

Montana Transportation Commission

**February 20, 2025 Meeting
Commission Room
2701 Prospect Avenue
Helena, Montana**

IN ATTENDANCE

Loren Frazier, Transportation Commission Chair (District 3) Excused
Kody Swartz, Transportation Commissioner (District 1)
Shane Sanders, Transportation Commissioner (District 2)
Noel Sansaver, Transportation Commissioner (District 4) On Line
Scott Aspenlieder, Transportation Commissioner (District 5)
Chris Dorrington, Director, MDT
Larry Flynn, Deputy Director, MDT
Jess Bousliman, Commission Secretary, MDT
Dustin Rouse, Chief Engineer MDT
Valerie Balukas, Chief Legal MDT
Rob Stapley, Planning Administrator MDT
Ryan Dahlke, Preconstruction Engineer MDT
Jon Swartz, Maintenance Administrator MDT
Dave Gates, Construction Engineer MDT
Brenden Borges, MDT
Lucia Olivera, FHWA
Paul Johnson, MDT
Tammy Ross, MDT
Bob Vosen, District 1 MDT
Geno Liva, District 2 MDT
Jim Wingerter, District 3 MDT
Mike Taylor, District 5 MDT
Maghan Strachan, MDT
Allen Davis

Please note: Minutes are available for review on the commission's website at https://www.mdt.mt.gov/pubinvolve/trans_comm/meetings.aspx. Alternative accessible formats of this document will be provided upon request. For additional information, please contact transportation secretary Jess Bousliman at (406) 444-6201, jbousliman@mt.gov or visit the commission's website at http://www.mdt.mt.gov/pubinvolve/trans_comm/meetings.aspx. For the hearing impaired, the TTY number is (406) 444-7696 or 1-800-335-7592 or call the Montana Relay at 711. Alternative accessible formats of this document will be provided upon request.

OPENING – Commissioner Scott Aspenlieder

Commissioner Aspenlieder called the meeting to order with the Pledge of Allegiance. Commissioner Sansaver offered the Invocation. Commissioner Aspenlieder asked for introductions.

Approval of Minutes

The minutes for the Commission Meetings of November 26, 2024, December 12, 2024, and December 17, 2024 were presented for approval.

Commissioner Sanders moved to approve the minutes for the Commission Meetings of November 26, 2024, December 12, 2024, and December 17, 2024. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 1: Local Construction Projects on State Highway System, Local Forces – Cities of Great Falls, Kalispell and Livingston

Rob Stapley presented the Local Construction Projects on State Highway System, Local Forces – Cities of Great Falls, Kalispell, and Livingston 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.

The Cities of Great Falls, Kalispell and Livingston 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 cities 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 Great Falls (Attachment A), City of Kalispell (Attachment B) and City of Livingston (Attachment C).

Location	Type of Work	Cost (estimate)	Fiscal Year	Type of Labor
9th Street North (U-5242), at the 4th Avenue North intersection, in Great	Reconstruction	\$300,000	2025	Local

Falls				
14th Street North (N-110), at the 4th Avenue North intersection, in Great Falls	Reconstruction	\$300,000	2025	Local
15th Street North (N-10), at the 4th Avenue North intersection, in Great Falls	Reconstruction	\$300,000	2025	Local
Four Mile Drive (U-6735), from Northland Drive to US-93, in Kalispell	Traffic Calming Features	\$30,000	2025	Local
River Drive (U-7412), from Yellowstone Street to 8th Street, in Livingston	Retaining Wall Repairs (for SUP)	\$25,000	2025	Local

Staff Recommendations

Local Staff recommends that the Commission approve these improvements to the state highway system pending completion of applicable state and local design review and approval processes

Commissioner Sanders moved to approve the Local Construction Projects on State Highway System, Local Forces – Cities of Great Falls, Kalispell and Livingston. 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 – Cities of Belgrade, Billings, Bozeman, Butte, Great Falls, Helena, Kalispell and Livingston

Rob Stapley presented the Construction Projects on State Highway System, Contract Labor – Cities of Belgrade, Billings, Bozeman, Butte, Great Falls, Helena, Kalispell and Livingston to the Commission. Under MCA 60-2-111 “letting of contracts on state and federal aid highways,” all projects for construction or reconstruction of highways and streets located on highway systems and state highways, including those portions in cities and towns, must be let by the Transportation Commission. This statute exists to ensure the safety of our system, protect transportation investments, and encourage better coordination between state and local infrastructure improvements. MDT staff reaches out to local governments to solicit local projects on state systems to ensure compliance with this statute.

The Cities of Belgrade, Billings, Bozeman, Butte, Great Falls, Helena, Kalispell and Livingston 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 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 to let and award contracts for the projects listed below. The projects are also illustrated on the attached maps:

Location	Type of Work	Cost (estimate)	Fiscal Year	Type of Labor
Cruiser Lane (U-611), from Jackrabbit Lane to Dry Creek Road, in Belgrade	Reconstruction	\$6,000,000	2025	Contract
Main Street (N-205), at the Broadway Street intersection, in Belgrade	Reconstruction	\$500,000	2025	Contract
Main Street (N-205), at the Oregon Street intersection, in Belgrade	Reconstruction	\$500,000	2025	Contract
Broadwater Avenue (U-1006), from 11th Street West to 16th Street West, Billings	Mill & Fill	\$750,000	2025	Contract
Jackson Street (U-1019), Roosevelt Ave to King Ave E in Billings	Ped Crossing	\$150,000	2025	Contract
King Avenue West (N-111), from 24th Street West to BBWA Canal, in Billings	Mill & Fill	\$750,000	2025	Contract
South 19th Avenue (U-1201), Babcock Street intersection, in Bozeman	Intersection Improvements	\$3,000,000	2025	Contract
Walkerville Drive (U-1801), from Ryan Road to Missoula Avenue, in Butte	Reconstruction	\$2,500,000	2025	Contract
Main Street (U-1801), at the Granite Street intersection, in Butte	Ped Crossing	\$200,00	2025	Contract
1st Avenue South (U-5234), from 3rd Street to 5th Street, in Great Falls	Reconstruction	\$3,000,000	2025	Contract
5th Street (U-5224), from 9th Ave South to 10th Ave South, in Great Falls	Storm Drain Upgrades	\$300,00	2025	Contract
Henderson Street (U-5810), from Euclid Ave to Hudson St, in Helena	Mill & Overlay	\$150,000	2025	Contract
Colonial Drive (U-5808), from Fee Street to Shodair Drive, in Helena	Mill & Overlay	\$400,000	2025	Contract
Two Mile Drive (U-6702), from Meridian Rd to Glacier St, in Kalispell	Reconstruction	\$1,500,000	2025	Contract
Wyoming Street (U-6732), from 7th Ave West to 4th Ave West, in Kalispell	Reconstruction	\$1,500,000	2025	Contract
Gallatin Street (U-7406), from North L Street to North N Street, in Livingston	Sidewalks, Street Lights	\$200,000	2025	Contract

Staff Recommendation

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 Cities of Belgrade, Billings, Bozeman, Butte, Great Falls, Helena, Kalispell and Livingston pending completion of applicable state and local design review and approval processes.

