

# Montana Transportation Commission

**April 28, 2020 Meeting  
Commission Room  
2701 Prospect Avenue  
Helena, Montana**

## **IN ATTENDANCE**

Barb Skelton, Transportation Commission Chair  
Greg Jergeson, Transportation Commissioner  
Noel Sansaver, Transportation Commissioner  
Mike Hope, Transportation Commissioner  
Tammi Fisher, Transportation Commissioner  
Mike Hope, Transportation Commissioner  
Mike Tooley, Director MDT  
Pat Wise, Deputy Director MDT  
Duane Kailey, MDT  
Kevin Christensen, MDT  
Lori Ryan, Commission Secretary  
Dustin Rouse, MDT  
Jake Goettle, MDT  
Val Wilson, MDT  
Lynn Zanto, MDT  
Patti Schwinden, MDT  
Shane Mintz, MDT  
Jim Wingerter, MDT  
Rod Nelson, MDT  
Bob Vosen, MDT  
Darin Reynolds, MDT  
Lucia Olivera, FHWA  
Brian Hasselbach, FHWA  
Joe Unterreiner, Kalispell Chamber of Commerce  
Representative Denley Loge

*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 Barb Skelton**

Commissioner Skelton called the meeting to order.

## **Approval of Minutes**

The minutes for the Commission Meetings of January 28, 2020, February 4, 2020, February 25, 2020 and March 10, 2020 were presented for approval.

Commissioner Sansaver moved to approve the minutes for the Commission Meetings of January 28, 2020, February 4, 2020, February 25, 2020 and March 10, 2020. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item 1: Local Construction Projects on State Highway System – Local Forces City of Kalispell & Treasure County**

Lynn Zanto presented the Local Construction Projects on State Highway System – Local Forces, City of Kalispell & Treasure County 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 Kalispell and Treasure County 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.

The City of Kalispell and Treasure 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 60-2-110, staff requests that the Transportation Commission approve the local projects listed below. The projects are also illustrated on the attached maps: City of Kalispell (Attachment A) and Treasure County (Attachment B).

Location	Type of Work	Cost (estimate)	Fiscal Year	Type of Labor
Center Street (U-6714), from Main Street to 2 <sup>nd</sup> Ave West, in Kalispell	Mill & Fill	\$70,000	2020	Local
Woodland Park Drive (U-6729), from Conrad Drive to US-2, in Kalispell	Mill & Fill	\$120,000	2021	Local
1 <sup>st</sup> Ave East (U-6723), from 12 <sup>th</sup> Street to US-2, in Kalispell	Mill & Fill	\$300,000	2020	Local
4 <sup>th</sup> Street (U-6716), from 2 <sup>nd</sup> Ave West to 5 <sup>th</sup> Ave West, in Kalispell	Mill & Fill	\$90,000	2020	Local
Wyoming Street (U-6732), from 3 <sup>rd</sup> Ave West to 5 <sup>th</sup> Ave West, in Kalispell	Mill & Fill	\$70,000	2020	Local
Grandview Drive (U-6704), from Juniper Bend to Sunnyview Lane, in Kalispell	Mill & Fill	\$80,000	2020	Local
7 <sup>th</sup> Street (U-6731), at the 12 <sup>th</sup> Ave West intersection, in Kalispell	Intersection Improvements	\$50,000	2020	Local
Secondary 311 (S-311), near the Yellowstone County Line	Overlay	\$20,000	2020	Local

Staff recommends that the Commission approve these improvements to the state highway system, pending concurrence of MDT’s Chief Engineer.

Commissioner Fisher moved to approve the Local Construction Projects on State Highway System – Local Forces, City of Kalispell & Treasure County. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 2: Local Construction Projects on State Highway System – Contract Labor  
City of Billings and City of Belgrade**

Lynn Zanto presented the Local Construction Projects on State Highway System – Contract Labor – City of Billings and City of Belgrade to the Commission. Under MCA 60-2-111 “letting of contracts on state and federal aid highways,” all projects for construction or reconstruction of highways and streets located on highway systems and state highways, including those portions in cities and towns, must be let by the Transportation Commission. This statute exists to ensure the safety of our system, protect transportation investments, and encourage better coordination between state and local infrastructure improvements. MDT staff reaches out to local

governments to solicit local projects on state systems to ensure compliance with this statute.

*Summary:* The City of Billings and the City of Belgrade 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 City of Billings and the City of Belgrade 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 City of Billings and the City of Belgrade to let and award contracts for the projects listed below. The projects are also illustrated on the attached maps: City of Billings (Attachment A) and City of Belgrade (Attachment B).

Location	Type of Work	Cost (estimate)	Fiscal Year	Type of Labor
Rimrock Road (U-1002), from 27 <sup>th</sup> Street to Virginia Lane, in Billings	Overlay	\$100,000	2020	Contract
17 <sup>th</sup> Street West (U-1003), from Grand Avenue to Rimrock Road, in Billings	Overlay	\$200,000	2020	Contract
Grand Avenue (U-1004), at the Virginia Lane intersection, in Billings	Signal Upgrades	\$500,000	2020	Contract
Main Street (U-605), at the Bolinger Road intersection, in Belgrade	Intersection Improvements	\$50,000	2020	Contract

Staff recommends that 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 City of Billings and the City of Belgrade - pending concurrence of MDT’s Chief Engineer.

Commissioner Jergeson asked why there were two different cities in two different districts on the same agenda item rather than each of them being presented individually. Lynn Zanto said we put contracted labor items together, however, we can arrange them any way you prefer. Commissioner Jergeson asked if each district would be responsible for the award in their district. Lynn said that is correct. We grouped it by the statutory authority it falls under.

Commissioner Hope moved to approve the Local Construction Projects on State Highway System, Contract Labor – City of Billings and City of Belgrade. Commissioner Jergeson seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 3: Construction Project on State Highway System  
Contract Labor – Big Sky TIGER Grant Project  
Gallatin County**

Lynn Zanto presented the Construction Project on State Highway System, Contract Labor – Big Sky TIGER Grant Project – Gallatin 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.

Big Sky TIGER Grant Project – Gallatin County

Gallatin County recently received a Transportation Investment Generating Economic Recovery (TIGER) grant to be utilized for improvements in the Big Sky area. At this time, Gallatin County is proposing the following operational and safety improvements along the MT-64 corridor: improved signalization, new turn lanes, expanded shared-use path facilities, a new signal at Little Coyote Road and a pedestrian tunnel (just west of Little Coyote Road).

MDT headquarters and Butte District staff have reviewed and concur with the recommended improvements. Gallatin County 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). When complete, MDT will assume all maintenance and operational responsibilities associated with these improvements – with the exception of facilities associated with the shared-use path.

*Summary:* Gallatin County is proposing modifications to MT-64 to promote operational and safety improvements in the Big Sky area. Specifically, Gallatin County is requesting Commission approval for improved signalization, new turn lanes, shared-use path upgrades, a new signal at Little Coyote Road and a pedestrian tunnel (just west of Little Coyote Road).

Staff recommends that the Commission approve these modifications to MT-64 and requests that the Commission delegate its authority to let, award, and administer the contract for this project to Gallatin County - pending concurrence of MDT's Chief Engineer. Lynn Zanto noted that the grant they received was \$10.3 million.

Commissioner Jergeson said with the first two agenda items approved there were project cost estimates attached. Are there cost estimates on the Tiger Grant projects and why were they not included in the narrative? Lynn said there are cost estimates involved and I will send you the information after the meeting. Commissioner Sansaver said he also wondered why the costs were not included in the narrative. Lynn said she would send it to all the commissioners.

Commissioner Hope moved to approve the Construction Project on State Highway System, Contract Labor – Big Sky TIGER Grant Project, Gallatin County. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 4: Construction Project on State Highway System, Contract Labor – Benton Avenue, Helena**

Lynn Zanto presented the Construction Project on State Highway System, Contract Labor – Benton Avenue, Helena 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.

