

Montana Transportation Commission

October 31, 2013 Meeting
Helena, Montana

IN ATTENDANCE

Kevin Howlett, Transportation Commissioner, Chairman
Barb Skelton, Transportation Commissioner
Rick Griffith, Transportation Commissioner
Carol Lambert, Transportation Commissioner
John Cobb, Transportation Commissioner
Michael Tooley, Director MDT
Dwane Kailey, MDT Engineering
Pat Wise, Deputy Director, MDT
Lynn Zanto, MDT
Jim Skinner, MDT
Tim Reardon, MDT
Lori Ryan, MDT
Jim Walther, MDT
Danielle Bolan, MDT
Lisa Hurley, MDT
Nichole Pallister, MDT
Larry Flynn, MDT
Cary Hegreberg, MCA
Eric Griffin, L&C County
Paul Harker, FHWA
Chris Riley, FHWA
Bill Marx, Bozeman
Daryl Marx, Bozeman
Michaëlle Entringer, Bozeman
Annette Syverson, Bozeman
Douglas Syverson, Bozeman
John Harkin, Bozeman
Suzette Harking, Bozeman
Mary Keck, Bozeman
Tom Keck, Bozeman
Sarah Thelan, Bozeman

Please note: the complete recorded minutes are available for review on the commission's website at http://www.mdt.mt.gov/pubinvolve/trans_comm/meetings.shtml. You may request a compact disc (containing the audio files, agenda, and minutes) from the transportation secretary Lori Ryan at (406) 444-7200 or lrayn@mt.gov. Alternative accessible formats of this document will be provided upon request. For additional information, please call (406) 444-7200. The TTY number is (406) 444-7696 or 1-800-335-7592.

OPENING – Commissioner Kevin Howlett

Commissioner Howlett called the meeting to order. After the pledge of allegiance, Commissioner Howlett offered the invocation.

TCP Approval

The first item of business is to conclude the previous three day's work on the five-year plan. For those of you in the audience, the Department and the Commission go through an annual planning process where we look at the projects and priorities for the next five years. We do that every year. Obviously as the economy and the allocations and other things change, there are adjustments that are made through the course of the year but this gives us the planning document by which we can target projects in the process. Any of these highway projects, particularly the major projects, can take anywhere from five-to-seven years from the time they are introduced and nominated to be a project to the Commission approving the funding. This is the culmination of the previous three days of work. Director Tooley I'm going to turn this over to you at this time.

Director Tooley thanked Commissioner Howlett and the staff for three days of hard work and the many months before that. Thank you for your participation in the process. The Commission was very engaged and we've come up with a very good product. What you have on the screen behind you is the totals rolled up from yesterday and the three days of work and the months of work before that. With that I'd like to ask if there are any further questions or concerns about the plan as it stands. If not I'll make a staff recommendation.

Commissioner Howlett polled each individual Commissioner and asked if they were comfortable with the allocation and the discussion of each District. Commissioner Cobb said yes and asked if anything had changed from the previous day. Lynn Zanto said the actual let dates were changed. Commissioner Cobb said that was okay. Commissioner Lambert said yes. Commissioner Griffith said yes. Commissioner Howlett said he was happy with it.

Director Tooley said the staff recommends that the Commission adopt the TCP and allow staff to manage the program within the obligation limitations established through the funding plan. Commissioner Howlett introduced an amendment – we ask the staff to research the funding for the Broadus Interchange as a part of the recommendation and to provide that recommendation to the Commission at the December meeting.

Commissioner Griffith moved to approve the TCP and requested staff research funding for the Broadus Interchange. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Approval of Minutes

The minutes for the Commission Meeting of October 8, 2013 were presented for approval.

Commissioner Lambert moved to approve the minutes for the Commission Meeting of October 8, 2013. Commissioner Griffith seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 1: Urban Allocations, SB-111

Lynn Zanto presented the Urban Allocations, SB-111 to the Commission. Projects on Montana's Urban Highway system are funded through program apportionments based on each urban area's population percentage of Montana's total urban area population. The Surface Transportation Program Urban (STPU) apportionment to each urban area is recalculated following each decennial census. Following the 2010 census, Montana had 16 urban areas eligible to receive STPU funding allocations, which is one more than prior to the census. The source of funds for these apportionments is the federal Surface Transportation Program (STP), the flexible Congestion Mitigation and Air Quality (CMAQ) program under Title 23 USC, and state funds for non-federal match.

The STPU funding level is established by the Commission and was last adjusted in 2004 to address growing needs in urban areas. In the past, STPU funding was adjusted to reflect changes in the federal funding levels that Montana received due to reauthorization of the federal surface transportation program and was also reviewed following the 2000 census.

During the 2013 Legislature, Senate Bill 111 modified what is considered an urban area relative to the Urban Highway System (MCA 60-3-211) to align state law with federal highway law related to urban area definitions. The modification changed the definition of an urban area to include those communities with an urban population of 5,000 or more within the census-defined urban area, rather than the incorporated city limits as it was described previously. As a result of SB-111, three additional communities in Montana meet the definition to receive allocations of STPU funding, including Columbia Falls, Glendive, and Hamilton.

To offset the SB-111 impact, MDT is proposing to increase STPU funding to a level that will return the 16 urban areas to the 2010 census, pre-SB-111, estimated funding levels. Restoring the pre-SB-111 apportionment levels can be accomplished by minimally increasing the program allocation by approximately \$500,000 (total STPU allocation increase from \$10.8 million to \$11.3 million). MDT is proposing to fund the increase with flexible CMAQ funding. Using these flexible CMAQ funds will have little impact on the CMAQ program, with considerable benefit to project planned delivery in the urban program.

CMAQ Funds

Federal funds available under the Congestion Mitigation and Air Quality Improvement (CMAQ) program are used to finance transportation projects and programs to help meet the requirements of the Clean Air Act. At the project level, the use of CMAQ funds is not constrained to a particular system, and the CMAQ flexible fund eligibilities are the same as for the Surface Transportation Program. These flexible funds can also be transferred between programs. This proposal will not impact the federally directed CMAQ funding for Missoula or the guaranteed allocation to Billings and Great Falls.

The remainder of the flexible CMAQ funds will continue to be prioritized for projects that address carbon monoxide and particulate matter problems in urban and non-urban communities across Montana consistent with MDT research completed in 2004 and updated in 2013. The research concluded that the most cost beneficial projects to address these pollutants are sweepers, flush trucks, intersection improvements, and signal synchronization projects.

Summary: MDT staff has proposed a slight increase in the STPU program funding level to mitigate impacts of the SB 111 enacted by the 2013 Legislature which aligned state law with federal highway law for defining urban areas and resulted in a net gain of 3 new urban areas. STPU program funds are distributed on a per capita basis, consistent with MCA 60-3-211. The increased funding level will result in holding pre-Senate Bill 111 qualifying urban areas (based on the 2010 Census) harmless from further reductions as a result of three additional urban areas.

The proposal has been discussed with the respective city and county representatives from the urban areas. The STPU urban program supports policy goals established in TRANPLAN-21. Primarily, roadway system performance, traveler safety, and bicycle and pedestrian transportation are enhanced with the improvements implemented with the STPU program funds.

MDT staff recommends that the Commission approve a total STPU program level of \$11.3 million (federal plus match) effective FFY 2014, beginning October 1, 2013.

Commissioner Skelton asked about Sidney starting as an urban area and now Sidney is not an urban area. Lynn Zanto said in 1990 Sydney was an urban area but in 2000 Sydney's population declined so after the 2000 Census they were dropped off. In

2010 Sidney again met the population threshold so they are now an urban area. Commissioner Cobb asked about the \$500,000 being taken from CMAQ and asked how much money was in CMAQ every year. Lynn Zanto said the 2013 allocation was \$12.3 million. About \$1.3 million has to go to the City of Missoula because they are our only classified Clean Air Quality Containment Area. The \$500,000 is pretty minimal in the overall CMAQ funding and we would continue to invest in Air Quality Improvement projects.

Commissioner Lambert moved to approve the Urban Allocations, SB-111. Commissioner Griffith seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Commissioner Howlett thanked Jim Skinner for all work he did on the TCP process. Jim Skinner thanked Commissioner Howlett and said there was a very large team that helped. Commissioner Howlett asked that he extend the Commission’s thanks to his staff and also asked Director Tooley to extend the Commission’s thanks to the whole Department for the extraordinary work they did to make this process a success.

