the acquisition process. He added that staff is doing a better job of making its case in court. DAG York reported that the two appraisals vary significantly because no severance damage was found in the first appraisal, but the second appraisal included severance damages due to the increased elevation of the road.

Member Blick questioned the two appraisals on a District 4 parcel. DAG York reported that the second appraisal, performed after the condemnation action was filed, found some damage to the business because the fuel pumps could not be relocated, resulting in a loss to the business. The original appraisal included relocating the fuel pumps.

Vice Chairman Combo made a motion, seconded by Member McClure, and approved unanimously, to accept the quarterly report on legal actions.

Board Items. Member McClure reported that the Board Subcommittee on Additions to and Deletions from the State Highway System met yesterday to continue discussion on the relinquishment of the Old Horseshoe Bend Hill (SH-55). The Subcommittee is recommending relinquishing this portion to Boise County along with a payment of \$666,464 to bring the route up to standard. Director Bower stated his support for this transaction and expressed concern with the liability of this route to the Department. Vice Chairman Combo concurred with Director Bower and added that this road is deteriorating. He said the funding would come from the State Program and an agenda item to this effect would be presented in November.

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

RES. NO. WHEREAS, the Idaho Transportation Board Subcommittee on Additions to and
TB99-66 Deletions from the State Highway System has identified the Old Horseshoe Bend Hill (SH-55),
approximately six miles, as a portion to relinquish from the state highway system based on the
criteria and direction provided in Board and Administrative Policies B- and A-09-06, State
Highway System – Additions and Removals; and

WHEREAS, the Subcommittee has held several discussions on the relinquishment of this route;
and

WHEREAS, a road closure and maintenance agreement has been drafted to transfer the Old
Horseshoe Bend Hill to Boise County along with a payment of \$666,464; and

WHEREAS, Boise County has agreed to assume jurisdiction of this route as outlined in the
agreement.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board, upon recommendation of the Subcommittee on Additions and Deletions, authorizes staff to sign the road closure and maintenance agreement for the Old Horseshoe Bend Hill (SH-55) and to provide \$666,464 to Boise County from the FY2000 State Program.

Member McClure added that the Subcommittee will continue its efforts to add the Banks to Lowman Highway to the state's system.

Vice Chairman Combo said the Board established this Subcommittee in 1996 and named two Board members, the Transportation Planning Administrator, and the Local Highway Technical Administration Council (LHTAC) Administrator to the Subcommittee. It has been suggested that the Division of Highways be represented on the Subcommittee.

Vice Chairman Combo made a motion to add the Chief Engineer, or his designee, to the Board Subcommittee on Additions to and Deletions from the State Highway System. Member McClure seconded the motion and it passed unopposed.

Member McHugh reported that the Subcommittee on the Enhancement Program also met yesterday. Some revisions will be made to the current Board Policy, B-11-03, Transportation Enhancement Program and will be presented to the Board for approval in November. He said discussion was held on the interim guidelines FHWA distributed. Vice Chairman Combo added that the FHWA Division Administrators will have more decision-making authority and flexibility regarding the states' Enhancement Programs.

The Burlington Northern Railroad is proposing a refueling facility near Rathdrum, although there is controversy in the area on the location of this facility. Because of rail's importance to the transportation system, Chairman Winder asked the Board if it would like to take a position on this issue or have staff provide additional information.

Member McHugh does not believe the refueling facility will facilitate transportation or help the system in Idaho. Member McClure does not believe ITD should get involved in this issue, as it does not provide input on gasoline stations along the highways. Director Bower said staff has met with the railroad officials and has been informed of this proposal; however, he does not believe the Department should be involved in this issue as it does not impact transportation. The consensus of the Board was to not take a position on Burlington Northern's refueling facility in northern Idaho, although it does appreciate the efforts to inform the Department of this issue.

Director's Items. Yesterday FHWA provided a federal financing class that most of the Board members attended. Director Bower expressed appreciation to FHWA for its assistance and believes it was a worthwhile course.

Staff presented its report on the impacts of the proposed WestRock development in Valley County to the Land Board. He praised staff for the excellent and thorough report and professional presentation. A number of issues, including a bus system and aviation were considered in the report, although the biggest impacts would be to SH-55.

Congress is working on the appropriations bill. Staff has been communicating with Senator Craig's office and the Senator included language in the Congressional Record regarding concern with pooling high priority projects. Director Bower commended Senator Craig and his staff for its assistance. The Congressional Record also addresses the US-89, Montpelier to Geneva project, for approximately \$6 million.

Another aspect of the appropriations bill includes an opt-in provision. This requires that records such as drivers license information not be made available for sale unless an individual signs a form concurring to the sale of his/her information. Currently, Idaho has an opt-out provision where individuals can sign a form prohibiting the release of their personal information. Congress is considering withholding federal funds if states do not have an opt-in provision. Staff will continue working on and monitoring this significant piece. Director Bower said the appropriations bill will proceed to the conference committee.

Oregon's Governor has signed the legislation increasing fuel taxes by five cents and repealing the weight distance tax, according to Director Bower. He added that Oregon's AAA is considering a petition to put this issue on the ballot. ITD will continue to monitor this issue.

Director Bower asked DAG York to brief the Board on two legal cases. DAG York said a ruling on the John Welles case, which entails a false claim act filed against ITD, was received in favor of ITD last month. The ruling states that ITD is not a person that can be sued, which bars the case from proceeding. Additionally, the appeal by Cathy Cook in an employee discrimination case, has been rejected. This should be a final decision, closing this case.

Director Bower will be attending the annual American Association of State Highway and Transportation Officials conference in Tulsa, Oklahoma later this month and early October. He has meetings scheduled with Jolene Molitoris with the Federal Rail Administration and Tony Kane, Executive Director of FHWA.

The ribbon-cutting ceremony for the US-95, Goff Bridge was held on September 13. Director Bower expressed appreciation to Governor Kempthorne, Chairman Winder, Member McClure, and former Member Mike Mitchell for attending and participating in the event. He also thanked the Public Affairs staff for organizing the ceremony.

Director Bower reported that the EPA lawsuit has been held in abeyance. A motion has been filed to remand the decision and go back to the PM10 standard. It will probably be four to six months before a final decision is made. If the PM10 standard is reinstated, only projects consistent with the STIP for air quality will be able to move forward.

Mathew Moore added that the Ada Planning Association has filed a brief, which the court has accepted. ITD could participate and send comments as to the impacts of the rule making. He also stated that the Division of Environmental Quality is pursuing including Ada and Canyon Counties as one airshed.

Director Bower informed the Board of the Goodman Oil lawsuit that the Idaho Tax Commission is involved in. The Idaho Tax Commission will discuss this in their presentation.

In conclusion, Director Bower said the Department of Parks and Recreation will be erecting a recognition wall for the Three Island Crossing project. Parks and Recreation would like input from ITD on the inscription wording.

Contract Claim, US-30/93, District 4. The contract for the US-30/93 Interchange project included an incentive/disincentive clause, according to Rube Junes, attorney representing DeAtley Construction. Although the project started in February 1997, the construction schedule was not approved until June 1997. The contractor completed the project on November 2, two days after the stipulated time, resulting in a \$4,000 penalty. After the project was completed, DeAtley determined that the burrow quantities were considerably greater than the bid amount. DeAtley believes a time extension should be added to the project schedule as a result of this greater quantity, entitling it to receive an incentive. The Department is concerned that the contractor's request for a contract adjustment was received more than three months after the project was completed. Mr. Junes requested the Board waive the time issue and take the matter of how to proceed from this point to binding arbitration.

DAG Steve Parry elaborated that the claim for the time extension was received in February 1998, three and a half months after the project was completed. The Resident Engineer reviewed the claim and denied it because of the lateness of the claim. The District Engineer concurred and the claim was appealed to the Chief Engineer, along with a requested time extension of one month to submit the claim. The time extension was granted, but DeAtley then requested an indefinite time extension to submit its claim one day prior to the expiration of the one-month extension. CE Ross's decision was that the claim was untimely and there would be no entitlement to the additional contract claim.

Member McHugh made a motion to affirm the Chief Engineer's decision on the contract claim from DeAtley Construction on the US-30/93 Interchange project and to send the time limits set for processing a claim

issue to binding arbitration and if the time limit is waived, to proceed with binding arbitration on the matter. Member Blick seconded the motion and it passed unanimously.

Financial Statements. Federal aid revenues in the state highway fund are below the projected forecasts while collections of unrestricted state highway revenues are above the year-to-date forecasts from the Highway Distribution Account. Expenditures are below budgeted levels for the month of July.

Information and Management Access Team (IMAT) Annual Report. Deputy Director Keith Bumsted said the completion of the Integrated Financial Management System (IFMS) was one of the highest priorities for IMAT in FY99. He outlined the tasks that have been completed and also highlighted activities still underway. The project manager for the Y2K project, which will be completed three months ahead of schedule and approximately \$900,000 under budget, will be asked to oversee the finalization of the IFMS. The plans for FY00 and major initiatives for FY01 were also presented.

The Board thanked DDIR Bumsted and the Team for the update and progress in this area.

FY01 Proposed Budget Request. Budget, Policy, and Intergovernmental Relations Manager Mary Detmar outlined the revisions made to the FY01 proposed budget request since the budget review in June, including additional budget enhancements. The total estimated revenue available in FY01 is approximately \$421 million, with budgeted expenditures of \$420.9 million.

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

RES. NO. WHEREAS, the FY01 Transportation Department Budget Request will be
TB99-67 prepared in accordance with instructions in the Division of Financial Management's Budget
Development Manual; and

WHEREAS, the Board has reviewed the FY01 Budget Request Summary.
NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board agrees with the budget request estimates as presented in the Department Summary and Certification, submitted for approval September 22, 1999, as shown in Exhibit 220, 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 and Legislative Services Office on or before September 30, 1999.

Draft Legislation for 2000 Session. The draft legislation for the four proposed legislative ideas submitted in July was presented to the Board. Some concern on the Repeat Driving Under the Influence (DUI) Offenders proposal was voiced. The legislation would amend Idaho Code to bring the state's ignition interlock law into compliance with Federal Code. If Idaho does not comply, approximately \$2 million in FY01 and in FY02 would be transferred from the construction funds to the highway safety or Hazard Elimination Program, and approximately \$4 million would be transferred in FY03. The consensus of the Board was that it needs to present the facts on this issue to the Legislature for its consideration.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that State agencies
TB99-68 submit proposed 2000 legislation to the Division of Financial Management for review and
approval; and

WHEREAS, the Idaho Transportation Board at the July 9, 1999 meeting approved the 2000 "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 and Statements of

Purpose/Fiscal Note for the four proposals as shown as Exhibit 221, which is made a part hereof with like effect, to the Division of Financial Management.

Usage of Navajo Aircraft. When the King Air was put into service in March, there were many unanswered questions regarding the future utilization of the Navajo. Staff was to monitor the usage of the aircraft and report back to the Board. Since March, the King Air has flown 186 hours and the Navajo approximately 47 hours, according to Aeronautics Administrator (AA) Bart Welsh. It may be necessary to increase the rate charged for the King Air to more fully cover the operational costs. If this occurs, there will be a much greater difference in the cost of the two aircraft, which may result in an increase in the utilization of the Navajo. Therefore, staff is recommending that both aircraft remain available for use by state agencies for an additional 12 months. After that time, a report will be presented to the Board for further consideration, based on usage as well as the value as a "stand by" aircraft during the times the King Air is not available.

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

RES. NO. WHEREAS, the Division of Aeronautics currently operates two twin engine
TB99-69 aircraft, a King Air and a Navajo; and

WHEREAS, the King Air is currently being used significantly more; and

WHEREAS, several factors including cost differential between the two aircraft are thought to be the cause of the variation of usage; and

WHEREAS, an adjustment of rates is proposed.

NOW THEREFORE BE IT RESOLVED, that both aircraft be retained for use by state agencies through September 2000; and

BE IT FURTHER RESOLVED, that the Division of Aeronautics will make a recommendation to the Board by October 2000 for final disposition of the Navajo.

Board Policy B-27-10, Assistance to Idaho's Airports. This Board policy was developed to establish the Department's commitment to Idaho's airports and to assign the responsibilities on various aviation issues, according to AA Welsh.

Member Sweeney expressed concern with the language in the policy stating the Division of Aeronautics shall supply needed lighting and safety supplies to Idaho's airports as needed. He believes there could be a lot of requests for the lighting and questioned the financing of this item. Vice Chairman Combo asked if planning or other Divisional issues should be addressed. AA Welsh stated that the policy will be revised. (See later minute entry on this subject.)

Final Recommended FY2000-2004 Highway Development Program. Pat Raino, Senior Transportation Planner reviewed the Highway Program Funding Plan, which may change once the obligation authority and Revenue Aligned Budget Authority information is finalized. She added that the funding in the State Program has increased due to additional anticipated revenue, however, that Program will be revisited in November. The Available Funding versus Programmed Projects and various Program sheets were reviewed. Joe Haynes, LHTAC Administrator, outlined the proposed STP – Local Rural Program and thanked the Board for allowing him to participate in this update process.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to
TB99-70 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 21st Century (TEA-21) of 1998 requires that a priority list of projects covering a three-year period be provided in a Statewide Transportation Improvement Program; and

WHEREAS, the projects in the final recommended FY2000-2004 and Preliminary Development Highway Development Program meet all of the requirements of TEA-21 for inclusion in the FY00-04 Statewide Transportation Improvement Program; and

WHEREAS, the final recommended FY00-04 and Preliminary Development Highway Development Program was developed in accordance with all applicable federal requirements including adequate opportunity for public involvement and comment; and

WHEREAS, the final recommended FY00-04 and Preliminary Development Highway Development Program incorporated public involvement and comment whenever possible while maintaining a fiscally constrained Program; and

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

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the federal-aid FY00-04 and Preliminary Development Highway Development Program; and

BE IT FURTHER RESOLVED, that Department staff is authorized to include the projects in the approved FY00-04 and Preliminary Development Highway Program in the FY00-04 Statewide Transportation Improvement Program in accordance with the provisions of TEA-21.