Benton Avenue – Helena

The City of Helena is proposing modifications to Benton Avenue (U-5805) to promote operational improvements, safety, and improved storm water drainage along the Benton Avenue corridor. Proposed improvements include a new left-turn lane at Oakwood Lane, a new left-turn lane at Meadow Drive, new left-turn and right-turn lanes at the entrance to the Solid Waste Transfer Station, and new curb and gutter from Custer Avenue to Batch Field.

MDT headquarters and District staff have reviewed and concur with the recommended improvements. The City of Helena 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).

When complete, the City will assume all maintenance and operational responsibilities associated with these improvements. Thus, MDT will not incur additional liability or maintenance costs as a result of the proposed improvements.

*Summary:* The City of Helena is proposing modifications to the Urban Highway System to promote operational improvements, safety, and improved storm water drainage along the Benton Avenue corridor. Specifically, the City of Helena is requesting Commission approval to add a new left-turn lane at Oakwood Lane, a new left-turn lane at Meadow Drive, new left-turn and right-turn lanes at the entrance to the Solid Waste Transfer Station, and new curb and gutter from Custer Avenue to Batch Field.

Staff recommends that the Commission approve these modifications to the Urban Highway System and requests that the Commission delegate its authority to let, award, and administer the contract for this project to the City of Helena – pending concurrence of MDT's Chief Engineer.

Commissioner Jergeson moved to approve the Construction Project on State Highway System, Contract Labor – Benton Avenue, Helena. Commissioner Fisher seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 5: Construction Project on State Highway System  
Contract Labor – Rodney Street Improvements,  
Helena**

Lynn Zanto presented the Construction Project on State Highway System, Contract Labor – Rodney Street Improvements, Helena 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.

Rodney Street Improvements – Helena

The City of Helena is proposing modifications to Rodney Street to promote operational improvements, safety, and improved storm water drainage along the Rodney Street corridor. Proposed improvements include the removal of existing traffic signals at 6th Avenue (U-5814), installation of ADA curb ramps at Broadway (U-5816), and installation of new curb, gutter and storm drains at both intersections.

MDT headquarters and District staff have reviewed and concur with the recommended improvements. The City of Helena 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).

When complete, the City will assume all maintenance and operational responsibilities associated with these improvements. Thus, MDT will not incur additional liability or maintenance costs as a result of the proposed improvements.

*Summary:* The City of Helena is proposing modifications to the Urban Highway System to promote operational improvements, safety, and improved storm water drainage along the Rodney Street corridor. Specifically, the City of Helena is requesting Commission approval to remove the existing traffic signals at 6th Avenue, install ADA curb ramps at Broadway, and add new curb, gutter and storm drains at both intersections.

Staff recommends that the Commission approve these modifications to the Urban Highway System and requests that the Commission delegate its authority to let, award, and administer the contract for this project to the City of Helena - pending concurrence of MDT's Chief Engineer.

Commissioner Sansaver asked about the city funds, does the state put any money into that project? Lynn Zanto said the state is not funding the improvements. The only thing the state contributes is the cost for the staff review and working through our process. Commissioner Sansaver asked why it comes before the Commission. Lynn said this project is a mission-designated urban system route and in state statute, the Commission has the right to designate routes to be on the Urban Highway System. That opens up eligibility for federal funding for the project but if no funds are available the local governments can still do work on these systems. About 75% of that system state-wide is under jurisdiction of the local government. MCA 60-2-111 states that the Commission is responsible for letting contracts on any state designated route no matter who has the jurisdictional responsibility.

Commissioner Jergeson moved to approve the Construction Project on State Highway System, Contract Labor – Rodney Street Improvements, Helena. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 6: Construction Project on State Highway System Contract Labor – Kalispell TIBER Grant Project, Flathead County**

Lynn Zanto presented the Construction Project on State Highway System, Contract Labor – Kalispell TIGER Grant Project, Flathead 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.

#### Kalispell TIGER Grant Project – Flathead County

The Flathead County Economic Development Authority (FCEDA) received a Transportation Investment Generating Economic Recovery (TIGER) grant to be utilized for improvements in the Kalispell area. A portion of this TIGER grant was reserved for a multi-use path along the railway bed (that was recently vacated) with the relocation of rail services to the new Glacier Rail Park.

At this time, the FCEDA is proposing to install new pedestrian crossing facilities (for this multi-use path) at locations on Main Street (N-5), 4th Avenue East (U-6725), 3rd Avenue East (U-6724), 1st Avenue East (U-6723), 5th Avenue West (U-6721) and Meridian Road (U-6713). Additionally, the existing railroad crossing structure on US-2 (N-1) will be converted for use as a bicycle/pedestrian facility.

MDT headquarters and Missoula District staff have reviewed and concur with the recommended improvements. The FCEDA 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).

When complete, the City of Kalispell will assume all maintenance and operational responsibilities associated with these improvements. Thus, MDT will not incur additional liability or maintenance costs as a result of the proposed improvements.

*Summary:* The Flathead County Economic Development Authority (FCEDA) is requesting Commission approval for new crossing facilities (on several National Highway System and Urban Highway System routes in Kalispell) in order to construct a multi-use path along the railway bed vacated when rail services were moved to the new Glacier Rail Park.

Staff recommends that the Commission approve these modifications to the National Highway System and Urban Highway System – and requests that the Commission delegate its authority to let, award, and administer the contract for this project to the City of Kalispell - pending concurrence of MDT's Chief Engineer.

Commissioner Fisher moved to approve the Construction Project on State Highway System, Contract Labor – Kalispell TIGER Grant Project, Flathead County. Commissioner Hope seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 7: Construction Project on State Highway System Contract Labor – Pedestrian Tunnel, Whitefish**

Lynn Zanto presented the Construction Project on State Highway System, Contract Labor – Pedestrian Tunnel, Whitefish 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.

#### Pedestrian Tunnel - Whitefish

The City of Whitefish is proposing modifications to Baker Avenue (U-12001) to promote connectivity and pedestrian safety in downtown Whitefish. Proposed improvements include the installation of a pedestrian underpass (tunnel) and associated ADA compliant paths near the O' Shaughnessy Cultural Arts Center.

MDT headquarters and Missoula District staff have reviewed and concur with the recommended improvements. The City of Whitefish 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).

When complete, the City will assume all maintenance and operational responsibilities associated with these improvements. Thus, MDT will not incur additional liability or maintenance costs as a result of the proposed improvements.

*Summary:* The City of Whitefish is proposing modifications to the Urban Highway System to promote connectivity and pedestrian safety in downtown Whitefish. Specifically, the City of Whitefish is requesting Commission approval to install a pedestrian tunnel (and associated ADA compliant paths) under Baker Street near the O' Shaughnessy Cultural Arts Center.

Staff recommends that the Commission approve these modifications to the Urban Highway System and requests that the Commission delegate its authority to let, award, and administer the contract for this project to the City of Whitefish - pending concurrence of MDT's Chief Engineer.

Commissioner Fisher moved to approve the Construction Project on State Highway System, Contract Labor – Pedestrian Tunnel, Whitefish. Commissioner Jergeson seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 8: Performance Programming Process System Designation Modification West Reserve Drive, Kalispell**

Lynn Zanto presented the Performance Programming Process, System Designation Modification – West Reserve Drive, Kalispell to the Commission. The Transportation Commission is responsible for approving revisions to the Primary Highway System (per MCA 60-2-126). Primary Highways are those routes that have been functionally classified as either a principal or minor arterial, and that have been selected by the commission to be placed on the Primary Highway System.

The Transportation Commission is also responsible for approving revisions to the Urban Highway System (per MCA 60-2-126). Urban Highways are those routes that have been functionally classified as either urban arterials or collectors, and that have been selected by the commission, in cooperation with local government authorities, to be placed on the Urban Highway System.

