

## SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

January 6, 2010

Idaho Transportation Board Chairman Darrell V Manning called a special meeting of the Idaho Transportation Board at 11:30 AM on Wednesday, January 6, 2010. The following were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman  
Jerry Whitehead, Member – District 3  
Scott Stokes, Acting Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Board Secretary

The following participated via teleconference:

Jim Coleman, Member – District 1  
Jan Vassar, Member – District 2  
Gary Blick, Member – District 4  
Neil Miller, Vice Chairman – District 5  
Lee Gagner, Member – District 6

Proposed Economic Stimulus 2010. Acting Director (ADIR) Stokes summarized the U.S. House of Representatives' version of the second stimulus legislation, which passed last month. The Senate is expected to address the proposal later this month or early next month. The bill is similar to the 2009 American Recovery and Reinvestment Act (ARRA). The bill provides \$27.5 billion nationwide for highways, or approximately \$180 million for Idaho. An additional \$8.4 billion would be available for transit. No match would be required. Three percent of the funds will be dedicated to Enhancement projects.

ADIR Stokes noted that the timelines are more stringent than the 2009 Act. Half of the funds will have to be obligated within 90 days instead of the 120 days required under ARRA. At the January 21 meeting, staff will propose a list of projects to fund with this federal stimulus money. Although consideration was given to advancing GARVEE projects, staff does not recommend that.

Member Blick asked if the Department has enough projects ready to meet the time requirements. He also cautioned that there may be criticism if GARVEE projects are not funded with stimulus money. ADIR Stokes acknowledged that there may be some concern that GARVEE projects are not recommended for funding. Part of that consideration was the schedule and whether the GARVEE projects would be ready to meet the stringent deadlines. He said that staff has identified approximately \$110 million in projects that are ready to go: that would meet the 90-day obligation schedule. Although it may be difficult, he believes staff will be able to meet all of the requirements. ADIR Stokes added that some discussions have been held with local entities, too, as consideration will be given to providing some funding to the locals.

Vice Chairman Miller noted that environmental clearances and right-of-way acquisition can be time-consuming steps. The stimulus act will provide more money, but with strict timeframes. He asked if the stimulus money could be used to purchase right-of-way. ADIR Stokes did not know, but said he will be prepared to discuss that option at the regular Board meeting in January.

Reallocation of GARVEE Program Savings. GARVEE Program Manager (GPM) Jason Brinkman referenced last month's discussion on the I-84, Franklin to Garrity project in Nampa. The construction estimate has been reduced from \$48 million to \$32 million. In October, the Board allocated \$30 million for the project. He requested Board approval to reallocate savings realized from other GARVEE projects to fund the additional amount needed for the I-84, Franklin to Garrity project, as it would be ready to advertise in one or two months.

Member Blick asked for clarification on the procedures if the bid is more than \$32 million. GPM Brinkman believes

there is enough flexibility in the program and sufficient savings that funding is available if the low bid exceeds \$32 million.

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

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the timeframe and  
ITB10-01 scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code 40-315 authorizes federal-aid debt financing through the issuance of Grant Anticipation Revenue Vehicle (GARVEE) bonds by the Idaho Housing and Finance Association for highway transportation projects; and

WHEREAS, legislative appropriations enacted in 2006, 2007, 2008, and 2009 authorized the issuance of GARVEE bonds to finance a total of \$681 million in projects; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including the following:

- US-95, Garwood to Sagle
- US-95, Worley to Setters
- SH-16 Extension, I-84 to South Emmett
- I-84, Caldwell to Meridian
- I-84, Orchard to Isaacs Canyon
- US-30, McCammon to Soda Springs; and

WHEREAS, the Legislature has expressed intent that any savings realized from lower than expected cost estimates or other efficiencies shall be applied to existing projects as soon as is practicable per 2009 Session Law Chapter 203, Section 6 (Senate Bill #1186); and

WHEREAS, a revised engineer's estimate and savings from low construction bids on prior authorization projects are available for the I-84, Franklin to Garrity project.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the reallocation of savings from Fiscal Year 2010 legislative appropriations to fund the I-84, Franklin to Garrity project, key #10916, within the Karcher to Five Mile corridor.

Revised FY11 Funding Authorization Request. GPM Brinkman summarized the Board's action in October when it approved the FY11 GARVEE working plan and funding request of \$45 million. That request was for partial funding for the I-84, Franklin to Garrity project in the amount of \$18 million, \$11 million for SH-16 right-of-way, \$14 million for the US-95, Chilco area project, and \$2 million for program management. Because the I-84, Franklin to Garrity project has been completely funded now, GPM Brinkman recommended revising the FY11 request to \$26 million. The request would provide \$11 million for SH-16 right-of-way; \$14 million for the US-95, Chilco Area project; and \$1 million for program management. This request would maximize flexibility in delivering the remainder of the program in a timely and efficient manner. The schedule indicates the remaining funds for SH-16 right-of-way will be needed this summer. The US-95, Chilco Area project is expected to be bid by this time next year. If the additional bonding authority is not approved, both projects would undoubtedly be delayed.

Member Gagner commented that the market is favorable at this time. Prices are good. Chairman Manning concurred that the timing is right.

Member Blick cautioned that the Legislature needs to support this. He questioned that support due to the current economic conditions.

Member Coleman expressed support for the \$26 million request. He also believes that the timing is right to proceed, particularly due to the lower construction costs.

Vice Chairman Miller suggested purchasing the SH-16 right-of-way with stimulus funds, if that is allowed. He indicated support to not request additional bonding authority for FY11.

Administrator, Division of Administration (ADA) Dave Tolman cautioned that funding GARVEE projects with the federal stimulus money does not appear to be the best use of resources. He is not sure that the stimulus funds could be obligated in 90 days for GARVEE projects, as it is doubtful that those projects would be ready within the specified time frame.

Member Vassar asked if ITD has the capacity to handle the work load of the GARVEE Program and additional stimulus funding. ADIR Stokes acknowledged that it may be a strain, as there have been reductions in personnel, but he is confident that staff is capable of responding to the work load. Additionally, ITD has excellent partners in the private sector that can provide assistance.

Member Gagner asked about the schedule of the SH-16 and US-95 projects and if the \$26 million would be expended during 2010. ADIR Stokes responded that there are risks of delays, particularly due to environmental issues, but he is confident that staff is in a good position to proceed with the projects and will be able to obligate the funds within the year.

Member Whitehead has been impressed with the savings that have been realized in both the GARVEE Program and the ARRA projects. He believes the Department can continue to see savings.

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

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the timeframe and  
ITB10-02 scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code 40-315 authorizes federal-aid debt financing through the issuance of Grant Anticipation Revenue Vehicle (GARVEE) bonds by the Idaho Housing and Finance Association for highway transportation projects; and

WHEREAS, legislative appropriations enacted in 2006, 2007, 2008, and 2009 authorized the issuance of GARVEE bonds to finance a total of \$681 million in projects; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including the following:

- US-95, Garwood to Sagle
- US-95, Worley to Setters
- SH-16 Extension, I-84 to South Emmett
- I-84, Caldwell to Meridian
- I-84, Orchard to Isaacs Canyon
- US-30, McCammon to Soda Springs; and

WHEREAS, the Board passed Resolution Number ITB09-48 on October 15, 2009, resolving in part to request legislative bonding authority for Fiscal Year 2011 in the principle amount of \$45 million.

*NOW THEREFORE BE IT RESOLVED*, that the Board requests legislative bonding authority for FY11 in the revised principle amount of \$26 million; and

*BE IT FURTHER RESOLVED*, that the Board approves the GARVEE FY11 Revised Working Plan, which is on file in the GARVEE Program Office, a summary of which has been provided to the Board; and

*BE IT FURTHER RESOLVED*, that the Board directs staff to work with the Legislative Services Office

and the Division of Financial Management to revise the previous \$45 million request with a \$26 million request as a separate item in the Idaho Transportation Department's annual budget request for consideration during the 2010 Legislative Session.

New Business. ADA Tolman reported on the \$84 million GARVEE bond sales. The series has been split, with one in the seven to eight-year time frame with a tax exemption and the second series in the eight to eighteen-year time frame that will be taxable. The bonds will be marketed today and are expected to be sold by the close of business. ADA Tolman said the interest rate is expected to be under 4.1%. This compares to previous interest rates of between 4.53% and 4.73%. He noted that the timing is favorable to sell bonds.

Vice Chairman Miller acknowledged ADA Tolman's expertise and thanked him for his efforts. The Board concurred and commended ADA Tolman for his oversight of the bonds and for his service.

WHEREUPON the special session of the Transportation Board adjourned at 12:15 PM.

signed

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DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
January 21, 2010  
Boise, Idaho

WORK SESSION AND REGULAR MEETING  
OF THE IDAHO TRANSPORTATION BOARD

January 20-21, 2010

The Idaho Transportation Board met at 9:30 AM, on Wednesday, January 20, 2010, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Neil Miller, Vice Chairman – District 5  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Speed Limits. Highway Operations and Safety Engineer (HOSE) Brent Jennings explained how speed limits are established, including the requirements of Idaho Code. He focused on the process for municipalities to establish speed limits on state highways within city limits, with the exception of interstates and controlled access highways. The policy instructs staff to perform annual follow-up engineering and traffic investigations to monitor the effects of the change in speed limit in areas where the speed limit was established by city action and varied from the Department's recommendation. A report is submitted to the Board annually and then provided to the respective jurisdictions and the legislature.

HOSE Jennings noted that, as a rule, the results from studies done on city-imposed speed limits suggest drivers are more inclined to disobey city-imposed speed reductions. Because the annual reports have not generated any responses or changes to the city-imposed speed limits and take valuable resources to complete, staff is recommending discontinuing the annual reports. The consensus of the Board was to revise the policy to eliminate this reporting requirement.

Access Management. Assistant Chief Engineer – Operations (ACE-O) Greg Laragan provided an overview on access management and the benefits of good access management policies. HOSE Jennings summarized ten principles of access management, and Deputy Attorney General Steve Parry reviewed Idaho Code references and the permit process related to access issues. Currently, if staff denies a permit, a hearing officer may review the case and the director has final authority. Appeals are not elevated to the Board.

ACE-O Laragan reported on efforts to establish Transportation Access Plan (TAP) legislation. The legislation would provide ITD with more flexibility, particularly with coordinating access issues with local entities. Vice Chairman Miller recommended working closely with legislators on this issue. Examples of access concerns should be provided, particularly issues that are related to the growth that has been occurring throughout the state.

District 3 Access Management Engineer Pam Golden reported on activities in District 3, including outreach and educational efforts on the importance of good access management. HOSE Jennings added that efforts are also being made to streamline the permit process and make it more efficient, revise policies, and provide training.

Member Gagner asked about support for the TAP legislation and if the developers have been involved in the legislative proposal. ACE-O Laragan responded that local entities, including the Associations of Cities and Counties, support the TAP proposal. The developers have not been involved in the discussions, but plans are to include them before the legislation is proposed, hopefully during the 2011 session.

1290,000 Pound Pilot Project. ACE-O Laragan reviewed the legislation authorizing a pilot project to allow 129,000

pound vehicles on select highways in Idaho. ITD is to submit reports in 2007, 2010, and 2013 indicating what impact the higher weights are having on pavements, bridges, and safety. The 2007 report indicated that no trends had been established during the first three-year period. This was partly due to the addition of routes after the initial pilot project was established, the overall number of trucks operating at 129,000 pounds is small compared to all of the trucks on the roads, and permitted trucks are not identified and separated out from the commercial vehicles in the pilot project.

Although the 2010 report has not been finalized, ACE-O Laragan said preliminary information indicates there are no negative trends. He noted that the industry has reported benefits, as the higher weight limits result in increased efficiency and reduced costs.

Member Whitehead asked if the interstate bridges have been studied to determine if they are capable of handling 129,000 pound weight limits. Bridge Engineer Matt Farrar reported that all interstate bridges have been analyzed and that all of these bridges are able to handle the pilot project vehicles.

GARVEE Innovations. GARVEE Program Engineer (GPE) Amy Schroeder summarized innovative measures utilized in the GARVEE Program that may be applicable for the Division of Highways to implement. Both the federal and state processes were reviewed to determine if they could be streamlined and expedited. She emphasized the need for early coordination with all involved parties. Some scheduling and budgeting features were successful. Innovative contracting methods were used, such as phased construction and discipline-specific contracts to promote competition; utilizing precast and pre-fabricated components; and pre-purchasing materials like piles and girders, which eliminated some common delays by expediting delivery to the project. Some of the federal Special Experimental Projects allowed early acquisition of right-of-way in some cases and alternate pavement type bidding.

The GARVEE Office is working with the Division of Highways to incorporate some of these innovations, according to GPE Schroeder. She added that some internal manuals may need to be revised and that there will be a learning curve as some of these methods are implemented.

Performance Measures. Deputy Director (DDIR) Scott Stokes said the second performance measures reporting period ended December 31. Adjustments are still being made to

the process, including the list of performance measures. Staff reported on the measures: five-year fatality rate for the state highway system; project construction award amount versus the actual construction cost; the project program amount versus the awarded amount; the planned construction award date versus the actual award date; the percent of pavement in good or fair condition; the percent of vehicle miles traveled on major highways in good condition; the percent of bridges in good structural condition; the transportation system is well maintained; the number of public transit riders; the cost per passenger trip for public transit; the average completion time on title requests from consumers; the timeliness of issuing findings on administrative licensing suspension hearings; and the number of internet transactions processed.

WHEREUPON the work session recessed at 5:00 PM.

January 21, 2010

The Board reconvened at 8:30 AM on Thursday, January 21, 2010 at the Idaho Transportation Department in Boise. All members were present, including Gary Blick, District 4.

Board Minutes. Vice Chairman Miller made a motion to approve the minutes of the regular Board meeting held on December 17, 2009 as submitted and the minutes from the special Board meeting held on January 6, 2010, as submitted. Member Coleman seconded the motion and it passed unopposed.

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

February 17-18, 2010 – Boise

March 17-18, 2010 – Boise

April 21-22, 2010 – District 2 (tentative location)

Consent Calendar. Member Coleman questioned the supplemental agreement with J-U-B Engineers, Inc. for work on the I-84, Franklin Interchange to 11<sup>th</sup> Avenue, Nampa project. DDIR Stokes said it is common practice to negotiate for services, such as design work, and then negotiate a supplemental agreement for additional work. Member Coleman requested pulling the Professional Services Agreements Report from the consent calendar and asked for additional information on the J-U-B supplemental agreement. There was no objection. (See later minute entry.)

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board  
ITB10-03 approves the amendments to the Public Transportation and Highway portions of the FY10 Statewide Transportation Improvement Program, and has received and reviewed the annual report on the status of state-owned dwellings, contract award information, and administrative and legal settlements of right-of-way acquisitions report.

1) Amendments to the Public Transportation and Highway Portions of the FY10 Statewide Transportation Improvement Program (STIP). Staff requested approval to amend the STIP as follows: add US-20, Saint Anthony to Twin Groves, Northbound and Southbound, to FY10, \$5 million; remove Fifth Street, Bellevue Safe Routes to School, key #11890, due to the City of Bellevue's inability to fund the final design of the project; delay the American Recovery and Reinvestment Act project Kootenai County Transit, key #11910, to FY10 and change the scope of work to vehicles; delay Coeur d'Alene Tribe Facility, key #11308, to FY10; increase the Lewiston Operations project, key #11335, by \$32,000; delay key #11349 from FY08 to FY10; advance key #11368 from FY11 to FY10; add a capital facility site location project to FY10 for Valley Regional Transit in the amount of \$475,000; advance key #10807 from FY10 to FY09; and advance key #10808 from FY10 to FY09.

2) Annual Report on Status of State-owned Dwellings. The status of ITD-owned dwellings was presented, including information on the monthly rental fee, the fair rental amount, and rental status. The Department owns 5 houses, 3 bunkhouses, and apartments at Johnson Creek Air Strip and Cavanaugh Bay Air Strip. There are also 30 trailer pads, ten with manufactured housing, that are available to employees. ITD also owns 9 trailer pads and 3 houses at rest area locations around the state.

3) Contract Awards. Key #11086 – FY10 District 4 Sign Upgrades. Low bidder: Pavements Markings Northwest, Inc. - \$33,262.

Key #9966 – US-95, Interchange Bridge Overpass, Weiser, District 3. Low bidder: RSCI - \$241,133.

Key #11918 – Gould Street Bridge, Pocatello, District 5. Low bidder: Cannon Builders, Inc. - \$283,624.

Key #10567 – I-15, Burns Road Overpass to Sand Road Underpass, District 5. Low bidder: Staker and Parson Companies dba JBP - \$1,926,189.

Key #8999 – Snake River Bridge, West Bridge Street, Blackfoot, District 5. Low bidder: Cannon Builders, Inc. - \$393,221.

Key #8065 – US-95, Wyoming Avenue to SH-53, Hayden, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$5,989,017.

Key #11558 – SH-9, South of Flat Creek to Junction SH-9, Latah County, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$1,275,941.

Keys #7840 and #7806 – I-15, Browings Corner to Downey Interchange Northbound Phase 2 and Browings Corner to Downey Interchange Northbound Phase 1, District 5. Low bidder: LeGrand Johnson Construction Company -

\$5,449,617.

Keys #8671 and #9887 – I-86, East American Falls Interchange Overpass and East American Falls Interchange Bridge, District 5. Low bidder: Western Construction, Inc. - \$6,803,512.

Keys #11673 and #11674 – I-15, Idaho Falls to Osgood Northbound Lane and Idaho Falls to Osgood Southbound Lane, District 6. Low bidder: H-K Contractors, Inc. – \$2,529,769.

Key #10486 – US-12, West Lewiston Entrance Enhancement, District 2. Low bidder: M L Albright & Sons. Inc. - \$126,771.

Key #9546 – I-15, FY09 District 5 Interstate Fence Repair. Low bidder: Washburn Fencing, Inc. - \$349,087.

Key #7799 – SH-75, Slate Creek Bridge, Custer County, District 6. Low bidder: Wadsworth Brothers Construction Company, Inc. - \$5,128,037.

The low bid on keys #11863 and #9570 – FY09 District 6 Bridge Deck Repair and Butte Market Lake Canal Bridge, Roberts, was more than ten percent over the engineer's estimate, requiring justification. The difference in the engineer's estimate and low bid is primarily in the concrete overlay item. In an attempt to minimize the impact to the travelling public, the project was designed to reduce contract time by reducing mobilization from 6 to 3, thus forcing the contractor to simultaneously construct more than one bridge deck. Staff believes this resulted in the higher bid. It does not believe any savings would be realized if the project was re-advertised and recommends awarding the project. Low bidder: Conway Construction Company, Inc. - \$1,094,014.

Key #3787 – 8<sup>th</sup> Avenue and Lincoln to Date Street and Main, Jerome, District 4. Low bidder: Gordon Paving Company, Inc. - \$795,546.

4) Administrative and Legal Settlements of Right-of-Way Acquisitions. From July 1, 2009 through December 31, 2009, the Right-of-Way Section processed 66 parcels. There were 25 administrative settlements and 2 legal settlements during this time frame.

Board Items. Chairman Manning attended orientation sessions conducted for Member Vassar last month. He attended the joint germane committee presentation last week with Member Whitehead. He expressed appreciation to staff for its efforts on that presentation and believes it was well received. Member Whitehead, Director Ness, and he attended a meeting with Senator McGee and Meridian city officials to discuss the I-84, Meridian Interchange project. Chairman Manning said he also attended a meeting with some legislators and developers regarding proposed development along the SH-41 corridor.

Director's Report. Director Ness reported that he sent a briefing to all ITD employees last week, introducing himself. He intends to communicate with employees on a monthly basis at a minimum. A second briefing was distributed to employees after the Governor's State of the State address because of employees' concerns with furloughs, which some other state agencies are implementing. Director Ness said that ITD is not planning on instituting furloughs at this time. He added that the Governor essentially left the Department's proposed budget in tact; although a reduction of six full-time equivalent positions was included.

Director Ness also believes the joint germane committee presentation was successful. He has been meeting with various legislators since he started on January 11.

In conclusion, Director Ness thanked DDIR Stokes for his leadership and assistance during the Board's search for a director and during the transition period.

DDIR Stokes elaborated on the joint germane committee presentation, which focused on accountability, in accordance with the Governor's Executive Order. Information on the proposed 2010 federal economic stimulus act was also



provided, which generated a lot of questions and discussion, particularly on the strict deadline to award 50% of the funds in 90 days. DDIR Stokes emphasized that staff is working closely with the Governor's Office and Legislative Services Office, as their involvement and timely approval will be critical to meeting the deadlines.

DDIR Stokes noted that the annual report is still being developed, but should be published soon. He also mentioned that weekly meetings with the Governor's Office have been implemented.

Professional Services Agreements and Term Agreement Work Task Report. From December 1 through December 31, \$2,634,100 in new professional services agreements and work tasks were issued. Nine supplemental agreements to existing agreements were processed during this period in the amount of \$627,090. In response to Member Coleman's question on the supplemental agreement with J-U-B Engineers for the I-84, Franklin Interchange project, GPE Schroeder said additional survey work was needed in conjunction with an on-ramp and additional right-of-way and other final design services were needed.

Member Coleman commented on the large amount of the supplemental agreement, \$497,000. He does not believe that is the intent of the supplemental agreement process and that this additional work may be outside of the request for proposal and why the firm was selected initially. GPE Schroeder said that projects are often phased and that additional work is often added as projects proceed through the final design process.

Member Coleman made a motion to accept the professional services agreements and term agreement work task report. Member Gagner seconded the motion and it passed unopposed.

Legislative Update. Governmental Affairs Program Manager Mollie McCarty mentioned several upcoming legislative meetings, including the budget presentation to the Joint Finance and Appropriations Committee. She provided a status of the Department's rules, which are making their way through the legislative process, and on the proposed legislation. She also mentioned some other legislative proposals being discussed, such as design-build.

Delegation – City of Hayden. City of Hayden Community Development Director Lisa Key noted the importance of the US-95, Wyoming Avenue to SH-53 project. She believes a traffic signal at US-95 and Wyoming Avenue is important, particularly to address safety concerns. City officials were disappointed the project did not include the signal and is requesting that the Board approve the signal work, utilizing stimulus funds. The project is ready to go. She noted the Department's policy requiring local entities to pay for their respective portion of an interchange project; however, she believes this is a different scenario because of the federal stimulus funds.

In response to Member Coleman's question on the signal's impact to the access plan for the US-95 corridor, District 1 Engineer (DE) Damon Allen replied that the signal is identified in the plan.

Member Blick expressed caution with the proposed 2010 stimulus funds, as that legislation has not passed. He is concerned with committing to a project without securing the funding. Member Gagner concurred and indicated there may be other priorities for funding. It may be appropriate for this project to follow the normal funding process and compete with other needed projects.

Chairman Manning thanked Ms. Key for her comments. He said that no decision can be made at this time, but her comments will be taken under advisement.

Proposed Economic Stimulus 2010 – Urgent Project Delivery. Dave Amick, Manager, Transportation Investments (MTI) summarized the proposed federal economic stimulus legislation. The U.S. House of Representatives' bill would provide \$180 million for highways and \$18.4 million for transit to Idaho. Sub-allocations will likely be required for Transportation Management Areas, Enhancement, and Rural/Urban population areas; funding should be provided to economically distressed areas; and projects are to be completed within three years. The timeline is more stringent than the 2009 American Recovery and Reinvestment Act, as 50% of the funding must be under contract 90 days from apportionment or the state will lose that funding. The remaining funds need to be under contract one year from the apportionment.

MTI Amick said staff has been diligently working on projects and has some ready. He presented a list of potential projects to be funded with the 2010 stimulus funding for the state highway system, transit, and local roads. He requested approval for staff to continue preparing projects to meet the 50% under contract in 90 days time line, with the final plan to be presented to the Board for approval.

Some concern was expressed with the ability to meet the time frame. DDIR Stokes praised the dedicated staff that has been working hard to get projects ready to go. He wants to be in a position to meet the 50% under construction in 90 days requirement plus seek additional funding through redistribution from states that are not able to meet that schedule.

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

RES. NO. WHEREAS, the U.S. House of Representatives (House) has passed a bill entitled,  
ITB10-04 "Infrastructure and Jobs Investment," which is similar to the FY09 American Recovery and Reinvestment Act (ARRA), emphasizing acceleration of transportation infrastructure projects and increasing jobs across the nation; and

WHEREAS, the House bill includes funding similar to the FY09 ARRA, which provided \$182 million for highways and \$18.4 million for public transportation in Idaho; and

WHEREAS, it is expected that fifty percent of the total highways and transit funding must be used for projects eligible for economic stimulus funding and under contract within 90 days from the time of receipt of funding; and

WHEREAS, the Senate is expected to take up the House bill in February, making it possible that projects in Idaho will have to be ready for advertisement as early as March 1, 2010 to enable projects to be under contract within 90 days of the receipt of funding; and

WHEREAS, new highway funding and projects will need to be added to the Idaho Statewide Transportation Improvement Program (STIP) in order to gain Federal Highway Administration (FHWA) approval of individual project authorization agreements in accordance with the provisions of USC Title 23; and

WHEREAS, the Idaho Transportation Board is aware that the Idaho Transportation Department and local highway agencies have already begun to assemble preliminary lists of possible projects that might meet the 90 days to award requirement and in many cases have already begun making projects ready; and

WHEREAS, the final selection of projects cannot be determined until the amount of funding and related eligibility and delivery requirements of any economic stimulus proposal are passed in law by the U.S Congress; and

WHEREAS, the short time between the passage of a new stimulus law and project advertisement combined with the present tentative status of project readiness will limit staff's ability to prepare a realistic list of projects for Board approval very much in advance of advertisement; and

WHEREAS, an amount equal to 12.6 percent of the total ARRA stimulus funding previously received in Idaho in FY09 was made available by the Board for requested local projects prioritized based on project readiness.

*NOW THEREFORE BE IT RESOLVED*, that, after making up to 12.6 percent of new FY10 highways funding available for ready local public agency projects, the Board authorizes staff to prepare immediately for the delivery of state and local highways and transits projects to utilize 50% of highways and transit funding in accordance with all Congressional, FHWA, and Federal Transit Administration (FTA) requirements; and

*BE IT FURTHER RESOLVED*, that staff is authorized to amend the FY09-13 or FY10-14 STIP as needed in accordance with USC Title 23 to prepare sufficient projects for the first 50% of funding under a new FY10 stimulus law; and

*BE IT FURTHER RESOLVED*, that staff is authorized to take the necessary actions to conform to any other funding and project delivery requirements which may result from legislation implementing an economic stimulus package in FY10; and

*BE IT FURTHER RESOLVED*, that following the passage of a national FY10 stimulus law, staff will provide a full year FY10 highways and transit stimulus project plan for Board approval and inclusion in the STIP that depicts those projects that have been selected or advertized to meet the 90 days to under contract requirement; and

*BE IT FURTHER RESOLVED*, that the Board declares that the capability to fund and complete any state or local projects prepared for possible additional FY10 stimulus funding under this resolution is entirely dependent on the receipt and ability to use such new funding and no further commitment is made to complete such projects with existing or future resources.

Monthly Financial Statements and Highway Program Obligations. MTI Amick reported that approximately \$80 million had been obligated for projects in the STIP by the end of December, or approximately 19% of the FY10 project costs. At the same time last year, \$58.4 million, or about 17%, had been obligated.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$17,954,824 through November, which exceeded the projected amount of \$13,275,000. Miscellaneous revenue to the State Highway Fund of \$10,359,112 was almost \$800,000 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$73,087,716. The projected revenue was \$75,002,500. Revenue from the ethanol exemption elimination was \$6,514,007, which was a \$349,655 negative variance from the projected amount. Total expenditures in the ARRA Title XII Fund were \$26,350,273. Expenditures in the LHTAC-administered ARRA Title XIV account were \$218.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$157,307 below projections.

Strategic Action Plan Focus Area Teams Quarterly Update. Aeronautics Administrator (AA) John DeThomas, Expanding and Enhancing Partnerships Team Leader, reported that work has been continuing on the survey. A draft report has been prepared. The intent is to implement the partnership philosophy into the Department's culture. An administrative policy regarding partnerships has also been drafted.

Investing in Our People Team Leader Mary Harker, Human Resources Manager, reported that activities have focused on workforce challenges, specifically attracting and retaining employees. The desire is for ITD to be an employer of choice. Work has been occurring at the national level, looking at the future workforce needs. Best business practices are being identified with the intent to implement those that are directed to employees' needs, such as flextime and telecommuting. Work is also continuing on recognizing and rewarding work-place excellence.

Motor Vehicle Administrator Alan Frew, Team Leader for Improving Customer Service, said that efforts on the customer survey are continuing. The final report is being completed. A best practice study and gap analysis is also underway.

Chairman Manning thanked staff for the updates.

Division of Highways' Strategic Plan Activities. ACE-O Laragan reported on a partnership with the Nampa School District to promote and encourage interest in transportation-related careers. Partnership efforts with the Associated General Contractors and consultants resulted in revising specifications for materials and construction. The Office of Highway Safety has been building a coalition to address highway safety issues. Additionally, customer service

improvements are continuing with enhancements to the 511 travel advisory system.

The Board expressed support for the partnership with the Nampa School District. It also encouraged expanding this program statewide.

Assistant Chief Engineer – Development Loren Thomas elaborated on communication and collaboration improvements, particularly to address schedules, workloads, and establishing priorities. ITD is working closely with local entities on the stimulus proposal. The Division meets monthly with FHWA to discuss issues and resolve concerns. FHWA has also been a valuable partner with the GARVEE Program and the innovative measures that have been implemented. He also mentioned the partnership with the Division of Motor Vehicles on overweight loads.

Chairman Manning thanked staff for the report.

Progress Report on Safety and the Strategic Highway Safety Plan. Highway Safety Manager (HSM) Mary Hunter reported that the preliminary number of traffic deaths in 2009 was 223. Not only was this a decrease from 232 fatalities in 2008, but it was the fourth year in a row that fatalities decreased. She noted, however, that the state's fatality rate is still above the national rate. HSM Hunter emphasized the importance of partnerships as efforts continue to promote a cultural shift to responsible driving choices, as identified in the Strategic Highway Safety Plan. The Plan is a long-term commitment to safety. Media and enforcement campaigns are planned in the near future to focus on impaired driving, aggressive driving, and safety restraint use.

Chairman Manning expressed appreciation to HSM Hunter for her efforts on highway safety.

State Highway System Adjustments Policy and Process. Garry Young, Senior Transportation Planner (STP) summarized the policy and procedures regarding adjustments to the state highway system. A Board Subcommittee has been established to review proposed transactions, although the full Board has final approval on transactions. He explained the criteria established to rate roads to determine if they should be state highways or local roads. Some of those factors include the average daily traffic count, economics, safety, and the importance of the route to the state highway system grid. He acknowledged that some of the ratings are subjective. A rating of 70 is required for recommendation of a state highway system addition. A point rating below 30 over a three-year period shall be required for a recommendation of a state highway system removal unless otherwise requested by a local highway jurisdiction.

Transfer of Elba-Almo Highway, STC 2841, to the State Highway System, District 4. DE4 Devin Rigby reported that ITD has been working with Cassia County on the Elba-Almo highway for some time. Federal discretionary funding was secured to reconstruct the approximately 16-mile road. The final phase was completed last fall with the exception of the seal coat. A previous director indicated that staff will recommend to the Board that the road be added to the state highway system after it has been improved. DE Rigby noted that the road from SH-77 provides access to the City of Rocks National Reserve and Castle Rock State Park.

DE Rigby said a proposed state/local agreement has been prepared to address the transfer of the route to the state. Cassia County would maintain the road and ITD would provide material such as sand and salt. DE Rigby believes he can absorb that additional cost in his budget. He added that this issue may need to be revisited in the future if Cassia County determines it does not want to maintain the road, as additional resources would be needed. He requested approval to initiate the transfer of the Elba-Almo Highway to the state, as SH-77 Spur.

Member Blick noted that the Board Subcommittee on Adjustments to the State Highway System has been involved in this issue for a number of years. If the transfer is approved, this issue will need to be revisited if the County does not maintain the route to acceptable standards.

Member Gagner noted that the rating of a road to be added to the state highway system is 70. The Elba-Almo road scored 62. DE Rigby replied that the road provides access to the park system, both a national reserve and state park. Additionally, a previous director indicated that consideration would be given to adding this route to the state system. Member Gagner responded that the letter indicated that staff would make the recommendation but not that the Board

would approve the transaction. He also expressed concern with other promises that may have been made in the past that the Board is not aware of. STP Young added that economics is an important part of the rating. The route scored high due to its service to recreational areas.

Member Whitehead asked if mileage could be relinquished from the state system. He also asked where the additional money will come from. DE Rigby replied that there may be an opportunity to relinquish some roads; however, no discussions have been held with local officials in that area. The District will receive some additional maintenance money, as the Department's operating funds are partially distributed based on the number of miles in each district. Member Blick added that when there have been discussions with local officials about transferring a state highway to the locals' jurisdiction, they want the road to be in excellent condition and funding to maintain it.

Member Blick made a motion to approve the following resolution. The motion was seconded by Vice Chairman Miller.

Member Gagner expressed concern with the road's score of 62 and the commitment by a director that is no longer at ITD.

Chairman Manning noted that the road continues north to Oakley where it connects with SH-27. He asked if there are plans for that stretch of road. DE Rigby responded that the local officials have been informed that the state will not add that portion to its system. That road is in very poor condition.

The motion passed unopposed.

RES. NO.        WHEREAS, the Mini-Cassia Transportation Committee has requested that the Elba-Almo Highway, ITB10-05        STC 2841, be added to the State Highway System; and

WHEREAS, Cassia County has completed reconstruction of the Elba-Almo Highway; and

WHEREAS, the Elba-Almo Highway is a primary access route to the City of Rocks National Reserve and the Castle Rock State Park; and

WHEREAS, District 4 has committed to support a cooperative agreement with Cassia County for maintenance of the roadway; and

WHEREAS, it is of mutual benefit to Cassia County and the State of Idaho to designate the Elba-Almo Highway as a state highway.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board directs District 4 to complete:

- 1) A signed cooperative agreement with Cassia County to determine maintenance responsibilities;
- 2) A state-local agreement with Cassia County which transfers ownership of the highway to ITD; and
- 3) Once they are complete, District 4 will request the Transportation Planning Division to prepare a Board agenda item with a resolution transferring jurisdiction of the highway to the state for approval.

Transfer of Local Road to the State Highway System – Buhl to Wendell, District 4. DE Rigby reported that the Department has been working with local officials on extending SH-46 to Buhl. A state-local agreement in 1997 identified the steps needed to transfer the Buhl to Wendell highway to the state. The primary commitment of the local entities was to secure right-of-way, which has been completed. He believes the route functions as a state highway. The average annual daily traffic count in September 2009 was 2,800 and the route has a rating of 89.

DE Rigby believes there are three options at this time: do nothing; transfer the route to the state on July 1, 2010 and begin maintaining the route; or transfer the route to the state on July 1, 2010 but have the local entities continue maintaining the route with funding from ITD until the Department is able to secure the necessary resources to maintain

the road. An additional employee and a truck will be needed. On a short-term basis, some equipment could be reassigned to this road and a part-time employee hired. Another concern is the condition of the highway. Approximately four miles of the 16-mile route have been improved and meet current state standards. Construction costs to improve the remaining highway are estimated at \$14.5 million.

The Board Subcommittee has been involved in these discussions and at its last meeting, directed DE Rigby to report to the full Board on the status of this route. He said the Subcommittee has not been briefed on discussions with the four local entities to determine their interest in maintaining the road after it is transferred to the state. He recommends further Subcommittee discussions on this subject.

Member Blick expressed concern with the substandard condition of the majority of the route. Although DAG Vogt indicated at the last Board Subcommittee meeting that accepting a road that is not up to standard is not a liability concern as long as the route is maintained and signed appropriately, he would like additional discussions on that issue.

The consensus of the Board was to defer this issue to the Board Subcommittee on Adjustments to the State Highway System.

Annual Aeronautics Report. Aeronautics Advisory Board (AAB) Chairman Rodger Sorensen thanked the Board for its time and made introductions. AAB Member Scott Patrick reported on general aviation activity. Fuel sales were approximately 30% less in 2009 than 2008, due to the recession. Non-scheduled commercial flights were also down from the previous year. Estimated activity in 2010 is expected to be similar to 2009.

AAB Member Chip Kemper emphasized the importance of aviation, including for fire-fighting efforts. He elaborated on various aerial firefighting aircraft. AAB Member Mark Sweeney said corporate air travel was also down in 2009. Decreased activity has a ripple effect and impacts fixed base operators and other services. He is optimistic that 2010 will be slightly better for corporate aircraft travel.

AAB Chairman Sorensen provided updates on various other issues. The reconstruction project at Driggs has been completed. Work is continuing on the Hailey airport relocation. The new Boise traffic control tower should be commissioned this month. Passenger enplanements at the primary airports decreased in 2009. The count was 1.7 million while there were 1.9 million enplanements in 2008 and 2 million in 2007.

AA DeThomas said some highlights from last year included the publication of the aeronautical chart and airport facilities directory. Work is continuing on building coalitions and support for the comprehensive airport land use legislation. Division of Aeronautics' staff members reported on their respective activities. Decreased revenue continues to be a concern, with holdbacks identified to address the shortfall. Adjustments were made to the Airport Aid Program due to the decreased revenue. Staff continues to provide technical assistance to airports. New facilities were provided at Cavanaugh Bay and Stanley. Fifteen state airports were adopted with 657 man hours of volunteer labor recorded. Unfortunately, both the number of incidents and fatalities increased in 2009 from 2008. Training related to search and rescue was provided. The usage of the King Air and revenue from the plane increased in 2009.

AAB Chairman Sorensen recognized former AAB Member Bob Hoff for his service on the Board from 1995 to December 2009 when he resigned. Member Gagner also thanked Mr. Hoff for his contributions to aviation and ITD. Member Gagner noted Mr. Hoff's numerous accomplishments, including induction into the Idaho Aviation Hall of Fame in 2007. Mr. Hoff thanked both Boards for the recognition and said it has been a pleasure serving on the AAB.

Members of the two Boards enjoyed an informal luncheon.

Executive Session on Legal Issues. Vice Chairman Miller made a motion to meet in executive session at 1:55 PM to discuss legal issues as authorized in Idaho Code Section 67-2345 (c), (d), and (f). Member Blick seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to the public records law; a settlement on a motorist hitting a structure; a settlement on a right-of-way case for the I-84, Orchard Interchange project; and operation of the state highway

system.

The Board came out of executive session at 2:30 PM. No final actions or decisions were made.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:30 PM.

signed

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DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
February 18, 2010  
Boise, Idaho

SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

January 28, 2010

Idaho Transportation Board Chairman Darrell V Manning called a special meeting of the Idaho Transportation Board at 10:00 AM on Thursday, January 28, 2010. The following principals were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman  
Gary Blick, Member – District 4  
Brian W. Ness, Director  
Sue S. Higgins, Board Secretary

The following participated via teleconference:

Jim Coleman, Member – District 1  
Jan Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Neil Miller, Vice Chairman – District 5  
Karl Vogt, Deputy Attorney General

Executive Session on Legal Issues. Member Vassar made a motion to meet in executive session at 10:00 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(c). Member Whitehead seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to a settlement on a right-of-way case for the I-84, Orchard Interchange project.

The Board came out of executive session at 10:25 AM. No final actions or decisions were made.

Right-of-Way Settlement: Dennis Dillon. Member Blick made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, the staff of the Idaho Transportation Department has received an offer to settle  
ITB10-06 the case of *Bradley B., LLC, et al* (Dennis Dillon) for \$1,565,000.00 including interest, costs, and attorney fees; and

WHEREAS, this total settlement in the amount of \$1,565,000.00 is just compensation for the property taken for right-of-way acquisition in the I-84, Orchard Street Interchange, Boise Bridge No. 21320 project, key #9817, in Ada County.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board hereby approves a settlement in the amount of \$1,565,000.00 as just compensation for acquisition of the real property taken in the case of *Bradley B., LLC, et al* (Dennis Dillon).

WHEREUPON the special session of the Transportation Board adjourned at 10:25 AM.

signed

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DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
February 18, 2010  
Boise, Idaho



WORK SESSION AND REGULAR MEETING  
OF THE IDAHO TRANSPORTATION BOARD

February 17-18, 2010

The Idaho Transportation Board met at 2:10 PM, on Wednesday, February 17, 2010, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Neil Miller, Vice Chairman – District 5  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Gary Blick, Member – District 4  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Discussion with Chief Executive Officers' (CEO) Coalition. Mr. Mark Bowen thanked the Board for its time. The CEO Coalition, comprised of various business representatives from throughout the state, realizes the importance of a good transportation system. It desires to partner with the Board and ITD to improve the state's transportation system. The Coalition's main concerns are accountability, return on investment, and revenue generation.

Member Gagner noted that accountability is a high priority of the Board's. Several steps have been initiated to improve accountability. He welcomed a partnership with the CEOs as efforts continue in that direction. Mr. Bowen said that an outside voice may be helpful. The Coalition does not want to change ITD's direction, but may be able to help enhance its credibility.

Chief Engineer (CE) Tom Cole reported that ITD's priorities are operations, preservation, restoration, and expansion. He summarized the ideal pavement maintenance schedule versus the worst-first schedule, which is not as efficient. An additional \$150 million in revenue is needed to continue efforts to address the worst pavements first without falling further behind.

Discussion followed on the need for additional revenue and the management systems being implemented. Although the intent is to acquire enough funding to maintain and preserve the existing system, it was noted that the system also needs to be expanded.

Mr. Bowen believes there is a misunderstanding of ITD and the issues it is facing. He would like additional opportunities to educate the CEO Coalition.

Director Ness said staff will be available for additional meetings with the CEO Coalition and to provide information. Additionally, the Coalition is welcome to provide suggestions to ITD on accountability.

WHEREUPON the work session recessed at 4:10 PM.

February 18, 2010

The Board reconvened at 8:00 AM on Thursday, February 18, 2010 at the Idaho Transportation Department in Boise. All members were present, including Jim Coleman, District 1.

Election of Vice Chairman. Vice Chairman Miller nominated Member Blick to serve as vice chairman of the Board. Member Gagner seconded the motion and it passed without objection.

Board Subcommittees. Member Vassar agreed to serve on the Subcommittee on the Enhancement Program with Member Miller. The other Board subcommittees consist of Member Coleman on the Subcommittee on Audits; Vice Chairman Blick and Member Gagner on the Subcommittee on Adjustments to the State Highway System; and Member Gagner on the Subcommittee on Accountability.

Board Minutes. Member Coleman made a motion to approve the minutes of the regular Board meeting held on January 20-21, 2010 as submitted and the minutes from the special Board meeting held on January 28, 2010, as submitted. Member Vassar seconded the motion and it passed unopposed.

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

- March 17-18, 2010 – Boise
- April 21-22, 2010 – District 2
- May 19-20, 2010 – District 5

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the  
ITB10-07 state institution road improvement request; revisions to Board Policy B-05-15, State Institution Road Improvement; revisions to Board Policy B-09-06, State Highway System Adjustments; the removal of I-90, FY10 District 1 Pavement Striping from FY10 of the Statewide Safety Program; and the addition of Wounded Warrior Training Cooperative and Eastern Idaho Construction Safety Training to FY10 American Recovery and Reinvestment Act; and has received and reviewed the contract award information, professional services agreements and term agreement work task report, and the District 2 update on the Camas Prairie Rest Area partnership.