Agenda Item 2: Local Construction Projects on the State and Federal Highway System, Henderson/Brady St. Intersection - Helena Gallatin Field Road - Belgrade

Lynn Zanto presented the Local Construction Projects on the State and Federal Highway System, Henderson/Brady Street Intersection – Helena and Gallatin Field Road – Belgrade to the Commission. Under MCA 60-2-111 “letting of contracts on state and federal aid highways,” all projects for construction or reconstruction of highways and streets located on highway systems and state highways, including those portions in cities and towns, must be let by the Transportation Commission. This statute exists to ensure the safety of our system, protect transportation investments, and encourage better coordination between state and local infrastructure improvements. MDT staff reaches out to local governments to solicit local projects on state systems to ensure compliance with this statute.

The city of Helena and the Gallatin Field Airport Authority are planning to design and build transportation improvement projects on or connecting to the state urban highway system. Locations, funding sources, and other details are listed below, and maps for each project are attached.

Location	Type of Work	Estimated Cost	Fiscal Year	Type of Labor	Funding Source
Henderson/Brady St. Intersection, Helena	Traffic signal	\$300,000	2014	Contract	City of Helena
Between Gallatin Field Rd. (U-610) & North Broadway St. (U-603)	New construction	\$2,550,000	2013	Contract	FAA City of Bozeman City of Belgrade

Both the city of Helena and the city of Belgrade have conducted public involvement processes and improvements are consistent with their long-range transportation plans. In general, the public supports these projects. The projects will be designed with input and concurrence from MDT staff to the extent practicable.

Summary: On behalf of the local governments, as required by MCA 60-2-111, staff is requesting that the Transportation Commission delegate authority to the local governments to let and award contracts for the projects listed above.

Staff recommends that the Commission approve these projects and delegate its authority to let, award, and administer the contracts to the city of Helena and the Gallatin Field Airport Authority pending concurrence of MDT's Chief Engineer.

Commissioner Griffith said it seems like we're short on that recommendation. It seems like we ought to delegate our authority after the staff has reviewed it. Tim Reardon said they could certainly condition the delegation of staff review. Commissioner Griffith said before the award happens I would like the staff to approve what they are doing. Tim Reardon said if you want to delegate the authority to award to the local government, it is contingent on MDT approval of the design of the project. Commissioner Griffith said I would like for them to approve all the steps of the process. Tim Reardon said it was required by statute that they meet all the statutory requirements that we have to meet when we delegate that authority and that can be part of the delegated authority. We can draft something if you like. Commissioner Griffith said he would move to approve contingent on meeting those requirements and ask that you draft something.

Commissioner Griffith moved to approve the Local Construction Projects on the State and Federal Highway System, Henderson/Brady Street Intersection – Helena and Gallatin Field Road – Belgrade. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item No. 3: Highway Safety Improvement US-212 Safety Improvements

Lynn Zanto presented the Highway Safety Improvement, US-212 Safety Improvements to the Commission. The Highway Safety Improvement Program (HSIP) makes federal funding available to states in order to assist with the implementation of a data-driven and strategic approach to improving highway safety on all public roads. In Montana, the primary focus of the HSIP program involves identifying locations with crash trends (where feasible countermeasures exist) and prioritizing work according to benefit/cost ratios.

MDT is proposing to add a project to the HSIP program on US-212 (N-37) from RP 22.2 (west of Busby) to RP 61.4 (near Ashland). The proposed project is on the Northern Cheyenne Reservation (in District 4 and 5) and was identified through a Corridor Safety Audit (CSA). A CSA is a formal safety performance review of a corridor by a multi-disciplinary team with representatives from the "Four E's" of transportation safety: Education, Enforcement, Engineering, and Emergency Services.

A CSA generates recommendations (and countermeasures) for roadway segments and intersections that demonstrate a history of crashes or an identifiable pattern of crash types. MDT's Traffic Safety Bureau uses CSA recommendations to complement other screening techniques in order to identify potential safety improvements.

This particular Corridor Safety Audit was initiated at the request of the Northern Cheyenne Tribe. Members of the tribe participated in CSA activities – including the development of recommendations. Recommended safety improvements for the project area include the following items:

- Replace/install new warning signs and delineation along the corridor including, as appropriate:
 - Additional Curve Warning signs
 - Passing Area Ahead signs.
 - Advance Grade Warning signs.

- Potential LED chevrons for curve at RP 61 +/-.
- Install dynamic speed display boards on US-212 at Busby & Lame Deer.
- Install centerline rumble strips.
- Roadway lighting through Busby.

The predominant crash type mitigated by these proposed improvements is road departure crashes. The dynamic speed display signs and lighting through Busby will also mitigate speed and dark-related crashes. The overall benefit/cost, using a weighted average, for the set of improvements is approximately 15.0 (when using the estimated project cost of approximately \$457,000).

Summary: MDT is requesting Commission approval of a project to place safety improvements at appropriate locations along US-212 from Ashland to west of Busby, a distance of approximately 39 miles. The total estimated project cost is approximately \$457,000, and the funding source is the Highway Safety Improvement Program.

The proposed HSIP project is consistent with the policy direction established in TRANPLAN-21. Specifically, traveler safety, access management, and bike/ped features will be enhanced with the addition of this project to the HSIP program.

Staff recommends that the Commission approve the addition of this project to the program.

Commissioner Howlett asked if this was the short-term fix. Lynn Zanto said this would be a long term. Dwane Kailey said this would be a permanent fix and again it's directed at specific safety issues that have been identified in the road safety audit. As you saw in the Red Book meeting, there are other planned projects in this area as well but this is over and above those. Commissioner Howlett asked if the other projects in the area will compliment this effort. Dwane Kailey said perfectly. Commissioner Cobb asked if the 15:1 cost benefit was high compared to normal. Dwane Kailey said it was actually very high but again as we heard the small programs are all the way down to a two cost benefit ratio – so yes, this is very high.

Commissioner Lambert moved to approve the Highway Safety Improvement, US-212 Safety Improvements. Commissioner Griffith seconded the Motion. All Commissioners voted aye.

The motion passed unanimously.

***Agenda Item No. 4: Enhancement Projects on MDT Right-of-Way,
Anderson School Trail – S of Bozeman
US-2 Path – Coram to W Glacier
City Hall Sidewalks – Plentywood***

Lynn Zanto presented the Enhancement Projects on MDT Right-of-Way, Anderson School Trail – S of Bozeman, US-2 Path – Coram to West Glacier, City Hall Sidewalks – Plentywood to the Commission. The Transportation Commission approves Community Transportation Enhancement Program (CTEP) projects that are located on or adjacent to state-designated streets and roads. CTEP projects are funded with the enhancement set-aside of the Surface Transportation Program, which is allocated by population to Montana's local and tribal governments. Communities select projects to fund with their allocations and provide the required non-federal match. The program is based on an agreement between MDT and Montana local and tribal governments.

MDT is asking the Commission to approve the following CTEP projects:

1. **Anderson School Trail – S of Bozeman:** Gallatin County is requesting approval for a project to design and construct a 3,300 foot long, 8 foot wide asphalt bicycle and pedestrian path along the east side of Cottonwood Road (S-345) from South 19th Avenue to Anderson School.

The project will provide a much-needed connection from the proposed South 19th Avenue trail to the school and will address a significant bike/pedestrian safety issue for the students at Anderson School.

The total estimated cost for this project is approximately \$147,000. Including this project, Gallatin County will have obligated \$3,004,500 of the \$3,271,749 made available over the life of the CTEP program.

2. **US-2 Path – Coram to W Glacier:** Flathead County is requesting approval for a project to design and construct a separated, paved pathway for pedestrians and cyclists along US-2 (N-1) between the towns of Coram and West Glacier, a distance of approximately 6.8 miles. It is anticipated that the path will run entirely within the public right-of-way along the west/north side of US-2. On the south end, the path will connect with an existing path at Seville Lane in Coram. On the north end, the path will terminate at the railroad underpass at Going to the Sun Road, where a pedestrian sidewalk runs through a tunnel.

The primary benefits of the project include improved safety for pedestrians and cyclists, safe non-motorized access to West Glacier School, non-motorized access to Glacier National Park from area campgrounds and motels, and local economic benefits. Also, the path will connect with the existing pathway between Hungry Horse and Coram and will be a major element of an envisioned pedestrian and bicycle pathway connecting the greater Flathead Valley (and communities within “the canyon”) with West Glacier and Glacier National Park.

The total estimated project cost is approximately \$951,000. Including this project, Flathead County will have obligated \$4,975,871 of the \$5,070,599 made available over the life of the CTEP program.

