

# Montana Transportation Commission

September 17, 2014 Meeting  
West Yellowstone, Montana

## IN ATTENDANCE

Kevin Howlett, Transportation Commissioner, Chairman  
Rick Griffith, Transportation Commissioner  
Barb Skelton, Transportation Commissioner  
Carol Lambert, Transportation Commissioner  
John Cobb, Transportation Commissioner  
Mike Tooley, Director MDT  
Pat Wise, Deputy Director MDT  
Dwane Kailey, MDT Engineering  
Jeff Ebert, MDT  
Duane Williams, MDT  
Tim Reardon, MDT  
Lynn Zanto, MDT  
Paul Johnson, MDT  
Lori Ryan, Commission Secretary  
Chris DeVerniero, MDT  
Kevin McLaury, FHWA

*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](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 [lravn@mt.gov](mailto:lravn@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.

Commissioner Howlett thanked Commissioner Griffith for the wonderful meal yesterday. He thanked everyone for taking the time to travel to West Yellowstone for the meeting.

## **Approval of Minutes**

The minutes for the Commission Meetings of July 22<sup>nd</sup>, August 22<sup>nd</sup> and September 2<sup>nd</sup> were presented for approval.

Commissioner Skelton moved to approve the minutes for the Commission Meetings of July 22, 2014, August 22, 2014, and September 2, 2014. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item 1: Construction Project on State Highway System Approaches & Turn Lanes on US-87 in Billings**

Lynn Zanto presented the Construction Project on State Highway System, Approaches & Turn Lanes on US-87 in Billings to the Commission. North Pointe Square and Crossroads North are proposed developments located on US-87 (N-16) in Billings. North Pointe Square is a 4.4 acre property that will be developed for commercial/retail purposes. Crossroads North is a 44.8 acre development that will include residential and commercial property.

The developers (for North Pointe Square and Crossroads North) have requested two new approaches to US-87 (N-16) that will provide access to both developments. In addition to these approaches, a traffic analysis report recommends that northbound left-turn lanes be added to US-87 for each new approach.

The city of Billings has provided preliminary plat approval to North Pointe Square. Additionally, MDT headquarters and Billings District staff have reviewed and concur with the recommended improvements.

North Pointe Square and Crossroads North will provide 100 percent of project funding and will be required to complete MDT's design review and approval process (to ensure that all work complies with MDT design standards).

*Summary:* North Pointe Square and Crossroads North, mixed-use developments that include residential and commercial land uses, are requesting two new approaches on US-87 (N-16) in Billings. To mitigate the impact of these new approaches, developers are proposing to add northbound left-turn lanes (to US-87) at each new approach.

MDT staff recommends the Commission approve North Pointe Square and Crossroads North's proposed improvements to the state highway system, pending concurrence of MDT's Chief Engineer.

Commissioner Skelton moved to approve the Construction Project on State Highway System, Approaches & Turn Lanes on US-87 in Billings. Commissioner Griffith seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## ***Agenda Item No. 2: Local Construction Project on State Highway System - City of Shelby Storm Drain Improvement***

Lynn Zanto presented the Local Government Construction Project on State Highway System, City of Shelby Storm Drain Improvement 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 of state and local infrastructure improvements.

The city of Shelby is planning a community storm-water improvement project that will also improve and accommodate drainage along US-2 (N-1) and MT-67 (P-67), both MDT-owned and maintained routes. The majority of the project will address community drainage needs and will be funded through various sources, including a Treasure State Endowment Program grant and storm-water utility bonding.

Per MDT's Storm Drain Policy, MDT may participate in local storm drain projects provided MDT's cost does not exceed the benefit the system will provide to the highway system. MDT has estimated the cost of the benefits to US-2 and MT-67, and has agreed to cost-participate in the city's project in the amount of \$277,900. All other project costs are the city's responsibility. Total cost of the project is estimated at just over \$7 million.

For the segments along US-2 and MT-67, the project will install new curb and gutter (at spot locations), drop inlets, aprons, and lateral connections to the trunk line, and

will make culvert and ditch adjustments. The approximate area of impact along US-2 will be from RP 278.8 to 279.9 and along MT-67 between RP 0.4 to 0.7.

The city of Shelby will administer the project and will utilize consultant services and contractors for design and construction. MDT staff has developed a funding and maintenance agreement with the city describing roles and responsibilities of each party and requiring the city to meet MDT standards and specifications. MDT must approve all plans before the city advertises the contract and will monitor the construction within MDT right-of-way.

*Summary:* The city of Shelby is proposing a \$7 million community storm-water improvement project that will benefit segments of US-2 (N-1) and MT-67 (P-67). Per MDT's Storm Drain Policy, MDT has developed a funding and maintenance agreement with the city for the portions of the project that will benefit MDT's facilities. MDT has estimated the cost of the benefits to US-2 and MT-67 and has agreed to cost-participate in the city's project in the amount of \$277,900.

Staff recommends the Commission approve the modifications to the state highway system and delegate its authority to the city of Shelby to award a storm drain improvement project, pending concurrence of MDT's Chief Engineer.

Commissioner Lambert moved to approve the Local Construction Project on State Highway System, City of Shelby Storm Drain Improvement. Commissioner Griffith seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 3: Enhancement Projects on MDT Right of Way Jefferson School Walks - Glendive**

Lynn Zanto presented the Enhancement Projects on MDT Right of Way, Jefferson School Walks - Glendive 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 design and construction of a concrete sidewalk and curb and gutter in Glendive along the west side of Jefferson School Road (U-5001) adjacent to the Jefferson Elementary School. The 6-foot wide sidewalk would cover 2,400 square feet and the curb and gutter 400 lineal feet.

The total estimated cost for this project is approximately \$55,000. Including this project, Dawson County will have obligated all of the \$437,974 made available over the life of the CTEP program.

*Summary:* MDT is requesting Commission approval for a CTEP project with an estimated total cost of approximately \$55,000. The state will perform a final review of this project to ensure substantial compliance with project plans, specifications, and estimates.

The proposed project has been prioritized through the respective local government processes and is consistent with the policy direction established in TRANPLAN-21.

Specifically, traveler safety and bike/pedestrian features will be enhanced with the addition of this project to the CTEP program.