- 1) State Institution Road Improvement Request. Per Board Policy B-05-15, State Institution Road Improvement, \$30,000 in financial assistance may be provided for the construction, alteration or repair of roadways in, through, or around the grounds of state institutions annually. The Division of Public Works has requested, and Governor Otter approved, \$30,000 in FY11 for work to resurface and seal asphalt on roads and walkways at the Idaho Veterans Cemetery. The Division of Public Works will administer the project.
- 2) Revisions to Board Policy B-05-15, State Institution Road Improvement. This policy, as described above, was last signed in 2002. The policy is still relevant. Staff recommends retaining the policy and updating the signature and date.
- 3) Revisions to Board Policy B-09-06, State Highway System Adjustments. A minor correction was made to this policy, which outlines procedures to make adjustments to the state highway system.
- 4) Removal of I-90, FY10 District 1 Pavement Striping, Key #11015, from FY10 of the Statewide Safety Program. District 1's FY08 pavement striping project on I-90 did not occur until the 2009 construction season. It was accomplished in the same areas as the I-90, FY10 District 1 Pavement Striping project. Consequently, the FY10 project is redundant, so staff recommends removing it from the Program. The funds freed by this action would be used to cover increased costs for the FY10 District 1 Durable Pavement Markings, key #10645, project and to increase the scope of SH-3, FY10 District 1 Sign Upgrades, key #10646.
- 5) Addition of Wounded Warrior Training Cooperative and Eastern Idaho Construction Safety Training to FY10 American Recovery and Reinvestment Act (ARRA). Part of the ARRA 2009 funding included \$20 million nationally for highway surface transportation and technology training. Through a nationally competitive process, the Federal Highway Administration (FHWA) awarded \$154,778 of ARRA On-the-Job-Training/Supportive Services funds to ITD. Staff is requesting adding the Wounded Warrior Training Cooperative, Treasure Valley project in the amount of \$99,330 and Eastern Idaho Construction Safety Training for \$55,448 to the ARRA Program. The former project would create and fund a training program within the greater Boise area for veterans returning from the Iraq and Afghanistan wars. The other project, in conjunction with the Idaho Technology Transfer Center, will increase the safety level of construction jobs in Idaho and provide training at no cost to people working with construction trades in Eastern Idaho.

6) Contract Awards. Key #11867 – Hanley Avenue; Government Way to 4<sup>th</sup>, Stage 3, District 1. Low bidder: Interstate Concrete and Asphalt Company - \$415,158.

Key #8072 – US-95, Grangeville to End of Concrete Highway, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$2,763,986.

The low bid on key #11957 – Main Street: Bridge Street to 6<sup>th</sup> East, St. Anthony, District 6, was more than ten percent above the engineer's estimate, requiring justification. Comparison of the low bid to the engineer's estimate shows a generally higher price suggested by the Estimator in Urban Approaches; Concrete for Urban Approaches; Comb Curb and Gutter Ty A Or C2; and Mobilization. The Local Highway Technical Assistance Council (LHTAC) does not believe rejecting the bids and re-advertising the project would be advantageous and recommends awarding the bid. LHTAC and the sponsor, the City of St. Anthony, prefer using savings from other stimulus-funded projects to pay for the cost-overruns on this project. Low bidder: H-K Contractors, Inc. - \$453,670.

Key #9263 – Moyie Highway, Boundary County, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$1,085,386.

Key #9554 – Custer Street Bridge, Pocatello, District 5. Low bidder: Cannon Builders, Inc. - \$266,433.

Keys #11584 and #11233 – Intersection Franklin and 21<sup>st</sup> Avenue, Caldwell, Stage 3 and Intersection Franklin and 21<sup>st</sup> Avenue, Caldwell, Stage 2, District 3. Low bidder: Central Paving Company, Inc. - \$1,662,779.

Keys #9795, #9796, and #9797 – US-95 and SH-7, Lawyers Creek Bridge, Lewis and Idaho Counties; Clearwater River Bridge, Orofino; and North Fork, Clearwater River Bridge, Clearwater County, District 2. Low bidder: Penhall Company - \$374,228.

Key #10485 – US-95, Pedestrian/Bike Path, Lapwai, Stage 1, District 2. Low bidder: Western Construction & Excavation, Inc. - \$408,939.

7) Professional Services Agreements and Term Agreement Work Task Report. From January 1 through January 29, \$2,652,388 in new professional services agreements and work tasks were issued. Of the 21 new agreements and work tasks issued, 13 were for local projects. Seven supplemental agreements to existing agreements were processed during this period in the amount of \$850,200.

8) District 2 Update on the US-95, Camas Prairie Rest Area Partnership. Efforts with the Nez Perce Tribe are continuing on a rest area partnership at Winchester to service US-95. The Tribe has developed a site plan. A meeting with the Tribe will be held later this month to determine feasibility of the proposal. Issues regarding wetlands have impacted the site area for truck parking and need to be addressed.

Board Items. Vice Chairman Blick reported on the February 17 Board Subcommittee on Adjustments to the State Highway Systems' meeting. The main topics of discussion were the two routes in District 4 that are in the process of being transferred to the state's jurisdiction: the City of Rocks Backcountry Byway and the extension of SH-46, also known as the Buhl to Wendell Route. Some discussion was also held on the number of routes that do not function as state highways; however, it is difficult to relinquish miles to local jurisdictions.

Chairman Manning attended the Senate confirmation hearings for Aeronautics Advisory Board Chairman Rodger Sorensen and Member Vassar. He also attended other legislative activities, including the Department's budget presentation to the Joint Finance and Appropriations Committee (JFAC) and a meeting regarding the Idaho National Laboratory, which included discussions on improving US-20.

Director's Report. Director Ness reported that he attended Capitol for a Day in Shoshone last month and intends to participate in tomorrow's session in Hazelton. Some of his other activities included attendance or participation at the joint germane committee presentation on project selection, the Governor's Task Force on Modernizing Transportation

Funding Cost Allocation Subcommittee meeting, and the Governor's cabinet meeting, where the issuance of drivers' licenses was a topic of interest.

Director Ness believes the JFAC budget presentation went well. Legislators' questions focused on the GARVEE Program and the use of consultants. He commended staff for the efforts it devoted to prepare for the budget presentation. Chairman Manning added his appreciation to staff, too. Not only did staff devote considerable time and effort to prepare the information, but Director Ness did a commendable job presenting the information and answering questions.

Director Ness said he is making highway safety a higher priority. He has asked DDIR Stokes to take a leadership role on this focus area.

The annual Idaho Highway Users legislative luncheon will be held on February 24. Director Ness was pleased to announce that George Shutes from District 1 and Tony Warth from District 5 have been named the Safety Person of the Year and Maintenance Person of the Year, respectively.

Director Ness also recognized Division of Motor Vehicles' employee Carolyn Watts. Ms. Watts provided exemplary assistance on a fraud investigation. Her thoroughness and competency were instrumental in the outcome of an embezzlement case.

DDIR Stokes elaborated on the partnership efforts to address highway safety, including the reconvening of the Idaho Traffic Safety Commission.

DDIR Stokes also noted that typically staff presents information on the development of the Statewide Transportation Improvement Program to the Board in February. That presentation is being delayed until next month.

Legislative Update. Governmental Affairs Program Manager Mollie McCarty summarized a number of legislative proposals that ITD is monitoring. The status of ITD-sponsored legislation includes: both chambers have passed the drivers' training instruction permits; and the Senate has passed legislation to implement audit findings from the Federal Motor Carrier Safety Administration and the bill related to duplicate titles and transfers.

Fort Henry Historic Byway and Lost Gold Trails Loop Corridor Management Plan (CMP). Scenic Byways Program Manager Garry Young presented the Fort Henry Historic Byway and Lost Gold Trails Loop CMP. The CMP provides a frame work to enhance and preserve the desired natural rural character of the loop while encouraging recreation and improving highway safety. The 14 points required by federal statute were addressed. Letters of support, including from ITD District 6, have been received for this Plan.

Nancy Taylor of Taylor Planning, Chartered, which completed the CMP, emphasized the importance of scenic byways. The designation provides economic development opportunities to communities and provides an opportunity to preserve intricate qualities of the byways. She noted the partnership that was established on the Fort Henry Historic Byway and Lost Gold Trails Loop to improve the route. The Clark County route was previously unpaved. Improving the road resulted in better access and more tourism opportunities.

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

RES. NO. WHEREAS, the Idaho Transportation Board established the Scenic Byways Advisory Committee  
ITB10-08 (SBAC) on June 21, 1996, to provide advice and recommendations concerning the Scenic Byway  
Program to the Board; and

WHEREAS, corridor management plans (CMPs) are 1) important for the protection and orderly development of scenic byways, 2) required for National Scenic Byway and All American Road designation, and 3) key to gaining priority for National Scenic Byway funding; and

WHEREAS, the Fort Henry Historic Byway and Lost Gold Trails Loop Committee has completed a

CMP for the Fort Henry Historic Byway and Lost Gold Trails Loop, which traverses roads in Clark and Fremont Counties; and

WHEREAS, District Six personnel participated in the development of the Fort Henry Historic Byway and Lost Gold Trails Loop CMP; and

WHEREAS, all CMPs are to be submitted to the SBAC for review and consideration before Board action; and

WHEREAS, the SBAC recommends Board approval of this CMP.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the Fort Henry Historic Byway and Lost Gold Trails Loop Corridor Management Plan.

Structure and Definition for Near Horizons. CE Cole said the “Preliminary Development” portion of the STIP was eliminated in 2006. At that time, there were more than 100 expansion projects worth approximately \$700 million in that category, but only about \$50 million was available annually for expansion projects. Expending valuable resources on projects that may never be built was a concern, as was the public’s expectations that the projects would be constructed in the foreseeable future.

A “Horizons” category was established. The intent was to determine which expansion projects could be constructed in 15 to 20 years. Based on when the projects were expected to be constructed, they were placed in “Near”, “Mid” and “Far” Horizons; however, the structure was vague. CE Cole believes it is imperative to work on future projects so they are ready when funding becomes available, but that a realistic approach needs to be taken. He noted that federal stimulus funding was used to construct some of the projects in Horizons. CE Cole asked the Board to give this issue some thought and be prepared to discuss it further at a future workshop.

Member Miller asked how issues like corridor preservation and access management fit into this long-range plan. CE Cole responded that they are important and need to be part of the process. Corridor preservation and access management are part of the environmental process: identifying the corridor and determining what right-of-way will be needed for the project.

The general consensus of the Board was to take a balanced approach. There is a need to prepare projects for future funding while being realistic about the funding. The public’s expectations also need to be considered when “Horizons” are established and projects are identified for inclusion in that category.

Chairman Manning thanked CE Cole for his efforts on this important issue.

Annual Update of Safety Rest Areas and Oasis Partnerships. Maintenance Services Manager Steve Spoor presented the annual update of the Safety Rest Area chart and map. The chart was simplified and a new section entitled “Proposed Public/Private/Government Partnerships” was added. Although previous maps included partnership rest areas at Lost Trail Pass and Lolo Pass, the chart did not. Other changes were made to the chart and map. The Camas Prairie rest area in District 2 was moved from “Proposed Safety Rest Areas (Horizons)” to “Proposed Public/Private/Government Partnerships”. In District 3, the proposed Lowman, Grasmere, Idaho City, Murphy, Round Valley, and Marsing rest areas were deleted. Also in District 3, the Cougar Mountain Lodge and ION Truck have been added to “Proposed Public/ Private/Government Partnerships”.

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

RES. NO.        WHEREAS, Safety Rest Areas are an integral part of the transportation system; and

ITB10-09

WHEREAS, the Idaho Transportation Department is committed to providing safe, secure, and sanitary rest area facilities at strategic locations on the state highway system; and

WHEREAS, Safety Rest Area projects shall be determined based on statewide needs.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the revisions to the Idaho Transportation Department Safety Rest Areas and Oasis Partnership Program chart and map, as shown as Exhibit 388, which is made a part hereof with like effect, updating the current status of all facilities and identifying future public/private partnerships.

Monthly Financial Statements and Highway Program Obligations. Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$20,349,413 through the first half of FY10, which exceeded the projected amount of \$15,100,000. Miscellaneous state funded revenue of \$12,581,951 was \$1,137,782 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$89,414,713. The projected revenue was \$90,697,100. Revenue from the ethanol exemption elimination was \$7,834,718, which was a \$274,806 negative variance from the projected amount. Total expenditures in the ARRA Title XII Fund were \$33,110,689. Expenditures in the LHTAC-administered ARRA Title XIV account were \$6,361.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$175,723 below projections.

Manager, Transportation Investments Dave Amick reported that \$73.1 million had been obligated for projects in the STIP by the end of January, or approximately 17% of the FY10 project costs. At the same time last year, \$68 million, or about 20%, had been obligated.

Annual Report on External Equal Employment Opportunity (EEO) Program Activities. EEO Manager (EEOM) Karen Sparkman highlighted the external EEO activities from FY09. Some of the Title VI activities included conducting reviews of major ITD functions for reporting to FHWA and developing a new compliance program for local public agencies. There were no Title VI complaints. She provided an update on the Americans with Disabilities Act (ADA) transition plan. All curb ramp and sidewalk inventories have been completed except for District 4. There were five ADA complaints, including one complaint filed against a sub recipient city.

EEOM Sparkman said Disadvantaged Business Enterprises (DBEs) were awarded about 1% of the federal contracts as prime contractors in FY09. The DBE subcontracts totaled 15% of the federal contracts. There were 184 DBE firms at the end of the federal fiscal year, which was a reduction of 22 from FY08. The EEO contract compliance activities included training, audits to determine compliance, and 9 full compliance reviews. Three of the companies were found to be in non-compliance. Supportive services such as workshops, grants for training and marketing, and free non-bidder plans and specifications were provided to DBEs.

Chairman Manning thanked EEOM Sparkman for the presentation.

Annual Report on Human Resources. Human Resources Manager (HRM) Mary Harker summarized the Human Resources activities from the past year. The total hours of sick and medical leave, including accidents, was 153,223 in calendar year 2009, at a cost of \$3,468,585. This was an increase from 142,948 hours and \$3,173,509 in 2008. The vacancy rate in FY09 was 4.5%. To date, the FY10 vacancy rate is 3.8%. The total turnover rate for FY09 was 7.9% compared to 3.1% so far this fiscal year. The aging workforce continues to be a concern, as 3.9% of employees have reached the Rule of 90 and are eligible to retire. An additional 18.8% will reach the Rule of 90 in the next six years.

HRM Harker said a new tool to identify costs related to employee conflicts was recently implemented. The purpose is to capture the bottom line costs and measure productivity loss. The cost in FY09 was \$500,000. To date, FY10 costs are over \$1 million.

HRM Harker reported on Fair Employment practices. The top five employment categories that are currently underutilized are female professionals, female technicians, female skilled craft workers, Hispanic male technicians, and Asian or Pacific Islander male technicians. Four gender-based and four sexual harassment complaints were filed in 2009. Six additional EEO complaints were filed related to race, retaliation, age, and sexual orientation.

Some of the Training and Development Program activities included Mid-Management Leadership and Supervisor Academies, training in remote regions, coaching and consulting, facilitating formal teams, and online respectful workplace training. HRM Harker reported that 678 in-service classes were offered, with 7,330 attendees. There were 985 employees that attended 117 out-service sessions.

Chairman Manning thanked HRM Harker for the report.

Wellness Program Annual Report. Wellness Coordinator Pauline Davis said the Wellness Program continues to provide a variety of preventive health care benefits to address employee needs. The statewide volunteer Wellness Coordinators promote preventive care and make health resources available. Due to concerns with the 2009 flu season, particularly the H1N1 “swine” flu, efforts focused on education and empowering employees in the fight against the spread of germs.

An employee survey was conducted. The majority of respondents believe good nutrition and physical activity contribute to better productivity at work. The survey results will be used to guide the volunteers in their efforts to improve wellness offerings. Some of the other activities during 2009 included the annual fitness challenge, the availability of hand sanitizers to prevent the spread of germs, on-site blood screening clinics, and organized exercise events like a fun run/walk and a bike to work program.

Chairman Manning thanked Ms. Davis for the report and for her and the other volunteers’ efforts on this important program.

Presentation: Exercise Challenge Plaque. FHWA Division Administrator Pete Hartman said ITD and FHWA have a competition in conjunction with the Wellness Program’s annual exercise challenge. The contest is based on the average number of hours employees exercise. ITD won the challenge in 2009. Administrator Hartman presented Director Ness with the traveling plaque, noting that it is being returned to ITD, as FHWA won the competition in 2008.

Chairman Manning thanked Administrator Hartman for the presentation and for the agency’s efforts to promote exercise and a healthy lifestyle.

Executive Session on Personnel and Legal Issues. Member Miller made a motion to meet in executive session at 10:35 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345 (b),(c), (d), and (f). Member Gagner seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on personnel matters related to the conduct of public officers.

A discussion was held on legal matters related to the US-95, Sandpoint North and South project; compliance with the Americans with Disabilities Act; and a settlement on a right-of-way case for the I-84, Orchard Interchange project.

The Board came out of executive session at 12:00 noon. No final actions or decisions were made.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting officially adjourned at 12:00 noon; however, with the exception of Vice Chairman Blick, the Board then participated in the Governor’s Task Force on Modernizing Transportation Funding meeting.

signed

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DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
March 17, 2010  
Boise, Idaho

# REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

March 17, 2010

The Idaho Transportation Board met at 11:00 AM, on Wednesday, March 17, 2010, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Board Minutes. Member Miller made a motion to approve the minutes of the regular Board meeting held on February 17-18, 2010 as submitted. Member Coleman seconded the motion and it passed unopposed.

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

April 21-22, 2010 – District 2  
May 19-20, 2010 – District 5  
June 15-17, 2010 – District 3

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the  
ITB10-11 Public Transportation Advisory Council appointment for District 2; the Public Transportation FY09-13 Statewide Transportation Improvement Program amendment for FY10; the Local Highway Technical Assistance Council changes to the FY10-12 Program; and revisions to Board Policy B-12-07, State Highway Speed Limits within City Jurisdictions; and has received and reviewed the contract award information, professional services agreements and term agreement work task report, and speed minute entry changes for December 2009 – February 2010.

1) Public Transportation Advisory Council (PTAC) Appointment, District 2. The appointment of Member Vassar to the Board created a vacancy on the PTAC. Staff released a notice of the PTAC opening in District 2 and reviewed the applications submitted. In conjunction with the District 2 Mobility Manager, the Local Mobility Management Networks, and the District Coordination Council, staff recommends appointing Carl Root to the PTAC to represent District 2. In addition to completing Member Vassar's term on the PTAC, which is to expire June 2010, the recommendation is also to appoint Mr. Root to the next three-year term commencing on June 1, 2010 and ending on May 31, 2013.

2) Public Transportation FY09-13 Statewide Transportation Improvement Program (STIP) Amendment for FY10. The Community Planning Association of Southwest Idaho added a new project to its Transportation Improvement Program (TIP). The project, in the amount of \$1,379,000, is to purchase vehicles for Valley Regional Transit in preparation of the new federal stimulus bill, Jobs for Main Street. The Bannock Transportation Planning Organization amended its TIP, key #11791, to add "design" to the facility construction scope of work and to correct funding amounts from \$906,000 to \$1,923,000 to show all Federal Transit Administration Section 5309 capital funds that were apportioned to Pocatello Regional Transit. Staff requests amending the FY09-13 STIP to incorporate these changes in FY10.

3) Local Highway Technical Assistance Council (LHTAC) Changes to FY10-12 Program. LHTAC requests delaying



STC-3826, South Fork Payette River Bridge, Boise County, key #9986, from FY10 to FY12 of the Local Bridge Program due to delays in acquiring right-of-way. The estimated construction cost is \$1.9 million. LHTAC requests advancing STP-5732, Junction SH-41 and Wright Street, Rathdrum, in the amount of \$502,000, to FY10.

4) Revisions to Board Policy B-12-07, State Highway Speed Limits Within City Jurisdictions. This policy outlines the process for cities to establish speed limits for state highways, excluding controlled access and Interstate highways, that pass through their jurisdiction. The revisions to this policy include eliminating the annual report to the Board, unless requested, on the follow-up engineering and traffic investigations on these sections of state highways.

5) Contract Awards. Key #11940 – Musselshell Road, Clearwater County, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$347,594.

Key #7786 – Watson Street Bridge, Culesac, District 2. Low bidder: A & R Construction, Inc. - \$797,813.

Key #11946 – Indian Valley Road, Adams County, District 3. Low bidder: Knife River Corporation NW dba Knife River - \$349,065.

Key #11922 – FY09 Ada County Highway District Thin Lift Overlays, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel - \$2,667,669.

Key #10537 - FY10 Ada County Highway District Overlays, District 3. Low bidder: Central Paving Company, Inc. - \$2,237,986.

Key #11977 – I-84, 11<sup>th</sup> Avenue Underpass, Nampa, District 3. Low bidder: McAlvain Civil Constructors Inc. - \$4,065,621.

Key #10527 – SH-55, Eastbound Ramps to Fairview Avenue, Ada County, District 3. Low bidder: Central Paving Company, Inc. - \$1,353,833.

Key #9982 – Strike Dam Cutoff Road, Elmore County, District 3. Low bidder: Western Construction, Inc. - \$1,859,999.

Key #11943 – South Pennsylvania Avenue; US-95 to SW 4<sup>th</sup> Street, Fruitland, District 3. Low bidder: Irvco Asphalt & Gravel Inc. - \$297,856.

Key #9192 – Main Street; Boise Avenue to Washington, Emmett, District 3. Low bidder: WF Construction & Sales, LLC - \$475,485.

Key #8955 – I-84, Black Canyon to Sand Hollow, District 3. Low bidder: Multiple Concrete Enterprises, Inc. - \$6,894,419.

Key #2842 – US-95, Payette River Bridge, South of Payette, District 3. Low bidder: JC Constructors Inc. - \$6,170,075.

Key #12088 – US-93, Twin Falls Alternate Flyover, District 4. Low bidder: W W Clyde & Company - \$2,698,524.

Key #11950 – Soldier Road; Junction US-20 to Fairfield North City Limits, Camas County, District 4. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel - \$337,700.

The low bid on key #11947 – North 600 West Road, Lincoln County, District 4, was more than ten percent over the engineer's estimate, requiring justification. LHTAC believes the project's remote location and rural character resulted in some prices being higher than anticipated. Comparison of the low bid to the engineer's estimate indicates the most noticeable difference in pay items were removal of bituminous surface, brooming, rent incidental traffic control item, and wedge milling. LHTAC does not believe rejecting the bids and re-advertising the project is advantageous and

recommends awarding the project. Low bidder: Gordon Paving Company Inc. - \$400,967.

Key #11954 – East Main Street, Lava Hot Springs, District 5. Low bidder: Mickelsen Construction, Inc. - \$184,465.

Key #11626 – SH-39, Riverside to Junction US-26, Bingham County, District 5. Low bidder: Mickelsen Construction, Inc. - \$1,025,200.

Keys #10581 and #10594 – I-86 and I-15, FY10 District 5 Pavement Striping and FY10 District 6 Pavement Striping. Low bidder: Streamline Markings Inc. - \$725,034.

Key #11951 – Mink Creek Road, Bannock County, District 5. Low bidder: Mickelsen Construction, Inc. - \$384,991.

Key #11627 – SH-39, Gambell Road to South City Limits Aberdeen, District 5. Low bidder: Mickelsen Construction, Inc. - \$927,082.

The low bid on key #11956 – Trail Creek Road, Custer County, District 6, was more than ten percent over the engineer's estimate, requiring justification. LHTAC believes the project's remote location and rural character resulted in some prices higher than anticipated. Comparison of the low bid to the engineer's estimate shows generally higher prices for water for dust abatement, wedge milling, and mobilization. LHTAC does not believe rejecting the bids and re-advertising the project would be advantageous and recommends awarding the project. Low bidder: Gale Lim Construction, LLC - \$460,802.

The low bid on key #9483 – SH-16, Intersection Floating Feather Road, Ada County, District 3, was more than 25% under the engineer's estimate. Staff discovered some errors in quantities that could result in costly change orders if the low bid is awarded. The bids were rejected.

6) Professional Services Agreements and Term Agreement Work Task Report. From February 1 through February 26, \$3,354,364 in new professional services agreements and work tasks were issued. Six supplemental agreements to existing agreements were processed during this period in the amount of \$80,300.

7) Speed Minute Entry Changes for December 2009 – February 2010. Changes to minute entries for speed control zones were processed in two Districts from December 2009 through February 2010. In District 3, the speed limit on US-95, milepost (MP) 0.98 to 1.15 and MP 0.253 to 0.076 was reduced from 35 miles per hour (MPH) to 25 MPH. In District 4, the speed limit on US-20 from MP 188.89 to 189.09 was reduced from 65 MPH to 45 MPH; US-20 from MP 189.44 to 189.49 was changed from 55 MPH to 45 MPH; and on SH-75 Spur, the speed limit was lowered from 45 MPH to 35 MPH from MP 1.83 to 3.599.

Board Items. Member Coleman recently drove to the east coast. He said that Idaho's roads are in good condition compared to a lot of states. He believes the Board and Department have been doing a commendable job of taking care of the state's infrastructure with its limited resources. He added that there are a lot of construction projects underway across the country.

Chairman Manning said he attended various legislative meetings, including the Joint Finance and Appropriations' Committee (JFAC) meeting when ITD's budget was set. He also attended the Highway Users' luncheon, where George Shuts and Tony Warth were recognized as the Maintenance and Safety persons of the year, respectively, and a Community Planning Association of Southwest Idaho presentation on access management. He also attended the weekly ITD staff and Governor's staff meetings.

Director's Report. Director Ness reported on some of the adjustments JFAC made to ITD's budget. One of the major changes was the reduction of the GARVEE Program from the \$26 million requested to \$12 million.

Director Ness said he will attend the Capitol for a Day in Nezperce this Friday.

The third "Direct from the Director" message was distributed to employees this morning, according to Director Ness.

It outlines his vision for the Department, which is to be the best transportation department in the country. Some of the steps to achieve that status include be transparent and accountable and deliver on promises; be more effective and save costs through increased efficiencies; provide extraordinary customer service; use partnerships effectively; and place a high value on employees and their development.

DDIR Stokes said efforts are continuing to meet the requirements of the Governor's Executive Order on Accountability. Acquisition and implementation of the management systems are proceeding well. Development of the statewide systems plan is also going well and should be completed by the end of the year.

District PTAC Annual Update & Leadership Awards. Historically, an annual report on PTAC's activities and goals has been presented. Public Transportation Administrator Randy Kyrias said this year each PTAC member will report to the Board when the Board meets in that respective District. The presentation will highlight the Districts' progress and successes as well as the vision for the upcoming year. Additionally, an award will be presented to recognize significant public transportation achievements in each District.

Heather Wheeler, Community Transit Association of Idaho (CTAI) Executive Director, elaborated on the I-way Leadership Awards. She believes the recognition that CTAI and ITD are partnering on will be an excellent way to recognize leadership, coordination, and innovation in the pursuit of improving mobility options in each District. She summarized the criteria established to review nominations and select the recipients of the awards.

Employee Safety and Risk Management Program. Safety and Risk Management Manager (SRMM) Cheryl Rost summarized activities during 2009. Preventing employee injuries and equipment damage was addressed by educating employees in safe work practices, ensuring the provision of adequate protective gear, and communicating regulatory compliance information. Hazardous work sites and practices were identified through a scheduled inspection program and hazard controls were developed. The office investigated 243 tort claims in FY09. A total of 103 work-related injuries occurred during the fiscal year, resulting in 337 lost work days. The 5-year average of incidents is 112. There were 169 vehicular collisions reported in FY09, while the 5-year average is 160.

SRMM Rost said future focus areas will include personal protective equipment, proper lifting procedures, and avoiding back problems. Efforts will be undertaken to ensure new employees are aware of roadside obstacles and hazards and delineate those before or during snow removal operations. Also, stand-by drivers for removing snow will be recruited to reduce some of the hours crews plow snow to allow rest time between storms.

Chairman Manning thanked SRMM Rost for the annual report and for her efforts on this important program.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 11:40 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345 (b),(c), (d), and (f). Member Whitehead seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to the US-95, Sandpoint North and South project; a right-of-way issue on the US-93, Twin Falls Alternate Route project; a right-of-way issue on the extension of SH-16 to US-20/26 project; and the I-84, Robinson Road project; litigation against the Department on employment-related matters; and records exempt from public disclosure.

A discussion was held on personnel matters related to the conduct of public officers.

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

Status of Federal Funding for FY10/11 and the FY11-15 Capital Improvement Program Update. Transportation Legislation Policy Specialist (TLPS) Tim Greeley provided an update on federal funding issues. The Safe, Accountable, and Flexible Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) expired in September 2009. Congress has not enacted a new federal transportation bill, but has extended SAFETEA-LU and funding under a series of five extensions. The current extension expires on December 31, 2010.

SAFETEA-LU required that \$8.7 billion in unobligated highway funds be rescinded at the end of the act. Each state was to lose obligation authority in the same proportion as its share of total highway funding. Idaho's share of the rescinded authority was over \$65 million. TLPS Greeley reported that the Senate passed a bill this morning that restores the \$8.7 billion in rescissions of contract authority to the states. It also transfers money into the Highway and Transit Accounts to provide the funding necessary to keep these programs operating at the FY09 levels through the end of the year. The bill did not provide additional funding for infrastructure investment similar to the American Recovery and Reinvestment Act (ARRA) of 2009.

TLPS Greeley also summarized some of the discussions related to the reauthorization of the surface transportation bill. One proposal provides a significant increase in funding; however, it does not identify the source of the additional revenue. The proposal consolidates or eliminates many of the current programs under which Idaho currently receives most of its funding, such as the Interstate Maintenance, National Highway System, and Equity Bonus programs. It places heavy emphasis on metropolitan congestion, freight movement, performance standards and measurement, and the "livability and environmental stability of communities".

Manager, Transportation Investments (MTI) Dave Amick said the intent was to discuss with the Board this month the direction to update the Capital Improvement Program. Because there is insufficient information, it is premature to discuss specific policy issues and funding guidelines. No major changes will be undertaken as staff updates the Program. The priorities will continue to be operations, preservations, restoration, and expansion.

Monthly Financial Statements and Highway Program Obligations. MTI Amick reported that \$121.3 million had been obligated for projects in the STIP by the end of February, or approximately 28% of the FY10 project costs. At the same time last year, \$74.3 million, or about 22%, had been obligated. He emphasized that the obligations fluctuate because they cover many projects and there is continuous activity on projects, often spanning many years.

Controller Gordon Wilmoth said Federal Highway Administration (FHWA) Indirect Cost Allocation revenue was \$23,195,116 through January, which exceeded the projected amount of \$16,250,000. Miscellaneous state funded revenue of \$15,324,323 was \$1,060,126 above the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$104,064,058. The projected revenue was \$106,641,000. Revenue from the ethanol exemption elimination was \$8,996,674, which was a \$269,293 negative variance from the projected amount. Total expenditures in the ARRA Title XII Fund were \$35,475,097. Expenditures in the LHTAC-administered ARRA Title XIV account were \$34,753.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$225,942 below projections.

Controller Wilmoth also elaborated on the FY11 budget that JFAC approved in the amount of \$483,657,200. In addition to the reduction in the GARVEE Program from \$26 million to \$12 million, seven full-time equivalent positions were eliminated, and the personnel budget was reduced 2%. The only replacement equipment allowed was in the Division of Highways and some Division of Motor Vehicles' (DMV) equipment to be used in county offices.

Employee Service Awards. The Board participated in the Employee Service Awards. Vice Chairman Blick provided remarks on behalf of the Board.

Presentation of 2009 ITD Customer Survey Findings. Ned Parrish, Research Program Manager, said the Customer Service Council initiated the 2009 ITD Customer Satisfaction Survey as part of the strategic planning efforts. The Social Science Research Unit at the University of Idaho conducted the survey, which was funded through ITD's Research Program.

Stephanie Kane, Social Science Research Unit project manager, summarized the survey, which covered a variety of service areas including highway maintenance and quality, highway construction, DMV services, alternative transportation, public involvement, communications, and customer service. Overall, respondents gave DMV services the highest ratings while alternative transportation and public involvement received the lowest ratings.

Some of the other key findings include 79% of respondents said they were either “very” or “somewhat” satisfied with the overall safety of the state highway system; approximately two-thirds of respondents were familiar with recent ITD construction projects in their area and of those, 90% said the roads were “greatly” or “somewhat” improved after the project was completed; of the 13% of survey respondents that have used DMV online services in the past two years, 95% said completing business online was done quickly and 91% said the website was “very” or “somewhat” easy to use; and of the 28% of survey respondents that had visited ITD’s website in the past year, 83% said the site was “very” or “somewhat” easy to use. Although few respondents said they used alternative forms of transportation regularly, only 37% of survey respondents gave an “A” or “B” to the availability of alternative transportation. Only 42% of respondents said ITD’s efforts to obtain public input on state highway projects were “good” or “very good” and almost two-thirds of respondents to the follow-up survey said they were not aware of opportunities to provide input to ITD.

Ms. Kane said the survey report also included recommendations. ITD could do more to market the availability of online DMV services, as the services are highly rated. The Department should continue public awareness efforts on the 511 traveler services. Similar surveys should be conducted every one to two years to monitor changes in customer satisfaction over time.

Chairman Manning thanked Ms. Kane for the informative presentation.

Annual Report on Audits. Internal Review Manager (IRM) Carri Rosti and staff members presented the annual report on audits, including internal and external audits performed in 2009, work planned for 2010, and the status log of audit resolution. Some of the activities conducted last year included a joint review with the FHWA on the financial management system, focusing on federal aid billings support; a review of the right-of-way processes; pre-award reviews of consultant agreements and consultant overhead rates; and a review on the right-of-way agreements in the GARVEE Program.

IRM Rosti said the key focus areas for 2010 will be to provide assurance that ITD is meeting its financial management responsibilities, improve the office’s efficiency and effectiveness by using audit documentation software and performing more frequent audit follow-up reviews, and enhance consultant audit and oversight responsibilities. Some of the specific activities planned include an audit on DMV’s internal controls, a follow-up review on the public transportation grant management review, and a review of the ARRA construction projects.

Chairman Manning thanked IRM Rosti and her staff for the report.

Administrative Settlement, District 3. By unanimous consent, this item was postponed until April.

Legislative Update. Governmental Affairs Program Manager (GAPM) Mollie McCarty summarized a number of legislative proposals that ITD is monitoring. The status of ITD-sponsored legislation includes: the drivers’ training instruction permits bill and the bill related to duplicate titles and transfers have been signed into law and both chambers passed legislation to implement audit findings from the Federal Motor Carrier Safety Administration.

Last year legislation was approved to transfer \$20.25 million from the Highway Distribution Account from the Departments of Law Enforcement and Parks and Recreation to ITD. GAPM McCarty reported that legislation to delay implementation of that transfer to 2011 has been approved by the House and is on the third reading in the Senate. Design build legislation, a proposal to increase the membership of the Dealer Advisory Board, and two new specialty plates have been approved by one chamber and are being considered in the other.

WHEREUPON, the Idaho Transportation Board’s regular monthly meeting officially adjourned at 4:15 PM.

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signed  
DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved

April 22, 2010  
Lewiston, Idaho

SPECIAL MEETING OF THE IDAHO TRANSPORTATION BOARD

March 10, 2010

Idaho Transportation Board Chairman Darrell V Manning called a special meeting of the Idaho Transportation Board at 9:20 AM on Wednesday, March 10, 2010. The following were present at the Idaho Transportation Department in Boise, Idaho:

Darrell V Manning, Chairman  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Board Secretary

The following participated via teleconference:

Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Lee Gagner, Member – District 6

Executive Session on Legal Issues. Member Vassar made a motion to meet in executive session at 9:20 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Coleman seconded the motion and it passed 5-0 by individual roll call vote.

Member Neil Miller, District 5, joined the meeting via teleconference at this time.

A discussion was held on legal matters related to the US-95, Sandpoint North and South project.

The Board came out of executive session at 9:50 AM. No final actions or decisions were made.

New Business. Member Coleman made a motion, seconded by Member Whitehead, to approve the following resolution. DAG Vogt noted two typos on the Mutual Release and Settlement Agreement. Incorrect dates will be corrected on the executed agreement.

The motion passed 6-0 by individual roll call vote.

RES. NO.        WHEREAS, the Idaho Transportation Department has received an offer to settle the cases of  
ITB10-10        *ITD v. Sletager, Waterfront Property v. State of Idaho, Sletager v. State of Idaho*, and various additional  
                  “claims” filed with the State January 9, 2009; and

WHEREAS, this total settlement in the amount of \$275,000 is for the dismissal with prejudice of all claims and causes of action in the above noted cases.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board hereby approves a settlement in the amount of \$275,000 as final resolution for the cases and claims as referenced in the parties Mutual Release and Settlement Agreement entered into on March 9, 2010.

WHEREUPON the special session of the Transportation Board adjourned at 9:55 AM.

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signed  
DARRELL V MANNING, Chairman

Read and Approved  
April 22, 2010  
Lewiston, Idaho



REGULAR MEETING AND DISTRICT TWO TOUR  
OF THE IDAHO TRANSPORTATION BOARD

April 21-22, 2010

The Idaho Transportation Board met at 7:30 AM, on Wednesday, April 21, 2010, in Lewiston, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

District 2 Tour. The Board departed Lewiston east on US-12 to Orofino, where Senator Lee Heinrich joined the tour. Orofino City Administrator Rick Laam welcomed the Board members to Orofino and expressed appreciation for their service to the state. He thanked them for improvements made to the transportation system in the area and commended the good working relationship the City has with ITD. He mentioned that the railroad crossings in town are rough and the City would like those improved. District 2 Engineer (DE) Jim Carpenter replied that those crossings are the responsibility of the railroad. The Department is unable to improve the crossings without the railroad's assistance, but he will contact the railroad and let them know of the City's concerns.

Council members also mentioned the railroad crossings and expressed concern with the safety of children crossing SH-7 along bus stops. DE2 Carpenter said he will review that situation again and determine if any improvements could be implemented, such as signing or cross walks.

The Board traveled east on US-12 and west on SH-162 to Nezperce where the Board met with local officials. Mayor Steve Bateman thanked the Board for visiting the community and for the improvements made to SH-162 through Nezperce last year. DE2 Carpenter added that the City partnered with the Department on the project. It was a great cooperative effort.

The tour continued west on SH-62 to Craigmont. After lunch with maintenance employees, the Board traveled US-95 north to the Winchester area. Nez Perce Tribal officials met the Board at the site of a proposed rest area. The two groups have been negotiating a rest area partnership. Nez Perce Tribal Chairman Samuel Penney noted the good working relationship that has been established with the transportation Board and Department. Janie Olson elaborated on the Tribe's plans to construct a truck stop/convenience store that will be available to the traveling public as a rest area facility.

DE2 Carpenter said ITD's costs, mainly for the rest rooms, are \$350,000. As a cost comparison, the US-95, Midvale Hill Rest Area was rebuilt last year for \$2.3 million and the Hagerman Rest Area on US-30 is scheduled to be rehabilitated this year at an estimated cost of \$1.4 million. He believes the partnership is advantageous and an efficiency measure. The initial agreement with the Tribe will be for two years, at which time the agreement will be reviewed and reconsidered. (See later minute entry.)

Member Whitehead questioned the truck parking spaces. Looking at the plans, he did not believe the spaces were long enough to accommodate a tractor and trailer. Member Blick asked if overnight parking will be allowed for the trucks. Staff was not able to address the truck-related issues.

Senator Heinrich left the tour at this time.

The Board traveled US-95 north to Lewiston where it met with city officials. Lewiston Administrative Services Director and Interim City Administrator Dan Marsh welcomed the Board to Lewiston. He acknowledged former city administrator Jan Vassar and expressed appreciation for her appointment to the Board.

Laura Von Tersch, Community Development Director, summarized Lewiston's vision, which focuses on the waterfront. Ideally, the City would like to re-route US-12 to better utilize the river. It would like to partner with ITD on boulevards, gateways, signing, and increasing pedestrian access to the waterfront. She also mentioned the desire to improve transit services and summarized the City's efforts to assume responsibility for the local transit system.

Steve Watson, Executive Director of the Lewis/Clark Valley Metropolitan Planning Organization, elaborated on the regional transportation plan that was completed. He appreciated ITD's assistance with that effort. A downtown circulation study is being undertaken now. He emphasized the need for partnerships to address transportation issues and also the importance of regional cooperation.

Former Board Member Mike Mitchell expressed appreciation for the Safe Routes to School Program. He believes it is a valuable program and has made positive impacts to communities.

Chairman Manning thanked the delegation for the remarks.

WHEREUPON the tour recessed at 2:50 PM.

April 22, 2010

The Board reconvened at 8:30 AM on Thursday, April 22, 2010, at the Idaho Transportation Department District 2 Office in Lewiston, Idaho. All members were present except Neil Miller.

Board Minutes. Member Gagner made a motion to approve the minutes of the special Board meeting held on March 10, 2010 and the minutes of the regular Board meeting held on March 17, 2010 as submitted. Member Vassar seconded the motion and it passed unanimously.

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

May 19-20, 2010 – District 5

June 15-17, 2010 – District 3

July 21-22, 2010 – District 6

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the  
ITB10-12 Public Transportation FY10-13 Statewide Transportation Improvement Program amendment for FY10; the FY10 federal Scenic Byway discretionary funding request; the Urban Balancing Committee changes to the FY10 Surface Transportation Program – Local Urban Program; the FY09-14 Forest Highway Program changes; and the rest area joint venture agreement with the Nez Perce Tribe; and has received and reviewed contract award information and professional services agreements and term agreement work task report.

1) Public Transportation FY10-13 Statewide Transportation Improvement Program (STIP) Amendment for FY10. Kootenai Metropolitan Planning Organization requests transferring \$96,699 from the Federal Transit Administration (FTA) 5307 Small Urban Program to 5311 Rural Program each year from FY09-FY13 to support operations of the Citylink public transit system in the rural portion of Kootenai County.

In FY08 the FTA transferred \$250,000 from Idaho Falls' 5307 Small Urban Program to the 5311 Rural Program. These funds were not obligated in FY08 or FY09. Targhee Regional Public Transportation Authority (TRPTA) requests \$250,000 for rural transit operations, vehicle replacement, preventive maintenance, administration, and capital equipment in FY10.

The Bonneville Metropolitan Planning Organization requests transferring \$600,000 of unprogrammed funds from Idaho Falls' 5307 Small Urban Program to the 5311 Rural Program for two projects. A new transit center and office in Rexburg would be programmed for \$267,000, and \$333,000 would be used for additional operating, administrative, and capital costs not covered by TRPTA's 5311 Rural Section and 5311(f) Intercity Section grants.

2) FY10 Federal Scenic Byway (SB) Discretionary Funding Request. The Scenic Byways Advisory Committee recommends submitting eight projects to the Federal Highway Administration (FHWA) for FY10 Federal Scenic Byway Discretionary funding. Funding is available annually on a nationally competitive basis for routes that have been designated as a state scenic, historic, or back country byway, All American Road, or National Scenic Byway. The request is for \$1,408,377 in federal funds. Local entities would provide an additional \$481,254. The projects requested, in priority order and federal amount, are:

- Marketing the Top Ten Scenic Drives – Phase 2 - \$545,000
- Payette River National SB Wayfinding Implementation Project - \$50,268
- Thousand Springs SB: Hagerman Wildlife Viewing Area – \$26,504
- Snake River Canyon SB Interpretive Information – \$101,500
- Ponderosa Pine SB: Stanley Beautification Project – \$3,000
- Oneida Stake Academy Pioneer Historic Byway Center – \$450,000
- International Selkirk Loop Corridor Management Plan Implementation – \$98,880
- Sacajawea Historic Byway: Salmon, Idaho Scenic Byways Shared Use Pathways – Phase I - \$133,225

3) Urban Balancing Committee Changes to the FY10 Surface Transportation Program (STP) – Local Urban Program. The Urban Balancing Committee requests the addition of two projects to FY10 of the STP-Local Urban Program and amending the STIP accordingly. This action partially utilizes available funds due to right-of-way acquisition delays and other available funding. The Nampa Downtown Traffic Signal Interconnect project, key #12225, is in the amount of \$1.2 million. The Lancaster Road, Huetter Road to US-95 project in the amount of \$600,000 will resurface 5.4 lane miles of pavement.