Commissioner Swartz moved to approve the Construction Projects on State Highway System, Contract Labor – Cities of Belgrade, Billings, Bozeman, Butte, Great Falls, Helena, Kalispell and Livingston. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 3: Construction Project on State Highway System Creekside Subdivision – Kalispell

Rob Stapley presented the Construction Project on State Highway System – Creekside Subdivision, Kalispell 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 coordination on public and private infrastructure improvement projects that impact MDT routes.

Creekside Subdivision – Kalispell

Brent Holdings, LLC is proposing modifications to Farm to Market Road (S-424) near Kalispell to address traffic generated by the new Creekside subdivision. Proposed improvements include the addition of two new approaches, curb and gutter, storm drains, landscaping, irrigation and lighting.

MDT headquarters and Missoula District staff have reviewed and concur with the recommended improvements. Brent Holdings, LLC 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 the proposed roadway improvements. However, the City of Kalispell will maintain boulevard areas and the new streetlights.

Staff recommendations

Staff recommends that the Commission approve these modifications to Farm to Market Road - pending completion of applicable state and local design review and approval processes.

Commissioner Aspenlieder said if Kalispell is going to assume responsibility for landscaping and lighting, the other issue is we don't have the equipment to deal with storm sewers. Are we negotiating that into the turned-over responsibilities? Have we had those conversations? Rob Stapley said I'm not sure but I will find that out for you. My understanding in the discussions with the City of Kalispell is if the run-off is our responsibility we are working with them to take care of the storm drain maintenance or if it is their responsibility they will take it. In the instance if work is on city routes and it is their responsibility, they will take care of it. We will negotiate that with them. Commissioner Aspenlieder said I understand that part of the process. In speaking of Billings, the MDT storm system ties into the city storm system in most cases and we don't do as good a job of taking care of ours because we don't have the equipment to clean them out, so if these things are inter-connected is that a conversation we need to be having going forward? Rob Stapley said those conversations are on-going.

Jon Swartz, MDT Maintenance Administrator, said I've been with MDT for 36 years. We are actually working with MLCT again and one of the discussion topics is the storm water side of things. There's a lot of opinions out there on who should be maintaining the storm water either MDT or the cities. To give a little background: across the state MDT will take care of the drop inlets and take care of the grates for the drop-in but everything else we push to the city to maintain. All the lateral lines and connections were all pushed back to the cities. That will be what our discussions will include to try and have a consistent agreement across the state.

Commissioner Aspenlieder said to pass on the responsibility for the inlets and sumps along with the lateral connections, are we fully passing it on to the cities or is it maintaining the status quo. Jon Swartz said that is going to be one of the discussion points with the local governments – how do we want to move forward? Do we want to push everything to them so they maintain it? There has been push-back because they want us to maintain everything but we don't have the equipment or the labor or the expertise. There have been discussions on who will fund that as well. It is still up in the air. If we can get out of it completely, that would be our goal. Not all cities are created equal. A number of the cities are set up to do that, Kalispell and Billings have the staffing and equipment to take care of everything we have. Some of the other cities, not so much.

Commissioner Aspenlieder said the only reason this starts to become a problem is we have bumped up to our district permit limits. We ride the line from time to time. The state has some level of liability if we're not maintaining ours to the level and we're

causing the triggers, we've got to consider what our liability is associated with that. I know the cities want a cost that is higher than what our cost is, or at least that's the conversation around Billings, but we have a liability also that needs to be taken into consideration when we're evaluating that cost and reimbursement rate.

Jon Swartz said one of the goals in working with MLCT is to come up with an agreement that works for both sides but then that supersedes all the other agreements. You go to Kalispell or Helena and you start researching how many agreements are out there and it seems everything is a little different whether it's storm water or sidewalk language. We're trying to come up with something that works for both sides. We're close and maybe this spring or summer we'll be able to hammer out a final agreement.

Commissioner Swartz moved to approve the Construction Project on State Highway System – Creekside Subdivision, Kalispell. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 4: Highway Safety Improvement Program Additions to HSIP (1 New Project)

Rob Stapley presented the Highway Safety Improvement Program – Additions to HSIP (1 New Project) to the Commission. The Highway Safety Improvement (HSIP) Program makes federal funding available to states to assist with the implementation of a data-driven and strategic approach to improving highway safety on all public roads. In Montana, the primary focus of the HSIP program involves identifying locations with crash trends (where feasible countermeasures exist) and prioritizing work according to benefit/cost ratios.

At this time, MDT is proposing to add one new project to the HSIP program (in the Billings District). The project on the attached list (Attachment A) meets the criteria set forth for HSIP-funded projects.

The estimated total cost for all project phases is \$5,250,000 (\$4,725,000 federal + \$525,000 state match) – with the entirety of the federal funding originating from the Highway Safety Improvement Program.

MDT is requesting Commission approval to add one project to the Highway Safety Improvement 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, traveler safety will be enhanced with the addition of this project to the HSIP program. The estimated total

cost for all project phases is \$5,250,000 (\$4,725,000 federal + \$525,000 state match) – with the entirety of the federal funding originating from the Highway Safety Improvement Program.

Staff recommendations

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

Commissioner Aspenlieder said my understanding is that this was funded only fractionally from the safety program and the rest was going to come from CMAC. Rob Stapley said the step we're taking today is the first step of getting this project into the pipeline. The TCP will determine what the makeup of the funding will look like. At this point we're obligating funds and we're putting the project into the HSIP system but the actual breakdown of the funds will happen through the TCP.

Commissioner Sanders moved to approve the Highway Safety Improvement Program – Additions to HSIP (1 New Project). Commissioner Swartz seconded the motion. All Commissioners aye.

The motion passed unanimously.