3. **City Hall Sidewalks – Plentywood:** The city of Plentywood is requesting approval for a project to remove and replace the deteriorated concrete sidewalk along 1st Avenue (N-22) in front of city hall. The sidewalk at this point is 11.25 feet wide.

The project will be 72 feet long beginning at the existing ADA ramp near the corner of 1st Avenue and Jefferson Street and extending to the concrete driveway adjacent to city hall. The project includes removing and replacing an electrical sidewalk heating system that no longer works. This will remedy safety concerns regarding ice buildup on the sidewalk and in the trench drains created by roof drains spilling onto the sidewalk.

The total estimated project cost is approximately \$60,000. Including this project, the city of Plentywood will have obligated \$161,960 of the \$162,355 made available over the life of the CTEP program.

Summary: MDT is requesting Commission approval for three CTEP projects with an estimated total cost of \$1,158,000. Portions of these projects are on or adjacent to state-designated streets and roads. The state will perform a final review of all projects to ensure substantial compliance with project plans, specifications, and estimates.

The proposed projects have been prioritized through the respective local government processes and are consistent with the policy direction established in TRANPLAN-21.

Specifically, traveler safety and bike/ped features will be enhanced with the addition of these projects to the CTEP program.

Staff recommends that the Commission approve the addition of these projects to the program. Commission Cobb asked if there was a time-line for these projects to be done. Lynn Zanto said the last year we received federal funding was 2012 plus ten years.

Commissioner Howlett said for the benefit of those in the audience and there are several people here from the Bozeman area, one of these projects is in your neighborhood. It is basically a 3,300 foot long eight-foot wide asphalt bicycle/pedestrian path on the east side of Cottonwood Road to 19th Avenue at Anderson School. It will provide an opportunity for enhancements both for the bicyclists and other people and school children. I just wanted you to be aware of it. We have to approve them but the funds are allocable to the county and the county then makes the decision on what projects are to be funded.

Commissioner Griffith moved to approve the Enhancement Projects on MDT Right-of-Way, Anderson School Trail – S of Bozeman, US-2 Path – Coram to West Glacier, City Hall Sidewalks – Plentywood. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimous.

**Agenda Item 5: Urban Pavement Preservation Projects
Great Falls & Billings Districts**

Lynn Zanto presented the Urban Pavement Preservation Projects, Great Falls & Billings Districts to the Commission. The Urban Pavement Preservation (UPP) Program, a sub-allocation of the larger Surface Transportation Program, provides funding to urban areas with qualifying Pavement Management Systems (as determined jointly by MDT and FHWA). District personnel work with cities and counties to establish projects based on system needs identified by the local pavement management systems.

At this time, the Great Falls District is requesting approval of five UPP projects in the Great Falls area. Project names, locations, scopes and costs are shown on the attached table. These projects are estimated to preserve 3.651 miles of the Great Falls Urban System at an estimated total cost of approximately \$1,655,000. All projects are tentatively scheduled to be delivered in FFY 2015.

Additionally, the Billings District is requesting approval of two UPP projects in the Billings area. Project names, locations, scopes and costs are shown on the attached table. These projects are estimated to preserve 1.876 miles of the Billings Urban System at an estimated total cost of \$1,518,000. All projects are tentatively scheduled to be delivered in FFY 2015.

UPN	Project Name	Scope	Dept. Route	Begin. RP	Length (miles)	PE	CE	CN	Total Est. Cost
Great Falls									
8587	25 th Ave NE – GTF	Mill & Fill	U-5202	0.00	0.405	\$44,000	39,000	487,000	\$570,000
8588	8 th Ave N – 6 th to 15 th – GTF	Mill & Fill	U-5216	0.00	0.742	\$44,000	\$53,000	\$657,000	\$754,000
8589	9 th St S – 10 th to 2 nd – GTF	Chip Seal	U-5242	0.22	0.608	\$19,000	\$73,000	\$6,000	\$98,000
8590	Airport Road – GTF	Chip Seal	U-5212	0.00	0.602	\$19,000	\$55,000	\$4,000	\$78,000
8591	5 th Street N & S – GTF	Chip Seal	U-5224	0.00	1.294	\$19,000	\$126,000	\$10,000	\$155,000
Great Falls Totals					3.651	\$145,000			\$1,655,000

UPN	Project Name	Scope	Dept. Route	Begin. RP	Length (miles)	PE	CE	CN	Total Est. Cost
Billings									
8592	1 st Ave S – Minn Ave – 13 th St – Blgs	Mill & Fill	U-1022	2.04	1.375	\$44,000	\$72,000	\$902,000	\$1,018,000
8593	4 th Ave N – 13 th St to Main – Blg	Mill & Fill	U-1018	1.49	0.501	\$44,000	\$34,000	\$422,000	\$500,000
Billings Totals					1.876	\$88,000			\$1,518,000
Totals – All Projects									
Great Falls					3.651	\$145,000			\$1,655,000
Billings					1.876	\$88,000			\$1,518,000
Totals – Great Falls & Billings					5.527	\$233,000			\$3,173,000

Summary: MDT is requesting commission approval of five Urban Pavement Preservation (UPP) projects in the Great Falls District and two UPP projects in the Billings District. These projects are estimated to preserve 5.527 miles of the Urban Highway System at an estimated total cost of \$3,173,000.

The proposed projects have been prioritized through their respective Metropolitan Planning Organization (MPO) processes and are consistent with the policy direction established in TRANPLAN-21. Specifically, roadway system performance, traveler safety, and bike/ped features will be enhanced with the addition of these projects to the Urban Pavement Preservation program.

MDT staff recommends that the Commission approve the addition of these projects to the program. Commissioner Griffith asked why these projects didn't make Red Book. Lynn Zanto said these are new additions to the program. We do have in the Red Book an Urban Pavement Preservation sheet but because you have not approved these yet they don't show in here as an approved project. The next TCP will see them in there. Commissioner Griffith asked what year these get done. Lynn Zanto said once you approve them then we program funding through Federal Highways and then we establish a schedule. So I would think we would do them in the next year or two. Dwane Kailey said that was correct. As Lynn stated we don't put them in the Red Book until they've actually either been programmed or approved by the Commission and have gone through FHWA approval and we develop a schedule. You saw some in there that were in the middle of that process but the schedule hadn't been development yet. You saw the January 25, 2020 date in there – that meant the schedule had not been developed. These were not even to that level at this point in time so we don't insert them into the Red Book. Commissioner Griffith said they were easier to vet in Red Book than at every meeting. That's my concern. We tried to get that done and at one time it was one year in advance and then three years ago we changed it to two years in advance on maintenance projects. Dwane Kailey said the way the Pavement Preservation process works is they are nominated by the local entity up to the District and then they are sent in to be programmed. They have to come to the Commission first and be approved to be a project. Then we get the schedule developed and into the Red Book. You will see these at the next Red Book meeting. Commissioner Griffith asked if there might be a chance they could be done by then. Dwane Kailey said there is almost no chance – we are looking at two years out. Commissioner Griffith said he was comfortable with that. Lynn Zanto said that in looking at the Pavement Preservation Program in the TCP, the only year we have filled with projects is the first year. So these are sort of loading the program for the second or third year and you'll see them in the Red Book next year.

Commissioner Skelton moved to approve the Urban Pavement Preservation Projects – Great Falls & Billings Districts. Commissioner Cobb seconded the Motion. All Commissioners voted aye.

The motion passed unanimous.

Agenda Item 6: Speed Limit Recommendation Lincoln Road East & West (Secondary 279 & 453)

Dwane Kailey presented the Speed Study Recommendation for Lincoln Road East & West (Secondary 279 & 453) to the Commission. We were requested by individuals as well as Lewis and Clark County to investigate the speeds on this route. Based on the configuration we chose to investigate from Green Meadow Drive up to Hauser Dam Road. Based on our review and our study we have recommended a 45 mph speed limit beginning at station 749+00 about 1,400 feet west of Jim Darcy School continuing east onto Secondary 453 to a point 1,500 feet east of I-15 an approximate distance of 1.25 miles. From there we would transition to a 55 mph speed limit beginning 1,500 feet east of I-15 continuing east 400 feet beyond the intersection with Glass Drive an approximate distance of 1,900 feet. At that point we would transition to a 65 mph speed limit and continue east a distance of 3.8 miles 300 feet west of Derby Drive and it would then transition to 55 mph and continue into the intersection with Hauser Dam Road. With that I believe there is a representative of Lewis and Clark County here if you have any questions. They do concur with this recommendation.