At the request of the City of Kalispell and Flathead County (Attachment B), MDT is proposing the following modifications to the Urban Highway System and the Primary Highway System in Kalispell:

- Remove West Reserve Drive, between US-93 and LaSalle Road (US-2), from the Urban Highway System.
- Add West Reserve Drive, between US-93 and LaSalle Road (US-2), to the Primary Highway System.

If approved, this action would serve to reduce Urban Highway System mileage in Kalispell by 2.5 miles. It should be noted that all maintenance responsibilities will remain with the State of Montana – so MDT will not incur additional liability or maintenance costs as a result of the proposed system modifications.

It should also be noted that this system modification aligns with the December 2000 Commission Policy for System Actions on State Designated Highways and that the proposed actions are in conformance with:

- (a) System action general and specific procedures;
- (b) The requirements for participation with appropriate local officials; and
- (c) In urbanized areas the planning process required pursuant to the provisions of 23 USC 134(a)



On behalf of the City of Kalispell and Flathead County, as required by MCA 60-2-126, staff requests that the Transportation Commission approve the proposed modifications to the Urban Highway System and the Primary Highway System (as listed above and illustrated on the attached map).

*Summary:* The City of Kalispell and Flathead County are requesting Transportation Commission approval to remove a portion of West Reserve Drive from the Urban Highway System and add it to the Primary Highway System. If approved, this action would serve to reduce Urban Highway System mileage in Kalispell by 2.5 miles.

Staff recommends that the Commission approve the following modifications to the Urban Highway System and the Primary Highway System in Kalispell (shown on Attachment A):

- Remove West Reserve Drive, between US-93 and LaSalle Road (US-2), from the Urban Highway System.
- Add West Reserve Drive, between US-93 and LaSalle Road (US-2), to the Primary Highway System.

The net mileage reduction to the Urban Highway System equals 2.5 miles.

*Joe Unterreiner, Kalispell Chamber of Commerce*

I would like to encourage the Commission to approve this. There is a huge backlog and many of you know that road, it is where the Bypass, both the north entrance and exit, flow right onto Reserve at US 93. In addition that is the new section that residential and commercial are planned for. If you are familiar with the area, it is where the new Ford dealership is and there is additional commercial coming in there directly north of Reserve Drive as well as the next future site of an elementary school is in that location on Whitefish Stage just north of Reserve Drive. So there is additional development coming and tremendous traffic especially in the summer and we hope will be there again this summer. As we get into the summer months that area really clogs that up. I hope you'll see your way to clear to approve this.

Commissioner Fisher asked once this is approved, when can we do improvements on West Reserve? How many years out are we from that? So if I could have an overview of the timeframe because West Reserve is a huge issue for the City of Kalispell. Lynn Zanto said one thing happening in Kalispell right now is they are updating their Transportation Plan. They've kicked off their update for their Transportation Plan and that is a good thing because that will help confirm the priorities in the community given all the needs in the entire system. The only other information I can share is that when I last looked at Missoula District's overall funding program, last fall there was about \$400 million worth of projects already moving through the process. They will have to consider the funding. Once we start a project we have to move them along, they can't trade this project for another project.

Bob Vosen, MDT, said that we already have a project early in the design phase with the Consultant to begin the design for the improvements for the intersection with Whitefish Stage and West Reserve. That is the first project we will see coming. I don't have the date of the construction yet but that is already in the works. If this action passes, it will allow us to have another funding category that we can try to get some additional funds from. When we construct the intersection, we'll be able to do work not only on Whitefish Stage but also on West Reserve. Going forward, as Lynn stated, it is going to be a balancing act of finding the right slot in our funding – when we can get a project in there. Obviously, I recognize it is a high priority for the community as well as the district. We have to navigate that serious backlog of projects that we have. I can't give you a year yet but this is the first step to help us to have the ability to try and get something scheduled and get something moving up. We will be trying to find the appropriate hole to put this project in.

Commissioner Fisher said it is a huge step forward to coordinate having the Whitefish Stage Rebuild and utilizing that rebuild to help that intersection too. I think Bob Vosen and everybody living in Kalispell is aware that Whitefish Stage reconstruction is going to be awesome for our community but it is also going to dump a ton of traffic into that intersection at West Reserve and Whitefish Stage as well as the new roads crossing the intersection. So coordinating at least an improvement to that intersection is going to be a huge benefit to the traffic on West Reserve and on Whitefish Stage frankly. It will be important that we all have the same message to the public that an expansion or rebuild to West Reserve is still several years out because we have a backlog of other projects. If there is a project that can be delayed to put West Reserve into, that is certainly something we should look at. There's a lot of projects and little funding. From my perspective at least doing something with that intersection consistent with the Whitefish State Rebuild would be a huge plus.

Commissioner Fisher moved to approve the Performance Programming Process, System Designation Modification – West Reserve Drive, Kalispell. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 9: Surface Transportation Program – Urban Elm Street, Anaconda**

Lynn Zanto presented the Surface Transportation Program, Urban – Elm Street, Anaconda 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:

Elm Street - Anaconda: This project is located within the City of Anaconda on Elm Street (U-203) between Commercial Street (P-19) and Seventh Street (U-206). The proposed project scope is mill and fill.

The estimated total cost for all phases is \$425,000 (including indirect costs and inflation). Anaconda's annual STPU Allocation is \$138,755 with an anticipated letting year (FFY 2023) balance of \$833,181.

*Summary:* MDT is requesting Commission approval for a mill and fill project on Elm Street in Anaconda. The estimated total cost (for all project phases) is \$425,000.

The proposed project has been prioritized via local planning processes and is consistent with the policy direction established in TranPlanMT. Specifically, roadway system performance and traveler safety 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 Jergeson said after they've spent the \$425,000, they still have a balance of \$408,000. That's an annual allocation of \$138,000. Lynn Zanto said that is correct.

Anaconda has been pretty good at right sizing their projects to the balance available and keeping projects flowing. The district works well with them in doing that as well.

Commissioner Hope moved to approve the Surface Transportation Program, Urban – Elm Street, Anaconda. Commissioner Jergeson seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 10: Secondary Roads Program Additions to STPS Program (2 New Projects)**

Lynn Zanto presented the Secondary Roads Program – Additions to STPS Program (2 New Projects) to the Commission. The Surface Transportation Program – Secondary (STPS) finances highway projects on the state-designated Secondary Highway System. Secondary Roads are those routes that have been selected by the Montana Transportation Commission to be placed on the Secondary Highway System.

Secondary Roads Program funding is distributed by formula and is utilized to resurface, rehabilitate and reconstruct roadways and bridges on the Secondary System. Capital construction priorities are established by the Counties and pavement preservation projects are selected by MDT (per the guidance in MCA 60-3-206).

At this time, MDT is proposing to add two (2) new projects to the STPS program – one in District 2, and one in District 3. The projects on the attached list (Attachment A) meet the criteria set forth for STPS-funded projects. If approved, it would be MDT's intention to let these projects individually.

The estimated total cost for all project phases is \$12,409,000 (\$10,744,000 federal + \$1,665,000 state match) – with the entirety of the federal funding originating from the Secondary Roads (STPS) Program.

*Summary:* MDT is requesting Commission approval to add two (2) projects (listed on Attachment A) to the Secondary Roads Program. The proposed projects are 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 these projects to the program.

The estimated total cost for all project phases is \$12,409,000 (\$10,744,000 federal + \$1,665,000 state match) – with the entirety of the federal funding originating from the Secondary Roads (STPS) Program.

Staff recommends that the Commission approve the addition of these STPS projects to the highway program.

Commissioner Jergeson said the ways the counties are working together and the 10 counties in my district, this project will be more or less at the end of the current priority list from among those counties. Is that what is happening here? Lynn Zanto said the way the county prioritization works is we did a call to them and the respective counties in that district along with MDT, go through and do a ranking and prioritization based on various factors, safety or pavement condition, it is what the group of counties agrees to. Then we get the priority list and as projects move along and funding becomes available, then we advance them to you to begin the project development process. So, yes these were prioritized by the group of counties and MDT and this is next on the list. Commissioner Jergeson asked what the anticipated year of construction was. Lynn Zanto said we're not there yet; this allows us to get it

into the system and into project development, do the preliminary field review, and develop a schedule. Commissioner Jergeson asked if it affected, for example, where secondary going north from Havre is in the current priority list. Lynn said it would not affect that.