Agenda Item 5: Speed Limit Recommendation Rothiemmay Road/Red Hill Road (S-238) – Ryegate

Dustin Rouse presented the Speed Limit Recommendation, Rothiemmay Road/Red Hill Road (S-238) – Ryegate to the Commission. In June of 2023, Golden Valley County requested a speed study be performed on Secondary 238 also known as Rothiemmay Road and Red Hill Road from Ryegate to the Fergus Golden Valley County line. After reviewing the study area MDT extended the study to include the town of Ryegate and begin at the intersection with US 12. The main concerns voiced by the county are the lack of signing indicating the speed limit, the change from a paved roadway to gravel, and complaint of drivers traveling at high rates of speed. Golden Valley County would like to see the previously approved 40-mph speed limit in Fergus County to be extended on the Golden Valley segment of Secondary 238 or at least a 45-mph speed limit on the unpaved portions of the highway.

A review of the spot speed samples shows that the prevailing speeds along S-238 match with the set speed limits. The 85th percentile speeds and upper limits of the pace are for the most part within ± 9 -mph of the 70-mph and ± 11 -mph of the 25-mph posted speed limits. Within the 25-mph speed zone about 69 percent of drivers are all within 10-mph of each other. The same is not true in the 70-mph speed zone

with only about 43 percent of drivers traveling within 10-mph of each other. It should be noted that only one station reported 85th percentile speeds below the set 70-mph speed limit with one station reporting an 85th percentile speed of 79-mph.

Within the 25-mph speed zone of Ryegate, driver speed variance is consistent, however, speeds are elevated as you begin to leave the developed area. Currently there is also a directional speed differential on the outskirts of Ryegate, with a 35 mph southbound speed zone but no corresponding 35-mph northbound speed zone. This 35-mph speed zone is also only 560 feet in length. We recommend keeping the 25-mph speed zone in its current configuration as it encompasses the developed areas of Ryegate.

Within the 70-mph speed zone on the paved section, prevailing speeds indicate that speed limits are appropriately set. Speeds on this section are generally elevated higher than the posted 70-mph speed limit with the average 85th percentile being 73-mph. Considering this section meets design standards and there are no other criteria meet for recommending the use of lower percentile speed for determining a speed limit, we recommend using the 85th percentile speed. This would result in a no-change to the existing speed zone configuration for this section.

Within the unposted gravel section after milepost 38, prevailing speeds are hard to determine. The data that was collected was under an extended duration of 48-hours to try and collect enough volume to be statistically significant, however, the volume thresholds on every station in this section was not met. In addition, this section has no posted speed limit and that can also skew the existing circumstantial data, which shows 85th percentile speeds from 46-mph to 64-mph and upper limits of the pace not matching with the 85th percentile. With local inputs and previous studies on gravel roads, we recommend a 45-mph speed limit be placed on this section.

Within the unposted gravel section from the start of the study to milepost 38, prevailing speeds are also hard to determine. We were able to collect data from one station in this section and it shows speeds that are much lower than the rest of the data set for the gravel section, however, this data isn't statistically significant. Based on our previous study on S-238 through the big snowy mountains, local inputs, sight obstructions on this section and many geometric constraints, we recommend a 40-mph speed limit for this section.

Prevailing speeds indicate appropriate transitional zones are needed for entering and exiting Ryegate and the transition from paved to gravel. Drivers are caught off guard by the existing 70/25-mph and 70/35-mph speed limit configuration. The speed data appears to show drivers are accelerating and decelerating within the urban environment and would benefit from installing appropriate transitional speed zones. MDT recommends the removal of the southbound 35-mph speed zone with the

installation of a 40-mph speed zone on the edge of town that would connect to the 25-mph speed zone within the urban environment of Ryegate.

An additional 55-mph speed limit should be placed in conjunction with the 40-mph transition to further help transition drivers from the rural environment to the urban environment of Ryegate. MDT also recommends a 55-mph transition zone, where the gravel road surface starts, to help drivers transition from the 70 mph paved section to the 45-mph gravel section.

Golden Valley County agrees with MDT's recommendations and their concurrence is attached.

Staff recommendation:

It is the desire of MDT with the approval of the MT Transportation Commission to institute the following speed limits for Ryegate:

A 40-mph speed limit beginning 800 feet north of the intersection with 5th Avenue (straight-line station 2062+00) and continuing north for an approximate distance of 1,600 feet, approximately 980 feet north of the intersection with Milwaukee Park Road (straight-line station 2046+00)

A 55-mph speed limit beginning approximately 980 feet north of the intersection with 5th Avenue (straight-line station 2046+00) and continuing north for an approximate distance of 2,640 feet, approximately 1,900 feet south of Milepost 67 (straight-line station 2020+00)

A 55-mph speed limit beginning approximately 1,920 feet south of Milepost 61 (straight-line station 1651+20) and continuing north for an approximate distance of 2,640 feet, approximately 720 feet south of Milepost 61 (straight-line station 1624+80)

A 45-mph speed limit beginning approximately 720 feet south of Milepost 61 (straight-line station 1624+80) and continuing north for an approximate distance of 24.9 miles, approximately at Milepost 38 (straight-line station 312+00)

A 40-mph speed limit beginning approximately at Milepost 38 (straight-line station 312+00) and continuing north for an approximate distance of 5.9 miles, approximately at Milepost 31 (straight-line station 00+00)

Commissioner Sansaver stated you said a mouthful when you talked about where these speed limits start and stop. What is the total distance for all these transitions? Dustin Rouse said it's about 32 miles for the entire speed zone study area. As

indicated on the map there is a 70-mph speed limit already posted that extends from Milepost 67 to Milepost 61. That segment is staying as is. So where we're modifying the speed limits for about 26 miles. Commissioner Sansaver said that segment at 70 mph, I assume that on both ends of this we're dropping down 55 to 45 and so on. Dustin Rouse said that is correct. When we're done the 70-mph speed zone will just be on the paved portion outside of Ryegate. As you go into the community of Ryegate you'll step down 55-40 going into Ryegate. As you approach the gravel section at the end of the pavement, we step down from 70 mph to 55-45-40 mph. Commissioner Sansaver asked if it was gravel through Ryegate. Dustin said no, from Hwy 12 it is paved through the community of Ryegate and then there is a long stretch that is paved for about six miles north of Ryegate and that will be 70 mph. We gradually step-up in speed until we hit the 70 mph on the paved section and then gradually start stepping down towards the end of the paved section before the gravel. There is a lot to absorb and a lot of pages in the mapping.