4) FY09-14 Forest Highway Program Changes. The Tri-Agency Group, consisting of ITD, U.S. Forest Service, and Western Federal Lands Highways Division of FHWA, met earlier this year to update the Forest Highway Program. The average annual funding is \$15.2 million with a 100% federal share. The American Recovery and Reinvestment Act (ARRA) of 2009 provided an additional \$5.5 million, which was used to partially fund the Salmon River Road improvements in FY10. The following projects have been or will be advertised or awarded in FY09/10: Little Salmon River Bridge with US-95 improvements, Enaville-Thompson Pass Road, Banks-Lowman safety and guardrail improvements, and Grangemont Road.

Proposed changes to the FY09-14 Program include advancing SH-75/Forest Highway (FH) 26, Warm Springs Realignment, from FY13 to FY12 and delaying FH-76, Grangemont Road, from FY09 to FY10 using ITD High Priority funding, STP-Local Rural, and Forest Highway funds. The FH-94, Meadow Creek Road project will be removed from the Program due to the increased scope and environmental complexities; however, it can re-compete for funding. A request for new projects will occur with applications due in October 2010. The Program is shown as Exhibit 389, which is made a part hereof with like effect.

5) Rest Area Joint Venture Agreement with Nez Perce Tribe. ITD had been planning a new rest area on US-95 in the Winchester area when the Nez Perce Tribe proposed combining its plans for a truck stop/convenience store with the Department's plan for a rest area at the same location. Staff has been working on an initiative similar to the partnership with the Flying J Truck Stop in McCammon. Staff requests authorization to negotiate an agreement with the Tribe similar to the existing agreement with Flying J in McCammon for an amount not to exceed \$350,000 plus 5% contingencies.

6) Contract Awards. Key #11986 – I-90, East of Coeur d’Alene; Bridge Rehabs, District 1. Low bidder: Penhall Company - \$3,083,756.

Key #11976 – I-90, West of Coeur d’Alene; Bridge Rehabs, District 1. Low bidder: Penhall Company - \$2,399,644.

The low bid on key #11980 – US-95 and US-2, District 1 Americans with Disabilities Act (ADA) Improvements, Sandpoint, was more than ten percent over the engineer’s estimate, requiring justification. The source of the Engineer’s Estimate was the Average Unit Price Reports for regular contract items. For the special provisions items, prices were calculated based on estimated material quantities and labor associated with the construction elements. The main difference between the engineer’s estimate and the lowest qualified bid are in the curb ramp group B and curb ramp group C items. A potential reason for the overage on these items was the inclusion of numerous incidental items in the special provisions that were generally estimated in the engineer’s estimate, where the bidders were more specific to each location’s requirements. Additionally, there was no prior bid history for this type of project. No obvious errors were noted and staff recommends awarding the project. Low bidder: Paul Construction, Inc. - \$518,686.

Key #11979 – District 1 ADA Improvements, Coeur d’Alene. Low bidder: Cats Eye Excavating Inc. - \$396,757.

Key #9434 – SH-3, Bovill Pedestrian Enhancement, District 2. Low bidder: M. L. Albright & Sons Inc. - \$398,360.

The low bid on key #11982 – South District 2 ADA Improvements, was more than ten percent over the engineer’s estimate, requiring justification. The source of the Engineer’s Estimate was the Average Unit Price Reports for regular contract items and estimated material quantities and labor associated with the construction elements for the SPECIAL PROVISIONS items. The main difference between the estimate and the low bid is in the curb ramp (urban approach) group B item. A potential reason for the overage was the inclusion of numerous incidental items in the SPECIAL PROVISIONS that were generally estimated in the engineer’s estimate, where the bidders were more specific to each location’s requirements. Additionally, there was no prior bid history. No obvious errors were noted and staff recommends awarding the project. Low bidder: Chadez Concrete Inc. - \$404,857.

The low bid on key #11981 – North District 2 ADA Improvements, was more than ten percent over the engineer’s estimate, requiring justification. The source of the Engineer’s Estimate was the Average Unit Price Reports for regular contract items. For the special provisions items, prices were calculated based on estimated material quantities and labor associated with the construction elements. The main difference between the engineer’s estimate and the lowest qualified bid are in the curb ramp group B and curb ramp group C items. A potential reason for the overage on these items was the inclusion of numerous incidental items in the special provisions that were generally estimated in the engineer’s estimate, where the bidders were more specific to each location’s requirements. Additionally, there was no prior bid history for this type of project. No obvious errors were noted and staff recommends awarding the project. Low bidder: Paul Construction, Inc. - \$755,127.

The low bid on key #11038 – FY10 District 2 Statewide Durable Pavement Markings was more than ten percent over the engineer’s estimate, requiring justification. The majority of the discrepancy between the engineer’s estimate and the contractor’s bid was in the Recessed Pavement Markings Pay Item. The source of the engineer’s estimate was the Bid History Price Report within the Estimator program and history from a similar project in District 2. Rejecting the bid would delay the pavement marking contract, so staff recommends awarding the project. Low bidder: Specialized Pavement Marking Inc. - \$442,320.

Key #11945 – Ola Highway; Kirkpatrick Road North, Gem County, District 3. Low bidder: C & A Paving - \$385,487.

Key #11944 – Notus Road; SH-19 to Red Top Road, Canyon County, District 3. Low bidder: Staker & Parson Companies DBA Idaho Sand & Gravel - \$377,377.

Key #11926 – Northeast Boise Downtown Sidewalk Improvements. Low bidder: Braun-Jensen, Inc. - \$414,000.

Key #11925 – 36<sup>th</sup> Street Pedestrian Bridge, Garden City, District 3. Low bidder: Wright Brothers, The Building

Company - \$382,799.

Key #9480 – US-20, Ridenbaugh Canal to Junction I-84, District 3. Low bidder: Central Paving Company, Inc. - \$556,020.

Key #11071 – I-84 and I-184, FY10 District 3 Sign Upgrades. Low bidder: Pavement Markings Northwest Inc. - \$39,684.

Key #11983 – SH-52, US-95, and I-84B, District 3 ADA Improvements. Low bidder: G & S Excavation LLC - \$333,110.

Key #10450 – Western Heritage Historic Byway Signage, District 3. Low bidder: C & A Paving - \$379,387.

Keys #10525 & #11079 – I-84 and I-86, FY10 District 3 Pavement Striping and FY10 District 4 Pavement Striping. Low bidder: Streamline Markings Inc. - \$815,380.

Keys #11597 and #10490 - Main Street Pedestrian Safety, Malta and Junction SH-77 in Malta to Milepost 9.5, District 4. Low bidder: Johnson Excavation, Inc. - \$3,435,381.

The low bid on key #11085 – SH-75 Spur, FY10 District 4 Durable Pavement Markings was more than ten percent over the engineer's estimate, requiring justification. The source for the Engineer's Estimate was the Average Unit Price Report of 2009 and engineering judgment using the 2009 Durable Pavement Marking lowest bid. The major differences were in the Night Work Lighting, Monitoring and Reporting, Recessed Pavement Marking, and Mobilization items. The Durable Pavement Marking projects have been limited by the number of contractors able and willing to perform the work and meet a two-year warranty, resulting in increased bid amounts for Recessed Pavement Markings and Monitoring and Reporting. The low quantities per contract also likely impacted the cost. Staff does not recommend re-advertising the project because it does not believe there is a potential for savings. Additionally, safety may be impacted by delaying the project. Low bidder: Specialized Pavement Marking Inc. - \$149,132.

Key #11949 – Center Street; Main to Ash Street, Kimberly, District 4. Low bidder: Staker & Parson Companies DBA Idaho Sand & Gravel - \$239,434.

Key #8903 – I-84B, North Overland, Burley, District 4. Low bidder: Knife River Corporation Northwest DBA Knife River - \$3,125,231.

Key #11097 – I-15, Main Street to West Blackfoot Interchange, District 5. Low bidder: Mickelsen Construction, Inc. - \$799,956.

Key #11953 – South Pleasant Valley Road, Power County, District 5. Low bidder: Mickelsen Construction, Inc. - \$386,643.

Key #11952 – First East; South City Limits to Highway 30, Bancroft, District 5. Low bidder: Staker & Parson Companies dba Jack B. Parson Company - \$231,522.

Key #12227 – Idaho Falls Citywide Sealcoats, District 6. Low bidder: H-K Contractors, Inc. - \$465,569.

Key #9568 – SH-31, Rainey Creek Bridge, Swan Valley, District 6. Low bidder: Eagle Rock Timber Inc. - \$493,019.

Key #11150 – US-26, FY10 District 6 Durable Pavement Markings. Low bidder: Specialized Pavement Marking Inc. - \$285,020.

Key #9569 – SH-33, Trail Creek & Moose Creek Bridges, Teton County, District 6. Low bidder: Ralph L. Wadsworth Construction Company, Inc. - \$1,840,459.

Key #12199 – US-20, Island Canal Culvert, Jefferson County, District 6. Low bidder: Western Construction, Inc. - \$377,778.

Key #11968 – FY10 District 6 Districtwide Sealcoat. Low bidder: Intermountain Slurry Seal - \$1,441,000.

7) Professional Services Agreements and Term Agreement Work Task Report. From March 1 through March 31, \$1,785,300 in new professional services agreements and work tasks were processed. The majority of the 27 agreements were issued for local projects and because special expertise was required. Six supplemental agreements to existing agreements were processed in the amount of \$644,000 during this period.

Board Items. Member Coleman said the Department has been involved in the Inland Pacific Hub study. The project is to determine if the Inland Pacific Region can evolve into a multi-modal global gateway to increase international commerce. It involves ten counties in eastern Washington and nine counties in northern Idaho. Some Canadian provinces have also been involved. The state of Washington has contributed the majority of funding to date. Member Coleman believes it is an important project and requested ITD's financial assistance of \$225,000.

Chairman Manning asked Director Ness to provide a recommendation on the Department's financial participation on this project.

Member Coleman referenced last month's Board action approving the settlement in the various Sletager vs. State of Idaho cases. It was his understanding that the settlement has not been paid. Some discussion followed on the potential funding source for that payment.

Member Coleman made a motion authorizing the director to identify the funding source and pay the settlement in the Sletager vs. State of Idaho cases. Member Vassar seconded the motion and it passed unopposed.

Chairman Manning said he devoted considerable time to legislative-related issues before the legislature adjourned at the end of last month. He thanked the Board members and various staff members for their assistance with the legislative session. He attended a work session on the project management and scheduling systems and met with a legislator and property owner to discuss access issues on US-20/26 in District 3.

Director's Report. Director Ness summarized the Department's FY11 appropriations that the legislature approved in the amount of \$484 million. Among other things, the legislation included \$261 million in contract construction and a decrease of seven full time positions. Additionally, the GARVEE Program was approved in the amount of \$12 million. He also thanked the numerous staff members that contributed to the legislative efforts.

Since the last Board meeting, Director Ness attended two Capital for a Day sessions, participated in the kick-off meeting for the Statewide Transportation Plan, and started the employee visits. Chief Engineer Tom Cole and he will be attending the annual American Association of State Highway and Transportation Officials' Board of Directors' meeting next month, which conflicts with the Board meeting.

DDIR Stokes reported that some re-organization has occurred in conjunction with implementation of the management systems. The collection of pavement data and related functions have been transferred to the Division of Highways. In response to Member Gagner's question, DDIR Stokes replied yes, that initiative is on schedule and within budget.

DDIR Stokes distributed a report on performance measures and summarized the data. Discussion followed on the report, including comments that the document will be a good communication tool and benchmarks need to be established on the performance measures.

Public Transportation Advisory Council (PTAC) District 2 Annual Update and I-way Leadership Award. District 2 PTAC Member Carl Root summarized the various public transportation options available in District 2, including those provided by the Nez Perce Tribe. He noted the challenges in the area, particularly the disconnect between social services. The local network has good participation in the District; however, he would like the counties to be more involved and would like more consistency in the parties that participate. He also believes more focus should be placed

on marketing and media efforts for the mobility management.

Future goals are to increase participation and implement strategies identified at the local level. PTAC Member Root also believes that economic development and transportation have a strong connection that should be pursued.

Chairman Manning thanked PTAC Member Root for the report.

Member Vassar said ITD is partnering with the Community Transportation Association of Idaho to recognize leadership and innovation in the effective coordination of mobility options in each District. Member Vassar was pleased to announce that Appaloosa Express Transit, operated by the Nez Perce Tribe, was the recipient of the I-way Leadership Award in District 2. She commended Nez Perce Tribal Chairman Penney and the Tribal officials for recognizing the need for public transportation and providing services to everyone living and working within the reservation. Both fixed route and on-demand services are provided. The regional system serves three local mobility networks and connects with other transit services in the District.

Nez Perce Tribal Chairman Penney thanked the Board for the recognition. He reported on plans to expand service and commended Appaloosa Express's employees. The service is successful because of the staff members. He also expressed appreciation to the Board for its collaboration and partnership.

Chairman Manning congratulated Appaloosa Express for the award and commended the Tribe's partnership with the Transportation Department.

Idaho's Statewide Transportation Plan. Transportation Planning Administrator (TPA) Matt Moore said efforts are continuing on the development of the Statewide Transportation Plan. Its goals are to improve safety, grow the economy, and increase mobility.

Intermodal Planning Manager (IPM) Sonna Lynn Fernandez elaborated on the goals. To improve safety, the state's main safety issues will be identified and ways that those problems can be alleviated will be addressed. The Plan will recognize Idaho's economic drivers and identify transportation aspects critical to supporting those. As part of increasing mobility, the important transportation corridors will be defined and the mobility obstacles will be identified.

Some of the Plan's expected outcomes are to establish a tool that optimizes investment decisions to address long-range goals, link the Strategic Plan to the STIP and corridor planning, assist the Department of Commerce in reaching the goals for Project 60 (increasing Idaho's gross domestic product from \$51.5 billion to \$60 billion), and set the stage for developing a more mobile Idaho.

Four teams, all with management support and leadership, have been established: plan management, safety, mobility, and economy. Some of the team's responsibilities are to support the components of the planning process, provide leadership and guidance on its direction, and provide input to the final Plan. IPM Fernandez outlined the schedule, which includes regional economic outreach meetings in April and May, a Board workshop on the draft Plan in October, and Board approval of the Plan and submission to the Governor's Office in December 2010.

In response to Member Gagner's question, TPA Moore replied that consideration has not been given to establishing program targets at this time. The overall efforts are still in the information-gathering stage, but consideration will be given to developing program targets.

Member Coleman believes the Inland Pacific Hub may be a valuable resource for the economic team and with efforts to develop the Plan. Chairman Manning thanked staff for the update on the Plan and its efforts on this important project.

Central Issuance of Driver's Licenses. Motor Vehicle Administrator (MVA) Alan Frew reported that there have been some delays to the implementation of a central issuance process for driver's licenses and identification cards. The projected date for this change is May or June of 2011. In response to Member Gagner's question on the delay, MVA Frew said it was caused by staffing issues. In hindsight, some positions could have been double-filled to ensure the

project stayed on schedule. Member Gagner said the Department needs to be cognizant of the public's expectations when new projects are announced and of the consequences when those projects are not delivered as planned.

Driver Services Manager (DSM) Ed Pemble gave an update on the central issuance project, which will result in more secure drivers' licenses and identification cards. A revised project schedule was presented with projected system roll-out in April-June 2011. He believes the revised project schedule will allow sufficient time to ensure this project is successful, including scheduling adequate testing periods. He outlined some of the cards' features and the temporary card that will be issued until the permanent card is received in the mail.

In response to Vice Chairman Blick's question, DSM Pemble replied that there will be no tracking mechanism embedded in the cards.

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

RES. NO. WHEREAS, the Idaho Transportation Board and Department are authorized to enhance the security  
ITB10-13 of Idaho state driver's licenses and identification cards; and

WHEREAS, the Department is transitioning Idaho's driver licensing and identification card systems toward a secure central issuance service model; and

WHEREAS, Department staff and stakeholders have collaborated together with design experts from the state's current card vendor to create proposed card formats, incorporating statutory requirements and additional security features; and

WHEREAS, the Board recognizes the need for timely approval of the proposed card formats to facilitate the production of secure materials to produce the cards.

*NOW THEREFORE BE IT RESOLVED*, that the Board endorses the proposed driver's license and identification card design formats, and directs Department staff to take the necessary steps to initiate production of these cards utilizing secure card materials.

Adopt-A-Highway. Member Vassar recognized Delta Gamma Nu for its participation in the Adopt-A-Highway Program. She thanked the members for their valuable service to the state.

District 2 Report. DE2 Carpenter provided an update on action items District 2 identified in support of the Department's Strategic Plan. Coordinating striping with other Districts improved customer service and safety by completing the statewide pavement markings earlier in the year. District 2 intends to expand those efforts and complete more striping for other Districts.

Efforts to develop programmatic biological assessments for project environmental documents to improve project readiness are continuing. FHWA has reviewed the document and it should be ready for review by resource agencies by May 1. The District plans to start a pilot project on July 1. Some of the projects it will be applicable for include overlays, minor widening, sign replacement, and some bridge work.

DE2 Carpenter summarized a new initiative to improve the quality and accuracy of construction inspection. Monthly seminars will be held to review upcoming projects; standard operating procedures and a checklist for field inspectors is being developed; and a non-project dedicated inspector for quality control and on-site training will be instituted. He acknowledged the need for the District to improve on delivering projects and completing contracts within the contract time. He believes the project delivery goals were too ambitious.

Vice Chairman Blick thanked DE2 Carpenter for the report. He commended DE2 Carpenter and the other District Engineers for their innovations and their efforts to work together on various issues. Chairman Manning emphasized that the performance measure reports are helpful for the Board to understand what the impediments are. The Board would like to help resolve issues and ensure the success of the Department.



Chairman Manning welcomed Senator Joe Stegner and the Port of Lewiston Commissioners to the meeting.

Use of US-12 for Oversize and Weight Loads. District 2 Maintenance Engineer (ME) Doral Hoff reported that a number of permit applications have been received from the oil industry to haul oil refinery processing equipment on US-12. The District has been working closely with the Division of Motor Vehicles at Headquarters on the procedures for these oversize loads. DE Hoff emphasized that safety is the Department's highest priority. ITD does not want to impede the traveling public more than 15 minutes, so numerous turnoffs have been identified along the route to allow the oversize loads to pull off the main highway so traffic can get around the load. The oil industry indicated it may move up to 200 loads. The intent is to travel US-12 from the Port of Lewiston at night, which would minimize disruptions to the traveling public.

In response to Member Vassar's question on the potential impact to the infrastructure, ME Hoff said that the Headquarters' Bridge Section has been heavily involved. Damage to pavements or bridges is based on a vehicle's configuration, the number of axles, and the placement of those axles.

Member Gagner asked how the permit fees are established. MVA Frew responded that over legal permit fees are based on various factors, such as the size of the vehicle, its configuration, and the number of axles. The length of the route is also considered. It is a sliding scale set forth in Idaho Code. Member Whitehead believes there is potential for excessive staff time involved in this particular operation on US-12. He asked if administrative costs are included in the permit fee. MVA Frew responded no; overhead costs are not part of the fee structure.

Vice Chairman Blick cautioned that delays to the traveling public should be kept to a minimum. DE2 Carpenter concurred and said the loads will be monitored closely.

Senator Stegner also expressed concern with excessive delays to the traveling public and urged keeping disruptions to a minimum. He believes there has been miscommunication about the plans for these over legal loads and encouraged educating the public on this project.

Right-of-Way Acquisition Process and SH-16 Overview. Right of Way Manager (RWM) Jesse Smith outlined the right-of-way acquisition process, starting with the project development stage. In summary, initial contacts are made with property owners; appraisals are completed and reviewed; negotiations, which may include incentive payments, administrative settlements, or relocation assistance, are conducted; and the property is acquired. The acquisition may be completed via condemnation if negotiations are not successful. The Department's policy is that every reasonable effort shall be made to expeditiously acquire real property by negotiations at the just compensation amount.

RWM Smith reported that 113 acres are needed for the SH-16 extension, SH-44 to US-20/26 project. There are 49 property owners involved. Of the 77 parcels that are needed for the project, 8 have been acquired to date and 4 are in the condemnation process.

Member Coleman asked if the acquisition process allows the design to be reviewed and changed to accommodate right-of-way issues that were unknown during the initial design stage. Chief Engineer (CE) Tom Cole replied the process allows for adjustments to the design, although not necessarily a re-alignment of the project. Due to the environmental process, it is difficult to make major changes to a project, such as a re-alignment, when the project is at the right-of-way acquisition stage.

Member Gagner asked if consideration is given to purchasing an entire parcel versus a small amount of land that is needed for the project. He believes an entire purchase may be more economical and that the extra property could be used as a staging area. CE Cole responded that consideration is given to purchasing entire parcels. Each case is different and there are numerous factors that are contemplated in the process.

In response to Vice Chairman Blick's question, CE Cole replied that business loss is taken into account when agricultural land is purchased. Those damages are included in the negotiations. Vice Chairman Blick believes more weight needs to be given to the agriculture land because owners lose future income from that property. RWM Smith

concluded that more consideration could be given to business loss in those situations.

Chairman Manning thanked RWM Smith for the informative presentation.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 11:30 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345 (b),(c), (d), and (f). Vice Chairman Blick seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to a right-of-way issue on the extension of SH-16 to US-20/26 project; records exempt from public disclosure; a request to de-designate an international scenic byway; and litigation against ITD on employment-related matters.

A discussion was held on personnel matters related to the conduct of public officers and the evaluation of a public officer.

The Board came out of executive session at 1:00 PM. No final actions or decisions were made.

De-designation of a Portion of the International Selkirk Loop, US-95, District 1. Garry Young, Scenic Byways Program Manager (SBPM), reported that the Boundary County Commissioners have requested the de-designation of an approximate three-mile section of the International Selkirk Loop for economic reasons. The County claims that the byway designation has potentially deleterious effects on businesses operating in the corridor. The Scenic Byways Advisory Committee (SBAC) reviewed the request at its meeting last month. The SBAC voted on the issue and recommends that the Board retain the scenic byway designation. SBPM Young added that one of the goals of the scenic byway program is to promote the economy.

Carol Graham, Executive Director of the International Selkirk Loop, said traveler surveys have been conducted on this byway, with responses indicating the byway increased economic development. She believes the loop designation is helpful to the economy.

Boundary County Commissioner Dan Dinning acknowledged the County's initial support to designate the byway; however, he indicated the commissioners did not fully understand the implications of the designation. The commissioners are concerned with restrictions on commercial development and property owners, as signing is restricted on the byway.

In response to Member Coleman's question, SBPM Young replied that gaps are allowed on state scenic byways. He emphasized that scenic byways encourage economic development and acknowledged the unsightly billboard along this specific byway, which is not in accordance with the scenic byway regulations. He discouraged allowing the billboard, as he believes that would set a precedent. The area can expand commercially. Although billboards are not allowed along scenic byways, on-site advertising is acceptable.

Member Coleman noted the concerted effort since the 1960s to limit signing along the nation's highways. He made a motion to accept the recommendation of the Scenic Byway Advisory Committee to retain the designation of the entire International Selkirk Loop. Member Vassar seconded the motion and it passed unopposed.

District 3 Changes to the Capital Investment Program due to State Fiscal Year (SFY) 2010 End-of-Year Closeout. DE3 Dave Jones requested approval to delay US-95, Junction SH-55 to Homedale South City Limit, key #11061, to SFY11. He does not believe this \$3.27 million pavement restoration project will meet the due date for SFY10 projects. He requested advancing the SH-21, Robie Creek Road to Idaho City project, key #12031, for \$3.269 million.

Member Gagner asked if this delay could have been anticipated. DE3 Jones replied that a design exception had been requested. Due to the project's designation on the National Highway System, the request was given more consideration, which caused some of the delay. Staff time was also impacted by the federal stimulus proposals, both the one enacted in 2009 and the one proposed in 2010. He added that the project will be constructed this summer. Delaying it to SFY11 will not prevent its construction this summer.

Member Coleman commended DE3 Jones for having another project ready to construct.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department to publish and  
ITB10-14 accomplish a current, realistic, and fiscally constrained Capital Investment 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 US-95, Junction SH-55 to Homedale South City Limit, key #11061, pavement restoration project is not ready for obligation in time to meet the April 1, 2010 closeout of State Fiscal Year (SFY) 2010 of the state funded capital investment program; and

WHEREAS, the delay of key #11061 to SFY11 can be accommodated with the advance to SFY10 of the SH-21, Robie Creek Road to Idaho City, key #12031, preservation project, which is already obligated with state funds; and

WHEREAS, the above changes will enable the full use of SFY10 state funding for ready capital projects that will be underway in the 2010 construction season.

*NOW THEREFORE BE IT RESOLVED*, that the Board authorizes the delay of US-95, Junction SH-55 to Homedale South City Limit, key #11061, to SFY11 and advance SH-21, Robie Creek Road to Idaho City, key #12031, to SFY10.

District 4 Changes to the Approved Capital Investment Program. DE4 Devin Rigby requested the delay of the SH-75, Shoshone North project, key #7699 from federal FY10 to FY11. The delay of the \$14 million eight-mile reconstruction project is due to a reevaluation of the wetland delineation. The delineation complies with the FHWA and U.S. Army Corps of Engineers' requirements for wetland impacts. The 404 permit was ready to expire, so an extension was requested. DE4 Rigby acknowledged that the District could have requested an extension earlier in the process, which may have prevented delaying the project.

DE4 Rigby requested advancing I-86, Salt Lake Interchange to Raft River Interchange, key #6521 and SH-75, Milepost 105 to Bellevue, key #11476 to FY10. He also requested increasing the scope of US-93, Junction I-84 Interchange #173 to 500 South Road, Jerome County from preservation to restoration and that a new safety project at 'X' Canal Drain, Jerome County be added to FY10.

Vice Chairman Blick noted that this action also results in a new preservation project on SH-74, Orchard to 3600 North in FY10. He commended the District's efforts and partnership with the City of Twin Falls on this important project. He also believes some private funding from Crossroads Point business center is available for the US-93 project, which is also commendable.

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

RES. NO. WHEREAS, it is in the public's interest for the Idaho Transportation Department to publish and  
ITB10-15 accomplish a current, realistic, and fiscally constrained Capital Investment 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 SH-75, Shoshone North, key #7699, roadway expansion project will not be ready for obligation in time to meet the September 21, 2010 closeout of FY10 of the Capital Investment Program; and

WHEREAS, the delay of key #7699 to FY11 can be partially accommodated with the advance from FY11 to FY10 of the I-86, Salt Lake Interchange to Raft River Interchange, key #6521, pavement restoration project and the advance of the SH-75, Milepost 105 to Bellevue, key #11476, pavement restoration project from FY11/12 to FY10; and

WHEREAS, the delay of key #7699 to FY11 will also enable the addition of a new safety project at 'X' Canal Drain, Jerome County, as well as the conversion in scope of US-93, Junction I-84 Interchange #173 to 500 South Road, Jerome County, key #12063, from pavement preservation to pavement restoration for an additional cost of \$2,639,000; and

WHEREAS, the above changes will provide a plan for the full use of FY10 federal funding for capital investment projects in District 4.

*NOW THEREFORE BE IT RESOLVED*, that the Board authorizes the delay of SH-75, Shoshone North, key #7699 from FY10 to FY11 and the advance of I-86, Salt Lake Interchange to Raft River Interchange, key #6521 and SH-75, Milepost 105 to Bellevue key #11476 to FY10 to take its place; and

*BE IT FURTHER RESOLVED*, that the Board authorizes a new safety project at 'X' Canal Drain, Jerome County to be added to FY10 of the Safety Program and the transfer of US-93, Junction I-84 Interchange #173 to 500 South Road, Jerome County from the Pavement Preservation Program to the Pavement Restoration Program; and

*BE IT FURTHER RESOLVED*, that staff is authorized to modify the Statewide Transportation Improvement Program to reflect the above changes.

Connecting Idaho Partners (CIP) Contract Amendment. GARVEE Program Manager Jason Brinkman reported that staff has negotiated a contract amendment with CIP for the GARVEE Program. The initial Program Management Services Agreement executed in August 2006 allows periodic amendments for the purpose of extending services commensurate with successive legislative program funding authorizations. Amendment 1 was executed in June 2008 to cover services for the second funding authorization. The second amendment covers services for the third, fourth, and fifth funding authorizations.

Member Coleman noted that amendment 2 authorizes more work by ITD staff. He commended staff for the negotiations on this amendment.

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

RES. NO. WHEREAS, in August 2006, the Idaho Transportation Board selected Connecting Idaho Partners  
ITB10-16 to provide management services for the GARVEE Transportation Program; and

WHEREAS, the Idaho Transportation Department subsequently entered into a Program Management Services Agreement with Connecting Idaho Partners that contemplates periodic amendments for the extension of services commensurate with successive Legislative funding authorizations; and

WHEREAS, the Program Management Services Agreement, and Amendment 1 thereof, provided for Connecting Idaho Partners services for the FY07 and FY08 funding authorizations, respectively; and

WHEREAS, the need for management services is ongoing, albeit in a reduced role due to increased staff availability and capability; and

WHEREAS, staff has negotiated Amendment 2 with Connecting Idaho Partners to provide for Connecting Idaho Partners services for the FY09, FY10, and FY11 funding authorizations on behalf of the Board; and

WHEREAS, Board Policy B-06-08, Professional Service Agreements, requires Board approval for agreements exceeding \$1,000,000 and Board Policy B-01-09, Authority to Sign Contracts, authorizes the Director to sign contracts; and

WHEREAS, the Board has reviewed the scope, terms, conditions, and compensation negotiated for Amendment 2 to the Program Management Services Agreement with Connecting Idaho Partners.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves Amendment 2 to the Program Management Services Agreement, and authorizes the Director to execute the same, upon receipt of a Program Baseline Schedule update from Connecting Idaho Partners that has been approved by the GARVEE Office.

Funding for FY11-15 Highways Program Update. Dave Amick, Manager, Transportation Investments (MTI), requested guidance on establishing funding levels for priority programs for the FY11-15 Highway Capital Investment Program Update. Funding expectations are based on the assumption that federal funding will continue at the FY09 actual federal apportionment levels for the programs and activities designated under the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU). There is little specific information about the timing, duration, and characteristics of any future multi-year federal highway funding authorization law.

MTI Amick outlined the recommended option. State construction revenue estimates for FY11-15 have been reduced by \$19 million annually due to the postponement and expected future cancellation of the highway distribution account revenue transfer from the Departments of Law Enforcement and Parks and Recreation. The current state highway system pavement deficiency measure is at 17.6% and trending downward. The projects funded since FY07 and in the current approved Highway Program produce lane miles of pavement preservation and restoration work that exceed 500 lane miles per year and in some years exceed 600 lane miles. This is enabled, in part, by additional funding for economic stimulus. Historical levels of funding for pavement restoration have not been met at the Board targeted funding level of \$50 million annually. It is expected that the suspension of the STP-Enhancement program can continue without loss of federal funds based on the FY09 rescissions restoration included in the FY10 extension of SAFETEA-LU for 15 months.

The Board had no objections to the funding recommendations.

Monthly Financial Statements and Highway Program Obligations. MTI Amick reported that \$133.7 million had been obligated for projects in the STIP by March 31, or about 31% of the FY10 project costs. At the same time last year, \$104 million, or 31%, had been obligated.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$24,089,008 through February, which exceeded the projected amount of \$17,100,000. This resulted in the transfer of \$7 million in the FY10 Capital Investment Program from federal funding to state funding. Miscellaneous state funded revenue of \$17,046,581 was \$324,123 above the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$119,868,593. The projected revenue was \$121,469,100. Revenue from the ethanol exemption elimination was \$10,211,587, which was a \$301,192 negative variance from the projected amount. Total expenditures in the ARRA Title XII Fund were \$37,992,858. Expenditures in the Local Highway Technical Assistance Council (LHTAC)-administered ARRA Title XIV account were \$84,541.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$254,159 below projections.

Delegation – City of Lewiston. Interim City Manager Marsh expressed appreciation to DE2 Carpenter and his staff for their assistance and partnership. He also acknowledged LHTAC's help and cooperation on projects. He thanked the Board for the various projects it has funded in the community, particularly from the Enhancement Program and Congestion Mitigation and Air Quality Program. Although he understands the financial concerns, he encouraged the Board to resume funding the Enhancement Program. He added that the Safe Routes to School Program is valuable and

has been very beneficial.

Some future projects that the city would like to partner with ITD on include signing; re-aligning SH-128; improving pedestrian connectivity, especially to the waterfront; and re-routing US-12. He thanked the Board for its service and leadership.

Chairman Manning thanked Interim City Manager Marsh for his comments and for hosting the Board during part of its tour yesterday. He also thanked Lewiston Mayor Kevin Poole for attending the meeting.

Legislative Report. Governmental Affairs Program Manager (GAPM) Mollie McCarty summarized the 2010 legislative session and bills impacting the transportation industry. ITD-sponsored legislation on allowing persons older than 17 years of age to obtain a driver's training permit, implementing Federal Motor Carrier Safety Administration audit findings, and changes to duplicate title and transfer have been signed into law. Some of the other proposals that have been enacted that impact ITD include the increase of membership to the Dealer Advisory Board, two new special license plates, and design-build.

GAPM McCarty said efforts are already underway for the 2011 session. She also mentioned the Governor's Task Force on Modernizing Transportation Funding meeting on April 29.

Chairman Manning thanked GAPM McCarty for the report.

New Business. Member Gagner made a motion, seconded by Member Vassar, and passed unopposed, to approve the following resolution:

RES. NO. WHEREAS, staff of the Idaho Transportation Department has been in negotiations with certain  
ITB10-17 property owners for the acquisition of certain parcels of real property in connection with SH-16, US-20/26 to SH-44, in Ada County; and

WHEREAS, as part of the negotiations with certain property owners, the staff of the Department has received an offer to settle the acquisition of parcel #41, a 1.36 acre parcel of property located at the intersection of SH-16 and SH-44; and

WHEREAS, the offer received by the Department staff as compensation for the acquisition of parcel #41, together with damages to the remainder parcel, is \$2,800,000, which results in an administrative settlement of \$255,000.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board hereby approves the above administrative settlement for the acquisition of the real property for parcel #41 and directs Department staff to arrange for payment of same.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:35 PM.

signed

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DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
May 19, 2010  
Pocatello, Idaho

REGULAR MEETING AND DISTRICT FIVE TOUR  
OF THE IDAHO TRANSPORTATION BOARD

May 19-20, 2010

The Idaho Transportation Board met at 1:00 PM, on Wednesday, May 19, 2010, at the Idaho Transportation Department District 5 Office in Pocatello, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Board Minutes. Member Vassar made a motion to approve the minutes of the regular Board meeting held on April 21-22, 2010 as submitted. Member Gagner seconded the motion and it passed unanimously.

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

June 15-17, 2010 – District 3  
July 21-22, 2010 – District 6  
August 18-19, 2010 – District 1

Consent Calendar. Member Vassar made a motion, seconded by Member Whitehead, and passed unanimously, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the  
ITB10-18 FY11 out of state travel; projects for use of Economic Stimulus savings since March 1, 2010; the addition of FY10 National Summer Transportation Institute to the Capital Investment Program; the addition of FH-66, Trail Creek Highway Stage 1, Custer County to the Public Lands Highway Discretionary Program; update of Board Policy B-27-02, Coordination with Aeronautics Advisory Board; update of Board Policy B-27-07, Aeronautical Activities; update of Board Policy B-27-08, Acquisition and Closure of State Airports; update of B-11-07, Safe Routes to School Program; and the increase in work under term agreement and increase in term agreement limit; and has received and reviewed contract award information, professional services agreements and term agreement work task report, and speed minute entry changes for March 2010 – April 2010.

1) FY11 Out of State Travel. The FY11 out-of-state travel request is \$249,800. The breakdown of funding is state - \$208,550; federal - \$40,250; and third party - \$1,000.

2) Projects for use of Economic Stimulus Savings. All of the \$182 million ITD received from the 2009 American Recovery and Reinvestment Act (ARRA) had been obligated by March 1. Due to favorable bid awards, \$3.2 million is available for additional projects. To utilize these savings, staff requests advancing or adding new projects to FY10 of the Statewide Transportation Improvement Program (STIP). The proposed projects were selected from a list of projects developed in anticipation of a second economic stimulus package that did not materialize. The projects are: SH-21, Wildlife Collision Avoidance – addendum, key #11961 - \$417,000; SH-75, Big Wood River and SH-25 ‘C’ Canal Bridges, key #12074 – \$255,210; District 5, Americans with Disabilities Act (ADA) Improvements, key #12217 - \$794,327; District 6, ADA Improvements, key #12218 - \$526,691; STC-2757, North Road (Old SH-79), key #12228 - \$686,000; and Traffic Signal Timing, Ada County Corridors, key #12254 - \$240,000.

3) Add FY10 National Summer Transportation Institute to Capital Investment Program. The University of Idaho, College of Engineering, received an On-the-Job Training/Supportive Services discretionary award from the Federal

Highway Administration. The \$58,179 award will be used to host a Junior Engineering Math and Science Summer Transportation Institute. It is intended to increase enrollment and participation in transportation engineering fields. Staff requests the addition of this project to FY10 of the Capital Investment Program.

4) Add FH-66, Trail Creek Highway Stage 1, Custer County, to the Public Lands Highway Discretionary Program. Congress awarded \$3.75 million via an FY10 Appropriations' Act earmark of Public Lands Highway Discretionary funds to the Lost River Highway District to reconstruct the Trail Creek Highway, Forest Highway 66, near Mackay. Staff requests adding this project, which will reconstruct the remaining gravel surface, to FY12 of the Public Lands Highway Discretionary Program. Because the award is insufficient to fund the entire route, the first stage will begin approximately 12 miles west of US-93 and proceed until the funding is exhausted. The Lost River Highway District intends to solicit Congress for additional funding until the entire route is reconstructed.

5) Update Board Policy B-27-02, Coordination with Aeronautics Advisory Board. This policy was reviewed because it was last signed in 2002. The policy is still valid. No significant changes are proposed.

6) Update Board Policy B-27-07, Aeronautical Activities. This policy was reviewed because it was last signed in 2002. The policy is still valid. No significant changes are proposed.

7) Update Board Policy B-27-08, Acquisition and Closure of State Airports. This policy was reviewed because it was last signed in 2002. The policy is still valid. No significant changes are proposed.

8) Update Board Policy B-11-07, Safe Routes to School Program. This policy was established in 2006 for the administration of the Safe Routes to School program. No companion administrative policy was created at that time. Because an administrative policy has recently been developed, extensive language was removed from the Board policy and incorporated into the administrative policy.

9) Increase in Work under Term Agreement and Increase in Term Agreement Limit. The SH-21, Mores Creek Bridge, Ada County project, key #8669, is scheduled for rehabilitative construction in FY10. The design consultant is HDR Engineering. Additional services are required to provide engineering support during the construction phase for shop drawing review and requests for information. Staff requests approval to exceed the Work Task limit by \$127,500 above the previous Board-approved amount of \$354,500 for development. There are sufficient funds programmed for this additional work.

10) Contract Awards. Keys #11936 and #11938 – STC-5758, Nine Mile Road, Shoshone County, and Nine Mile Road, Wallace, District 1. Low bidder: Knife River Corporation NW DBA Knife River - \$806,146.

Key #11935 – Deep Creek Loop, Boundary County, District 1. Low bidder: Woods Crushing & Hauling Inc. - \$362,713.

Key #11937 – STC-5705, Benewah Creek Road Phase 1, Benewah County, District 1. Low bidder: Poe Asphalt Paving Inc. - \$238,134.

Key #11019 – FY10 District 1 Districtwide Brooming. Low bidder: Aero Power-Vac Inc. - \$200,021.

The low bid on key #11942 – STC-4726, Lewiston Street; North Street to Camas Drive, Cottonwood, District 2, was more than ten percent over the engineer's estimate, requiring justification. The Local Highway Technical Assistance Council (LHTAC) recommends awarding the bid. Due to the project's remote location, some prices were higher than anticipated. The most noticeable differences were in the pay items for urban approaches and superpave hot mix asphalt special provisions. Low bidder: Crea Construction, Inc. - \$446,807.

The low bid on key #11941 – STC-4732, Michigan Avenue, Clearwater County, District 2, was more than ten percent over the engineer's estimate, requiring justification. LHTAC recommends awarding the bid, as rejecting the bids and re-advertising would not offer an advantage to the sponsor. Due to the project's remote location, some prices were higher than anticipated. The most noticeable differences were in the pay items for cover coat material Class A; rent



construction sign Class B; and rent incidental traffic control item. Low bidder: Poe Asphalt Paving, Inc. - \$162,619.

Key #11917 – Lewiston City Sealcoats, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$595,739.

Key #11939 – STC-4771, Cavendish Road, Clearwater County, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$352,748.

Key #11039 – FY10 District 2 Sign Upgrades. Low bidder: Specialty Construction Supply LLC – \$65,887.

Keys #11569 and #11574 – SH-78, Givens Hot Springs to Junction SH-45 and Junction SH-55 to Givens Hot Springs, District 3. Low bidder: Staker & Parson Companies DBA Idaho Sand & Gravel - \$5,289,956.

Key #12209 – Northeast Boise Downtown Sidewalk Improvements (2), District 3. Low bidder: Braun-Jensen, Inc. - \$156,000.

Key #12207 – North Ada County Sidewalk Repair/ADA Accessibility (2), District 3. Low bidder: Braun-Jensen, Inc. - \$635,000

Key #11961 – SH-21, Wildlife Collision Avoidance, District 3. Low bidder: McAlvain Civil Constructors Inc. - \$755,857.

Keys #10528, #10529, and #10530 – US-30 and US-95, Fruitland North City Limits to Payette South City Limits; Snake River Bridge to Junction US-95, Fruitland; and Payette South City Limits to Payette North City Limits, District 3. Low bidder: Knife River Corporation NW DBA Knife River - \$6,175,242.

Key #10488 – Pioneer Corridor Pedestrian/Bike Improvements, Boise, District 3. Low bidder: Hillside Landscape Construction, Inc. - \$296,538.

Key #11924 – North Ada County Sidewalk Repair/ADA Accessibility, District 3. Low bidder: Perkins Construction - \$316,193.

Key #9763 – US-93, Snake River Canyon Scenic Overlook, Twin Falls, District 4. Low bidder: Cannon Builders, Inc. - \$212,900.

Key #9881 – I-15, FY10 District 5 Districtwide Bridge Repair. Low bidder: Cannon Builders, Inc. - \$133,470.

The low bid on key #11958 – Main Street; SH-22 to Riverside Boulevard, Dubois, District 6, was more than ten percent over the engineer's estimate, requiring justification. LHTAC recommends accepting the low bid. Some prices were higher than anticipated due to the project's remote location. The most noticeable difference was in the pay items for pavement marking, fiber wattle, brooming, rejects, concrete for urban approaches, ¾" aggregate type A for base, and mobilization. Low bidder: H-K Contractors, Inc. - \$277,569.

11) Professional Services Agreements and Term Agreement Work Task Report. From April 1 through April 30, \$3,109,961 in new professional services agreements and work tasks were processed. Seven supplemental agreements to existing agreements were processed in the amount of \$255,200 during this period.