Eric Griffin

I'm the Director of Public Works for Lewis and Clark County. Dwane outlined the process very well. We had MDT staff come and speak with our Commissioners. We had a very interesting hearing. MDT staff went back and reconsidered the biggest part of the hearing or discussion which was reducing the 70 mph to 55 mph. The data did not support a 55 mph so MDT staff went back and looked at it and came back with a reduction to 65 mph. I polled my Commissioners and they were all in favor of the reduction to 65 mph and we are all in favor of the others speeds as well. I would like to thank Danielle Bolan and her staff for what they do; they do a good job. They take this very seriously and we work very well with them. We are in concurrence with the recommendation.

Commissioner Howlett said this is kind of an accordion speed zone, what are the issues with enforcement on that and the public's ability to adjust to that accordion. Eric Griffin said I think just the nature of that roadway which goes from rural into the 55 mph and then into the school and then a major intersection and then the Interstate. So there's a variety of different roadside features there and I think the local people pay pretty close attention to it. I know the Sheriff is aware of it and he does what he can with his enforcement as well as the Highway Patrol. I think it will help once people get educated and realize what's going on and work much better than what it is now. Before we looked at it before the all the growth, going east of the Interstate it was very much a very rural setting and 70 mph was what people used to drive. Then the last 6-10 years there's been a lot of growth and it will slow them down before they get to the Interstate. I think it's a good compromise and if it doesn't work, we'll be back and take another look at it.

Dwane Kailey said I actually live out on this road so I drive it quite a bit. One of my neighbors is a Highway Patrolman and they do actually enforce this road very well especially around the school. Commissioner Howlett asked if there was any change in the speed limit by the school. Dwane Kailey said currently the posted speed limit is 35 mph in front of the school. With the Commission adopting the 45 mph, state law allows for us and the local officials to adjust to 80% of that. Danielle Bolan said currently the posted speed is 45 mph and they have enacted the special school zone speed limit which does the 80% reduction which takes it to 35 mph. We have variable signs that change with flashing lights. So it will maintain the 35 mph during school hours.

Commissioner Cobb asked if the crash rates don't go down, what you will do. Dwane Kailey said there are a couple of projects slated for out there. One of the main accidents we're having right now is at Green Meadow Drive and Lincoln Road and the Department is already working on mitigating that. One of the designs we are looking at is a roundabout in that intersection. We do believe the roundabout will alleviate those accidents. The other problem area we had is the intersection of north Montana and Lincoln Road and we are looking to mitigate that. It is very congested both in the morning and the evening. The other area where we have challenges right now is at the south interchange. We are looking at the whole area of the interchange through North Montana and try to identify fixes to that area. Commissioner Cobb asked what years they were looking at, 2020 or closer. Dwane Kailey said I can't recall the date on Green Meadow. Right now we've not established a date for the North Montana and I-15 Interchange.

Commissioner Cobb asked Dwayne when we do District 3 and the feature for speed limits, could you ask the Highway Patrol and the local officials how well they enforce it – are they giving speeding tickets and what are they giving them for. If they are not enforcing it or enforcing it 10 miles above the speed limit, I would like to know that. Can you ask them? They should have that data on speeding and what they are giving the tickets for. It would be nice to know that. I'm not asking you to do any work, I just want the data. Commissioner Howlett said that is where they get the crash history from. Dwane Kailey said the crash history comes from their investigation. Commissioner Cobb said sometimes you hear that the speed limit is 55 mph but they don't enforce it until people get to 65 mph. So if you reduce a speed limit to 45 mph then they won't do anything until people hit 55 mph. I would just like to know that. If they don't want to give us the data or they don't have it then that's fine. Dwane Kailey said it would be easier for staff if we just adopted that for all speed studies. It's going to be easier for us to provide that more consistently if we just do it across the board. We can do it for all speed studies if you are all in agreement. All Commissioners said they were in favor of that. Director Tooley said I'd like to speak to the Highway Patrol's capabilities and they will have that information – speeds, locations, time of day, and some of the local agencies may have a challenge with that because they still use pen and paper. Commissioner Howlett said he would like to do that.

Commissioner Cobb moved to approve the Speed Limit Recommendation for Lincoln Road East & West (Secondary 279 & 453). Commissioner Lambert seconded the Motion. All Commissioners voted aye.

The motion passed unanimous.

Agenda Item 7: Speed Limit Recommendation Secondary 222 – Barrett Hospital Area

Dwane Kailey presented the Speed Limit Recommendation for Secondary 222 – Barrett Hospital Area to the Commission. We were requested to look at the speeds there due to the hospital complex south of Dillon. When we were initially requested, we tended to agree with the request and established an interim speed zone in there. Based on our investigation we do believe the speed does need to be reduced in and around the hospital. With that our recommendation is a 45 mph speed limit beginning at station 14+50 and continuing south to station 34+50 an approximate distance of 2,000. So in essence we are extending the 45 mph zone to incorporate the approaches for the hospital. Commissioner Howlett asked about the Commissioner's recommendations on a no passing zone and solid yellow line - is that something maintenance can do? Dwane Kailey said they would look into that and act appropriately.

Commissioner Griffith moved to approve the Speed Limit Recommendation for Secondary 222 – Barrett Hospital Area. Commissioner Lambert seconded the Motion. All Commissioners voted aye.

The motion passed unanimous.

Agenda Item 8: Speed Limit Recommendation Secondary 235 – Valley Center Drive

Dwane Kailey presented the Speed Limit Recommendation for Secondary 235 – Valley Center Drive to the Commission. We recently rebuilt a major section of this roadway. Based on that, the Gallatin County Commission has requested that we investigate the speeds with the intent of raising the speed from the existing 45 mph. We have conducted an investigation and based on our findings we recommended a speed limit of 50 mph. We presented that to the Gallatin County Commission for their review. They have sent us a letter stating:

“While we are not in complete agreement amongst ourselves, we settled on a counter-recommendation of 55 mph particularly in the area from the intersection of Love Lane to the intersection of Jack Rabbit Lane.”

If you look at the map you can see that our investigation actually went from Secondary 235 on the east end all the way to Jack Rabbit Lane on the west and Love Lane is in the middle of that. The reason I point that out to the Commission is that the statute is fairly clear that MDT should not be and cannot be raising a speed limit without the concurrence of the local officials. Therefore I'll read our recommendation, but my recommendation to the Commission would be a little bit different. When we got this and drafted the Agenda Item our recommendation was “a 50 mph beginning at the intersection with Jack Rabbit Lane continuing east to station 13+00, 300 feet east of the intersection with Cutoff Road an approximate distance of 4.4 miles.” When I further read the letter from the county I was concerned about the ambiguity or the vagueness in their concurrence. It's not totally clear whether or not they concur with the 50 mph proposed speed limit between Secondary 235 and Love Lane. Based on the statute I am nervous about recommending that the Commission go ahead and adopt that. With that we have a fair number of members from this area that want to speak to the Commission on their opinions relative to the speed study as well.

Commissioner Howlett asked Tim Reardon for his opinion. Tim Reardon said I think the letter is a little bit vague. We don't always have to have unanimous concurrence from the County Commissioners in order to support a change if you get a majority vote. It's the way the process is set up to work. I think there are a couple of things at play here. We don't know the reasoning behind the descent in support of 55 mph, we don't know if they are supporting 50 mph the current speed or a different speed. We're trying to get to the basis of the descent. Is there a reason we are not aware of. The Engineers can do the studies but there are other potential factors out there to be taken into consideration. We don't know what the public involvement was although MDT has received a number of concerns from local citizens. I don't know if those concerns are all in opposition or in support. The other thing that's a little bit confusing is in the study there was a comment that one of the reasons against the 45 mph speed limit was the extra law enforcement. The kinds of things you rely on continuously to make your decision is if you set it lower and it's not enforced, it doesn't mean much. This is one of those rare occasions where you're being asked to raise it. It just seems to me that it is a little bit confusing and it is within your power to raise it and follow the staff recommendation but all I've heard from the staff recommendation at this point is to get more information.

Commissioner Howlett said we can either accept the staff recommendation, we could hold it in abeyance, or we could leave it alone. Tim Reardon said they always have the authority to leave it alone. You have 120 days after the study is complete to take some formal action, that's what the statute says. I don't know the date the study was completed but it is 120 days after it's submitted to the Department is the way the statute reads. Commissioner Lambert asked if we decide we wanted more information is the study not completed. Tim Reardon said the study is complete. I'm hearing that within that window of 120 days you can request additional information. Commissioner Howlett invited those in attendance to speak to the Commission.