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

Commissioner Lambert moved to approve the Enhancement Projects on MDT Right of Way, Jefferson School Walks - Glendive. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

#### **Agenda Item No. 4: Highway Safety Improvement Program Centerline Rumble Strip Safety Improvements Districts 2&3**

Lynn Zanto presented the Highway Safety Improvement Program, Centerline Rumble Strip Safety Improvements, Districts 2&3 to the Commission. The Highway Safety Improvement (HSIP) Program makes federal funding available to states 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 an HSIP project to add centerline rumble strips on corridors in the Butte and Great Falls Districts (see Attachment A for specific route and reference point information). Each corridor will be evaluated for appropriate locations where centerline rumble strips could help reduce cross-over incidents (such as head-on and opposite direction sideswipe collisions).

*Summary:* MDT is asking the Commission to approve the addition of a centerline rumble strip project to the Highway Safety Improvement Program (specific locations listed on Attachment A). The proposed project is consistent with the goals and objectives identified in the Performance Programming (P3) Process – as well as the policy direction established in TRANPLAN-21. Specifically, traveler safety will be enhanced with the addition of this project to the HSIP program.

The estimated total project cost is approximately \$3,423,000.

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

Commissioner Howlett asked Lynn to explain the APM Legend on the map. The APM is “accidents per mile”. Dwane Kailey said with the severity of these crashes obviously drifting to the left on the roadway, all it takes is one accident per 10 miles to benefit cost rumble strips. The Legend is showing each and every location where you have at least one accident per 10 miles. So the benefit cost is there to install the centerline rumble strips. We graduated the color – green, blue, orange, red for higher crash rates. Commissioner Howlett said it seems like we’re going to be doing a lot of centerline rumble strips. Dwane said that is absolutely correct. This map shows throughout the state there are a multitude of corridors that would benefit and improve driver safety by installing centerline rumble strips just as we saw on US 191 yesterday.

Commissioner Howlett said part of our discussion yesterday involved ice buildup in the center lanes, could you explain that. Dwane Kailey said our maintenance force does a very good job of removing snow and ice. We have ice slicers, salt/sand mixtures, mag chloride, you name it; we have a multitude of tools to remove ice.

Typically with the centerline rumble strips, any vehicle impacting those will tend to beat that snow and ice out of there as well. So I have full faith that our maintenance crews will be able to keep that snow and ice out.

Commissioner Howlett said another concern they had heard over the years is the issue of noise particularly in residential areas. How is that addressed? Dwane Kailey said Lynn mentioned that while we're identifying these corridors and as we develop these projects, we will be doing public involvement and assessing the corridor. In urban or higher residential areas, we will look at removing or not installing center rumble strips to avoid noise impacts to the local residents.

Commissioner Skelton asked about the cost per mile. Lynn Zanto said she didn't have the cost per mile but the overall estimated cost is \$3.4 million. When we get into project development it will be per mile. We can get that detail to you if you like.

Commissioner Cobb asked how the project would divide District 2 from District 3. Lynn Zanto said we are taking one district at a time which makes sense because of the way the roads divide in certain locations. The intent is to go district by district. Commissioner Griffith asked if the cost comes out of the Maintenance Fund of each District. Lynn Zanto said the dollars come from our Highway Safety Improvement Program which is federal funding specifically for safety to address our top related deficiencies. Commissioner Cobb asked about the sequencing. Dwane said our hope is to get these out in the subsequent year, so our plan is to try to get these out on the ground next summer. Based on public input and issues that we may not be aware of some of them may get delayed but our intent is to get them out next year. Dwane said we want to look at is contractor availability. We haven't done projects this large and we don't know what our contractor availability is going to be. Commissioner Cobb said it is easier for contractors to go right down the line instead of moving around.

Commissioner Howlett asked if this was built into repaving jobs or new jobs. Dwane Kailey said that is correct. As we develop this project we'll look at any projects that are under development in these corridors. If they are under developed, we will add them in but if they are delayed for a couple of years, it is cost effective for us to put them in now even if we are going to repave it in three or four years. It's a huge benefit to get these out there. If we can save even one life on a segment of roadway by having these in for the additional three years, we believe it is in our best interest and the best interest of the public.

Commissioner Griffith moved to approve the Highway Safety Improvement Program, Centerline Rumble Strip Safety Improvements, Districts 2&3.  
Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 5: Bridge Program Projects - Missoula Higgins Avenue and Madison Street Structures**

Lynn Zanto presented the Bridge Program Projects – Missoula, Higgins Avenue and Madison Street Structures to the Commission. MDT's Bridge Bureau reviews bridge conditions statewide and provides recommendations for construction projects to be added to the Bridge Program. At the request of the Bridge Bureau, MDT's Planning Division initiated a Pre-NEPA Planning Study to review the Higgins Avenue and Madison Street bridges in Missoula. Both structures are considered structurally deficient and have decks that are in poor condition.

After a thorough review process (that included extensive outreach to local governmental entities and the public), the study concluded that the most appropriate

improvement option for both structures was major rehabilitation. Thus, MDT's Bridge Bureau is proposing a major rehabilitation project at each location.

As noted previously, local governmental entities support the advancement of these projects. The Missoula Transportation Policy Coordinating Committee (TPCC) gave approval at its meeting on August 19, 2014. Additionally, these projects have been included in the latest amendment to the Missoula Transportation Improvement Program (TIP).

MDT's Bridge Program will fund these projects with Surface Transportation Program (STPB) and National Highway System (NHPB) funds specifically reserved for bridge work.

The total estimated cost for both projects is approximately \$22,822,000.

*Summary:* MDT is requesting Commission approval for two bridge rehabilitation projects in Missoula. The total estimated cost for both projects is approximately \$22,822,000. MDT's Bridge Program will fund these projects with Surface Transportation Program (STPB) and National Highway System (NHPB) funds specifically reserved for bridge work.

The proposed projects are consistent with the goals and objectives identified in the Performance Programming (P3) Process – as well as the policy direction established in TRANPLAN-21. Specifically, roadway system performance and traveler safety will be enhanced with the addition of these projects to the program.

Staff recommends that the Commission approve the addition of these projects to the Bridge Program.