Adopt-A-Highway. Sharon Short, District 5 Adopt-A-Highway Coordinator, recognized Jack and Monica Naylor and the Rotary Club of Preston for their participation in the Adopt-A-Highway Program. She thanked the groups for their contributions to the state.

Board Items. Chairman Manning attended the Governor's Task Force on Modernizing Transportation Funding meeting last month and Capital for a Day in Star earlier this month. He also met with constituents on an access issue.

Deputy Director's Report. DDIR Stokes reported that Director Brian Ness and Chief Engineer Tom Cole are attending

the American Association of State Highway and Transportation Officials' annual spring meeting.

Motor Vehicle Administrator Alan Frew said the Motor Carrier Advisory Committee (MCAC) was not renewed via a governor's executive order earlier this year. The Committee was created to provide advice and make recommendations to the Governor and agencies on truck-related issues. Because the group's assistance has been valuable, staff recommends establishing a trucker advisory council, reporting to the Board, to replace the MCAC. Member Whitehead commented that he was a member of the MCAC for approximately 16 years. He believes it played an important role and expressed support to establish a group to replace that committee.

The next scheduled Task Force on Transportation Funding meeting is July 29. Work is continuing on updating the cost allocation study. DDIR Stokes intends to present the cost allocation information to the Board prior to the Task Force meeting.

DDIR Stokes distributed the report on performance measures and summarized the data. Work is continuing on options for cost effectiveness. He was pleased to report that highway fatalities for the year to date are below previous years' counts. Overall, he believes the Department is improving on delivering projects. He commended District 2 for delivering 77% of its projects, while statewide, 53% have been delivered to date.

Approximately 15 meetings have been held throughout the state on the Statewide Transportation Plan. The meetings with stakeholders focused on economic drivers.

DDIR Stokes believes efforts to establish the management systems are progressing well. He receives periodic updates on those initiatives. Member Gagner requested copies of the reports indicating the progress being made on the management systems. He also asked for a future discussion on how the project delivery information is established and tracked; what the benchmarks are; if other states measure project delivery; and if other states measure that information, how Idaho compares to those states.

A highway safety summit was held recently. DDIR Stokes intends to conduct a workshop with the Board on highway safety in October.

DDIR Stokes reported that a number of peer reviews have been completed recently or are scheduled in the near future. Some of the areas that have participated or are being reviewed include highway safety, research, and internal review. He believes participating in these peer reviews is beneficial to obtain other agencies' best practices and identify improvements that can be made within ITD.

Public Transportation Advisory Council (PTAC) District 5 Annual Update and I-Way Leadership Award. Heather Wheeler, Executive Director, Community Transportation Association of Idaho, presented Linx with the I-Way Leadership Award. She commended Linx for its regional initiative to coordinate transportation for the greater Yellowstone Region.

District 5 PTAC Member Ken Bullock also praised Linx for the public-private partnership it initiated and noted that it provides service in District 6 too. He emphasized the need for public transportation services. He expressed concern that the region is losing residents to other states due to the lack of employment in the District. He believes public transportation can help families stay in the area. Public transportation also provides a valuable service to elderly residents, enabling them to live in their homes longer.

PTAC Member Bullock emphasized the good cooperation that the providers in the District have established and their outreach to employers and retailers. He also expressed appreciation to the Board and Department for its assistance.

Chairman Manning thanked PTAC Member Bullock for the report. He also mentioned that the Governor's Task Force on Transportation Funding established a Subcommittee on Public Transportation, noting that it is an important component of transportation.

Road Use Fees for Non-reducible Overlegal Permits. Reggie Phipps, Vehicle Size & Weight Specialist (VS&WS)

summarized the road use fees for non-reducible overlegal permits. Vehicles or loads that are non-reducible and exceed legal axle weights or 80,000 pounds are required to get a permit and pay road use fees. These fees are in addition to the registration fees. Carriers can either get a single trip permit or an annual permit.

The fee per mile is determined by the total number of axles and the gross weight. The minimum fee is 4 cents per mile and increases 4 cents per mile for every 2,000 pound increase in weight. The weight formula changes to 7 cents per mile for every 2,000 pound increase at a certain point. The fee structure is arranged so that the less number of axles that are used to distribute the weight, the higher the fee per mile. This encourages carriers to use more axles to distribute the weight and lessen the impact to the highway infrastructure.

VS&WS Phipps said the fee structure, established in Idaho Code, has been in place since 1998. It replaced the previous weight distance fees. In fiscal year 2009, annual permit fees totaled \$729,565 and single trip permit fees resulted in revenue of \$604,067.

Some discussion followed on the permit applications from the oil industry to haul oversize loads on US-12. There was concern that the administrative fees will not cover the Department's costs, particularly if staff works overtime during those trips. VS&WS Phipps responded that by administrative rule, the administrative fees are supposed to pay for the administrative costs of issuing permits. She acknowledged that the administrative fees will not cover the costs of issuing the permits for the referenced oversize loads on US-12, but added that those loads are a unique situation. The Department has some flexibility in handling unique circumstances, but there is no provision to address the concern of staff's overtime.

Chairman Manning thanked VS&WS Phipps for the informative presentation.

District 5 Report. District 5 Engineer (DE) Ed Bala reported on efforts to improve efficiency, such as cross utilization of personnel, minimizing overtime, partnering with other Districts to complete striping statewide in a timelier manner, and realigning the personnel complement to ensure the District has the right number of people in the appropriate area.

The District completed 100% of its projects in 2009 within the allotted time and the final cost of all projects between 2005 and 2009 was 103.3% of the bid amount.

The District has established winter maintenance performance measures. DE Bala was proud to report that the goals were met this past winter. Additionally, the District is transitioning to liquid deicers. This product is less expensive than sand and salt, resulting in more resources available for summer maintenance efforts.

Chairman Manning thanked DE Bala for the report and for his efforts on efficiency.

LHTAC Changes to FY10-11 Capital Investment Program. LHTAC Assistant Administrator Dan Shirilla requested changes to the Capital Investment Program. On behalf of Shoshone County, he requested delaying STC-5750, West Fork Pine Creek Bridge, Shoshone County, key #7216, from FY10 to FY11 of the Local Bridge Program. This action is due to delays in acquiring right-of-way for the \$1 million project. Canyon Highway District #4 would like to advance STC-3724, Homedale Road; Beet Road to Farmway Road, Canyon County, key #9983, from FY11 to FY10 of the Surface Transportation Program – Local Rural Program. This pavement overlay project is programmed for \$656,000.

Member Vassar 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 to publish and  
ITB10-19        accomplish a current, realistic, and fiscally constrained Capital Investment Program; and

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

WHEREAS, right-of-way acquisition delays preclude Shoshone County from delivering STC-5750,

West Fork Pine Creek Bridge, Shoshone County, as programmed for construction in FY10 of the Local Bridge Program; and

WHEREAS, Canyon Highway District #4 is able to submit Plans, Specifications, and Estimates for the FY11 pavement overlay at STC-3724, Homedale Road; Beet Road to Farmway Road, Canyon County by June 30, 2010; and

WHEREAS, FY10 and FY11 funds are available to swap these projects via the combined funding balance of programs administered by the Local Highway Technical Assistance Council.

*NOW THEREFORE BE IT RESOLVED*, that the Board authorizes the delay of STC-5750, West Fork Pine Creek Bridge, Shoshone County, key #7216, from FY10 to FY11 of the Local Bridge Program and the advance of STC-3724, Homedale Road; Beet Road to Farmway Road, Canyon County, key #9983, from FY11 to FY10 of the Surface Transportation Program – Local Rural Program.

Monthly Financial Statements and Highway Program Obligations. Manager, Transportation Investments Dave Amick reported that \$211.9 million had been obligated for projects in the STIP by the end of April, or about 49% of the FY10 project costs. At the same time last year, \$132.2 million, or 39%, had been obligated.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$26,025,538 through March, which exceeded the projected amount of \$18,400,000. Miscellaneous state funded revenue of \$20,053,877 was \$820,806 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$133,467,620. The projected revenue was \$135,804,800. Revenue from the ethanol exemption elimination was \$11,214,845, which was a \$405,342 negative variance from the projected amount. Total expenditures in the ARRA Title XII Fund were \$42,653,863. Expenditures in the LHTAC-administered ARRA Title XIV account were \$244,021.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$1,125,977, or \$265,559 below projections.

GARVEE Program Budget Update and Risk Assessment Workshop. GARVEE Program Engineer Amy Schroeder summarized a risk assessment workshop held with FHWA, the Connecting Idaho Partners (CIP), and various ITD staff members. The intent of the exercise was to identify obstacles and challenges to the Program and determine methods to address or mitigate them. She provided a summary of risks that have the potential to impact the budget, schedule, quality, or scope of the GARVEE projects. She focused on the right-of-way budget and schedule, as those have a high potential to negatively impact the Program.

GARVEE Program Manager (GPM) Jason Brinkman presented an updated Working Plan Summary for the GARVEE Program, incorporating the 2010 legislative action. Of the \$12 million in additional bonding authorization, \$11.5 million will be applied to right-of-way acquisition on the SH-16 Extension, I-84 to South Emmett and \$0.5 million for program management. Additionally, the Program realized \$17.5 million in savings that may be reallocated within the Program. Because of the results of the risk assessment exercise, GPM Brinkman recommends utilizing \$10.5 million and \$7 million of savings on right-of-way for the SH-16 extension and US-95, Garwood to Sagle projects, respectively. He added that funding that is not needed for right-of-way can be applied to the construction of either project.

In response to Member Gagner's question on funding Program Management, GPM Brinkman replied that no additional funding will be needed for the CIP contract at this time. Sufficient funds have been budgeted for the latest amendment to the contract.

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

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the timeframe and scope  
ITB10-20 of improvements for the State Transportation System; and

WHEREAS, Idaho Code 40-315 authorizes federal-aid debt financing through the issuance of Grant

Anticipation Revenue Vehicle (GARVEE) bonds by the Idaho Housing and Finance Association for highway transportation projects; and

WHEREAS, legislative appropriations enacted in 2006, 2007, 2008, 2009, and 2010 authorized the issuance of GARVEE bonds to finance a total of \$693 million in projects; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including the following:

- US-95, Garwood to Sagle
- US-95, Worley to Setters
- SH-16 Extension, I-84 to South Emmett
- I-84, Caldwell to Meridian
- I-84, Orchard to Isaacs Canyon
- US-30, McCammon to Soda Springs; and

WHEREAS, the Governor signed the FY11 appropriation, Senate Bill 1427, into law Monday, April 12, 2010.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the GARVEE FY11 Updated Working Plan, which is on file in the GARVEE Program Office, and will be included in the Draft Statewide Transportation Improvement Program, a summary of which has been provided to the Board.

Executive Session on Personnel and Legal Issues. Member Miller made a motion to meet in executive session at 3:20 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345 (b),(c), and (f). Member Whitehead seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to litigation against ITD on employment-related matters and a right-of-way issue on the US-95, Garwood to Sagle corridor.

A discussion was held on personnel matters related to the conduct of public officers.

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

Old/New Business. DDIR Stokes reported that savings can be made available to use as match for the Inland Pacific Hub study. He noted that the Community Planning Association of

Southwest Idaho is undertaking a transportation economic impact study and is seeking partners on that effort.

Member Vassar expressed support for the multi-modal efforts of the Inland Pacific Hub, but cautioned that providing financial assistance may set a precedent. Although Member Coleman concurred, he said the funds for the Inland Pacific Hub would match federal funds. If the match is not secured, the federal money would need to be returned. He noted that the Inland Pacific Hub is a multi-state effort. US-95 has been identified as the primary route into Canada. The study would identify other assets and improvements needed in Idaho. He added that the Port of Lewiston is also an important component of this initiative. In response to Member Gagner's question, Member Coleman replied that he believes planning funds are available from another project in District 1. The Inland Pacific Hub would not be funded with construction money.

Member Coleman made a motion to approve \$130,000 in planning funds for the Inland Pacific Hub study. Member Gagner seconded the motion and it passed unopposed.

Member Coleman reported that the City of Sandpoint proposed a partnership to develop a portion of the US-2, Dover to Sandpoint project. The project, which will alleviate some of the through-traffic in downtown Sandpoint, is in "mid Horizons". Sandpoint officials indicated a desire to fund some engineering work on an approximately half-mile segment of the 2.2 mile project. Member Coleman emphasized that no construction funds have been identified and

questioned the expectations that may result if the project is added to the STIP.

Other Board members also expressed concern with unrealistic expectations. Member Coleman recommended continuing this discussion at the workshop next month.

Member Gagner suggested establishing a process to assess a corridor's health, to determine where money should be spent. DDIR Stokes reported that staff is working on some of these issues and plans to discuss them, at least preliminarily, at the workshop next month.

Member Coleman said District 1 has been communicating with the Lakes Highway District on an access issue at Bentz Road as part of the US-95, Wyoming to SH-53 project. He requested more information on this potential project before consideration is given to including it in the STIP.

Member Vassar asked staff to review the administrative fees for issuing overlegal permits. She believes it is imperative for those fees to cover staff's costs.

WHEREUPON the meeting recessed at 4:15 PM.

May 20, 2010

The Board reconvened at 9:00 AM on Thursday, May 20, 2010, in Pocatello, Idaho. All members were present except Gary Blick.

District 5 Tour. The Board departed Pocatello on I-15 north. At Chubbuck City Hall, Chubbuck Mayor Steve England welcomed the Board to the community. He commended DE Bala and his staff for the good working relationship and for partnering with the city on projects, particularly a signing issue. He asked the Board to consider funding a new interchange on I-15 at Siphon Road. He believes it would promote economic development for both the cities of Pocatello and Chubbuck.

Chairman Manning thanked Mayor England for his comments. DE Bala also commended the community for its foresight and planning for the future, particularly to address its transportation infrastructure.

The Board visited the I-86/I-15, Chubbuck-Pocatello Creek project under construction and then traveled east on I-86 to American Falls.

American Falls Airport Manager Stan Bearup provided a history of the airport. The main use is for agricultural purposes. A rock seal and slurry seal project is planned this summer. He thanked the Department for the assistance it provides, particularly the grants.

American Falls Mayor Amy Wynn thanked the Board for visiting the City of American Falls. She commended DE Bala for his assistance and willingness to find solutions to the area's various transportation issues. She also expressed appreciation for the I-86 interchange project, which is under construction. She noted that the structure has been hit numerous times by overheight vehicles. The reconstruction of the interchange should alleviate that problem.

The tour continued north on SH-39 to Blackfoot. The Board returned to Pocatello via I-15 south.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:00 PM.

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signed  
DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
June 16, 2010  
Boise, Idaho

WORK SESSION, REGULAR MEETING AND DISTRICT THREE TOUR  
OF THE IDAHO TRANSPORTATION BOARD

June 15-17, 2010

The Idaho Transportation Board met at 9:00 AM, on Tuesday, June 15, 2010, at the Idaho Transportation Department, District 3 Office in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Sue S. Higgins, Secretary

Chairman Manning welcomed Representative Phylis King to the work session.

FY11 Appropriation. Senior Budget Analyst (SBA) Joel Drake provided highlights of the FY11 appropriation. The full-time equivalent (FTE) positions were reduced by 7 from the FY10 complement to 1,826.5. Personnel was funded at 5% less than the full complement cost. All of the Division of Highways' replacement equipment was approved while only \$63,000 for county equipment in the Division of Motor Vehicles' was approved. All other replacement equipment was disallowed. An additional \$12 million in GARVEE bonding was authorized.

Federal Reauthorization. Transportation Legislation Policy Specialist (TLPS) Tim Greeley provided a status of the federal Highway Trust Fund. Earlier this year, Congress transferred money into the Highway and Transit Accounts from the General Fund to restore the interest that has been transferred to the General Fund since 1998. The act also allows the Highway Trust Fund to resume retaining the interest earned on its invested balances. The Congressional Budget Office estimates that the current \$21.5 billion balance will provide sufficient funding to keep the highway programs operating through the middle of FY13.

TLPS Greeley said the Safe, Accountable, Flexible, and Efficient Transportation Equity Act – a Legacy for Users (SAFETEA-LU) expired on September 30, 2009. Congress has extended SAFETEA-LU through December 31, 2010. The House Transportation and Infrastructure Committee developed a proposal for reauthorization. It would provide \$450 billion for highways, highway safety, and transit over six years, plus an additional \$50 billion in General Fund monies for high speed rail corridors; however, the proposal does not provide a method to raise the additional revenue needed to support a program of this size. The Senate has not proposed a reauthorization bill yet.

State Revenue Forecast. Economics and Research Manager (E&RM) Doug Benzon provided historical information on ITD's revenue. Over the last 16 years, the appropriated, or forecasted, revenues have been within 2% of the actual revenue received. Through May, the FY10 Highway Distribution Account (HDA) revenue to ITD is 1% below the forecast.

E&RM Benzon outlined the Department's state revenue forecast for FY12. State revenue is expected to increase slightly, partly due to legislation approved in 2009 eliminating Idaho State Police and the Department of Parks and Recreation from the HDA distribution formula. Revenue from fuel taxes decreased in FY09 to the lowest level since FY03 when \$201.5 million was received. The net fuel tax to the HDA in FY04 was \$208.5 million, while it was \$203.9 million in FY09. The untaxed dyed diesel fuel consumption doubled from FY04 to FY08 according to E&RM Benzon, but he cannot explain that change, as the economic activity did not support an increase of that magnitude.

Draft FY12 Budget. SBA Drake presented the proposed FY12 budget. Available funds are estimated at \$565.4 million, which is an increase of 6.1% from FY11. Some of the assumptions include a 1% change in employee compensation, an additional \$832,000 for contract inflation, \$233.3 million for contract construction, and \$13.7 million for



equipment. Seven line items totaling \$675,100 are being considered. Some of those include additional personnel to eliminate consultants in the Divisions of Motor Vehicles and Highways, which would result in ongoing savings, a disaster recovery system, and accounting software upgrade.

Discussion followed on the line items to replace consultants with FTEs. The Board encouraged emphasizing the savings that would be realized if FTEs replace the consultants. In response to inquiries on other options, Administrator, Division of Administration (ADA) Dave Tolman responded that due to the reduction in the FY11 personnel complement, he does not believe the Department has sufficient FTEs to transfer to new positions to replace the consultants. Additionally, due to the personnel budget reduction of 5% below the complement, there is insufficient funding to utilize temporary employees to replace the consultants.

SBA Drake expressed concern with the permanent position appropriation shortfall. Some options were discussed to address the \$5.6 million deficit, including restoring funding for program-critical positions only; requesting a partial, fixed percentage restoration such as 3%; or requesting the full 5% restoration. The consensus of the Board was to defer to the Director, as he is more familiar with the critical personnel situation.

In conclusion, SBA Drake said work will continue on the development of the proposed budget. The Division of Financial Management has not released the FY12 Budget Development Manual yet. In addition to the restoration of permanent position spending authority, other items pending include the GARVEE bonding authorization request and non-standard adjustments.

FY12 Road Equipment Request. Maintenance Services Manager Steve Spoor said the replacement value of ITD's fleet is over \$194 million in FY12. The replacement criteria for road equipment are based on usage and age. Deficient equipment exceeds both of those requirements. The FY12 budget request of \$12,144,700 would replace 6% of the fleet and 26% of the deficient road equipment. He added that the buy-back program continues to be successful.

Highway Project Scheduling Process and System. Erika Bowen, Materials Staff Engineer, summarized the progress on the Project Scheduling System. All six Districts have initiated a pilot project, which is to be completed by October. Installing and configuring the technology at Headquarters should begin in January 2011. The business standards to ensure consistency should be identified by April. The system should be fully operational by November 2011. It will provide real-time data, forecast capabilities of project delivery dates, identify where resources should be utilized, identify areas causing bottlenecks and delays, and provide clear information to all stakeholders. Deputy Director (DDIR) Scott Stokes added that the resource agencies have been incorporated into this project and the system should improve coordination efforts with those partners.

Highway Cost Allocation Study (HCAS). The HCAS is an assessment of revenues collected and expenditures made on the state and local level, according to E&RM Benzon. All revenue for highways, roads, and streets by functional class and vehicle type are being reviewed. The Study will estimate equity ratios for vehicle types, with an equity ratio of 1 meaning that vehicle is paying 100% of its responsibility. It can measure impacts of changes in fees or programs. He said the Study will not make recommendations, nor will it determine the needs of the system. ADA Tolman added that the findings will be presented to the Board next month, prior to the July 27 report to the Governor's Task Force on Modernizing Transportation Funding.

Highway Investment Program Update. Dave Amick, Manager, Transportation Investments (MTI), presented the proposed FY11-15 Capital Investment Program, which will be available for public review and comment in July and presented to the Board for approval in September. Estimated funding for the five-year Program is \$2.3 billion, with 84% dedicated to highways, including the GARVEE Program. Aeronautics would receive 12% of the funding and public transportation 4%. Due to funding constraints, the target of resurfacing 600 lane miles annually is not met in any of the FY11-15 years.

Because of the efficiency of grouping projects in the STIP, staff will continue this practice. MTI Amick emphasized that the Board will see each project in every group. Director Ness added that the list of grouped projects will also be transparent to the public.

Highway Operations and Safety Engineer (HOSE) Brent Jennings summarized the Highway Safety Improvement Program. The annual allocation of \$10 million is available for infrastructure projects, High Risk Rural Roads, Safe Routes to School, and targeting behavior. The infrastructure projects must be aligned with the Strategic Highway Safety Plan, the projects must be data driven, and the project types must meet SAFETEA-LU provisions. Districts propose projects for funding and a review committee ensures they meet the requirements. The Local Highway Technical Assistance Council (LHTAC) has expressed interest in participating in the Highway Safety Improvement Program. HOSE Jennings mentioned several options to address this request.

Performance Measures: Highway System. Materials Engineer Jeff Miles reported that due to recent emphasis on resurfacing pavements, 83% of pavements are currently in good condition. Because of the limited funding projected in future years, pavement in good condition is expected to decrease to 74% by FY15.

Bridge Engineer Matt Farrar said 71% of bridges are currently in good condition. That number drops to 65% in good condition in FY15 based on the draft STIP.

Feasibility, Environmental and Early Development (FEED) Policy. From FY05 to FY07, the Program included funding preliminary work on projects ranging from almost \$500 million to close to \$800 million. This resulted in concerns with expectations, as funding was not available to construct all of those projects, and resources were dedicated to projects that may never be built. MTI Amick summarized the FEED Program for years 6-10 to prepare projects for future construction. Some of the concepts include Board approval for projects to be included; the program would not exceed \$300,000 per district per year for development costs; each district would be limited to no more than \$35 million in estimated construction costs; development activities would be performed internally except where special expertise is required and is not available in-house; eligible costs for the program shall be limited to feasibility studies, value engineering studies, environmental, and other early design-related costs with exceptions requiring Board approval; and the projects must be clearly depicted as unfunded for construction.

In response to Chairman Manning's question on local partnerships, MTI Amick replied that the projects included in the FEED Program must be an ITD priority. If a proposed partnership project is a priority, the construction project should be placed in the FEED Program as part of that District's \$35 million unless the partner is paying for the construction.

Member Gagner expressed concern that this may create unrealistic expectations that the project will be constructed. MTI Amick responded that if the project is a priority, it should be built; however, he acknowledged that the Program could create expectations.

Chief Engineer (CE) Tom Cole added that the Department needs to have projects ready if additional revenue is received. The FEED Program allows work on expansion projects. Although major, expensive expansion projects may not fit the criteria, he noted that the majority of expansion projects are not real expensive and would be appropriate for this category.

Member Gagner asked how the priorities for projects will be determined. MTI Amick replied that a formula to select projects has already been established and that the Board will have input and could determine statewide priorities. CE Cole added that consideration can be given to address specific issues such as safety or congestion. The criteria may also change depending on variables like funding.

Member Vassar expressed support for the FEED Program, particularly with the outlined constraints.

Member Coleman questioned the \$300,000 limit, as that may be insufficient for major expansion projects and projects that require more environmental work, as those issues can be costly. CE Cole believes the proposal will enable staff to accomplish significant work and assist with getting projects ready for construction. He noted that a number of projects that may be good candidates for this program had been in Preliminary Development or in the STIP previously and may have had extensive work completed already, including an Environmental Impact Statement.

Hardship Right-of-way Purchase Issues. Right-of-Way Manager Bill Smith summarized three options to purchase right-of-way for future projects. Protective buying and hardship cases are allowed by federal requirements, although both require justification for the advance purchase. Another option is to use state funds.

Where to Focus Additional Revenue. Assistant Chief Engineer – Development Loren Thomas said some consideration has been given to utilizing additional revenue if it becomes available. Because pavement and bridge rehabilitation and restoration projects could be made ready for construction in a timely manner, staff would focus on those types of projects. Various funding-level scenarios were reviewed.

WHEREUPON the work session recessed at 4:00 PM.

June 16, 2010

The Board reconvened at 8:30 AM on Wednesday, June 16, 2010, at the ITD District 3 Office in Boise, Idaho. All members were present, including Vice Chairman Gary Blick, District 4 and Neil Miller, District 5. Deputy Attorney General Karl Vogt was also present.

Board Minutes. Member Gagner made a motion to approve the minutes of the regular Board meeting held on May 19-20, 2010 as submitted. Member Coleman seconded the motion and it passed unopposed.

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

July 21-22, 2010 – District 6

August 18-19, 2010 – District 1

September 15-16, 2010 – District 4

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the  
ITB10-21 2015 Statewide Rural Functional Classification Update; Snake River Canyon Scenic Byway Corridor Management Plan; addition of 16<sup>th</sup> Avenue North, 7<sup>th</sup> Street North to Garrity Boulevard, Nampa to American Recovery and Reinvestment Act Governor's Discretionary Program; Surface Transportation Program (STP)-Local Urban and Transportation Management Area balancing meeting actions; addition of O'Gara Road, Milepost 100 to Chief Road, Kootenai County to FY10 of STP-Local Rural Program; adjustments to the Program for receipt of FY10 obligation authority; adjustments to the Program for receipt of FY09 Interstate Maintenance Discretionary earmarks; and the Chubbuck Bridge Interchange #61 consultant request; and has received and reviewed the contract award information and professional services agreements and term agreement work task report.

1) 2015 Statewide Functional Classification Update. Each District reviewed its highways to determine if functional classification changes are necessary. District 3 recommends upgrading SH-19 and US-20/26 west of Caldwell from rural minor arterial to rural principal arterial. The 2015 statewide rural functional classification map is shown as Exhibit 390, which is made a part hereof with like effect.

2) Snake River Canyon Scenic Byway Corridor Management Plan. The Snake River Canyon Scenic Byway Advisory Committee developed a corridor management plan. The Plan, which meets the 14 points required by federal statute, provides a framework to enhance and preserve the natural rural character of the byway corridor while encouraging recreation and improving highway safety. It is a local effort to capitalize on economic development opportunities. The Plan also identifies strategies to promote the corridor while balancing the care and conservation of the valuable scenic, historic, and cultural sites. District 3 participated in the development and review of the document and supports it. The Scenic Byways Advisory Committee reviewed the referenced corridor management plan and recommends Board approval.

3) Add 16<sup>th</sup> Avenue North, 7<sup>th</sup> Street North to Garrity Boulevard, Nampa, to ARRA Governor's Discretionary Program. Idaho received approximately \$29 million of Department of Education funds through Title XIV of ARRA for use at the Governor's discretion for the purpose of state stabilization. The Idaho legislature appropriated \$17.5 million to LHTAC to fund highway projects on local roads with the advice and consent of the Board. LHTAC had previously programmed \$755,000 of the Governor's discretionary funds for the Intersection of Franklin and 21<sup>st</sup> Avenue, Caldwell, key #11584, project. Per request of the Controller to ensure the accountability of multiple fund sources on ARRA projects, ARRA highway infrastructure funds were obligated instead of the Governor's discretionary funds. LHTAC requests that the reconstruction of 16<sup>th</sup> Avenue North, 7<sup>th</sup> Street North to Garrity Boulevard, Nampa, be funded under the Governor's Discretionary Program.

4) STP-Local Urban and Transportation Management Area (TMA) Balancing Meeting Actions. Staff met with its local partners to review the STP-Local Urban and STP-TMA Programs. The following actions are requested: advance Bannock Transportation Planning Organization Planning Model Update, key #12100, \$350,000, from Preliminary Development to FY10 of the STP-Local Urban Program; and add Pedestrian Crosswalk Countdown Signal Heads, key #12219, \$1,018,000; SMA-7113, Curtis Road Traffic Signal Upgrade, key #12250, \$458,000; and FY10 Community Planning Association of Southwest Idaho Planning, \$306,000, to FY10 of the STP-TMA Program.

5) Add O'Gara Road, Milepost 100 to Chief Road, Kootenai County, to FY10 of STP-Local Rural Program. LHTAC solicited shovel ready projects in anticipation of an FY10 federal stimulus act. Four stages of pavement restoration at O'Gara Road, Milepost 100 to Chief Road, Kootenai County, were developed at the expense of Eastside Highway District #3. Although a stimulus act is apparently not forthcoming, LHTAC has over \$2 million available from savings and deferral of right-of-way purchases. It requests approval of the addition of the four stages of O'Gara Road, Milepost 100 to Chief Road, keys #12231, #12233, #12235, and #1223, in the amount of \$1,947,000 to FY10 of the STP-Local Rural Program and the amendment of the grouped totals within the FY10 Statewide Transportation Improvement Program (STIP).

6) Adjust Program for receipt of FY10 Obligation Authority. The FY10 Highway Development Program was developed based on an estimate of flat-line funding from FY09 levels. The Department has received obligation authority in excess of prior estimates, totaling almost \$23 million. Staff recommends adding the following projects, which were developed in anticipation of FY10 federal stimulus funding, to the FY10 STIP:

- US-95, Lancaster to Bentz, Kootenai County, key #H104 - \$2,000,000
- I-84, Cloverdale Underpass, Boise, key #9964 - \$555,000
- SH-51, Milepost 60 to Snake River Bridge, Owyhee County, key #11575 - \$3,200,000
- SH-55, Cascade North City Limits to Donnelly, key #12032 - \$2,300,000
- SH-75, Frenchman's Creek to Stanley, key #12214 - \$6,000,000
- SH-34, Conda Road to Blackfoot River Bridge, Caribou Co., key #11631 - \$4,770,000
- Local Urban: Transit Americans with Disabilities Act Bus Stop Improvements, key #11923 - \$91,000
- Local Urban: Transit Valley Regional Transit Bus Replacements - \$1,163,000
- Local Urban: Transit Coeur d'Alene Park and Ride Transfer Center - \$570,000
- Local Rural: STC-5907, Deep Creek Loop, key #12230 - \$679,000
- Local Rural: STC-5723, Burma Rd. Northern Intersection SH-97, key #12239 - \$416,000
- Local Rural: STC-5723, Burma Road; Gotham Bay Road, key #12242 - \$415,000
- Local Rural: STC-5721, Cave Bay Road; Rock Creek to Milepost 1.94, key #12240 - \$488,000
- Local Rural: STC-5721, Cave Bay Road; North of Bitter Creek, key #12241 - \$487,000

7) Adjust Program for receipt of FY09 Interstate Maintenance Discretionary Earmarks. ITD requested \$26 million for FY09 appropriation earmarks to widen I-84 from Caldwell to Nampa and from the Broadway Interchange to the Gowen Interchange. Congress awarded \$1.9 million in the FY09 Appropriations Act, which was allocated via Interstate Maintenance Discretionary funds by FHWA in March. To utilize these funds, staff recommends advancing I-84, 10<sup>th</sup> Street Interchange to Franklin Road Interchange, Caldwell, key #11970, \$1,425,000, from FY11 to FY10; adding I-84, Broadway Avenue, Interchange Ramp Improvements, key #11971, \$475,000, to FY10; and amending the FY10 STIP accordingly.

8) Chubbuck Bridge Interchange #61 Consultant Request. District 5 does not have sufficient availability to complete the Chubbuck Interchange Bridge replacement project by FY13. The Bridge Section has staff available to complete the bridge design for this \$10.4 million project. Staff requests authorization to use consultant services, estimated at \$1.5 million, to meet the project schedule for the design of this project.

9) Contract Awards. Key #12006 – US-12, Lenore Turnbay, Nez Perce County, District 2. Low bidder: S & S Contracting Inc. - \$399,606.

Key #2352 – SH-11, Top of Pierce Pass to Pierce, District 2. Low bidder: Debco Construction - \$3,135,992.

Key #11564 – SH-13, Howard Creek to Kooskia City Limits, District 2. Low bidder: Poe Asphalt Paving, Inc. - \$2,046,485.

Key #10916 – I-84, Franklin Boulevard to 11<sup>th</sup> Avenue, Nampa, District 3. Low bidder: Concrete Placing Company, Inc. - \$22,208,437.

Key #12031 – SH-21, Robie Creek Road to Idaho City, District 3. Low bidder: Central Paving Company, Inc. - \$2,070,963.

Keys #11903 and #11905 – SH-55 and US-20, Overhead Message Board to Horseshoe Bend South City Limits and Junction I-84 to Eagle Road, District 3. Low bidder: Snake River Construction, Inc. - \$3,188,670.

Key #11904 – SH-21, Lowman to Banner Creek Summit, District 3. Low bidder: Snake River Construction, Inc. - \$1,124,390.

Key #11932 – I-84, Ten Mile Road Interchange Landscaping, District 3. Low bidder: Franz Witte Landscape Contracting - \$580,282.

Keys #11047 and #11050 – SH-52 and SH-72, Junction US-95 to Junction SH-72, Payette and Junction US-30 to Junction SH-52, Payette County, District 3. Low bidder: Western Construction, Inc. - \$3,956,222.

Key #12208 – FY10 Ada County Highway District Thin Lift Overlays, Stage 1, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel - \$1,129,771.

Key #11925 – 36<sup>th</sup> Street Pedestrian Bridge, Garden City, District 3. Low bidder: Guho Corporation - \$409,926.

Key #8469 – SMA-7072, Washington Street, Twin Falls, District 4. Low bidder: Debco Construction - \$6,531,483.

Key #10563 – US-30, Hagerman Rest Area Reconstruction, District 4. Low bidder: Starr Corporation - \$431,938.

Key #11534 – US-30, US-93, and I-84, FY10 District 4 Districtwide Sealcoats. Low bidder: Kloefer, Inc. - \$1,087,143.

Keys #10573, #10574, and #10577 – US-89 and SH-36, 5600 West to Bear River Bridge, Franklin County; Pole Canyon Road to Junction US-89, Bear Lake County; and Utah State Line to Ovid, Bear Lake County, District 5. Low bidder: Staker & Parson Companies dba Jack B. Parson Company - \$4,075,193.

Key #11151 – I-15 and US-20, FY10 District 6 Sign Upgrades. Low bidder: Pavement Markings Northwest, Inc. - \$71,857.

Key #12115 – US-20, FY10 District 6 Districtwide Bridge Preservation. Low bidder: Cannon Builders, Inc. - \$1,149,596.

Keys #11670 and #11671 – US-20, Bingham County Line East and Brunt Road to Cinder Butte Road, Bonneville County, District 6. Low bidder: H-K Contractors, Inc. - \$7,233,938.

Keys #7813 and #12124 – I-15 and US-26, Pleasant Valley to Humphrey Interchange, Clark County and Clark Hill Rest Area Guardrail Upgrade, District 6. Low bidder: Marcon, Inc. - \$1,048,105.

Key #9009 – US-93, Salmon River Bridge, Salmon, District 6. Low bidder: Cannon Builders, Inc. - \$588,707.

Key #8132 – US-20, Menan-Lorenzo Interchange, Jefferson County, District 6. Low bidder: H-K Contractors, Inc. - \$8,696,404.

10) Professional Services Agreements and Term Agreement Work Task Report. From May 3 through May 28, \$796,209 in new professional services agreements and work tasks were processed. Eight supplemental agreements to existing agreements were processed in the amount of \$1,873,700 during this period.

Board Items. Chairman Manning said his recent activities included preparations for the next Task Force meeting and a meeting with the Governor's Office.

Adopt-A-Highway (AAH) Presentation. Member Whitehead recognized the Boise Beverage And Discussion Society for its efforts in the Adopt-A-Highway Program. The group of ITD employees has been picking up trash along SH-21 for 13 years. He thanked the participants for their valuable contributions to the state.

Chairman Manning welcomed Representative King to the meeting.

Delegation – Idaho State Tax Commission. Dar Walters, Fuel Tax Manager, thanked the Board members for their time and for their partnership on the Fuels Tax Evasion Project. He reported on the success of this project, funded through the Surface Transportation Program, to recover fuel taxes. The Tax Commission initially committed to a recovery rate of three to one in 1998 when the project was initiated, but the actual experience has been a 7.2 to 1 return during that time. The annual funding of \$78,000 for this project has not been increased since FY99. Due to increases in personnel expenditures, the Tax Commission has been subsidizing this project. Mr. Walters requested increasing funding for this project to \$100,000 for FY11.

Mr. Walters also reported on the dyed diesel fuel program. Because the Tax Commission has no enforcement authority, it relies on the Internal Revenue Service, Idaho State Police, and other states to ensure compliance. A legislative proposal in 2009 included an enforcement provision for Tax Commission and ITD employees and law enforcement officers; however, the enforcement provision was removed from the final legislation.

Although the Board praised the success of the Fuels Tax Evasion project, it expressed frustration with deferring road construction money to the Tax Commission to enable it to perform its responsibilities. Concern was also expressed on the lack of enforcement and the inability to address the illegal consumption of dyed diesel fuel.

MTI Amick noted that the draft STIP includes \$100,000 for the Fuels Tax Evasion project starting in FY11. If no action is taken, the project will remain in the draft Program, which will be presented to the Board for approval in September.

Chairman Manning thanked Mr. Walters for the presentation and commended him for his successful efforts on the Fuels Tax Evasion project.

Semi-annual Report on LHTAC Stimulus Projects. LHTAC Federal Aid Manager Jerry Flatz reported that all 24 projects funded through Title XIV of ARRA have been bid and 23 of the projects have been awarded.

LHTAC Projects in Preliminary Development. Mr. Flatz summarized LHTAC's process to prepare projects for future construction. Applications are accepted annually and evaluated by the Council. The top-rated projects are added to the

STIP with design funds scheduled in a fiscal year. Construction funds are placed in Preliminary Development. When the design progresses and a concept report is approved, construction funds in Preliminary Development are moved ahead to a fiscal year.

When ITD transitioned to the “Horizons” process in 2006, LHTAC was exempted from that process, according to Mr. Flatz. He said moving projects in Preliminary Development forward is critical for LHTAC to utilize the federal-aid obligation authority. He emphasized that the programmed projects are financially constrained.

Chairman Manning thanked Mr. Flatz for the information.

Partnership Survey Report. Aeronautics Administrator (AA) John DeThomas said the Partnership Steering Committee contracted with Boise State University (BSU) to conduct a partnership survey of ITD stakeholders and employees.

BSU representative Carole Nemnich presented the survey findings, noting that overall, the responses were positive. Some of the observations include stakeholders perceive that partnerships are important to ITD; the expertise of ITD employees is highly regarded; and focus group participants who worked in the counties and local highway districts were less happy with ITD’s partnership efforts. The recommendations from the survey are develop a customer service mentality internally and externally; invest adequate resources in partner development; improve communication internally and externally to accommodate stakeholder relationships and partnerships; commit to and practice organizational transparency and accountability; empower decision-making at the lowest necessary level in the organization; and revisit long-range plans more frequently to help ensure they remain vital.

Chairman Manning asked if follow-up activities can be undertaken to determine if improvements were made or to identify successes. Ms. Nemnich said that can be done to some extent by re-interviewing the participants.

In response to Member Coleman’s question, AA DeThomas replied that the Partnership Steering Committee is still evaluating the next steps; although the intent is to integrate elements of the survey into the strategic plan.

Chairman Manning thanked Ms. Nemnich for the informative presentation and noted the importance of the survey.

Draft FY11 Strategic Plan. DDIR Stokes presented the draft FY11 Strategic Plan, which needs to be submitted to the Division of Financial Management by July 1. The document is based on the strategic planning components that incorporate the mission, vision, long-range goals, and vision elements. These components are supported by the accountability and performance elements. The plan also incorporates the new performance measures and goals.

Discussion followed on the performance measure “Services are Timely and Cost-Effective” and the specific goal of “maintain bid amounts between 75% and 110% of construction budgets”. Some concern was expressed that the range is too broad and that ITD has little control on factors that impact the success of the goal. Additionally, interest was expressed in tracking the total project budget versus the construction budget to determine how well the scope of the project was developed.

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

RES. NO. ITB10-22 WHEREAS, Sections 67-1903 and 67-1904, Idaho Code require the Idaho Transportation Department’s administrative head to submit annually, not later than July 1<sup>st</sup>, to the Division of Financial Management (DFM), a strategic plan for program activities; and

WHEREAS, in 1997 DFM reviewed and approved a “summary” format of the Department’s FY98 Strategic Plan as being an acceptable submittal; and

WHEREAS, the Department develops and distributes internally in October an expanded version of the summary.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves submittal of the FY11 Strategic Plan Summary to DFM on July 1, 2010.

Monthly Financial Statements and Highway Program Obligations. MTI Amick reported that almost \$266 million had been obligated for projects in the STIP by the end of May. This is 61.6% of the project costs in the current STIP. At the same time last year, \$158 million had been obligated, or about 47%. In May, \$38.8 million of Debt Service on hold was obligated.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$27,433,208 through April, which exceeded the projected amount of \$19,975,000. Miscellaneous state funded revenue of \$22,658,290 was \$1,348,346 below the forecast. HDA revenue, excluding ethanol exemption elimination, was \$146,973,975. The projected revenue was \$148,964,200. Revenue from the ethanol exemption elimination was \$12,313,061, which was a \$391,481 negative variance from the projected amount. Total expenditures in the ARRA Title XII Fund were \$48,118,532, while \$182 million had been appropriated in FY09. Of the \$17.4 million LHTAC-administered ARRA Title XIV funds, \$445,414 had been expended.

Controller Wilmoth noted that proceeds of \$7,718,124 were received in April from the Equipment Buy-Back Program. He also reported that revenue to the State Aeronautics Fund from aviation fuels was \$1,221,975, or \$297,293 below projections.

Partnership with Sandpoint for Project Development. District Engineer (DE) 1 Damon Allen reported on a partnership proposal from the City of Sandpoint to fund an alternative concept design and scoping study for the US-2, Dover to Sandpoint project, key #8063. The project, which had been in Preliminary Development earlier, would re-route US-2 from downtown Sandpoint. The completion of the US-95, Sandpoint Byway project will also eliminate that state highway from downtown, improving safety and reducing congestion.

City officials believe vacated right-of-way that formerly held a railroad track may be an acceptable location for US-2. They are proposing providing between \$100,000 and \$150,000 to study this concept. DE1 Allen said ITD would provide 10% of the costs to administer the study as part of the state local agreement. He added that Sandpoint is interested in accepting jurisdiction of the current US-2 and US-95 highways in the downtown core.

Member Gagner expressed concern that including the project in the STIP will result in an expectation that it will be constructed, although no construction funds have been identified. DE1 Allen responded that only preliminary engineering funds will be programmed in the STIP for staff to administer the project. He believes the project may be a good candidate for the FEED Program upon completion of the concept study.

Member Vassar expressed support for the project, as it would help the City of Sandpoint address its traffic concerns.

Member Vassar made a motion, seconded by Member Coleman, to approve the following resolution:

RES. NO. WHEREAS, the US-95, Sandpoint Byway will be completed in about two years, providing relief  
ITB10-23 to Sandpoint pass through traffic; and

WHEREAS, it is highly desirable to provide a more direct connection of US-2 from Dover to Sandpoint to further eliminate pass through traffic from Sandpoint's downtown corridor; and

WHEREAS, the original US-2, Dover to Sandpoint connection project became unfunded and placed in the "mid Horizons"; and

WHEREAS, the City of Sandpoint has expressed interest in funding an alternative design and concept for the US-2 connection.