Commissioner Jergeson moved to approve the Secondary Roads Program – Additions to STPS Program (2 New Projects). Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Public Comment**

*No public comment.*

### **Agenda Item 11: Missoula District NHS Program US 93 North – Wildlife Fencing**

Lynn Zanto presented the Missoula District NHS Program – US 93 North, Wildlife Fencing to the Commission. The National Highway System (NH) Program finances highway projects to rehabilitate, restore, resurface, and reconstruct Non-Interstate routes on the National Highway System. Montana's Transportation Commission allocates NH funds to MDT Districts based on system performance.

At this time, the Missoula District is advancing a wildlife fencing project on US-93 (N-5) near St. Ignatius to reduce wild animal / vehicle collisions – primarily to address grizzly bear fatalities – as part of the mitigation requirements outlined in the US 93 Evaro to Polson Biological Opinion. Focus areas would include Pistol Creek, Sabine Creek, Mission Creek and the Lower Mission area.

The estimated total cost for all project phases is \$2,715,000 (\$2,715,000 federal + \$0 state match) – with the entirety of the federal funding originating from the National Highway System (NH) Program.

*Summary:* The Missoula District is advancing a wildlife fencing project on US-93 (N-5) near St. Ignatius to reduce wild animal / vehicle collisions and to fulfill the mitigation requirements outlined in the US 93 Evaro to Polson Biological Opinion.

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, MDT's commitment to environmental stewardship will be demonstrated with the addition of this project to the NH program. The estimated total cost for all project phases is \$2,715,000.

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

Commissioner Sansaver moved to approve the Missoula District NHS Program – US 93 North, Wildlife Fencing. Commissioner Hope seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 12: Primary System Program Additions to STPP Program (5 New Projects)**

Lynn Zanto presented the Primary Systems Program – Additions to STPP Program (5 New Projects) 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 five (5) new projects to the STPP program – two in District 3 and three in District 4. The projects on the attached list (Attachment A) meet the criteria set forth for STPP-funded projects. If approved, it would be MDT's intention to let these projects individually.

The estimated total cost for all project phases is \$25,082,000 (\$21,716,000 federal + \$3,366,000 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 five (5) projects (listed on Attachment A) to the Primary System Program. The proposed projects are 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 these projects to the program.

The estimated total cost for all project phases is \$25,082,000 (\$21,716,000 federal + \$3,366,000 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 these STPP projects to the highway program.

Commissioner Jergeson asked if these projects will show up in the Red Book this fall out beyond the five-year project planning period. Where do we track these projects in the future? Lynn Zanto said that is correct. What happens after the Commission approves it is we have to get federal highway approval. Commissioner Sansaver said the chip seals and the overlay in District 4 will probably go in 2021, so they will be within the five years.

Commissioner Jergeson moved to approve the Primary System Program – Additions to STPP Program (5 New Projects). Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 13: Montana Rest Area Plan Rest Area Plan Map – Annual Update**

Lynn Zanto presented the Montana Rest Area Plan – Rest Area Plan Map, Annual Update to the Commission. Montana's Rest Area Plan, which provides the statewide vision for MDT's Rest Area Program, was formally adopted by the Transportation Commission on January 29, 2015. The Rest Area Plan offers comprehensive guidance for addressing needs associated with Montana's full-time rest areas, seasonal rest areas and truck parking facilities.

Beginning in 2009, MDT initiated changes to the Rest Area Program in order to facilitate more efficient delivery of Rest Area projects. First, a dedicated annual funding source was reserved solely for Rest Area projects. Second, the Statewide Rest Area Prioritization Committee was formed to assist with implementing asset management strategies and establishing project priorities. Lastly, research was conducted to support the various aspects of Rest Area planning and design.

Though still evolving, MDT's Rest Area Planning efforts have demonstrated effectiveness in meeting public expectations for rest areas in the most efficient manner possible. MDT annually updates technical changes to the Rest Area Planning Map (Attachment A) that are necessary to reflect developments since the last review. These changes are consistent with the guidance of the Commission-approved Rest Area Plan.

*Summary:* As part of the Rest Area Plan, MDT is providing a map (Attachment A) noting the location and status of Rest Areas and Parking Areas statewide. Per the Rest Area Plan, this map is updated annually to provide a Rest Area status report to the Transportation Commission.

The proposed update to the Rest Area Planning Map is consistent with the goals and objectives identified in the Performance Programming Process (Px3) as well as the policy direction established in TranPlanMT. Additionally, the Rest Area Plan Map aligns with the State of Montana's Vision Zero safety initiative as well as MDT's ADA Transition Plan. Lastly, the plan is consistent with key elements of the FAST Act emphasizing the safe operation of passenger vehicles and trucks hauling freight.

Staff recommends that the Commission approve the updates to the Montana Rest Area Planning Map.

Commissioner Skelton asked who maintains the non-MDT maintained rest areas. Do we contract that out? Lynn Zanto said a lot of times they are maintained by another federal agency or a lot of the red ones are locally maintained. Way back when we did a City Park Rest Area Program where there were already facilities within a community and if they wanted to upgrade them, there were state funds available at that time, and the department committed up to \$100,000 for each of those communities for upgrades. Then we entered an agreement with them that they would maintain them for a tentative period. That was quite a long time ago and they're still been maintained by them. We have just a small amount of state money where we offer them some maintenance assistance each year to help pay for their lights or maintain grounds or whatever they may need.

Commissioner Sansaver moved to approve the Montana Rest Area Plan – Rest Area Plan Map, Annual Update. Commissioner Hope seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

#### **Agenda Item 14: Speed Limit Recommendation US 2 – Poplar**

Dwane Kailey presented the Speed Limit Recommendation for US 2 – Poplar to the Commission. This is a holdover from the February meeting. This is actually based on the new project up there and our inability to maintain the variable message speed limit signs because they are old and outdated. We are proposing to remove those and replace the 25 mph school zone with a 30 mph steady speed limit through that area. One of the questions was how it interacted with the roundabouts, so we have presented you with an updated map. The area in question is the 30 mph section on the map. You will notice the two roundabouts are outside of that area; they are in the 35 mph speed zone. The staff recommends the following:

A 30-mph speed limit beginning at station 1132+50, project NH-HISP 1-10(76) and continuing east to station 1169+50 (150' east of Court Avenue), an approximate distance of 3,700 feet.

Commissioner Sansaver thanked Dwane for going back through this. My only concern would be where we come into the 35 mph speed zone, it would seem more consistent that it start at the road going north out of Poplar towards the Tribal building. The street you put the 35 mph on is Court Avenue right before the Cemetery. Dwane said that is correct. Commissioner Sansaver asked if it would be a problem to start the 35 mph at the road that goes north, a block away from where you have it now from Court Avenue or even starting it at the other side of the Cemetery. Having lived and worked there for 35 years, I know that area pretty well and there is still quite a significant amount of traffic that goes towards Court Avenue and then going out of town past the Cemetery. I don't know if that would make a huge difference to change it over to the road east of the Cemetery to start the 35 mph speed limit there. Would that be a problem? Dwane said if that is what the Commission desires that is within your authority. Commissioner Sansaver said having worked there for 35 years and knowing the traffic flow through that area, I know that Court Avenue is still very busy. You're just coming off the end of the Ft. Peck Community College and, as you noted before, that even though you set it at 30 mph, they start ramping up to get it to 40 mph far before the mileage change. So I think it would be better to have it change one block east of the Cemetery. If they are going to start picking up speed, it will be after the turn that goes north and pedestrian safety would be a greater concern for me.