Commissioner Lambert moved to approve the Bridge Program Projects in Missoula, Higgins Avenue and Madison Street Structures. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 6: Speed Limit Recommendation MT 16 – Culbertson South**

Dwane Kailey presented the Speed Limit Recommendation, MT 16 – Culbertson South to the Commission. This was based on an internal request. We have reviewed the accident history, traveling speeds, character of the roadway and at this time we are recommending the following:

A 25 mph speed limit beginning at the intersection with US 2 and continuing south along Broadway Street and then east on 1<sup>st</sup> Street North to station 234+00, project F 273(10) (50' east of the intersection with 3<sup>rd</sup> Avenue East), an approximate distance of 2,500 feet.

A 35 mph speed limit beginning at station 234+00, project F 273(10) and continuing east to station 226+00, an approximate distance of 800 feet.

A 45 mph speed limit beginning at station 226+00, project F 273(9) and continuing southeast to station 209+00, an approximate distance of 1,700 feet.

A 55 mph speed limit beginning at station 209+00, project F 273(9) and continuing southeast to station 189+00, an approximate distance of 2,000 feet.

We presented this to the city of Culbertson and their letter of concurrence is attached. We've also included the citation data in this report for your information. The department recommends approval.

Commissioner Lambert moved to approve the Speed Limit Recommendation for MT16 – Culbertson South. Commissioner Griffith seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item No. 7: Speed Limit Recommendation  
US 212 – Yellowstone Park  
Wyoming State Line**

Dwane Kailey presented the Speed Limit Recommendation, MT 212 – Yellowstone Park, Wyoming State Line to the Commission. This was based on a request by Park County. With the reconstruction of 212, Cooke City suggested the 55 mph to replace an existing 35 mph speed zone. We have looked at the roadway culture, accident history, traveling speeds and at this time we are recommending the following:

A 45 mph speed limit beginning at the northern boundary of Yellowstone National Park and continuing east to station 3590+00, an approximate distance of the 2,200 feet.

A 35 mph speed limit beginning at station 3590+00, project F HD 59 and continuing east to station 3581+00 (300' west of Grizzly Lodge Road), an approximate distance of 900 feet.

Maintain the statutory 25 mph speed limit encompassing Silver Gate's urban district.

A 35 mph speed limit beginning at station 3567+00, project F HD 59, and continuing east to station 3558+00, an approximate distance of 900 feet.

A 45 mph speed limit beginning at station 3558+00, project F HD 59 and continuing east to station 3444+00, an approximate distance of 2.16 miles.

A 35 mph speed limit beginning at station 3444+00, project F HD 59 and continuing east to station 3434+00 (300' west of Montana Street), an approximate distance of 1,000 feet.

Maintain the existing statutory 25 mph speed limit encompassing Cooke City's urban district and the 35 mph and 55 mph speed limits east of Cooke City as previously approved.

We presented this to Park County and their letter of concurrence is included along with a map. The department recommends approval.

Commissioner Skelton moved to approve the Speed Limit Recommendation for MT 212 – Yellowstone Park, Wyoming State line. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item No. 8: Speed Limit Recommendation  
MT 37 – Rexford Area, MP 59-64**

Dwane Kailey presented the Speed Limit Recommendation, MT 37 – Rexford Area, MP 59-64 to the Commission. This was requested by Lincoln County. We have reviewed the accident history as well as the traveling speeds. At this time we are recommending the reduction of the posted speed limit to 60 mph beginning 800 feet south of the intersection with Pinkham Creek Road and continuing northeast to station 484+00, project FAP 137-B(1), an approximate distance of 7.75 miles. We have presented this to Lincoln County and their letter of concurrence is attached.

Commissioner Skelton moved to approve the Speed Limit Recommendation for MT 37 – Rexford Area, MP 59-64. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 9: Speed Limit Recommendation US 89 – Neihart**

Dwane Kailey presented the Speed Limit Recommendation, US 89 – Neihart to the Commission. This was requested by the Mayor of Neihart. We have reviewed the traveling speeds, the accident history and the roadway culture. We presented Neihart with two options. One is no change and the second is the following:

A 45 mph speed limit beginning at station 1409+00, 1,100 feet north of milepost 36, approximately a distance of 3,100 feet, transitioning to 35 mph traveling a distance of approximately 3,500 feet, then transitioning to 45 mph a distance of approximately 1,800 feet.

We presented the two options to the community of Neihart and they were in concurrence with option 2. It is in conformity with our Engineering recommendation, therefore, we present it to the Commission for your approval.

Commissioner Cobb moved to approve the Speed Limit Recommendation for US 89 – Neihart. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 10: Speed Limit Recommendation US 2 – Intersection with MT 40 to West Glacier**

Dwane Kailey presented the Speed Limit Recommendation, US 2 – Intersection with MT 40 to West Glacier to the Commission. This was based on a request from Flathead County. We have looked at the traveling speeds, accident history, and the roadway culture. At this time we are making the following recommendation:

Between MT 40 and Columbia Falls there is no recommended change.

Between the communities of Columbia Falls to Hungry Horse to Coram there is no recommended change.

In the Community of Hungry Horse we are recommending a reduction to a 45 mph speed limit beginning at station 118+00, project RF 1-2(10) (350' east of the Flathead River Bridge) and continuing east to station 191+00 (600' east of the Hungry Horse Dam Road), an approximate distance of 7,300 feet.

Through Coram we are recommending a 50 mph speed limit beginning at station 312+00 (500' west of Selville Road) and continuing east to station 338+00, an approximate distance of 2,600 feet.

From Coram to West Glacier we are recommending the following: Currently a seasonal 45 mph speed limit is in place with a non-seasonal 60 mph speed limit. We are recommending the elimination of the seasonal 45 mph speed limit between the months of May 15<sup>th</sup> and September 15<sup>th</sup> as well as a 45 mph speed zone beginning at station 670+00, 1,100 feet west of the intersection of the Going to the Sun Highway, and continuing east an approximate distance of 3,400 feet.

We have presented this recommendation to Flathead County and their concurrence is attached. We included maps of the various segments for your review and approval.

Commissioner Howlett said he had asked this to be held up until he had an opportunity to meet with Flathead County. That did not get done but as long as they were okay with it then he was okay with it. He was concerned about the accordion effect and the volume particularly in the summertime. He was in agreement with Flathead County.