FY2000-2004 Statewide Transportation Improvement Program (STIP) Approval. As required by 23 United States Code, 134, 23 Code of Federal Regulations, Part 450 and 49, Code of Federal Regulations Part 613, the Department developed a STIP for all areas of the state. Senior Transportation Planner Mark McNeese summarized the planning process, thanked the various entities and staff members for assisting with the coordination of the STIP, and presented the FY00-04 STIP to the Board for its approval.

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

RES. NO. WHEREAS, the Idaho Transportation Department is required by 23 U.S.C. 134,
TB99-71 23 CFR, Part 450 and 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; and

WHEREAS, the STIP is consistent with the Department's *Idaho Transportation Plan*; and

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

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

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

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

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

WHEREAS, the STIP in the first year, includes only those projects that have been selected in accordance with federal project selection requirements for nonmetropolitan 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 FY2000-2004 STIP for all modes (aeronautics, bicycle/pedestrian, highways, public transportation, and rail) as well as Highway Safety, the Metropolitan Planning Organizations' Metropolitan Improvement Programs as mirrored in the STIP, and Statewide Projects. Any changes approved at the September 22-23, 1999, Idaho Transportation Board meeting will be included in the recommended STIP; and

BE IT FURTHER RESOLVED, that the Idaho Transportation Board approves the transmittal of the recommended FY00-04 STIP to the FHWA and FTA for their review and approval.

Chairman Winder thanked Mr. McNeese and all those involved in the development of the STIP for their efforts in compiling this document.

Board Resolution on US-95 Trade Corridor. In response to a presentation at last month's meeting regarding the development of an inland trade corridor, staff developed a resolution supporting a US-95 corridor in northern Idaho. Transportation Planning Administrator Charles Rountree said the Department of Commerce has been involved in this issue and has made improvements at Eastport because of the importance of US-95 to the economy and as a trade corridor.

Member Miller made a motion, seconded by Member McClure, to approve the following resolution:
RES. NO. WHEREAS, the use of US-95 in Idaho provides a logical route between Canada
TB99-72 and the United States; and

WHEREAS, the Eastport border crossing facility stands as one of two commercial ports of entry between Sumas, British Columbia and Sweetgrass, Montana; and

WHEREAS, US-95 has been designated a National Priority Corridor, is eligible for federal funding in at least two TEA-21 federal programs and is the only such designated roadway connecting Canada with Idaho which has a commercial port of entry; and

WHEREAS, such a route would provide connection to the Lewiston/Clarkston intermodal port and the Snake/Columbia River navigation system which currently is a major North American export facility.

NOW THEREFORE BE IT RESOLVED by the Idaho Transportation Board that it supports the US-95 international trade corridor in Idaho; and

BE IT FURTHER RESOLVED, that the Board recognizes that US-95, as an international trade corridor, will need to be upgraded and the Board supports such necessary improvements.

Director Bower reported that the Cascadia Group is meeting on September 24 in British Columbia and he would like ITD to participate. He added that he has met with the Department of Commerce on this issue.

Although Member Blick supports improving US-95, he has concerns with the trade issues, particularly relating to agriculture. Vice Chairman Combo also expressed concerns with the trade status, and also that CANAMEX was never approved by Idaho, input from the Department of Agriculture was not obtained, and that "corridor" is not specifically defined.

Member McHugh expressed his support for the resolution which states that US-95 is an international trade corridor and that the Board supports improving US-95. He believes these are facts that should be supported with the passage of this resolution.

The motion passed 4-2 on a roll-call vote with Vice Chairman Combo and Member Blick opposing the motion.

SH-55, McCall Alternate Route Corridor Preservation, District 3. District 3 Project Development Engineer Doug Chase provided a history of this project, which was first requested by the city in 1973. Now staff would like to initiate the environmental re-evaluation for the proposed corridor, proceed with securing the right-of-way, and obtain reconfirmation of the northern corridor. Chairman Winder reiterated the need to work with the Rock Flat group on the alignment.

Member McHugh made a motion, seconded by Member Blick, to approve the following resolution:
RES. NO. WHEREAS, the SH-55, McCall Alternate Route project is of regional and
TB99-73 statewide importance; and

WHEREAS, development within the City of McCall along the existing SH-55 route is not compatible with increased highway traffic volumes; and

WHEREAS, the public and local public officials support the McCall Alternate Route project; and

WHEREAS, public hearings and informational meetings have been held to facilitate the selection of a preferred alternate route; and

WHEREAS, the Transportation Department has utilized public comments to select the proposed corridor; and

WHEREAS, the proposed corridor minimizes environmental impacts as described in the 1982 approved Environmental Impact Statement and in recent public meetings; and

WHEREAS, the Department intends to develop a new environmental document assessing social, economic, and environmental issues to arrive at a preferred corridor; and

WHEREAS, the corridor proposed for the location of the McCall Alternate Route is also in an area which lends itself to future residential and commercial development; and

WHEREAS, there is a need to preserve the compatibility of all future land use adjacent to, and within, the proposed corridor; and

WHEREAS, the most efficient means of assuring compatibility of all future land uses associated with the McCall Alternate Route is by the preservation of such lands as are necessary to construct that route; and

WHEREAS, the proposed corridor for this alternate route should be preserved.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the corridor shift coordinated with the local citizens including a minor shift in the vicinity of the Payette River Subdivision, from the intersection of SH-55 and Johnson Lane, across the Payette River to the Adams/Valley County line; and

BE IT FURTHER RESOLVED, that the Transportation Department is authorized to proceed with the environmental documentation of the McCall Alternate Route Corridor and preservation of said corridor.

Member McClure asked for clarification on the terms alignment and corridor. District Engineer Loren Thomas said a corridor is a general vicinity, approximately 1,000 to 2,000 feet wide and the alignment is narrower, within the corridor. He added that an updated or new environmental document will address all issues in the entire corridor.

The motion passed unanimously.

Chairman Winder said Judd Deboer, one of the property owners impacted by this project, is opposed to this alignment and he asked staff to work with Mr. Deboer on this project. He thanked the audience for attending the meeting and for its continued interest in this important project. He added that staff is continuing work on the Boydston to Deinhard Lane project in McCall.

Board and Administrative Policies, B- and A-03-06, State-Owned Dwellings. These policies have been revised to address a heating-cost allowance for employees living in state-owned dwellings. Procedures have been added to establish a process for employees to be reimbursed and taxed for a heating allowance when such allowance is applicable. CE Ross said some dwellings have substandard insulation, resulting in excessive heating costs, and the Facilities Manager will evaluate the energy efficiency of state-owned dwellings. He believes this policy is fair and equitable to the employees.

Member Miller made a motion, seconded by Member Blick, to approve revisions to B-03-06, State-Owned Dwellings, regarding the heating-cost allowance. The motion passed unopposed.

Addition of a Project, the Sage Junction Port of Entry (POE) Scale Replacement, District 6. In July, the Sage POE was unexpectedly closed due to structural instability of the walls in the existing 12'x12' scale and pit. Deemed an emergency to protect public safety and the state highway system, a project was initiated immediately to repair the scale. The Motor Vehicle Division started the project using its scale maintenance budget but has insufficient funds to complete construction. Because of its high priority and since the facility is under the jurisdiction of the Division of Highways, staff is recommending funding the project with State Program funds. The project includes installing a 12'x20' scale and pit at an estimated cost of \$100,000 that will allow POE to accommodate a larger configuration of trucks.

Member McClure asked why a larger scale, such as a 100' scale, is not being installed. Motor Vehicles Administrator (MVA) Moe Detmar said staff based its recommendation on the traffic at the port and also took into consideration what other states use. He believes the 20' scale will be adequate. Because the Sage Junction POE serves both northbound and southbound traffic and also because of the need for a 100' scale at the Lewiston Port, Member Miller suggested looking into installing a larger scale at this location.

Director Bower said split weights were a factor at Lewiston, requiring the installation of both 20' and 100' scales. Split weighing is not an issue elsewhere in the state. MVA Detmar added that he believes the 20' scale will be more efficient at the Sage Junction Port. In response to a question on weigh-in-motion, MVA Detmar said that is not an option at Sage Junction at this time. Plans are to install weigh-in-motion at Lewiston, Inkom, and then at Sage Junction.

The consensus of the Board was to have staff investigate the installation of a 100' scale and report back. (See later minute entry.)

Adoption of Revisions to Manual on Uniform Traffic Control Devices (MUTCD). The MUTCD provides uniform standards for signs, signals, markings and devices placed on, over, or adjacent to streets or highways. Periodically revisions are made to the manual that must be adopted by the Board as described in Idaho Code. CE Ross said staff reviewed the revisions from February 1998, December 1996, and June 1998 and recommends accepting those revisions and proceeding with revisions to IDAPA 39.03.41, Rules Governing Traffic Control Devices.

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

RES. NO. WHEREAS, the Idaho Transportation Board is directed by Idaho Code 49-201
TB99-74 to adopt a manual on uniform traffic control devices that shall correlate with, and so far as possible, conform to the system set forth in the most recent edition of the Manual on Uniform Traffic Control Devices for Streets and Highways and other standards issued or endorsed by the Federal Highway Administrator; and

WHEREAS, Idaho Code 49-209 directs local authorities in their respective jurisdictions to place and maintain traffic-control devices upon highways under their jurisdiction as they may deem necessary to indicate and to carry out the provisions of this title, or local traffic ordinances, or to regulate, warn or guide traffic and are further directed that all traffic-control devices erected shall conform to the state manual and specifications referred to in 49-201, Idaho Code; and

WHEREAS, no further exceptions to the Manual on Uniform Traffic Control Devices (MUTCD) have been identified other than those previously approved by the Board; and

WHEREAS, the adoption of the latest revisions to the MUTCD have been identified as being important for the safety of the traveling public and the general populace of the State of Idaho; and

WHEREAS, the adoption of the latest revisions to the MUTCD has been identified as being important for legal and proper placement of traffic control devices upon the highways within the State of Idaho; and

WHEREAS, the Traffic Section recommends approval of the latest revisions to the MUTCDS; and

WHEREAS, in order to enforce revisions to the MUTCD incorporated by reference in IDAPA 39.03.41 – RULES GOVERNING TRAFFIC CONTROL DEVICES.

NOW THEREFORE BE IT RESOLVED, that the MUTCD Revisions Four (a) (4a) dated February 19, 1998; Five (5) dated December 24, 1996 and Six (6) dated June 19, 1998 are hereby adopted without exception by the Idaho Transportation Board; and

BE IT FURTHER RESOLVED, that the administrative rule IDAPA 39.03.41 – RULES GOVERNING TRFFIC CONTROL DEVICES, be revised to incorporate by reference all revisions through and including Revision Six (6) dated June 19, 1998, to be submitted to the Department of Administration, Administrative Rules, for promulgation.

Gravel Extraction. Senior Transportation Planner Ron Kerr provided a history of the Gravel Extraction Team. Work is continuing on the 50-year needs assessment, and he added the Team's desire to work closer with the Department of Lands on this important issue.

In response to a question on the time-line for the report, Mr. Kerr anticipates completing it next spring. He added that work on the assessment has been slow due to a number of turnovers on the membership of the team and the additional TEA-21 funds, which resulted in a high priority to ready projects.

Chairman Winder thanked Mr. Kerr for the report and the Team for its continued efforts on this important issue.

Board Policy B-27-10, Assistance to Idaho's Airports, Revisited. Revisions to B-27-10, as suggested at the meeting earlier, were presented to the Board.

Member Sweeney made a motion to approve Board Policy B-27-10, Assistance to Idaho's Airports. Member McClure seconded the motion and it passed unanimously.

WHEREUPON the meeting recessed at 5:10 PM.

September 23, 1999

The Transportation Board meeting reconvened at 8:05 AM on Thursday, September 23, at the Transportation Department in Boise. All members were present.

Annual Report of the Dealer Advisory Board (DAB). Past-President Dale Durham summarized the major issues the DAB dealt with last year, including a dealer license transfer, hearing requests for new dealer relocation disputes, display of vehicles at off-site locations, voluntary arbitration of franchise agreements, agents to be appointed by county assessors with approval of ITD, and salesman licensing. He added that the DAB is still supportive of the electronic lien program.

Chairman Winder thanked Mr. Durham for the annual report and for his service to the DAB.

Position Statement on Idaho Special License Plate Programs. The Board approved a position paper on Idaho special license plate programs in 1996. Legislation since then conflicts with the position statement. Ed Pemble, Vehicle Services Manager, outlined the proposed changes to the position statement based on the approved legislation.

Member Sweeney made a motion, seconded by Member McClure, and passed unopposed, to approve the revised Position Statement: Idaho Special License Plate Programs.

Demonstration of Video Inspection Van and Photo Log. The Division of Transportation Planning staff summarized the pavement management system and its importance to the Department. A demonstration of the van that collects this information was provided, followed by a tour of the photo log office where the information is compiled. The Board thanked staff for the informative tour and presentation.

Employee Service Awards. The Board participated in the Employee Service Awards, with Vice Chairman Combo providing remarks.

Sage Junction Port of Entry Scale Replacement, District 6, Revisited. Port of Entry Manager (POEM) Alan Frew said the 12'x20' scale recommended at Sage Junction will allow splitting out of axles, which FHWA requires for compliance. A 100' scale was installed at the Lewiston Port because the courts would not allow accumulative axle weights. Now the courts are amenable to working with ITD and are starting to accept the accumulative weights. Although a 100' scale may help at Sage Junction, POEM Frew does not believe it would be optimum. He said processing trucks is not a problem as trucks do not back up and are seldom delayed. The 100' scale at Lewiston cost \$230,000. CE Ross added that the 20' scale is still used at Lewiston, as the axles need to be weighed individually.

October 7, 1999

POEM Frew elaborated on the cost of the Sage Junction scale. The initial estimate was \$45,000 for the scale only. However, considerable excavation work has to be done, including removing the concrete from the old scale, increasing the costs.

Member Blick suggested establishing standards for all ports statewide. Director Bower responded that staff is in the process of developing a statewide plan for the ports of entry, including a schedule for installing weigh-in-motion.