*NOW THEREFORE BE IT RESOLVED*, that upon receipt of City of Sandpoint funding, the Idaho Transportation Board approves the Idaho Transportation Department to enter into a state and local agreement with the City of Sandpoint for the development of an "alternative design and concept" report



by consultant services as part of the US-2, Dover to Sandpoint project, key #8063; and

*BE IT FURTHER RESOLVED*, that the Board authorizes staff to administer and coordinate said project and consultant services; and

*BE IT FURTHER RESOLVED*, that staff is authorized to modify the FY10-14 Statewide Transportation Improvement Program to include the above changes in accordance with the provisions of SAFETEA-LU; and

*BE IT FURTHER RESOLVED*, that this agreement in no way guarantees funding for construction of the project and emphasis placed on the fact that currently no funding is identified or authorized for the project other than funding supplied to the project by the City of Sandpoint.

Member Coleman also voiced support for the project, as it will improve safety, and relinquishing the current state highways in downtown Sandpoint will be beneficial for ITD.

In response to Member Gagner's question on the relinquishment of the downtown streets, DE1 Allen replied that no agreement has been made to transfer those routes. Some preliminary discussions have occurred; however, he was not sure if an agreement on the relinquishment of the routes could be completed before the US-2 project is constructed. The proposed concept study may provide guidance on this issue. Several members supported incorporating the relinquishment in the concept study.

The motion passed unopposed.

Idaho's Strategic Highway Safety Plan (SHSP). Highway Safety Manager (HSM) Mary Hunter was pleased to announce that Idaho reported its lowest fatality rate on record in 2009. There were 226 fatalities at a rate of 1.46 per 100 million miles traveled. It was the fourth straight year of decreased fatalities. The five-year fatality rate goal is no more than 1.38 and a goal of no more than 200 fatalities in 2012.

HSM Hunter presented the updated SHSP. The Plan, initially created in 2006, is a data-driven, comprehensive plan that includes a goal, emphasis areas, and strategies to reduce traffic deaths and serious injuries. It focuses resources on education, enforcement, engineering, and emergency response. It is being updated to revise emphasis areas, incorporate new goals, include emphasis area teams to work on the specific contributors to traffic deaths and serious injuries, develop actions and track work done, build and empower partnerships, and require evaluations.

Chairman Manning asked how Idaho's rail-highway collisions compare to other states and referenced earlier legislation enacted to address this issue. Although HOSE Jennings did not have comparison figures, he noted Idaho's good record. He believes Operation Lifesaver and funding targeted to this program have been instrumental in preventing rail-highway collisions.

Chairman Manning asked if staff can estimate how many lives would have been saved if the occupants would have been properly restrained. HSM Hunter responded that the estimate is 50% of fatalities could be prevented if motorists use safety restraints. She added that about half of Idaho's fatalities are due to single vehicle run off road crashes. Generally, the chance of survival in those incidents is higher if seat belts are worn.

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

RES. NO.        WHEREAS, Idaho experienced 132,249 traffic crashes that resulted in 1,286 traffic deaths and  
ITB10-24        68,707 injuries on Idaho's roads from 2004 to 2008; and

WHEREAS, the economic cost of traffic crashes in Idaho for 2004 through 2008 was \$10.6 billion; and

WHEREAS, the Idaho Transportation Department's goal is to eventually have zero traffic deaths on all roadways in Idaho; and

WHEREAS, the Department has selected performance measures and goals to reduce the five-year fatality rate to no more than 1.38 in 2012, have fewer than 200 traffic deaths in 2012, and to reduce the five-year serious injury average to no more than 1,634 by 2012; and

WHEREAS, the Department has developed the Strategic Highway Safety Plan following an extensive process including involvement of over 100 highway safety partners from the engineering, education, enforcement, and emergency medical services communities; and

WHEREAS, the highway safety partners met and conducted a Strategic Highway Safety Plan Workshop in November 2009, which utilized highway safety emphasis area teams and an executive oversight team; and

WHEREAS, the Strategic Highway Safety Plan was drafted as a result of the November 2009 workshop.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board adopts the Strategic Highway Safety Plan revision dated June 8, 2010.

District 3 Report. DE3 Dave Jones thanked the Board for visiting District 3. He was pleased to report that all of the District's projects were delivered on time for FY10, if not all in the first quarter. Additionally, eight projects worth about \$20 million were advanced and delivered in FY10 through federal stimulus funding and District savings.

Although a number of efficiency measures have been instituted in the District, DE3 Jones acknowledged Cascade Maintenance Foreman Dan Davis's winter maintenance innovations. A float control for snow plow blades was implemented. It allows for reduced pressure on the blade, saving wear and tear on the blade, resulting in a longer life span. During the 2007-2008 winter, the Banks and Cascade Maintenance sheds spent \$39,760 on 560 blades. After implementing the float control, 66 blades were used during the 2009-2010 winter at a cost of \$4,620. Another efficiency measure was a 2 to 1 sand/salt combination plus 7 gallons per ton of magnesium chloride, resulting in a drastic reduction in the consumption of those products without compromising safety.

The Board commended DE3 Jones and his staff for the accomplishments and efficiency measures.

Director's Report. Director Ness reported that the development of the long-range plan is progressing well.

ITD and Imperial Oil will be hosting meetings later this month in District 2 to address concerns, answer questions, and accept testimony on the oil industry's plans to transport overlegal loads on US-12.

Last month Director Ness and CE Cole attended the American Association of State Highway and Transportation Officials' spring conference. Director Ness was pleased to report that officials from Texas commented on Idaho's asset management efforts and insinuated that ITD is an industry leader in asset management. There were also several discussions on national issues. FHWA is in the process of developing its strategic plan, including a renewed focus on setting Disadvantaged Business Enterprise goals and attaining results. To address climate change, a legislative proposal would implement a carbon tax equivalent to adding a 12 1/2-cent tax on fuel without any of that funding dedicated to transportation. Regarding reauthorization, one proposal shifts transportation decision-making from the states to the federal and/or Metropolitan Planning Organization level.

Director Ness said his efforts to meet every ITD employee should be completed in July. He noted that employees are proud of what they do and appreciate the opportunity to share ideas and show him what they are working on. He intends to conduct employee meetings in Headquarters and every District next year after the legislative session.

Director Ness said the Governor's Executive Order is being revised. It will eliminate items that have been completed and focus on expected outcomes for next year.

DDIR Stokes distributed the Director's Monthly Report, which summarizes performance measures and provides information on projects ready to bid. He was proud to report that year-to-date, only two states have a better reduction rate in highway fatalities. Through May, a total of 55 fatalities have occurred on Idaho highways compared to a total of 80 through May 2009. Statewide, 61% of projects have been delivered. Work is continuing on the development of the bridge performance measure.

DDIR Stokes presented a schedule of the transportation asset management system project. Overall, those efforts are proceeding well and are generally on schedule.

DDIR Stokes submitted proposed dates for the legislative outreach meetings in December.

Executive Session on Personnel and Legal Issues. Member Vassar made a motion to meet in executive session at 11:55 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345 (a), (b), (d), and (f). Vice Chairman Blick seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to the Keenan and Coeur d'Alene Investments case, a requested easement from the Nez Perce Tribe, and the US-95, Thorn Creek Road to Moscow project.

A discussion was held on personnel issues related to the discipline, retention and evaluation of employees and the filling of positions.

The Board came out of executive session at 2:05 PM. No final actions or decisions were made.

WHEREUPON the business meeting recessed at 2:05 PM.

June 17, 2010

The Board reconvened at 7:45 AM on Thursday, June 17, 2010, in Boise, Idaho. Chairman Manning and Members Coleman, Gagner, Vassar, and Whitehead were present. Representatives Darrell Bolz and Max Black also participated in the tour.

District 3 Tour. The Board traveled SH-55 north. Port of Entry (POE) Area Supervisor Craig LaChance summarized the POE's responsibilities. The objective is to ensure compliance with laws and regulations relating to highway transportation by commercial, noncommercial, and farm carriers. Emphasis is placed on education. He noted that ITD has a good working relationship with its various partners, including Idaho State Police, the Idaho Tax Commission, and the Department of Agriculture.

After a brief stop at the Banks Maintenance Shed, where Boise County Commissioner Jamie Anderson joined the group, the Board traveled east on the Banks to Lowman Highway. DE3 Jones summarized the agreement to transition the local road to a state highway.

At the Lowman Maintenance Shed, Bill Nicholson, Avalanche Program Manager, provided an overview on the statewide avalanche program, focusing on SH-21. The road closures on SH-21 due to avalanches and avalanche danger have been greatly reduced due to mitigation efforts.

Incident Response Technician Terry Zabel reported on the Incident Response Program. Crews travel the I-84 corridor between Nampa and Boise to provide assistance to motorists and Idaho State Police as needed. Since the program was established in 1997, the crews have responded to over 100,000 various incidents. The intent is to keep traffic flowing safely and efficiently.

After lunch, the Board traveled west on the Banks to Lowman Highway to the Garden Valley Airport. AA DeThomas provided an overview on the popular recreation airstrip and a partnership project to construct showers.

The Board members returned to Boise via the state aircraft pool.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 2:30 PM.

signed

DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
July 21, 2010  
Rigby, Idaho

REGULAR MEETING AND DISTRICT SIX TOUR  
OF THE IDAHO TRANSPORTATION BOARD

July 21-22, 2010

The Idaho Transportation Board met at 1:00 PM, on Wednesday, July 21, 2010, at the Idaho Transportation Department, District 6 Office in Rigby, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Board Minutes. Member Coleman made a motion to approve the minutes of the regular Board meeting held on June 15-17, 2010 as submitted. Member Vassar seconded the motion and it passed unopposed.

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

August 18-19, 2010 – District 1  
September 15-16, 2010 – District 4  
October 20-21, 2010 – Boise

Consent Calendar. Member Gagner made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves revisions  
ITB10-25 to B-01-08, Political Activities, and has received and reviewed the FY10 annual report of activities to the Board of Examiners, the administrative and legal settlements of right-of-way acquisitions, contract award information, and professional services agreements and term agreement work task report.

1) Board Policy B-01-08, Political Activities. This policy, last signed in 2001, is still relevant. No major changes were proposed.

2) FY10 Annual Report of Activities to the Board of Examiners. The Department did not submit any items to the Board of Examiners in FY10.

3) Administrative and Legal Settlements of Right of Way Acquisitions. From January 1, 2010 through June 30, 2010, 17 parcels were processed. There were nine administrative settlements and two legal settlements during this time frame.

4) Contract Awards. Keys #10499, #10500, and #11014 – SH-57, Gleason Boswell to Lamb Creek, Lamb Creek to Bismark Road, and Upper West Branch Priest River Bridge, Bonner County, District 1. Low bidder: Interstate Concrete & Asphalt Company - \$2,976,961.

Key #11987 – I-90, US-95, and SH-97, District 1 Bridge Deck Surface Treatment. Low bidder: American Civil Constructors, Inc. - \$412,653.

Key #12213 – FY10 District 2 Districtwide Sealcoats. Low bidder: Central Washington Asphalt Inc. - \$2,216,229.

Key #12011 – US-12 and SH-7, FY11 District 2 Districtwide Sealcoats. Low bidder: Granite Northwest, Inc. - \$731,730.

Key #11557 – US-95, Lewiston Hill Northbound Lanes, Nez Perce County, District 2. Low bidder: Intermountain Slurry Seal, Inc. - \$2,099,990.

Key #12043 – SH-52, Emmett to Sweet-Ola Highway, District 3. Low bidder: Kloepfer, Inc. - \$994,454.

Key #11568 – SH-78, Murphy to Milepost 37, District 3. Low bidder: Central Paving Company, Inc. - \$957,906.

Keys #11061 and #12028 – US-95, Junction SH-55 to Homedale South City Limits and Marsing Port of Entry to Junction SH-55, District 3. Low bidder: Western Construction, Inc. - \$3,491,347.

Key #9994 – SH-55, Donnelly North City Limits to Deinhard Lane, Valley County, District 3. Low bidder: Knife River Corporation – Northwest dba Knife River - \$3,588,347.

Key #9813 – SH-55, Gold Dust Road Turnbay, Valley County, District 3. Low bidder: Knife River Corporation – Northwest dba Knife River - \$176,594.

Keys #9513 and #9515 – Local and SH-44, Intersection Cemetary Road and SH-44, Middleton and North Middleton Road; Junction SH-44 to Mill Slough, District 3. Low bidder: Nampa Paving and Asphalt Company - \$884,304.

The low bid on keys #11903 and #11905 – SH-55 and US-20, Overhead Message Board to Horseshoe Bend South City Limits and Junction I-84 to Eagle Road, District 3, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the low bid and the engineer's estimate was in the Cover Coat Material, Class B item. The project needs to be constructed this year to maintain highway surface standards and meet highway pavement goals, so staff recommends awarding the bid. Low bidder: Kloepfer, Inc. - \$1,876,474.

The low bid on key #11904 – SH-21, Lowman to Banner Creek Summit, District 3, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the low bid and the engineer's estimate was in the Cover Coat Material, Class B item. Because the project needs to be constructed this year to maintain highway surface standards and meet highway pavement goals, staff recommends awarding the bid. Low bidder: Kloepfer, Inc. - \$1,355,560.

Key #11948 – Old Highway 81 South, Cassia County, District 4. Low bidder: Knife River Corporation – Northwest dba Knife River - \$405,883.

Keys #10576, #10578, and #11625 – I-15, SH-40, and US-91, Junction I-15 to Junction US-91, Bannock County; Devil Creek Interchange #22 to Brownings Corner; and North City Limits Downey to Junction I-15, Virginia Interchange, District 5. Low bidder: Legrand Johnson Construction Company - \$2,783,534.

Key #12109 – US-20, North Rexburg Interchange to South St. Anthony Interchange, District 6. Low bidder: Western Construction, Inc. - \$5,341,111.

5) Professional Services Agreements and Term Agreement Work Task Report. From June 1 through June 30, \$866,957 in new professional services agreements and work tasks were processed. Of the 17 agreements issued, 16 were for local agency projects. Two supplemental agreements to existing agreements were processed in the amount of \$569,545 during this period.

Chairman Manning welcomed Representative Mack Shirley to the meeting.

**Board Items.** Chairman Manning said he attended meetings in preparation for the next Governor's Task Force on Modernizing Transportation Funding meeting, including discussions on the Cost Allocation Study; with the Governor's Office; and with the Department of Parks and Recreation on proposed legislation. He thanked Members Vassar and

Whitehead for attending the recent meetings in District 2 on the proposal to transport overlegal loads on US-12.

Members Coleman and Gagner attended the recent Western Association of State Highway and Transportation Officials (WASHTO) conference. Some of the discussions focused on reauthorization of the federal transportation act, access management, performance management, and safety.

Member Vassar reported that there is some opposition, including from the Nez Perce Tribe, to the oil industries' request to transport overlegal loads on US-12. She said District 2 Engineer (DE) Jim Carpenter did a commendable job at the recent public meetings.

Chairman Manning welcomed Representative JoAn Wood to the meeting.

Adopt-A-Highway (AAH) Presentation. Member Gagner recognized the BYU-Idaho Symphonic Band for its participation in the AAH Program. The group adopted two miles of SH-33. He thanked the group for the valuable service it provides.

Public Transportation Advisory Council (PTAC) District 6 Update and I-Way Leadership Award. John Krause, Public Transportation Program Manager, reported on the District's public transportation activities due to PTAC Member Karen Cornwell's scheduling conflict. He mentioned a number of challenges in the area. Due to the geography of the District and its vastness, public transportation services are not always efficient. Although the area is mostly rural, which creates challenges, there are also urban areas that have unique issues. Funding is a major hurdle that can result in the unavailability of federal money because there is no match.

Mr. Krause mentioned the partnerships in the District, including the Yellowstone Business Partners' efforts and the service provided to Jackson, Wyoming. Efforts are underway to improve mobility choices and to update the District's mobility plan.

In response to Member Gagner's question on who makes the mobility decisions, Mr. Krause replied that discussions start at the local level. The needed services are identified at the local level and the district helps prioritize the needs. The PTAC members review the statewide needs and provide recommendations to the Board.

Chairman Manning thanked Mr. Krause for the informative report.

Heather Wheeler, Executive Director, Community Transportation Association of Idaho, presented the I-Way Leadership Award to Linx. Although Linx was recognized in District 5 in May, she again commended Linx because of the service it provides in District 6 too. It is an excellent public-private partnership that coordinates public transportation in the greater Yellowstone region.

B-18-03, Conflict of Interest and Personal Conduct. Human Resources Manager Mary Harker said the contents of B-18-03, Part-Time Outside Employment and B-18-04, Gratuities and Conflicts of Interest, were similar. She proposed combining the two policies into one, B-18-03, Conflict of Interest and Personal Conduct. Minor editorial changes were also proposed for the new policy.

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

RES. NO. WHEREAS, the Human Resources Section has completed the review of Board Policies B-18-03,  
ITB10-26 Part-time Outside Employment and B-18-04, Gratuities and Conflicts of Interest, and found similarities  
and cross-references to each policy; and

WHEREAS, B-18-03 and B-18-04 contain similar conflict of interest and ethical conduct expectations.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves combining B-18-03 and B-18-04 into a single policy B-18-03 entitled Conflict of Interest and Personal Conduct and eliminating B-18-04.

Monthly Financial Statements and Highway Program Obligations. Dave Amick, Manager, Transportation Investments (MTI), reported that almost \$289 million had been obligated for projects in the STIP by the end of June. This is 67% of the project costs in the current STIP. At the same time last year, \$176 million had been obligated, or about 52%.

MTI Amick added that efforts are underway to close out the fiscal year and ensure all funds will be obligated. In response to Member Coleman's question, MTI Amick replied that there should be sufficient projects to advance in FY10 if necessary to ensure all funds are obligated. Earlier in the year, Congress discussed a second stimulus act. In anticipation of that additional funding, which did not materialize, staff prepared projects to advance.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$30,136,386 through May, which exceeded the projected amount of \$21,675,000. Miscellaneous state funded revenue of \$24,838,161 was \$2,005,183 below the forecast. Highway Distribution Account (HDA) revenue, excluding ethanol exemption elimination, was \$157,891,018. The projected revenue was \$163,333,300. Revenue from the ethanol exemption elimination was \$13,554,672, which was a \$379,652 negative variance from the projected amount. Controller Wilmoth noted that an additional \$3,735,165 HDA revenue transfer should have been posted in May, but the State Controller made the transfer after May was closed. The inclusion of this amount would have made the year-to-date variance \$1,707,117, or about negative 1%. Due to the mistiming of this transfer, the June HDA revenue will be over-stated by the same amount.

Total expenditures in the American Recovery and Reinvestment Act of 2009 (ARRA) Title XII Fund were \$52,720,954, while \$182 million had been appropriated in FY09. Of the \$17.4 million Local Highway Technical Assistance Council-administered ARRA Title XIV funds, \$634,988 had been expended.

Controller Wilmoth noted the Equipment Buy Back Program year-to-date proceeds are \$8,425,804. He also reported that revenue to the State Aeronautics Fund from aviation fuels was \$1,338,846, or \$335,304 below projections.

Controller Wilmoth also referenced the Maintenance of Effort. As part of ARRA, states had to ensure the stimulus funding did not replace its regular program. Monthly status reports are required by FHWA. GARVEE project payouts are the area most at risk of not achieving the targeted amount due to significant bid savings and program management contract savings. The penalty for not achieving targeted amounts by September 30, 2010 is prohibition from participating in the August 2011 redistribution of the limitation on obligations of federal-aid highway and highway safety construction programs.

Member Blick asked if arbitrage is a concern. Controller Wilmoth replied that he does not believe arbitrage will be an issue. Staff is confident the GARVEE bond proceeds will be expended within the time schedule.

Chairman Manning thanked staff for the report.

2011 Legislative Idea Review. Government Affairs Manager (GAM) Mollie McCarty presented the legislative concepts for the 2011 session. Upon approval, the ideas will be submitted to the Division of Financial Management (DFM). Upon approval from DFM, draft legislation for the concepts will be prepared and presented to the Board. When considering legislative proposals, management focused on performance, efficiency, transparency, and communication with legislators.

GAM McCarty summarized the two ideas being considered. The first idea will address a Federal Motor Carrier Safety Administration (FMCSA) regulation that establishes new requirements for drivers subject to Commercial Driver's Licenses and medical certificate requirements. Failure to comply with the federal regulations will result in a loss of federal highway funds and FMCSA grant funds beginning October 1, 2013. Because the Department is in the process of modernizing its motor vehicles' computer system, implementing the FMCSA regulations would require ITD to program both the existing and the new systems. To save duplicate costs of approximately \$75,000, a request for an extension of the January 30, 2012 implementation deadline has been submitted. If the extension is granted, the legislative idea would be withdrawn for the 2011 session.

The other proposal would codify continuous appropriation of moneys in the Local Bridge Inspection Account and the



Railroad Grade Crossing Protection Fund. This would eliminate a point of confusion in the annual appropriation process and codify ongoing legislative intent.

Member Coleman indicated access management should be a priority, as every access permit issued impacts safety. He also suggested a proposal on surplus real property. Some local entities have indicated a desire to have the first opportunity to acquire ITD's surplus property. (See later minute entry.)

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit proposed 2011  
ITB10-27 legislation to the Division of Financial Management (DFM) for review and approval; and

WHEREAS, the Idaho Transportation Department Executive Team has approved the Legislative ideas and has submitted them to the Idaho Transportation Board for review and approval prior to submission to DFM.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves submittal of the proposals related to the Federal Motor Carrier Safety Administration regulation that establishes new requirements for drivers subject to Commercial Driver's Licenses and medical certificate requirements and to codify continuous appropriation of moneys in the Local Bridge Inspection Account and the Railroad Grade Crossing Protection Fund to the DFM, and, upon approval, the development by ITD staff of draft legislation, subject to subsequent review and approval by the Board and DFM.

Safe Routes to School (SR2S) Program. Josephine O'Connor, SR2S Coordinator, summarized the efforts to solicit proposals for SR2S funding for FY12 and FY13. She presented the list of projects recommended for funding. In each year, \$948,000 is available. The FY12 list includes \$207,490 for educational efforts and \$740,510 for construction projects. At this time, \$615,000 for infrastructure projects is being proposed for FY13. She noted the popularity of the program, as 20 applications were received with a total funding request of over \$1.3 million in FY12.

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

RES. NO. WHEREAS, the Idaho Transportation Department previously adopted Board Policy B-11-07 to  
ITB10-28 establish a Safe Routes to School (SR2S) Program for the State of Idaho under Section 404 for the Safe, Accountable, Flexible, Efficient Transportation Equity Act: A Legacy for Users P.L. (109-59); and

WHEREAS, the purpose of the SR2S Program is to 1) enable and encourage children in grades K-8, including those with disabilities, to walk and bicycle to school, 2) make bicycling and walking to school a safer and more appealing transportation alternative, thereby encouraging a healthy and active lifestyle from an early age, and 3) facilitate the planning, development and implementation of projects and activities that will improve safety and reduce traffic, fuel consumption, and air pollution in the vicinity of schools; and

WHEREAS, SR2S funding supports two project categories: 1) infrastructure and 2) non-infrastructure improvements within a two-mile radius of K-8 grade schools to directly support increased safety and convenience for children to walk and bike to school; and

WHEREAS, the Department required the SR2S program coordinator to establish an SR2S Advisory Committee, comprising of volunteer representatives from state agencies and private organizations, with expertise and knowledge in the fields of education, multi-modal transportation, law enforcement, and healthcare; and

WHEREAS, the SR2S Advisory Committee established the SR2S program guidelines and project criteria under the Secretary of Transportation issued program guidance of January 2006; and

WHEREAS, the Department advertised and accepted proposals eligible for SR2S funding for infrastructure and non-infrastructure projects through a statewide competitive process; and

WHEREAS, the SR2S Advisory Committee has reviewed and prioritized the list of projects deemed eligible for FY12-13 SR2S federal-aid funding.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves and awards SR2S federal-aid funding to the list of prioritized projects as shown as Exhibit 391, which is made a part hereof with like effect, as recommended by the SR2S Advisory Committee.

Elaine Clegg, SR2S Advisory Committee Member, reported on workshops she conducted throughout the state in partnership with the SR2S Program. Awareness is increasing on the importance of safe routes to school, not only to improve children's health, but also to reduce congestion around schools. Solutions to improve walkability include smart growth, better location of schools, and constructing complete streets, including sidewalks and bike lanes.

Chairman Manning thanked SR2S Advisory Committee Member Clegg for the report and for her continued efforts on transportation issues, not only through the SR2S Program, but also as a Boise City Council Member.

Chairman Manning welcomed Representative Jeff Thompson to the meeting.

Revisions to the Manual on Uniform Traffic Control Devices (MUTCD) for Streets and Highways. Highway Operations and Safety Engineer (HOSE) Brent Jennings summarized the Board's authority to adopt a manual and specifications for a uniform system of traffic-control devices. The system is to correlate with and conform to the MUTCD and other standards issued or endorsed by FHWA, as much as possible. Currently, the 2003 Edition of the MUTCD, including revisions one and two, is the manual adopted by the Department.

HOSE Jennings said the 2009 edition of the MUTCD dated December 16, 2009, effective January 15, 2010, and the conforming additions to the 2009 MUTCD taken by ITD have not been adopted by the Board. Although he presented revisions to IDAPA 39.03.41 – Rules Governing Traffic Control Devices, due to recent action at the federal level, he is not requesting approval of those changes at this time. A change to the definition of standard is being considered.

Director Ness added that this topic was discussed at the recent WASHTO meeting. There is concern that changing the definition of standards could have potential cost implications.

District 6 Report. DE6 Blake Rindlisbacher reported that the District completed 31 of the 38 action items identified in its business plan. The District committed to delivering 16 projects; however, it submitted 20. In an effort to put more focus on operations, the District was reorganized to include an Operations Engineer, who is responsible for maintenance and traffic issues, such as speed limits and access. DE6 Rindlisbacher also summarized various partnerships. The District participates in local transportation committees. The Idaho National Laboratory provides funding for four part-time employees to improve winter maintenance on US-20 west of Idaho Falls. The District has agreements with six of the nine county sheriffs to assist with road closures. He also expressed appreciation for District 2's striping initiative, noting that striping assistance from other districts has greatly improved service.

District 6 Project Manager Eric Verner summarized a Geographic Information System case study where trees were cleared along US-20 in Island Park to improve winter driving conditions. Senior Transportation Planner Bill Shaw reported on corridor health efforts, with a goal of providing an effective investment strategy for corridor planning. Some of the features include a new method to forecast traffic, safety, and congestion.

Chairman Manning thanked staff for the informative report and for the efficiency efforts.

Director's Report. Director Ness reported on recent discussions related to reauthorization of the federal transportation act, including at the WASHTO conference. Some issues of concern are the donor vs. donee states, flexibility, and funding. It is anticipated that additional extensions will be enacted.

Director Ness also commended DE2 Carpenter for his efforts at the recent meetings conducted by ITD and Imperial Oil to address concerns, answer questions, and accept testimony on the oil industry's plans to transport overlegal loads on US-12. Upon completion of the review of the comments, Idaho Code, emergency management plans, and traffic control plans, staff will make a decision on issuing permits.

Director Ness said his efforts to visit every District and Headquarters' Section are continuing. He met with employees in and toured District 6 earlier this week.

Some of the other activities Director Ness has been involved with include speaking at the American Association of Motor Vehicle Administrators' Regional Conference in Boise, various meetings with legislators, and a meeting with Parks and Recreation officials to discuss future funding of Idaho's state park system. He will attend the Governor's Task Force on Modernizing Transportation Funding meeting next week, Capital for a Day in Pierce on August 4, and the Association of General Contractors' annual meeting in early August.

DDIR Stokes distributed the Director's Monthly Report, which summarizes performance measures and provides information on projects ready to bid. The year-to-date highway fatalities are still below last year's numbers. To date, 70% of the projects have been delivered, while at this time last year, 61% had been delivered. Work is continuing on reviewing scope creep concepts and a pilot project to monitor congestion in the Boise area is underway. DDIR Stokes added that the revised Governor's Executive Order is expected to be signed soon.

Executive Session on Legal Issues. Member Gagner made a motion to meet in executive session at 4:00 PM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(f). Member Miller seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to the oil industry's request to transport overlegal loads on US-12, a bid dispute, a proposed I-90 interchange in Post Falls, a fencing issue, and litigation against ITD on employment-related matters.

The Board came out of executive session at 5:00 PM. No final actions or decisions were made.

New Business. Member Coleman made a motion to submit an additional legislative idea to DFM: to allow ITD to offer surplus real property to a local public agency under certain circumstances and if it will not adversely impact the adjacent property owner. If the local jurisdiction is not interested in acquiring the property, it would then be offered to the adjacent property owner. Member Vassar seconded the motion and it passed unopposed.

Vice Chairman Blick said a recent low bid was rejected because the electrical subcontractor was not listed. The electrical work on the project was very minimal, and the unresponsive low bidder did not list an electrical subcontractor because it has an electrician on staff. The bid that was awarded was more than \$300,000 higher. He questioned pursuing legislation to address this issue and whether incorporating a monetary value on the electrical work to determine when an electrical subcontractor needs to be listed would remedy the concern.

Vice Chairman Blick made a motion to direct staff to explore remedies to the concern with the electrical requirements in the bidding process and to report its findings back to the Board. Member Vassar seconded the motion and it passed unopposed.

WHEREUPON the business meeting recessed at 5:10 PM.

July 22, 2010

The Board reconvened at 7:45 AM on Thursday, July 22, 2010, in Idaho Falls, Idaho. All members were present.

District 6 Tour. At a joint meeting with the Aeronautics Advisory Board (AAB), AAB Member Chip Kemper provided

an overview on his business, Queen Bee Air Specialties Inc. Some of the services the company provides include aerial firefighting, air tractor sales and service, aircraft maintenance, and response to oil spills. Safety is the highest priority and extensive training is provided. He also summarized the economic impact of the Rigby Airport.

The Board met with Idaho National Laboratory (INL) officials and several legislators to discuss US-20 west of Idaho Falls. DE6 Rindlisbacher provided an overview on the highway. The average daily traffic count is around 2,200 vehicles. The route's accident rate is lower than the state average. DE6 Rindlisbacher summarized several projects underway and planned in the near future to address safety concerns that have been expressed. Some of the projects include pavement rehabilitation, snow fences, and turn bays.

Deborah Tate, Research and Development Support Services Director, INL, emphasized INL's concern with employees' safety while traveling to the site west of Idaho Falls. She expressed appreciation for ITD's assistance and the planned improvements. She elaborated on the extensive bus system that transports employees to the site from various cities. Ms. Tate requested the addition of slow-moving vehicle turnouts along US-20 and a variable message sign at the west end of Idaho Falls. She noted the value of the Road Weather Information System and suggested erecting a camera at the Lost River Rest Area.

INL Facilities and Site Services Acting Director Ed Anderson also extended appreciation to District 6 for its efforts to ensure a safe highway. He commended the good working relationship that the two entities have established.

Brian Whitlock, INL, Government Affairs Representative, also thanked DE6 Rindlisbacher and his staff for the excellent working relationship. He emphasized that safety of the INL employees is the highest priority, including the safety of employees while commuting to the site. He commented on the economic importance of the site and encouraged the Board to consider improvements to US-20.

Vice Chairman Blick commended INL for the valuable bus service it provides to employees. He believes US-20 west of Idaho Falls has a fairly low accident rate because of the professional bus drivers and because the buses eliminate a large number of vehicles from the highway. Because of the low accident rate, it is hard to justify large expenditures on US-20 when there are so many other needs throughout the state and on highways with higher accident rates.

Senator Bart Davis acknowledged the numerous transportation needs throughout the state and the limited funding, but encouraged the Board to consider improving US-20. He also expressed concern with access to I-15 from western Idaho Falls, although he said that is mainly a local issue. He also mentioned concerns with pedestrian safety at the southern end of the city near I-15 and encouraged ITD to work with the City of Idaho Falls on a future project.

Representative Erik Simpson thanked the Board for visiting Idaho Falls and for the meeting to discuss US-20. As an employee at the INL site, he knows that when employees are involved in a traffic accident, it has a big impact on personnel. He believes more snow fences will be helpful to improve safety and he also requested passing lanes on US-20.

Senator Dean Mortimer also thanked the Board for the meeting. He believes the information presented was informative.

Representative JoAn Wood noted the importance of public-private partnerships, including the partnership with Areva for the proposed energy plant that is expected to be constructed west of Idaho Falls. She expressed concern that the recent fire on the INL site may result in future dust problems, particularly on I-15. She expressed support for ITD's planned improvements on US-20 west of Idaho Falls, commenting that funding is so limited.

Member Gagner thanked the INL officials for their comments and the legislators for participating in this important discussion. Chairman Manning also expressed appreciation to the participants. He noted the importance of INL to the state.

The Board traveled I-15 north and US-20 east to the site of the Menan-Lorenzo intersection where construction is beginning on a new interchange. It traveled local roads and then returned to Idaho Falls via US-20 west.

The Board re-joined the AAB for an informal lunch and aviation demonstration, as the U.S. Navy Blue Angels practiced their performance for the upcoming air show in Idaho Falls.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 4:00 PM.

signed

DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
August 19, 2010  
Coeur d'Alene, Idaho

REGULAR MEETING AND DISTRICT ONE TOUR  
OF THE IDAHO TRANSPORTATION BOARD

August 18-19, 2010

The Idaho Transportation Board met at 8:00 AM, on Wednesday, August 18, 2010, in Coeur d'Alene, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

District 1 Tour. While the Board traveled north on US-95, staff provided an overview on the Garwood to Sagle GARVEE corridor.

The tour continued west on US-2 to Dover. District 3 Member Jerry Whitehead joined the group as it viewed the US-2, Dover Bridge replacement project, under construction. Senator Shawn Keough, Representative George Eskridge, U.S. Senator Mike Crapo's representative Greg Schildwachter, and city officials were also present.

The tour continued east on US-2 to Sandpoint. Sandpoint Mayor Gretchen Hellar welcomed the Board members to Sandpoint and thanked them for visiting the community. She emphasized the importance of the proposed US-2/US-95 connection project and the City's desire to partner with the Department. When the Sandpoint Byway project is completed, she believes the US-2 connection project would eliminate traffic through downtown Sandpoint. Additionally, the City would like to assume jurisdiction of the current state highways upon completion of both the US-95 Byway project under construction and the proposed US-2 improvements.

The Board traveled SH-200 east to Clark Fork where it viewed the Lightning Creek Bridge construction project. During lunch at the maintenance facility, employees provided an overview on various topics such as winter maintenance efforts, equipment, and concerns with limited resources.

The Board traveled SH-200 west to Sandpoint. After touring the US-95, Sandpoint Byway project with local officials, the Board returned to Coeur d'Alene via US-95 south.

WHEREUPON the Board tour recessed at 3:30 PM.

August 19, 2010

The Board reconvened at 8:30 AM on Thursday, August 19, 2010, at the Idaho Transportation Department District 1 Office in Coeur d'Alene, Idaho. All members were present except Member Miller. Chairman Manning welcomed Representative Eskridge to the meeting.

Board Minutes. Member Gagner made a motion to approve the minutes of the regular Board meeting held on July 21-22, 2010 as submitted. Vice Chairman Blick seconded the motion and it passed unopposed.

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

September 15-16, 2010 – District 4

October 20-21, 2010 – Boise

November 17-18, 2010 – Boise

Member Miller joined the meeting at this time.

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the  
ITB10-29 Public Transportation Advisory Council appointment for District 6; revisions to B-19-07, Highway Safety Funds; winter maintenance standards of state highways; the revised Six Year Capital Facilities Program; and the FY10 account write off and has received and reviewed the summary of FY10 actual vs. budgeted out-of-state trips and cost; return check report for FY10; annual report on performance statistics on contracts and procurements; contract award information; professional services agreements and term agreement work task report; and the annual report on Rail Programs.

1) Public Transportation Advisory Council (PTAC) Appointment for District 6. Upon the expiration of Karen Cornwell's term in June, staff sought applications for membership to PTAC as the District 6 representative. In conjunction with the District 6 Mobility Manager, the Local Mobility Management Networks, and the District Coordination Council, staff recommends re-appointing Ms. Cornwell to another three-year term on PTAC.

2) Revisions to Board Policy B-19-07, Highway Safety Funds. Board Policy B-19-07, Highway Safety Funds, was updated to include the reference to the Highway Safety Improvement Program and to specify that project selection shall utilize a data-driven approach.

3) Winter Maintenance Standards of State Highways. No changes were proposed for the 2010-2011 Winter Maintenance Standards map, as shown as Exhibit 392, which is made a part hereof with like effect.

4) Revised Six Year Capital Facilities Program. The overall goal of the Building Program is to achieve a sustainable design that maintains and extends the useful life of the Department's buildings. The program allocations for alterations, repairs, and statewide preventive maintenance allow the Districts to modernize higher maintenance or inefficient facility components or make safety improvements. Sand sheds continue to be a priority along with waste water disposal due to environmental regulations. The FY12-17 Capital Facilities Program is shown as Exhibit 393, which is made a part hereof with like effect.

5) FY10 Account Write Off. ITD policy requires that all uncollectible accounts exceeding \$1,000 be reviewed and approved for write-off by the Board. The Director or a designee reviews and approves for write-off all accounts less than \$1,000. For FY10, staff determined 136 accounts totaling \$90,828 to be uncollectible. It requested Board approval to write off 31 accounts totaling \$69,115.80, as shown as Exhibit 394, which is made a part hereof with like effect. A total of 105 accounts in amounts less than \$1,000 have been determined as uncollectible. The total of these accounts is \$21,712.19. The outstanding receivables are more than three years delinquent. Customers are not allowed to do business with ITD until their deficiencies are paid or the statute of limitations is reached.

6) Summary of FY10 Actual vs. Budgeted Out-of-State Trips and Cost. In FY10, out-of-state travel expenditures totaled \$147,295. The budgeted amount was \$249,800. In comparison, \$201,118 was spent on out-of-state travel in FY09.

7) Return Check Report for FY10. During FY10, \$39,502,080 in checks were received, while 111 checks, or 0.4%, totaling \$159,697 were returned. Collection of returned checks equaled \$157,472 for an annual collection rate of 98.6%.

8) Annual Report on Contracts and Procurements. In FY10, 23,678 purchase orders were processed in the amount of \$73,439,409. A total of 30 professional services agreements in the amount of \$888,832 and 74 contracts totaling

\$9,451,627 were processed. Additionally, 251 informal bids, 51 requests for proposals, and 241 master agreements were issued.

9) Contract Awards. The low bid on key #10646 – SH-3, FY10 District 1 Sign Upgrades, was more than ten percent over the engineer's estimate, requiring justification. The major difference between the engineer's estimate and the low bid was due to the Breakaway Wood Sign Post Type D and Flagging items. Estimated prices were obtained from the Average Unit Price Report and additional reviews of recent bids received on similar projects. The unit price for the sign post item was further reduced by the District to more closely reflect current economic conditions and recent low bids on other projects. By revising the unit price for the sign post to the value in the Average Unit Price Report and increasing the flagging unit price to more closely reflect typical pricing for rural District 1 work, the resulting low bid would be 105% of the estimate. The project is exclusively sign upgrade work that needs to be done during a short time-frame during late summer and fall. Staff sees no benefit in re-advertising and recommends awarding the project to ensure a safe and continued high level of service on the state's highways. Low bidder: Pavement Markings Northwest, Inc. - \$140,580.

Key #9783 – Junction SH-41 and Wright Street, Rathdrum, District 1. Low bidder: Knife River Corporation – Northwest dba Knife River - \$291,984.

Key #10645 – SH-3, FY10 District 1 Durable Pavement Markings. Low bidder: Apply-A-Line, Inc. - \$187,550.

Key #10483 – Atlas Bike Path Extension, Coeur d'Alene, District 1. Low bidder: Cameron Reilly LLC - \$298,709.

Key #9451 – SH-200, Burlington Northern Railroad Bridge, Hope, District 1. Low bidder: Westway Construction, Inc. - \$1,328,810.

Key #12014 – US-95, FY10 District 2 Bridge Deck Life Extension. Low bidder: Protech Coatings - \$94,099.

Key #9798 – US-95, FY10 District 2 Districtwide Bridge Joint Repair. Low bidder: Adams & Smith, Inc. - \$300,890.

The low bid on key #12038 – SH-55, FY10 District 3 Bridge Deck Life Extension, was more than ten percent over the engineer's estimate, requiring justification. The higher costs of some of the pay items are likely due to the small quantity, as the Department's estimates are based on larger quantities. It is not likely that a re-bid would result in lower prices and would result in a delay to the repair of these structures. Staff recommends awarding the project. Low bidder: Restruction Corporation - \$89,957.

Key #11063 – SH-21, Warm Springs Creek Bridge, Boise County, District 3. Low bidder: Marcon, Inc. - \$177,096.

Key #9483 – SH-16, Intersection Floating Feather Road, Ada County, District 3. Low bidder: Deer Flat Sand & Gravel, Inc. - \$265,887.

Key #12039 – SH-21, Bridge Deck Preservation, District 3. Low bidder: Truesdell Corporation - \$700,000.

Key #12074 – SH-75, Big Wood River Bridge, Blaine County, District 4. Low bidder: Protech Coatings - \$80,659.

Key #11595 – SH-25, Junction US-93 to Milepost 9.5, Jerome County, District 4. Low bidder: Kloepper, Inc. - \$1,643,449.

Keys #11633 and #12091 – I-15 and SH-39, Sand Road Underpass to West Blackfoot Interchange and Aberdeen City Limits, District 5. Low bidder: Staker & Parson Companies dba Jack B. Parson - \$582,261.

Keys #11642, #11645, and #11646 – US-30 and SH-36; Nounan Road to Wright Road, Bear Lake County; Milepost 5 to Mink Creek Road, Franklin County; and Milepost 17.5 to North Canyon Road, District 5. Low bidder: Emery, Inc. - \$753,151.



The low bid on key #12201 – I-15, Osgood to Roberts, Northbound, District 6, was more than ten percent over the engineer's estimate, requiring justification. The most significant differences between the low bid and the engineer's estimate are in the Superpave HMA Paving Including Asphalt & Add and the Leveling Course Including Asphalt & Add items. Staff believes the time of year the project was advertised resulted in higher bids, as most contractors have their work booked or scheduled for the season. This likely reduced the number of bidders, which also tends to increase prices. The District does not believe there would be a substantial savings if the project is re-advertised and recommends awarding the project. Low bidder: H-K Contractors, Inc. - \$1,971,269.

Key #9616 – US-20, Intersection Old Butte Road and US-20 Improvements, District 6. Low bidder: H-K Contractors, Inc. - \$1,288,769.

10) Professional Services Agreements and Term Agreement Work Task Report. From July 1 through July 30, \$1,663,579 in new professional services agreements and work tasks were processed. Of the 29 agreements issued, 16 were for local agency projects. Eight supplemental agreements to existing agreements were processed in the amount of \$727,375 during this period.

11) Annual Report on Railroad Grade Crossing Program. During calendar year 2009, there were eight rail-highway collisions that resulted in zero fatalities, four injuries, and eight property damage incidents. The number of vehicle-train incidents occurring at the 1,440 existing public railroad-road crossings in Idaho had been approximately 20 total incidents each year for the past several years.

The Highway Safety – State Rail Program is budgeted at \$250,000 per year. In FY10, all programmed projects were completed and funds obligated except for a project to replace the existing computerized railroad crossing inventory program. Because that function will be included in the Transportation Asset Management System, this project was no longer necessary. Due to the program having excess funds, FY11 will be over-programmed to reduce this balance. The federal Rail Program is budgeted at approximately \$1.4 million per year. All programmed projects were completed and funds obligated in FY09. In FY10, four projects are waiting for the railroads to sign agreements so funds can be obligated, one project was delayed, and one project was replaced and the replacement project has been obligated.