John Harkin

I live at 37 Berry Court. My house is about 200 feet from Valley Center Road. I drive the road probably twice a day maybe more. I'm in favor of keeping the speed limit where it is. I think that increasing it is going to make it much less safe and I think safety is a very important thing. The section I drive from Love Lane to the underpass has about 60 entrances either some farm roads and streets and some driveways. I see people trying to pull out of those streets and at 45 mph it's kind of difficult at times but at 50 or 60 mph it would even be much more difficult and much less safe. I feel strongly that the speed limit should not be increased. Thank you for hearing me.

Annette Syverson

I live along east Valley Center Road on the west end of Wiley Creek. We're right next to Love Lane. I not only oppose the speed limit increase but I cannot endure one more mile per hour and one more decibel. The speed limit is already too high in the most congested part of this road. In all the media attention, I've not heard anyone talk about the effect on the people who are living along the road. This is our backyard. We have over 700 homes, 70 of them are right along that road. Most of them without a berm or any kind of protection. We cannot carry on a conversation in our backyard; we have to stop every time a truck goes by. I cannot talk with my husband at breakfast. A higher speed limit would make it intolerable. This is not just commuter traffic we're talking about; there is a tremendous amount of truck traffic. There are 50 trucks per hour going past our house. These are not UPS Vans or light-duty vehicles, these are gravel trucks with pups, cement trucks – 98% of the trucks are these heavy duty trucks. There are a handful of businesses and at least three sand and gravel companies and one cement company that I'm aware of. So you're talking about 40% to 50% are non-commuter traffic that is heavy trucks. According to your planning guide about land use planning, noise guidelines, one truck gives the noise of 28 cars. So that is equivalent to 1,500 cars going by our house, 150 every hour – not just in the morning or the afternoon but all day long, all summer and spring and fall. I have decibel meter and when I stand with that meter on my back deck, we get noise from the trucks at about 70 decibels. That is twice the recommended noise that you are striving for in your communities. Our backyard is 180 feet from our road; the poor people in Valley Grove are about 60 feet away from the road thanks to the road improvement. Based on your data once again extrapolating, that would add another four or five decibels. Now I wonder if you're getting to a point where you need noise abatement. I don't know but why bother when all you have to do is to contain the speed limit.

You also have to consider too that when you did these improvements you have this nice walkway and you put in five cross walks, these heavy trucks do not stop for these kids, the cars don't stop for these kids. They are probably afraid they will get rear-ended. You take a 35-40 ton truck and you've got these crosswalks, it is a recipe for disaster and if you increase that speed limit, I just don't know. Why push that?

Clive Park has a population of 291, Wilsall has a population of 178, Twin Bridges has a population of 382 residents. These and many other small towns sit along major highways, not Secondary highways, but they have a speed limit of 25 mph in the populated section. With over 700 homes our population is close to 2,000 residents. It is inconceivable that you are considering raising the speed limit not lowering it. When you are talking about what the speed is capable of and what people drive, you have to consider this community and the people who walk across this highway. You're talking about saving a few seconds for people driving through versus these people's lives.

Michaëlle Entringer

I live in Valley Center Subdivision. I am the first subdivision going west from Bozeman. I live 130 yards from that underpass turnoff. My section of road is the only section on the entire thing that has a sidewalk, curb, and turn lanes. Unfortunately the turn lanes would be a good idea except for the entire 130 yards of the turn lane is designated for the left-hand turn to go under the underpass. I sent a letter and I sent pictures of google maps but this is the best description of it. She handed the map to the Commission. I live on a dirt road where we just recently got a 25 mph speed limit because the default was 70 mph. As you can see there is no turn lane to turn here. It's all designated to go to the underpass. That's 393 feet designated for a turn lane to go under the underpass. That's a car dealership where those cars are parked on the right-hand side; that's where their customers park. In the wintertime when there is ice and snow on the roads, at 45 mph we have people almost rear-end us. We have nowhere to go, they have nowhere to go. You turn onto my gravel road that is only 20 feet wide and its 25 mph, you're asking people to speed on my road just to get out of the line of traffic.

We have multiple bus stops all along Valley Center from start to finish; we have cars pass the buses even with their stop signs out. We're asking our kids to cross the street at 45 mph with cars and trucks coming down. What are we saying? We expended Valley Center because of the extra traffic because of all the housing developments. My subdivision has been there for over 30 years. So we expanded the highway to allow for the extra cars but we want to raise the speed limit. That doesn't make sense to me. We increased it so we don't have the congestion and the backup because it's 60 mph from 19th to the underpass. That speed limit is 60 mph. They don't slow down by the underpass; they don't slow down until they are way down by Wiley Creek and then they just pick it back up.

We have farmers that have their cattle going across and their equipment that goes across, it's not the time to raise the speed limit through there just to save a few seconds of drive time. If they want to go faster, the highway parallels Valley Center and it parallels frontage so they can take the highway to get to Belgrade if they're in a big hurry.

Commissioner Howlett said he would pass the map onto the Department – it seems there is some engineering issue there related to the left-turn lane. He asked the Department to take a look at that. Michaëlle Entringer said I have another photo for you, if you look further down there is a huge storage facility and they don't have a turn in to it and there's plenty of room there and that storage facility could have a turn lane into it as well. Commissioner Howlett said he would pass that on as well.

Sarah Thelan

I'm a resident of Valley Grove Subdivision right off of Valley Center. A lot of concerns already mentioned are those that I share as well. I have three young children and I'm concerned about how they are going to cross that street. You're encouraging people to take the crosswalks but I know of no other roadway with speed limits in excess of 45 mph where you have unmarked intersections where kids

and joggers are going to try and cross. I'm a reasonable person and I understand keeping the flow of traffic up and trying to get people through in an efficient manner but I just don't think this is the right spot. Commissioner Howlett asked if the crosswalks were signaled. Sarah Thelan said no and I think that makes a big difference. Also on the way home from work every day I'm always peeled to my rear-view mirror making sure no one is going to rear-end me and there's no turn lanes; it's just not the right set up and it's not conducive to changing the speed limit. Thanks.

Daryl Marx

I live at 1365 Valley Center. We're more on the farming end of it. We're up and down that road with our tractors and equipment every day in the winter. Nobody knows what a left-hand turn signal on a tractor is. My Dad's been almost hit numerous times because people are going too fast. If you look behind you there's nobody there even at 45 mph, you go to turn and there's somebody right beside you. My son starts school next year and I don't want him crossing that road because any faster and it's going to be worse. My nephew has almost been hit multiple times crossing the road to get on the school bus. It's not a good time; it's not set up for a faster speed limit. Thank you.

Suzette Harkin

I'm a resident that lives right on the street. I'm also the President of the Wiley Creek Homeowner's Association and the Board has asked me to speak on their behalf as well as my own personal behalf. The Wiley Creek Subdivision is not for the increased rate of speed. They would like it to remain the same. For all the reasons brought up – for turning out onto the road and for the real concern about being rear-ended on the road from distracted drivers. The Wiley Creek Homeowner's Association is appreciative to the Highway Department for improving the road. In the past, if you were distracted and veered off to go around someone you didn't realize had stopped or you saw a person close to the road, you would veer off the road in zero seconds and now it's down to about .25 seconds before you would veer off the road. So the road is much improved but it still doesn't seem that's near enough time to get off the road safely to prevent an accident.

I'd like to give you a picture also – this is a picture of the new pathway which is being well-used; there are a lot of people using the path. You will notice how close it is to the road. While the path is being used by bicycles and pedestrians and runners, you would be off the road and onto that pathway in no time at all. The residents in that area really hope that you take into consideration that people who are complaining about speed traps and about being given tickets, they are speeding on the road. The police really do not enforce that until they are 10 miles over that 45 mph speed. We are hoping you keep it at 45 mph. Commissioner Howlett asked if she thought that if the speed limit was raised to 55 mph that people would drive 65 mph. Suzette Harkin said yes; they already drive 65 mph. Whatever you raise it to people will go 10 mph over that.

I think one of the best letters written to you was from Mark Washapell who has been a policeman in our area for 28 years and lives along that road also. He's investigated a number of deaths along that road and he really believes that if you raise it they will be investigating more deaths and it will be the neighbors and their families. He's been rear-ended once himself along that road.