Commissioner Sanders moved to approve the Speed Limit Recommendation, Rothiemay Road/Red Hill Road (S-238) – Ryegate. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Public Comment:

Allen Davis, Ryegate Mayor, said I'm at Hwy 238 and I have a comment on that. The speed limit coming into town from the north at the crest of the hill, you come in from a 70-mph portion and then try to slow down. I personally would like to see that slowed down before the crest of the hill before it gets into the town and a 25-mph corner for safety reasons.

Dustin Rouse asked if he had the milepost at the crest you're concerned about. With our proposed new speed zone we are dropping from 70 mph to 55 mph to 40 mph before Ryegate. Allen Davis said approximately 1,900 feet south of Milepost 67 is about the crest of it, and then it's downhill from there. Dustin Rouse said we can certainly take a look at that and make sure we set that accordingly. The proposed 70 mph speed zone ends now just south of milepost 67.

Allen Davis said at Milepost 67 you have a speed limit and then you come down to the turnoff for Stratten Lumber and drop it down to 55 mph. At that point it should be at least 35 mph. There is a lot of traffic coming in and out of there, a lot of wildlife coming out of Milwaukee Park Road crossing, and with the downgrading with the heavier trucks it is almost impossible to stop in an emergency.

Dustin Rouse thanked him and said they would have some internal conversations about that. At the moment we have set that as shown and if the community raises

concerns I think the process would be to ask your Commissioners to review that segment from 67 to Hwy 212. That is the position we're in currently. Allen Davis said that would be great I would appreciate it and thank you for everything you're doing.

Dustin Rouse said the county did ask about some improved signing to the north and some improved delineation. It sounds like they get weather across the roadway there. I will reach out to the district and see if that is something we can look at and see if there are some segments of improved delineation we can look at. There are also some open cattle segments in there as well. Those are certainly things we can work with the district to take care of. It doesn't need to be part of the speed study.

**Agenda Item 6: Speed Limit Recommendation
Ryan Road/Sansome Street/Broadway Street
(X-20013) – Philipsburg**

Dustin Rouse presented the Speed Limit Recommendation, Ryan Road/Sansome Street/Broadway Street (X-20013) – Philipsburg, to the Commission. In March of 2023, Granite County on behalf of the Town of Phillipsburg requested a speed study be performed on X-20013 which consists of Ryan Road, Sansome Street, and Broadway Street. The town desires “to accumulate and analyze data for traffic flows from the roadways mentioned” “in order to address existing speed limits as they relate to the increasing growth pressures currently being experienced.” MDT agreed to review the existing speed limits beginning at the intersection with Montana 1 and Ryan Road and continue north to the intersection with Broadway Street where the study turns west and continues to the intersection with Montana 1. Ryan Road becomes Sansome Street at the intersection with Airport Road.

A review of the spot speed samples shows that the prevailing speeds along Broadway Street (X-20013) match with the set speed limits. The 85th percentile speeds and upper limits of the pace are for the most part within ± 5 -mph of the 25-mph and 45-mph posted speed limits. Within the 25-mph speed zone about 81 percent of drivers are all within 10-mph of each other. The same is not true in the 45-mph speed zone with only about 60 percent of drivers traveling within 10-mph of each other. A 45-mph speed limit does not fit the section immediately leaving Philipsburg with the 85th percentile near 45-mph, however, the upper limits of the pace are below 45-mph by approximately 2/3-mph. Beyond Kimber Lane, speeds increase and better align with the 45-mph speed limit. Furthermore, this segment meets minimum travel lane length but not the optimal length with no shoulder and a non-traversable ditch. This section, when utilizing the rounded down 85th percentile, results in a 5-mph reduction to 40-mph and the creation of a new speed zone adjacent to the 35-mph and 45-mph speed zones. This would result in a 40-mph speed zone approximately 3,300 feet in length. Currently the 35-mph transition between the existing 45-mph and 25-mph speed zones is not up to current MDT guidance. The 35-mph transition

is currently 1,200 feet and we recommend a length of 1,600-feet. At the west end of Philipsburg there is currently a directional speed differential present, with a southbound posted speed limit of 35-mph and a northbound posted speed limit of 25-mph. The purpose or reason for this differential is unknown, however, current speed data suggests that this differential should be eliminated, and a uniform 25-mph speed zone be instituted for this section.

Granite County and the Town of Phillipsburg do not agree with MDT's recommendations and would like to see a 15-mph speed limit though the Town of Philipsburg. The average 50th percentile for the 25 mph zone is 24.2-mph, the recommendation would go below the 50th percentile by 9-mph. MDT does not recommend setting the speed limit this far below the 50th percentile. MDT would like to stress that the data does not support a 10-mph reduction and research has shown that setting the speed limit by 10-mph or more from the engineering recommendation does increase injury crash rates.

Staff recommendation:

It is the desire of MDT with the approval of the Montana Transportation Commission to institute the following speed limits for Philipsburg:

A 25-mph speed limit beginning at the intersection with Montana 1 (straight-line station 00+00) and continuing south for an approximate distance of 1.15 miles, approximately 300 feet south of the intersection with Hickey Street (straight-line station 61+00)

A 35-mph speed limit beginning approximately 300 feet south of the intersection with Hickey Street (straight-line station 61+00) and continuing south for an approximate distance of 1,600 feet, approximately 200 feet south of the intersection with Airport Road (straight-line station 77+00)

A 40-mph speed limit beginning approximately 200 feet south of the intersection with Airport Road (straight-line station 77+00) and continuing south for an approximate distance of 3,300 feet, approximately 350 feet south of the intersection with Kimber Lane (straight-line station 110+00)

A 45-mph speed limit beginning approximately 350 feet south of the intersection with Kimber Lane (straight-line station 110+00) and continuing south for an approximate distance of 3,350 feet, ending at the intersection with Montana 1 (straight-line station 143+50)

Commissioner Sanders said I know the Ryegate speed zone is a lot more miles but for me when I look at the big picture view of this project, it's a lot easier to understand. Is that possible with Ryegate as well? Dustin Rouse said we can provide a

shrunk-down map and then have the details on the other pages. You lose a lot of the detail within Ryegate but we can do an inset and have one large overview of the speed zone.