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

RES. NO. WHEREAS, it is in the public's interest for the Transportation Department to
TB99-75 accomplish a current, realistic, and fiscally constrained State Funded Highway Development
Program; and

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

WHEREAS, the Sage Port of Entry was unexpectedly closed in July due to structural problems in the scale pit; and

WHEREAS, the safe and efficient operation of the Sage Port of Entry is important to the public interest; and

WHEREAS, the Highway Division has principal responsibility for providing adequate port of entry facilities along the state highway system; and

WHEREAS, there are sufficient funds available in the State Funded Program in FY00.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the addition of the Sage Port of Entry Scale Replacement project in the State Funded Program in FY00 by programming \$100,000 in contract construction funds.

Sales Tax Revenue. Last month the Benewah County delegation commented on the amount of sales tax revenue that is lost when out-of-state trucks avoid US-95 and travel in Oregon and Washington. Staff was asked to report on this issue, but believes the reference was to the amount of weight distance tax that is lost when out-of-state trucks avoid US-95, as sales tax is General Fund revenue and does not contribute to highway construction and maintenance. The basis for weight distance tax payment is the number of miles operated on Idaho highways. When companies choose to operate trucks out of state rather than travel US-95, the weight distance tax is lost to Idaho.

The state has two exemptions for vehicles purchased by trucking companies or private individuals. When a non-Idaho resident purchases a vehicle from an Idaho dealer and takes the vehicle back to the state of residence, the purchase is sales tax exempt in Idaho. If the state of residency has a sales tax, that state may levy a sales tax on the vehicle purchased in Idaho. Trucking companies may purchase trucks and trailers that are exempt from sales tax under the following conditions: the motor vehicle must have a registered gross weight in excess of 26,000 pounds; the equipment must be registered under the International Registration Plan; and the equipment must be included in a fleet of vehicles operated at least 10% of the miles outside of Idaho in any calendar year.

Member Blick believes the comment was referring to the loss of sales tax on equipment. Member McClure asked if the sales tax exemption is reciprocal with other states. Steve Miller with the Idaho Tax Commission said equipment purchased by non-Idaho residents, but used out-of-state 10% of the time is exempt from the tax. He is not sure how some of the surrounding states operate, although Oregon has no sales tax.

Delegation – Idaho Tax Commission. Commissioner DuWayne Hammond said staff will report on the fuel tax evasion efforts and stated that no additional funds will be requested. However, the Commission was unable to utilize all of the STP funds the Board approved last year, so carryover authority is being requested for those funds.

Robin Haley summarized the expenditures and reported that \$18,700 of the Board-approved \$60,000 was spent on fuel tax evasion, with recoveries at \$75,000. Dar Walters said that the STP funds received from ITD last year were late in the fiscal year and the Tax Commission was unable to utilize all of those funds. He requested approval to carry over the balance, \$41,300, to FY00 to continue efforts in the fuel tax evasion arena. Steve Miller reported on the continued efforts to convert to electronic filing. Approximately 60% of the data is received electronically, but the goal is 85%.

Member McHugh made a motion to approve the Tax Commission's use of the remaining FY99 STP funds in the amount of \$41,300 in FY00 for fuel tax evasion efforts. Member Miller seconded the motion and it passed unanimously.

Commissioner Hammond elaborated on a recent court ruling stating fuel taxes will not be collected on the Coeur d'Alene Indian Reservation. This is a concern to the Commission and may result in the loss of \$1.6 million annually. The Tax Commission plans to file an appeal.

The Board thanked the delegation for its report and for its efforts in fuel tax evasion.

Delegation – Idaho Smart Growth. Co-Coordinator Elaine Clegg thanked the Board for its time and the opportunity to provide information on Idaho Smart Growth. This group is concerned with growth issues and looks at the long-term impacts to the economy, mobility, and quality of life. She would like to establish a good relationship with the Transportation Board and Department on transportation issues, and has already contacted some staff members.

Co-Coordinator Jon Barrett elaborated that their role is to foster collaboration in transportation interests. They would like public reports to help understand various programs and processes of the Department. Idaho Smart Growth is also pursuing helping citizens and smaller communities with the Enhancement Program. They would like to help communities write applications for this Program and/or educate the public on how the process works and how to develop applications.

Vice Chairman Combo pointed out that Idaho Smart Growth, as a matter of law, is part of the Palouse-Clearwater Environmental Institute doing business as Idaho Smart Growth. Ms. Clegg responded that currently Idaho Smart Growth is a project of the Palouse-Clearwater Environmental Institute, but is expected to form its own corporation and board of directors after the first of the year.

Chairman Winder thanked the delegation for the information.

North American Pre-Clearance and Safety System (NORPASS). POEM Frew said Idaho has been participating in the Multi-jurisdictional Automated Pre-clearance System since December 1997. Since then, many changes have occurred in the pre-clearance systems, which facilitates the exchange of motor carrier information such as permits, registration, fee tax status, and safety status. Staff recommends joining NORPASS. Clay Handy, Motor Carrier Advisory Committee Chairman, said MCAC supports this recommendation.

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

RES. NO. WHEREAS, the Idaho Transportation Department supports the development of
TB99-76 intelligent transportation systems that are inter-operable between the states and provinces of North
 America; and

WHEREAS, Idaho and its motor carriers have been instrumental in the development of the North American Pre-Clearance and Safety System that provides guidelines for pre-clearing and bypassing trucks past participating weigh stations.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves Idaho's participation in the North American Pre-clearance and Safety System and its associated annual costs.

Report on Intelligent Transportation Systems (ITS) Statewide Projects. Fred Kitchener, consultant with Meyer, Mohaddes Associates, provided information on surrounding states' ITS efforts and emphasized the importance of working with neighboring states on ITS projects. The Phase I recommendations were reviewed. The Phase II Planning Goals include preparing a master plan for traffic control, freeway management and communications; identifying recommended projects; and preparing an implementation plan. Some of the ongoing activities encompass a study to develop a conceptual design for statewide ITS fiber optic backbone; developing Idaho's Commercial Vehicle Information Systems and Network deployment plan; and continuing operational testing. Mr. Kitchener said the vision for Idaho is the management of traffic and incidents; traveler information; safe and efficient goods movement; enhanced transit operations; responsiveness to emergencies; and better and faster information to maintenance crews.

Chairman Winder thanked Mr. Kitchener for the informative presentation, and his efforts on this beneficial system.

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

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
October 8, 1999
Twin Falls, Idaho

REGULAR MEETING AND DISTRICT 4 TOUR OF THE IDAHO TRANSPORTATION BOARD

October 7-8, 1999

The Idaho Transportation Board met at 10 AM, on Thursday, October 7, in Twin Falls, Idaho. The following principals were present:

Charles L. Winder, Chairman
John McHugh, Member - District 1
Bruce Sweeney, Member - District 2
Monte C. McClure, Member - District 3
Gary Blick, Member - District 4
Neil Miller, Member - District 5
Sue S. Higgins, Secretary to the Board
Dwight Bower, Director
Jimmy Ross, Chief Engineer
Devin Rigby, District 4 Engineer

Vice Chairman Combo was absent due to a medical emergency. Senator John Sandy and Jeff Shinn from the Division of Financial Management joined the Board as it traveled north of Twin Falls on US-93. The tour continued west on SH-25 to Jerome, where a delegation of Jerome city officials joined the tour. Mayor Dennis Moore welcomed the Board to Jerome and thanked the members for their time. The group viewed several city streets, including Fillmore, 8th, Main, Date, and Lincoln. City Engineer Scott Bybee said the City is nearing

October 7, 1999

completion of an urban improvement project involving resurfacing, turn lanes, lighting, signals, trees, benches, curbs, and sidewalks. The City is planning to install two traffic signals on SH-79 in the near future. Walmart will pay for the signal at 200 South, but ITD would need to provide funding for the signal at 100 South. Mr. Bybee also asked the Board to consider installing traffic signals at the I-84 interchange ramps. In conclusion, Mr. Bybee thanked the Department for its assistance and good working relationship. The delegation departed at the SH-79 and I-84 interchange.

The Board continued traveling on I-84 west to Wendell. Buhl Highway District Chairman Barton Sonner and consultant Dale Riedesel joined the group as it traveled southwest on local roads. Mr. Riedesel reported on the progress of the Buhl to Wendell corridor study and explained various issues that need to be addressed. The public's two main concerns are impacts to the farm ground, particularly the pivots, and access to the city of Buhl. Mr. Riedesel thanked the Board for its support of the corridor study.

Additional local officials joined the Board for an informal luncheon at the Clear Lake Country Club.

The tour continued southeast of Buhl on county roads to SH-74. A delegation of Twin Falls officials, including Representative Leon Smith, joined the Board as it traveled east on SH-74 and 3600 Road, and north on 3200 East Road to the intermodal facility under construction. Kent Just, Twin Falls Chamber of Commerce, elaborated on the industrial growth on the south end of town and the international markets these businesses are establishing. He added that the intermodal facility will be a big economic boost to the area. Todd Blass said the intermodal center is an important facility to the area and has been planned for a long time. He believes it will be a great asset to the Magic Valley. Vice Mayor Howard Allen welcomed the Board to Twin Falls and added that not only will the intermodal facility be of great value to the area, but also to the state. Doug Vollmer, Chairman of the Greater Twin Falls Area Transportation Committee, thanked the Board for the area projects it has funded recently. He requested that SH-74 be extended to the east and then north to US-30 to better accommodate the intermodal facility. He also believes this route would better facilitate travel to the airport. In conclusion, Mr. Just requested a turn lane on US-30 and 3200 East Road. Safety is a concern at that intersection, particularly with the additional traffic the intermodal facility will generate.

The tour continued west on US-30 and city streets to the US-30/US-93 intersection where the recently-constructed interchange was viewed. As the Board traveled northeast on the preferred alignment of the Twin Falls alternate route, Joe Schacher, Project Development Engineer, elaborated on the alternate route project. Some of the concerns on this project include splitting farms, access, and historic sites.

Delegation – Twin Falls Reformed Church. John Beukers summarized the church's plans to expand its facilities, and expressed concern with parking because of the property ITD would need for the alternate route project. He said the church would be interested in some of the property to the west of the church that the Department would need to take, and asked if a land swap would be an option. He also stated the church could not obtain its building permit because there will be insufficient parking when ITD acquires the needed right-of-way for the alternate route project. Bill Mogensen added that the church has invested considerable time and money into the expansion plans. The church would like to know ITD's plans so it can proceed with its expansion.

Twin Falls City Engineer Gary Young said the problem with the building permit was the variance on the setback along Grand View Road, not Pole Line. The alternate route project and impacts to parking are not factors in the approval of the church's building permit. He added that the city and church need to be cognizant of the Transportation Department's plans so as not to impact the alternate route project.

Member Blick suggested the church representatives, city officials, and District staff meet to discuss the various issues. He believes the church should be allowed to proceed with its expansion plans. Chairman Winder encouraged staff to explore a land trade and to work with the church officials to address their needs and concerns.

The tour continued east on Pole Line Road and north on US-93 to the Buzz Langdon Visitor's Center. Mr. Just reported that the north end of Twin Falls continues to expand and additional development is proposed. He believes the existing visitor's center is a great location, along the Snake River Canyon rim. Plans are to build an interpretive center with historic information and landscaping. He would also like the speed limit lowered to 35 miles per hour south of the Perrine Bridge. In conclusion, he thanked the Board for visiting and touring the

Twin Falls area and expressed appreciation to DE Rigby and his staff for the assistance and cooperation they have provided.

WHEREUPON the meeting recessed at 4:35 PM.

October 8, 1999

The Transportation Board meeting reconvened at 8 AM on Friday, October 8, at the Department of Health and Welfare, Twin Falls. All members were present except Vice Chairman Combo.

September 22-23, 1999 Board Minutes. Member McClure made a motion, seconded by Member Miller, to approve the minutes of the Board meeting held on September 22-23, 1999 as submitted. The motion passed unanimously.

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

November 18-19, 1999 – Boise

December 16-17, 1999 – Boise

January 20-21, 2000 – Boise

February 17-18, 2000 - Boise

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Transportation Board has
TB99-77 received and reviewed the contract award information, the speed minute entry changes, and the financial statement.

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

ER-7014(101), key 7994 – Snake River Avenue Slide, Phase II, Nez Perce County, District 2. Low bidder: Steelman-Duff, Inc., Clarkston, Washington - \$1,641,992.11.

STR-1836(603), key 6967 – US-91, Goshen Road to Baseline Road, Bingham County, District 5. Low bidder: Beco Construction Company, Inc., Idaho Falls, Idaho - \$485,029.67.

ST-7581(601) and ST-7581(602), keys 7687 and 7688 – Junction US-91 to Snake River Bridge Westbound, Blackfoot and Junction US-91 to Snake River Bridge Eastbound, I-15B, Blackfoot, Bingham County, District 5. Low bidder: Beco Construction Company, Inc., Idaho Falls, Idaho - \$277,068.04.

ST-1480(618), ST-1550(601), and ST-1550(602), keys 7682, 7685, and 7686 – Bennington to Montpelier, Geneva to Wyoming State Line, and Wyoming State Line to Junction US-89; US-89, SH-61, and US-30; Bear Lake County, District 5. Low bidder: Intermountain Slurry Seal, Inc., Watsonville, California - \$375,375.

ST-2390(669), key 6957 – Intersection 5th Street, Ketchum, Blaine County, District 4. The low bid was more than ten percent over the engineer's estimate, requiring justification. Staff's analysis revealed a low estimate on the signal cost; however, this adjustment is not sufficient to justify the bid. The City of Ketchum and staff recommend rejecting the single bid and readvertising the project next spring. Rebidding will increase the possibility of additional bidders and obtaining bids closer to the engineer's estimate. The District and City will coordinate the changes required to rebid the project and resubmit it for advertising.

2) Speed Minute Entry Changes. The speed limit on SH-37 in District 5 was decreased from 60 miles per hour (mph) to 55 mph between mileposts 68.524 and 68.714 based on a review completed by staff.

3) Financial Statement. Overall the financial position and outlook for the Department is sound.