Commissioner Griffith moved to approve the Speed Limit Recommendation for US 2 – Intersection with MT 40 to West Glacier. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 11: Speed Limit Recommendation US 2 – Culbertson West**

Dwane Kailey presented the Speed Limit Recommendation, US 2 – Culbertson West to the Commission. This was generated by an internal request. We looked at the traveling speeds, the accident history, and the culture and nature of the roadway. At this time we are recommending:

A 35 mph speed limit beginning at approximately 50 feet west of 3<sup>rd</sup> Avenue West and continuing west an approximate distance of 800 feet. Then transitioning to a 45 mph speed limit traveling an approximate distance of 800 feet.

We have concurrence from Culbertson. We are presenting this for your review and approval.

Commissioner Griffith said that's under construction right now. Dwane Kailey said yes in the town of Culbertson but it is nearing completion. Commissioner Griffith said Hwy 2 going west was under construction too and asked if this would be applicable to the new construction. Dwane said yes.

Commissioner Lambert moved to approve the Speed Limit Recommendation for US 2 – Culbertson West. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 12: Speed Limit Recommendation US 89 – Armington Junction**

Dwane Kailey presented the Speed Limit Recommendation, US 89 – Armington Junction to the Commission. At the last Commission meeting you said you were interested in a temporary speed limit. Staff performed a speed study, looked at the traveling speeds, the accident history, as well as the roadway culture. This is a

challenging area because of the intersection as well as the junction with the Rest Area and a scale site. Based on all those factors we are recommending a reduction in the posted speed limit to 55 mph beginning at station 16+00 approximately 1,600' west of the intersection with US 89 and continuing east an approximately distance of 3,300 feet.

We have presented this to Cascade County and their letter of concurrence is included. The department recommends approval.

Commissioner Howlett said he appreciated the department getting this done. That is a dangerous piece of roadway. Thank you for the expeditious work on it. Commissioner Skelton asked if the 55 mph speed zone stopped at the blinking light. Dwane Kailey said he did not know. Commissioner Skelton asked if it went across the bridge. Dwane Kailey said, with the distance being 3,300 feet, I would think so.

Commissioner Cobb moved to approve the Speed Limit Recommendation for US 89 – Armington Junction. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Discussion – Valley Center Road Interim Speed Limit**

Commissioner Griffith asked Jeff Ebert if he would give the Commission a report on the Valley Center public meeting. He had heard there were issues with people wanting the speed limit lowered.

Jeff Ebert said last night there was a public hearing in Bozeman to talk about the intersection of Valley Spur and Frontage Road on the north and Valley Spur and Valley Center on the south. There were about 115 people at the meeting. It was held at a Motel in Bozeman that luckily had enough room to accommodate all those people. The majority of people who spoke at the meeting were not in favor of closing the Valley Center Spur.

There were two recommendations: (1) to close Valley Center Spur roadway where there would be no connection between the Frontage Road on the north and Valley Center on the south, and (2) to put in traffic signals on both intersections, north and south. The tricky part of that is the close proximity to the railroad crossing and the traffic signal would have to be synchronized, which is an additional cost but safety is very important in that location.

An organized group of Citizens for a Better Bozeman were there in full force and coached very well. They indicated to our staff that they were not in favor of the department's recommendation. There were a couple of officials there: Representative Kerry White, in addition to Ryan Zinke who is running for Congress.

One of the options they came up with, perpetrated by the local group, was to lower the speed limit to 45 mph. Currently the speed limit is 60 mph through that area. Their recommendation is to change the speed limit. Another option was to remove the turn lane. Right now the turn lane is causing some site distance problems for the people on Valley Spur heading north. The site distance with that right turn lane is causing some restrictions and was the cause of the crashes that ended up in a couple of fatalities.

Basically that is what was presented and discussed. The meeting lasted about two hours. There were two media folks there. Lori has a link to the on-line meeting if you want to watch that.

Commissioner Griffith asked if the public meeting had changed any thought process about what needs to happen there. Jeff Ebert said there was a lot of emotion at the meeting. The parents of two of the folks killed at that intersection did come up and say they wanted to see the department do something at that location. We have looked at that intersection with our study and our recommendation was based on the engineering out there but as you all know, life isn't always just engineering and emotion does play into this. We would like to propose a new recommendation. The comment period has not ended yet and is open through October. I think it is incumbent on us to go through all those comments in detail and make a recommendation one way or the other. Safety is prime at that intersection.

Commissioner Griffith agreed that is the right plan. You guys are doing it the right way. My concern is that, while we're taking that under consideration, maybe we could have a temporary speed reduction in that area. Jeff Ebert said that is a discussion we need to take up with the engineering staff and the Director's office. Commissioner Griffith asked if that could be done by the next meeting. Jeff Ebert said I don't know when the next meeting is scheduled but the comment period is still going to be open. Commissioner Griffith said we'd all have egg on our face if we had another accident there while we're studying it. The worst thing that could happen is we put the speed limit back to where it was after your study if that was the recommendation. There are so many complicated issues with the railroad involved and the short staging area for vehicles and lack of turn lanes. You can't just throw money at it, good engineering thought has to be involved. I realize that takes time but I'm concerned that we need to do something in the interim to prevent something bad from happening while that process is going on.

Director Tooley said Dustin Rouse was at that meeting and I've instructed him to give me his engineering effort tomorrow. So we're moving fast on this but we need to get everything on the table to look at. There are also two legal actions against the department going on right now regarding that location and we need to be very cognizant of that also. Commissioner Howlett concurred with Commissioner Griffith and said something needs to be done sooner than later. Our failure to do something adds weight to people's confidence in our ability to honestly address their concerns. It seems to me there must have been overwhelming support for a reduction in the speed limit. The people who use it were obviously the people who were there. I think it is something we should take up expeditiously on an interim basis. Perhaps by the next conference call we could deal with that. I don't want this to drag out for months. Let's tighten it down right now; it serves the traveling public's safety issues. At least it shows our responsiveness to the issue on a more immediate basis.

