

# Montana Transportation Commission

**February 17, 2022 Meeting  
Commission Room  
2701 Prospect Avenue  
Helena, Montana**

## **IN ATTENDANCE**

Loren Frazier, Transportation Commission Chair (District 3)  
Tammi Fisher, Transportation Commissioner (District 1)  
Shane Sanders, Transportation Commissioner (District 2)  
Noel Sansaver, Transportation Commissioner (District 4) (Excused)  
Scott Aspenlieder, Transportation Commissioner (District 5) (Excused)  
Malcolm “Mack” Long, Director, MDT  
Julie Brown, Deputy Director, MDT  
Dwane Kailey, Chief Operations Officer, MDT  
Lori Ryan, Commission Secretary  
Dustin Rouse, Acting Chief Engineer, MDT  
Jake Goettle, MDT  
Val Wilson, MDT  
Rob Stapley, MDT  
Darin Wilson, MDT  
Rod Nelson, MDT  
Bob Vosen, MDT  
Chris Nygren, MDT  
Ryan Dahlke, MDT  
Larry Flynn, MDT  
Megan Handl, MDT  
Lauren Eichenfels, MDT  
Sheila Ludlow, MDT  
Lucia Olivera, FHWA  
Brian Hasselbach, FHWA  
Zach Ringsak, Senator Tester’s Office  
Marilee Brown, GAP, Bozeman  
Ralph Zimmer, Bozeman  
Montana Perpetual Pavement Award  
Amy Miller, National Director, Asphalt Pavement Alliance  
Dave Johnson, Asphalt Institute

- Jeff Jackson, MDT
- DJ Berg, MDT
- Miles Yerger, MDT
- Jim Davies, MDT
- Oak Metcalfe, MDT
- Matt Needham, MDT

*Please note:* the complete recorded minutes are available for review on the commission’s website at [https://www.mdt.mt.gov/pubinvolve/trans\\_comm/meetings.shtml](https://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 [lryan@mt.gov](mailto:lryan@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 Loran Frazier**

Commissioner Frazier called the meeting to order with the Pledge of Allegiance and the Invocation. Commissioner Frazier asked for introductions.

## **Approval of Minutes**

The minutes for the Commission Meetings of November 30, 2021, December 16, 2021, and December 21, 2021 were presented for approval.

Commissioner Sanders moved to approve the minutes for the Commission Meetings of November 30, 2021, December 16, 2021 and December 21, 2021. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 1: Local Construction Project on State Highway System – Local Forces City of Bozeman and City of Missoula**

Rob Stapley presented the Local Construction Project on State Highway System – Local Forces, City of Bozeman and City of Missoula to the Commission. Under MCA 60-2-110 “Setting priorities and selecting projects,” the commission shall establish priorities and select and designate segments for construction and reconstruction on the national highway system, the primary highway system, the secondary highway system, the urban highway system, and state highways. 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.

*Summary:* The City of Bozeman and the City of Missoula are planning to design and build transportation improvement projects on the state highway system. The projects will be funded locally and will utilize local forces for construction. The projects will be designed with input and concurrence from MDT staff to the extent practicable.

When complete, the City of Bozeman and the City of Missoula will assume all maintenance responsibilities associated with new project elements. Thus, MDT will not incur additional liability or maintenance costs as a result of the proposed projects.

On behalf of the local governments, as required by MCA 60-2-110, staff requests that the Transportation Commission approve the local projects listed below.

Location	Type of Work	Cost (estimate)	Fiscal Year	Type of Labor
11th Avenue (U-1203), at the Kagy Boulevard intersection, in Bozeman	Signal Upgrades	\$100,000	2022	Local
Mount Avenue (U-8116), from Brooks Street to Stephens Avenue, in Missoula	Chip Seal, ADA Work	\$10,000	2022	Local
Beckwith Street (U-8126), from Brooks Street to Stephens Avenue, in Missoula	Mill & Overlay, ADA Work	\$60,000	2022	Local

Commissioner Sanders moved to approve the Local Construction Project on State Highway System – Local Forces, City of Bozeman and City of Missoula. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 2: Local Construction Projects on State Highway System – Contract Labor  
Cities of Billings, Great Falls, Helena,  
Kalispell, Westby, and Powder River County**

Rob Stapley presented the Local Construction Projects on State Highway System, Contract Labor – Cities of Billings, Great Falls, Helena, Kalispell, Westby, and Powder River County 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.

*Summary:* The Cities of Billings, Great Falls, Helena, Kalispell, Westby, and Powder River County are planning to design and build transportation improvement projects on the state highway system. The projects will be funded locally and will utilize contract labor. The projects will be designed with input and concurrence from MDT staff to the extent practicable.

When complete, the Cities and Powder River County will assume all maintenance responsibilities associated with new project elements. Thus, MDT will not incur additional liability or maintenance costs as a result of the proposed projects.

On behalf of the local governments, as required by MCA 60-2-111, staff requests that the Transportation Commission delegate authority to the Cities and Powder River County to let and award contracts for the projects listed below.

Location	Type of Work	Cost (Estimate)	Fiscal Year	Type of Labor
4 <sup>th</sup> Ave North (U-1018), from N 13 <sup>th</sup> Street to N 27 <sup>th</sup> Street, in Billings	Mill & Overlay	\$1,000,000	2022	Contract
Grand Avenue (U-1004), at the 32 <sup>nd</sup> Street West intersection, in Billings	Traffic Signal	\$500,000	2022	Contract
Grand Avenue (U-1004), at the 3 <sup>rd</sup> Street West intersection, in Billings	Signal Upgrades	\$200,000	2022	Contract
24 <sup>th</sup> Street West (U-1005), at the Rosebud Drive intersection, in Billings	Signal Upgrades	\$200,000	2022	Contract
Virginia Lane (U-1015), from Park Laneto Poly Drive, in Billings	New Sidewalk	\$100,000	2022	Contract
26 <sup>th</sup> Street South (U-5226), from 6 <sup>th</sup> Ave South to 8 <sup>th</sup> Ave South, in Great Falls	Sidewalks, Curb & Gutter, ADA Work	\$100,000	2022	Contract
11 <sup>th</sup> Avenue (U-5812), from Cruse Avenue to Dakota Street, in Helena	Chip Seal / Overlay, ADA Work	\$400,000	2022	Contract