November 18, 1999

Board Items. Chairman Winder reported that the appraisals for the Stanley Airport, including the scenic easement, have been completed. A meeting is scheduled later this month with the Harrah Corporation and interested parties. The funding sources to acquire the Stanley Airport have not been identified. Chairman Winder asked staff to continue looking into this proposal, particularly the funding sources. He would also like input from the Aeronautics Advisory Board. Director Bower added that the Forest Service is working cooperatively with ITD on this matter.

Director's Items. Congress has passed the transportation appropriations bill, according to Director Bower; however, President Clinton has not signed the bill yet. ITD will receive \$2 million in Federal Lands Discretionary funds for the US-89, Montpelier to Geneva project. An additional \$4 million is needed for this project. The appropriations bill does not include federal highway funds sanctions if states do not have opt-in provisions. This provision requires that records, such as drivers license information, not be made available for sale unless an individual signs a form concurring to the sale of the information. Staff will continue exploring the opt-in provision, as the appropriations bill contains general language on the provision, however, it is not an urgent matter because the sanctions have been removed. The Department has not received information on the obligation authority. Once those figures are received, staff will make adjustments to the Program and submit the revised Program to the Board.

At the recent American Association of State Highway and Transportation Officials (AASHTO) conference, Director Bower discussed Emergency Relief (ER) funding with Tony Kane, Executive Director of FHWA. Although there are \$600 million in ER projects nationwide, only \$100 million was appropriated. Director Bower suggested to Mr. Kane that the states that have used their own money to fund ER projects should be given a higher priority for distribution of the \$100 million. ITD has funded a number of projects, including the Rose Road Overpass, the Snake River Slide in Lewiston, and the US-95 Bonners Ferry slide, totaling approximately \$15 million. Idaho has a number of other ER projects, mainly on the local system, that have not been started yet. Director Bower also discussed the US-95 corridor border project with Mr. Kane. Staff prepared a brochure describing the SH-1 north project and plans to submit a request for \$3 million in FY00 for the project. Mr. Kane congratulated Director Bower for the Department's approved Disadvantaged Business Enterprise (DBE) Plan. Idaho is one of seven states that has received approval on its Plan.

Director Bower also met with Jolene Molitoris with the Federal Rail Administration at AASHTO. The proposal to implement an Amtrak route from Boise to Portland was discussed, as was the Ida-Shield Program. Ms. Molitoris expressed interest in this program and the possibility of publishing an article on the Ida-Shield Program for a national brochure.

Director Bower said Budget, Policy, and Intergovernmental Relations Manager Mary Detmar and he met with Senator Evan Frasure last month to discuss various issues, including legislation and the Department's budget. Next week they plan on meeting with Representative Jim Kempton.

Last month several staff members attended the Cascadia Trade Corridor meeting in British Columbia. The main focus of the Cascadia Group is to relieve traffic on the I-5 corridor by identifying another trade route. The Group recognizes the importance of US-95. Additional meetings will be held. The resolution the Board approved last month regarding US-95 was appreciated. Representative Hilde Kellogg thanked Director Bower for the resolution and support for US-95.

A group from Montana, Idaho, Utah, Nevada, and Arizona has been formed to address the CANAMEX corridor. Governor Kempthorne asked Director Bower to participate on this team and the Governor will also appoint one member from the private sector. Funding in the amount of \$1.2 million has been provided for a corridor study. One of the main focuses of the group is to improve commerce. The group plans on meeting quarterly. Because Director Bower was attending the AASHTO conference, he was unable to attend the first meeting in Arizona; however, Transportation Planning Administrator Charles Rountree attended the meeting.

The Department received a copy of a letter the Nez Perce County Commissioners sent to Governor Kempthorne regarding concerns with the Snake River Slide project in Lewiston. CE Ross elaborated that the slide repair is proceeding well and he believes the contractor is ahead of schedule. Member Sweeney added that the contractor is providing assistance to the Elks Club, although that was not required in the contract. He also believes the project is going very well.

Member McHugh asked about the status of the aviation bill. Aeronautics Administrator (AA) Bart Welsh reported that a conference committee is being appointed to write a compromised bill. He believes the legislation will be a multi-year bill with substantially more funding for Idaho than has been received in the past.

Member McHugh made a motion to commend the DBE Team for its efforts to complete the DBE Plan in a timely manner. He believes it is especially commendable because of the transition period the Office of Civil Rights was experiencing at this time. Member Sweeney seconded the motion and it passed unanimously.

Contract Award Information. Member McHugh made a motion, seconded by Member Miller, and passed unanimously, to approve the following contract award:

STP-4170(101) and STP-F-4171(003), keys 5956 and 0142 – Arrow to Turkey Farm and Turkey Farm to Little Potlatch Creek Bridge, SH-3, Nez Perce County, District 2. Low bidder: M.A. DeAtley Construction, Inc., Clarkston, Washington - \$5,092,680.94.

King Air: User Rate Change. AA Welsh said staff has been tracking all costs related to the King Air's operation, including maintenance and the hours the aircraft has flown. To date, the aircraft has flown approximately twice as many hours as anticipated. This increased usage impacts the cost of the pilots, as they are paid for standby time and have accrued more overtime hours than estimated. Because the current rates for the King Air and pilots are insufficient to cover the expenses, AA Welsh requested approval to increase the rate charged for the King Air. He added that the Aeronautics Advisory Board approved the increased rate. In response to a question by Member Sweeney on an anticipated decline on the use of the King Air because of the rate increase, AA Welsh said the Division does not expect the usage to decrease.

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

RES. NO. WHEREAS, the Division of Aeronautics operates a King Air aircraft for the
TB99-78 use of all State agencies; and

WHEREAS, the charges for usage of the King Air were based on estimates; and

WHEREAS, the actual costs have exceeded the original estimates; and

WHEREAS, it was the intent of the Transportation Board to supplement the fixed costs; and

WHEREAS, other operational costs would be paid for by the agency using the aircraft; and

WHEREAS, the rate being charged is not sufficient to cover these costs; and

WHEREAS, the overtime costs for pilot time has also exceeded the original estimates.

NOW THEREFORE BE IT RESOLVED, that the rate charged for the King Air aircraft be increased from \$315 per hour to \$415 per hour; and

BE IT FURTHER RESOLVED, that charges for pilot's time and services be increased from \$30 per hour to \$35 per hour.

Delegation – Buhl and Wendell Highway District Commissioners. Mr. Riedesel, project manager for the Buhl to Wendell corridor study, thanked the Board for touring the proposed corridor for the extension of SH-46 yesterday. By the end of next month, the feasible alternatives for the Buhl to Wendell route should be identified, and then the preferred alignment will be determined. The corridor study is expected to be completed by next April or May. He outlined the goals of the corridor, including a preferred alignment that satisfies state highway standards and is acceptable to ITD; promotes and supports access to Buhl; protects sensitive environmental and cultural sites; allows truck use with minimum impacts to other uses; provides safe controlled access; minimizes negative impacts to residences; and is cost effective.

Member Blick asked if the farming community impacted by the route has been contacted. Mr. Riedesel said that three public meetings have been held to date, and that every property owner in the corridor has received information. More contact and work with the impacted property owners will occur once the alignment is better defined. He added that several discussions have been held with pivot manufacturers on the pivot issues. He stressed that there is a real concerted effort underway to contact the appropriate people.

Member Sweeney expressed concern with the proposed alignment connecting at the five-point intersection in Buhl because of the existing congestion and configuration of that intersection. Mr. Riedesel said that alternative is being explored because of the public's concern for access to Buhl, however, the study is too premature to determine the preferred alignment.

Member Miller said he is impressed with the process underway and appreciates the various local entities' involvement. Chairman Winder thanked Mr. Riedesel for the report and for his efforts on the Buhl to Wendell corridor study.

Presentation to the South Central Idaho BLM Fire Crews for Adopt-A-Highway Efforts. Member Blick was pleased to recognize the South Central Idaho BLM Fire Crews for its outstanding efforts in the Adopt-a-Highway Program. The group has adopted four areas within the District. He thanked the group for its valuable service to ITD, the community, and the state. John Sabala, Fire Support and Safety Manager, thanked Member Blick for the award. He believes the Adopt-a-Highway program is worthwhile and is pleased his crews can participate.

DE Rigby presented the District Coordinator award to Jerry Heath for his work in the Adopt-A-Highway Program. The District has approximately 670 miles, or 70% of its mileage, adopted in this program. Mr. Heath works closely with the communities and often recognizes the people participating in the program. The Board expressed appreciation to Mr. Heath for his efforts.

Executive Session on Personnel Issues, Section 67-2345(b), Idaho Code. At 9:35 AM, Member Miller made a motion, seconded by Member McClure, to meet in executive session to discuss personnel issues. The motion passed unanimously.

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

Tour of District 4, Continued. The Board departed Twin Falls on US-93 north, I-84 east, and SH-25. Senator Denton Darrington and Representative Kempton met the group at the Minico High School. DE Rigby explained the safety improvements recently completed at the SH-25 intersection. Visibility was improved, passing lanes were reduced, a flashing beacon was installed, the speed limit was reduced, and surveillance cameras were installed. He also summarized the team's involvement in the process, and reminded the Board that the team was comprised of school officials, students, law enforcement personnel, community representatives, and Department staff.

Minico High School Principal Dan Rogers said the school is using the videos of the intersection as an educational tool to stress safety and promote the use of seatbelts. A Minidoka County school moving violation citation has been developed, which can be issued anywhere in the County, as the team's goal was to make the County safer, not just the vicinity of the school. An incentive program is also being considered. Mr. Rogers added that law enforcement has more of a presence in the area, resulting in compliance with the lower speed limit.

In response to whether this project has been presented to other schools in the state, Mr. Rogers replied that he has had several requests for information. However, he believes it is too early to provide good data, but after additional data is gathered and assessed and a determination made on the results of this project, he plans on sharing the project and its results. Mr. Rogers thanked the Board for its support of this project. He believes it has already made a difference.

The Board thanked Mr. Rogers for his involvement in the process of determining the best solutions to improve the safety at the intersection, implementing the recommendations, and following up with the educational

component. Senator Darrington and Representative Kempton also acknowledged the efforts of the team and applauded the success of this project.

The tour continued south on SH-27 to Burley where the Board viewed the Overland Bridge, under construction. DE Rigby reported that the project is proceeding well.

WHEREUPON, the regular monthly Board meeting and tour of District 4 officially adjourned at 1:30 PM.

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

Read and Approved
November 18, 1999
Boise, Idaho

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 18-19, 1999

The Idaho Transportation Board met at 8:15 AM, on Thursday, November 18, in Boise, Idaho at the Transportation Department to review the agenda. The following principals were present:

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

October 7-8, 1999 Board Minutes. Member Miller made a motion, seconded by Member Blick, to approve the minutes of the Board meeting held on October 7-8, 1999 as submitted. The motion passed unanimously.

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

December 16-17, 1999 – Boise
January 20-21, 2000 – Boise
February 17-18, 2000 – Boise
March 16-17, 2000 – Boise

Consent Calendar. Member Sweeney 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
TB99-79 the Old Horseshoe Bend Hill Road (former SH-55) relinquishment to Boise County, District 3, appointments to the Public Transportation Advisory Council and the Region 3 Regional Public Transportation Advisory Committee, revisions to Board Policy B-18-10, Harassment in the Workplace, the certification of revenue and disbursements, and the request for consultant services, 1-15, District 5; and has received and reviewed the quarterly returned check report, the contract award information, the new and supplemental professional agreements report, the speed minute

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entry changes, the quarterly report on administrative settlements, the financial statement, and the year 2000 computer report.

1) Old Horseshoe Bend Hill Road (former SH-55) Relinquishment to Boise County, District 3. The Board Subcommittee on Additions to and Deletions from the State Highway System has been working on the relinquishment of Old Horseshoe Bend Hill Road to Boise County. A Road Closure and Maintenance Agreement with Boise County signed last month states that the County will assume jurisdiction of the former portion of SH-55, known as Old Horseshoe Bend Hill Road. ITD will pay \$666,464 to Boise County after the road has been transferred. The Official Minute transmitting Old Horseshoe Bend Hill Road to Boise County is shown as Exhibit 222, which is made a part hereof with like effect.

2) Appointments to the Public Transportation Advisory Council (PTAC) and the Region 3 Regional Public Transportation Advisory Committee (RPTAC). Lance Clow has resigned from the PTAC. Lynn Hughes, currently serving as the chairman of the RPTAC4, is recommended to replace Mr. Clow on the PTAC. Bill Staker has expressed interest in continuing serving on the RPTAC3 and it is recommended that he be re-appointed to serve on the RPTAC.

3) Revisions to Board Policy B-18-10, Harassment in the Workplace. Expanded guidance regarding harassment based on sex, race, color, religion, national origin, age, disability, or protected activity was recently issued. This guidance clearly defines employer responsibilities for maintaining a harassment-free workplace and the need for prompt action when harassing behavior is identified. To comply with this guidance, a task force was established to review current harassment policies and reporting procedures, and proposed revisions to Board Policy B-18-10. The policy has been revised to authorize the Director to establish foundational information which will define prohibited types of harassing behavior, identify avenues of relief, and prescribe appropriate corrective actions for violations.

4) Certification of Revenue and Disbursements. The certification of revenue and disbursements is shown as Exhibit 223, which is made a part hereof with like effect.

5) Request for Consultant Services, I-15, District 5. The I-15, Downey Interchange (IC) to Virginia IC, Bannock County project, key #8118, is currently scheduled in FY02 with an estimated construction cost of \$2.5 million and an estimated preliminary engineering cost of \$350,000. Staff is proposing to advance the project to FY01 due to program changes. Because of the proposed advancement and because a similar project, I-15, Utah Line to Deep Creek, is currently being designed by J-U-B Engineers, staff requests approval to negotiate and contract consultant services with J-U-B Engineers to design the I-15, Downey IC to Virginia IC project.

6) Quarterly returned check report. During the first quarter of FY00, \$15,981,205 in checks was received while \$15,442, or .096% was returned. Collections amounted to \$11,130 for an annualized collection rate of 90%.

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

STP-0005(110), key 7599 – District 5 Roadway Weather Information System, Bannock, Bingham, and Oneida Counties. Low bidder: Mountain West Electric, Inc., Moreland, Idaho - \$184,890.