Adopt-A-Highway (AAH) and Volunteer Services Presentation. Member Coleman thanked Group #97 BASIC – In Memory of Rae Adams for its participation in the AAH Program. He commended the group's service to the state since 1992, noting that the second generation is continuing the efforts of the original group that adopted a section of SH-41.

Member Coleman also noted that the Department has a Volunteer Services Program in addition to the AAH Program. He thanked the Pierce Clegg Work Release Center for its efforts to pick up litter along various highways in the area.

Delegation – Bonner County Area Transportation Team (BCTT). Susan Kiebert, BCTT secretary/treasurer, thanked the Board for its time and for touring Bonner County yesterday. She expressed appreciation for the various improvements being made to the transportation system in the area and noted the economic value of the construction activity. Ms. Kiebert praised the dedicated District 1 staff members and thanked them for their service. She acknowledged the numerous transportation needs throughout the state and the limited funds available to address those needs. She expressed BCTT's support to secure additional revenue for the state's transportation system.

Chairman Manning thanked Ms. Kiebert for her comments and support to address the inadequate revenue for the state's transportation needs. He also welcomed Representative Frank Henderson to the meeting.

Delegation – City of Sandpoint. Sandpoint Mayor Hellar reiterated the City's desire to partner with the Department on the US-2/US-95 connection project. The transportation plan identified the project as its highest priority. It would be beneficial to the region and improve safety, traffic flow, and the quality of life in Sandpoint.

Chairman Manning thanked Mayor Hellar for addressing the Board, both at the meeting and at the site of the proposed connection project during the tour yesterday.

Delegation – City of Ponderay. Carol Kunzeman, Mayor of Ponderay, thanked the Board for the various transportation

improvements underway in the Ponderay area, specifically the US-2, Dover Bridge and US-95, Sandpoint Byway projects. She praised the District staff for its assistance and support. She added that the City's next priority is the US-95, Sandpoint to Kootenai Cutoff project.

Member Coleman acknowledged the need for the Kootenai Cutoff project. With the Department's limited funding, the priorities are operations, preservation, rehabilitation, and then expansion. If additional funding is secured, he will consider supporting funding the Kootenai Cutoff project.

Delegation – City of Dover. City Councilmember Maggie Becker thanked the Board for its time and for visiting the US-2, Dover Bridge construction site yesterday. She expressed appreciation for the bridge project and for the responsiveness and assistance the District staff provides, particularly the maintenance crews.

Chairman Manning acknowledged the Board's appreciation for the federal stimulus funds which enabled it to fund the US-2, Dover Bridge project.

Delegation – City of Post Falls. Post Falls Mayor Clay Larkin thanked the Board for its time. He summarized efforts to date on the proposed I-90, Greensferry project, noting the commendable partnership that has been established. He believes the Greensferry access will improve transportation in the area. Mayor Larkin expressed concern with traffic congestion and safety issues on SH-41. He believes the Greensferry access project would alleviate some of the concerns on the state highway. He thanked the Department for the Transportation Investments Generating Economic Recovery grant application for the Greensferry access. He also expressed appreciation to District Engineer (DE) Damon Allen and his staff for their assistance.

Mayor Larkin summarized the license plate recognition program. Cameras were erected on I-90 overpasses for law enforcement officers to monitor license plates. The intent was to determine if any stolen vehicles were traveling on the Interstate. Almost 50 stolen vehicles have been recovered since the program was implemented. There have been other notable benefits of the program, too, and Mayor Larkin encouraged expanding this program throughout the state.

Chairman Manning thanked Mayor Larkin for his comments and continued partnership.

Delegation – Post Falls Highway District. Lynn Humphreys, Post Falls Highway District Commissioner, summarized the Bridging the Valley project, which encompasses a 42 mile railroad corridor between Spokane and Athol. The intent is to improve safety at the 72 at-grade crossings. He requested ITD's partnership to complete preliminary engineering on a Pleasantview grade separation. ITD's share would be \$190,000, or 40%, as the project impacts SH-53. The preliminary engineering would include future expansion of the state highway to four lanes, plus pedestrian and bicycle facilities. Currently, \$5 million in federal funds are available for the project; however, Commissioner Humphreys reported that there is speculation that the federal funds will be rescinded in the near future if the money is not expended. He added that he understands that no construction funds have been identified.

Member Whitehead noted the importance of SH-53 for truck traffic. Vice Chairman Blick said the Board has discussed Bridging the Valley for a number of years. He would support proceeding with a project.

Delegation – Idaho Association of Highway Districts. Stuart Davis, Executive Director, Idaho Association of Highway Districts, requested increasing the term agreement limit from \$250,000 to \$500,000. He believes the limit, which has not been raised in many years, is a disservice to local entities, as it prevents some jurisdictions from using term agreements.

In response to Chairman Manning's question on others' support for this proposal, Executive Director Davis replied that he is making the request on behalf of other local public agencies, including the Local Highway Technical Assistance Council (LHTAC). He is not aware of any entities that oppose increasing the term agreement cap, unless ITD staff is opposed.

Chief Engineer Tom Cole reported that staff has been reviewing this issue. Last year, about 10 projects, or 4% exceeded the \$250,000 limit.

Member Coleman noted that the term agreement process has been in place for many years. He believes projects are getting more complex and bigger in scope and cost and that the term agreement limit has not kept up with inflation. He expressed support to increase the term agreement limit to \$500,000, partly because it would be more efficient for staff, as less paperwork would be required. In response to Member Gagner's question, Member Coleman does not foresee a negative impact if the limit is increased. The process would not change. Consultants would still be selected based on qualification and the expertise required for the project.

The consensus of the Board was to have staff review the request to increase the term agreement limit to \$500,000 and provide a recommendation to the Board.

Board Items. Chairman Manning said he attended the Governor's Task Force on Modernizing Transportation Funding meeting last month, where the Cost Allocation Study was released. The next Task Force meeting will be on August 31. Member Whitehead and Chairman Manning attended the opening of the Reed Ranch airstrip. Chairman Manning acknowledged the Division of Aeronautics' efforts. The opening was well attended and he believes making the airstrip available to the public will be advantageous. He also attended an awards ceremony where public relations efforts on the I-84, Vista Interchange project were recognized.

Director's Report. Director Ness thanked District 1 staff for its hospitality during his recent employee visits and yesterday's Board tour. He also expressed appreciation to the delegations for their attendance and comments.

Director Ness elaborated on the July Governor's Modernizing Transportation Funding Task Force meeting. The Task Force referred the Cost Allocation Study to the Cost Allocation Subcommittee for review and to make recommendations at the August 31 meeting.

Director Ness attended the Boise Chamber of Commerce meeting last month, where Governor Otter was the featured speaker. The Governor highlighted three state departments that contribute to promoting commerce and business in Idaho: the Departments of Labor, Commerce, and Transportation.

Transportation was a main topic at the Capital for a Day in Pierce earlier this month, with the proposal for the oil industry to transport overlegal loads on US-12 generating the most discussion. Idaho State Police (ISP) representatives reported that those loads were the most thoroughly inspected loads and ISP considers the loads among the safest on the highway. The Port of Lewiston manager also highlighted the economic benefit to the Port and the surrounding communities that would result from the shipment of the loads.

Director Ness attended the Association of General Contractors' (AGC) conference that included a joint session with ITD. Many issues were discussed, including the requirement for documenting electrical sub-contractors as part of the bid package. (See later minute entry.)

ITD's public relations effort establishing a kiosk at the Boise Airport to inform motorists of the Single Point Urban Interchange at the I-84, Vista Interchange received a national award. The American Road and Transportation Builders Association award highlights ITD's vision of teamwork, customer service, partnering, and effective delivery of our program.

Director Ness reported that Dr. Tom DeCoster interviewed several members of the leadership team. Dr. DeCoster is well known in the transportation industry for developing and conducting leadership academies for transportation professionals. He will provide recommendations on how ITD can improve and become a more efficient organization.

In response to last month's questions and discussions on performance measures, Director Ness said he intends to work with the leadership team to develop measurable goals for the upcoming year. The goals will be tied to individual employee performance measures. Employees will be held accountable for meeting their performance measures. The individual performance measures will feed into the overall performance measures of their work group and ultimately to the Department's.

Some of Director Ness's upcoming events include a partnering meeting with Ada County Highway District and a meeting with FHWA to discuss several issues.

Deputy Director Stokes distributed the performance measurement report. A new measure on administration and planning expenditures has been added. Compared to surrounding states, ITD's administration and planning expenditures as a percent of total expenditures is the lowest. DDIR Stokes cautioned that GARVEE expenditures are included, which tends to skew the data. He reported that efforts to implement the management systems are proceeding well. Some discussion followed on the performance measure of 82% of pavement is in good or fair condition. DDIR Stokes acknowledged the Board's concerted effort to focus on pavement condition and the one-time 2009 federal stimulus funds that ITD dedicated to pavement condition. However, based on projections, without additional revenue, the percent of pavement in good or fair condition will decrease.

Chairman Manning welcomed Representative Phil Hart to the meeting.

PTAC District 1 Update and I-Way Leadership Award. Jim Diffenbaugh, PTAC Member, District 1, complimented the Division of Public Transportation for the positive changes it has implemented the past several years, particularly shifting the focus from providers to users and establishing local mobility management networks. He commended CityLink's bus system. In 2005, the Coeur d'Alene Tribe initiated free transportation to its casino, but realized the need for public transit was more extensive. In partnership with Kootenai County, the service has been expanded and the ridership has continuously increased. PTAC Member Diffenbaugh added that the mobility manager is undertaking similar efforts in Boundary and Bonner Counties: creating connectivity for public transportation services.

The Board commended CityLink for its successful efforts.

Heather Wheeler, Executive Director, Community Transportation Association of Idaho, presented the I-Way Leadership Award to CityLink. She also acknowledged Craig Wilcox's efforts in cooperation with the Kootenai Metropolitan Planning Organization (KMPO) to install benches and improve the accessibility to public transit in Coeur d'Alene.

End of FY10 Adjustments to the Federal-Aid Formula Highway Program. Manager, Transportation Investments (MTI) Dave Amick requested approval to modify the FY10 Federal-Aid Formula Highway Program based upon project readiness and available funds. As of July 21, there are \$281.1 million of commitments against the \$326.4 million of obligation authority plus matching funds available for obligation of direct costs. Based on project readiness, \$15.6 million of projects are expected to delay. Staff is requesting \$8 million for cost increases for FY10 projects; \$34.5 million for additional preservation, restoration, safety, and bridge commitments; and \$2.7 million for expansion. ITD requested \$48.3 million in redistribution of obligation authority. MTI Amick summarized the program adjustments, anticipated project removals and delays, and list of additional project requests.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department  
ITB10-30 to accomplish a current, realistic, and fiscally constrained Highway Capital Investment Program; and

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

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires that a priority list of projects covering a four-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, as of July 21, 2010, the estimated balance of available funds is \$45.3 million; and

WHEREAS, projects have been identified that will delay or be removed from FY10 totaling \$15.6 million; and

WHEREAS, projects have been identified requiring cost increases of \$8 million; and

WHEREAS, a prioritized list of projects has been identified that are ready should additional funding become available; and

WHEREAS, the result of these proposed delays, cost increases, and advances will fully utilize estimated FY10 federal-aid formula highway obligation authority and equity bonus funds of \$283.2 million; and

WHEREAS, the Department requested \$48.3 million in redistributed FY10 formula obligation authority from other states.

*NOW THEREFORE BE IT RESOLVED*, that the Board authorizes staff to delay or remove projects in the list entitled "Anticipated Removals and Delays" and advance projects in the list entitled "Additional Requests", as shown as Exhibit 395, which is made a part hereof with like effect, in priority order as projects are delivered and as funding becomes available through Redistribution of Federal Formula Obligation Authority; and

*BE IT FURTHER RESOLVED*, that staff is authorized to make the appropriate changes to the FY10-14 STIP in accordance with the provisions of SAFETEA-LU.

Monthly Financial Statements and Highway Program Obligations. MTI Amick reported that \$322.8 million had been obligated for projects in the STIP by the end of July. This is 75% of the project costs in the current STIP. At the same time last year, \$201.6 million had been obligated, or about 60%.

Controller Gordon Wilmoth said FHWA Indirect Cost Allocation revenue was \$34,410,923 through June, which exceeded the projected amount of \$25,000,000. Miscellaneous state funded revenue of \$28,058,988 was \$1,886,166 below the forecast. Highway Distribution Account (HDA) revenue, excluding ethanol exemption elimination, was \$175,133,700. The projected revenue was \$175,628,100. Revenue from the ethanol exemption elimination was \$14,777,958, which was a \$332,042 negative variance from the projected amount.

Total expenditures in the American Recovery and Reinvestment Act of 2009 (ARRA) Title XII Fund were \$70,953,700, while \$182 million had been appropriated. Of the \$17.4 million LHTAC-administered ARRA Title XIV funds, \$991,800 had been expended.

Controller Wilmoth noted the Equipment Buy Back Program year-to-date proceeds are \$11,080,104. He also reported that revenue to the State Aeronautics Fund from aviation fuels was \$1,454,441, or \$345,559 below projections.

FY12 Proposed Budget Request. Economics and Research Manager (E&RM) Doug Benzon presented the revised revenue forecast. The projected revenue to ITD from all sources of funding in FY12 is \$567,650,000. He noted the slight increase in revenue is based on legislation to remove ISP and the Department of Parks and Recreation from the distribution formula. In summarizing the Department's revenue history, he noted that the HDA revenue in 2009 was approximately the same amount of revenue received in 2001. Revenue to the Aeronautics fund is expected to increase slightly in FY12. The consumer price index inflation rate is just under 5%.

Senior Budget Analyst (SBA) Joel Drake summarized the proposed FY12 budget request. Some highlights include 1,827.5 full-time positions; a \$1 million, or 1%, increase for personnel; \$26 million for replacement equipment; and \$293.8 million for construction. The request includes six line items totaling almost \$40 million; however, \$38 million is being requested for contract construction. SBA Drake said the list of GARVEE projects proposed for bonding authority in FY12 is still under development and will be added to the budget request later.

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

RES. NO. WHEREAS, the FY12 Idaho Transportation Department budget request will be prepared in

ITB10-31 accordance with instructions in the Division of Financial Management's Budget Development Manual; and

WHEREAS, the Idaho Transportation Board has reviewed the FY12 budget request summary.

*NOW THEREFORE BE IT RESOLVED*, that the Board agrees with the budget request estimates and guidance provided as presented in the Department Summary and Certification, submitted for approval August 19, 2010, as shown in Exhibit 396, which is made a part hereof with like effect, and authorizes the estimates and guidance provided to serve as the basis for the budget request to be submitted to the Division of Financial Management and Legislative Services Office on or before September 1, 2010.

GARVEE Financing Authorization. Administrator, Division of Administration (ADA), Dave Tolman said earlier the Board approved authorizing the financing of \$250 million in bonds approved by the 2007 Idaho Legislature, of which \$213.5 million in bonds were issued. The 2010 Legislature passed Senate Bill 1427, which authorizes the Board to finance up to \$12 million in project costs. ADA Tolman requested approval to combine the balance of authorization from the 2007 legislation, in the amount of \$36.5 million, and the new \$12 million authorization provided by Senate Bill 1427 and to approve the issuance of bonds in a principal amount not to exceed \$48.5 million. He added that this approval is necessary due to legal requirements to keep the expenditures on current projects tax exempt. Additionally, the Idaho Housing and Finance Association must pass a resolution to issue bonds. The timing of the sale of these bonds will be determined at a later date to meet contracting requirements. He added that all other Board resolutions authorizing bonding provided by the Legislature have been fully utilized.

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

RES. NO. WHEREAS, the Idaho Transportation Department (ITD) strives to make available to the citizens  
ITB10-32 of Idaho the finest transportation system via new construction projects and management of statewide assets and has authorized the use of a Grant Anticipation Revenue Vehicle (GARVEE) bonded program; and

WHEREAS, the use of future federal funds today will save the state money in the future; and

WHEREAS, Title 40, Chapter 3 and Title 67, Chapter 62, of the Idaho Code, as amended (the "Act"), authorizes the Idaho Housing and Finance Association (IHFA) to issue bonds for the purpose of funding a highway capital improvement program (the "GARVEE Program") for financing all aspects of the construction of highway projects eligible for federal reimbursement as recommended and approved by the Idaho Transportation Board (ITB); and

WHEREAS, the ITD, the ITB, and the IHFA have entered into a Master Financing Agreement with respect to the bonds; and

WHEREAS, issuing such bonds promotes the purposes of the GARVEE Program; is in the public interest; serves a public purpose; increases commerce; promotes the health, welfare, and safety of the people of the State of Idaho; and constitutes a proper exercise of the authority particularly set forth in the Act; and

WHEREAS, the 2007 Idaho Legislature has passed and the Governor has signed House Bill 336 authorizing ITD's 2007 request for bonding authority under Idaho Code Section 40-315(4) up to \$250,000,000 of bonding authority of which \$213,535,000 has been issued by IHFA leaving \$36,465,000 not issued to date, and the 2010 Idaho Legislature has passed and the Governor signed Senate Bill 1427 GARVEE Bonding Authorization authorizing ITB's request for bonding authority under Idaho Code Section 40-315(4) up to \$12,000,000, and IHFA intends to issue certain tax exempt bonds, Federal Highway Trust Fund Series, during state fiscal year 2011 in an amount not to exceed \$48,465,000, comprising the \$36,465,000 remaining from the authorization under House Bill 336 and \$12,000,000 from the authorization under Senate Bill 1427 (the "Bonds"), in order to provide funds to

finance the GARVEE Program for those projects (the "Projects") referenced in House Bill 336 and Senate Bill 1427 and other related legislation and this resolution shall serve as evidence of the Board's intention to proceed with issue of the Bonds up to the amount stated and to reimburse its expenditures for the Projects from the proceeds of the Bonds; and

WHEREAS, there has been prepared a Preliminary Official Statement relating to each series of the bonds and the distribution thereof to potential bond purchasers and the distribution to all actual purchasers of the bonds of a final Official Statement will thereafter be carried out; and

WHEREAS, other bonding documents will also be needed to be executed setting forth the applicable series of bonds.

*NOW THEREFORE BE IT RESOLVED*, by the Board as follows:

1. Pursuant to the Act, the Board approves the Projects and recommends to IHFA the financing thereof through the issuance of the Bonds in an aggregate principal amount not to exceed \$48,465,000, \$36,465,000 from the bonding authority approved by House Bill 336 and \$12,000,000 from the bonding authority approved by Senate Bill 1427; provided that: (a) the ITD and the ITB have entered into a supplement to the Master Financial Agreement relating to the Bonds and previously executed; and (b) the ITD has provided to the IHFA all of the certificates, documents and information required under Idaho Code Section 67-6210(k).
2. The Chairman and/or Director is hereby authorized and directed, for and in the name and on behalf of the ITB, to execute the following bonding documents and any other documents required for the closing of the bonds setting forth the terms of the applicable series of bonds together with such additions or changes in the form thereof as may deem necessary or advisable, such approval to be conclusively evidenced by the execution of said bonding documents as so added to or changed.

Final Official Statement  
Supplemental to Master Financial Agreement

Master Trust Indenture

Series Trust Indenture

3. Further, the Board and ITD will keep books and records of all expenditures and will make a reimbursement allocation, which is a written allocation that evidences the use of proceeds of the Bonds for Project expenditures no later than 18 months after the later of the date on which the expenditure is paid or the related Project is placed in service or abandoned, but in no event more than three years after the date on which the expenditure is paid. Finally, that this resolution evidences the Board's intent and reasonable expectation under Treas. Reg. Section 1.150-2(d) (1) to use the proceeds of the Bonds to pay certain costs of the Projects and to reimburse the Board and ITD for expenditures for the costs of the Projects paid prior to the issuance of the Bonds to the extent permitted by federal tax regulations.

Executive Session on Personnel and Legal Issues. Member Coleman made a motion to meet in executive session at 12:00 noon to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (d), (f). Member Whitehead seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to records exempt from public disclosure, Division of Motor Vehicles permit issues, and the Environmental Protection Agency's consent decree on the US-95, Mica Bay project.

A discussion was held on personnel matters related to the hiring of public officers.

The Board came out of executive session at 1:00 PM. No final actions or decisions were made.

Overlegal Permits Administrative Fee Costs. Reymundo Rodriguez, Commercial Vehicle Services Manager (CVSM), reported on a review of the FY09 revenue and costs generated by the issuance of overlegal permits. In summary, the revenue ITD receives from these fees is insufficient to recover the costs of issuing overlegal permits. He recommends modifying IDAPA 39.03.21, Rules Governing Overlegal Permit Fees, to ensure that appropriate administrative fees are collected for the issuance of these permits. All annual and single trip overlegal permit fees would increase by an average of \$17.00 per permit. The fee increases are distributed among the various types of permits based on the complexity of the permit issuance, staff involvement, and required updates to the maps and attachments needed for annual overlegal permits. A primary goal is that the Division of Motor Vehicles' programs be self supporting. CVSM Rodriguez added that the rule revision is being proposed now to coincide with the time frame as outlined in the IDAPA procedures.

Currently, a portion of the overlegal permit fees are placed in the HDA. Member Coleman questioned the equity to truckers. He believes the current fee structure captures the Department's costs. The problem is that ITD does not receive all of that revenue. Member Whitehead asked if the distribution formula could be changed. CVSM Rodriguez believes legislation would be required to change the distribution formula.

Member Vassar made a motion directing staff to propose draft legislation to eliminate revenue from overlegal permits being deposited into the Highway Distribution Account and to have that revenue deposited into the State Highway Account. Member Coleman seconded the motion.

Some members expressed support to pursue the proposed rule revision. If both the legislation and rule revision are successful, it was noted that the fees could be reduced to ensure equity.

The motion passed unanimously.

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

RES. NO. WHEREAS, the Idaho Transportation Board has the authority to approve requested changes  
ITB10-33 to Administrative Rules; and

WHEREAS, the Board finds the requested changes to the administrative rule will allow the Idaho Transportation Department to collect the appropriate permit fees to cover the cost of administering the permit program.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves the recommended changes to administrative rule:

IDAPA 39.03.21 – Permit Fees

Increase all overlegal permit fees by an average of \$17 per permit; and

*BE IT FURTHER RESOLVED*, that the Board directs staff to promulgate regular rule making for the changes as listed above for the Administrative Rule.

Performance Measurement Report due to Division of Financial Management (DFM). Matt Moore, Transportation Planning Administrator, presented the proposed Performance Measurement report, which is due to DFM by September 1. In addition to reporting on the Department's performance, the document also provides an overview on ITD, including its revenue and expenditures, cases managed, and performance highlights.

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

RES. NO. WHEREAS, Idaho Code 67-1901 – 67-1904 requires that all state agencies must submit an  
ITB10-34 annual Performance Measurement Report on or before September 1; and

WHEREAS, the Performance Measurement Report provides an agency overview; identifies core



functions of the Department; outlines state fiscal year revenues and expenditures; supplies the number of cases managed and key services provided by the Department; highlights the Department's efficiencies and awards; and defines the Department's strategic plan and performance measures; and

WHEREAS, in accordance with Idaho Code 67-1904, the Director certifies that the data provided in the Performance Measurement Report has been internally assessed for accuracy.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board has reviewed and found that the information in the report is acceptable and should be submitted in accordance with Idaho Code.

Idaho Traffic Crashes 2009 and Highway Safety Performance Plan FY11. Mary Hunter, Highway Safety Manager (HSM), said the goal of the Highway Safety Grant Program is to reduce deaths, serious injuries, and economic losses resulting from traffic crashes by implementing programs to address driver behaviors. The traffic crashes report provides data and analysis of the state's traffic crash problem areas and illustrates progress made. It is a reference document, along with other tools, to support the selection of project types and locations to address highway safety on a statewide and local basis. The crash data is also used to provide information to other users and to assess effectiveness of traffic safety issues as traffic crash reduction and injury prevention programs are developed.

HSM Hunter said the Highway Safety Performance Plan is prepared annually in accordance with federal requirements to identify and address Idaho's most critical behavior-related highway safety problems. The Plan was approved by the Idaho Traffic Safety Commission at its May meeting. Total funding for FY11 is \$5.7 million. Some of the focus areas are safety restraints, impaired drivers, aggressive driving, and youthful drivers.

In 2009, there were 226 fatalities and 11,393 injuries as a result of traffic crashes in Idaho. The state's fatality rate was 1.46. Following are some notable statistics from the 2009 Idaho Traffic Crashes report: fatalities due to impaired driving were reduced from 96 to 65; 79% of occupants used safety restraints; 18% of all fatalities occurred at or near intersections; and 105 of the fatalities were related to aggressive driving behaviors.

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

RES. NO. WHEREAS, Idaho experienced 22,992 reportable traffic crashes, 226 traffic deaths, and  
ITB10-35 11,393 people injured in 2009; and

WHEREAS, the economic cost of traffic crashes in Idaho for 2009 was over \$2.5 billion; and

WHEREAS, Idaho's fatality rate for 2009 was 1.46 fatalities per 100 million annual vehicle miles traveled, which is higher than the estimated national rate of 1.16 fatalities per 100 million annual vehicle miles traveled; and

WHEREAS, the Idaho Transportation Department's goal is to have zero traffic deaths; and

WHEREAS, the National Highway Traffic Safety Administration (NHTSA) may allocate about \$5.7 million in funding for Idaho to reduce traffic deaths and serious injuries; and

WHEREAS, the Idaho Traffic Safety Commission and the Office of Highway Operations and Safety have developed the Highway Safety Performance Plan for federal fiscal year 2011 to reduce Idaho traffic deaths, serious injuries, and economic losses; and

WHEREAS, the Highway Safety Performance Plan is required by NHTSA in order to receive funding.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board adopts the Highway Safety Performance Plan for federal fiscal year 2011, which is on file in the Office of Highway Safety.

Highway Safety Improvement Program Funding. Highway Operations and Safety Engineer (HOSE) Brent Jennings

reported that SAFETEA-LU created a Highway Safety Improvement Program. The intent is to significantly reduce fatalities and serious injuries resulting from crashes on public roads. The annual funding level in Idaho is about \$11.4 million.

Discussions have been held with LHTAC regarding utilizing these funds on local roads, according to HOSE Jennings. There is concern with the insufficient data available from local entities, as prioritizing the safety projects is to be based on data. As an alternative, it was agreed that crash corridors could be established based on frequency, and severity could be used as the identification criteria until the appropriate data can be established on the local system.

LHTAC Administrator Lance Holmstrom expressed support to expand the Highway Safety Improvement Program to the local system. He expressed concern with the number of crashes on local roads.

Vice Chairman Blick made a motion and seconded by Member Vassar to approve the following resolution:

RES. NO. WHEREAS, on August 10, 2005 the Safe, Accountable, Flexible, Efficient Transportation Equity  
ITB10-36 Act – a Legacy for Users (SAFETEA-LU) created the core Highway Safety Improvement Program (HSIP) for utilization by the states; and

WHEREAS, Idaho shall develop, implement, and evaluate on an annual basis a HSIP that has the overall objective of significantly reducing the occurrence of and the potential for fatalities and serious injuries resulting from crashes on all public roads; and

WHEREAS, discussions have been held with the Local Highway Technical Assistance Council (LHTAC) regarding the application of the HSIP to the local roads level in order to meet the intent of SAFETEA-LU; and

WHEREAS, it is recognized that the majority of the local highway system does not have the exposure (volumetric) data in order to perform an equitable analysis to determine appropriate safety project selection on a statewide basis.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Department supports the allocation of a portion of HSIP funding to LHTAC in order to fulfill the intent of SAFETEA-LU; and

*BE IT FURTHER RESOLVED*, that the Department shall accomplish the expansion of the HSIP to the local level by:

- 1) Working with LHTAC to analyze existing crash data to determine the top crash locations based on frequency and severity recognizing this methodology is acceptable to the Federal Highway Administration.
- 2) Not limiting HSIP funding only to the state highway system.
- 3) Establishment of the Safe Highway and Facilities Team to evaluate and balance the HSIP. LHTAC would be granted a seat on this team and the Districts and LHTAC would be responsible for individual project selection and management of their projects and associated funds within the HSIP.
- 4) Requiring LHTAC to follow all the HSIP criteria as established by FHWA. This would include the instruction given in the Capital Investment Program update for the latest Statewide Transportation Improvement Program.
- 5) Supporting and assisting where possible LHTAC in the establishment of a program for the collection of exposure (volumetric) data to support this program and to further meet the requirements of SAFETEA-LU. This includes a local road base map. Once local exposure data can be determined and collected and the local road base map is complete, proportional distribution of funding can be better refined and incorporated into the HSIP.

The motion passed 5-1 with Member Miller dissenting.

Electrical Requirements in the Bidding Process. Assistant Chief Engineer – Operations (ACE-O) Greg Laragan reported on staff's efforts to explore remedies to concerns with the electrical requirements in the bidding process.

Recently, the low bid on a highway project was rejected because an electrical subcontractor was not listed. The project required minimal electrical work. Because this issue impacts all contracts, not just highway contracts, the Division of Public Works (DPW) was contacted. DPW does not believe there is a problem with the current requirements and expressed no desire to change Idaho Code. The AGC also believes the current language is sufficient and does not support revisions to the code. It did, however, suggest that the language in the contracts could be improved. ACE-O Laragan proposed revisions, which have been reviewed by the AGC.

The Board concurred with this modification and thanked staff for its efforts.

District 1 Report. DE Allen reported that the District exceeded its project delivery goal. Improvements are being made to prepare engineers' estimates closer to the actual bid amounts. He summarized maintenance efforts, noting that due to a less-harsh winter, more resources were available for summer maintenance projects.

Some of the District's partnerships include working on the I-90/Greensferry access with the City of Post Falls, the US-2/US-95 connection project with the City of Sandpoint, access management studies with local communities, and the Bridging the Valley project with various entities. DE Allen said he will work with KMPO to determine the status of the \$5 million funds available for the Bridging the Valley project, and then work with the Kootenai County Area Transportation Team and KMPO on the region's priorities.

DE Allen provided an update on the US-95, Garwood to Sagle GARVEE corridor. The environmental decision was signed by FHWA in July. Final design, right-of-way acquisition, and utility coordination are underway. Coordination is also continuing with the local highway districts. Construction funds need to be secured. Next month, staff intends to propose seeking additional GARVEE bonding authorization on two projects: Garwood to Silverwood and Silverwood to Granite.

Planner Don Davis thanked DDIR Stokes for his leadership while in District 1. He acknowledged various accomplishments, including extensive improvements made to US-95, during DDIR Stokes' tenure as District Engineer.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:05 PM.

signed

\_\_\_\_\_  
DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
September 15, 2010  
Twin Falls, Idaho

REGULAR MEETING AND DISTRICT FOUR TOUR  
OF THE IDAHO TRANSPORTATION BOARD

September 15-16, 2010

The Idaho Transportation Board met at 9:00 AM, on Wednesday, September 15, 2010, in Twin Falls, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Executive Session on Personnel Issues. Member Gagner made a motion to meet in executive session at 9:00 AM to discuss personnel issues as authorized in Idaho Code Section 67-2345(a). Member Coleman seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on personnel matters related to the hiring of public officers.

The Board came out of executive session at 10:30 AM. No final actions or decisions were made.

Board Minutes. Member Miller made a motion to approve the minutes of the regular Board meeting held on August 18-19, 2010 as submitted. Member Gagner seconded the motion and it passed unopposed.

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

October 20-21, 2010 – Boise  
November 17-18, 2010 – Boise  
December 8-9, 2010 – Boise

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

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board  
ITB10-37 approves the Public Transportation Advisory Council appointment to District 5 and has received and reviewed contract award information; professional services agreements and term agreement work task report; and the adequate truck parking report.

1) Public Transportation Advisory Council (PTAC) Appointment for District 5. Upon the resignation of Ken Bullock as the District 5 PTAC member, staff sought applications to fill this vacancy. In conjunction with the District 5 Mobility Manager, the Local Mobility Management Networks, and the District Coordination Council, staff recommends appointing Kathy Ray to represent District 5 on the PTAC for the remainder of the term, expiring May 31, 2011.

2) Contract Awards. Key #12276 – Frontage Road for US-95, South of Lancaster to Bentz, District 1. Low bidder: Interstate Concrete & Asphalt Company – \$1,268,281.

Key #10498 – I-90, Pinehurst to Elizabeth Park Road Overpass, District 1. Low bidder: Knife River Corporation – Northwest DBA Knife River - \$4,151,756.

Key #9782 – Elder Road; Washington State Line to US-95, Kootenai County, District 1. Low bidder: Poe Asphalt Paving, Inc. - \$1,246,593.

Key #12004 – US-95B, Winchester Business Loop, District 2. Low bidder: Frehner Construction Company Inc. - \$733,000.

Key #9479 – SH-55, Banks to Round Valley, Rockfall Mitigation, District 3. Low bidder: Western Construction, Inc. - \$971,111.

Key # 11476 – SH-75, Milepost 105 to Bellevue, District 4. Low bidder: Knife River Corporation – Northwest DBA Knife River - \$2,031,571.

Key #12065 – US-30, State Street, North Avenue to East 2700 South, Hagerman, District 4. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel - \$268,923.

Key #12228 – North Road (Old SH-79), District 4. Low bidder: Gordon Paving Company, Inc. - \$525,382.

Key #11631 – SH-34, Conda Road to Blackfoot River Bridge, Caribou County, District 5. Low bidder: Legrand Johnson Construction Company - \$2,999,550.

The low bid on key #12217 – I-15, SH-39, and SH-34, District 5, Americans with Disabilities Act (ADA) Improvements, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and the lowest qualified bid are in the Curb Ramp Group B and Curb Ramp Group C items. A potential reason for the overage was the inclusion of numerous incidental items in the SP that were generally estimated in the engineer's estimate where the bidders were more specific to each locations' requirements. Another reason for the overage may be that the low bid contractor was awarded the prior bid ADA projects and has experienced more work necessary to meet ADA requirements at each location, thus reflecting a higher cost per ramp. Staff recommends awarding the bid. Low bidder: Paul Construction, Inc. - \$888,454.

The low bid on key #12218 – SH-48, US-93, and SH-28, District 6, ADA Improvements, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and the lowest qualified bid are in the Curb Ramp Group B and Curb Ramp Group C items. A potential reason for the overage was the inclusion of numerous incidental items in the SP that were generally estimated in the engineer's estimate where the bidders were more specific to each locations' requirements. Another reason may be that the low bid contractor was awarded the prior bid ADA projects and has experienced more work necessary to meet ADA requirements at each location, thus reflecting a higher cost per ramp. Staff recommends awarding the bid. Low bidder: Paul Construction, Inc. - \$557,226.

3) Professional Services Agreements and Term Agreement Work Task Report. From August 2 through August 27, \$2,342,485 in new professional services agreements and work tasks were processed. Five supplemental agreements to existing agreements were processed in the amount of \$104,000 during this period.

4) Adequate Truck Parking. District 2 and the Nez Perce Tribe are continuing efforts for a partnership rest area/convenience store near the junction of US-95 and US-95B in Winchester. At the April 2010 Board meeting, questions were raised regarding the number of truck parking stalls and the length of the stalls. ITD verified with the Tribe that the final plans will include a minimum of nine 89-foot-long truck stalls, which meets the requirements established for this route and meets or exceeds the capacity at similar existing rest areas in District 2.

Board Items. Chairman Manning said he attended the Governor's Task Force on Modernizing Transportation Funding meeting on August 31. He also had meetings with the Governor's Office, legislators, and contractors on various issues.

Director's Report. Director Ness reported that a hiring freeze has been implemented due to concerns with the economy and the Department's revenue projections. However, some essential positions, particularly those related to public safety, will be filled.

Director Ness elaborated on the August Governor's Task Force meeting. The group is continuing to review revenue options.

Director Ness attended a partnering meeting with Ada County Highway District. The Office of Communications is coordinating the annual National Transportation Public Affairs Workshop in Boise this week. Some upcoming events include speaking at the North Idaho Mayor's conference later this month, the Governor's Task Force meeting on October 8, and the American Council of Engineering Consultants conference next month. Efforts are also continuing on completing the transportation plan, preparing the budget, and planning for the legislative outreach sessions.

Deputy Director Stokes distributed the performance measurement report. Idaho continues to be a lead state in the reduction of highway fatalities. The Board and Idaho Traffic Safety Commission will conduct a joint highway safety workshop next month. He also reported that 87% of the current year projects have been delivered.

Member Miller reported that while traveling through the state last month, he came upon a traffic accident that closed the highway. It seemed to take an extraordinary amount of time to clear the scene and allow traffic to proceed. He questioned ITD's involvement at accident sites and the procedures to keep traffic moving. He noted the importance of safety at accident sites, but encouraged efforts to get traffic moving as soon as possible. He asked for a future presentation on this topic.

DDIR Stokes acknowledged the importance of this issue. Several years ago a concerted effort was undertaken with ITD's partners to determine improvements to the procedures at crash sites. He also mentioned that the State of Washington has a performance measure related to clearing accident scenes. Director Ness added that Ada County Highway District's traffic management center provides valuable assistance with addressing traffic flow at crash sites in the greater Boise area.

Chairman Manning welcomed Representatives Leon Smith and Stephen Hartgen to the meeting.

Consultant Services. Local Highway Technical Assistance Council (LHTAC) Administrator Lance Holmstrom said the City of Coeur d'Alene selected Welch, Comer and Associates, Inc. from the term agreement list to perform design services for the Government Way, Dalton to Hanley Avenue project. The project will increase the roadway from two lanes to four lanes with a center turn lane. The original agreement was \$240,000. A \$9,400 supplemental agreement was later added for a total agreement amount of \$249,400. The City is requesting a second supplemental agreement for additional design services to relocate an existing waterline. The second supplemental agreement would increase the agreement amount by \$32,830 for a total agreement of \$282,230, which exceeds the \$250,000 limit for a consultant selection from the term agreement list. On behalf of the City of Coeur d'Alene, LHTAC Administrator Holmstrom requested approval to proceed with the second supplemental agreement.

Member Coleman questioned efforts in general to develop a project's scope. He believes supplemental agreement requests may be reduced if more thorough scopes are prepared initially.

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

RES. NO.        WHEREAS, Welch, Comer and Associates, Inc. was selected by the City of Coeur d'Alene  
ITB10-38        from the Idaho Transportation Department term agreement list to design the Government Way, Dalton  
                         to Hanley Avenue project in District One; and

                         WHEREAS, additional professional services are required to relocate an existing water line in the project  
                         limits; and

                         WHEREAS, the total agreement amount to date is \$249,400; and

                         WHEREAS, the cost of the additional services is estimated at \$32,830 for a total agreement amount of  
                         \$282,230, which will exceed the \$250,000 limit for a consultant selection from the term agreement list

set by Board Policy B-06-08, Professional Service Agreements.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the request to exceed the term agreement limit by \$32,230 to allow a supplemental agreement with Welch, Comer and Associates, Inc. for additional services for the Government Way, Dalton to Hanley Avenue project.

Transfer of the Buhl-Wendell Highway to the State Highway System. Senior Transportation Planner Garry Young reported that a cooperative agreement has been signed by the local highway jurisdictions to transfer the Buhl-Wendell Highway onto the state highway system. The transaction would extend SH-46 approximately 15 miles south from Wendell to US-30 in Buhl. The Board Subcommittee on Adjustments to the State Highway System met this morning and recommended approving this transaction.

Vice Chairman Blick commented that the Subcommittee also discussed other routes that either are in the process of being transferred or may be requested to transfer to the state highway system. He requested a future presentation on these routes. Member Vassar said it appears ITD has to fund improvements or provide financial assistance before relinquishing routes to local jurisdictions, and the state is responsible to improve local roads when they are added to the state system. Member Gagner suggested exploring legislation to provide equity on this issue. Member Miller cautioned that many local jurisdictions are not financially capable of improving or maintaining some of these routes.

Member Gagner made a motion to approve the Official Minute, as shown as Exhibit 397, which is made a part hereof with like effect, adding the route from Buhl, milepost 85.252 on Clear Lakes Road, to Wendell, milepost 100 on South 1950 East, to the state highway system, an extension of SH-46. Member Coleman seconded the motion and it passed unopposed.

Draft Legislation for 2011. Mollie McCarty, Government Affairs Program Manager (GAPM), summarized the two legislative ideas approved earlier, related to commercial drivers' licenses medical card requirements and continuous appropriations for dedicated funds. As a result of a recent legislative audit, she presented a third idea: authorizing use of funding for the Aeronautics air flight program. She also presented draft legislation for the three ideas.

GAPM McCarty reported that other ideas discussed by the Board are being addressed by other means. Upon further review of the sale of surplus property, it was discovered that the rule and Idaho Code are in conflict. Discussions are underway with stakeholders. The Association of Idaho Cities indicated an interest to take the lead on the surplus property issue. As reported last month, changes were incorporated into the contract documents to address concerns with the electrical requirements of subcontractors in the bidding process.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit proposed 2011  
ITB10-39 legislation to the Division of Financial Management (DFM) for review and approval; and

WHEREAS, the Idaho Transportation Department Executive Team has approved the proposed Legislative IDEA to authorize use of funding for Aeronautics, and has submitted it to the Idaho Transportation Board for review and approval prior to submission to DFM.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves submittal of the proposed Legislative IDEA authorizing use of funding for Aeronautics to DFM, and, upon approval, the development by ITD staff of draft legislation, subject to subsequent review and approval by the Board and DFM.

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

RES. NO. WHEREAS, the Idaho Governor's Office has requested that state agencies submit proposed 2011  
ITB10-40 legislation to the Division of Financial Management for review and approval; and

WHEREAS, the Idaho Transportation Board at the July and September, 2010 meetings reviewed and

approved legislative ideas for submission to the Division of Financial Management (DFM); and

WHEREAS, the Board at the July and September, 2010 meetings authorized Idaho Transportation Department staff to develop draft legislation for review and approval, prior to submission to DFM.

*NOW THEREFORE BE IT RESOLVED*, that the Board approves submittal of proposed draft legislation for three ideas to DFM.

Overlegal Permits Administrative Fees. Motor Vehicles Administrator (MVA) Alan Frew said staff reported last month on the cost analysis on the current overlegal permit administrative fee schedule. It appeared ITD was not recovering its costs to issue the permits because the majority of the revenue was being deposited into the Highway Distribution Account (HDA). To make up the approximate \$1,000,000 shortfall, the Board approved increasing all annual and single trip overlegal permit administrative fees by an average of \$17.

At the Board's request, staff researched the issue of depositing the revenue into the State Highway Account (SHA) instead of the HDA. MVA Frew reported that legislation is not required to deposit the permit fee revenue into the SHA. Staff will pursue this change administratively. He added that the parties that receive funding from the HDA have been contacted and informed of this upcoming change.

Member Coleman asked if revenue from other fees is being deposited into the HDA that should be deposited into the SHA. MVA Frew said there may be other fees that are being deposited into the HDA instead of the SHA. Staff is in the process of reviewing the other fees.

Vice Chairman Blick noted that depositing the overlegal permit fees revenue into the SHA will still result in an approximate \$150,000 shortfall to the Department. He believes the Department needs to recover its costs for issuing permits. MVA Frew acknowledged that the fees could be changed, but he cautioned that the current rule-making proposal, increasing overlegal permit fees by an average of \$17, will result in collecting more revenue than what it costs to issue the permits. He believes staff can review all of the Division of Motor Vehicles' permits and provide a summary of the current charges and costs and make recommendations to change those as appropriate by early next year.