Commissioner Lambert asked if the County Commissioners could impose an interim speed limit. Tim Reardon said the county can request that the department do a windshield study with the traffic engineer from the Butte District and a representative from the county usually Public Works or Engineering. They would drive the route, examine the roadside culture, take a look at traffic volumes and all of the things that go into a long-term engineering study and try to make a "windshield" determination on whether or not the speed limit should be temporarily decreased or stay the same. To the best of my knowledge I'm not sure the county has engaged to that extent at this intersection. The County Transportation Plan has looked at this intersection in the past and my understanding is that it was not a priority on their list for action. Now that study may be a couple of years old. Commissioner Lambert said she was trying to think of what could be a quick as possible. Tim Reardon said the department could do it but you still want to get the local authority engaged by having the county ask the department to conduct the study. Jeff's people can do that relatively quickly. It still has to come back here to get approved.

Commissioner Howlett said what if the Commission gave the department the discretion to institute a windshield study and corrective action on an interim basis.

Tim Reardon said they could do that but you also need to make contact with the county and ask them to concur in the Commission's request to do an engineering study. It's still going to involve some level of traffic engineering rather than simply driving the road. The traffic engineer will have to employ their judgment and make a recommendation. Engineer Daniel Bolan, Traffic Safety Bureau, gave us the traffic volumes so we know the ADT on Secondary 205 is upwards of 10,000 cars per day. The engineer who goes out will have to determine what the impact of dropping the speed would be on the traffic movement. They're going to have to make an engineering judgment about the impact it will have on that intersection for people making left turns off Valley Center Spur to head towards Belgrade because it's a through-way – Secondary 205 is through traffic in both directions. That's where the most recent fatalities have occurred with left-turning movements off of Valley Center heading west towards Belgrade. I don't know what the impact would be to create the gaps people need to make left turns.

Commissioner Howlett asked the department to do the windshield study and report back at our next conference call with the expectation that we're going to take some action if it needs to be taken. Tim Reardon added that they needed to contact the county. Commissioner Howlett agreed. We had input from the sheriff but the county had not given us input before we did the speed reduction on Huffine Lane. We want to try to be proactive rather than reactive on this issue.

Director Tooley said the next conference call is six days away. Commissioner Howlett said I'm comfortable with it being the conference call after that if it can't get done in six days. My point is we get it done by conference call rather than waiting for a full meeting. Director Tooley said we are in agreement with that; we want to move on recommendations quickly but at the same time we don't want to get ahead of either the public or engineering. For every action there is a reaction and we certainly don't want to set up another hazardous situation. We will get on this right away. We'll brief you on the conference call to let you know where we're at.

For the purpose of this record, the Commission provided direction to the department to work with the county to look at an interim study to address the safety issues on that particular roadway.

Kevin McLaury said when the new Belgrade Interchange opens it will potentially have some impact on this as well. What you're doing now is very positive and I applaud your efforts. The hope is, when the Belgrade Interchange opens, the traffic at this intersection will be reduced. Commissioner Griffith said he heard the Interchange may be opened as early as December. My point is we have an interim speed right now and take a positive step to try and reduce the safety concerns. If for some reason the opening of the Interchange changes the traffic patterns, it's interim.

### ***Agenda Item No. 13: Certificates of Completion June & July, 2014***

Dwane Kailey presented the Certificates of Completion for June & July, 2014, to the Commission. These are presented for your review and approval. The department would ask that you approve the Certificates of Completion.

Commissioner Cobb asked about construction in Glendive. Dwane Kailey said I believe this is one of the projects that filtered in very late in the design phase when we wrapped up the Natural Resources Research Project, the Bakken Study we did in this area. From the Bakken Study we determined that our e-sill, equivalent single-axle loading design for a typical section on these projects was too low and we weren't going to achieve our 20-year design life. So we actually increased the typical section and added a little more asphalt into the project. That was fairly expensive. I believe this one also included a passing lane that we added into the project as well. That is

the major change on this project. Commissioner Howlett said they don't have any gravel in that area. Dwane Kailey said that is a very big challenge. Commissioner Cobb asked about the Horse Barn ... (inaudible) .... Dwane Kailey said he would look into that and get back to them.

Commissioner Howlett said Commissioner Cobb brought up the point about the Commission getting advance notice of the Change Orders. He asked if the department would give that some thought. Director Tooley said he talked to Dwane about looking into that. Commissioner Howlett said it would be good information for the Commission to have.

Commissioner Griffith asked about Wickens Construction. I don't recall what the bid situation was but with that much of Change Order, would it have made a difference if they knew they had to do that much? Dwane Kailey said we did take a look at that before the Change Order and Wickens still would have been the low bidder. Commissioner Griffith said on a \$6 million project that would have been big deal if someone would have known it was coming. Thank you for checking on that.

Commissioner Griffith moved to approve the Certificates of Completion for June & July, 2014. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

#### **Agenda Item No. 14: Project Change Orders June & July, 2014**

Dwane Kailey presented the Project Change Orders for June & July, 2014, to the Commission. There were questions raised by a few of the project engineers with two of the projects. We actually toured one yesterday and the other one, Libby Creek South, was very similar. We are dealing with rock slope blasting which is very challenging to those engineers. At times we run into a change in conditions and we deal with that through Change Orders. Those two projects are very similar.

The second one is Eagle Creek which was another challenging project in the fact that the soils changed. One of the things we're dealing with is we're coming out of a drought, so when we do our soils survey we find dry soils but now we're getting into a little bit of a wetter time in some areas so our subgrades are being saturated when the contractor gets in there. We weren't able to estimate that or engineer that so we end up running into a Change Order to remove the saturated soil and replace it with drier, better soil. That is the issue with Eagle.

Commissioner Griffith said what a good job he did with Change Orders. Since I've been on the Commission, he has done a great job of keeping the Change Orders down. I appreciate your job. I, as well as Commissioner Cobb, are sensitive to Change Orders after the fact.

Commissioner Griffith moved to approve the Project Change Orders for June & July, 2014. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

#### **Agenda Item No. 15: Liquidated Damages NH-HSIP 57-2(24)47**

Dwane Kailey presented the Liquidated Damages to the Commission. We have one project for your consideration. 7 KM East of Windham-East. The contractor was

Nelcon Inc. They are not disputing the Liquidated Damages. There was a total of 20 days for a total amount of \$116,380. The Commission need do nothing unless they want to adjust the amount. Staff's recommendation is to leave them as is.

Liquidated Damages Stand.