ST-3290(617), key 6458 – SH-21, Elk Creek Bridge, Boise County, District 3. Low bidder: Concrete Placing Company, Inc., Boise, Idaho - \$574,429.48.

ST-3707(610), key 6980 – SH-78, Envirosafe to Grandview, Owyhee County, District 3. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$790,294.48.

HS-163-0090(055), key 7929 – Hawkins Road Underpass to Bonneville County Line, I-15, Bannock and Bingham Counties, District 5. Low bidder: AAA Sweeping, Veradale, Washington - \$173,689.65.

ST-4110(645), key 6588 – Potlatch Junction to Electrical Substation, US-95, Latah County, District 2. Low bidder: Boise Paving and Asphalt Company, Boise, Idaho - \$1,574,064.64.

8) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$6,950,483 in new and supplemental agreements between September 8 and November 1.

9) Speed Minute Entry Changes. The speed limit within the City of Cascade on SH-55, District 3, was lowered from 65 miles per hour (mph) to 50 mph between milepost (MP) 112.974 and 113.659 and MP 116.205 to 116.493. The two existing 45-mph zones from MP 113.659 to 114.72 and from MP 115.93 to MP 116.205 were lowered to 35 mph. These changes were based on a resolution passed by the City of Cascade.

The speed limit on US-95 in District 3 was decreased from 65 mph to 45 mph between MP 60.585 and 61.328. This change lengthens the existing 45 mph zone to the north of junction US-30 and US-95 at the request of the Payette County Sheriff due to the high number of accidents at this junction.

The speed limit approaching the Georgetown city limits on US-30 in District 5 was decreased from 65 mph to 45 mph at MP 422.601 at the west city limits and 423.81 at the east city limits. This action created a transition zone between the existing 65 mph and 35 mph zones.

The speed limit on SH-39 in District 5 was reduced from 55 mph to 45 mph between MP 47.1 and MP 47.637. This reduction of speed will only be during school days and between the hours of 7:30 AM to 4:30 PM.

10) Quarterly report on administrative settlements. During the quarterly period from July through September, staff processed 29 parcels. There were 5 administrative settlements, which equals 17% of the total parcels acquired.

11) Financial Statement. Although the federal aid revenues in the state highway fund were below the year-to-date forecast, collections of unrestricted state highway revenues were above the year-to-date forecasts from the Highway Distribution Account. The balance in the Restricted Highway Fund has been transferred to the State Highway Fund in conjunction with 1999 legislation merging the two funds. Department expenditures are running at or below budgeted levels for the fiscal year through September.

12) Y2K Report. The project to repair or replace all mission critical systems in preparation for the year 2000 is essentially complete. Final administrative and testing chores on a few remaining items of equipment with embedded computer functions will be completed by mid November. Repair and replacement of certain items of non-critical equipment and systems will continue into the next year. The project will be completed approximately \$1 million under projected costs and approximately three months ahead of the original schedule.

Additional Bid. Member McClure expressed concern with local public agencies performing work. When a project is over \$25,000, it is to be bid out, and projects are not to be phased to avoid the \$25,000 limit. He believes the contract award for CM-0005(111), key 7608 – FY99 Asphaltic Concrete Purchase, Power County, District 5 is contrary to state law.

Vice Chairman Combo suggested staff review the bid and provide information. (See later minute entry.)

Board Items. Chairman Winder said he, Vice Chairman Combo, and staff met with the parties involved in the Stanley Airport issue last month. The Forest Service granted a 90-day extension for the appraisal process. Director Bower said the Forest Service's and Harrah Trust's appraisals cannot be compared because of insufficient information. Additionally, the two appraisals differed by \$1 million. Because Harrah is not willing to revise its appraisal, Director Bower asked the Board to consider funding a full, complete appraisal, estimated to cost \$20,000. Right-of-Way Manager Leonard Hill added that Harrah's appraisal did not meet the Forest Service's standards. Director Bower also reported that DAG McMahon reviewed the statute and reported that the Board can condemn for aeronautics purposes if certain criteria are met.

Member Miller made a motion to allocate approximately \$20,000 for a new, complete appraisal for the Stanley Airport. Member Blick seconded the motion and it passed unopposed.

Member Blick said that he has been approached about signing for the City of Hansen. People know how to get to the Hansen Bridge, but there are no signs to direct motorists to the town. District Engineer Devin Rigby was at the meeting and said he will look into this issue.

Secretary to the Board Sue Higgins reported that a luncheon meeting with the Motor Carrier Advisory Committee (MCAC) is planned for the December Board meeting. MCAC met last month and discussed the topics it would like to address with the Board. SB Higgins asked the Board for subjects it would like on the agenda and said she will relay the topics to MCAC Chairman Clay Handy prior to the meeting.

In discussions with District 1 staff, Member McHugh learned that NEPA requires a re-evaluation of environmental issues if major work on a project does not progress in three years while FHWA requires a re-evaluation after one year. He questioned this difference. Transportation Planning Administrator Charlie Rountree concurred that FHWA requires a re-evaluation if the project has not proceeded to the next major stage within a year. This requirement can cause a hardship at times, but at other times it can be handled timely and without a lot of work. He believes it is a good process and addresses the environmental issues. Staff factors this in the process and follows the requirements so the Department's projects do not get challenged, according to CE Ross. Assistant Chief Engineer (Development) Steve Hutchinson added that consideration also must be given to endangered species.

Member McHugh expressed concern with the procedures for the Division of Purchasing to bid ITD's items. District 1 recently requested de-icer tanks, but the end product that was purchased through the Division of Purchasing was not the tanks the District specified. Jim Larson, Procurement and Material Manager, reported that the Division of Purchasing advertised the tanks as ITD requested. He said there was a miscommunication within ITD that resulted in the wrong purchase being made.

Vice Chairman Combo noted that the Bureau of Civil Rights' annual workshop is scheduled in January and requests for nominations for the Civil Rights Outstanding Achievement Award have been solicited. He requested nomination of the Department's Disadvantaged Business Enterprise (DBE) Team for its development and subsequent approval by FHWA of the Department's DBE Plan.

Vice Chairman Combo reported that Susan Simmons, Controller, was reappointed by Governor Kempthorne to the Public Employees Retirement System Board. He believes this is a commendable appointment and speaks highly of Ms. Simmons as well as ITD.

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

RES. NO. WHEREAS, Susan Simmons, the ITD Controller, has been reappointed by
TB99-80 Governor Kempthorne to the five (5) person Public Employees Retirement System Board, also known as the "PERSI Board", to serve for an additional term of five (5) years beyond the five (5) year term to which she was appointed in 1995 by Governor Batt; and

WHEREAS, said PERSI Board, in essence, has the responsibility of managing the State's retirement system – a very significant statutory assignment; and

WHEREAS, where said reappointment not only recognizes the competence of Susan Simmons but also reflects upon the high quality of the people within the Idaho Transportation Department.

NOW THEREFORE BE IT RESOLVED, that the Transportation Board commends Susan Simmons for her recognition once again as an employee in the public service of the State of Idaho.

Director's Items. Director Bower distributed a letter he received yesterday from Boise Mayor Brent Coles regarding the I-84 Corridor Study. The City recognizes the importance of this study, and it is disappointed that it has not participated in the process, as the study affects a large portion of its planning area. The letter states that it did not authorize the Ada Planning Association to represent Boise's interests in the study. Director Bower asked consultant Dave Butzier, MK-Centennial Engineers, to elaborate on the issue.

At its meeting tomorrow, the Subcommittee will consider adding a staff member from the City of Boise and inviting a Council member to serve as an ex-officio member, according to Mr. Butzier. An open house meeting was held last night in Ada County and one will be conducted in Canyon County tonight to present alternatives and gather public input. Plans are to have the impacted local public agencies adopt the report before it is presented to the Board for approval. Director Bower added that he will respond to Mayor Coles' letter and inform him that the City of Boise will be added to the team.

Director Bower reported that the citizens of Oregon obtained enough signatures to bring the weight distance tax on the ballot as an initiative in May. He added that Washington passed a vote requiring any new or additional taxes or fees to go before the public for approval. Staff will continue to monitor these actions in the neighboring states.

A full and thorough review of the Nez Perce County Commissioner's allegations that DE Jim Carpenter mismanaged and delayed the Snake River Avenue slide project has been completed. Director Bower said a letter was sent to the Commissioners along with the report. The report concluded that the project could not have been completed before the winter of 1998-99 and that the delays were beyond the control of ITD. It also states that DE Carpenter behaved professionally and attempted to expedite the project. Member Sweeney said the project is proceeding well and the road should be reopened soon. Vice Chairman Combo commended Director Bower for handling the situation professionally and in a timely manner.

Last week Director Bower spoke at the Idaho Association of Highway District's annual convention in Sun Valley. He also reported on out-of-state meetings he attended recently.

CE Ross attended a meeting recently at the Clearwater Forest Headquarters with the parties involved in the Lolo Pass Interpretive Center. The status of the project was reviewed and seems to be progressing well. Some environmental issues need to be resolved, but overall the project is going well and within the estimated budget. Plans are to advertise the project next spring.

The Department is looking into Preco's interest in licensing PicoStrain™. Chairman Winder believes this is a great technological tool and careful consideration needs to be given to the licensing decision.

District 1 staff is working with the City of Coeur d'Alene on the Northwest Boulevard project, according to Director Bower. Staff will have a proposal to improve Northwest Boulevard and relinquish this route to the city for the Board's consideration soon. Vice Chairman Combo asked staff to consider the statute or policies regarding providing access to county seats.

New York Highway Use Tax Repeal. In response to a request for information on New York's weight distance tax, Motor Carrier Service Manager Herb Kinney reported that New York doubled its highway use tax in 1990. In 1997 legislation to repeal the 1990 increase with no offsetting increase in other truck-related fees was considered. The rationale in part was that the Highway Use Tax contributed to New York's tax surplus of over \$1 billion. A bill to reduce the tax rate by 50% went into effect January 1, 1999.

In the 1999 legislative session, a repeal of the entire Highway Use Tax program was considered. This legislation would have replaced some of the remaining 50% of the Highway Use Tax with an offsetting 50% increase in truck registration fees, effective January 1, 2001. This legislation was rejected, leaving the remaining portion of the Highway Use Tax in place. It is believed that the New York State Motor Truck Association will continue the effort to repeal the tax.

Chairman Winder thanked Mr. Kinney for the update.

Revisions to the Enhancement Board Policy, B-11-03, Transportation Enhancement Program. Intermodal Planning Manager Pat Raino reported that the Board Subcommittee on the Enhancement Program met in September to review the current policy regarding funding targets and also the new FHWA interim guidance on the Enhancement Program. She reviewed the minor revisions the Subcommittee is recommending to the policy.

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

RES. NO. WHEREAS, the Board Subcommittee on the Enhancement Program has reviewed
TB99-81 Board Policy B-11-03, Transportation Enhancement Program, and recommends revisions clarifying the funding distribution of projects within the three enhancement categories as guidelines and specifying that enhancement projects will be related to surface transportation.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the revisions to Board Policy B-11-03, Transportation Enhancement Program.

Vice Chairman Combo said staff did a commendable job revising the policy and addressing the issues of concern. He also expressed appreciation to Jack Coe and Mary Gray with FHWA for their involvement in the Subcommittee.

ITD Internship Program. Director Bower reported that the Division of Planning has been contracting with Boise State University (BSU) to supply computer technology and math interns to work on computer programming assignments since 1980. This program has been very successful, as the program is furthering ITD's mission while providing students the opportunity to observe and participate in job activities directly related to their selected major field of study. Recruiting qualified candidates for several mission-critical areas in the Department remains difficult and extremely frustrating. Internships provide a way to supply ITD with a ready pool of highly skilled and ITD-oriented candidates, as a number of interns have been hired as permanent employees over the years.

The Department is planning to expand the internship program, providing 12 interns in the Division of Highways, 10 in the Division of Planning, and 4 in Management and Support. Contracts will be with BSU and Idaho State University this year, however, they can be written with any university. The program will be coordinated through Human Resource Services. For FY00, the contract covers January through June plus the remainder of the previously board-approved Planning contract, at a projected cost of \$255,888. Costs for the program will be paid from operating expenses and with the exception of four interns assigned to Information Services, has the potential of 80-92% reimbursement from FHWA.

Member Blick asked if this program is extended into the summer. Karen Sparkman, Senior Human Resource Specialist, said some interns are hired as temporary employees during the summer months. Member Blick expressed support for the program and encouraged management to utilize interns in the District offices as well as Headquarters. CE Ross reported that there are interns in some Districts now, but he hopes the program can be expanded to the other Districts.

In response to Chairman Winder's question if all Idaho colleges and universities can participate in the internship program, Ms. Sparkman replied yes. The need for interns will be reviewed annually and depending on the type of work required, the appropriate schools will be considered for participation.

The Board expressed support for the internship program.

Utility Delays. Greg Laragan, Roadway Design Engineer (RDE), said that Idaho Code gives utilities the right to install facilities within the roadway right-of-way. Approximately a third of projects awarded for construction by ITD require the adjustment or relocation of utility facilities. He outlined the utility process during development of a construction project to identify, coordinate, and plan for the adjustment or relocation of utility facilities. He also outlined situations that may cause delays with roadway construction projects and steps the Department is pursuing to reduce the situations involving utilities that may delay construction of a project. Some of those remedies include providing training for staff and consultants on the utility process; involvement with various Utility Coordinating Councils; improving communication and coordination with utility companies; and holding utility-contractor-ITD regional meetings to discuss and find cooperative solutions to utility/roadway construction conflicts. Part of the last item would include revising policies and improving specifications and planning. RDE Laragan asked the Board to consider appointing a member to be part of the team for the utility-contractor-ITD meetings. He added that they will seek input from LHTAC on regional issues.

Without objection, Chairman Winder appointed Member McClure to participate in the utility-contractor-ITD regional meetings.

Member Miller encouraged working cooperatively with the utility companies to prevent delays to projects. He asked if the Department has the necessary tools to address delays and problems caused by the utilities and what could be done to improve the process. RDE Laragan responded that the statute provides some authority and there are regulations to address this. He added that ITD wants to work in conjunction with the utility companies and stressed the need for a realistic schedule that all parties can agree to. DAG McMahon concurred that the statute is in place, however, there is no remedy in Code. Director Bower said ITD is currently involved in a lawsuit relating to this issue. Once that lawsuit is settled, this issue will be considered.