Member Gagner made a motion to rescind Resolution Number ITB10-33, increasing overlegal permit fees. Member Miller seconded the motion and it passed unopposed.

District 4 Report. District 4 Engineer (DE) Devin Rigby reported that the District delivered 81% of the projects it committed to by July 1 plus six additional projects. The US-93, Twin Falls Alternate Route Stage 2 project is proceeding well. It is ahead of schedule. The District has 50 projects totaling \$147 million under contract this year.

DE Rigby summarized their after storm critique efforts. Staff reviews its response to storms to determine if adequate staffing and equipment were available, what went well, and what improvements could be made. It is part of an effort to develop best maintenance practices. It is one of their initiatives to provide better service to the public. In closing, DE Rigby welcomed the Board to District 4 and thanked it for visiting south central Idaho.

Chairman Manning thanked DE Rigby for the report and for his efforts.

Executive Session on Personnel and Legal Issues. Member Miller made a motion to meet in executive session at 11:50 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(b), (d), and (f). Vice Chairman Blick seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to records exempt from public disclosure, Division of Motor Vehicles permit issues, litigation against ITD on employment-related matters, compliance with the American with Disabilities Act, and the Environmental Protection Agency's consent decree on the US-95, Mica Bay project.

A discussion was held on personnel matters related to the conduct of public officers.



The Board came out of executive session at 1:00 PM. No final actions or decisions were made.

Adopt-A-Highway (AAH) Presentation. Vice Chairman Blick thanked Susan and Ron Green and Friends for participating in the AAH Program. He commended the group's service to the state, by adopting two miles on SH-75.

Highway Cost Allocation Study Report Briefing. Doug Benzon, Economics and Research Manager (ERM) summarized the Highway Cost Allocation Study. The desired outcome is equity: having users pay for what they use. Key questions addressed by the study were do highway users as a whole pay the full cost of highways or are they subsidized by non-users or do they subsidize non-users; how do broad classes of highway users compare with each other in terms of paying their estimated shares of highway costs; and how would specific changes in the tax structure or tax rates impact equity among highway users?

The analysis time period was state fiscal years 2007 through 2012. Equity was examined at the federal, state, and local levels of government. There were 20 classes of vehicles studied. Expenditures and travel data was broken down by 11 road classes, six rural and five urban.

ERM Benzon summarized the key findings. In short, including state and federal revenues and expenditures with the full GARVEE Program, automobiles are paying 1.47% and combination vehicles are paying 0.67%. Using the reduced GARVEE formula, where the debt service payouts are spread out over the full GARVEE Program time frame, cars are overpaying by 1.38% and trucks are underpaying by 0.72%. He noted, however, that all users are underpaying because the state has unmet highway needs. The GARVEE bond program influences results due to the emphasis on construction and pavement expenditures. The majority of pavement costs are due to impacts of heavy axle loads, thus the large bond program increases responsibility of heavy trucks. He added that the repeal of the weight distance tax in 2000 and the replacement mileage-based registration fee system reduced revenues attributed to heavy trucks. The estimated impact of the weight-distance tax repeal is a negative \$11.6 million annually. The study also included policy options; however, it does not include recommendations.

Chairman Manning thanked ERM Benzon for the summary and for his efforts to complete the Highway Cost Allocation Study.

Monthly Financial Statements and Highway Program Obligations. Dave Tolman, Administrator, Division of Administration, said FHWA Indirect Cost Allocation revenue was \$4,064,980 through July, which exceeded the projected amount of \$2,825,000. Miscellaneous state funded revenue of \$2,794,151 was \$95,610 below the forecast. HDA revenue, excluding ethanol exemption elimination, was \$15,173,020. The projected revenue was \$13,961,900. Revenue from the ethanol exemption elimination was \$1,390,734, which was a \$100,934 positive variance from the projected amount.

ADA Tolman reported that revenue to the State Aeronautics Fund from aviation fuels was \$133,986, or \$6,188 below projections. Total expenditures in the American Recovery and Reinvestment Act of 2009 (ARRA) Title XII Fund were \$86,479,700, while \$182 million had been appropriated. Of the \$17.4 million LHTAC-administered ARRA Title XIV funds, \$1,130,600 had been expended.

Manager, Transportation Investment (MTI) Dave Amick reported that \$376.7 million had been obligated for projects in the STIP by the end of August. This is 87% of the project costs in the current STIP. At the same time last year, \$300.2 million had been obligated, or 89%. He also provided an update on the End of the Year Plan and mentioned that over \$8 million was received in redistribution of obligation authority.

Recommended FY11-15 Statewide Transportation Improvement Program (STIP). MTI Amick summarized the recommended FY11-15 capital investment projects. He noted the addition of \$19 million in bridge projects to accommodate a revised estimate of state funds in FY12 and later. Other changes to the Program since the draft was presented in June include the advance and delay of projects as a result of delivery during the end-of-year review, results of a statewide balancing meeting, reprogramming of unutilized High Priority and Appropriation earmarks from FY10, GARVEE legislative authority balancing changes, incorporation of recently-approved Safe Routes to School

projects, increases to accommodate LHTAC administrative costs, and a revised Boise Transportation Management Area (TMA) Program. Other minor fiscally constrained changes were made at constituents' requests.

MTI Amick reported on discussions with the Community Planning Association of Southwest Idaho regarding grouping projects and selected specific project changes within the Boise TMA portion of the STIP. If the issues are not resolved by the end of October, staff is prepared to submit the STIP for federal approval excluding projects in the Boise and Nampa area, which is permitted, until negotiations are finalized. This would allow most of the individual projects and those with grouped status under the previously approved FY10-13 STIP to continue development. The remainder of the state will proceed with unhindered development under the new recommended FY11-15 STIP.

Sonna Lynn Fernandez, Intermodal Planning Manager, reported on the public involvement process. Although ITD operates under a philosophy to carry out communication with citizens, elected officials, tribes, other state and federal agencies, and other interested parties throughout the year, a specific comment period on the draft FY11-15 STIP was held from July 6 through August 4. The 36 comments received during this time were provided to the Board.

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

RES. NO. WHEREAS, the Idaho Transportation Department is required by 23 U.S.C. 134, 23 CFR, ITB10-41 Part 450 and 49 CFR, Part 613 and the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU) 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 four years of the STIP and is in conformance with the first four years of each Metropolitan Planning Organization's (MPO) Transportation Improvement Program; and

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

WHEREAS, the STIP, in nonattainment and maintenance areas, contains only transportation projects and programs found to conform to the requirements contained in 40 CFR Parts 51 and 93, and the Idaho Administrative Procedures Act, specifically the "Rules of the Department of Environmental Quality" found in Idaho Code 39-6701; 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 federally funded projects required by 23 CFR 450.216(h) and locally funded projects that are designated as 'regionally significant' requiring an action by the Federal Highway Administration (FHWA) or Federal Transit Administration (FTA); and

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

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

WHEREAS, the Board has considered public input during the development of the STIP.

*NOW THEREFORE BE IT RESOLVED*, that the STIP shall include all FY11-15 capital and non-capital surface transportation projects (or phases of projects) within the boundaries of the State recommended to

the Board for funding under Title 23 U.S.C. and Title 49 U.S.C. Chapter 53 as described in 23 CFR 450.216 (g) with the exception of the Ada County Transportation Management Area and Nampa MPO area; and

*BE IT FURTHER RESOLVED*, that the Board approves the FY11-15 STIP with any changes approved at the September 15-16, 2010, Board meeting to be included in the recommended STIP, which is on file in the Intermodal Planning Office; and

*BE IT FURTHER RESOLVED*, that the Board approves the transmittal of the recommended FY11-15 STIP to FHWA and FTA for their review and approval.

Old Business. Member Coleman reported that DE1 Damon Allen and the Kootenai Metropolitan Planning Organization (KMPO) discussed priorities for the Bridging the Valley project. KMPO supports Post Falls Highway Districts' SH-53 and Pleasantview Road crossing project. ITD is being asked to provide \$69,000 as match for the design of this project.

Member Vassar asked if the Department would be committed to constructing the project if it provides funding to design it. Chairman Manning cautioned that no construction money has been identified. In response to Chairman Manning's question on whether ITD has funding

available for the match, DE1 Allen responded yes. The intent is to include this project in the FY11 STIP.

Member Coleman expressed support for the project. Washington has already eliminated a number of at-grade crossings. ITD has emphasized to the local entities that no construction money has been identified.

DDIR Stokes cautioned that the source of ITD's match has not been identified. He questioned using Board Unallocated Account funds. If the project is not constructed within a specified time period, money spent to date would need to be paid back to the federal government. In response to Chairman Manning's question on who would be responsible to reimburse FHWA, DDIR Stokes replied that he does not know who would be responsible.

Chairman Manning asked staff to provide more information on this project, including the risk factors next month.

WHEREUPON the Board meeting recessed at 2:35 PM.

September 16, 2010

The Board reconvened at 7:15 AM on Thursday, September 16, 2010, in Twin Falls, Idaho. All members were present except Member Jerry Whitehead, District 3.

District 4 Tour. The Board traveled north on US-93 and east on I-84 to Burley. After viewing the SH-27 project under construction, it continued east on I-84, south on SH-81, and south on SH-77. DE4 Rigby summarized the inadequate facilities at the joint I-84 Cotterel Port of Entry (POE) and Rest Area. Relocating the POE is being considered, along with making some improvements to the existing rest area.

At the City of Rocks visitor's center in Almo, staff summarized the federal discretionary projects to improve approximately 14 miles of the City of Rocks Backcountry Byway, from SH-77 to Almo. Efforts are underway to transfer this route to the state highway system. Wallace Keck, Parks Manager, Idaho Department of Parks and Recreation, provided an overview on the City of Rocks National Reserve and Castle Rock State Park. He expressed appreciation for the road improvements, and, noting the importance of a good transportation system, encouraged additional improvements to the Byway.

The tour continued north on SH-77 to Rupert. After an informal luncheon with maintenance employees, the Board

returned to Burley.

At the Burley Airport, Aeronautics Administrator John DeThomas and Burley City Administrator Mark Mitton provided an overview on the facility. Because the airport is landlocked, preventing the needed extension of the runway, efforts have been undertaken to relocate the airport. Burley Mayor Mark Greenman emphasized the economic importance of the facility and the desire to expand it to a regional airport.

City Administrator Mitton thanked the Board for visiting the Burley community.

The Board returned to Twin Falls via I-84 west and US-93 south.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 3:15 PM.

signed

DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
October 21, 2010  
Boise, Idaho

WORK SESSION AND REGULAR MEETING  
OF THE IDAHO TRANSPORTATION BOARD

October 20-21, 2010

The Idaho Transportation Board met at 12:00 noon, on Wednesday, October 20, 2010, in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Luncheon with the Idaho Traffic Safety Commission (ITSC). An informal luncheon was held with the ITSC members.

Highway Safety Workshop with the ITSC. Deputy Director Scott Stokes welcomed the participants to the meeting. The number one cause of death of Idahoans aged 1 to 34 is traffic crashes. Driver error is the primary cause of crashes, with unrestrained motorists, alcohol, speed, and distraction the biggest contributors. He emphasized that highway safety is ITD's highest priority. The Department's limited resources are committed to making the infrastructure safer, promoting responsible driver behaviors, and changing the culture regarding responsible driving.

DDIR Stokes expressed appreciation to the numerous partners that have joined ITD to address highway safety, noting that the issue is an Idaho problem, not just an ITD concern. He said the goal of the workshop is to recognize those partners, summarize the efforts to make highways safer, and renew the commitment to achieve zero deaths.

Joe Toole, Associate Administrator for Safety, Federal Highway Administration (FHWA), talked about the need for a culture change to address highway safety. He emphasized the importance of empowering communities, making it easier for local entities to access resources and integrate planning processes; being accountable by utilizing data, focusing on performance, and establishing benchmarks to determine goals; and building collaboration through a common vision.

Pam Holt, Trauma Nurse from St. John's Regional Medical Center in Missouri, provided an overview of the realities of traffic crashes, particularly the impacts to drivers and passengers that are not wearing seatbelts. She encouraged the state to pass a primary seatbelt law because of the significant benefits of wearing safety restraints.

Sergeant Ted Piche', Lewiston Police Department, summarized the aggressive driving program. Some efforts to reduce fatalities as a result of aggressive driving include education, enforcement, engineering, and public policy.

John Perry, FHWA, reported that fatigue, impaired driving, inattention, and speed are contributing factors to lane departures. Rumble strips help prevent run off the road crashes. Other activities that can reduce these types of crashes include signs, improving site distance, education, flattening curves, and widening shoulders.

Boise Police Officer Kyle Wills believes a grass roots effort is needed to increase safety restraint usage. Strategies to improve usage include education, engineering, enforcement, and policy. He also emphasized the importance of partnerships.

Distracted driving was the number one contributing factor to crashes in 2004 through 2009, according to Phil Liggins,

Lewis Clark State College. He believes eliminating cell phone use and texting while driving would reduce crashes caused by distracted driving. Education is an important step to reduce this behavior, along with partnerships, enforcement, and public policy.

Traffic Safety Resource Prosecutor Jared Olson cited impaired driving statistics. In 2009, there were 65 alcohol related fatalities on Idaho's highways. Training prosecutors, ignition inter-lock devices, and driving under the influence courts are some methods to address this behavior.

The Motorcycle Safety Team's focus is on training, increasing motorists' awareness of motorcycles, decreasing the incidents of motorcyclists riding impaired, and increasing protection, such as helmets. STAR Program Coordinator Stacey Axmaker also reported on media campaigns and other educational methods to address motorcycle safety.

Chairman Manning thanked the work session participants for their efforts. He also extended appreciation to the numerous partners that are vital to addressing highway safety. He commended the improvements that have been made over the years, but acknowledged that more work needs to be done. He expressed the Board's support to make Idaho's highways safer.

WHEREUPON the Board meeting recessed at 5:00 PM.

October 21, 2010

The Board reconvened at 8:30 AM on Thursday, October 21, 2010, at the Idaho Transportation Department, Boise, Idaho. Chairman Manning and Members Vassar, Whitehead, Miller, and Gagner were present.

Board Minutes. Member Miller made a motion to approve the minutes of the regular Board meeting held on September 15-16, 2010 as submitted. Member Vassar seconded the motion and it passed unopposed.

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

November 17-18, 2010 – Boise

December 8-9, 2010 – Boise

January 19-20, 2011 – Boise

Consent Calendar. Member Whitehead made a motion, seconded by Member Vassar, and passed unanimously, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the  
ITB10-42 certification of receipts and disbursements and the addition of two projects to the American Recovery and Reinvestment Act Governor's Discretionary Program and has received and reviewed contract award information and professional services agreements and term agreement work task report.

1) Certification of Receipts and Disbursements. The certification of receipts and disbursements cash basis, as shown as Exhibit #398, which is made a part hereof with like effect, was submitted for Board approval in conformance with the requirements of Section 40-708, Idaho Code. The Department's cash balance as of June 30, 2010 was \$58,653,700.

2) Addition of Two Projects to American Recovery and Reinvestment Act (ARRA) Governor's Discretionary Program. In accordance with Senate Bill 1227, the Local Highway Technical Assistance Council (LHTAC) sought the Board's advice and consent to award additional highway projects through Title XIV of ARRA. An average of approximately 8% in savings has been realized on 27 Governor's Discretionary projects. These savings are sufficient to fund two additional projects: STC-6702, Main Street; Spruce Street to Salmon Street, Mackay for \$500,000 and STC-7820, McCall Road, McCall for \$515,000.

3) Contract Awards. Key #12005 – SH-13, South Fork Clearwater River Bridge to Howard Creek, District 2. Low bidder: Poe Asphalt Paving, Inc. – \$2,617,243.

Key #12032 – SH-55, Cascade North City Limits to Donnelly, District 3. Low bidder: Valley Paving & Asphalt, Inc. -

\$2,005,257.

Key #8669 – SH-21, Mores Creek Bridge, Ada County, District 3. Low bidder: RSCI - \$2,787,682.

Keys #11575 and #12035 – SH-51 and SH-78, Milepost 60 to Snake River Bridge, Owyhee County, and Grandview to Junction SH-51, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel - \$3,397,488.

Key #8705 – Canyon Creek Bridge, North of Mountain Home, District 3. Low bidder: McAlvain Civil Constructors, Inc. - \$493,181.

Key #9438 – South Biking/Walking Trail System, Caldwell, District 3. Low bidder: King Excavation LLC - \$217,962.

The low bid on key #9964 – I-84, Cloverdale Underpass, Boise, District 3, was more than ten percent over the engineer's estimate, requiring justification. The main difference between the engineer's estimate and the lowest qualified bid was in the Night Work Lighting item. Staff did not discover any obvious errors in the Engineer's Estimate. The project is critical to extend the life of the Cloverdale Underpass structure. Staff recommends awarding the bid. Low bidder: Concrete Placing Company, Inc. - \$279,567.

Key #9847 – 3700 North; 1800 East to 2000 East, Filer Highway District, District 4. Low bidder: Gordon Paving Company, Inc. - \$642,371.

Key #6521 – I-86, Salt Lake Interchange to Raft River Interchange, Eastbound Lane, District 4. Low bidder: Knife River Corporation – Northwest dba Knife River - \$10,960,704.

Key #12070 – FY10 District 4 Bridge Deck Preservation. Low bidder: Cannon Builders, Inc. - \$123,250.

Key #11133 – I-15, FY10 District 5 Sign Upgrades. Low bidder: Specialty Construction Supply, LLC - \$52,582.

Key #8127 – SMA-7101, Intersection Alameda Road and Hawthorne Road, Pocatello, District 5. Low bidder: Mickelsen Construction Company, Inc. - \$765,183.

Key #12203 – US-20, South St. Anthony Access to Twin Groves, Northbound and Southbound, District 6. Low bidder: H-K Contractors, Inc. - \$3,978,570.

Key #9595 – I-15, Dubois Rest Area Reconstruction, District 6. Low bidder: Knife River Corporation – Northwest DBA Knife River - \$3,200,245.

4) Professional Services Agreements and Term Agreement Work Task Report. From August 30 through September 29, \$1,603,850 in new professional services agreements and work tasks were processed. Ten supplemental agreements to existing agreements were processed in the amount of \$866,749 during this period.

Board Items. Chairman Manning said he attended a meeting with District 4 employees to discuss various topics, with Headquarters' staff to prepare for the Governor's Task Force on Modernizing Transportation Funding meeting, and the Task Force meeting on October 8.

Chairman Manning commended DDIR Stokes and the Office of Highway Safety staff for the excellent workshop yesterday. He thought the speakers were exceptional. Improvements are being made in highway safety; however, more work needs to be done. He thanked staff for its efforts on this important campaign.

Director's Report. Director Ness also praised staff's efforts for yesterday's work session.

Staff continues to be involved in issues related to overlegal permits on US-12. The Department presented an appeal to the Idaho Supreme Court on October 1. Director Ness believes a ruling on this matter should be issued shortly.

Director Ness reported on the Centennial of Flight celebration planned on October 23 in Lewiston. Chairman Manning is on the agenda to commemorate the first powered flight in Idaho, which occurred on October 13, 1910 over Lewiston.

Director Ness was pleased to announce that the Department will be receiving two American Association of State Highway and Transportation Officials (AASHTO) President's awards at the upcoming annual AASHTO conference. Bob Koeberlain and Amy Schroeder will attend the conference to accept awards for the 511 Travel Advisory System and the I-84, Vista Avenue Interchange project, respectively. He was also proud to report that Human Resource Services Manager Mary Harker was selected as a recipient of the Boise State Women's Center's 2011 Women Making History Award.

Director Ness informed the Board of the fatality of an ITD employee. Jonathan Prahasto was killed while on duty when his vehicle collided with a semi-truck on US-20. The 16-year Department veteran worked at the Island Park maintenance facility. Another District 6 employee was injured in a recent hunting accident. Korby Hansen is recovering in an Idaho Falls hospital.

Director Ness participated in the North Idaho Mayor's Conference. Some of his other activities included partnering sessions with Idaho State Police (ISP), the Associated General Contractors, and FHWA, and the Governor's Task Force meeting. He will be attending the annual AASHTO conference with several other staff members.

DDIR Stokes distributed the performance measurement report. He commented on the start of a new federal fiscal year and commended staff's efforts to deliver projects in a timely manner. Progress is being made on establishing and implementing the management systems and work is continuing on performance measures.

Member Gagner asked if ITD has an effective fleet management system. Overall, DDIR Stokes believes it is a good system that can track a lot of data. However, he believes the system has challenges and staff is reviewing other states' systems.

Chairman Manning said he sent letters of appreciation to the District Engineers for their exemplary efforts to deliver projects during the past fiscal year.

Delegation – Boise Airport Commission. Boise Airport Commission Chairman Paul Cunningham stressed the significant economic impact that airports provide. He referenced the Department's study on aviation, noting the \$2.4 billion economic impact from aviation and the numerous jobs related to the industry. He provided an overview on House Joint Resolution 5, the constitutional amendment that will be on the ballot next month. In summary, it would allow airports to incur debt without the approval of a two-thirds vote if the payment will be from fees, charges, rents, grants, or other revenues derived from the airport or its facilities. The use of tax dollars to repay such bonds would be prohibited.

Chairman Manning acknowledged the importance of airports. He thanked Commission Chairman Cunningham for the overview on this important issue.

Monthly Financial Statements and Highway Program Obligations. Gordon Wilmoth, Controller, said FHWA Indirect Cost Allocation revenue was \$12,040,278 through August, which exceeded the projected amount of \$5,700,000. Miscellaneous state funded revenue of \$5,270,026 was \$321,822 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$29,877,799. The projected revenue was \$28,785,400. Revenue from the ethanol exemption elimination was \$2,753,048, which was a \$21,648 positive variance from the projected amount.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$307,221, or \$106,535 above projections. Total expenditures in the ARRA Title XII Fund were \$105,576,000, while \$182 million had been appropriated. Of the \$17.4 million LHTAC-administered ARRA Title XIV funds, \$1,276,000 had been expended.

As of September 30, the end of the federal fiscal year, \$424.8 million had been obligated. This is 99% of the project



costs in the current STIP. At the same time last year, \$335.7 million had been obligated, or 99%.

Request for Supplemental Agreement #3. Assistant Chief Engineer – Development (ACE -D) Loren Thomas said the SH-75, Timber Way to Big Wood River Bridge project, key #7836, is the first phase of the 27-mile Timmerman to Ketchum corridor to be designed and constructed. Of the \$29,000,000 available, \$19,313,000 has been programmed for this project. Last year, WHPacific was awarded the contract to design the 3.25 mile segment for \$1,400,000. The total agreement amount to date is \$1,469,200. In the course of negotiations with the consultant, several tasks were not included in the final budget due to the uncertain level of work and because the process to mitigate some commitments had not been determined. Those issues have been clarified and finalized. ACE-D Thomas requested a supplemental agreement in the amount of \$48,000 for the consultant to perform the additional work. The tasks include public involvement, additional survey work, modification to the roadway plan sets to include greater clarity, and design of a mobile home park drain field that was not identified in the environmental document.

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

RES. NO. WHEREAS, the SH-75 Timber Way to Big Wood River Bridge is programmed on the Statewide  
ITB10-43 Transportation Improvement Program under key #7836; and

WHEREAS, the Timmerman to Ketchum Final Environmental Impact Statement was approved in March, 2008; and

WHEREAS, the Timber Way to Big Wood River Bridge is the first phase of the Timmerman to Ketchum corridor identified in the environmental document to be designed and constructed; and

WHEREAS, the Timber Way to Big Wood River Bridge project is being designed under contract to WHPacific, negotiated in August, 2009; and

WHEREAS, a supplemental agreement is needed to complete critical path tasks on the Timber Way to Big Wood River Bridge project.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the supplemental funding in the amount of \$48,000 as a supplemental agreement #3 for the Timber Way to Big Wood River Bridge.

45 Mile Per Hour (MPH) Design Speed on SH-75 from Hailey to Ketchum. Chief Engineer (CE) Tom Cole said the environmental document for the SH-75, Timber Way to Big Wood River Bridge project included a speed limit of 45 MPH. One of the project goals is to minimize noise impacts. Due to expressed interest in not having noise walls, the reduced speed significantly reduces the potential need for noise walls. Other reasons to reduce the current speed limit of 55 MPH to 45 MPH include expected continued growth in the corridor, with rural areas becoming more urban, and the number of wildlife collisions. He added that because the speed limits have been addressed in the environmental document, significant changes would require the re-evaluation of the document, which could delay the delivery of the project; however, the speed limit can be re-evaluated through an engineering speed study after the project is constructed.

District Winter Maintenance Resources. CE Cole summarized the Districts' winter maintenance operations. The number of full time positions dedicated to winter maintenance efforts ranges from 59 in District 4 to 83 in District 3. Additionally, all districts utilize hourly or re-assigned employees to supplement the winter maintenance personnel. Some Districts cross utilize employees to perform winter maintenance operations. Each District has an average of 63 snow plows, 58 sanders, and 4 rotary snow plows. CE Cole emphasized that each District is unique. Maintenance efforts are determined based on its circumstances and history.

Chairman Manning thanked CE Cole for both presentations.

Commercial Motor Vehicle Safety. Highway Operations and Safety Engineer (HOSE) Brent Jennings said ISP

oversees the Commercial Motor Vehicle Safety Program, although ITD is a partner on this effort. Commercial motor vehicle safety is one of the Department's emphasis areas. In 2009, commercial motor vehicles were involved in 27 highway fatalities, or 12% of all motor vehicle fatalities in Idaho.

ISP Captain Bill Reese summarized some strategies to address commercial motor vehicle safety. He believes the public outreach and educational efforts have been effective in reducing crashes. One of those promotional campaigns is "Leave More Room for Trucks". The focus of the campaign is to target aggressive drivers in relation to commercial vehicle truck units. ISP is also in the process of developing a new media program geared towards teens and texting around trucks, as distracted driving is a major concern. HOSE Jennings concluded by stating that ITD will continue its partnership efforts on this important emphasis area.

Chairman Manning thanked the gentlemen for the presentation. He also commended ISP for its concerted efforts to patrol the I-84 construction zone in the Treasure Valley and expressed appreciation for its partnership.

Chairman Manning welcomed Representative Phylis King to the meeting.

Draft of Idaho on the Move: A Long-Range Plan to Improve Safety, Mobility, and Economic Vitality. DDIR Stokes summarized the long-range plan, which was required as part of the Governor's Executive Order, as well as federal code. The Plan is a means to becoming the best state department of transportation in the country. It describes policy, principles, and strategies for investments over a 20-year period. The Plan consists of two main sections: one that outlines goals, strategies and objectives; and the other section focuses on implementation with action steps. The document identifies how ITD's principles of collaboration, partnership, performance management, and focused investment will achieve that end.

Public Transportation Administrator Randy Kyrias said the long-range plan provides a system and organizational perspective. It does not identify specific projects. It is not a highway plan. The goals are to improve safety, enhance mobility, and support economic vitality.

CE Cole elaborated on the performance measures, which need to be based on goals and a continuing process to improve. The Plan focuses on efficiency and effectiveness at all levels. Numerous meetings have been scheduled throughout the state to consult with various partners and stakeholders on the Plan. Upon concurrence of the Board, the Plan will be released for public comment, with the final document to be presented to the Board for approval.

Member Gagner congratulated the team on developing the long-range plan and commended the Plan's focus on policy instead of specific projects.

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

RES. NO. WHEREAS, the Idaho Transportation Future: Getting There Together, adopted by the Idaho  
ITB10-44 Transportation Board in July 2004, is out of date; and

WHEREAS, under Title 23 of the United States Code, and amended by the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU), as well as Governor's Executive Order No. 2009-08, the Idaho Transportation Department must develop a long-range transportation plan; and

WHEREAS, Idaho on the Move: A Long-Range Transportation Plan is being developed in compliance with Title 23 of the United States Code, and amended by SAFETEA-LU, in cooperation with Idaho's metropolitan planning organizations and through consultation with non-metropolitan areas and Indian Tribal Areas; and

WHEREAS, workshops will be conducted in each transportation district of the state and on a statewide basis to solicit public and private sector input for the development of a long range transportation plan; and

WHEREAS, the Executive Oversight Team requests endorsement of the draft plan for public review and comment.

*NOW THEREFORE BE IT RESOLVED*, that the Board endorses the release of a draft Idaho on the Move: A Long-Range Transportation Plan for public review and comment.

Annual Update on ITD'S Research Program. Research Program Manager (RPM) Ned Parrish said ITD hosted a peer exchange earlier this year, which provided an opportunity to learn about the participating states' research programs, share information about best practices, and identify areas for improvement. Some of the findings included significant progress has been made in improving program processes, the program supports all areas of ITD, the projects address ITD vision elements, use of requests for proposals could enhance competition and quality, and a greater focus on implementation could increase project impact.

RPM Parrish reported on projects completed in FY10, including a customer survey, a partnership survey, a study of ITD chip seal methods, and a review of pavement marking practices. The budget for research activities in FY11 is \$1.3 million. The Research Advisory Council selected ten new projects to fund, all in accordance with the Department's strategic goals and initiatives: customer service, safety, system preservation, mobility, and efficiency. Some of those projects include a study of media messages and tools to reduce single vehicle run off the road crashes, characterization of aggregates used in ITD projects, development of a tool to identify bike route needs and priorities, and defining and quantifying rural congestion.

Member Miller commended RPM Parrish for the improvements made to the Research Program. Chairman Manning thanked RPM Parrish for the presentation.

Public Involvement Process Plan. The Department is required to have a documented public involvement process, according to Adam Rush, Public Involvement Coordinator (PIC). It is to provide early and continuous opportunities for public involvement and requires the Department to provide timely information about transportation issues and decision-making processes. He presented the Public Involvement Process Plan, which demonstrates and documents how ITD conducts its public participation process. It details opportunities for public involvement as the long-range transportation plan, modal plans, and the Statewide Transportation Improvement Program are developed. The Plan is intended to establish a proactive public involvement process that provides information, timely public notice, and full public access to key decisions, and supports early and continuing involvement of the public. The draft Plan was available for public review and comment from August 11 through September 28. One comment was received and was incorporated into the final document. He added that an annual report on public involvement activities will be provided to the Board.

Some discussion followed on the format for public meetings and who determines what format will be used. PIC Rush said the typical format is an open house with various displays. Headquarters staff works closely with the District Office on the meeting plans.

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

RES. NO. WHEREAS, the Idaho Transportation Department is required by 23 U.S.C. 134, 23 CFR, Part 450.210 to  
ITB10-45 develop a Public Involvement Process Plan (PIPP); and

WHEREAS, the plan outlines how the Department conducts its public participation process and details opportunities for public involvement when developing the long-range transportation plan and the Statewide Transportation Improvement Program; and

WHEREAS, the plan is intended to establish a proactive public involvement process that provides information, timely notice, full access to key decisions and supports early and continuous involvement of the public; and

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users requires that prior to adoption of the PIPP, the Department will conduct a 45-day comment period on the plan; and

WHEREAS, the open public comment period was conducted by the Department from August 11 through September 28, 2010 and one comment was received and incorporated into the plan.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the PIPP, which is on file in the Division of Transportation Planning.

Executive Session on Personnel and Legal Issues. Member Miller made a motion to meet in executive session at 11:40 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), (d), and (f). Member Vassar seconded the motion and it passed 4-0 by individual roll call vote.

A discussion was held on legal matters related to Division of Motor Vehicles permit issues, the Environmental Protection Agency's consent decree on the US-95, Mica Bay project, and risk management issues relating to the operation of the Department

A discussion was held on personnel matters related to the hiring of and evaluation of public officers.

The Board came out of executive session at 1:50 PM. No final actions or decisions were made.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 1:50 PM.

signed

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DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
November 17, 2010  
Boise, Idaho

# REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

November 17-18, 2010

The Idaho Transportation Board met at 1:30 PM, on Wednesday, November 17, 2010, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Chairman Manning welcomed Representative Phylis King to the meeting and congratulated her on her re-election to the Idaho House of Representatives.

Board Minutes. Member Miller made a motion to approve the minutes of the regular Board meeting held on October 20-21, 2010 as submitted. Member Whitehead seconded the motion and it passed unopposed.

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

December 8-9, 2010 – Boise  
January 19-20, 2011 – Boise  
February 16-17, 2011 – Boise

Consent Calendar. Member Whitehead questioned the low bid on key #12102, which was 141% of the engineer's estimate. Chief Engineer (CE) Tom Cole believes the low bid was substantially higher than the engineer's estimate due to the specialty items and small quantities involved in the guardrail upgrade project. He does not believe it would be advantageous to rebid the project. Member Miller added that there are three locations involved, increasing the mobilization costs.

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

RES. NO.        *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves adding  
ITB10-46        STC-3757, Bowmont Road; Lynwood to SH-45, Canyon County to the Local Rural Program; and  
                         advancing Airport Road Railroad Crossing, Near Weiser, to FY11 of the Rail Program; and has  
                         received and reviewed the contract award information and the professional services agreements and  
                         term agreement work task report.

1) Addition of STC-3757, Bowmont Road; Lynnwood to SH-45, Canyon County, to the Local Rural Program. The SMA-3754, Bowmont Road, Nampa, project, key #10556, was added to the Statewide Transportation Improvement Program (STIP) in 2006. The intent was to connect Bowmont Road in Canyon County with Kuna/Mora Road in Ada County. The project concept and public informational meetings evaluated eight possible alignments. The Ada County Highway District did not accept any of the alignments so a no-build decision was recently promulgated. The Local Highway Technical Assistance Council (LHTAC) requests the removal of key #10556 from the STIP and the addition of the reconstruction of STC-3757, Bowmont Road; Lynnwood to SH-45, Canyon County in Preliminary Development for \$3.3 million. This segment of Bowmont Road was recently designated as a local collector so it is eligible for federal aid.

2) Advance Airport Road Railroad Crossing, Near Weiser, Key #9632, to FY11 of the Rail Program. The installation of upgraded lights and signals at the Airport Road railroad crossing near Weiser was originally programmed for \$310,000 in FY10. The project was not ready in time for obligation by the end of FY10 due to delays in reaching an agreement with the railroad. Consequently, the project was delayed to FY14. The agreement is now complete, so the project is ready for obligation. The agreement contains time sensitive cost information which, if delayed, would require an increase to construction costs. Staff requests advancing key #9632 to FY11 of the Rail Program and modifying the STIP accordingly. The project will be funded via savings from other projects.

3) Contract Awards. Key #12264 – SMA-7218, Lancaster Road; Huetter Road to Near US-95, District 1. Low bidder: Interstate Concrete & Asphalt Company – \$413,286.

Key #12007 – US-12, Post Office Creek Bridge to Warm Springs Pack Bridge, District 2. Low bidder: Valley Paving & Asphalt, Inc. - \$2,080,093.

Key #12001 – SH-8, White Place to South Fork Palouse River Bridge, Moscow, District 2. Low bidder: Acme Concrete Paving, Inc. - \$2,549,000.

Key #12225 – Nampa Downtown Traffic Signal Interconnect, District 3. Low bidder: Quality Electric, Inc. - \$1,009,329.

Key #11970 – I-84, 10<sup>th</sup> Street Interchange to Franklin Road Interchange, Caldwell, District 3. Low bidder: Concrete Placing Company, Inc. - \$1,164,540.

Key #12219 – Pedestrian Crosswalk Countdown Signal Heads, Boise, District 3. Low bidder: Power Plus, Inc. - \$113,752.

Key #11971 – I-84, Broadway Avenue Interchange Ramp Improvements, Boise, District 3. Low bidder: Knife River Corporation – Northwest DBA Knife River - \$331,506.

Key #9983 – Homedale Road; Beet to Farmway, Canyon County, District 3. Low bidder: C & A Paving Company, Inc. - \$478,998.

Key #9437 – Warm Springs Boulevard Pedestrian Improvements, Boise, District 3. Low bidder: Alta Construction - \$62,686.

Key #7683 - US-91, Wooton Way to East Airport Road, Blackfoot, District 5. Low bidder: Mickelsen Construction Company, Inc. - \$989,999.

The low bid on key #12102 – I-15 and I-86 – FY10 District 5 National Highway System Guardrail Upgrade was more than ten percent over the engineer's estimate, requiring justification. The engineer's estimate was derived from the estimator program. Several of the unit prices used by estimator were significantly under the current going rates. The District does not believe re-bidding the project would result in significantly lower bids and recommends awarding the contract. Low bidder: Marcon, Inc. - \$1,718,199.

Keys #11635, #11636, #11637, #11638, and #11640 – I-15B and US-30, Junction I-15 to 5<sup>th</sup> Avenue and Oak Street; Junction I-15 to 4<sup>th</sup> Avenue and Oak Street; Yellowstone Avenue, Oak to Cedar Street; Yellowstone Avenue to Pocatello Creek Interchange; and Portneuf River to Yellowstone Avenue, Pocatello, District 5. Low bidder: Western Construction, Inc. - \$3,099,111.

Key #12283 – I-15, Roberts to Sage Junction, Northbound and Southbound, District 6. Low bidder: H-K Contractors, Inc. - \$3,455,570.

4) Professional Services Agreements and Term Agreement Work Task Report. From September 30 through October

29, \$864,500 in new professional services agreements and work tasks were processed. Nine supplemental agreements to existing agreements were processed in the amount of \$4,034,526 during this period.

Board Items. Chairman Manning said he participated in the Centennial of Flight Celebration in Lewiston last month. He commended the City of Lewiston for the exceptional celebration and the gentlemen that built a replica of the Curtiss Pusher airplane, which was the first plane to fly over Idaho. He also attended various meetings with ITD staff and the Governor's Office on topics such as the Governor's Task Force on Modernizing Transportation Funding and overlegal permits on US-12.

Request of Matching Funds and Reprogramming of the Bridging the Valley Initiative, District 1. District 1 Engineer (DE) Damon Allen provided background on the Bridging the Valley Initiative. The project, in cooperation with the Washington State Department of Transportation, Union Pacific Railroad, and Burlington Northern Santa Fe Railway, is to reduce the number of highway rail at-grade crossings between Spokane, WA and Athol, ID. Idaho's STIP includes a \$5,624,000 project, Bridging the Valley, key #10005, in FY12.

DE Allen said the Kootenai Metropolitan Planning Organization (KMPO) Board reviewed its project priorities last month. Based on those priorities, he requested \$2.2 million of federal aid to complete the design phase of Pleasant View/SH-53 Grade Separation, key #10005. The match would be split 60/40 based on the proportionate share of the infrastructure. Post Falls Highway District will provide match of \$104,316. It is requesting \$69,544 from ITD. The parties understand that no construction funds have been committed to this project.

The KMPO Board would like to direct the remaining \$2.3 million of federal aid to advance the construction of the SH-53/SH-41, Burlington Northern Railroad Bridge, key #12303 from FY14 to FY12. This project is currently programmed for construction with \$2.3 million of formula bridge funds. Adding the High Priority Bridging the Valley funds would allow the bridge to be constructed two years earlier and increase the scope to that as identified in the approved environmental document. ITD would be committed to matching the High Priority funds at Idaho's sliding scale rate. In total, \$4.8 million would be available to replace the bridge. He said the I-90, Pinehurst Road Grade Separation, key #8917, bridge replacement project would be delayed from FY12 to FY14 to maintain fiscal constraint within the Bridge Restoration Program to allow the advance of the SH-53/SH-41, Burlington Northern Railroad Bridge project.

Vice Chairman Blick expressed concern that if the Pleasant View project is designed, there would be pressure to construct it. KMPO Director Glenn Miles said the intent is to have the project ready for construction so it can be considered for funding if revenue becomes available or if funding is provided in the reauthorization of the federal transportation act.

In response to Member Whitehead's question on whether the Pleasant View project would remove truck traffic from SH-53, KMPO Director Miles replied that although he believes some truck traffic would be removed from the route, the main intent is to improve safety by eliminating the at-grade crossing.

Member Coleman asked if the design can be completed for \$2.2 million and how much right-of-way could be purchased. KMPO Director Miles is confident the design can be completed and estimated that half of the right-of-way could be purchased.

Member Gagner asked if the intent is to secure construction funds for the Pleasant View project through federal reauthorization or to add the construction project to the STIP. DE Allen said either funding source is an option, as the project is on the state highway system.

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

RES. NO.        WHEREAS, the Bridging the Valley initiative is a priority safety project for Pacific Northwest  
ITB10-47        constituencies; and

WHEREAS, Idaho has received \$4.5 million for this initiative as earmarked within the 2005 Safe,

Accountable, Flexible, Efficient Transportation Equity Act – A Legacy for Users (SAFETEA-LU); and

WHEREAS, Congress has discussed potential rescission of unused Congressional earmarks prompting alacrity; and

WHEREAS, the Kootenai Metropolitan Planning Organization (KMPO) Board designated the \$2.3 million design of the Pleasant View and SH-53 grade separation as the next highest priority within this initiative; and

WHEREAS, the Post Falls Highway District will provide \$104,316 in matching funds; and

WHEREAS, the KMPO Board requests that the Idaho Transportation Department provide state match of \$69,544; and

WHEREAS, no commitment nor funds are being requested for construction of the grade separation; and

WHEREAS, the KMPO Board designated the replacement of the SH-53/SH-41, Burlington Northern railroad bridge as the second next highest priority within this initiative.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves state matching funds in the amount of \$69,544 for design of the Pleasant View and SH-53 grade separation over two years beginning in FY11; and

*BE IT FURTHER RESOLVED*, that the SH-53/SH-41, Burlington Northern Railroad Bridge, key #12303, replacement be advanced from FY14 to FY12 with an increased scope of \$4.8 million; and

*BE IT FURTHER RESOLVED*, that the I-90, Pinehurst Road Grade Separation, key #8917, be delayed from FY12 to FY14; and

*BE IT FURTHER RESOLVED*, that staff is authorized to amend the FY11-15 Statewide Transportation Improvement Program to include the above changes in accordance with the provisions of SAFETEA-LU.

Quick Clearance of Traffic Crashes. Assistant Chief Engineer – Operations (ACE-O) Greg Laragan summarized efforts identified in ITD's Transportation Incident Management Plan and partnerships with law enforcement to clear crashes in a timely manner. This is important to reduce motorist inconvenience and to reduce secondary crashes, or crashes that occur in the traffic back-up from the initial crash. Recent legislative changes have improved efforts to clear crash sites. Peace officers are now allowed to remove cargo and debris resulting from minor crashes when the removal results in improved safety and convenience for travelers while freeing them from liability for damage caused by the removal efforts. ITD employees can assist with the removal of cargo and debris when directed by a peace officer. This provision helps to clear the road and get traffic moving again in a more expedient manner when cargo is involved.

ACE-O Laragan said a second amendment to the law requires drivers of vehicles involved in non-injury crashes to move the vehicle from the roadway before stopping; however, this only applies to divided, controlled-access highways or interstate highways because these roadways typically have adequate shoulders, emergency lanes, or medians for refuge from traffic.

These quick clearance laws only apply to crashes that do not involve serious personal injury or death. The investigative requirements for those types of crashes are more stringent and the crash scene needs to be treated as a potential crime scene. In-depth investigations are often conducted, which can result in lengthy road closures or lane restrictions. ITD works with Idaho State Police (ISP) and other law enforcement agencies to promote advanced techniques to speed up the investigation process.

ACE-O Laragan added that ITD is in the process of developing a joint operations policy with ISP, which will establish



performance goals related to traffic incident management. Additionally, a 2008 Federal Highway Administration report entitled *Traffic Incident Management Quick Clearance Laws: A National Review of Best Practices* lists Idaho among a handful of states that have model quick clearance laws.

Vice Chairman Blick expressed concern with the removal of debris if the cargo can be salvaged. ACE-O Laragan replied that consideration is given to the hauler and salvaging loads. Personnel at the site try to accommodate the involved parties.