5 <sup>th</sup> Ave West (U-6721), from Center Street to Idaho Street, in Kalispell	Mill and Overlay	\$100,000	2022	Contract
Center Street (U-6714), from 1st Ave East to 4th Ave East, in Kalispell	Mill and Overlay	\$100,000	2022	Contract
Center Street (U-6714), from Main Street to 7th Ave West, in Kalispell	Mill and Overlay	\$250,000	2022	Contract
Woodland Ave (U-6726), from Center Street to 4 <sup>th</sup> Street, in Kalispell	Mill and Overlay	\$150,000	2022	Contract
1st Ave East (U-6723), from 13th Street to US-93, in Kalispell	Mill and Overlay	\$50,000	2022	Contract
Woodland Park Drive (U-6729), from Conrad Drive to US-2, in Kalispell	Mill and Overlay	\$200,000	2022	Contract
7th Ave East (U-6728), from Idaho Street to Stillwater Bridge, in Kalispell	Mill and Overlay	\$200,000	2022	Contract
Wyoming Street (U-6732), from 5 <sup>th</sup> Ave West to 7 <sup>th</sup> Ave West, in Kalispell	Mill and Overlay	\$50,000	2022	Contract
Airport Road (U-6730), from Begg Park to City Limits, in Kalispell	Mill and Overlay	\$250,000	2022	Contract
3 <sup>rd</sup> Ave East (U-6724), from 13 <sup>th</sup> Street to 18 <sup>th</sup> Street, in Kalispell	Mill and Overlay	\$100,000	2022	Contract
1st Ave East (U-6723), from Idaho Street to Montana Street, in Kalispell	Mill and Overlay	\$50,000	2022	Contract
MT-5 (P-30), from Front Street to 3 <sup>rd</sup> Avenue, in Westby	Sidewalks, ADA Upgrades	\$75,000	2022	Contract
Secondary 398 (S-398), at the Little Powder River, in Powder River County	New Bridge	\$3,300,000	2022	Contract

Staff recommends the Commission approve these modifications to the state highway system and requests that the Commission delegate its authority to let, award, and administer the contracts for these projects to the Cities of Billings, Great Falls, Helena, Kalispell, Westby and Powder River County - pending completion of applicable local and MDT design review and approval processes.

Commissioner Frazier said regarding utilization of contractor labor, can you explain that. Rob Stapley said it means they will be going out and hiring firms to do this work for them.

Commissioner Sanders moved to approve the Local Construction Projects on State Highway System, Contract Labor – Cities of Billings, Great Falls, Helena, Kalispell, Westby and Powder River County. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 3: Surface Transportation Program – Urban West Railroad Street - Laurel**

Rob Stapley presented the Surface Transportation Program – Urban West Railroad Street, Laurel to the Commission. The Surface Transportation Program Urban (STPU) provides funding for improvements on the Urban Highway System in Montana's 19 urban areas. STPU allocation amounts are based on a per capita distribution and are recalculated after each decennial census. Priorities for the use of STPU funds are established via local planning processes with final approval by the Transportation Commission.

At this time, MDT is requesting the addition of the following project to the STPU program:

West Railroad Street - Laurel: This project is located within the City of Laurel on West Railroad Street (U-6902). The project scope includes reconstruction work that will improve the existing roadway and add new two-way left-turn lanes, curb, gutter and sidewalks on West Railroad Street from 1st Avenue to 8th Avenue.

The estimated total cost for all phases is \$7,600,000 (including indirect costs and inflation). Laurel's annual STPU Allocation is \$217,402 with an anticipated letting year (FFY 2026) balance of approximately \$5,200,000. The City of Laurel has committed an additional \$2,500,000 to complete the funding package.

*Summary:* MDT is requesting Commission approval for a Surface Transportation Program Urban (STPU) project on West Railroad Street (U-6902) in Laurel. The estimated total cost (for all project phases) is \$7,600,000.

The proposed project has been prioritized via local planning processes and is consistent with the policy direction established in TranPlanMT. Specifically, roadway system performance, traveler safety and bike/ped features will be enhanced with the addition of this project to the STPU program.

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

Commissioner Sanders asked about FY 2026, on the off-chance that it would be over \$7.6 million, who makes up that difference. We've got the \$5.2 in their balance, then they are putting in the additional \$2.5 but if it went over that amount and if the costs rise tremendously, who provides the extra money? Rob Stapley said it is their responsibility. They will have to either borrow into the future or come up with those funds.

Commissioner Sanders moved to approve the Surface Transportation Program – Urban West Railroad Street, Laurel. Commissioner Fisher seconded the motion. All Commissionees voted aye.

The motion passed unanimously.

### **Agenda Item 4: Primary System Program Additions to STPP (1 New Project)**

Rob Stapley presented the Primary System Program, Additions to STPP (1 New Project) to the Commission. The Surface Transportation Program – Primary (STPP) finances highway projects to rehabilitate, restore, resurface, and reconstruct routes on the state's Primary Highway System. Montana's Transportation Commission allocates STPP funds to MDT Districts based on system performance.

At this time, MDT is proposing to add one new project to the STPP program in the Missoula District. The project on the attached list (Attachment A) meets the criteria set forth for STPP-funded projects. The estimated total cost for all project phases is \$8,057,610 (\$6,976,279 federal + \$1,081,331 state match) – with the entirety of the federal funding originating from the Surface Transportation Program – Primary (STPP).

*Summary:* MDT is requesting Commission approval to add a new project to the Primary System Program. The proposed project is consistent with the goals and objectives identified in the Performance Programming (Px3) Process – as well as the policy direction established in TranPlanMT. Specifically, roadway system performance and traveler safety will be enhanced with the addition of this project to the program.

The estimated total cost for all project phases is \$8,057,610 (\$6,976,279 federal + \$1,081,331 state match) – with the entirety of the federal funding originating from the Surface Transportation Program – Primary (STPP).

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

Commissioner Sanders moved to approve the Primary System Program, Additions to STPP (1 New Project). Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 5: Bridge Program Projects  
Additions to Bridge Program (1 New Project)**

Rob Stapley presented the Bridge Program Projects, Additions to Bridge Program (1 New Project) 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 this time, the Bridge Bureau recommends adding one (1) new project to the Bridge Program. The project is Big Spring Creek in Lewistown located on West Broadway Street. The estimated total cost for all project phases is \$2,859,148 (\$2,475,452 federal + \$383,696 state).

*Summary:* MDT is requesting Commission approval to add one (1) new project to the Bridge Program.

The breakdown of project costs (by program) is listed below:

Surface Transportation Bridge (STPB) Program	\$2,859,148
National Highway Performance Bridge (NHPB) Program	\$ _____ 0
	\$2,859,148

The proposed project is consistent with the goals and objectives identified in the Performance Programming (Px3) Process - as well as the policy direction established in TranPlanMT. Specifically, roadway system performance and traveler safety will be enhanced with the addition of this project to the Bridge Program. Staff recommends that the Commission approve the addition of this project to the Bridge Program.

Commissioner Sanders moved to approve the Bridge Program Projects, Additions to Bridge Program (1 New Project). Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item 6: TranPlanMT Public Involvement & Stakeholder Survey Results**

Rob Stapley introduced Lauren Eichenfels who presented the TranPlanMT Public Involvement & Stakeholder Survey Results to the Commission. TranPlanMT is Montana's federally mandated long-range statewide transportation plan. This plan establishes policies in the following six areas for the 20-year planning horizon.