Commercial Vehicle Engine Compression Brakes. Earlier, the Board questioned the proliferation of regulatory signs in communities banning the use of engine compression brakes on commercial trucks. Assistant Chief Engineer (Operations) Clayton Sullivan said that cities and counties have the authority to pass ordinances to control or prevent noise. He contacted the Idaho Motor Transport Association and the Governor's Motor Carrier Advisory Committee to determine if the prohibition of compression brakes is becoming a safety concern to the trucking industry. Neither organization believes that the ordinances banning compression brakes is an issue with commercial truck operators.

Chief Engineer's Items. The bid for CM-0005(111), key 7608 – FY99 Asphaltic Concrete Purchase, Power County, District 5 was revisited at this time. RDE Laragan reported that local entities have more flexibility regarding performing work with their own forces. The \$25,000 bid requirement is excluded if the entity is using its own forces; therefore, this bid is legal.

Member McClure said he believes it violates the spirit and intent of the law. He expressed concern that local public agencies do not have to account for items such as employees' wages and equipment rental or usage. Although he believes the local agencies think using their own forces is the most economical and efficient way to operate, he does not believe that is true. Member Blick disagreed and said he believes local entities in District 4 can complete their projects cheaper and realize a significant savings. Member McClure said he does not think the local entities know the true cost of projects because items such as labor and equipment are not considered.

Member Blick made a motion to approve the contract award for CM-0005(111), key 7608 to the low bidder: Bannock Paving Company, Pocatello, Idaho - \$164,160. Vice Chairman Combo seconded the motion and it passed 5-1 with Member McClure opposing.

CE Ross reiterated the earlier comments that the Snake River Avenue project is progressing well. He believes the contractor is doing an excellent job and the road should be open soon.

CE Ross reported that the US-95, Bonners Ferry slide project is also going well, with the contractor doing a good job. Work is being finalized on the erosion control measures, while work is continuing with the Corps of Engineers on the wetlands issue.

Recognition of Minico High School and ITD District 4. Chairman Winder presented certificates to Dan Rogers, Principal of Minico High School, and DE Rigby for their teamwork and efforts to address safety concerns at the SH-25 intersection at Minico High School. The Board believes the team's efforts are commendable and will be a model used throughout the state.

Minico High School Student Body President Reese Harper thanked the Board for its assistance and support. There is a noticeable change in attitude and atmosphere and he reported that students feel safer. Principal Rogers added that the school is excited about this project and that the safety awareness will continue and expand. Minico High School student Heather Koyle was also present to receive the award. DE Rigby emphasized that the team came up with solutions for the community, not just for the intersection at the high school.

Delegation – City of Jerome. Jerome Mayor Dennis Moore thanked the Board for its time and for visiting Jerome last month. City Engineer Scott Bybee reported that there is a lot of traffic at the 100 South Road and 200 South Road intersections with SH-79. The city has been working with District staff on installing traffic signals at

these locations. The Urban Renewal Agency has budgeted money for the traffic signal and related improvements at 100 South Road. In response to the jurisdiction of the legs, Mr. Bybee confirmed that two legs are on the state system and two legs are on the local's system. He said the costs for the traffic signal at 100 South Road have increased to approximately \$250,000.

Regarding the requested traffic signal at 200 South Road, Mr. Bybee said a Walmart store is under construction and plans to open next summer. Walmart is interested in cost sharing for the signal and related roadway improvements. He requested the Board approve construction of the two traffic signals at this time and program funds to reimburse the Urban Renewal Agency and Walmart in the future for the projects. Walmart representative Joe Geivett said the design of the project has been paid for and Walmart does not want reimbursement for the design, however, they would like a 50/50 partnership for the construction and want to work with the Department on widening SH-79 at the access.

DE Rigby said a traffic signal is warranted at 100 South Road, while 200 South Road would warrant a signal with the projected traffic counts due to Walmart.

The consensus of the Board was to have staff review the proposal and provide a recommendation to the Board.

Obligation Authority Effect on September 1999 Estimated Apportionment Figures. Highway Programming Manager (HPM) Dave Amick reviewed the obligation authority and Revenue Aligned Budget Authority (RABA) figures impacting the FY00 federal aid apportionments. The Highway Funding Plan will be revised and submitted for Board approval during the January Board meeting under Supplement 2000-1. In summary, he reported that the effect of the obligation authority is a reduction of \$14.1 million in formula funds compared with the September 1999 estimated funding levels. Non-formula Minimum Guarantee and High Priority funds were reduced by \$6.5 million and \$1.6 million, respectively; however, RABA provides an additional \$10.3 million. Projects in the State Highway System will need to be reduced by \$10.6 million to accommodate these impacts.

Addition of Projects to the FY00-03 State-Funded Construction Program and Related Changes to the FY00-04 Federal Highway Development Program. Several conditions have made it necessary to add and advance projects in the State-Funded Program, according to HPM Amick. Staff has identified \$28.2 million in additional funding available for the State-Funded Program in FY00. There were also more moderate increases in funding in FY01 and beyond. Also, with the passage of the FY00 appropriations bill, the State Highway System Programs in the Federal Program need to be reduced by an estimated \$10.6 million including match due to the obligation authority limit.

Due to the additional state funds, staff recommends shifting suitable Federal projects in FY00 from the Federal Programs to the State-Funded Program to avoid the delay of FY00 projects in the Federal Program. Additionally, the remaining state funding is proposed to advance other projects in the State or Federal Programs that can be made ready for construction by the summer of 2000. Several new projects, such as passing lanes and surfacing projects on US-12 needed prior to the 2003 Lewis and Clark Bicentennial celebration, and \$4 million to complete the construction of the underfunded ISTEAD Demonstration project, US-89, West Forest Boundary to Bishoff Canyon, are recommended for funding. Only \$2 million of the \$6 million needed for the US-89 project was provided in Public Lands Discretionary funding.

Staff investigated the feasibility of advancing the SH-69, Kuna to Amity project. It was determined that sufficient cash payouts on the project would not occur in the FY00 construction season, making it more appropriate to advance other projects which would more quickly use the current cash balance. However, every effort will be made to make the project ready for advertisement as soon as possible with Federal funds. If the project can be advertised for contracting prior to FY01, consideration will be given to advance constructing the project with State funds.

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

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

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

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

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

WHEREAS, the Budget Council has identified an additional \$28.2 million in FY00 of the State-Funded Highway Development Program under the Department's state contract construction budget due to increased state revenue forecasts and improved management of the cash balance; and

WHEREAS, the Department has received a FY00 Federal obligation authority limit under the FY00 Department of Transportation Appropriations bill necessitating the removal of \$10.6 million in projects from FY00 of the State Highway System Federal Program; and

WHEREAS, funds under the Department's state contract construction budget may be used to fund projects on the State Highway System in the Federal Program to prevent the delay or removal of Federally funded projects in the Highway Development Program; and

WHEREAS, the District Engineers have identified federally funded projects suitable to be accomplished with state funds and other projects which may be ready and advanced to fully utilize funding available under the Department's state contract construction budget.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the Federal and State Highway Development Program changes proposed in the "State-Funded Program Advances", as shown as Exhibit 224, which is made a part hereof with like effect; and

BE IT FURTHER RESOLVED, that the staff is authorized to make the appropriate changes to the FY00-04 Statewide Transportation Improvement Program in accordance with the provisions of TEA-21 of 1998.

Board and Administrative Policies B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies and B-11-06, Surface Transportation Program Rural (STPR) Exchange Program. Staff reviewed current policies to ensure consistency with the proposed Local Federal-aid Incentive Program being implemented by the Local Highway Technical Assistance Council (LHTAC) and continuation of the Exchange Program. Some of the changes include deducting the funding for the STPR Exchange Program from the STP-Rural Program; limiting Federal STP apportionments available for exchange to \$4.5 million (after adjustments for obligation authority) and limiting state funds available for exchange to \$2.8 million; stating that program participants may not participate in both the STPR Exchange program and receive funding for a Federal-aid project under the Incentive Program at the same time; and requiring project funding and selection recommendations to the Board from LHTAC for the STP-Rural Program and from LHTAC and the metropolitan planning organizations (MPOs) for the STP-Urban Program.

Currently, local public agencies work with the Districts to program projects. Member McHugh asked if that process will change and the projects will need to be submitted through LHTAC. Although staff is still working on that procedure, HPM Amick said the projects will probably be submitted to LHTAC first for prioritization, then submitted to the Districts so staff can include the projects in the Program. Staff wants to stay informed of the locals' projects and needs. He added that the MPOs will also be submitting projects through the District offices.

Member Miller asked if projects in the current Program will be grandfathered if the entity chooses to stay in the Exchange Program. HPM Amick replied that the projects would be grandfathered, or stay in the Program, but once the current projects are complete, no additional projects will be added unless the entity opts out of the

Exchange Program. In response to Member Blick's question whether entities can apply for new projects before their current project is completed, HPM Amick said yes, as long as the entity is not in the Exchange Program.

Because there are only three years left in TEA-21, Vice Chairman Combo asked if a sunset clause should be included or a caveat to address the Programs after TEA-21. HPM concurred with the suggestion to include language stating the Programs are subject to issues such as funding and federal and state legislation. Vice Chairman Combo asked if the Exchange Program will be discontinued at some point. Mr. Haynes responded that changes are anticipated after the census and suggested addressing some of these issues at that time. Member McClure asked if the Exchange Program funds are being utilized as intended and indicated support to eliminate the Program. Mr. Haynes responded that the 1997 Transportation Planning Task recommended the elimination of this Program, however, the local entities like the Program and would like it continued.

Mr. Haynes elaborated on the process for the incentive proposal. Applications for projects will be distributed in January. The Council will meet in March to review and rate the projects, based on criteria established to rate projects. If a project is not funded, LHTAC will inform the entity of the decision and explain why the project did not meet the criteria.

Stuart Davis, Executive Director of the Idaho Association of Highway Districts, expressed support for the Incentive Program. The Association does not fully support the Exchange Program, and he added that a vision of what the exchange money should be used for is needed.

Chairman Winder thanked Messrs. Haynes and Davis for the input and HPM Amick for his work on these issues. The policies will be revised based on the Board's comments, reviewed by ITD staff, and submitted to the Board for approval next month.

Tour of the Office of Highway Safety. The Highway Safety staff recently moved into a modular office on the Headquarters campus. The Board toured the new office and visited the employees.

Presentation – Treasure Valley Futures. Katey Levihn, Assistant Civil Engineer, Ada County Highway District, thanked the Board for its time. The Treasure Valley Futures project is a \$500,000 grant from FHWA for Ada and Canyon Counties. Some of the goals of the project include improving the efficiency of the transportation system, reducing the impacts of transportation on the environment, reducing the need for costly infrastructure investment, and ensuring efficient access to jobs, services, and centers of trade. She added that land use is an important issue that will also be addressed. There are over 30 participants on the technical and policy groups, including ITD staff members.

In response to Vice Chairman Combo's question on the timelines, Ms. Levihn responded that the project started in July 1999 and will end in December 2000. Plans are to have three demonstration projects in spring, and three next fall. She encouraged the Board to provide assistance and input, including submitting candidate transportation or land use projects.

Chairman Winder thanked Ms. Levihn for the informative presentation.

WHEREUPON the meeting recessed at 4:30 PM.

November 19, 1999

The Transportation Board meeting reconvened at 8:30 AM on Friday, November 19, at the Transportation Department in Boise. All members were present.

Pavement Management Information. Mike Santi, Materials Section Pavement Engineer, elaborated on the various ways the pavement management information, collected and distributed by the Division of Transportation Planning, is used. The Districts plan projects based on the information. The information is also used for the materials report for work that needs to be performed; shows the history of roads, such as when and what kind of work was done; and provides a justification of the needs. Additionally, the video logs are used for inventory and to view pavement. He said the videos save time and money. Staff can view the videos to obtain information rather than traveling to the specific road site to acquire the information.

CE Ross added that so much information is gathered with the video inspection van that the limited staff has not been able to tap all of it yet. The Districts are getting computer equipment to enable better utilization of the videos and data.

Chairman Winder thanked Mr. Santi for the presentation.

Contractor Prequalification. A legislative interim committee is studying the construction industry and considering consolidating government agencies for the efficient management of laws and rules that govern the licensing and operations of the construction industry. As part of this study, Assistant Construction Engineer Brent Jennings said ITD and the Department of Administration, Division of Public Works, expressed an interest in developing and implementing contractor prequalification. After a presentation to the Interim Committee yesterday on this issue, the Committee supported a prequalification proposal for the 2001 legislative session.

Mr. Jennings elaborated on the prequalification proposal. The purpose is to establish an administrative procedure for determining a contractor's qualification to successfully construct highway improvement projects. It would provide a means for contractors to enhance and improve its prequalification status and bidding capacity through higher quality standards of performance. Additionally, it would provide an opportunity for better relationships with ITD's highway construction firms. After initial prequalification, annual renewal would be required. This process would also include a contractor performance report and a report card on ITD. Mr. Jennings outlined the timeframe and emphasized that the Associated General Contractors (AGC) will be involved in developing the prequalification process. He added that the proposal is too preliminary to determine the fiscal impact, particularly staffing needs.

Member McClure asked how the prequalification of contractors will interface with the Licensing Board. He expressed concern that conflicts and duplication between the entities could occur. The relationship with the Licensing Board has not been determined at this point, according to Mr. Jennings, but he added that coordination with and impacts to the Licensing Board will be addressed.

Vice Chairman Combo reiterated the Board's interest in this subject, as noted by discussions with the Washington Transportation Commission, presentations by ITD staff, and meetings with the Licensing Board and Department of Insurance. He expressed concerns on the fiscal impact to the Department as well as the extra work this may impose on the construction industry. He also commented that he is aware of some states that had a prequalification process but have discontinued that method. Member McClure said he believes that states with strong licensing laws do not require contractor prequalification. He added that he believes the industry will support this proposal as it desires to raise the professionalism and standard of the industry. Member Sweeney cautioned that if the plateau for prequalification is too low, it may not be a successful proposal.