Commissioner Swartz moved to approve the Speed Limit Recommendation, Ryan Road/Sansome Street/Broadway Street (X-20013) - Philipsburg. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 7: Speed Limit Recommendation US 287 (N-8)/S-435 – Augusta

Dustin Rouse presented the Speed Limit Recommendation, US 287 (N-8)/S-435 – Augusta to the Commission. This is a request to set an interim speed zone. We did not complete a speed study so we have the ability to bring to you a recommendation for in interim speed study if we work with the county and they concur with our recommendations.

While having discussions with the community of Augusta and Lewis and Clark County regarding their urban speed limits, MDT discovered the transitions entering Augusta were not up to current MDT guidance and best practices. MDT initially took speed spot data for the 25-mph speed limit inside of Augusta and determined that speeds were consistent with the speed limit as part of this discussion. The county and local officials agreed with the speed spot findings. MDT in discussions with the county decided to address the current transitions with an interim speed study and follow up with a speed study after a year of implementation.

This interim speed study covers two separate routes that enter Augusta. There are three separate entry routes into Augusta, US-287 covers the southern and eastern legs of Augusta. Secondary 435 covers the western leg entering Augusta and terminates at the intersection with Main Street and Manix Street. At this intersection, S-435 turns into US-287 and continues east through the community. Typical sections for S-435 consists of 12-foot travel lanes and 1-foot shoulders. Shoulders widths increase to two feet inside of Augusta and on street parking is prevalent for the urban sections. Typical sections for US-287 consists of 12-foot travel lanes and three foot shoulders. In the urban sections, the shoulders are replaced with on-street parking that is approximately eight feet in width. AADT varies for each route, for the southern leg of US-287 AADT volumes were approximately 432 vehicles in 2022 and for the eastern leg of US-287 AADT volumes were approximately 919 vehicles in 2022. For S-435 AADT volumes were approximately 212 vehicles for 2022. Traffic volumes have on average fluctuated over the last 10 years and but appears to be consistent with little to no growth or decline. The roadside environment is urban inside of the developed area of Augusta and rapidly transitions to a rural environment for the

southern and western legs of US-287 and S-435 respectively. The eastern leg transitions from urban to suburban to rural inside of the limits of this study.

Speed data was not collected in the transition areas. However, both Helena and the Great Falls District support an interim speed limit in the area to fix the current transition issues. MDT recognizes the need to address the current transitions and create a consistent transition configuration for the community of Augusta. Creating a consistent transition configuration will allow drivers to have consistent expectations when transitioning from the urban and rural sections for all three sections entering Augusta.

Staff recommendation:

It is the desire of MDT with the approval of the Montana Transportation Commission to institute the following interim speed limit:

MDT recommends the following interim speed limits for S-435:

An interim 40-mph speed limit beginning approximately 250 feet south of the intersection with Eberl Street and continuing south to a point approximately 100 feet south of the intersection with Lovers Lane, an approximate distance of 1,600 feet.

An interim 55-mph speed limit beginning approximately 100 feet south of the intersection with Lovers Lane and continuing south to a point approximately 1,000 feet north of the intersection with Augusta-Clemons Road, an approximate distance of 2,700 feet.

MDT recommends the following interim speed limits for US-287:

An interim 55-mph speed limit beginning approximately 2,150 feet south of the intersection with Lovers Lane and continuing north to a point approximately 550 feet north of the intersection with Lovers Lane, an approximate distance of 2,700 feet.

An interim 40-mph speed limit beginning approximately 550 feet north of the intersection with Lovers Lane and continuing north to a point approximately 2,150 feet north of the intersection with Lovers Lane, an approximate distance of 1,600 feet.

An interim 25-mph speed limit beginning approximately 2,150 feet north of the intersection with Lovers Lane and continuing north to the intersection with Main Street, an approximate distance of 900 feet.

An interim 35-mph speed limit beginning approximately 150 feet north of the intersection with Walrath Street and continuing north to a point approximately 950 feet north of the intersection with Warden Road, an approximate distance of 1,600 feet.

An interim 45-mph speed limit beginning approximately 950 feet north of the intersection with Warden Street and continuing north to a point approximately 2,550 feet north of the intersection with Warden Road, an approximate distance of 1,600 feet.

Commissioner Aspenlieder said I understand this is an interim speed we are setting and we are going to follow this up with a speed study. Dustin Rouse said correct. If you agree to set these interim speeds and transition zones appropriately, we will set them and then go out next season and do a speed study, collect speed data, and bring it back in order to set the permanent speeds.

Commissioner Sansaver said I'm trying to figure if we haven't done a speed study, why are we talking about doing an interim speed? Was this brought up by the community or presented by the community for change? Is this an informational document we have? What are we aiming to do here?

Dustin Rouse said Lewis and Clark County and Augusta brought this to our attention that the transitions coming into town were not adequate and vehicles were surprised by the speeds, so we can take action. The county and the city asked us to bring this proposal to the Commission to set an interim speed based on the appropriate distances between the signs coming into and out of town. So all of our recommendations are to set the transition speeds dropping down from 70-55-45 mph setting those appropriately on an interim basis. That will give us time to do a speed study to bring back to the Commission for action.

Commissioner Sansaver said then this will come back again and the Commission will deal with this next fall which could be entirely different than the step downs you're showing here. Dustin Rouse said the step downs would very likely stay in place because we try to follow standard guidance. We will look at driver behavior and how they are adhering to those speeds. Our recommendation would be based on that new information.

Commissioner Aspenlieder said I understand setting the transitions to our standards but then why are we going to do a speed study on top of that once we set it. Doesn't it make sense to just set these and let the community and county come back to us if there is a problem and not adding another study or evaluation into our queue that we don't know is necessary? Can't we set these permanently and if there are continued problems they can ask us to formally evaluate it? Dustin Rouse said according to MCA a speed study is required to set speed limits and a speed study was not

conducted, so we still have to go through that process. We have to complete a speed study in order to set speed limits.

Commissioner Sanders said I applaud the efforts. We've talked about interim speeds in the past as being a good intermediate step towards achieving the appropriate speeds and this is a good example of that. We know there are transition problems so I like what you are doing with this.

Commissioner Sanders moved to approve the Speed Limit Recommendation, US 287 (N-8)/S-435 – Augusta. Commissioner Swartz seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 8: Certificates of Completion November and December 2024

Dave Gates presented the Certificates of Completion for November and December 2024 to the Commission.