- Safety
- System Preservation and Maintenance
- Mobility and Economic Vitality
- Accessibility and Connectivity
- Environmental Stewardship
- Business Operations and Management

These policy areas reflect input from the public and other transportation stakeholders.

The purpose of the TranPlanMT Public Involvement and Stakeholder biennial surveys is to examine the Montanan's perception of the current condition of the transportation systems, views about possible actions that could improve the transportation system in Montana, and opinions about MDT quality of service to its customers.

These surveys support this continuous and ongoing planning process.

Presentation of the results of the 2021 TranPlanMT Public Involvement and Stakeholder Survey. Information only

### Presentation – Lauren Eichenfels

I look forward to sharing with you the results from this effort. As I go through this if there is anything you would like clarification on, please let me know.

*Background:* This is a biennial effort that supports TranPlanMT. It is done during odd years and is a survey of both public and stakeholder transportation input. It gives us an opportunity to identify transportation issues and changes in the opinion of the public and stakeholders. Typically our research period is done in the summer. This period it was done from June –August. The public survey is the only statistically valid sample; the stakeholders is not considered to be statistically valid but again is an opportunity for us to gage and understand stakeholder groups and their opinion of MDT and the work we do.

*Objectives:* The objectives for this survey period are typically to measure the customer opinions about Montana's transportation systems and services as well as to assess customer priorities regarding improvements to the transportation system. It also serves to measure perceptions of MDT's overall quality of service.

*Highlights:* Some highlights from the 2021 Public and Stakeholder Survey reports. Overall we maintained moderate satisfaction with most transportation system components. The majority of those surveyed continue to feel they are getting at least or greater than the value they pay in state and federal fuel taxes, which is \$200 to \$260 annually. We also asked the public and the stakeholders about their opinions on work zone speeds. There were no real changes with this – 34% of public believes they are great, 86% for stakeholders.

The highest priority action identified to improve the system both among stakeholder groups and the public was maintaining road pavement condition. This is consistent with previous survey periods. The lowest priority for funding which is consistent with previous surveys were bicycle paths, pedestrian walkways, transit buses, and rest areas. These are all with the context of decreased funding for these types of improvements.

MDT maintained an overall grade of B-C in regard to customer service components.

Looking at the public's highest priority actions, and these are actions to improve Montana's transportation system. Maintaining road pavement condition was the highest priority overall. It should be noted that Montanans viewed most problems as being small and no problems listed were over a moderate problem reading. That is consistent with previous surveys. Road pavement is the highest priority but there was a notable increase in traffic congestion. This has increased as a system problem since 2017. While the public feels that this an increasing system problem, they did not believe it ranked high enough to be a priority to take action on and not something that MDT should address at this point.

*New for the 2021 Survey Period* – we used the other issues section of the survey to cover different topics – work zone speed limit, seat belt use. New this year to begin to gage public and stakeholders pay-ins on electrical vehicles (EV), we added a question to gage willingness to consider purchasing an EV as a next vehicle. We got some interesting input – only 32% of the public surveyed said they would consider purchasing an EV for the reason that it was better for the environment and more energy efficient; 67% said no and the top reasons given were limited range between charging stations and the cost of an EV and/or the maintenance for that EV. A breakdown by districts – District 2 Butte, said they were the most likely out of all the districts to consider the purchase; District 4 Glendive said they were the least likely out of the five districts.

*Transportation System Components and Services* – we surveyed the public and stakeholders. Overall system satisfaction ranks at a 5.7 and this has been consistent historically. Ratings from 0-10 with 0 representing unsatisfied and 10 representing satisfied. The public is the most satisfied with system components of airports, interstate highways and rest areas. The public is the most dissatisfied with services including out-of-state air service, great rail service, and local bus or van service tied with air transportation within the state. It should also be noted that there are funding challenges associated with the components that ranked below zero. These services are also subsidized through other funding services outside of MDT.

*Top Two Rated Public Perceived Moderate or Serious Problems* – we do break this down geographically by MDT districts. That helps us to understand within the districts what the opinion and perceptions of MDT are, not just among the public but stakeholders as well. For the public the top two rated problems is road pavement condition which continues to be a priority as far as a moderate or serious issue. It ranked the highest in all the districts except District 1 Missoula where traffic congestion ranked the highest. District 4 Glendive was the only district where over 25% of the respondents ranked road pavement as a serious problem. District 1 Missoula was the only district where over 25% of the respondents ranked traffic congestion as a serious problem. Traffic congestion was also ranked highly among the other three districts and was indicated as a perceived problem.

*Top Two Priority Actions to Improve the Actual Transportation System* – this gives a snapshot of how the public responded based on their geographical location within MDT's five districts. The public's top two actions were maintaining road pavement conditions which was a priority across the board – road pavement condition and maintaining or improving which has historically been a very high priority and it continues to be so. Improving the Interstates and other highway systems ranked second for District 4

Glendive. District One Missoula, District Two Butte, and District Three Great Falls ranked wildlife crossings second. District Five Billings ranked maintaining roadside vegetation as their second priority.

*Comparison of Priority Actions to Improve Montana's Transportation System.* This is a really good comparison between stakeholders input as well as public input. Across the board the top seven actions are pretty much the same between the stakeholder responses and the public with slight variation in the rankings. To note the stakeholders ranked maintaining road pavement condition and improving the physical condition of the Interstate and major highways as the highest priority actions. The general public prioritized maintaining road pavement condition with a number of additional items including wildlife crossings and farriers, keeping the public informed, and improving the physical condition of Interstate and major highways. The public had a number of priorities that tied or were very close in rankings.

In surveying the public and the stakeholders about their perceived value, again using \$200 to \$260 per year in fuel tax contributions, this is the consistent metric we used for this survey over the past few years. As you can see there is some slight differentiation on how our stakeholders and the public responded to this question. Eighty seven percent (87%) of stakeholders and 76% of the general public believed they were receiving equal to or more than the value they contributed in fuel tax. Those are important numbers and shows we still have a very high majority that believe they are getting at least or more than what they are paying in fuel tax contributions.

Looking at customer responses we also asked questions, related to funding, what the response would be to reductions in systems and improvements if overall funding were to decrease. This slide does not change much between survey years, it has been pretty consistent with our past surveys.

They were also asked what should be funded at lower levels if MDT money were to be decreased. The majority of our stakeholders and the general public said they would decrease funding for bicycle pathways followed by pedestrian walkways. Interstate highways and other major highways and maintenance ranked the least preferable for decreased funding for both stakeholders and the public. Again, that is consistent with previous years that we've performed the survey.

We have a portion where we survey both stakeholders and the public on MDT customer service. We asked them to rate MDT on a grade of A to F based on the quality of service MDT provides, our responsiveness to customer ideas and concerns, sensitivity to the environment, convenience of travel through work zones, public notification about construction projects in the area where you reside, and highway maintenance and repair. This slide compares the responses that were A or B for those customer service components. It compares within each of our stakeholder groups – tribal planners, passenger transportation, environmental, inter-modal, non-motorized, Mayors and city officials, economic development, state and federal entities, county commissioners and then the public. As you can see those numbers have remained above the goal which has been consistent over the last few surveys of 50% graded A or B in those customer service components.