Commissioner Sansaver moved to approve the Speed Limit Recommendation for US 2 – Poplar extending the 35-mph speed limit to 3<sup>rd</sup> Street. Commissioner Jergeson seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 15: Speed Limit Recommendation Secondary 260 – Kootenai River Road**

Dwane Kailey presented the Speed Limit Recommendation for Secondary 260 – Kootenai River Road to the Commission. This is based on a request from Lincoln County. We did go out and review the request and based on our analysis and looking at the roadway culture and traveling speeds, etc., we're recommending a no change. However, if you look at the attached letter from Lincoln County, we've highlighted what they are requesting. They simply disagree with a no change. I don't believe they gave us a specific speed they'd like to see.

Commissioner Fisher asked who is going to patrol the area if they were to reduce the speed. Who patrols that area, the Highway Patrol or the Sheriff's office or both? Director Tooley said they both patrol the area. Commissioner Fisher asked if there were any comments from any law enforcement responsible for giving citations and tickets in this area. Director Tooley said no.

Commissioner Sansaver asked for clarification on Commissioner Fisher's comments regarding who is going to patrol the area. Commissioner Fisher said her concern is if we reduce the speeds, as requested by the County, if there was a willingness to patrol and if law enforcement has seen any issues in the area. The Lincoln County Commissioners discussed crashes, fatalities, and wildlife interface but I don't see anything that indicates there has been an excessive number of crashes based upon the roadway speed versus the inherent components to the road itself. I haven't seen anything that indicates that a reduction in the speed limit is warranted based upon the number of fatalities or traffic incidents and I don't have anything from law enforcement that tells me they have big concerns about these areas. So I couple that with our own staff reporting and assessment and evaluation, and that is how I come to my conclusion that I don't think a reduction in the speed limit in this area is warranted.

Commissioner Sansaver said obviously the staff is recommending these changes. What was the significant point that made you want to reduce the speed limit? Dwane said we were requested by the local government to take a look at it and conduct a speed investigation. We're not finding anything that warrants reducing it. If you look at the third page of the Agenda, you can see what the speeds are that we measured out there, and the 85<sup>th</sup> percentile speed is something that we heavily looked at as well as the 10 mph pace. When you look at the 85<sup>th</sup> percent, they are all at or above the 55 mph speed limit currently posted. The other significant thing I look at on the pace is that is the measure of the 10 mph speed the majority of the traffic is running at. When you see percentages in that 60 percent, that is actually a very good pace and means that 60 percent of the cars are traveling within 10 mph of each other. That is something we really like to see. The higher the percentage the better. We're not seeing the need for it. If you look at Lincoln County's comments, they talk about inclement weather and we don't set speed limits based on inclement weather. That has to be the driver's own decision making with what they are comfortable driving. Commissioner Sansaver said by changing it or reducing the speed limit, it is actually going to impede safe travel through this area or consistent travel through the area. Dwane said that is correct. What we see is when you start setting speed limits outside of the engineering recommendation, we see the differential speed increases and that creates issues. It can create frustrated drivers, poor choices, and bad decision making. We actually did a research project where once we started getting to 10-15 mph outside the engineering recommendation, we actually statistically see crashes increasing.

Commissioner Fisher moved to approve the Speed Limit Recommendation for Secondary 260 – Kootenai River Road. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 16: Speed Limit Recommendation Secondary 567 – Pipe Creek Road**

Dwane Kailey presented the Speed Limit Recommendation for Secondary 567 – Pipe Creek Road to the Commission. We were requested by Lincoln County to look at reducing the speed from milepost 5.6 to milepost 7.0. We did take a look at that and we are recommending the following:

A 45 mph speed limit beginning at straight-line station 94+00 (milepost 5.75) and continuing north to station 127+00, an approximate distance of 3,300 feet. Then transitioning to a 35 mph speed limit beginning at straight-line station 127+00 (600 feet south Bobtail Cutoff Rd) and continuing north to station 143+00 (milepost 7.0), an approximate distance of 1,600 feet.

Lincoln County does concur with this recommendation.

Commissioner Fisher moved to approve the Speed Limit Recommendation for Secondary 567 – Pipe Creek Road. Commissioner Hope seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 17: Speed Limit Recommendation MT 135 – St. Regis North East**

Dwane Kailey presented the Speed Limit Recommendation for MT 135 – St. Regis North East to the Commission. We were requested by Mineral County to conduct a speed study. Looking at the traveling speeds, the crash history, and the roadway



characteristics, we are recommending a no change. I went to the county and helped present this to them. Representative Loge is on the phone to speak to this issue. There is an old mill site up there, it is operating, and my understanding is it is increasing the amount of operation and work that it's doing. Obviously there are large trucks going in and out of that mill delivering the logs and hauling the lumber out. Also there are a fair number of approaches in that corridor. What Mineral County is asking is to extend the 55-mph speed limit outside of town and also a 45 mph speed limit for part of that as well.

*Representative Denley Loge*

Representative Denley Loge said he lives in St. Regis. That stretch of road I know engineer-wise can maintain some speeds because it used to be our quarter mile strip back in the 70's. Right now things have changed socially around the area and we have the mill which is in the process of expansion. They are planning on spending about \$95 million total in expanding their mill and upping their production. At present they are in a renovation stage and plan on re-opening in three months but are already receiving some logs. Before they shut down they were getting about 80 trucks in and out per day with logs and an additional 10 with ships and they have about 100 employees and plan on expanding to 160 employees who would end up using that side road. There is a subdivision on the peninsula that has over 60 lots and most of those are occupied right now. So the daily use of that one road which comes off at milepost three and currently there is a 70 mph speed limit that comes down to 55 mph right there and there is no turn lane. We have a high number of tourists that use that road because it is the main road going to Glacier Park. The residents in the community are also quite concerned because there are black mark skids all the time from people slowing down for the trucks that are trying to turn off especially without a turn lane. Also milepost 1.3 to 2.1 is a recognized wildlife corridor. There are whitetail in the ditch that get hit. We have six white crosses because of deaths in the area. When we get up to the school bus stop which is just over a hill at mile marker two, there is not great visibility there and the bus driver expressed a real concern about safety every time he pulls off and lets the kids out and kids in. There is another bus stop at milepost 2.7. Basically the locals and the county, with the shift in the social use of the area, feel there is a real need to move that 55 mph speed limit out about a mile and half further east from town and put a flashing 55 on that spot because people recognize the flashers and slow down better. At bare minimum move the sign out to the 2.8 mile marker.

Right now there is a 40 mph sign that comes into St. Regis that flashes at the .8 mile maker. The flashing light made a difference and slowed traffic down but there is no advance warning for that either that tells people there is a lower speed limit ahead. There should be an advance warning for that 40-mph speed limit and that would stay where it is located. At minimum we need to put a speed zone ahead sign for that, we need trucks entering signs where the mill site is, we need school bus stop ahead signs near that mile marker 2 bus stop, and then the 55 mph speed limit moved out to mile marker 2.8.

Commissioner Skelton asked Dwane if the signage would have to be a different issue than the speed zone request. Dwane said we can take care of that and staff will work with Mineral County and get those signs set up. What is being presented to the Commission right now is staff's recommendation of no change. Mineral County specifically is asking to extend the 55 mph speed limit out to just beyond mile marker 3.0. Commissioner Skelton said to be clear you are taking care of the signage and we are voting on the speed zone. Dwane said that is correct.

Representative Denley Loge said this is enforced by Montana Highway Patrol currently as well as the county. They actually stop a lot of people on the 40 mph speed limit because people don't slow down for that.