### **Agenda Item No. 16: Letting Lists**

Dwane Kailey presented the Proposed Letting Lists to the Commission. This is presented for your review and approval. This is for the month of September through February 12<sup>th</sup> with the understanding that, at this time, we have the remainder of the 2014 projects in the TCP as well as what we planned on for the beginning of 2015. We are having the TCP meeting in October and, based on the decisions on that meeting, the Letting List may adjust but any adjustment will be brought to you for your approval. Staff's recommendation is for the Commission to approve the Letting List as presented.

Commissioner Cobb asked if the projects were approved by the Commission. Dwane said these are fully out of the TCP and approved by the Commission. Director Tooley said Browning West is on October 9<sup>th</sup>. Commissioner Griffith asked if the Belgrade South project was the connection on Jackrabbit Lane. Jeff Ebert said yes. Commissioner Griffith said they drove over the four lane at Four Corners then it turned back to two lanes. That project is scheduled for February 12<sup>th</sup> to continue that four-lane into Belgrade. What has become of the bridge issue? Commissioner Howlett said that is further south. That has been nominated in Red Book. Jeff Ebert said we have nominated that bridge between the two projects on 191 heading south.

Commissioner Griffith moved to approve the Letting Lists. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 17: Design Build – Raynolds Pass Rest Area Design Build**

Dwane Kailey presented the Design Build – Raynolds Pass Rest Area Design Build to the Commission. We have added the addendum for this project because we were concerned about delaying this an extra month. We got everything finalized yesterday and handed it out for your review this morning. In short, we originally had three firms submitting. Four Man Builders was determined to be nonresponsive because their technical score was less than 60 points. The next two did submit their price proposals. We reviewed those and at this time we are recommending award to Diamond Construction. They had the highest technical score and the lowest bid price resulting in the best value for the agency. We are recommending award to Diamond Construction in the amount of \$2,390,000. The Engineer's Estimate was \$2,801,625, so they were below the Engineer's Estimate. We also recommend paying the Stipend to Diamond Construction and Jackson Contracting. To recap we need a motion to award the bid to Diamond Construction and a motion to award the Stipend to Diamond Construction and Jackson Construction.

Commissioner Howlett asked where Raynolds Pass was. Dwane said Raynolds Pass is 40 miles from the Rest Area on US 287 south of Cameron. It is just before you turn to Quake Lake Road up to Raynolds Pass. Commissioner Griffith said Quake Lake is closer. Commissioner Lamberts asked if they needed two separate motions. Commissioner Howlett said yes.

Commissioner Lambert moved to approve the Contract for Raynolds Pass Rest Area be awarded to Diamond Construction. Commissioner Griffith seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Commissioner Lambert moved to approve the Stipend for Raynolds Pass Rest Area to Diamond Construction and Jackson Construction. Commissioner Griffith seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Public Comment**

No public comment given.

### **Directors Discussion & Follow-up**

#### *Memorial Highway Designation*

Director Tooley said if you remember you approved the designation of Hwy 287 from the west end of Helena to West Yellowstone as the MIA POW Memorial Highway. On August 21<sup>st</sup> the groups that requested the designation held a Memorial Ride from Helena to West Yellowstone. It was pretty well attended with 300 motorcyclists making the trip. I followed them down. It was a pretty impressive sight and they were very appreciative of your efforts and the efforts of the department to make that happen. That will occur every third Saturday in August until they are tired of doing it.

#### *Montana 500*

We have an interesting situation at Flat Willow Creek that Dwane Kailey will tell you about. I've only been here two years but I've never seen anything like this. Dwane Kailey said this was brought to our attention last week when we had a major rain event. Highway 500 goes between Mosby and Melstone and the majority of it is gravel. It's a low volume roadway but it is very necessary for a few homeowners that need access to services. During the rain event the floodwaters decided to jump the roadway as you can see in the pictures. Our bridge is doing perfectly well and standing where we put it, however, the water is now flowing about 180 feet south of the bridge. So we're using the Emergency Project that the Commission approved last year. We're initiating the design. We are working with the landowner and the county to get temporary access for the landowner. Unfortunately his house is on one side of the creek and a major portion of his ranch/farm is on the other side of the creek. So we're working with the county, the resource agencies and landowner to try and establish some kind of temporary crossing for him. It is our plan to try to actually extend the bridge to go back over the water again and we plan to have that in place before spring runoff.

Commissioner Howlett said rather than put in rip-rap, you're going to extend the bridge? Dwane Kailey said that is correct. We met with the resource agencies last week and proposed a couple of options: (1) rebuild the roadway, or (2) build a new bridge segment. The resource agencies were very cooperative but they also indicated that it was better for the environment to extend the bridge. This creek has a tendency to move so extending the bridge and giving the creek a little more opportunity to move may help in the long run as well, not only for us but lower landowners as well. So we think it's in our best interest. We do believe it will facilitate quicker reconstruction of the roadway and we'd like to pursue that.

Commissioner Griffith asked if this was a project that will be submitted for Emergency Funding. Dwane said that was correct. We are using the ER project to initiate it earlier. We don't know if this will rise to the level of ER based on federal requirements so it may end up coming out of our funds. We will fast-track this and it will ultimately come back to the Commission for your approval for award.

Commissioner Lambert asked if this was on a Secondary Highway. Dwane said yes. Commissioner Lambert asked if they fix the problem by putting in the gravel is that going to help the river move? Dwane said one of the options we're looking at for temporarily establishing access for the landowner is what we call a "low water ford" which would be putting gravel in the channel for them to get to other side of the creek. That is an option we're pursuing and the resource agencies seem to be on board with that. There are some challenges with that so we're not sure that's going to be the ultimate temporary access for them. It does have water in it throughout the year. Commissioner Lambert asked if the water was deep. Dwane said it depends in the flow; right now it is not overly deep but it can be very quickly as we saw. Commissioner Lambert asked if the channel was deep where they are looking at putting in the temporary crossing. Dwane said he did not know but I'm assuming they are trying to find a shallower spot. Commissioner Lambert asked how the landowner was getting across now. Dwane said currently he is not, that's why we're working with the county and the resource agencies to get him access. Commissioner Howlett asked if the bridge was connected to roads on both sides. Dwane said it used to be; there is 180 feet of roadway missing on the south side of the bridge.