As you can see non-motorized in 2021 was the only stakeholders group to not reach that goal of 50% A or B, it fell just short of that. Some context, in 2021 we had a lower over-all response rate with the public as well as stakeholders. Our survey partner, the University of Montana, has assured us that is not a challenge that is unique to Montana and was something that was being experienced nationally with surveys. Note that was the only one that fell below 50%.

I will open this up for questions. We have some detailed slides on the Districts but given the time, I will leave it up to the Commission if they would like to go the

individual districts, otherwise we will provide this whole presentation to the Commission as an informational resource.

### Informational.

Commissioner Sanders asked who sets the goal of Vision Zero. Lauren Eichenfels said Vision Zero is set by the department. How it falls into this is a little higher level; we don't specifically touch Vision Zero. So this 50% goal is separate from that. Commissioner Sanders said that Vision Zero seems like an unattainable goal. I understand the desire but in the military we didn't say to the pilots, defeat the entire Russian army before you come back. I wonder if there is a more attainable goal such as a reduction of X percent per year. Dwane Kailey said we have what is called the Comprehensive Safety Plan. It does have a measure in it that by 2030 we're supposed to have cut in half all of our serious crashes and fatalities. So we do have that goal that we're actually measuring for safety. Vision Zero is more of a philosophy; it's more about not accepting any fatalities or serious injuries and not doing our best to alleviate all of them. We fully understand getting to zero is faulty but it's more of a philosophy of saying we're not going to accept any. Commissioner Sanders said I understand that philosophy and it sounds like you do have some measurable goals. My salient point is until we tell the deer, elk, and moose they can't cross the road, I think the reality of zero is just unattainable.

### **Elected Official / Public Comment**

*Marilee Brown, GAP Bozeman*

I wanted to speak briefly on the 85<sup>th</sup> percentile in establishing speed limits. A little bit of history – 1950's is when the 85<sup>th</sup> percentile was established. It was established by not having any speed limit signs and measuring free-flow traffic. Free-flow traffic back then was much more sparse than it is today. The reason they had free-flow traffic is they wanted to measure what drivers would do if they were completely by themselves. Now free-flow traffic is quite often just like ponies on a pony ride trying to catch up with the ponies up ahead of them. So free-flow traffic is trying to catch up to the vehicle in front of them that is going a little bit faster.

The MUTCD is what guides your decisions in setting speed limits. Interestingly enough the MUTCD does not refer to the 85<sup>th</sup> percentile at all. It points to using established engineering practices. The group that helps establish engineering practices is the MCHRP. The MCHRP has recently come out with a new research report No. 966 that states that the 85<sup>th</sup> percentile is no longer the number one way speed limits should be set. They refer to the 50<sup>th</sup> percentile and they also refer to, just like the MUTCD, noticing other characteristics of the roadway – how it's built, what's next to it, the roadway facility type and its context, the number of access points, the presence of bicyclists, etc.

I know that everyone loves to refer to the 85<sup>th</sup> percentile but speed creep is a real issue and speed creep is mentioned in the MCHRP report. I remember my father on vacations when he was bored giving me my first lessons on how to safely drive a car. He would point to the speed limit signs and say "see that speed limit sign, that's what they are saying is safe but they know that the DOT knows that people will go seven miles per hour over that speed limit because you won't get a ticket. That's how they set the safe speed." I later came to find out, after I got my driver's license, that it is common knowledge and what everybody believes. So they see a speed limit sign and they go a little faster because they think that's safe and I can go that fast.

Thank you for listening to this brief history lesson. I am the Executive Director of Safer Bozeman and Gallatin County. We are a group of citizens and engineers that want to promote traffic safety. I thank you for your time today.

Commissioner Frazier said that 49 states and Canada try to set speed zones all the same way so that you have something that is safe and enforceable. There is no speed zone without enforcement – they go hand-in-hand. You try and set down the 85<sup>th</sup> percentile as a gage that assumes most people are reasonable in how they drive. Setting speed zones can be a very emotional thing for some people and some communities. I grew up in an age where I learned how to drive, that my first six-to-eight months were unlimited and “reasonable and prudent” was the speed limit. Then they switched it and made it safer for all of us and conserved gas by making a 55 mph speed limit. You hear me refer to speed limit signs as a piece of sheet metal on a stick and I’m referring to those ages when we had the 55 mph speed limit and everybody drove 70 mph on the Interstate anyway.

In North America we try and set the speed limits all the same way so you can travel from country-to-country and state-to-state and reasonably expect that speed zones are going to be in the same general area so we don’t have speed traps. I appreciate the input from our safety advocate there.

Dustin Rouse said we also recognize the reports from MCHRP. As I go through the speed studies today, I will reference those comparisons. We are looking at MCHRP and we take into consideration the area and the concentration of approaches through the areas we study. I want to convey that we don’t just look at the 85<sup>th</sup> percentile, we look at a lot of different factors and we continue to refine how we approach doing our speed studies.

*Zac Ringsak, Senator Tester’s Office*

I wanted to introduce myself – I’m with Senator Tester’s Office. I’m mainly here to just listen and learn and pass along what is going on in Montana to the Senator. Thanks for having me.

I did notice as I read through the study done by KLJ, there is an interesting paragraph saying there has been a nation-wide push over the last several years that states are moving closer to the 50<sup>th</sup> percentile. I thought that was interesting reading. Are we the one state that does it different, I don’t know? That’s just a note that it looks like the 50<sup>th</sup> percentile in a lot of places is becoming more of a thing. Basically the 85<sup>th</sup> percentile was actually set up when they had a lot of rural roads. At any rate I think it is valid.

### **Presentation: Montana Perpetual Pavement Award**

*Amy Miller, National Director, Asphalt Pavement Alliance* presented the award. The APA annually awards the Perpetual Pavement Award and is based on submittals of projects. These awards are not easy to achieve because the roads have to be at least 35 years old, the average asphalt has to be at least 13 inches, and really the key thing is they can never have more than four inches added.

We have three categories of Perpetual Pavement Award: Perpetual Conversions of dirt roads that have been in existence and they’ve used asphalt to convert them to be perpetual ones. We also have Perpetual by Design. So right out of the gate we’re designing it to be perpetual; we understand the value. Then we have Perpetual by Performance. That is the road we’re going to talk about today which is Hwy 2 from milepost 611 to 626. Hope was so nice to show us where that is in your state on the northeast side of the state. This project was submitted by Miles Yerger and Jeff Jackson for the 2019 Award. We have been waiting two years to award this.