Tom Keck

I live at 411 North 3rd in Bozeman. I'm here representing myself and my wife. We have family that lives on both the north and south side of Valley Center Road. I'm also representing a local non-profit organization called Collin's Coalition that among other things is committed to improving the safety of bicycle and pedestrian

transportation in memory of Collin James Keck who died when he was struck by a truck on a road that was a shared use road. So this becomes a very personal matter as well. We're all in a hurry, I get that. We have things to do and we want to get down that road really quick and I can be as bad as anybody else. But this whole issue is actually a question of perspective. If your focus is on yourself getting to work, you look at this road and think I could drive quicker on this road. I can endanger myself by driving quicker on this road but when you start looking at the people around you and the safety of the larger community then you reach a very different conclusion. If I was going to argue anything, I'd argue the speed limit should be slower. I submitted a document to you and I will not belabor a whole lot of points but I will go through them quit quickly.

There are a lot of subdivisions out there and there are a lot of young families in those subdivisions. At some point those kids will find their way out to this roadway. If you increase the speed, you increase the hazard. I drove out and marked down all the side streets that come in there. There are 24 side streets that enter onto Valley Center Road between the underpass until you get to Love Lane. There's a lot of local traffic trying to get in and out of that road. Raising the speed limit does not help that.

There's the question of five crosswalks. What you do at a crosswalk when there are no signals on that road. These are uncontrolled intersections. What do you do when you walk out onto that crosswalk and there's a truck going by, are you going to think they are going to stop? If someone is in a car and stops for you, what's the likelihood they are going to get rear-ended and that's not too safe for you either?

Whether we like it or not there will still be bicycles on the roadway. They will ride on the roadway because the shoulder is rougher asphalt so they ride on the white line right on the edge. The roadway is 12 feet wide per lane and there's not enough room for traffic to go around that bicycle without moving into opposing traffic. The rumble strips on the edge actually create somewhat of a hazard for the bicyclists. There's a beautiful wide shoulder but ... Commissioner Howlett asked if they put rumble strips in a residential area? Tom Keck said yes. That whole length of the upgrade has rumble strips separating the shoulder from the traffic lane. If there was a bike path in there they could be completely off the traffic lane but at this time they will hang on the white line.

The shared use path is one side of the road. A large portion of the subdivisions are on the other side other road. So we've created a situation where bicycles, pedestrians, and children have to cross this road to get to the shared use path. There's about a two-foot separation with grass between the roadway and the separated path. The path is a big improvement from no path for sure but the path itself is lower than the road surface so that when you walk on it you're actually looking at the tires of trucks going by you. That's not what I would consider the ultimate solution out there.

Large trucks – I didn't realize there were that many large trucks out there. That is a huge safety issue for any at-risk group whether we're talking bicycles, pedestrians or children. Any interaction between large trucks and someone on a bike or on foot has the potential for a fatality; there's no doubt about that. If we increase the speed limit we will be encouraging those trucks to use the road more because it is a little bit quicker. It's a very minimal increase in the amount of time to get you from point A to B still the thing that drives it is if I can get to where I need to go 20 seconds quicker if I go this way.

Then there's the question of traffic lights. If you increase the speed limit then the traffic light becomes more inevitable for people to get in and out of these subdivisions. A traffic light is going to cost people a whole 45 seconds to a minute's time to get from point A to B between slowing down and waiting for the light and speeding up. So we're saving 20-30 seconds to go down this roadway and we've

increased the likelihood that next year we'll be putting in a traffic light after something bad happens and we will have lost that time.

Thank you very much for considering safety in your decision. My recommendation is that the speed limit be slower not faster. I was under the opinion that MDT's proposal was 50 mph to Love Lane and then retaining 45 mph after that. So the last three things on my list relate to that idea.

Bill Marx

I've lived on the same farm on Valley Center Road for over 60 years so I've seen a few changes. As the gentleman just stated I thought they would up it from Love Lane to Jack Rabbit Lane. I would ask that you not do that. I would rather see everything stay the same. I'd like to get a mental picture in your head – we feed cattle all winter and we go on that road; we have to be on it. I make a lot of left-hand turns. Just picture this - you've got your tractor, the lights work, you've got lights on the bale feeder behind you, the turn signals work, I've got SMV signs, you're going 16-17 mph down that road, you look back and there's a 100,000 pound cement or gravel truck rolling right up on top of you. That's a nerve racking day. They don't care and when they get from me to you they will finally slow down. Seven times last winter ... I've got mirrors and I see somebody quite a ways back, turn the turn signals on, start the turn and they are right beside me. I've had to jerk back to miss them. They don't understand signal lights on a tractor.

As far as the walking path, my wife takes care of our four little grandchildren twice a week and it takes her at least 15 minutes to get across the road waiting for a break in traffic. Those kids love going down the path and she likes taking them down it too but it takes at least 15 minutes every time to wait for the cars to go by to where there's enough of a lull to get across. If you raise it, I don't think she will be able to use the path. I feel like if you raise it, somebody is going to nail me. I've had people go around the right of me, or come to the left and other people are coming – they're nuts! I'd like to recommend that you leave it alone. If you leave it the way it is I think it is okay.

Commissioner Howlett asked Lynn if the road was on the Urban Route. Lynn said Valley Center is a Secondary Highway. Commissioner Griffith said it would be eligible for a safety project. Commissioner Howlett said we just rebuilt it. Valley Center is a wide well-built street. It was narrow with steep ditches on each side. Commissioner Griffith said he was concerned about the pedestrian crossings. Maybe we could put some kind of lighting on it. Dwane Kailey said the Department would definitely take a look at it based on the comments we've heard today.

Douglas Syverson

I live at 31 Candlelight Drive right next to the road. When you talk about cost benefit analysis and basically that's the idea of what do you have to gain versus what do you have to lose? If you look at the four miles of road here and you raise the speed limit five miles per hour, you're going to save a half a minute in driving. I'm going to talk about where I live. I live east of Love Lane and I don't think you really understand how busy this area is. If you go the 2.2 miles from Love Lane to the underpass you'd save about 18 seconds. In that 2.2 miles you have about 700 homes and about 2,000 people. In 500 of these homes the only access they have is on Valley Center Road. Those people are coming out with no stop lights, nothing. They have to wait for traffic every day. It has been mentioned that we have a whole lot of truck traffic coming down that road. We have about 14 farm turn outs in that area, we have street turn outs, 25 house driveways, five pedestrian crosswalks that have little signs on them but believe me nobody pays any attention to these signs, then we have the pedestrian trail that goes the entire distance. High speeds and high populations

aren't really a good combination. You can come up with reasons to lower the speed limit but you can't come up with any reasons to raise it.

Let's look at some of the arguments in the paper from one of our County Commissioners. First of all it's a nice road – well there's lots of nice roads courtesy of MDT and the final decision is not the road itself but it is based on some other factors, the population, the traffic density, how many people you have coming at any given time. Secondly, one of the issues raised was why we need to raise the speed limit – it's because it's a speed trap. Well there's nothing like changing the law if you don't want to get caught breaking it. Now we've already discussed the speed savings and time savings and basically they don't amount to anything and you're not saving that much time and you're putting a whole lot of people at risk. If you're talking about raising the speed limit and making some mitigation as far as right turn lanes and spending money on traffic lights and the whole routine, you've already come up with a pretty artful compromise at 45 mph. Admittedly there are some places east you have 65 mph but there's nobody around there. If you go west of us it's 45 mph and there's a lot of farm traffic out there. Where we are there's a whole pile of people and it's 45 mph. Keeping that whole area at 45 mph is a pretty nice consistent thing and you're not raising and lowering speed limits. It's a pretty artful compromise. You did well in the first place. So maybe that's a good place to start. Thank you for listening to me.

Commissioner Griffith said about a year and a half ago the Sheriff called me and said we will lose lives on Huffine Lane. So I had Lynn look back and look at all the fatalities and crashes that we had on Huffine Lane so I brought to the Commission a recommendation to lower Huffine Lane absent a speed study just because it was the safe thing to do on our highways. The purpose of us building wide roads like Valley Center is to move traffic better and do it safely. I can't see increasing the speed limit on this zone and it is my recommendation to the Commission that we keep the speed zone the same then we don't need to have this issue before us again.

Commissioner Howlett thanked the audience for the input. Citizen participation is always welcome. We care about what people feel; we care about how our roads impact you, so thank you for coming in.

Commissioner Griffith moved to retain the current 45 mph speed limit on Secondary 235, Valley Center Drive. Commissioner Skelton seconded the Motion. All Commissioners voted aye.

The motion passed unanimous.