Commissioner Fisher said I travel this area frequently and the thing that has always concerned me is the school bus stop on the top of that hill because when you are rolling out of St. Regis you have no idea that is coming up. I have actually been behind the bus when it stops there and it is a fright to see the traffic in the rear view mirror not recognizing that everybody is at a stop. I think I agree with Denley, this area to my surprise has really become more populated. There are a lot of entrances onto the highway that you don't recognize unless you are traveling through there fairly frequently. It is the gateway to Glacier Park. It is very scenic and lots of tourists love it. I have to tell you that gas station at the corner gets more traffic and their parking lot is full during the winter all the time. So I think people are using this roadway more frequently; with the mill expansion and the subdivision, I think a reduction in speed is warranted. In fact I'd like to see a reduction in speed so people are aware there is a school bus stop on that hill coming up. Rolling through there at 70 mph does not give you an adequate amount of time to stop for that.

Commissioner Sansaver said in understanding what Dwane was saying, are we agreeing to the changes, primarily from 70 mph down to 55 mph? Are you agreeing to that? Dwane said no, I have to stick with the engineering recommendation which is no change. However, it is the Commission's authority to set the speed limit as you see appropriate. Commissioner Sansaver said the gentleman that came on the phone along with Commissioner Fisher's comments on the traffic through there, I would support the area recommendations. I hate to go against what our engineer's recommend but I certainly want to support what the Mineral County Commissioners feel is a safe roadway for the schools, the bus stops, and for the additional traffic coming off the peninsula. I think it warrants moving it from 70 mph down to 55 mph.

Dwane said I spent a fair amount of time working in this area and I will second Denley's comments. The Highway Patrol does use this corridor quite a bit. Again, I have to stick to the engineer's recommendation, but I will state there will be a fair amount of enforcement in this area.

Commissioner Fisher moved to approve the Mineral County Board of Commissioners Speed Limit Recommendation for MT 135 – St. Regis North East. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 18: Speed Limit Recommendation MT 200 – MP 56 to MP 62**

Dwane Kailey presented the Speed Limit Recommendation for MT 200 – MP 56 to MP 62 to the Commission. This is fairly unique; it is a request by the local government to increase the speed limit within the corridor. To give you a little bit of history, almost 10-11 years ago there was a horrific crash involving a truck and Big Horn Sheep. I forget the amount of sheep that were unfortunately killed in the accident, but it prompted a lot emotions and requests by the local government. We concurred and the Commission concurred in reducing the speed limit in the area. However, we have now rebuilt this section of roadway and we've put in some wildlife fencing as well as an undercrossing in the area, so the need for the reduced speed has been eliminated. We've accommodated the wildlife in a much better setting. Therefore, based on the request from Sanders County and our review, we are recommending to eliminate the special speed zone and put it back to the statutory limits as follows:

The Department at the request of Sanders County recommends re-instating the statutory speed limits of 70 mph (day) 65 mph (night) and Trucks 65 mph along MT 200 from milepost 56 to milepost 62. The remainder of the

established 55 mph speed zone will remain in operation from milepost 62 to milepost 65.

There might be a little bit of confusion because when Sanders County originally requested it, it was to milepost 59, however, they amended that request and adjusted it to milepost 62. Sanders County comments are attached, and they are in concurrence with our recommendation.

Commissioner Fisher moved to approve the Speed Limit Recommendation for MT 200 – MP 56 to MP 62. Commissioner Jergeson seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 19: Speed Limit Recommendation US 89 (P-60) – Kings Hill Area**

Dwane Kailey presented the Speed Limit Recommendation for US 89 (P-60) – Kings Hill Area to the Commission. We were requested by local governments to take a look at it. We've done our investigation, reviewed traveling speeds, crash history, and roadway environment. Based on that we are recommending the following:

A 65 mph speed limit beginning at milepost 25.6 and continuing north over Kings Hill to milepost 36.2 (beginning of the 45 mph speed zone – Neihart configuration), an approximate distance of 10.7-miles.

A 55 mph speed limit beginning at milepost 37.8 (end of the 45 mph zone – Neihart configuration) and continuing north to milepost 40.65, an approximate distance of 2.85-miles.

A 65 mph speed limit beginning at milepost 40.65 and continuing north (*excluding the community of Monarch*) to the intersection with Secondary 427 (milepost 53.4), an approximate distance of 12.75-miles.

- The above recommendation is not to affect the previously approved special speed limits established to the communities of Neihart and Monarch.

You will see a gap between the 65 mph and the 55 mph zone because there is already an established approved speed zone by the Commission. We are not changing that. We have presented it to both Cascade County and Meagher County and we did not receive any comments back from them. Staff does recommend approval.

Commissioner Jergeson moved to approve the Speed Limit Recommendation for US 89 (P-60) – Kings Hill Area. Commissioner Hope seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 20: Speed Limit Recommendation Old US 87 (U1028) – Yellowstone County**

Dwane Kailey presented the Speed Limit Recommendation for Old US 87 (U1028) – Yellowstone County to the Commission. At the request of Yellowstone County, we conducted a speed zone study from I-90 Lockwood Interchange to Old Hardin Road. We reviewed the crash history, traveling speeds, roadway culture and our recommendation is as follows:

A 35 mph speed limit beginning at station 11+00 on “D” line – project I 90-8(23) (200’ west of the North Frontage Road) and continuing east over I-90 to station 50+00 (the intersection with Old Highway 87), an approximate distance of 3,900 feet or 0.74-mile.

We have presented this to Yellowstone County, and they concur with our recommendation. Staff recommends approval.

Commissioner Jergeson moved to approve the Speed Limit Recommendation for Old US 87 (U1028) – Yellowstone County. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item 21: Speed Limit Recommendation US 93 – Eureka North to Canada**

Dwane Kailey presented the Speed Limit Recommendation for US 93 – Eureka North to Canada to the Commission. This is the third of three for Lincoln County. They requested a review of US 93 Eureka north to Canada. We’ve done our investigation. We looked at traveling speeds as well as the crash history, and based on our review, our recommendation is as follows:

A 60 mph speed limit beginning at station 1888+00 (600’ north of the intersection with MT 37) and continuing north to station 2010+00 (250’ north of Ksanka View Road), an approximate distance of 2.31-miles.

*Perpetuate the statutory 70 mph speed limit from milepost 183.3 to milepost 186.9.*

A 50 mph speed limit beginning at station 2201+00 (200’ north of the intersection with Scenic Drive) and continuing north to station 2227+00, an approximate distance of 2,600 feet.

Lincoln County has reviewed this and their comments are attached. They are looking for a 45 mph speed limit from the intersection of 37 North to Lindsey Road due to the number of residents in there. Then also a 55 mph speed limit on North to Canadian Border. There is a map attached showing that. Staff recommends approving our proposal.

Commissioner Fisher asked how many approaches there were between the Kooocanusa Arena and the border. Dwane said I don’t know off hand; we can pull that up and get you that information if you like. Commissioner Fisher said this is in my district and before I can make a decision it would be important to know how many approaches there are because there is some expansion activity going on up there and a new subdivision was approved. I assume that subdivision only allowed for a single approach and I’d like to know what MDT has approved for approaches onto the highway on that stretch. Dwane asked if she wanted the information from Hwy 37 all the way to the Canadian border or for a smaller segment. Commissioner Fisher said the segment I’m most concerned about is where the ... I know everything south of the Arena but I don’t travel that north side very often and I know they’ve been approving some subdivisions up there, so I’d like to know how many MDT approved approaches are in the three mile stretch between the Arena and the border. Dwane Kailey said he would get her that information. Commissioner Fisher said on that basis I would move to table this until we can get that information and hear it at our next meeting so we can make a final decision.

Commissioner Fisher moved to table the Speed Limit Recommendation for US 93 – Eureka North to Canada until June. Commissioner Jergeson seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item 22: Certificates of Completion January & February 2020**

Dwane Kailey presented the Certificates of Completion for January & February 2020 to the Commission. They are presented for your review and approval. If you have any questions, please feel free to ask.

Commissioner Sansaver asked on the highway contractors for meager guardrail safety 159, why is that highlighted in purple? Dwane Kailey said at the last Commissioner meeting we had a couple that got missed and we went back and cleaned those up. This was another one we identified as being missed and we are trying to get that cleaned up and get your approval for it. That is why it's highlighted.