I wanted to give you a brief overview of perpetual pavements. They are unique to asphalt because we’re able to design a roadway section that provides a good strong

base section that sits there in perpetuity and then the wearing course that is replaced on an as-needed basis. So the design is sustainable – think about the natural resources in perpetuity stay in place, you don't have to dig them up and replace them, and we're giving road users what they want. Our road users don't know what they are driving on, they just know they want it to be smooth and they want people out of their way. So these perpetual roads allow that because you come in and do a nice smooth surface, you've got good speed of construction, you get your contractors in and out. Now I'll let Dave talk about the actual road.

*Dave Johnson, Asphalt Institute*

I'm a Senior Regional Engineer with the Asphalt Institute. I'm a 1984 graduate of Plentywood. This section is less than an hour from my home town and certainly I've been across that more than once. With the Bakken Oil Field and even our historical oil field travel over there, that further enhances the remarkableness of the way this section has performed.

This section runs from the state line back to the west from milepost 611 to 626. It was constructed in 1970. The cross section is fairly unique not only for Montana but from a national perspective. The bottom 1.2 feet was a crushed base course and on top of that was 2.4 inches of crushed surface material that had on top of that 4.8 inches of asphalt treated base that served as the driving course for a number of years, nine years to be exact, with four inches of plant mix bituminous surfacing on top of that. Twenty years later, there was our standard mill and fill operation like we do all over Montana. This particular stretch of road has been providing over 50 years of service to the folks of northeast Montana. So for many of our travelers making their way to Glacier Park, this would be the first impression of Montana highways when they are coming along the highline on Hwy 2 and cross over heading towards Baineville and here we have a road that has given phenomenal performance.

The soils up there, as many of you know, are lousy to put it mildly. The winter weather is robust. Antelope had an air temperature a couple of years ago of 50 below zero. I can recall as a high schooler days on end of 40 below zero type of temperatures which is certainly a little unusual, and we get over 100 degrees in the summertime. You may not realize that Medicine Lake which is not too far from there has our all-time high temperature in Montana of 113 degrees. So you start looking at the spread of temperatures and the freeze-thaw cycles and the rapidity of those freeze-thaw cycles as well as the speed at which temperatures can change, and you throw the soils underneath that and you've got a real challenge to get a road that is going to last for a long time. So 50 years of performance out of any material is remarkable. I'm really proud of what you guys accomplished.

In talking about perpetual pavements, we now have moved beyond the technology that was actually used to construct this road and the other 156 perpetual pavements around the country. All of these were constructed prior to the common use of what we now use in Montana on all of our surfaces. The advancement in technology in the asphalt world should provide us with even longer life performance into the future and long term. So the fact that we have these fantastic roads to begin with that were built with what is now considered antiquated technology is a testament to what was done at that time.

A quick tidbit on the age – this is our fifth award. When we first had the idea of presenting this award to the Commission, Dwane asked me if I could figure out who the original contractor was so we could include them. It took me awhile to find the information but through some research I found out that the original contractor was an outfit named of Gus Albert Trucking. Had we been able to present this award in 2019, I would have been able to find a whole lot more information on the project, but when that 50 year time frame came, the project files got purged. I didn't start looking into who did it until 2021 which was one year after the project got purged

because it was completed in 1970. That's another testament to how long it's been out there.

Amy Miller and Dave Johnson presented the award to the Commission.

Commissioner Frazier said the whole group has been doing a great job for us. They were doing a great job when I used to work here over a decade ago. Keep up the good work and years from now projects you guys worked on are going to be getting awards because you have been doing a bang-up job and I just want to recognize you for that, thank you. Congratulations.

### **Agenda Item 7: Speed Limit Recommendation Secondary 276 – Browns Gulch**

Dustin Rouse presented the Speed Limit Recommendation, Secondary 276 – Browns Gulch to the Commission. Originally, Butte-Silver Bow County submitted a request for an interim speed limit. After that request, our staff did a windshield survey to look at the speed which we do if we don't have time to do a full speed study. Unfortunately when we did that initial survey, there was a conflict and no member from Butte Silver Bow showed up. We did drive it and put together a report and submitted the report but we never did receive a response from them. While we were waiting for a response, we completed the new roundabout at the interchange at Rocker. Once that was in place, we did go out and complete a speed study for Browns Gulch. For context, the Browns Gulch Road begins at the Rocker Interchange and extends north for about 7.9 miles.

Currently Browns Gulch is set at the statutory 70 mph. After we looked at it the speed profile does support a reduction of the speed limit. The recommendation will reduce the limit to match the actual traffic operations of the roadway. The final segment recommendation does have a 35 mph speed limit recommendation but it's currently posted at 25 mph. Based on MCA § 61-8-309 1(b) which states that unless local officials submit a request to do a speed study if they believe the speed is set too high, the Commission is not allowed to raise the posted speed limit above the existing speed limit. That is why in the report itself our recommendation was 35 mph but in our final recommendations we are stating that we'll leave it at the posted 25 mph so we're not increasing the posted speed limit when the intent of the locals was to look at the route and look at reducing the speed limit.

The other challenge is, if Butte Silver Bow concurs, we could set the 25 mph to 35 mph but we didn't receive their concurrence as part of this even after the speed study was completed. MDT and the District felt that enough time had passed, we've completed the speed study and we have this information, and even if we had not received any comments from Butte Silver Bow, we still wanted to present this to the Commission to allow you take action or not on our recommendations.

MDT recommends the following:

A 35-mph speed limit beginning at the start of Secondary 276, centerline of I-90, (straight-line station 0+00) and continuing approximately 100-feet past the travel plaza (straight-line station 11+00), an approximate distance of 1,100 feet.

A 45-mph speed limit beginning approximately 100-feet past the travel plaza (straight-line station 11+00) and continuing through the horizontal curve to milepost 0.57 (straight-line station 30+00), an approximate distance of 1,900 feet.

A 60-mph speed limit beginning at milepost 0.57 (station 30+00) and continuing north to milepost 3.35 (straight-line station 177+00), an approximate distance of 2.78-miles.

A 45-mph speed limit beginning at milepost 3.35 (straight-line station 177+00) and continuing to the end of the improved segment (straight-line station 198+00), an approximate distance of 2,100 feet.

A 25-mph speed limit beginning at the end of the improved segment (straight-line station 196+20) and continuing north up Browns Gulch to the end of the secondary route designation (straight-line station 415+30), an approximate distance of 4.15-miles.

Commissioner Sanders asked if we were complying with the MCA by leaving that last portion at 25 mph since Butte Silver Bow did not respond and MDT has done everything they could to get them to weigh in on it. Val Wilson said yes.

Commissioner Sanders moved to approve the Speed Limit Recommendation, Secondary 276 – Browns Gulch. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 8: Speed Limit Recommendation US 212/P 28 at Roberts**

Dustin Rouse presented the Speed Limit Recommendation, US 212/P 28 at Roberts to the Commission. The Carbon County Commissioners submitted a request for a speed limit study for the purpose of lowering the existing 45-mph posted speed limit through Roberts to 35-mph. This would maintain the temporary 35-mph speed limit in place during a recent construction project.