Director Bower thanked Mr. Jennings for the excellent work with the Legislative Interim Committee on behalf of ITD. He added that Mr. Jennings was also instrumental in reviewing the allegations against the Department and DE Carpenter on the Snake River Avenue slide and in preparing the report. The Board concurred with Director Bower's comments and thanked Mr. Jennings for the presentation.

December 16, 1999

Presentation of Certificate to the DBE Team. Chairman Winder thanked the DBE Team for developing the Department's DBE Plan in a timely manner. Idaho was one of seven states that received FHWA approval of its plan within the requested time frame. The Board was especially pleased with the Team's efforts because of the transition period the Bureau of Civil Rights was experiencing during the development of the plan.

Contract Compliance Officer Julie Caldwell thanked the Board for the certificate and emphasized FHWA's and AGC's assistance and input in developing the plan. Acting Chief of Civil Rights Dick Transtrum emphasized that it was truly a team effort to complete the plan.

Public Transportation Advisory Council (PTAC) Annual Report. Division of Public Transportation Administrator Larry Falkner provided a brief overview of issues in the public transportation arena. He reported that the Medicaid issue is being dealt with and is progressing well; work is continuing with the Commission on Aging and Federal Transit Administration on funding issues, particularly soft match; and the Vehicle Investment Program (VIP) appears to be very successful.

PTAC Chairman Jerry Schutz thanked the Board for the VIP. He concurred that it is a successful program. PTAC held meetings throughout the state and the need for additional money was a common theme, but he added that public transportation has made significant progress over the years. The Council would like to hold a workshop with the Board to obtain a better understanding of its role and discuss the direction for public transportation. Chairman Winder concurred and asked that a workshop be scheduled next spring.

Several members of PTAC and RPTACs provided brief remarks, including Ken Korczyk, RPTAC1; Mark Leeper, RPTAC2; General James Brooks, District 3 PTAC; Sue Noel, RPTAC4; Sandi Thomas, RPTAC5; and Denise Myler, RPTAC6. General consensus was the need to address rural needs and the VIP is a success. In closing, Mr. Schutz thanked the Board for its assistance, particularly for the VIP.

Chairman Winder added that although the Board proposed the VIP, it was the Legislature that supported and approved it. He thanked the members for the presentation and their efforts.

Contract Awards. STR-1836(600), key 6309, Reservation Canal Bridge, US-91, Bingham County, District 5. The low bid was more than ten percent over the engineer's estimate, requiring justification. The main difference in the engineer's estimate was the Temporary Shoring at Canal Crossing. The District underestimated the required minimal design. Another item of oversight was Prestressed Slab 1220x660 mm. Staff does not believe re-advertising the project would result in a savings, and recommends awarding the project. Low bidder: Cannon Builders, Inc., Blackfoot, Idaho - \$485,417.80. The Board approved this bid on October 26 via fax and telephone.

Member Miller made a motion, seconded by Member Blick, and passed unanimously, to approve ST-6350(630), key 6970 – Mackay North, US-93, Custer County, District 6. 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 for District 6 projects and past bidding history of projects in District 5. Additional consideration was made for project location, accessibility, quantities, work sequence, and standard and non-standard items or processes. The bids received differed from the Engineer's Estimate in two items, S912-05A and Z629-05A. The District examined the plans and specifications and bid results and believes the overall prices for the items bid are reasonable and recommends awarding the project. Low bidder: H-K Contractors, Inc., Idaho Falls, Idaho - \$292,212.60.

Member McClure made a motion, seconded by Vice Chairman Combo, and passed unopposed, to approve NH-CM-F-1480(101), key 3228 – Portneuf River Bridge and McCammon Railroad Overpass, Bannock County, District 5. The low bid was more than ten percent over the engineer's estimate, requiring justification. Roadway items of base, plantmix, cover coat, metal guardrail and mobilization, and bridge items of structure excavating, compacting, backfill, bridge concrete, bearings, foundation dewatering and temporary shoring account for most of the difference. These items are reasonably attributable to accommodation of public convenience, public safety, and environmental considerations not fully addressed in the engineer's estimate. Because of the urgency to replace the critically deficient bridges on this important truck route, staff recommends awarding the contract. Low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$3,852,948.43.

Member McClure made a motion, seconded by Member Sweeney, and passed unopposed, to approve STM-0001(639), key 7400 – Districtwide Bridge Joint Replacement, Kootenai and Shoshone Counties, District 1. Low

bidder: N.A. Degerstrom, Spokane, Washington - \$91,786. The low bid was more than ten percent over the engineer's estimate, requiring justification. The major differences between the engineer's estimate and the bids were in the SP Bridge Expansion Joint Repair item S501-30A and mobilization. The project consists of ten bridges over a 61-mile stretch of I-90, resulting in higher mobilization costs, which the District believes is justifiable. The difference for the expansion joint repair item is attributed to the numerous bridges involved in the repair and associated production rates. Staff recommends award of this project.

Member Miller made a motion, seconded by Member Blick, and passed unopposed, to approve IM-84-1(037)0 and IM-84-1(035)0, keys 7128 and 6241 – I-84, Oregon State Line to Black Canyon, Westbound and Eastbound, Payette County, District 3. Low bidder: Idaho Sand and Gravel Company, Nampa, Idaho - \$20,238,786.22.

Member McClure made a motion, seconded by Vice Chairman Combo, and passed unanimously, to approve BR-7111(102), key 6506 – Portneuf River Bridge, Pocatello, Bannock County, District 5. Low bidder: Idaho Construction Company, Inc., Kimberly, Idaho - \$1,405,982.14. The low bid was more than ten percent over the engineer's estimate, requiring justification. Examination of the bids suggests the more complex, extended and staged facets of the project were not adequately recognized in the Engineer's Estimate. Bridge items of Bridge Removal, Pre-Stressed Box Beams, Loose Rip-Rap, and Construction Surveying and Mobilization account for the major differences. The bridge item overruns are reasonably attributed to accommodation of public convenience, public safety, environmental considerations, and supply and demand considerations not fully addressed in the Engineer's Estimate. The increased mobilization costs are a result of the staged construction. Staff does not believe there is a potential savings from re-advertising and the delay effects would be counterproductive, therefore recommends awarding the bid.

3E (Education, Enforcement, and Engineering) Project Presentation. Joe Peagler, Highway Safety Grants Contract Officer, summarized the intent of the 3E projects. He reported that a press conference was held earlier this week in District 5 to focus on reducing single vehicle accidents and to enhance seat belt usage. Rumble strips were installed on I-15 to prevent drowsy drivers from leaving the roadway and other unsafe driving incidents. Joe Relk, Public Information Specialist, elaborated on the media campaign and showed the Public Service Announcement prepared for this project.

In response to Member McHugh's question if other 3E projects are planned, Mr. Peagler responded that the Districts are reviewing potential projects and will submit projects for funding. Member Blick asked if rumble strips are considered when designing all interstate improvement projects. CE Ross reported that the Department is starting to consider rumble strips now in its projects. Director Bower reminded the Board that the 3E projects are being funded with incentive funds Idaho receives because it has a blood alcohol content law of .08. He added that currently 17 states have a BAC of .08, but as other states enact .08 legislation, Idaho's share of these incentive funds will decrease. He added that he believes Idaho is the only state utilizing the 3E approach and as the program progresses and its effectiveness is determined, consideration will be given to sharing this program with other states.

Chairman Winder thanked staff for the informative presentation and expressed support for the 3E program.

Old/New Business. As a follow-up to Member Miller's question in September regarding the impact of the proposed open container legislation on non-alcoholic beer, Vice Chairman Combo reported that staff provided additional information to him. A legislative interim committee studied the alcoholic beverage laws in the state recently and determined that major revisions would be needed to Idaho Code to more clearly conform to federal regulations. The interim committee ultimately determined not to recommend substantive changes.

Executive Session on Legal Issues, Section 67-2345(f), Idaho Code. At 11:20 AM, Member McClure made a motion, seconded by Member McHugh, to meet in executive session to discuss legal issues. The motion passed unanimously.

The Board came out of executive session at 12:20 PM. No decisions were made.

WHEREUPON, the regular monthly Board meeting officially adjourned at 12:20 PM.

Read and Approved
December 16, 1999
Boise, Idaho

signed
CHARLES L. WINDER, Chairman
Idaho Transportation Board

REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 16-17, 1999

The Idaho Transportation Board met at 8:50 AM, on Thursday, December 16, in Boise, Idaho at the Transportation Department to review the agenda. The following principals were present:

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

Chairman Winder officially called the meeting to order at 9 AM.

November 18-19, 1999 Board Minutes. Member Blick made a motion, seconded by Member Sweeney, to approve the minutes of the Board meeting held on November 18-19, 1999 as corrected. The motion passed unanimously.

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

January 20-21, 2000 – Boise
February 17-18, 2000 – Boise
March 16-17, 2000 – Boise

Chairman Winder clarified that regular business will be conducted on February 17 and a planning workshop will be held on February 18.

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
TB99-83 the appointment to the Region 4 Regional Public Transportation Advisory Committee and
 revisions to Board Policies B-06-34, Employee Overtime and Other Time Considerations; and has
 received and reviewed the contract award information, the new and supplemental professional
 agreements report, the speed minute entry changes, the annual outdoor advertising sign status
 report, the annual Administrative License Suspension Program report, the quarterly report on legal
 actions, and the financial statement.

December 16, 1999

1) Appointment to the Region 4 Regional Public Transportation Advisory Committee (RPTAC). The Region 4 RPTAC recommended the appointment of Michael Bevan to the RPTAC, with his term to expire June 2001.

2) Revisions to Board Policy B-06-34, Employee Overtime and Other Work Time Considerations. This policy and related administrative policies were revised to clarify the Department's definitions, usage, and responsibilities for various work time issues.

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

ST-3330(604), key 7050 – SH-16, Junction SH-52, Emmett, Gem County, District 3. Low bidder: Romar Electric, Company, Inc., Boise, Idaho - \$89,613.04.

IM-84-3(056)136, key 7131 – West Bliss Interchange to East Bliss Interchange, I-84, Gooding County, District 4. Low bidder: Snake River Construction, Inc., Twin Falls, Idaho - \$255,492.52.

IM-84-3(060)216, key 7137 – Snake River Bridge to Salt Lake Interchange, I-84, Cassia County, District 4. Low bidder: Intermountain Slurry Seal, Inc., Watsonville, California - \$440,440.

IM-15-3(098)112 and IM-15-3(099)112, keys 7142 and 7143 – Bingham County Line to Johns Hole Interchange, Southbound and Bingham County Line North, I-15, Bonneville County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$2,565,695.96.

IM-15-3(059)128, key 1987 – Osgood Interchange to Roberts Interchange, Northbound, I-15, Jefferson County, District 6. Low bidder: HK Contractors, Inc., Idaho Falls, Idaho - \$1,941,002.75.

ER-4771(102), key 7278 – Cavendish Grade, Clearwater County, District 2. Low bidder: M. A. DeAtley Construction, Inc., Clarkston, Washington - \$445,752.45.

STPG-0900(109), key 5976 – Algoma Road, Sagle, Bonner County, District 1. The low bid was more than ten percent over the engineer's estimate, requiring justification. Due to the major difference between the lone bid and the engineer's estimate, the District requests rejecting the bid. Staff will re-examine the project and make appropriate changes for readvertisement.

4) New and Supplemental Professional Agreements Report. The Consultant Administration Unit processed \$2,896,304 in new and supplemental agreements between November 2 and December 1.

5) Speed Minute Entry Changes. The 35 miles per hour (mph) speed limit within the City of Nampa on SH-45, District 3, was extended to milepost (MP) 24.62 from 24.8 based on a motion passed by the City. The 45-mph speed limit was also extended to MP 24.21 from 24.45.

The 35-mph speed limit within the City of Caldwell on US-20, District 3, was extended from MP 25.04 to MP 25.221 based on a resolution passed by the City. A 45-mph zone was added between MP 25.221 and MP 25.5 to transition between the 35-mph and 55-mph zones.

6) Outdoor Advertising Sign Status Report. As of September 1999, 58 illegal signs and 98 non-conforming signs remain throughout the state.

7) Administrative License Suspension (ALS) Program Annual Report. ITD received 18,386 alcohol-related suspensions in FY99 and reinstated 10,267 licenses, generating \$1,180,705. The projected cost of the ALS program in FY00 is \$985,522. The current cost of administering an ALS hearing, suspending a driver license, and reinstating a driver license is approximately \$96. The current fee for an alcohol-related driver license reinstatement is \$115.

8) Quarterly report on legal cases.

9) Financial Statement. Federal aid revenues in the state highway fund were below the year-to-date forecast, while collections of unrestricted state highway revenues were above the year-to-date forecasts from the Highway Distribution Account. Department expenditures are running at or below budgeted levels for the fiscal year through October.

Revisions to Board Policies B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies, and B-11-06, Surface Transportation Program Rural (STPR) Exchange Program. Based on the Board's discussion on these policies at last month's meeting, staff added language clarifying that these programs are subject to review based on the availability of federal funding and changes in state or federal funding or related requirements. Vice Chairman Combo stated that some local jurisdictions have concerns with the Exchange Program. The amount of money available in the Exchange Program is less than the funds available in the Incentive Program; however, the entities in the Exchange Program are responsible for a larger portion of local miles. He also believes there is a misunderstanding amongst local officials on the source of money for the Exchange Program. He suggested that Joe Haynes, Administrator for the Local Highway Technical Assistance Council (LHTAC), could provide information to the local entities on this issue.

Mr. Haynes said meetings with local entities and ITD staff have recently been conducted in all six districts. The focus of these meetings was not the Incentive and Exchange Programs, but this subject did arise at one of the meetings. The rural system is comprised of approximately 25,000 miles. The entities participating in the Exchange Program, where \$2.8 million is available, are responsible for 15,000 miles. The Incentive Program funds can only be spent on the federal aid system, or between 2,000 and 3,000 miles of remaining local roads, although he emphasized that the factors are different, so it is difficult to compare the two Programs.