PUBLIC COMMENT

Cary Hegreberg, Montana Contractors Association

We need to figure out ways of doing more with less. The fuel tax as you know has not been raised in some 20 years. Cars are getting more fuel efficient all the time. We're seeing hybrid cars on the road, we're seeing electric cars on the road, more fuel efficient so they are consuming fewer gallons of fuel and consequently paying less in fuel tax. Correspondingly all of the costs of building and maintaining highways have gone up for 20 years and will continue to go up. The cost of engineering and designing goes up, the cost of acquiring right-of-way goes up and certainly the cost of construction goes up. We all know what's happened with diesel fuel, asphalt, oil, cost of equipment and of course labor. So what are we going to do to maintain and continue to build highways?

I've passed out a report that the Contractor's Association has cooperated and commissioned with TRIP (The Road Information Program). Those of you who are familiar with AASHTO or have attended AASHTO meetings have undoubtedly heard of TRIP. It is a national organization that has worked cooperatively with our parent organization and its chapters throughout the United States in many, many states to produce these types of reports that describe for the public and elected officials and decision makers essentially the condition of roads, bridges, and transportation systems in the various states. The report has not been officially released yet. We are hoping to hold a press conference in the state in the next several weeks and we ask that you not distribute the study until then; it is essentially embargoed for the time being and if you would honor that we'd appreciate it. I want to thank Director Tooley for his leadership in helping craft or at least get a report that the Department is comfortable with. It was very important to us and the folks at TRIP that the Montana Department of Transportation be comfortable with the data that is contained in this report.

Commissioner Howlett said because this is a public meeting and everything we do here is public, maybe we should give these back to the Department at this point and when you release it, you can then release it to us. If we're asked about issues brought up in this public meeting and we say we will keep it confidential, that isn't going to look so good. So to be on the safe side I think we should say that when it is released we can take a good look at it. Commissioner Griffith asked if they could read it and give it back. Commissioner Howlett said he wanted to make sure they were in compliance with the public meeting. Cary Hegreberg said there is nothing in it that is a secret; it is simply a matter of wanting to get it released. Commissioner Cobb said he would like to know the breakdown statewide – the report did not break down what the state maintains versus what locals maintain. My concern is that it didn't show the maintenance broken down between the State versus local. Commissioner Howlett said he wanted to hold the broad discussion after the report is released to the public.

Cary Hegreberg said they would be releasing the report formally and each of you will get a copy at that point. Commissioner Howlett told Cary that however the Commission could help him find ways to get more resources to do more work we're committed to doing that. We keep stretching this dollar further and further and at some point there are things we can't do. I don't know what the solutions are but I look forward to future discussions on how we might be an active partner with you in talking to the Legislature. Cary Hegreberg thanked the Commission and said once they formally release the report that the Commission entertain the idea of perhaps approving a Resolution urging the Governor to address this issue when the administration puts the budget proposal forward for the 2015 Legislature. I think that is within your purview. We don't have a silver bullet; we know how the public feels about fuel tax increases and we're certainly cognizant that is a tall order to try and get legislative approval for. We've seen many of our adjoining states pursue general fund appropriations either on a one-time or on-going basis to augment fuel tax funding for highways and we think it is time the State of Montana take a look at the options that are available in terms of other funding mechanism.

Commissioner Griffith said I assume this is looking at it from more of a state-wide perspective and I think we need to look a little more globally at what we can do nationally to keep an integrated system of roadways in the nation of which, I feel personally, that an increase in fuel taxes are a necessary thing as long as they are placed in a trust and the trust is going to build roads and infrastructure. I would be happy as a single Commissioner to put that message out and I'm happy to be involved with whatever you guys have going as long as it meets that message criteria.

Dwane Kailey said the Department is going through a number of initiatives to try and do more with less from Asset Management to a whole host of initiatives. We are constantly looking at revising our processing to do more with less. Commissioner

Howlett said there is a pedestrian crossing going across the Interstate to the other side but don't we have one on the bridge out here? Dwane Kailey said yes they did build the pedestrian crossing over the Interstate. It was part of the EIS for this greater corridor and we had programmed a project to build the underpass out here as part of a separate project on its own. We believe it provides separate utility over and above this crossing out here because of the development that's going on south of town and the main generator Walmart. We do believe it will provide independent utility and I believe it is in Helena's greater Transportation Plan as part of their transportation system as well. Commissioner Howlett asked if it was part of CTEP money. Lynn Zanto said no, it was core funding. As Dwane mentioned we did that EIS corridor study when the South Helena Interchange was built, the Custer Interchange, and Capital Interchange modifications and this was one of the recommendations for that. Commissioner Howlett asked if it was a Red Book item. Lynn Zanto said it was an old project; we've had it programmed for quite a long time. Dwane Kailey said it was a Red Book item. Commissioner Howlett asked if it was done. Dwane Kailey said you've already approved it all the way through the letting process and the project is nearing completion. I believe the crossing is open but I don't believe it is fully completed. Commissioner Howlett said we have trouble getting a crossing anywhere yet in the Capital we have two less than 1,000 feet from each other. Dwane Kailey said it may seem that way but when we analyzed this it did provide independent utility because of the development going on south of town. It's a major connector between Walmart and the hospital as well. Commissioner Howlett asked if Walmart or the hospital contributed anything. Dwane said no they did not. Lynn Zanto said the trailer court has children who go to Smith School and it's another safe access for walking and biking to school. Commissioner Howlett said we struggle with crosswalks; Kevin had to really work hard to get the walking path over 93 and it just seems that two within a short distance is a lot.

Agenda Item 9: Letting Lists

Dwane Kailey presented the Letting Lists to the Commission. It is presented for your review and approval. I will caveat this recommendation – we had to build the letting list prior to the TCP meeting so staff's recommendation at this point in time is that you approve the letting list as presented with the understanding that we will amend it to be in conformity with the decisions made over the last two days and approved this morning. So they will be in conformance with the TCP as approved.

Commissioner Cobb moved to approve the Letting Lists. Commissioner Skelton seconded the Motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 10: Certificates of Completion August 2013

Dwane Kailey presented the Certificates of Completion for August 2013 to the Commission. This is presented for your review and approval. Commissioner Cobb asked about the difference in the bid amount and the final amount – is the difference because of change orders we already did or is it something else. Dwane Kailey said the changes can come from a variety of reasons and change orders can be a part of it but we could actually over-run or under-run quantities; up to a certain percentage does not require a change order. Commissioner Cobb said some of these are \$200,000 or \$300,000 more. Dwane Kailey said in that magnitude it would be change orders that you have already approved. Commissioner Howlett asked if the list provided an explanation. Dwane Kailey said he would work with staff and see what we can add to the report to help answer those questions.

Commissioner Lambert moved to approve the Certificates of Completion for August 2013. Commissioner Griffith seconded the Motion. All Commissioners voted aye.

The motion passed unanimous.

Agenda Item 11: Project Change Orders August 2013

Dwane Kailey presented the Project Change Orders for August 2013 to the Commission. They are presented for your review and approve. Commissioner Cobb said there were a couple of change orders to increase traffic control to the quality required to complete the work. What does that mean? Dwane Kailey said they make an estimate when we let a project and typically it is about 8-10 percent of the contract then we adjust that based on the type of work we see, however, as the contractor comes in and begins to do that work, that traffic control may adjust over the life of the contract. This is reflecting the actual quantity used for the contract and ultimately done for that project. In this case it's actually been increased to an additional \$135,000 for Clearwater Junction North. Commissioner Cobb asked a question regarding the Great Falls District. There is a \$400,000 increase on a \$100,000 project to increase a commercial plant mix – am I reading that correctly? What is going on there? Dwane Kailey said we're adding \$75,000 for the commercial plant mix. In total we have added \$445,000 in change orders onto this contract. Commissioner Cobb asked what was going on there. Dwane Kailey said he was not familiar with the project but he would get the answer and report back. Commissioner Cobb asked about the contaminated soils project – how much are we adding? Dwane Kailey said the change order amount for the contaminated soils is \$567,000. Commissioner Cobb asked what was contaminated about the soils. Dwane Kailey said typically what we run into is old fuel storage tanks that have leaked and when we go in and build a road we encounter that soil and have to remove it.