The speed profile alone did not provide support to reduce the existing 45-mph speed limit through Roberts to 35-mph. There was support to reduce the speed limit to 40-mph based upon the prevailing speeds. However, due to access density, pedestrian crossing activity, lack of pedestrian facilities in the area, and presence of marked crosswalk for school students a 35-mph speed limit could be justified. When introducing a new speed zone, it is necessary to have appropriate transitional speed zones. A new 55-mph and 45-mph transitional speed zone will be added on both sides of the 35-mph special speed zone through Roberts.

Comments were received from Commissioner Bill Bullock from District 3 of Carbon County. He indicated that there was a lot of support for the lower speed limit and with all the newly residing Amish in the area, it seems very appropriate. The email is attached.

MDT recommends the following speed limits:

A 55-mph speed limit beginning 1,600-feet south of West Bench Road (straight-line station 614+00) and continuing north to 1,600-feet south of Birch Street (straight-line station 647+00), an approximate distance of 3,300-feet.

A 45-mph speed limit beginning 1,600-feet south of Birch Street (straight-line station 647+00) and continuing north to 100-feet south of Birch Street (straight-line station 662+00), an approximate distance of 1,500-feet.

A 35/25-mph school zone speed limit beginning 100-feet south of Birch Street (straight-line station 662+00) and continuing north to 250-feet north of Cooney Road (straight-line station 689+00), an approximate distance of 2,700-feet.

A 45-mph speed limit beginning 250-feet north of Cooney Road (straight-line station 689+00) and continuing north to 1,800-feet north of Cooney Road (straight-line station 704+00), an approximate distance of 1,500-feet.

A 55-mph speed limit beginning ,800-feet north of Cooney Road (straight-line station 704+00) and continuing north to 1,300-feet south of Shorey Road (straight-line station 737+00), an approximate distance of 3,300-feet.

Commissioner Frazier said you mentioned a 35-25 mph, are you referring to the 25 mph speed limit with flashing for the school zone. Dustin Rouse said correct.

Commissioner Sanders moved to approve the Speed Limit Recommendation, US 212/P 28 at Roberts. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 9: Speed Limit Recommendation Old US 87 – Old Hardin Road to Johnson Lane**

Dustin Rouse presented the Speed Limit Recommendation, Old US 87 – Old Hardin Road to Johnson Lane to the Commission. Yellowstone County submitted a request for a speed limit study for the purpose of extending the existing Lockwood School Zone to encompass all of the Lockwood School property. There was also a desire to have the existing 30/40-mph speed limit lowered with the 30-mph school zone being active all day instead of only during arrival and dismissal times.

The study segment of Old US 87 begins at the intersection of Old Hardin Road and ends at Johnson Lane. In summary, the existing speed profile by itself does not necessarily support a reduction to the existing speed limits. However, MDT recognizes that based on crash data road users may not readily comprehend existing roadway characteristics. There are more access points to the main highway than is recommended, narrow lanes and narrow shoulder widths, numerous fixed objects within the clear zone. The 2020 school year was the first year for students to attend the new high school meaning the volume of students driving to school will be increasing over the next three years as high school students tend to drive to school rather than being dropped off.

Based on these factors and the desire to set consistent speed limits MDT recommends a speed limit of 35-mph from the intersection with Old Hardin Road through the existing school zone approved April 22, 2021. East of the previously approved school zone the existing speed limit of 45-mph will be unchanged. The school zone speed limit will be 25-mph during active school days and school hours (7:30 am to 4:30 pm).

Yellowstone County concurs with the recommendation and their letter attached.

MDT recommends the following:

A 35-mph speed limit beginning at the intersection of Old Hardin Road (straight line station 550+75) and continuing east to a point 50-feet west of Rock Hill Drive (straight-line station 530+75), an approximate distance of 2,000-feet.

A 25/35-mph speed limit beginning at a point 50-feet west of Rock Hill Drive (straight-line station 530+75) and continuing east to a point 50-feet east of the approach for Hillside Village Mobile Home Park (straight-line station 495+25), an approximate distance of 3,550-feet.

No change to the approved speed limits east of a point 50-feet east of the approach for Hillside Village Mobile Home Park (straight-line station 495+25).

Commissioner Sanders moved to approve the Speed Limit Recommendation, Old US 87 – Old Hardin Road to Johnson Lane. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 10: Speed Limit Recommendation Old Hwy 10 (S-210/X-32235) Clinton**

Dustin Rouse presented the Speed Limit Recommendation, Old Hwy 10 (S-210/X-32235) Clinton to the Commission. Missoula County submitted a request for a speed limit study on behalf of the residents along Old Highway 10 near Clinton for the purpose of reducing the existing posted 60-mph speed limit.

In summary the speed profile does not support a reduction to the existing posted speed limit. The 85th percentile speeds and upper limit of the pace indicate a prevailing speed between 60-mph and 65-mph. Traffic operation and surrounding environment matches with the existing speed limit and does not support further reduction. NCHRP 17-76 also recommends a speed limit of 60-mph.

The Missoula County Commissioners concur with MDT's recommendation of no change except between the I-90 Interchange and Wallace Creek. They would like to see the area between the I-90 Interchange and Wallace Creek posted at 35-mph. This segment is approximately 1,350-feet long. Missoula County Commissioners state that the drivers need to slow down to negotiate the various intersections that exist at the end of S-210 and there is a curve warning sign with a 25-mph speed plate in the middle of the segment. Their letter is attached.

Unfortunately, MDT did not collect data directly in this area. Data collection was performed 400-feet west and 850-feet east of the segment and showed prevailing speeds of about 50-mph. There is a curve with an advisory speed but only two intersections. This segment is also no longer part of S-210 and instead a portion of X-32235. There is no posted speed limit on X-32235. MDT has proposed conducting a speed study on this route before only posting a 35-mph at the beginning of it. Previous discussions with Missoula County staff have not resulted in a request for this speed study and no response has been received regarding conducting a speed study next summer for this segment of roadway.

MDT recommends the following:

No change to S-210.

An Interim 45-mph speed limit beginning at the interchange on X-32235 (straight-line station 519+50) and continuing to the intersection with Wallace Creek Road (straight-line station 532+50), an approximate distance of 1,300-feet.

An Interim 55-mph speed limit beginning at the intersection with Wallace Creek Road (straight-line station 532+50) and continuing to the end of X-32235 (straight-line station 663+33), an approximate distance of 2.48-miles.

To give a little background – the reason that interim speeds are recommended at this location, as indicated in the report, we did not specifically check the prevailing speeds and we did not complete a speed study in the specific zone of concern for Missoula County. So in essence, an engineering speed study through that stretch was not completed. The Commission does have the flexibility to set an interim speed without an engineering speed study based on our observations at that area and with the concurrence of the County. So that's the recommendation that is included in this and why they are labeled as an interim study. If you do set an interim speed limit, based upon the recommendation, we do need to go back and review this location within a year and a half.