Commissioner Jergeson asked if the one item in September needed to be included in the motion. Commissioner Skelton said she believed that was correct.

Commissioner Jergeson moved to approve the Certificates of Completion for January & February 2020 including the one item from September 2019. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item No. 23: Discussion and Follow-up**

**Note:** Commissioner Skelton said there was an Item “Alternative Contracting” on the Agenda, however, we decided to do that conversation in person, so that will not be on the discussion Follow Up today.

*Director Mike Tooley*

### *COVID 19 Response*

I want to bring the Commission up to date with some activities with the Department in light of COVID issues that we have. The majority of the staff here in Helena have been tela-working since March 23<sup>rd</sup> and they continue to do so. The Governor's Phase I reopening of the State won't change anything for us in regards to tela-work or those types of activities because it is awful early and we're waiting to see what's going to happen. We also will continue a lot of tela-work even into Phase II whenever that occurs. It also encourages tela-work if you saw the guidance that has come out from the Governor's Office.

One of the things that is a positive for having the building pretty much empty, is that we've chosen to move ahead with a number of remodeling projects. One of the goals of the Department for some time has been to consolidate staff and make enough square footage available to bring Planning back to the building and abandon the Tire Shop finally after 15 years so Lynn and her staff can come back over here. That process has accelerated pretty substantially because you don't have to curtain off people's work areas or have them temporarily relocate to another part of the building because they're just gone. So that is moving along pretty well. So that's a secondary consideration for tela-work. Of course, we could wind up back at Phase 0 at any time depending on the number of new cases and if it begins to overwhelm the medical

system. So we plan on having a mostly empty building probably clear through May and then maybe start, depending on how things go, bringing people back slowly.

### *Other activities*

You heard from Dwane Kailey that construction is one of the essential functions still allowed in the Governor's Executive Order so our roadwork is beginning and will continue. So stay tuned for that.

### *Funding*

We need to talk about funding. I want to give you heads up – the short answer is we will still be able to deliver the Federal Aid Program for the next two years but there have been substantial impacts as far as projections go for state income particularly. On March 12<sup>th</sup> I was advised by our CFO that we could expect to start the 2023 Biennium with a working capital balance in ISRA, which is the Highway State Special Revenue Account, of between \$102 and \$103 million. Flash forward to April 20<sup>th</sup>, I was advised that due to the anticipated reduced ISRA collections and FARSAs collections that the working capital balance starting the new biennium is going to be about \$50 million lower. These projections are exactly that – they are projections based on discussions with the fuel retailers but the first real data point is coming before the end of the month probably within a couple of weeks when we start getting the collections in from the distributors who actually collect the money for us. So you wrap it all up, yes it has been a major impact to us but not only us but Tribal Governments will see over the biennium under these projections, about a 15% reduction. Local governments about 10%, FWP about 15%, MHP about 14%, and us we're about 14.5%. We will be able to deliver them for this and the next fiscal year but after 2022, if the traveling public doesn't come back and buy gas and travel, you can see some of your projects in the later years pretty substantially impacted. At the same time we've been very good about commenting on any potential stimulus for infrastructure. If our state funds are falling, we can't afford to match any more federal stimulus or anything else. So everything we've asked for is 100% federal funding and we've made those comments to Congress. These are interesting times; it is not time to panic but it is time to start paying more attention. We're always paying attention, don't get me wrong, but when you have a 50% reduction basically in your expected working capital balance in six weeks, it definitely gets your attention. I'm available for questions.

Commissioner Hope asked about this year's funding for projects and budgets. With the engineer's over-estimates as we went through the projects, do you foresee us having to move projects into the next calendar year that we thought we'd get done this year? Do you have an idea where the gas tax is currently? Do you think the revenues are down 10-20-30-40% or do we even have a clue?

Director Tooley said I'll answer the second one and then I'll turn the first part of it over to Dustin Rouse. The first part is yes. Our travel data shows that we've had a 40% reduction in travel in the State. That directly ties to about a 40% decrease in collections, that's what we're anticipating. That's reflected by our conversations with the retailers and we'll see that probably from the distributors here pretty quickly. We can't really tell you for sure because, with the fall in the world oil price, you also might have some distributors really stock up at the low price and you might actually see a slight bump in collections initially before you have the 40% fall. It's anybody's guess but our guesses are pretty good and they are telling us to expect this biennial a decrease of about 14%.

Dustin Rouse said in response to your question on this year's projects and the bids coming in higher than the estimates, we put together a contingency plan a couple of months ago to address this and so far that plan is working. We have projects that potentially could move into the next fiscal year if need be. We still have another

potential funding source that typically comes in every year. Usually we find out the amount of redistribution towards the end of August. In recent discussion a lot of other states, due to COVID issues, have been struggling with their projects and basically they've shut down lettings. So right now the projection is that redistribution may be more than we've seen. If that's the case, then it's not going to be an issue and very likely we could award all of our projects and then some. So really, there's still a lot up in the air especially with the impact of COVID nation-wide, but yes as far as Montana goes, we have a plan in place. If we had to, we have some projects that could be funded either this fiscal year or the next fiscal year. So far, based on the bids we're receiving now, it looks like that plan seems to be working and it looks like we're tracking okay so far.

Commissioner Sansaver said due to the current nature of what's going on, do you see, with all the safety stuff that's going to have to take place, do you anticipate that our bids are going to go up quite a bit? In our district Shane has put out a radio and newspaper ad about these companies coming in from out-of-state that are going to be required to wear special safety equipment like masks, gloves, things of that nature. Have we looked at that as far as the engineer's estimates because of all these safety requirements?

Jake Goettle said we don't really anticipate that. We did open bids last week; we had a letting on Thursday which was our second letting inside this COVID situation and bids are right in line with what we're seeing on our engineer's estimates for contract costs. At this point we don't anticipate anything but that could certainly change. As Director Tooley said, who knows if we reopen the State and things ramp up again as far as cases, that could definitely change but we're not seeing a lot of project impacts right now. Only two projects have scheduled impacts so far for construction activities. We're not seeing super high bid prices due to this so we don't anticipate too much.

Commissioner Sansaver said what we've done here in our district, are they typical for safety requirements that will be required under COVID 19? Jake Goettle said yes, they are consistent with the CDC recommendations. I think they are national. Commissioner Sansaver said you don't see that would impact the cost of the contracts coming out for extra security or safety measures? Jake Goettle said I suppose it could. Commissioner Jergeson said lower fuel prices could become a source of some reduction or moderation in contracts bids too going forward if they can lock in the lower prices for a longer time. I'd like to report that Loma West is really moving on that. They are getting an enormous amount of work done and I think it's pretty impressive. I think it's pretty impressive to the local motoring public who might drive back and forth on just how big that project really is from the very inception and how rapidly they are doing a lot of really good work out there.

**Agenda Item No. 24: Project Change Orders  
January & February, 2020**

Dwane Kailey presented the Project Change Orders for January & February, 2020 to the Commission. They are presented for your review. If you have any questions, please feel free to ask.

Informational

**Agenda Item No. 25: Letting Lists**

Dwane Kailey presented the Letting Lists to the Commission. They are submitted for your information and review. If you have any questions, please feel free to ask.

Commissioner Jergeson asked about Higgins Avenue Bridge that was advertising April 16<sup>th</sup>. Did we change some of the major factors on that to afford companies an opportunity to change their bids to being less expensive? Dwane said we did make a fair amount of change. There were a lot of timing issues in there and we softened those quite a bit. I believe originally it was a one year job and we've made it a two and half season job. Jake Goettle said the only other change is just recently we added some additional supplemental insurance that we'll put in the contract to cover some of the risk for the bidders that we heard in the first bid and our pre-advertisement meeting that we had with contractors.