Commissioner Howlett said they ran into contaminated soil a few years ago in Polson and it cost about half a million dollars to take out the contaminated soil for one building. It's really expensive! You have to dig it out, haul in new stuff, and compact the new stuff. Dwane Kailey said that was correct. We actually have to haul it to a designated site; you can't just haul it to your standard dump. Commissioner Lambert asked if there were any designated spots in eastern Montana. Dwane Kailey said I'm not familiar with them but I'm guessing there are but I don't know where they are. It depends on the type of landfill. Commissioner Griffith said it depends on how developed your landfill is, our landfill takes some of the contaminated soil and they land farm it, but depending on whether contamination is something besides fuel, they may not be able to take it. If the contamination is dry cleaning stuff, it has to go all the way across the state to find a place that handles that type of soil. It all depends on what the type of contamination. It's usually fuel and some landfills are equipped to handle fuel.

Commissioner Lambert moved to approve the Project Change Orders for August 2013. Commissioner Skelton seconded the Motion. All Commissioners voted aye.

The motion passed unanimous.

Memorial Highway Signage

Tim Reardon said if you recall in Missoula I volunteered to draft a policy for your consideration. Director Tooley brought a request to you and you've been getting a number of requests for signing particular roads and bridges for someone who has been killed in an accident on the highway. The requests come from family members, law enforcement, veteran's groups as well as other groups that want to designate an area of the highway. I have a policy drafted but we're still struggling trying to figure

out how the fees would work. In looking at other states, and there are many states that actually have statutory authority that controls this process, they all have a fee structure and the signs are generally standard signs. For example someone who is killed in a crash involving a DUI driver, the sign is basically prepared by the state; they all read the same way and usually say something like “John Dow victim of DUI driver 10-31-13” or words to that effect. Those are pretty easy to figure out and maintenance is going to try and figure out what the fee would be for installation costs. So we’re not quite there yet.

The bigger issue would be the signs that are not necessarily memorial signs but commemorative signs of some historic significance – how big would they be, how to price them, where to put them, etc. I ask your indulgence to be able to bring this back to you in January. I’ve got one of my lawyers looking at whether we should do this by administrative rule, at least the fee structure portion. We’ve never charged anybody to my knowledge for these signs. This would be a pretty significant change for some families. We do have two requests pending right now; one is from a family requesting the sign and the other is from a veteran’s group that is looking for a sign designating a portion of 287 from Helena to West Yellowstone as the POW/MIA Route. There’s always going to be some emotional components to this. Whether the Commission and the Department chooses to actually charge a fee, there is a cost incurred. I included it without a number; I still don’t have a real good feel for that. So I’d like to hold off until January.

Commissioner Howlett said we’ve had this discussion before particularly with the memorial markers. In fact I think I raised the issue because of my son’s marker on I-90 at Warm Springs. But then came the issue of the white crosses and I thought we resolved that. Tim Reardon said I think we have resolved it at the moment. The draft to this point would be that it would not be a substitution for the White Cross Program which would continue independently. That is an American Legion program and they’ve been to this Commission several times to support their program. My intent would be to do this separately; to make this an independent program. Commissioner Howlett said he personally wouldn’t want to see us charge people because I just don’t think that’s right. Tim Reardon said when the Legislature has directed us to do this it is done at state expense; the Department does it at their expense. The other thing I would tell you is with commemorative signs it would be reasonable to look at Rest Area location because they could get pretty big. We have historic markers throughout the state and we put those up in Rest Areas or pull outs. So we’re still trying to finalize how to make this work reasonably.

Commissioner Griffith said he thought the individual single sign doesn’t seem to be a problem. I agree with Kevin that we should not charge for that. When you talk about a route, in my mind, it sort of talks about multiple signs in multiple locations to remind people so it may be a bit different for that. Tim Reardon said he agreed; how many signs do you need. If you have a beginning point and a terminus, do you put one sign at each spot? The other area of concern would be the Interstates – putting more signs on the Interstate is not necessarily a good idea and probably would be subject to some oversight from Federal Highways. Those signs get more expensive because they are usually bigger, the installation is at a much greater cost, and there are some very stringent specifications as to materials and how those signs are installed. Commissioner Griffith said his specific recommendation would be to do it at a Rest Area where the sign means something because you could further expound on the person’s service or say something about the person rather than just a name. The White Cross is a different program that is just a cross and a marker. The ones where we’re trying to name a highway, Rest Areas are perfect locations and we have space at most of them to be able to do that kind of thing. I would encourage you to try and look at that as a policy. Tim Reardon said that is the kind of information we’re trying to gather. I’ve also received some editorial from Lynn and others.

Commissioner Lambert said don't we have to coordinate this with the Legislature? As a former Legislator we designated many chunks of road in memory of somebody or some group. At the point the Legislature designates it the state automatically pays for it. How do we do that? Tim Reardon said the statute clearly gives the Commission and the Department control over the highway which would include the signage. We've encouraged some applicants to go to the Legislature because it provides a bigger forum and a greater opportunity for public participation. We've encouraged most of those folks to go that route historically but it's not required. You have the authority should you choose to exercise it. Your policy could be as simple as "anyone wishing to have a sign should go to the Legislature" but you get a lot of sign requests and the Director gets a bunch of sign requests which is the reason we initiated the discussion about drafting a policy to begin with. Commissioner Howlett said clearly they've handed that off to the Commission; they probably don't want those going back to them but people always have that option. We look forward to having you present a draft in January.

Director Discussion & Commission Updates

Memorial Highway Designation

Director Tooley said regarding what Mr. Reardon brought forth I want to talk a little bit more about memorial signage briefly. I was contacted in September by Mr. Dick Juvick asking for the Department of Transportation to designate Highway 287 as a MIA/POW Route. Following our discussions in July and again in September, I suggested that the Commission seemed to be a little bit more amenable hearing from a larger more recognized group like the American Legion as opposed to an individual. Mr. Juvick took that information and went to the American Legion and now you have a Resolution in front of you. I attended the meeting that day at the American Legion just to hear what the conversation was and there was quite a bit. It's obviously very important particularly to those from the Viet Nam era; very emotional. They past the Resolution and took it to their state-wide meeting this past weekend and past it again. So we're kind of in a no-man's land right now in between how things have been done and a policy. In the meantime I brought a copy of the Resolution for you to consider. I'm not asking for any specific action at this point. If you would like to wait for the policy, that's great but if not, you already have the authority to do whatever you chose to do with this request. Commissioner Howlett asked if there were any other competing desires for naming this highway. I know we've designated some different pieces of highways including Hwy 93 and some portion of I-90 down by Columbus over the years. If there are no competing requests for this I think that recognition of Viet Nam era veterans is long overdue. I think we owe that to the people who sacrificed and those who didn't come home as well as those who are here and have bad memories of that time. I don't have any problem granting this. We have the authority to do it. Then moving forward in January with Tim's recommendations we will have a policy. So I would entertain a motion to do that.

Commissioner Skelton moved to approve the Designation of Hwy 287 as the MIA POW Memorial Route. Commissioner Lambert seconded the Motion. All Commissioners voted aye.

The motion passed unanimous.

Director Tooley said I am a member of the Post where this occurred and I'll be happy to attend the second meeting I've ever been to and report the Commission's action. Commissioner Howlett said he should be a welcomed guest at the meeting. I think you serve that organization quite well. This Commission continues to be appreciative of the service of our young men and women who defend our liberty every day. Lynn Zanto said the Department tries to keep a map and tracking of

special route designations and I'll bring that back to the Commission at a later meeting.

Red Book Process

Thank you for a very good Red Book meeting and thank you for being inclusive. The next process starts tomorrow and I'd like to see the involvement of our staff and the Commission continue from this point forward. It's been a really good year.

Government Shutdown

We weathered the government shutdown pretty well here. We were prepared to advance construct if necessary but that didn't become necessary. So MDT is in good shape. We're continuing the plan you've approved and will continue to do that. Thank you.

Chairman Howlett thanked the Commission for their indulgence over the last three days. I wish you well and a happy holiday season. We will meet again in December. We have a conference call in another week or so.

AASHTO Resolution

Commissioner Howlett said the comment Cary Hegreberg made about additional funding, it would seem appropriate to put the AASHTO Resolution on the record. That was handed to me in our work session, so it didn't make the Agenda but I'd like it to be a part of this meeting. Director Tooley said going back to Mr. Hagreberg's issues, he and I have had conversations about that and I'd be more than happy to visit with you about that. Commissioner Howlett said this is now a public document so you can share it and visit with the locals about where we're planning to go the next five years.

Adjourned

Meeting Adjourned

Commissioner Howlett, Chairman
Montana Transportation Commission

Mike Tooley, Director
Montana Department of Transportation

Lori K. Ryan, Secretary
Montana Transportation Commission