Commissioner Sanders asked if Missoula County had to request the speed study or can you do it on your own. Dustin Rouse said we can do our own study. Commissioner Sanders said then you will go back out and do a speed study within that one year time period. Dustin Rouse said yes. Commissioner Frazier said I find it interesting that we have a stretch of road that's never had a speed limit set on it. We do need to do something.

Commissioner Sanders moved to approve the Speed Limit Recommendation, Old Hwy 10 (S-210/X-32235) Clinton. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 11: Speed Limit Recommendation Cottonwood Road (S-345) Anderson School**

Dustin Rouse presented the Speed Limit Recommendation, Cottonwood Road (S-345) Anderson School to the Commission. Gallatin County on behalf of the Anderson School District submitted a request for a speed limit study for the purpose of lowering the existing speed limit and extending the existing school zone to the south 1000-feet. The extension would cover a potential bus circle and the recently established private school (Cottonwood Day School). The study began at the intersection with Johnson Road and continues to the intersection with 19th Avenue.

This segment of Cottonwood Road was last improved in 2021 with delineation and signing. The typical section is comprised of two 10-foot travel lanes with an occasional one-foot shoulder. There is a non-traversable ditch on each side of the road for the majority of the study area. The heavily treed area around Hyalite Creek along with the ditch result in insufficient clear zones along the roadway. A multiuse path runs along the eastern side of the road from 19th Avenue to Anderson School. Average annual daily traffic volume from 2020 was estimated at approximately 800 vehicles. During the summer months (Memorial Day to Labor Day) when school is for the most part not in session, traffic volumes increase on average by 50 percent. The roadside environment can be described as rural with some residential and institutional development. Most of the development is located around Anderson School and includes two small subdivisions, several other residential homes, Cottonwood Day School, and the Hyalite Rural Fire Department.

In summary no further reductions to the existing posted speed limits are supported by the speed profile. The 85th percentile speeds and upper limits of the pace are for the most part 5-10-mph above the 45-mph posted speed limit and 30-mph school zone speed limit. On average only about 50 percent of drivers are all within 10-mph of each other. This would indicate that the speed limits are set low for the area.

However, roadway context indicates these speed limits are set appropriately. There are travel lanes one foot narrower than design standards with no shoulder and a non-traversable ditch. Around the schools there is also closely spaced residential homes. Speeding appears to be an ongoing problem that law enforcement is attempting to tackle.

Based upon these observations MDT recommends maintaining the existing speed limits and extending the school zone 200-feet to the north and 1000-feet south. These extensions would place the school zone signs 500-feet from the edge of school property and include Cottonwood Day School. This recommendation matches with the existing petition from Gallatin County and the Anderson School Board.

Gallatin County Commissioners concur with the recommendation. Their letter is attached.

MDT recommends the following speed limits:

A 45-mph speed limit beginning at the intersection with Johnson Road (straight-line station 10+00) and continuing 400-feet south of the intersection with Happy Acres Road (straight-line station 50+00), an approximate distance of 4,000-feet.

A 30/45-mph speed limit beginning 400-feet south of the intersection with Happy Acres Road (straight-line station 50+00) and continuing 700-feet south of the intersection with Westland Way (straight-line station 75+00), an approximate distance of 2,500-feet. During school hours the active bouncing-ball-flashing-beacons will indicate the 30-mph school zone speed limit.

A 45-mph speed limit beginning 700-feet south of Westland Way (straight-line station 75+00) and continuing south to the intersection with South 19th Avenue (straight-line station 89+00), an approximate distance of 1,400-feet.

Commissioner Sanders moved to approve the Speed Limit Recommendation, Cottonwood Road (S-345) Anderson School. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 12: Speed Limit Recommendation Murphy Lane (S-571) Emigrant**

Dustin Rouse presented the Speed Limit Recommendation, Murphy Lane (S-571) Emigrant to the Commission. Park County submitted a request for a speed limit study for the purpose of posting a speed limit on Murphy Lane due to the public's concern about "the large amount of traffic entering Murphy Lane from the Emigrant fishing access and the approach's limited sight distance."

Murphy Lane was constructed by the county and last improved with a chip seal project in 2010. The typical section 24-feet wide and consists of two 12-foot travel lanes and no shoulder. The roadside environment is primarily rural and open. There is some rural residential development and a bar within the wide sweeping curve around the middle of the study area. The intersection of Murphy Lane and US 89 also has some business development, but most of the development is on US 89. Average annual daily traffic (AADT) volumes for 2020 were 1272 vehicles, approximately 200 vehicles less than estimated in 2019 and recorded for 2018.

In summary the speed profile provides support for posting a speed limit below the statutory 70-mph speed limit. The 85th percentile speeds and upper limits of the

pace are for the most part within  $\pm 3$ -mph of 50-mph. The lowest speeds, for the most part  $\pm 2$ -mph from 45-mph, were recorded approaching the stop-controlled intersections as to be expected. The highest prevailing speeds were around the halfway point. It would be advisable to post a consistent speed limit for the entire roadway especially when entering the curves. A consistent 45-mph speed limit instead of a three short 45-50-45-mph speed zones will reduce the possibility of driver confusion. The consistent 45-mph speed limit is further supported by the fatal and suspected serious injury crashes which occurred around the halfway point where the prevailing speeds were elevated. Citation data indicates law enforcement do patrol the area and target motorists traveling outside the norm.

The Park County Commissioners concurs with MDT's recommendation. Their letter is attached.

MDT recommends the following speed limit:

A 45-mph speed limit beginning at the intersection with US 89 (straight-line station 0+00) and continuing east for an approximate distance of 1.16 miles to the intersection with East River Road (straight-line station 61+00).

Commissioner Sanders moved to approve the Speed Limit Recommendation, Murphy Lane (S-571) Emigrant. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Director Long said before we leave the speed studies I have question for the Commission based on the number of speed studies you want in a report. The indications are there will be over 10 studies ready by the April meeting. I just wanted to warn you and find out if you want to take all that on or how you want to approach that? Commissioner Sanders said these are high interest items for most of the communities, so my recommendation is to wade through them. Commissioner Fisher said I'll defer to you on that. Commissioner Frazier said usually communities have been waiting a long time for these and it takes quite a while to get them on the docket, so let's go through them. However, I would prefer no more than a dozen at one time. Dustin Rouse said the benefit is we are cranking them out and getting through them. I appreciate staff getting this number together but it's a lot for one meeting. Commissioner Frazier said we will come prepared to tackle them.

### **Agenda Item 13: Certificates of Completion November & December 2021**

Dustin Rouse presented the Certificates of Completion for November & December 2021 to the Commission. We recommend approving the Certificates of Completion for November & December 2021.