For November we have two projects proposed for completion. SF179 Helena Intersection Safety Improvements Project and North of Benchland North Project. The sum of the bid amount for these two projects was \$3,652,050.90. The final amounts for these two projects come to \$3,569,516.77. This resulted in a net -2.26% growth between the bid amount and the final amount.

For December we have three projects proposed for completion. Bonner Interchange East, Bearmouth E & W, and I-90 Bridge Pres MP 117-149. The sum of the bid amounts for these three projects was \$20,169,678.47. The final amount on these three projects was \$20,719,954.34. This resulted in a net +2.73% growth.

Staff recommends approval of the Certificates of Completion for November and December 2024 as proposed.

Commissioner Sansaver moved to approve the Certificates of Completion for November and December 2024. Commissioner Sanders seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 9: Directors Discussion

Director Chris Dorrington

Legislative Update

We're in the pre-transmittal slog, there's about 200 bills yet to drop in the next two weeks. We're tracking really well with a handful of Legislators who have text but not a bill yet. Yesterday Deputy Director Flynn and a handful of our folks were busy all day. We completed our budget yesterday and it came out really well. We started with six FTE and finished with two. That was the only trim our subcommittee recommended. We still have full House probes and then Senate Finance and Claims and we will definitely be strained to keep everything in there. We're doing really well.

The rest of our bills are moving. We have six total and then a handful of bills coming. The one that is very interesting and has taken a lot of work and coordination with both the utilities and contractors is the Utility Relocation Penalty Bill. That will be coming out; Rep. Sprunger is carrying that. The objective is that utilities that have caused our projects strife as a result of not moving even with advanced notice and prompting and prodding because there's no teeth in any of that, so we've drafted a bill along with utilities and contractors that puts teeth in that. We're retaining the one-year plan-in-hand notice with a series of notices that say, "You have to move, you haven't moved, we're going to move them for you and charge you, and reduce the reimbursement that they would receive as utilities". It's pretty perverse right now – we still reimburse even though they are delaying. There are some bad actors in that space but most are pretty darn good and we want to retain the relationships. The bad actors we've talked to feel pretty awful about where they're at. Now there will be teeth if the bill passes. There is a lot of support from the utilities too because it is so practical – we tell you this is what we're doing, we give you notice if you haven't moved, then we do it. From the podium it's going to be a pretty light lift to say that people should be held accountable. That's one we're really happy about advancing. There's a handful of others to come.

Reorganization of MDT

All normal business is carrying on really well. One thing I'd note is we advanced the superstructure of our agency reorganization to all employees two weeks ago. I'll go over the program areas we're going to create and focus on and then talk a little about the why. The first is Project Development and Delivery, the second is Asset Strategy Operations and Maintenance, the third is State-wide Planning and Modal Operations, the fourth is General Ops.

Project Development and Delivery will include Design and Construction, Engineering and Construction. Under Asset Strategy Ops and Maintenance will be our life-cycle view and creation and support with greater emphasis on full asset strategy development. Statewide Planning and Modal Ops will be statewide planning and then the mods that we emphasis from air, rail, transit, freight, bike and ped. Gen

Ops will be HR, IT, Fiscal, Legal, and Civil Rights. We're developing an Office of Strategic Solutions which will be a small group of people who help us make through change management and provides resources to each of the program areas in order to improve function.

The "why" of this is to align these program areas to central purpose – what is the program area responsible for, resource it appropriately, and improve accountability in a good way. I want accountability to be something that people logically tap into and see as a good thing and not a weapon. Then increase visibility and mitigation of risk. From my view we still transfer risk without really understanding what that fully means. By risk I mean hiring process, budgetary concerns or contracting that isn't fully visible to the people who are very centrally responsible for funding. What I think we'll gain out of that is a little bit more effectiveness and increased efficiency and ultimately my goal is that we have whole, healthy and happy humans that work here and aligned to central purpose. What I really want is for people to have the liberty that outside of core duties they also have creative time and energy and they feel supported and are able to be creative and not just weighed upon by the full set of tasks that go beyond the eight hours a day or forty hours per week.

So the next steps are to communicate broadly and consistently. We've already laid it out. To be really transparent about this, at the beginning of this I could have developed an entire fully-vetted plan that says tomorrow everyone is moving and here's where you're going. But I'm trying to set the stage for my set of ideas first, the program areas that we're aligning to and then lay out the next steps. In time none of this is emergent so I don't want people to be worried about it even though people worry when change happens. We're already engaging in probably six-to-eight micro moves. Dustin has a handful going on. HR has a handful going on, Rob has a handful going on and in the works. Those are really helpful to set the stage for how we align programs and functions and funding. So the initial moves are moving and the next big steps are to put the leaders in place for the program areas. I'm soliciting letters of interest and will get that out today. Then putting the leaders in place and then designing the moves.

There will be some moves. Rob, the Planning Division, is most affected. One of my bigger proposals is to move Environmental Engineering to Project Development Delivery out of the Planning Division. There is really no right or wrong in that but I do think Environmental Engineering belongs in Program Development Delivery – I just do. So that is one of the bigger moves.

Asset Strategy – so Paul Johnson and his group will be in the Asset Strategy Ops and Maintenance Group out from Statewide Rail Transit and Planning as it is today. So that will be a really good move. They do great work right now and we're going to resource them and they will continue to do really well.

Our Data Folks will also move into Asset Strategy. One of the key wins that I anticipate and would like to emphasize is our data programs moving into Systems Approach, moving into decision making. I think we will dramatically improve with alignment of those functions. Then discovery of gaps in our data sets and systems – we have quite a few of those and they don't all link up very well right now, some do and some don't but not all of them link up.

Update on Bills

Commissioner Sanders asked Director Dorrington for an update on a couple of bills about granting of authority down to MPL level. Director Dorrington said the MPL bill, I have an awesome planning and legal team and both of them tattooed that one pretty good. It will compromise almost all of our federal responsibilities so we cannot do that. I've communicated that to Representative Carter.

The other one is the urban speed setting and we're pretty comfortable as amended at this point with either being info. I don't know if we're quite there to support it but that is yet to be determined if that proceeds.

Commissioner Aspenlieder asked if the amendment which put the Commission backstop in place was adopted: Director Dorrington said we proposed that but the bill hasn't been heard so we're still in the advanced stages before it goes forward. We advanced the amendment and that is the only way we'll support it.