Commissioner Cobb asked if the bridge was only for one person. Dwane said there were other landowners living in that area but he is the one most impacted.

Commissioner Cobb asked how many miles they would have to go around without the bridge. Director Tooley said at least 50 miles. Commissioner Lambert said the go-around road is not conducive to traffic. Dwane said if you're on the south side you'd have to go down to Hwy 12 over to Roundup up to Grass Range and then back again on Hwy 200 to Mosby. Commissioner Howlett asked if it made any sense to channel the water back with rip-rap. Dwane said that was an option, however, the resource agency said that is not in the best interest of the health of the stream, and with permitting issues, we think it's best to go ahead and extend it. We can do that fairly effectively and efficiently. Commissioner Skelton said if you channel it back would it just come right back out of its route and do this again. Dwane said that is very much our concern. Commissioner Lambert asked if you would build on to the bridge that's there. Dwane said that is correct. Commissioner Howlett asked if they would stabilize the channel on the other side. Dwane said they would add rip-rap on the sides of the channel to protect the bridge. We don't have it designed yet but we will use bigger rock rip-rap on the bank of the river to help stabilize the bridge and we'll either use rock or concrete on the approach.

Commissioner Howlett asked if this required any action from the Commission at this point. Dwane Kailey said we are simply providing this for your information. There will be action when we award the contract. Commissioner Lambert asked if the money was coming out of the ER. Dwane said right now it is coming out of the Core Fund rather than Core Federal Fund. Commissioner Griffith asked about the estimate cost. Dwane said at this time we don't have one but we will get that to you as soon as we have it developed.

#### *Approval of Access to System*

Director Tooley said, as the population increases and the economy improves, we see more and more development accessing our system. We are doing system's impact, reviewing and issuing permits, doing the work on a lot of non-MDT funded projects and then asking you to approve those non-MDT funded projects that access our system. In our discussions with the DA's, we are wondering if it would be more effective and efficient if the department reported on those accesses rather than

seeking your approval. The Governor has asked department directors to look for ways to increase efficiencies to help the economy along through his Main Street Montana Project. This would be one way to do that. The developers are doing the work and we're working with them to make sure they access our system safely. Depending on when the Commission meets, it could slow down that type of progress when, in fact, we've already done the work. We'd like the Commission to consider making that more of a Certificate of Completion type process. You would get the information, ask the questions you need to ask, but basically the department would help the process move along quicker. If you're in concurrence, we would develop a process that would be formalized to get my approval in those instances and provide you regular updates or reports monthly, or whenever you want them, of all those types of projects.

Commissioner Howlett asked about the issue of liability where we have to concur. When we delegate subject to Engineer's Concurrence, we have some protections because we've gone through a formal process. Would that in any way be abridged or compromised? Tim Reardon said he did not see it as any different. If you're delegating that authority, it's no different than delegating the authority to the Chief Engineer to approve plans. I think the Commission, by delegating to the department, is essentially putting the judgment into the department and they simply report back to you to say, based on that authority, we've done this. I don't see any greater liability or lesser liability risk to give it to the agency. Primarily it's a way to expedite some of these developments but there can be local government access issues as well. Say they want to come in and do a project on the system, like an intersection improvement for a city street and you delegate the authority to the Chief Engineer to approve and allow the work to be done. I think the same protections apply there.

Commissioner Howlett said he didn't want to get into the weeds of managing the department. This puts us a little further away from that and that's a good place for me to be. Tim Reardon said most of the type of development we're talking about are residential subdivisions or commercial subdivisions on what was raw land. The developers have to work with the counties and the counties have typically and historically said okay subject to getting the access approval from the department before you get on the state system. That provides the level of protection for planning to go ahead and analyze it. They require the developer to put together the traffic analysis and tell us how many cars, how many turning movements are you going to require and what they are going to do to mitigate that impact. So all that upfront work is being done anyway including the safety analysis.

We've been working on one in the Sidney area for over two years with a developer who has simply not been willing to come through with what we've determined is the necessary mitigation costs. As a result, he doesn't have access to the system. If we'd had more cooperation, we wouldn't be having some of the issues we're having now. We're in court on a couple of different issues. It's really a safety analysis. You've got 32 approaches in a very small segment and adding two more is a problem. So you want that analysis; you want to know if you have a turn lane or if you need some other mitigating factor in designing the approach. All that's being done by the department in any case. The statute requires anything on the system to have the approval of the Commission. So we're proposing to change approval to concurrence by delegating that to the department. Hopefully if the department does it's due diligence up front, subject to the system's impact process and the Chief Engineer looking at the design proposals and the mitigation that's required, then it's a safe way to allow that development to continue. It can be as much as two months ahead of time to get it to the Commission. You can get a lot of work done in two months in building an approach which they can do in one week. For example, in Sidney if those approaches were built they could start selling lots, paving interior roads, and getting the subdivision underway. Commissioner Howlett asked how that would have affected Sidney; it took two years to get it. Tim Reardon said they'd probably be

having the same fight with Sidney because they are not going to get the approach approved until they comply with mitigation.

Commissioner Griffith said it is sort of like the “one stop shop” thing with trying to get things approved. That part I understand and I’m on board but the things that are not expeditiously needed, I’d rather go through the traditional methods. I’m in agreement there are times that need to be done differently. Is there something we can do like that? Director Tooley said there will be more times that it would be more expeditious for the department to approve them than the Commission but we’d be aware of those times. Commissioner Griffith said if it’s still concurrence needed, it doesn’t matter whether we call it approve or concur. What if the Commission didn’t concur? Tim Reardon said it would be somewhat like your Change Orders and Certificates of Completion. That’s true. If you delegate it, it’s all or nothing. As Director Tooley mentioned, we’re still in the process of developing a formal process as to how this would be done. Commissioner Griffith said once we see the process, we can agree or not. When we are working on developments I understand the need to do something like this but not all of them are that way. So if there could be a segregation like what we do for emergencies. I think there is some thought process that needs to be done. The Commission sort of protects the department by going through that. So if we change the process that the Commission just concurs, you don’t have the weight of the Commission acting. If there’s a way to do it like we do for emergencies, I don’t have a problem with that. Commissioner Howlett said we can let the department work on this formal process and see what shakes out. Commissioner Griffith said he was giving his direction so when you’re working with it you can keep that in mind and try to incorporate something like that. Director Tooley said Jim Skinner will be the one who comes up with the process and you know he’ll write one that protects you and the department and increases efficiency.