Commissioner Sanders moved to approve the Certificates of Completion for November & December 2021. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 10: Discussion and Follow-up**

#### **Director Malcolm "Mack" Long**

Director Long said I appreciate this opportunity and thank you for your service, thank you for your time. It is important and as you saw the survey results and the

presentation, we as a team are trying to do our best. With your guidance and leadership it is very obvious we keep improving. We are always working toward that, we're always trying to do our best. One thing I want to touch on – as Chairman Frazier and I talked, the Commissioners and Commissioner Sanders, we get a lot of communications. I want to thank you and let you know how important that is. Both myself and the staff have been trying to make sure we're doing outreach – we're traveling, we're trying to get out and meet the Legislators and Commissioners and start talking. More than just a biennial survey, let's put boots on the ground, let's start seeing each other face-to-face. I thank you Commissioners for doing that in your districts. You've got the opportunity to do it. I want to say I appreciate that and thank you to everyone who gets drug along by me to Glendive, Great Falls, Kalispell, etc. I think it's paying dividends in the fact that both the Commissioners and the Legislators are now coming to us and we're talking. We have a dialogue going. I think that is important especially as we see the Montana keeps growing so what we do is critical. What we do is very important.

### *IIJA – The Infrastructure Act*

We are still working through the IIJA, the Infrastructure Act. Rob has now read all 2,700 pages twice and we're realizing that it might take three or four readings as we look at the different pieces. Both the pieces and as the guidance comes from our federal partners, Lucia Olivera with FHWA right here in Montana has been a wonderful partner. They are working with us but we're all kind of in the "hurry up and wait" mode and stand ready. We are ready and we keep reading it. For example, one of the things we're working on is electrical vehicle charging stations. There's some money, roughly \$6.8 million, coming to the state through MDT to start looking at this. We are partnering with the Department of Environmental Quality because they've already started this; they've already identified what corridors are the most important. They already had Volkswagen VW settlement money coming into the state, so they already have stakeholders, partners, and the corridors. So instead of reinventing the wheel, we're partner with them saying we will follow you. We get the money and we'll oversee it but you take the lead – DEQ, you know where these corridors are and you know what we already have, let's not duplicate it. So it's a good working relationship and that's one of the things that IIJA has in it as a law. They want us as the DOT to work those relationships.

### *Discretionary Money in IIJA*

The other thing is there is a lot of discretionary money in that which we have to apply for as Grants. Not just Rob and his crew but all of us because planning is a part of construction and preconstruction, and everything. We are a team but what we're trying to do is how can we use what's in the bill as a team to help Montana. I have to commend all of us because that's going to take a group effort. Again the federal guidelines coming out, they don't want just MDT doing it, they want MDT, the communities, the Counties and the localities to all work together as a group on these Grant requests. So hats off to our team. That's our plan, and we're going to do it.

### *Biannual Construction Conference in Billings*

Finally, we just had our Biannual Construction Conference in Billings last week. Every two years we bring everyone from all five districts all over the state together and share best practices, learn, get to meet each other, network, we even had a speaker come to talk about humor in the work place which I really enjoyed. Again, we as a department keep working at bringing our people together and networking. Don't feel if you're out in Wolf Point or up in Libby that you're alone; you are part of Team MDT. Share and work together and be a part of this team. My hats off to Jake because he volunteered to kind of babysit me and we made sure we really worked on that team building exercise even if it took late into the night.

## *FHWA*

Brian Hasselback, FHWA, said my compliments to you guys for the way you're getting out and about. Folks aren't always going like what we do but with boots on the ground at least they'll feel like their concerns are being listened to. You and your staff have done a tremendous job. I'll be surprised that the next time we see the survey results, at least on the stakeholder's side, we'll see much higher satisfaction because they feel like we care. My compliments to you.

Director Long said my compliments to you as a Commission for being very active. He thanked Commissioner Fisher for showing leadership and bringing this to our attention. We followed up and we're going to keep doing it. We're not afraid of getting out there; that's where everything happens. You're right, Julie and I don't always get the best reception, but at least it's a reception and not a cold shoulder.

Commissioner Frazier shared a story from personal experience. While working on Hwy 93 Hamilton to Florence, when I first went to the district we had to have an armed officer at our public meetings to keep the crowd from fighting each other but then they'd both focus on the MDT guy. But with frequent interaction and two community meetings per week for a couple of years, I wore them down. Eventually they said "Loran, we completely disagree with what you're saying and where you're at but we understand why you're there." So they at least accepted it. Getting out and discussing things made a difference – the first few meetings were kind of painful but after we got to know each other then we could have discussions and talk about different points of view. Being out there is important. Thank you guys for doing that.

### **Agenda Item No. 15: Project Change Orders November & December 2021**

Dustin Rouse presented the Project Change Orders for November & December 2021 to the Commission. They are informational only. If you have any questions, please feel free to ask.

Commissioner Frazier said I see one for a 25% increase in the Missoula District for center line rumble strips. There is a \$909,000 change order which is a 25% increase in the work. Why? Dustin Rouse said this particular change order is specific to the strip grooving. The total for that contract is \$909,000 but the change order is to add some additional locations that weren't in the original plan. So we added some additional sites to this project. Commissioner Frazier thanked him for the information.

### **Agenda Item No. 16: Liquidated Damages**

Dustin Rouse presented the Liquidated Damages to the Commission. They are informational only. If you have any questions, please feel free to ask. We had two liquidated damages:

STPS 574-1(2)0 Huson - East. Contractor: Schellinger Construction Co., Inc. There are two days of liquidated damages for a total of \$7,946. They are not disputed

NHPB-HSIP 15-4(164)218 I-15 Bridges (RP 218-221). Contractor: L&J Construction, LLC. There are three days of liquidated damages for a total of \$7,350. They are not disputed.

### **Agenda Item No. 17: Letting Lists**

Dustin Rouse said we did not get the Letting Lists in full print for the Commission. We will make sure you get those. They are informational only.

Director Long said the bidding has been robust which does not always happen but things change. The last few lettings our Engineer's Estimates and the bids have been right on. We will see next Tuesday where there was a couple of projects with only one bidder. They weren't large projects but only had a single bidder. With other projects we had three or four bidders. So it is interesting. The Contractor's Association told us that as our contractors get busy and more federal money flows to the state, we might see more single contractor bids. Again, for Commissioner Sanders in District Two, Big Sky put out their Tiger project again and got no bidders.

### **Next Commission Meetings**

The next Commission Conference Calls were scheduled for February 22, 2022, March 8, 2022, March 22, 2022, and April 5, 2022. The next Commission Meeting was scheduled for April 21, 2022.

### **Meeting Adjourned**

Commissioner Loren Frazier, Chairman  
Montana Transportation Commission

Malcolm "Mack" Long, Director  
Montana Department of Transportation

Lori K. Ryan, Secretary  
Montana Transportation Commission