Commissioner Sanders asked if he saw a sea change as far as the new administration and how that might affect Montana and our funding. Director Dorrington said there is some weakness in the firm messaging around the discussion of programs. I think it will come around. For everything we've obligated they've said there is support. We just have a lot more commitments than we've obligated so I need the rest of that \$609,000,000 commitment to be firmly stated. We are going to move forward. Rob Stapley spent an entire week in D.C. working with our delegation and also meeting with the new Transportation Secretary but the overall message is infrastructure is going to be supported and invested in. Transportation is a very firm part of that. Energy is part of that, water and waste water is part of that. Where some of the other programs are being grilled for DEI type activities, we're just insulated from that. We have real projects that have real funding needs that effect real communities and there's not a DEI component to that.

The NEVI Program funding has been rescinded. They are promising guidance sometime in the spring. The Carbon Reduction Program and Protect are still up in the air. Lucia Olivera said all the formula programs are continuing. The NEVI plans have been rescinded. Director Dorrington said the one really powerful message is that formula funding is supported. That is the hill we die on. We need to sustain the formula funding and that sounded like a good piece of feedback.

Rob Stapley said I was in D.C. a couple of weeks ago and the brand new Secretary of Transportation met with us. He had three points from the President: (1) air space issues. That was immediately following the incident at Reagan Airport. (2) The price of vehicles is too much right now. The median price for a new car is \$46,000 and school teachers can't afford that. (3) Infrastructure is a full go. The President supports building infrastructure. He wants us to build more infrastructure, he wants it faster, and he wants it cheaper. That is his goal and the direction we were given. I also met with three of the four Congressional Delegation offices. Independently all three of them stated the same things – the support for infrastructure is there, it's going to network through some of these hurdles but none of the three offices thought that funding was going to be pulled back with regards to infrastructure. So it was reassuring to hear that.

Speed of Delivery on Projects – Ryegate Bridge

Commissioner Aspenlieder asked about speed of delivery on projects and cost. He said you're going through a whole lot with reorganization but when are we going to tackle our project delivery spaghetti bowl? When are we going to put some real effort in trying to streamline that process and make serious and significant changes to the way we deliver? Is that on the horizon?

Director Dorrington said it is. Our programs are trying to do that right now with various levels of success. We're being pressed to move faster – some of those methods are alternative project delivery and some of those are not necessarily cost-saving measures. There are two waves coming at us – one is to reduce costs and one is to go faster. Those are pretty challenging competing methods. I had an extended conversation on CMGC this week with a Senator and she was feeling like there's no cost backstop. She feels it is a wide-open checkbook and I think she's being told that. I told her there was a cap cost on those but they are not a cost saving measure. You're moving fast on purpose to try and get projects out. Now I also think she has a point where she would like us to be cost conscience while still using Alternative Project Delivery. In the Reorganization, if we align to purpose which is project development and delivery, these leaders here can say that is my job and I'm going to take it on and try to do the best we can. With my vision for hopefully getting them to a position where they can be creative and not just solve lots of problems, I think we'll find solutions there. I'd ask for you guys to weigh in too.

Dustin Rouse said first of all, you're spot-on for Alternative Contracting. We're navigating through that. It's a great tool like Design Build, Progressive Design Build. I think they're absolutely going to help us deliver some of the discretionary grants that are facing us. Whatever we have in the future, that gives us the flexibility to quickly turn projects but as the Director indicated, it can come at a cost to do that. As far as internally for our internal projects I think with the Director's vision of having

that project delivery statewide approach, I think those connections from Helena to the Districts in project delivery and in to construction are just going to be stronger and we'll have a better top-to-bottom pipeline of information coming back. Are there things Helena is doing that are slowing things down in the district? Are there things in the District that aren't aligning with Helena? Improving those relationships and connections will go a long way to streamlining what we do.

The other part is, every day I get notifications. We have rock stars that work for us and they're getting into all of our flowcharts, and as you said that spaghetti flow chart that it takes to deliver a project. We have to check all those boxes and navigate through that but we're looking at trying to do a lot of that work in parallel. We worked with HDR and had them look at our process top to bottom. They've completed that and we're going to start moving toward their recommendations that will help us move rapidly through project development.

Rob Stapley said I'd like to expand a little bit more on the Alternative Contracting Program, specifically CMGC, and expand on what the Director talked about with cost controls specifically with CMGC. I think it's important to take into consideration that our existing CMGC projects started out as pilot projects. The department was building out our CMGC program and guidelines through the evolution of project development. As it relates to cost controls, what we learned is the messaging through bringing these programs forward was alternative contracting is an opportunity for cost savings. So what we have to do is get better in informing what does cost savings mean as it relates to value and that cost savings and value is in swift decision making early on when you have commensurate experienced expertise at the beginning of a project in project development and working through that. Well that doesn't tell the whole story – the key challenge for us as we're developing and learning, these are lessons learned, this isn't rinse-repeat and do the same thing. CFR explains/provides guidance on what you can do with the third leg of the stool with our estimating where on a CMGC project or PDV project we have that independent cost estimator that's developing a production based estimate to confirm what the contractor is coming up with. At that phase in our estimate reconciliation, we need to modify our process to provide us more flexibility to negotiate and integrate what average bid history, regional dynamics, regional economics look like to try to squeeze value out there. That is the key issue and where the perception is that these projects are costing more because it's fundamentally different to look at those prices in relation to average bid history. We recognize that and hind sight is 20/20. So we need these lessons learned to move forward and do better. As I've said before in several of our meetings, again these CMGC projects were pilot projects. Knowing what we know now would they be the same delivery mechanism? We don't know but we're going to be very mindful in moving forward about choosing the right contract deliver mechanism for the specific project and scope of work required.

Commissioner Aspenlieder said to that point, the MT 200 bridge replacement project in my district has floundered for years as a CMGC. We awarded that maybe three years ago and I don't know that they've done anything yet. Obviously the reasoning you get from the contractors and consultants is different than what you get from the district and different than what you get from the people in this building. There is a myriad of finger pointing as to why nobody has done anything, but the reality is nobody has done anything. What are we doing?

Director Dorrington said I hear that loud and clear. I think what is important to take into consideration is transportation planning is dynamic. Even when we come out and say we're going to use Alternative Contracting or some other mechanism to go faster and cheaper, we're always consistently dealing with competing needs and interests. That project specifically was bogged down in a variety of different environmental issues. Again in the same time frame, trying to integrate this new contract delivery mechanism in a process that both our internal staff and external stakeholders including resource agencies aren't necessarily familiar with. There are things outside of our control at times and that's Transportation Planning 101. I hear you loud and clear. That's a perfect example of what type of mechanism works best to deliver that type of work. Again, knowing what we know now, would we choose CMGC for that project? That's a different discussion. But through that exercise we found the friction points and we have some lessons learned.