## Informational

### *Commission Tour*

Commissioner Skelton asked about the status of the upcoming tour. Director Tooley said we don't know, given the COVID situation, whether or not we're going to be able to pull that off. We're not sure we want to be together in an SUV with the current situation. So we need to watch that pretty carefully and if things stay the way they are, we'll probably not be able to do that. We'll keep you in the loop. I think we need to have a conversation with you about that. Right now you have to assume that we'll still have some COVID restrictions in June and that changes things.

Commissioner Sansaver asked Shane if we were planning on moving forward with that and not changing anything as far as hosting the meeting. Should that change, would the meeting be back on TV again here or will we be meeting in Helena? Director Tooley said good question and we just don't know. We will get a better idea if people do the right thing in Phase I and we don't see a huge spike and we don't get stuck in Phase I, then there's a good chance we're going to come out and see you. I think really a Commission tour would be more of a Phase III opportunity because that is when everything will open up again and be pretty much normal and that would be more conducive to a tour. Like I said, we'll have to watch closely what the Governor does. So far everything he's done has been in two-week cycles, so we're going to know a lot more before May 11<sup>th</sup> about what is going on. I think at that point, we'll need to have another conversation and just keep touching bases as this develops. It's pretty fluid right now. I would continue your planning at this point, but we'll definitely have to keep in touch.

### *Timber Bridge Weight Load Restrictions*

Commissioner Sansaver said he was wondering about the new bridge battle lines that have come up on these timber bridges and the restrictions that have been placed regarding weight-load restrictions. We have a number in my district, we have six and five coming in the immediate area here that are going to change the traffic flow for a lot of the farmers coming out of the north to get down to the elevators. How long ago did this new weight load restrictions come in place? Do we have any set-aside money for these timber bridges?

Dwane Kailey said to give you an update, yes there have been some federal regulation changes and also some new inspection regulations that we're having to abide by. What I'd like to do is to set up a presentation for the Commission because it is very complex and trying to explain it over the phone is going to be very difficult. Everything right now is kind of in flux. We're doing everything we can to make sure if we go in and load post a bridge that we absolutely have to load post that bridge. So right now I don't believe we any that are definitive. We are going to have to load post and we're doing everything we can, including some higher level analysis, to maybe avoid having to load post some of them. We have met internally and we are going to expedite some repair work to get those back up and running as soon as we can but that will take time; time for contracting, time to get the contract set up, and it will take some time to get the contractors out there. So everything right now is kind of in



flux and we're trying to work our way through it. Yes, we have identified some and I believe there's between six and nine bridges that could potentially be load posted but again we're doing everything we can to verify that we truly have to load post those. We fully recognize the impact to the traveling public and the local economy and we know the farmers are starting to haul their fertilizer out to their fields. We also know that later in the summer they are going to start hauling more and more agricultural products and we want to minimize that impact to those individuals as much as we can. So I don't have anything definitive right now. I'll be more than happy to do a presentation, actually we'll have our bridge engineers do it because they are way more knowledgeable than I am on all this. I'd like to do that in June if the Commission is willing.

Commissioner Sansaver said we have one in particular that I've had the local Valley County Commissioners contact myself and our District Director, Shane Mintz. In light of the fact that last year was such a tremendous problem for our farmers in the area because they couldn't get their product out of the field and, when they did, it was down to feed wheat rather than productive wheat. I'd sure hate to see that particular bridge, Opheim South north of Glasgow, Montana ... there would have to be a detour of at least 12 miles if that timber bridge is load posted. Isn't there some type of time frame or a warning that we can get from the Feds that we're changing things? Is it our right as a State to be able to say, okay we're going to give a one-year warning on this and give the local districts the opportunity to go out and see if they can make emergency repairs without going to contract? It seems like it's been an imposed law that has been placed on us that is totally entirely impeding the progress of the local economy here. What's our outlook on that?

Dwane Kailey said that's a great question. The biggest issue is once we identify these bridges, we have a safety risk. If we don't post those, overweight loads or loads outside of that load posting could cause more damage to those structures and it could be putting people's lives at risk. We ourselves, once we identify them, we don't want to wait on posting those; we want to get them posted and the federal rules require that we post them within 30 days. Again, it's a new inspection procedure that we're using. One of the biggest issues with timber bridges is, unlike concrete or steel where you start seeing the cracking externally, with timber bridges they tend to rot from the inside out so it's very hard to visually inspect them. We went to a new inspection procedure that is a new testing procedure where we can actually look at how much rot is going on inside the timber members. It's giving us additional information. Keep in mind that most of these timber bridges were built back in the 30's; it was planned by the State back in the Great Depression to stimulate the economy. While it was a great idea back then, they are all coming of age at the same time and it is causing us some major angst. I want to reassure you we are very aware of the impacts this could have on the locals as well as those traveling through the state and we want to do everything we can to minimize that impact. Once we start getting a handle on where we're going, we do have a PI Plan set up for the public. We also want to brief the Commission. I hate to tell you the sky is falling right now and then figure out it's not as bad as we thought. We want to get our hands wrapped around this, get control of it, and know exactly what it's going on, and then we'll bring you up to speed.

Commissioner Sansaver asked if he has a projected time-line for that. Dwane said within the next three weeks we should have a little bit better information on the six to nine bridges that we have the biggest concerns over. Keep in mind that we have over 400 plus timber bridges throughout the State that we're trying to work our way through. Commissioner Sansaver said but you have nine of those right now that you're concerned about, is that correct? Dwane said correct. Commissioner Sansaver asked if Opheim South Bridge was one of the nine. Dwane said yes. Commissioner Sansaver said then we'll know within the next three or four weeks what the strategy is and we'll be able to react to the Valley County Commissioners? Dwane said yes. Lucia Olivera, FHWA, said I wanted to add that we've been working very closely with MDT and as far as we're concerned, safety is our priority but we understand that

there are a lot of concerns on moving trucks and people through those bridges and FHWA is committed to providing as much flexibility as possible while ensuring safety. Thank you to MDT, I know they've been working very hard on this with us.

Commissioner Skelton asked Dwane if he would have some information in three weeks, can we tentatively set up a call or some kind of informational meeting so we know what you know. Dwane said yes, I'll work with Lori and try to identify a meeting time and get it set up. Commissioner Skelton said it is important to everybody. Commissioner Sansaver asked if there was a probability of emergency funding on the federal level for these timber bridges, is that what I'm hearing. You said this does fall under the Federal Bridge guidelines, does it not? Lucia Olivera said I was trying to show that we are working together with MDT. As far as what funding is available, I'm not sure. Lynn Zanto said, as we develop the fund plan this year, we'll be looking at bridges because bridges have been our biggest priority in putting the fund plan together each year and we have been shifting more of our overall federal aid funding toward bridges to the extent that the Bridge Program staff can deliver the program. Also at the federal level, we're subject to Transportation Asset Management requirements, which Bridge is a part of and for sure these six to nine bridges. We already have a project moving but we'll keep building more money toward bridges within our current Core for the Bridge Program to the extent that the staff and the contracting community can handle it while still keeping up our performance objectives on the other systems.

Commissioner Sansaver said I appreciate that, however, I'd like you to also understand that, unlike a lot of the State of Montana and the other districts, our primary economy comes from farmers. Being that we have six such timber bridges in our District here, I'm very concerned that if we don't take care of the needs of the farmers to get their product to market, our economy will suffer greatly in District 4. Please consider that when taking a look at any type of emergency funding that could be available or may be available. It's a huge concern to us here to have those bridges being considered as a consistent part of our economy that keeps things rolling in northeast Montana. Commissioner Skelton said that is so true and since you have six of the bridges, it is clear that northeastern Montana should be looked at clearly and heavily.

### **Agenda Item No. 26: EEO Non-Discrimination Training**

MDT presented the EEO Non-Discrimination Training to the Commission.

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

The next Commission Conference Calls were scheduled for May 5, 2020 and May 26, 2020. The next Commission Meeting was scheduled for June 25, 2020.

### **Adjourned**

Meeting Adjourned