In response to a question by Chairman Winder if the local entities would like to phase out the Exchange Program, Mr. Haynes said yes. He added that cities with populations under 5,000 can now apply for projects in the federal aid Incentive Program. He said local entities are pleased with this change and several have already applied for projects.

Vice Chairman Combo made a motion, seconded by Member McClure, to approve the revisions to Board Policies B-11-04, Allocation of Surface Transportation Program Apportionments to Local Public Agencies, and B-11-06, Surface Transportation Program Rural (STPR) Exchange Program. The motion passed 5-1 with Member Miller dissenting.

Board Items. In response to a question from Vice Chairman Combo on the status of the Stanley Airport, Chairman Winder reported that there were no new developments, but added the appraisal is underway.

The Board recently received a letter from an employee objecting to the term "sexual orientation" in the recently approved Harassment in the Workplace policy. Director Bower reported that a team consisting of ITD employees, FHWA staff, and an outside consultant drafted the revised policy.

Member Blick made a motion instructing Director Bower and the legal staff to review the sexual orientation language in the Harassment in the Workplace policy and to prepare a report and recommendation for the Board. Member Miller seconded the motion and it passed unopposed.

Director's Items. Director Bower and Chairman Winder met with Representative Mike Simpson and his staff recently. A number of subjects were discussed, including the aviation reauthorization bill, Emergency Relief (ER) funding, and streamlining the environmental process.

Director Bower met with the new Division of Human Resources Administrator, Ann Heilman. Ms. Heilman outlined the Division's goals and shared her philosophy of providing more flexibility.

Governor Kempthorne asked Director Bower to participate on an interagency group to look at substance abuse and the coordination of efforts amongst the various agencies involved with this issue. Director Bower concurred to serve on this team.

Director Bower reported that Senator Hal Bunderson has requested an update on federal and state revenue from ITD at an Economic Outlook and Assessment Committee meeting in early January.

The Department has not received word on its Public Lands Discretionary funding request. Director Bower was informed yesterday that ITD will receive \$5.7 million in ER funds for the current year. Idaho has approximately \$31 million of ER projects, both obligated and unobligated, with a number of projects on the local system. ITD has used formula funds for ER projects, so Director Bower expressed a desire to obligate the \$5.7 million ER funds for the formula programs. This \$5.7 million will not fund the ER balance of approximately \$26 million, and we will encourage our Congressional Delegation to include this shortfall in any future emergency funding legislation.

Chairman Winder welcomed Senator Cecil Ingram to the meeting.

Legislative Presentations during the 2000 Session. Budget, Policy, and Intergovernmental Relations Manager Mary Detmar reviewed the meeting dates and summarized the contents for the Department's upcoming legislative presentations. In addition to the regular budget request before the Joint Finance and Appropriations Committee (JFAC) and the annual report to the Joint Germane Committee, staff is also working on special reports to JFAC, revenue information for the Economic Outlook and Assessment Committee, and ITD's accomplishments for the Governor's state of the state message.

Senator Ingram thanked the Board members for their dedication and commitment to serving on the Transportation Board. He appreciates their efforts and believes the Board and Department are doing a commendable job. He encouraged the Board to continue monitoring the 129,000-pound pilot project and emphasized the need to move Idaho's products. He thanked the Board for the improvements to US-95 and encouraged funding projects on US-12 because of its importance to commerce, and particularly its connection to the Port of Lewiston. He also expressed concern with the differential speed limits on the interstates, but added that it appears to be an enforcement problem. In conclusion, Senator Ingram stated that these are concerns that have been brought to his attention and are not necessarily his personal issues. Chairman Winder thanked Senator Ingram for his remarks and continued support of the Transportation Department.

Chief Engineer's Items. CE Ross said a second, smaller, slide has occurred on Snake River Avenue, adjacent to the first one. The local public agency decided to have the cleanup for this second slide included with the contract on the major project. At this time, it has not been determined if the two slides are related or if the second one will be eligible for ER funding.

CE Ross was pleased to announce that the National Asphalt Pavement Association has selected ITD's I-15, Chubbuck Road and 9th Street Underpass projects as winners of its 1999 Quality in Construction Awards.

The US-95, Hazard Creek to Pinehurst, project is almost ready to go to contract. CE Ross expressed frustration with the time-consuming environmental process, which caused delays on this project. Director Bower added that a regional conference on streamlining is scheduled with area departments of transportation. This project will be used as an example to encourage improving the process.

Gold Rush Historic Byway Designation for SH-11, Greer to Headquarters, District 2. Garry Young, Senior Transportation Planner, reported that the Scenic Byway Advisory Committee reviewed the request to designate SH-11, Greer to Headquarters, the Gold Rush Historic Byway and determined that the application meets the guidelines for designation. Clearwater County and various local entities and committees support this request. He added that District 2 is also in support of the designation. Member Sweeney added that he is not aware of any opposition to this request.

Member McClure 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 Byways
TB99-84 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 Pierce Chamber of Commerce with full support of the communities along the route and the Clearwater County Commissioners, has submitted a proposal to designate State Highway 11 from Greer to Headquarters as the "Gold Rush Historic Byway"; and

WHEREAS, District 2 supports the proposal; 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 State Highway 11 from Greer to Headquarters as the "Gold Rush Historic Byway"; and

BE IT FURTHER RESOLVED, that the "Gold Rush Historic Byway" shall be so signed and designated on the Idaho Official State Highway Map.

Access Management: Standards and Procedures for Right-of-Way Use. Transportation Staff Engineering Assistant (TSEA) Tricia McKinney stated that staff has been working on revising the existing Right-of-Way Use Policy for several years, including a more recent focused effort with FHWA and LHTAC. The document, which was mailed to the Board earlier, addresses all types of encroachments within the right-of-way. Upon review and input from the Board, staff will solicit final comments from ITD, FHWA, local jurisdictions, and utilities. Plans are to have the final document ready in late spring, followed by revisions to ITD rules and policies.

Member McHugh noted that the flow chart outlining the permit process does not include timelines. He suggested establishing timeframes for the process. TSEA Steve Holland responded that there are a number of variables to the process and the application can involve more than one party, making it difficult to establish a set time schedule. He added that staff will consider the suggestion to include timeframes.

Vice Chairman Combo expressed the need for uniformity throughout the state on signs requested by locals, and also for a better understanding of the appeal process. Ms. McKinney responded that signing is covered in the Traffic Manual, but that the appeal process could be referenced in the Access Management document.

The Board thanked staff for the presentation and for its efforts in developing the Access Management document.

Rest Area "Oasis Program" Private Business/Government Partnership. A recent newsletter article referenced a new concept in utilizing truck stops as a way to replace or supplement rest areas. This new concept, referred to as the "Oasis Program" is an attempt to provide rest stops for the traveling public without having to replace old rest areas with new, expensive ones. Roadside Manager Gene Ross elaborated on programs other states are implementing, and reported on national legislation proposed to establish an "Interstate Oasis Program". The legislation would develop standards, eligibility, signage, and a logo associated with this program to assure uniformity and widespread acceptance. The need for the Oasis Program is based on states' deteriorating rest areas and the high costs of refurbishing or replacing the facilities. This is not the case in Idaho, where ITD has properly maintained, upgraded, and even closed rest areas in a timely manner.

Mr. Ross believes the Oasis Program may have merit in Idaho, however, at this time it would be to supplement or complement the existing rest areas. He added that the Oasis Program is new and should be monitored before Idaho proceeds with it. Additionally, the outcome of the proposed legislation needs to be taken into consideration.

The Board thanked Mr. Ross for the informative report.

Mountain Home Railroad Underpass Value Engineering Report, I-84B, Project F-3341(010), Key 3550, District 3. A value engineering team reviewed the options and costs for the Mountain Home Railroad Separation

Project due to concerns over constructability and increased costs of the underpass option. Gordon Smith, W&H Pacific, elaborated on the options. In conclusion, he stated that the value engineering determined the current underpass project is the most cost effective and the team recommends proceeding with this project.

The Board takes notice that the exhibits provided by the value engineering team were generated to show the construction alternatives to the underpass. They do not purport to depict accurately all the private properties in the construction area.

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

RES. NO. WHEREAS, the I-84B, Mountain Home Railroad Underpass Project is of regional
TB99-85 and statewide importance; and

WHEREAS, the Transportation Department has held numerous public information meetings and hearings concerning the design of the Mountain Home Railroad Underpass; and

WHEREAS, the results of the public input indicates a strong support for the underpass; and

WHEREAS, the City of Mountain Home is on record as preferring an underpass; and

WHEREAS, the Transportation Department and the project design consultant have performed a value engineering analysis of the alternatives proposed for this project; and

WHEREAS, the results of the value engineering analysis shows that the underpass is the most cost effective alternative.

NOW THEREFORE BE IT RESOLVED, that the Idaho Transportation Board approves the underpass alternative for the Mountain Home project.

Revisions to B-14-02, Roadway Widths and the Roadway Widths Map. The roadway width map shows recommended minimum roadway widths for rural portions of the state and is used as a guide for future planning. Project design standards may require widths different than those recommended on the map, requiring variances. Because the Department is undertaking corridor studies of several key routes, the recommendations from these studies should be used to establish widths on those routes, according to CE Ross. Board Policy B-14-02, Roadway Widths, and the accompanying administrative policy, have been revised to address the discrepancies between the various width standards and eliminate the roadway width map. The current practice will rely on policies and corridor studies to establish the widths for state highway system projects.

Member McHugh made a motion, seconded by Member Miller, to approve the revisions to Board Policy B-14-02, Roadway Widths. The motion passed unanimously.

Contract Awards. Member McClure made a motion, seconded by Member Miller, and passed unopposed, to approve the contract award for NH-IR-3112(060), key 3505 – US-95, Cambridge South, Washington County, District 3. Low bidder: Scarsella Brothers, Inc., Seattle, Washington - \$3,937,432.31.

Y2K Report. Deputy Director (DDIR) Keith Bumsted summarized the extensive preparations the Department has undertaken to ensure readiness for the year 2000 in its mainframe, distributed, and embedded systems. He believes ITD is ready for the new century, but added that several employees will be at the Department on New Year's day to address any problems that may arise and there are contingency plans in place. He also reported that three staff members will assist the Bureau of Disaster Services that weekend. This is a routine procedure to work with the Bureau when necessary.

In response to the cost to prepare for 2000, DDIR Bumsted said the out-of-pocket costs were approximately \$3 million. The staff time has not been determined, partly because some of this work was part of staff's regular duties. He added that if the new Integrated Financial Management System had not been installed recently, there

would have been additional costs to upgrade the old financial system. Director Bower reported that there were numerous employees involved in this project throughout the Department. He believes they did a commendable job. He also expressed appreciation to FHWA for allowing utilization of federal funds for this endeavor.

WHEREUPON the meeting recessed at 3 PM.

December 17, 1999

The Transportation Board meeting reconvened at 8:15 AM on Friday, December 17, at the Transportation Department in Boise. All members were present.

Tour of Right-of-Way and Bridge Sections. The Board members toured the State Street Center where the Right-of-Way and Bridge Sections are housed. The Board heard presentations on the various activities the Sections are responsible for, toured the offices, and visited with employees.

Executive Session on Legal Issues, Section 67-2345(f), Idaho Code. At 10:30 AM, Member Sweeney made a motion, seconded by Member Miller, to meet in executive session to discuss legal issues. The motion passed unanimously.

The Board came out of executive session at 10:55 AM. No decisions were made.

Old/New Business. Chairman Winder reported that Member McClure, staff, and he met with Senator Judi Danielson and local officials from Gem, Adams, and Valley Counties recently. The local officials requested support for funding a forest service road, the Middle Fork Road. Staff is providing assistance to the entities for this 20-mile project, estimated at \$20 million. Other topics included support for the Indian Valley route and encouragement to improve US-95 between Council and New Meadows. Chairman Winder relayed the locals' appreciation for the improved relationship, particularly enhanced communication, with the Department.

Director Bower said he will be attending a meeting in Hailey next month at the request of area legislators to discuss improvements to SH-75. There are a number of projects planned in the area and there are some concerns from residents and officials about the environmental studies and the proposed projects.

Meeting with the Motor Carrier Advisory Committee (MCAC). MCAC Chairman Clay Handy thanked the Transportation Board for meeting with the MCAC. Chairman Winder thanked the members for their service and commitment to the MCAC. He believes they provide a valuable service to Idaho, and the Board appreciates the communication with the MCAC and hearing of the industry's concerns.

Reymundo Rodriguez, Port of Entry Operations Officer, provided an update on the weigh-in-motion project at the Lewiston Port. The project is approximately one month behind schedule and is expected to be completed by the end of February.

When the national speed limit was repealed in 1995, the Board gave considerable deliberation to the issue of differential speed limits, according to Vice Chairman Combo. Although the Board made a conscious decision not to establish differential speed limits, the legislature has since enacted differential speed limits for cars and trucks on the interstates. Occasionally the Board is asked about this issue and Vice Chairman Combo asked for the industry's comments. Overall, the MCAC believes the differential speed limits are working well, although there are some truckers who do not comply with the maximum speed limit.

Randy Allemeier, consultant with Meyer, Mohaddes Associates, provided an overview on the Commercial Vehicle Information Systems Networks. This activity is a small component of Intelligent Transportation Systems involving information systems.

MCAC Chairman Handy stated that the MCAC will be more proactive, particularly in the legislative arena. The Committee is considering proposing legislation in the 2001 session. He emphasized that the Transportation Board and Department staff will have an opportunity to review and provide input on legislative proposals before they are submitted.

January 22, 1999

Director Bower reported that the American Trucking Association trial is over. Although a decision is expected in several months, he believes there will be an appeal, so the issue may not be resolved for several years. Chairman Handy added that the Idaho Motor Transport Association is awaiting the outcome of the trial before it proceeds with weight-distance tax legislation.

MCAC Member Jim Pingree thanked the Board for its support of US-95 and the improvements that have been made, or are planned, on that major north-south highway.

WHEREUPON, the regular monthly Board meeting officially adjourned at 1:10 PM.

Read and Approved
January 20, 2000
Boise, Idaho

signed

CHARLES L. WINDER, Chairman
Idaho Transportation Board

January 22, 1999