Member Miller reported on arriving at a traffic crash site that closed the road. He expressed frustration with the lack of communication from local law enforcement personnel at the scene. Member Gagner asked if local officials are parties to the agreements related to clearing crash sites. ACE-O Laragan replied that each individual law enforcement entity is not a party to the agreement; however, associations such as the Idaho Sheriff's Association are a party. He added that workshops are held with ITD's partners to address these various issues.

DDIR Stokes expressed appreciation for the partnership with ISP. He believes a good working relationship has been established. He commended ISP's recognition of the importance of highway safety and its efforts to improve safety.

Chairman Manning thanked ACE-O Laragan for the information.

Modifications to Safe Routes to School (SR2S) Program. Highway Operations and Safety Engineer (HOSE) Brent Jennings requested modifications to the SR2S Program. Due to a recent fatal accident in Middleton, the SH-44 Sidewalks, Middleton project, key #12385, has increased in priority. Staff would like to advance it from FY12 to FY11. Additionally, four projects programmed for construction in FY10 did not reach the developmental milestone of Plans, Specifications, and Estimates in time for obligation by the end of FY10. CE Cole determined that significant progress had been made in development of the projects, so recommended delaying them to FY11 rather than removing the projects from the STIP. Those four projects are West 2<sup>nd</sup> South Street, Kennedy Elementary School, Rexburg, key #11880, District 6; Ucon Elementary School Signage, key #12107, District 6; South Main Street, Malad, key #11884, District 5; and Coeur d'Alene Signal and Lights, key #11996, District 1. HOSE Jennings also reported that Ada County Highway District has requested the removal of Boise Roosevelt Street Sidewalk, key #12056, from FY11.

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

RES. NO.        WHEREAS, it is in the public interest for the Idaho Transportation Department to accomplish a current, realistic, ITB10-48        and fiscally constrained Highway Capital Investment Program; and

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

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires that a priority list of projects covering a four-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the SH-44 Sidewalks, Middleton, key #12385, project has recently increased in priority due to a recent fatal accident prompting the local sponsors to accelerate readiness sufficient to advance the project from FY12 to FY11; and

WHEREAS, the Chief Engineer has determined that significant progress has been made in the development of four FY10 "safe routes to school" projects to justify their retention in the Safe Routes to School program in FY11.

*NOW THEREFORE BE IT RESOLVED*, that staff is authorized to delay Safe Routes to School Program projects (keys #11880, #12107, #11884, and #11996) to FY11, to advance SH-44 Sidewalks, Middleton

(key #12385) from FY12 to FY11, and to remove Boise Roosevelt St. Sidewalk (key #12056) from the STIP; and

*BE IT FURTHER RESOLVED*, that staff is authorized to make the appropriate changes to the FY11-15 STIP in accordance with the provisions of SAFETEA-LU.

Monthly Financial Statements and Highway Program Obligations. Gordon Wilmoth, Controller, said FHWA Indirect Cost Allocation revenue was \$18,332,000 through September, which exceeded the projected amount of \$8,025,000. Because of the 128% positive variance to date, staff recently decided to move some of those funds into contract construction. He reported that miscellaneous state funded revenue of \$7,432,000 was \$1,008,000 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$45,222,000. The projected revenue was \$43,317,000. Revenue from the ethanol exemption elimination was \$4,144,000, which was a \$26,000 positive variance from the projected amount.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$423,000, or \$18,000 above projections. Total expenditures in the American Recovery and Reinvestment Act (ARRA) Title XII Fund were \$117,400,000, while \$182 million had been appropriated. Of the \$17.4 million LHTAC-administered ARRA Title XIV funds, \$2,130,000 had been expended.

Member Vassar asked why LHTAC has not expended more ARRA Title XIV funds. Controller Wilmoth does not believe a lot of those projects were ready for construction. He said LHTAC has been working closely with local entities on those projects. It appears the projects are being made ready for construction and LHTAC intends to expend all of those funds by the December 2011 deadline.

As of October 31, \$13.1 million had been obligated, according to Manager, Transportation Investments, Dave Amick. This is 4.4% of the project costs in the current STIP. At the same time last year, \$55 million had been obligated, or 12.7%. He cautioned that comparing data for the two fiscal years is difficult because the FY10 information included one-time federal stimulus funds. He also noted that obligations in the new fiscal year are behind projections partly due to obligation authority limitations. Staff has been prioritizing projects, determining whether to obligate funds for design or construction, with the limited funds.

Member Gagner believes the lack of a transportation authorization bill and the uncertainty with federal funds needs to be considered when the Department's performance measures and goals are reviewed. Events at the federal level impact the Department's performance. Although DDIR Stokes concurred, he noted that one of ITD's focus areas is on delivering projects, not actually awarding contracts.

Delegation – Dave Carlson, Director Public and Government Affairs, AAA Idaho. Mr. Carlson presented AAA's recommendations on the Governors' Task Force on Modernizing Transportation Funding. In summary, everyone should pay his fair share. Transportation fees and taxes should be equitable. It supports reintroducing the weight distance tax and implementing a vehicle mile tax. Additionally, transportation resources should be managed wisely and efficiently.

Chairman Manning thanked Mr. Carlson for the presentation.

Tour – Print Shop. The Board toured the Print Shop, where it met employees and learned about the various services provided. Staff noted that technology has improved efficiency and reduced costs of the various services provided.

WHEREUPON the Board meeting recessed at 4:20 PM.

November 18, 2010

The Board reconvened at 8:30 AM on Thursday, November 18, 2010, at the Idaho Transportation Department, Boise, Idaho. All members were present except Member Miller.

Director's Report. The Idaho Supreme Court has issued its ruling on ConocoPhillips' request for overlegal permits on US-12. It vacated the lower court ruling, concluding that it was premature because no final order had been issued. Director Ness said the permits have since been issued; however, an administrative hearing will be held on November 19 to determine whether an intervention into the process is warranted by the interested parties.

Director Ness and several staff members attended the recent American Association of State Highway and Transportation Officials (AASHTO) conference. Because of the high value the Department places on its employees and their development, Director Ness was proud to have Bob Koeberlein and Amy Schroeder attend the conference and accept two AASHTO Presidents' Awards on behalf of ITD.

Mobility Services Engineer Koeberlein thanked the Board for its support of the 511 Travel Advisory System. He appreciated the opportunity to attend the conference to accept the President's Award for the 511 system.

GARVEE Program Engineer Schroeder said it was an honor to accept the award for the I-84, Vista Interchange project on behalf of the team. She expressed appreciation for the opportunity to attend the national conference.

Director Ness said some discussion was held at the conference on national performance measures. A resolution on using and implementing performance measures was proposed; however, the resolution was not brought to vote because of the divisiveness of the subject. The discussions led him to re-evaluate ITD's performance measures. He believes consideration needs to be given to what the goal is and then determine how to measure it. The performance measures must be owned by the employees. They must be used to help the Department improve. Staff will continue its high-level report to the Board on a monthly basis. He added that he intends to present several high-level goals next month for the Department to achieve in 2011. These goals will be tied to employees' performance plans. Employees will be held accountable to help ITD meet these goals.

Realignment efforts within the organization are continuing, according to Director Ness. No employee will lose his job or pay due to reorganization. The plan is to reduce supervisory levels from nine to five. There will be four executive officers that report directly to him. Under the executive officers will be the division administrators and district engineers, then managers, and then front-line supervisors. He anticipates transitioning to this organizational makeup over a two to three year period. It should enable ITD to better serve its customers and allow decisions to be made at a lower level.

Director Ness announced that Paul Steinman will be the Chief Operations Officer. Mr. Steinman has over 20 years of engineering experience with the Michigan and Florida Departments of Transportation. He will start at ITD next month and oversee the Divisions of Highways and Planning.

Director Ness reported that Scott Stokes will remain an executive officer in the capacity of Deputy Director. The Divisions of Public Transportation, Motor Vehicles, and Aeronautics, the GARVEE Office, and the Strategic Financing Office will report to him. DDIR Stokes will also be the leader of and mentor to the other executive officers. He will be the primary contact and leader for internal activities.

Mary Harker will be the Chief of Human Resources Officer. In addition to the employee-related functions, Ms. Harker will oversee safety and coordinate all of the training activities. The placement of the Equal Employment Office is still being reviewed; however, some of those functions will presumably be transferred to the Chief of Human Resources Officer.

Director Ness mentioned other changes, including the district engineers and Chief Engineer Tom Cole will report directly to the Chief Operations Officer. CE Cole's focus will be on engineering and he will be more active at the national level. Dave Tolman will oversee major financial issues such as the move to zero-based budgeting, long-range economic investment plan, and GARVEE financing, which will become more important as the program completes construction and becomes strictly a financial task. Gordon Wilmoth is the acting Administrator, Division of Administration, until a Chief Administrative Officer is announced early next year. Director Ness said he will rely on the division administrators and district engineers to help with further reorganizational efforts, including eliminating

duplication and placing more employees at the front line to better serve customers.

District 3 Public Transportation Advisory Council Annual Update. Public Transportation Program Manager (PTPM) John Krause summarized the public transportation activities in District 3. Because of the large population, there are a variety of users, such as seniors and youth, with diverse public transportation needs. Efforts are underway to align with the long-range transportation plan goals and objectives: economic development, safety, and mobility. They are leveraging resources and have established numerous partnerships.

PTPM Krause reported a 3% increase in ridership from 2009 to 2010. Additionally, the cost per passenger in District 3 was lower than the statewide average.

Member Gagner commented that due to limited resources, the Division of Highways is focusing on maintaining the existing system. He questioned Public Transportation's budget and plans to expand services. PTPM Krause summarized the grant application process. The local mobility networks identify the needs and prioritize projects. It looks at performance and whether its goals are being met. A concerted effort has been made to provide services that users want.

In response to Chairman Manning's question on how the Board can help, PTPM Krause responded by continuing to support public transportation. It should continue to stay informed of the issues and needs of the state. Communication is also very important.

Chairman Manning thanked PTPM Krause for the report.

New Business. Member Gagner believes it is imperative for Districts to have projects that are not in the STIP designed, ready for construction in the event additional money becomes available. The Horizons Program has been eliminated. In June, staff proposed the Feasibility and Early Environmental Development Program, but has not made efforts to implement it. He believes a program with guidelines and constraints is needed and requested a discussion in the near future on establishing such a program.

Director Ness concurred with the importance of having projects on the shelf. The process and priorities need to be determined, as a statewide program is needed. He cautioned that measures should also be implemented to prevent expectations that if a project is placed in this design category that it will be constructed. Although the general consensus of the board was to support efforts to get projects ready for construction, discussion focused on establishing statewide priorities for these projects, such as addressing safety or congestion, and also ensuring that all Districts have projects ready and would be eligible to receive additional funding that becomes available.

Employee Service Awards. The Board participated in the semi-annual Employee Service Awards. Chairman Manning provided remarks on behalf of the Board.

Executive Session on Personnel and Legal Issues. Vice Chairman Blick made a motion to meet in executive session at 11:10 AM to discuss personnel and legal issues as authorized in Idaho Code Section 67-2345(a), (b), and (f). Member Vassar seconded the motion and it passed 5-0 by individual roll call vote.

A discussion was held on legal matters related to Division of Motor Vehicles permit issues.

A discussion was held on personnel matters related to the hiring of and evaluation of public officers.

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

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 12:30 PM.

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signed  
DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
December 8, 2010  
Boise, Idaho

# REGULAR MEETING OF THE IDAHO TRANSPORTATION BOARD

December 8-9, 2010

The Idaho Transportation Board met at 1:30 PM, on Wednesday, December 8, 2010, at the Idaho Transportation Department in Boise, Idaho. The following principals were present:

Darrell V Manning, Chairman  
Gary Blick, Vice Chairman – District 4  
Jim Coleman, Member – District 1  
Janice B. Vassar, Member – District 2  
Jerry Whitehead, Member – District 3  
Neil Miller, Member – District 5  
Lee Gagner, Member – District 6  
Brian W. Ness, Director  
Scott Stokes, Deputy Director  
Karl Vogt, Deputy Attorney General  
Sue S. Higgins, Secretary

Chairman Manning welcomed Chief Operations Officer Paul Steinman to ITD.

Board Minutes. Vice Chairman Blick made a motion to approve the minutes of the regular Board meeting held on November 17-18, 2010 as corrected. Member Vassar seconded the motion and it passed unopposed.

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

January 19-20, 2011 – Boise  
February 16-17, 2011 – Boise  
March 16-17, 2011 – Boise

Consent Calendar. Member Vassar made a motion, seconded by Member Gagner, and passed unanimously, to approve the following resolution:

RES. NO. *NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board has received and  
ITB10-49 reviewed the contract award information, the professional services agreements and term agreement work task report, the May 2010 through November 2010 speed minute entry report, and the annual report on outdoor advertising sign status.

1) Contract Awards. Key #12239 – Burma Road, Gotham Bay Road to North Intersection SH-97, District 1. Low bidder: Interstate Concrete & Asphalt Company – \$518,735.

Key #12230 – Deep Creek Loop, District 1. Low bidder: Wood's Crushing and Hauling Inc. - \$436,309.

Key #9784 – Parker Pass, Benewah County, District 1. Low bidder: Westway Construction, Inc. - \$461,407.

Key #10639 – FY10 Districts 3, 4, and 6 Dynamic Message Signs. Low bidder: Portneuf Electric, Inc. - \$644,699.

Key #8698 – Intersection Franklin Road and Cloverdale Road, Boise, District 3. Low bidder: Staker & Parson Companies dba Idaho Sand & Gravel - \$3,081,814.

Key #9213 – US-93, 100 North Road to Newman's Corner, Jerome County, District 4. Low bidder: Western Construction, Inc. - \$1,864,219.

Key #11088 – I-84 and I-86, FY11 District 4 Sign Upgrades. Low bidder: Pavement Markings Northwest, Inc. - \$110,005.

Key #10575– I-15, Utah State Line to Deep Creek Interchange, Oneida County, District 5. Low bidder: Staker & Parson Companies dba Jack B. Parson - \$1,035,747.

The low bid on key #10492 – US-89, Bear Lake Pedestrian/Bike Path, Bear Lake County, District 5, was more than ten percent over the engineer’s estimate, requiring justification. The majority of difference between the low bid and engineer’s estimate was in the excavation, aggregate base, and mobilization items. It is not likely that re-bidding the project would result in a lower price for the excavation due to the limited quantity over the length of the project and the type of equipment involved. It is possible that uncertainty regarding the location of an acceptable source of aggregate and transportation costs influenced the estimate for the aggregate base item. Finally, considering that mobilization may have taken into account the large number of interfaces with property owners, the sensitivity of the area, and the limited scope of the project, it is thought that a rebid will not result in a lower estimate for this item. Staff does not believe re-bidding the project would be beneficial and recommends awarding the project. Low bidder: Staker & Parson Companies dba Jack B. Parson - \$296,627.

Key #12111 – FY11 District 6 Districtwide Sealcoats. Low bidder: Intermountain Slurry Seal, Inc. - \$1,953,421.

Key #12246 – A2 Highway Overlay, Clark County, District 6. Low bidder: H-K Contractors, Inc. - \$369,069.

Key #9916 – Browning Bridge, Near Arco, District 6. Low bidder: Idaho Construction Company, Inc. - \$795,794.

2) Professional Services Agreements and Term Agreement Work Task Report. From November 1 through November 19, \$359,175 in new professional services agreements and work tasks were processed. Four supplemental agreements to existing agreements were processed in the amount of \$69,600 during this period.

3) Speed Minute Entry – May 2010 through November 2010. Staff approved the following speed minute entries for the period of May 2010 through November 2010:

Route	Begin Milepost	End Milepost	Speed Existing	Speed New
SH-44	2.830	2.858	45	55
SH-44	2.858	3.058	45	35
SH-44	3.058	3.150	45	25
SH-44	3.150	3.411	35	25
SH-44	19.443	21.684	55	45

4) Annual Report on Outdoor Advertising Sign Status. At the close of federal FY10, 9 illegal and 163 non-conforming signs remained throughout the state. Illegal signs do not comply with state and federal law and are to be removed. Non-conforming signs are those that at one time complied with law but due to a change in conditions or rules, have lost their conforming status. Non-conforming signs are allowed to remain in place but cannot be improved.

Board Items. Vice Chairman Blick reported that a ribbon-cutting ceremony was scheduled today for the US-93, Twin Falls Alternate Route project. The project was completed ahead of schedule. He believes it is an important project to the Twin Falls area and will be beneficial to the state highway system.

Chairman Manning attended the final Governor’s Task Force on Modernizing Transportation Funding meeting last month. The group acknowledged an annual transportation funding shortfall of \$543 million. It submitted a list of options to increase funding when the economy improves to the Governor; however, it did not provide specific recommendations to increase funding. Chairman Manning also reported on the legislative outreach meetings held this week in Districts 1, 2, and 3. Overall, he was pleased with the attendance and discussions. The rest of the meetings are scheduled next week.

Director’s Report. Director Ness had indicated that his first year at ITD would be focused on restoring the Department’s credibility and the second year would focus on building on that credibility and establishing accountability. Tying individual performance to the Department’s goals is the first step in that process. The Department’s focus areas for 2011 are accountability, customer service, and team work. Every employee will be held accountable in these areas.

Director Ness does not believe ITD will receive additional state revenue in 2011. The Task Force did not provide specific recommendations to increase transportation revenue. Although additional revenue is not expected, there is a need to get projects ready for funding. Staff is working on those procedures and will elaborate on a proposal later in the meeting. He commended Chief Operations Officer (COO) Paul Steinman, Chief Engineer (CE) Tom Cole, and the District Engineers for their efforts on developing that proposal.

DDIR Stokes presented ITD's business model, focusing on improving safety, growing the economy, and increasing mobility. These goals are important factors for efficiently utilizing resources, particularly the placement and responsibilities of employees.

The Annual Accountability Report was recently released, according to DDIR Stokes. He commended the team, led by GARVEE Program Manager (GPM) Jason Brinkman, on compiling the report. The document focuses on transparency and accountability, efficiency, customer service, partnerships and teamwork, employees, the GARVEE Program, the federal stimulus program, and the FY10 budget.

Member Coleman commended staff for the concise, thorough report.

DDIR Stokes distributed the performance measures report, noting the inclusion of dashboard information and a website link. Member Gagner commented that customer service is an important goal; however, the only performance measure related to customer service is the title processing turnaround time. He encouraged expanding customer service performance measures, particularly in the Division of Highways. One example is to keep travel delays and lane closures to a minimum in construction zones. DDIR Stokes acknowledged that additional performance measures for customer service need to be developed. The performance measures initiative is continuing to evolve. He also noted that the customer survey included questions related to highway construction, such as if projects were completed in a timely manner.

DDIR Stokes also provided an update on activities at the federal level. The continuing resolution expires at the end of the month. It is not certain what will happen after that, but presumably another continuing resolution will be enacted.

Chief Human Resource Officer (CHRO) Mary Harker elaborated on the plans to incorporate performance measures into the employee performance evaluation process. This will provide consistency throughout the Department and provide a mechanism to measure tangible results. The employee evaluation form will be revised to include accountability, customer service, and team work. Training will be provided to supervisors and managers on writing measurable objectives. She added that work on the procedures is continuing.

In response to Member Gagner's question, CHRO Harker confirmed that employees will know what activities they will be accountable for. She emphasized the importance of communication and ensuring employees understand the expectations.

Federal Highway Administration (FHWA) Partnership Awards. FHWA Division Administrator Pete Hartman acknowledged the excellent working relationship between the FHWA Division Office and ITD. He recognized Ken Sorensen from District 1 for his oversight on the US-95, Sandpoint Byway project and the US-2, Dover Bridge project and District 3 employees Tom Points and Jayme Coonce for their efforts on the I-84, Vista Interchange project. Those employees were not able to attend the meeting.

FHWA Administrator Hartman presented Highway Safety Manager Mary Hunter with a partnership award. He acknowledged her leadership and exemplary efforts to address highway safety. He recognized Assistant Roadway Design Engineer (ARDE) Monica Crider for her outstanding performance and leadership on various issues, including the Project Development Conference and training. John Ingram, Construction Associate Engineer, received a partnership award for his outstanding efforts and leadership in the construction industry, including his collaboration, professionalism, and consistency in construction inspection and quality assurance.

Chairman Manning congratulated the staff members for their outstanding work and thanked Division Administrator



Hartman for his partnership.

District 4 Public Transportation Advisory Council (PTAC) Annual Update. District 4 PTAC Member Joe Herring believes the shift from focusing on providers to focusing on users several years ago has been positive. He expressed appreciation to the Department for including mobility in its long-range plan and to the Board for its support of public transportation.

District 4 Mobility Manager Vanessa Fry summarized the District's three network areas. She elaborated on the various partnerships that have been established and mentioned efforts to expand partnerships. She stressed the economic benefits of public transportation, including through local and state tax revenues, increasing businesses' revenues and profits, enhancing productivity and reducing costs, and increasing home values. Public transportation increases independence and results in healthier and safer communities by improving air quality and promoting healthy lifestyles.

Three of the four providers in District 4 reported an increase in ridership this past year, according to Mobility Manager Fry. The cost per ride in the District is \$6.27 compared to a statewide average of \$6.18. Efforts will continue to expand service in rural areas.

In response to Member Gagner's question on coordination amongst Districts, Mobility Manager Fry responded that the Mobility Managers communicate on a regular basis and work cooperatively as feasible. PTAC Member Herring noted that the priorities for funding need to change to allow for more inter-city services.

Chairman Manning thanked the delegation for the report and for its efforts on public transportation.

Annual Report of the Dealer Advisory Board (DAB). DAB Member Tom Robideaux said recent legislation increased the DAB membership on July 1, 2010. The DAB is now comprised of five members representing new vehicle dealerships, four members representing used vehicle dealerships, one member representing recreational vehicle dealerships, and one member representing new and used motorcycle and all-terrain vehicle dealers.

One of the DAB's activities this past year was researching and reviewing the dealer bond levels. There was some concern that current bond levels, in place for more than 20 years, are not adequate. In researching other states, it was found that Idaho's bond levels are comparable with other state's requirements. If bond levels are increased beyond \$40,000, some DAB members believe it would be cost prohibitive to some of the independent dealers and difficult for them to remain in business. DAB Member Robideaux said that other mechanisms were explored to ensure that consumers can be made whole if a dealership goes out of business without transferring title or paying of previous liens or flooring contracts. A few states provide for and administer a "victim's compensation fund" for such situations. The DAB is still evaluating this and other proposals to address the dealer bond level issue.

The DAB continued its review of the principal place of business requirements. DAB Member Robideaux believes there is agreement that the definition of principal place of business needs to be changed. There appears to be consensus on the suggested proposal, but it is not certain if the new and used car dealer associations will support and endorse the proposal.

In conclusion, DAB Member Robideaux reported that the DAB concurred with the Department's recommendation to revoke the license of Auto Access Auto Sales, Inc. in Boise.

Chairman Manning thanked DAB Member Robideaux for the report and for his service on the DAB.

Corridor Preservation on US-20/26 and SH-44 and Communications with Community Planning Association of Southwest Idaho (COMPASS). District 3 Engineer (DE) Dave Jones reported that COMPASS had some concerns with the Department's removal of two projects from the proposed FY11-15 Statewide Transportation Improvement Program (STIP). Working together to address the disagreement on the projects, staff members from the two entities developed improved interagency communications protocols; negotiated mutually-acceptable future financial support to sustain previous investments in those projects; and reached a better understanding on the benefits and formatting options for grouping projects in the STIP. COMPASS Director Matt Stoll elaborated on the collaboration efforts of the

two entities.

DE Jones requested the addition of \$50,000 in federal funding each year from FY11 through FY15 for hardship or protective buying of right-of-way for both the US-20/26 and SH-44 Corridor Preservation projects in the Treasure Valley. Funding would be shown in the Feasibility and Early Environmental Program because construction funding has not been secured. Annual funding offsets have been identified from existing projects in the District.

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

RES. NO. WHEREAS, it is in the public interest for the Idaho Transportation Department to accomplish a current, ITB10-50 realistic and fiscally constrained Highway Capital Investment Program; and

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

WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users (SAFETEA-LU) requires that a priority list of projects covering a four-year period be provided in a Statewide Transportation Improvement Program (STIP); and

WHEREAS, the Community Planning Association of Southwest Idaho (COMPASS) Board had not approved the updated metropolitan planning area Transportation Improvement Program (TIP) as of September 2010 when the Board approved the final recommended FY11-15 STIP; and

WHEREAS, the COMPASS Regional Technical Advisory Committee (RTAC) did not approve the updated TIP due to local agency concerns over the removal of the US-20/26 and SH-44 Corridor Preservation projects from District 3's Expansion Program of the FY11-15 STIP as well as the groupings format of the metropolitan planning area TIP as then included in the STIP; and

WHEREAS, District 3 staff and the RTAC members have 1) developed improved interagency communications protocols, 2) negotiated mutually acceptable funding in the TIP to sustain previous right-of-way preservation investments on the US-20/26 and SH-44 Corridor Preservation projects and 3) reached agreement on the benefits and formatting options for grouping projects in the STIP; and

WHEREAS, the RTAC has approved the recommendations for preservation funding on US-20/26 and SH-44 and protocols for TIP communications and grouping of projects.

*NOW THEREFORE BE IT RESOLVED*, that an annual amount of \$50,000 in federal funding and match be established for hardship or protective buying of right-of-way in FY11 through FY15 for the US-20/26 and SH-44 Corridor Preservation projects, keys #7826 and #7827, in the Feasibility and Early Environmental Program of the FY11-15 STIP; and

*BE IT FURTHER RESOLVED*, that staff is authorized to make the appropriate changes to the FY11-15 STIP in accordance with the provisions of SAFETEA-LU.

Consultant Services. Consultant Administration Unit Project Manager Leo Hickman summarized the qualifications-based selection procedures for procuring professional engineering and design services. The Term Agreement process is a qualifications based selection procedure that produces a list of pre-qualified consulting firms for specific categories of work. The individual solicitation process is followed when the required engineering and design services exceed the current term agreement limit for work tasks. Potential time savings using the Term Agreement list process in place of individual solicitations is about six weeks.

ARDE Crider requested increasing the term agreement limit to \$500,000. The purchasing power of money has decreased since 1998 when the task agreement limit was increased to \$250,000. Using the Consumer Price Index for comparison, \$250,000 in 1998 is equivalent to \$329,000 in 2009. The equivalent value in 2020 is projected to be about

\$435,000 using an inflation rate of 2.53%. The \$500,000 amount would provide ample increase to offset the inflationary component of costs and would provide allowance for future cost increases. The current limit for accumulated task agreements relating to a specific project or term agreement is \$750,000 or three times the task agreement limit. She recommended that the aggregate limit continue to be an amount equal to three times the task agreement limit to maintain the same level of availability at current and future cost levels. She added that local entities and the American Council of Engineering Companies of Idaho support the increase.

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

RES. NO. WHEREAS, the Idaho Transportation Department has committed to utilizing consultants as a  
ITB10-51 tool for the timely and efficient development of bridge and highway projects; and

WHEREAS, the Department is committed to meeting the schedules as presented in the Statewide Transportation Improvement Program; and

WHEREAS, the Term Agreement list process saves time and costs associated with procurement of professional services; and

WHEREAS, the Term Agreement limits were last increased in 1998 and the costs of consultant services have increased since then; and

WHEREAS, the ability to utilize the Term Agreement for consultant services is reduced due to cost increases; and

WHEREAS, future costs for consultant services are expected to increase.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board approves the request to increase the Term Agreement limits to \$500,000 for task agreements and \$1,500,000 for accumulated task agreements relating to a specific project or term agreement; and

*BE IT FURTHER RESOLVED*, that Board Policy B-06-08, Professional Service Agreements, will be revised to reflect these changes.

Early Development (ED) Program Policy. CE Cole emphasized the importance of having projects designed and ready for construction. Previously, a Preliminary Development category was in place to prepare large, expansion projects for future funding. When that program was eliminated in 2006, it held over \$800 million in construction projects. CE Cole noted that a construction program that big was not realistic. The Horizons Program, which was intended to replace Preliminary Development, was never fully implemented. He said efforts are underway to develop a system to get projects ready for construction.

COO Steinman elaborated on the proposed ED Program. It will be transparent and accountable while providing flexibility. Each District will be allowed \$300,000 annually to develop projects that are not in the current STIP, with a construction cap of \$20 million per District. The objective is to move these projects into the STIP as they become ready and funding becomes available. Prior to staff beginning development work on any project in this category, it would prepare a financial/scope/schedule document to identify that the proposed project meets the program funding and selection criteria. The projects and project information in the ED Program shall be updated annually and approved by the Board along with other projects in the Capital Investment Program. COO Steinman added that the intent is to keep this program manageable and to avoid unrealistic expectations.

CE Cole said Districts can work on a variety of projects. The projects may not be large, expansion projects. Consideration will be given to projects that will address congestion and safety and improve performance.

In response to Member Coleman's question on whether the design work will be done in-house, CE Cole responded that it will vary, depending on where the project is in the process and the work load and expertise of available staff. He

concurred that the first priority will be to perform the design in-house, but consultants will be utilized as needed.

Member Gagner asked if the \$300,000 annual expenditure per District is strictly for design work. CE Cole responded that it is for development, which could also include environmental work and right-of-way acquisition.

Member Miller urged caution to avoid creating unrealistic expectations. He believes the program needs to be flexible, partly because Districts' construction budgets vary from year to year. Vice Chairman Blick expressed support for the proposal, noting that the \$300,000 limit should keep the Program and expectations realistic.

In response to Chairman Manning's question, CE Cole replied yes, if construction costs in the ED Program reach \$20 million in a District, no more projects will be added. Member Coleman said that a District may be at that threshold, but a project may need to be added because it is a high priority. He suggested considering needs, such as safety, as a guideline. COO Steinman believes the projects in the ED Program will be priority projects because the intent is to advance them into a construction year in the STIP. Member Coleman cautioned that high priority projects should not be excluded solely because a District has reached its \$300,000 development limit. CE Cole added that the project selection process will be data driven, with consideration given to safety, preservation, and restoration to ensure the projects' necessity.

Member Gagner expressed support for the ED Program. He thanked staff for its efforts on developing the proposal. Member Vassar also stated her support for the ED Program.

Chairman Manning thanked staff for the presentation and for its work on the proposal.

**GARVEE Program Funding Authorization Request.** GARVEE Program Engineer (GPE) Amy Schroeder summarized the GARVEE Program to date. Funding authorizations total \$693 million. Four series of bonds have been issued for \$657 million, resulting in the award of 28 construction contracts and nine supply contracts. Four of the six corridors have been fully funded.

GPE Schroeder said the environmental decision on the US-95, Garwood to Sagle project was issued in July 2010. Right-of-way acquisition is expected to be completed in April 2011. If additional bonding authorization is received, construction could begin in July. The environmental decision on the SH-16, Junction I-84 to SH-44 project is expected in March 2011. The project should be delivered in August with right-of-way acquisition completed in October. Construction is scheduled for January 2012.

Member Coleman noted that the US-95 project is scheduled for construction in July, which would allow a contractor approximately three months of work before winter shut-down. He suggested requesting an emergency clause to obligate the funds earlier. He believes that may result in better bids. GPE Schroeder acknowledged that an emergency clause may be advantageous and will be considered.

GPM Brinkman cautioned that the SH-16 schedule hinges on the completion of the environmental work, which is expected to be completed by March. He also outlined cost contingencies with project estimating, construction savings, and future debt service budget. He requested seeking \$162 million in bonding authorization for FY12. The proposal includes \$79.4 million for construction of approximately 12 miles of four-lane divided highway and three interchanges on US-95 in the Garwood to Sagle corridor. A request of \$77.9 million would extend SH-16 two miles south to US-20/26, including a bridge over the Boise River. An additional \$4.7 million is being proposed for program management.

The Board expressed concern with the uncertainty of the SH-16 schedule. GPM Brinkman said the environmental impact statement is the highest priority. He believes staff will have a better idea of whether the schedule will be met by the time the legislative session is underway and the Department presents its budget request. DDIR Stokes added that staff meets with FHWA monthly. Division Administrator Hartman is aware of the urgency of this project and has been fully engaged.

Vice Chairman Blick believes it may be difficult to get legislative approval, partly due to the uncertainty of federal funding. Member Coleman said that a lot of time and money would have been wasted if the Program is not continued

and these last two projects are not constructed. Member Vassar concurred that a big investment has been made to date and it would be unfortunate to discontinue the Program.

Due to the uncertainty of the SH-16 schedule, Member Gagner asked if a decision is needed at this time or if the funding authorization request could be revisited when the status of that project is known. Member Coleman expressed support to act now. Chairman Manning also recommended Board action at this time and added that the legislature may change the proposal.

Member Coleman made a motion and seconded by Member Whitehead to approve the following resolution:

RES. NO. WHEREAS, the Idaho Transportation Board is charged with determining the timeframe and  
ITB10-52 scope of improvements for the State Transportation System; and

WHEREAS, Idaho Code 40-315 authorizes federal-aid debt financing through the issuance of Grant Anticipation Revenue Vehicle (GARVEE) bonds by the Idaho Housing and Finance Association for highway transportation projects; and

WHEREAS, legislative appropriations enacted in 2006, 2007, 2008, 2009, and 2010 authorized the issuance of GARVEE bonds to finance a total of \$692.6 million in projects; and

WHEREAS, the Board is granted the statutory responsibility and duty to allocate GARVEE bond proceeds among legislatively authorized projects, including the following:

US-95, Garwood to Sagle  
US-95, Worley to Setters  
SH-16 Extension, I-84 to South Emmett  
I-84, Caldwell to Meridian  
I-84, Orchard to Isaacs Canyon  
US-30, McCammon to Soda Springs; and

WHEREAS, additional funding will be required to complete the US-95, Garwood to Sagle and SH-16, Junction I-84 to SH-44 projects and provide for program management services; and

WHEREAS, prior year bonding authority will be combined with the requested bonding authority to construct the US-95, Garwood to Sagle project.

*NOW THEREFORE BE IT RESOLVED*, that the Board requests legislative bonding authority for FY12 in the principle amount of \$162 million; and

*BE IT FURTHER RESOLVED*, that the Board approves the GARVEE FY12 Draft Working Plan, which is on file in the GARVEE Program Office, a summary of which has been provided to the Board.

Member Miller expressed support for the motion. Member Vassar added that the legislature initiated this Program, and the additional bonding authorization is needed to complete the last two projects.

The motion passed unanimously.

WHEREUPON the Board meeting recessed at 5:00 PM.

December 9, 2010

The Board reconvened at 8:30 AM on Thursday, December 9, 2010, at the Idaho Transportation Department, Boise, Idaho. All members were present.

Local Highway Technical Assistance Council (LHTAC) Report. LHTAC Administrator Lance Holmstrom thanked the Board for its continued support and expressed appreciation to ITD staff for its assistance and the good working relationship that has been established.

Bruce Drewes, Technology Transfer Center Manager, summarized the Center's activities during 2010. It offered 72 classes, hosted two Safety Fests, and continued the Road Scholars and Masters Programs. He mentioned a number of courses planned for spring 2011.

Asset Manager Jim Zier reported on the 2010 Local Rural Highway Improvement Program. There were 92 applications for funding in 2010. Through the application process, 29 projects were funded: 15 construction projects, 8 transportation plans, and 6 sign projects. Additionally, 4 emergency projects were funded through reserved emergency funds. He summarized a number of projects that were completed and also projects planned next year. Mr. Zier commented that the transportation needs exceed the available funding. The Council prioritizes applications by rewarding good transportation planning, multi-jurisdictional cooperation, pavement and sign management, and development of a five year Capital Investment Program. He expressed appreciation for the Board's support of the program.

Dan Coonce, Deputy Federal Aid Manager, provided an update on the local American Recovery and Reinvestment Act (ARRA) projects. All of the 25 projects funded through Title XII have been constructed, although some are still in the process of being closed out. Of the 34 projects funded through Title XIV, 21 have been constructed. The others have been delayed due to contractor problems or the design has not been completed. Two additional projects were approved for funding in October due to savings. Efforts are underway to identify other projects to utilize potential savings. He is confident that the ARRA deadlines will be met.

Chairman Manning thanked the gentlemen for the report and for their assistance to local public agencies.

Transportation Asset Management Systems (TAMS). CE Cole commended staff for developing and implementing a pavement management and maintenance management system under an aggressive schedule. System development was completed in September and the system should be operational before the end of the year.

Project Manager Juan Oleaga provided background on developing and implementing TAMS, which is ahead of schedule and on budget. The testing has been completed and training is underway. The project is expected to meet all of the customer requirements and expectations. TAMS will track and report costs, manage assets, plan, assist with maintenance budget development, and provide reports. Initially, the asset management program will include pavements, bridges, and signs. It will be expanded to include other assets such as buildings, culverts, and equipment. It will provide assistance with extending the life of ITD's \$4 billion assets and optimizing funding.

Steve Spoor, Maintenance Systems Manager, elaborated on the maintenance management system, which will track costs for all of the maintenance activities. The data will be instrumental in managing and forecasting the infrastructure needs. It will provide assistance with budget development, enabling budgets to be based on desired outcomes and specific goals.

Materials Engineer Jeff Miles summarized the pavement management system. The system will utilize the condition of roadways in combination with the identification of strategies to determine appropriate maintenance or reconstruction activities. It will collect extensive, valuable information. It will target pavements that have the biggest impact on the economy and the pavement analysis will assist with project selection. The data will be tied to mileposts and the Geographic Information System.

The Board commended staff for the exemplary efforts on this major initiative.

Idaho on the Move: A Long-Range Plan to Improve Safety, Mobility, and Economic Vitality. CE Cole presented the Department's long-range plan, which is based on safety, mobility, and economic vitality. The purpose of the document is to develop a long-range policy plan that will guide ITD as it develops policies, plans, programs, and investments. It is not a detailed system plan. It does not list specific projects or investments that the Department will choose from to

fund in the future.

Intermodal Planning Manager (IPM) Sonna Lynn Fernandez reported on the numerous meetings held throughout the state to involve and collaborate with as many partners and citizens as possible on the proposed 20-year long-range transportation plan. More than 950 people participated in the process. Additionally, a specific public comment period on the plan was conducted in October and November. A total of 31 formally submitted comments were received, which resulted in 21 changes to the draft document.

DDIR Stokes commended IPM Fernandez for the extensive outreach she conducted on the Plan. He said the economic vitality component is still evolving. Vice Chairman Blick encouraged coordinating with LHTAC on the economic goals. The state is very rural in nature and rural roads are so important to the economy, particularly to the agricultural industry. DDIR Stokes concurred. He added that consideration has been given to the off-tracking restrictions and other impediments to the economy.

Member Vassar complimented staff on the excellent document.

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

RES. NO.           WHEREAS, the Safe, Accountable, Flexible, Efficient Transportation Equity Act - A Legacy for Users  
ITB10-53           requires all states to have a long-range transportation plan; and

WHEREAS, the Governor's Executive Order states that the Idaho Transportation Department (ITD) must have a long-range transportation plan submitted by January 1, 2011; and

WHEREAS, Director Ness has the vision of making ITD "the best transportation agency in the country" and the plan establishes a long-range policy that will provide guidance and a roadmap as ITD develops its policies, plans, and program over the next 20 years; and

WHEREAS, the plan is not a detailed system plan and does not list specific projects or investments that ITD will choose from to fund in the future; and

WHEREAS, the plan establishes ITD's three long-range goals to improve safety, enhance mobility, and to support Idaho's economic vitality; and

WHEREAS, the plan outlines three investment strategies and six key management principles and provides a suite of implementation products over the next 20 years; and

WHEREAS, ITD staff established a coordination schedule that enabled staff to make presentations at 34 stakeholder meetings, two state conventions, and six open public meetings resulting in more than 950 people around the state having direct contact with the plan; and

WHEREAS, the plan was made available on ITD's website allowing citizens the opportunity to review and comment on the plan from October 25 – November 23, 2010; and

WHEREAS, ITD received 31 formally submitted comments and does not include the hundreds of comments received on the plan during the consultation outreach process.

*NOW THEREFORE BE IT RESOLVED*, that the Idaho Transportation Board has considered the comments made during the open public comment period and adopts Idaho on the Move as ITD's long-range transportation plan and directs staff to proceed with the implementation schedule as soon as possible; and

*BE IT FURTHER RESOLVED*, that the Board directs staff to submit the long-range transportation plan to the Governor on or before December 31, 2010.

Monthly Financial Statements and Highway Program Obligations. As of November 30, almost \$30 million had been obligated, according to Manager, Transportation Investments, Dave Amick. This is 10% of the project costs in the current STIP. At the same time last year, \$62 million had been obligated, or 14%.

Gordon Wilmoth, Controller, said FHWA Indirect Cost Allocation revenue was \$23,529,000 through October, which exceeded the projected amount of \$10,800,000. Miscellaneous state funded revenue of \$10,887,000 was \$116,000 below the forecast. Highway Distribution Account revenue, excluding ethanol exemption elimination, was \$61,297,000. The projected revenue was \$59,486,000. Revenue from the ethanol exemption elimination was \$5,586,000, which was a \$93,400 negative variance from the projected amount.

Controller Wilmoth reported that revenue to the State Aeronautics Fund from aviation fuels was \$559,100, or \$10,400 above projections. Total expenditures in the ARRA Title XII Fund were \$125,217,000, while \$182 million had been appropriated. Of the \$17.4 million LHTAC-administered ARRA Title XIV funds, \$2,671,000 had been expended. He also summarized the GARVEE Program. With interest, \$660,176,053 is available. A total of \$527,468,129 has been drawn, leaving a balance of \$132,707,924.

Controller Wilmoth referenced the long-range plan and TAMS, noting that both of those will help with budgeting and will facilitate better cash management. A new financial system being implemented will also be a valuable tool for the Department's financial responsibilities.

Tour – Financial Services Section. Controller Wilmoth provided an overview on the three units in the Financial Services Section: revenue operations, cost accounting, and general ledger. He reported that the full-time equivalent positions in Financial Services were reduced from 43 in FY01 to 31 in FY10. He acknowledged the dedicated and efficient staff, as a number of new initiatives were undertaken during this time frame, including the implementation of a new accounting system, the GARVEE Program, and ARRA.

The Board toured the Financial Services Section, where it met employees and learned about the various services provided.

Executive Session on Legal Issues. Vice Chairman Blick made a motion to meet in executive session at 11:50 AM to discuss legal issues as authorized in Idaho Code Section 67-2345(f). Member Miller seconded the motion and it passed 6-0 by individual roll call vote.

A discussion was held on legal matters related to contracts; access and right-of-way issues on the US-95, Garwood to Sagle and SH-16, I-84 to Emmett GARVEE projects; and Division of Motor Vehicles permit issues.

The Board came out of executive session at 12:50 PM. No final actions or decisions were made.

New Business. Member Whitehead mentioned changes occurring in the trucking industry, resulting in longer tractor-trailer combinations. He expressed concern with the impacts these changes will have on Idaho's off-tracking requirements. In accordance with the Department's goals of safety, mobility, and economic vitality, he asked staff to review US-95 from Grangeville south to Council to determine if improvements could be made to the highway that would reduce the off-tracking restrictions. He believes some minor improvements could be made to the infrastructure to accommodate the off-tracking requirements.

Because Coeur d'Alene Lake Drive does not function as a state highway and partly due to a recent Supreme Court ruling, Member Coleman asked staff to research the procedures to discontinue maintaining Coeur d'Alene Lake Drive.

There were no objections to the two requests.

WHEREUPON, the Idaho Transportation Board's regular monthly meeting officially adjourned at 1:00 PM.



signed

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DARRELL V MANNING, Chairman  
Idaho Transportation Board

Read and Approved  
January 19, 2011  
Boise, Idaho