Commissioner Cobb said I was thinking that you might have 80% that are just rubber stamped. Those are the ones you want to take care of with concurrence. When you talk about mitigation, what if they appeal if they don’t like what you did? That’s the part I’m concerned about. I don’t have a problem with the 80%. Can we exempt part of the process to mitigate the 20%? Director Tooley said that is exactly what we’re aiming for – to bring the ones to you that we all know need to be approved. The ordinary ones, we’d report on.

Lynn Zanto said even today we have a developer in review process. The developers do the study and not analysis, they identify their impacts, and they propose how they’ll mitigate them, then we enter into a signed agreement with them before we come before you. Today we are just seeing if the Commission wants to see more about our process but we could do an overview of how the coordinate review process works. That will give you some assurances that these are looked at very carefully, coordinated through the department, coordinated with the local governments that are impacted and that we are truly looking out for the interest of the public. Then we could come up with some options. Commissioner Griffith said I think just notification to the Commission that you’re planning on using that process would be helpful. So if there is something that somebody’s concerned about, they can put up a red flag and it’s not after the fact. So we get notified early that they want to use that process, possibly a note in one of our conference calls. It doesn’t have to be acted on, just notification that you’re planning on using that process. Lynn Zanto said we can keep a running list on that. Commissioner Howlett said the idea of bringing it back with some formalities is a good idea so let’s do that.

#### *DBE Utilization*

Director Tooley gave the Commission this month’s DBE utilization report. At the last conference call we had \$32,000 worth of work and zero reported DBE. Civil Rights went back and checked with the DBE’s to determine the amount of engagement they had and realized they were still barely meeting goals. I had some

conversations with the Montana Contractor's Association about the danger of not reporting DBE utilization and how the Commission was going to view that. Next month you will see an increase in DBE utilization. I don't know if the two are tied but the DBE utilization in the past month has increased. Nine percent of that is from prime contracts but even without the prime contracts we are still above the goal at 3.55%. Commissioner Howlett said I hope we got their attention. Director Tooley said I think we got their attention. We will continue to monitor that on a monthly basis and give you a report every time we speak, otherwise quarterly for sure. Commissioner Howlett said I appreciate them understanding the sincerity with which we approach this.

### *TCP*

The end of October we'll be discussing the next update to the TCP. You should be hearing from your DA's. I look forward to a robust discussion on the 30<sup>th</sup>. I hope you give your input to the DA's before that time. Commissioner Howlett said they will do the technical work. Again I encourage the Commissioners to not think that you just have to concur in what they say. Ultimately we have to vote on this. Your priorities matter. Again they will provide you the technical data but it's not an automatic rubber stamp. There are issues and debates to be had about priorities in districts so I encourage you to engage in that. That's how we'll move it forward.

### *FHWA – Tiger Grant*

Kevin McLaury said funding remains an issue and we continue to look to Congress to try to fund a long-term interim solution. Along those funding lines, Tiger 6 was announced last week and Montana was the recipient of one Tiger Project, the Poplar Airport Development and Regional Access Project. It was awarded to the Assiniboine and Sioux Tribes of Fort Peck Reservation for \$692,829.00. The Poplar Airport Redevelopment and Regional Access Project will complete preconstruction activities for transportation improvement associated with two phases of planned commercial and residential redevelopment on the site of the former Poplar Airport on the Fort Peck Reservation in Montana. So we continue to be successful in getting Tiger projects. We've gotten a Tiger project in one form or another in every round. So we've been very successful and continue to look for good things in the future. Commissioner Howlett asked who the applicant was. Kevin McLaury said it was Fort Peck. They are a direct Tribe with Federal Highways and so our Federal Lands Division out of Vancouver, Washington, will be the point of contact for that specific Tiger Grant. They'll be coordinating with my office but Vancouver will be the point of contact when leading the effort with the Tribe since Federal Lands and the Tribe have a direct relationship.

Commissioner Howlett asked if there was an application process yearly for Tiger Grants or how often is that? Kevin McLaury said there is an announcement and a call for projects when Tiger funds are available. Over the years the Tiger funds have varied in amounts but over the years Montana has been very successful. The time varies. Lynn Zanto said it is basically per the annual Appropriations Bill that Congress does. So we don't know for sure when the next round is. Kevin McLaury said it usually happens about once a year if it happens at all. It is on an appropriations cycle and depends on Congress. That is all I have.

### *Native American Liaison*

Commissioner Howlett said earlier we had some discussions about reinstating the subcommittee to deal with Native American issues. I'd like to get a status report on that. During Director Reardon's tenure we had discussed a Liaison position. He asked if that could be included that in the Status Report.

### *Highway 93*

Commissioner Howlett said I want to get on the record this Commissioner's desire to move forward with the Highway 93 project. It has been 12 years since that MOU was signed. There have been multiple projects that came in after 93 that have been completed. I want it on the record that it is this Commissioner's priority. My tenure is up in January and I don't know whether I'll be reappointed. Two projects in that District that have haunted me for 12 years – stuck in the mud is Swamp Creek and 93. We just need to get them done. If it means that something has to shift then that's the discussion we'll have.

Commissioner Griffith said the very first meeting we had, we went out and toured the District and it was on 93 in Nine Pipes. It's disappointing to me also. We talk about taking four years to get a project through but it's been way more than four years. As I've told the Commission before because the person directly behind me got killed at that location, that's a priority for me too. I would hope you, as a department, try to figure out a plan for that.

### **P3 Presentation**

Paul Johnson presented P3 for the 2019 funding year to the Commission. This is the framework for the upcoming TCP. Today we are looking for concurrence from the Commission.

Commissioner Griffith moved to adopt the P3 Process as presented to the Commission for the 2019 Funding Year. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### ***Next Commission Meeting***

The next Conference Calls were scheduled for September 23<sup>rd</sup>, October 21<sup>st</sup>, and November 18<sup>th</sup>. The next regular Commission Meeting was scheduled for October 30<sup>th</sup>.

### **Adjourned**

Meeting Adjourned