Commissioner Aspenlieder said I appreciate your explanation but I can also say it's frustrating because even if we did this Design Bid Build, we'd be in the same absolute quagmire with an inability to cooperate with FWP, our own environmental staff working against us and not with us, and it's just absolutely buried a project that is not hard. We're replacing bridges with culverts. We're replacing some bridges but this was supposed to be a quick delivery project because the vast majority of these that came out of the planning process were going to go back in in boxes. Former Director Long had started early-on and we'd asked for some coordination and updates on what that relationship was looking like and how that could improve with, at that time it was Director Vorsack at FWP and now we're two past him. Where are we at with FWP Director?

Director Dorrington said that is a good question. When I came on I met with Director Temple and our folks. I asked him to tell us where "yes" is possible – on a geographic scale by drainage where "yes" is possible and then say to us if "no" is the answer and it's only a structure at least we'd be able to adequately plan both the cost and the time because a full structure is more complicated and costly than most boxes. He agreed and that was good. Then we kind of paused for the December FWP/MDT Summit. That had plenty of friction but it was a really good meeting with 150 people. Now with Director Clark we just had a meeting last week. I'm pretty open about this because friction isn't scary, you just have to make it through it. The South of Ryegate project that structure I'm frankly really frustrated about the fact that we

started negotiating with them and having conversations with them in July of 2022 and we still don't have an answer. Last week they were debating between a 36 foot wide and a 24 foot wide and they still hadn't made a decision. Meanwhile up and down stream we have small corrugated culvert in place. We are not the resistance for that hydraulic. It's a complex stream, when it floods it's pretty serious. Hydraulically it's complex, but we're not the gatekeeper in the hydraulic flow of that entire corridor. My point to them and Director Clark was on top of it, we're on the verge of losing our landowner who is allowing everybody to drive through his lower field so he's lost Ag production and whatever he needs to do it's his land and he doesn't want it to be permanent. So we've need to make a decision on this one and no project moving forward can take two and half years of back and forth BS. Red Belly Daze is the fish we're trying to protect which is a feeder for trout which is really important, we're not downplaying the role of our aquatic species, but you also have to move and understand the entire drainage and not just what MDT can do. We're going to put in a super wide opening, bury it six feet, a fish is never going to smell or see the concrete. So that's what we're trying to get to and we still don't have agreement.

Commissioner Aspenlieder said that is my continued frustration and it was when we have the initial conversation three and a half years ago. It's easy for FWP when it's our checkbook to continue to say you've got to do bigger, better, more, more, and more. At what point do we, who have to foot the bill, say fine we can do bigger and better but where's your checkbook; you've got unlimited resources it appears to buy land and expand public access and all that BS. Where is your checkbook? The decisions you're making only impact ours and that's easy. I'd love to tell Cody how to spend his money but that doesn't work in the private sector. At some point we have to have some level of accountability for FWP and the impact they're creating for the transportation system. That's our goal. Our goal is not the minnow, our goal is to make sure that people can travel and traverse this state safely.

Director Dorrington said I'll make a two part recommendation. We had the meeting and I think Director Clark is really going to make this happen and her team was in the room as well. I was frustrated in the meeting and I said "we can't keep doing this, it isn't working." I reiterated my request for where "yes" is possible and where "no" is a certainty, where it's a structure versus a culvert. What I do think would be beneficial is, as a Commission if you guys were either to draft a letter or a representative of the Commission came with me to a meeting with Director Clark and her team and said, "the position of the Commission is to advance projects on time and move people safely, so how do we do this and you guys are in the way." I think that would be helpful as an exclamation point of what we conversed last week with them. Also then really require a response from them that says, "On time this is what we're going to do, within three months we're going to give you the full drainage review on projects advanced, we're going to identify these resources. Here's who Dustin and his team has as a contact for an escalation procedure when regional biologists and even our folks aren't agreeing there's an escalation procedure that goes

next to dot, dot, dot and we move on a schedule to get decisions made.” If it’s to put a full structure in or if it’s to put a box in, we know where the diverting point is in which those two decisions need to be made. Then what’s a realistic timeline for them to say if you’re going to put a structure in it looks like this or if you’re going to put in a culvert it looks like this – because 36 or 24 feet are significantly different in cost and time and the aspect of what we have to do to prep the site and then install it. We are not building rockets that are going to land on Mars; this is still conveyance of hydraulics, conveyance of people that go over the river or stream or access point. I still think a decision needs to be made in a more rapid fashion.

Commissioner Aspenlieder said I personally would want 100% support doing something like that. In fact we made a motion about three years ago when we had this dust-up the last time and I think it was over 200. The Commissioner supported sending a letter from the Commission to the FWP’s Commission raising the issue and copying the Governor and Lt Governor on it to raise the red flag. We were told not to do that yet and to stop because we’re trying to negotiate this out. At that time it was Director Vorsack and Director Long. We’ve already made a motion three years ago to do exactly what you’re saying now but we were told no, let us try and negotiate it out. But if you’re ready to bring in the hammer, I have absolutely no problem with the Commission voicing it’s frustration with the process and requesting coordination or at least some in-person discussions about that. One of the things we talked about before was having a joint meeting once a year with the FWP Commission. That was discussed to try and understand both ways why we’re having this friction and how as Commissions can we try to help our teams do better. That just went absolutely nowhere.

Larry Flynn said knowing little bit about the FWP Commission, they’re breadth is all over the place too, from Parks to enforcement to tags etc. I don’t know how much they actually care about making decisions. Director Clark does. So if you guys were to state that our objective is to try to do this and we would really like your partnership and make these changes. I’ll outline a couple – better communicate, better coordinate, and faster decision making to help us achieve our objective, I think you would be completely on point. I’d say wade in with us and let’s do it.

Rob Stapley said the Summit we attended with FWP was very eye-opening for both FWP staff and MDT staff. One of the things I walked away from was recognizing us as engineers, we’re familiar with design standards having guidelines to go from, to have clear expectation of what the intended outcome was going to be based on parameters established. It’s almost an emotional discussion at each different location because it’s difficult to understand why they struggle with adapting to a standard to be able to move forward with. What works over here might not work in this other location. It speaks to Director Dorrington’s mission with our reorganization in that accountability is a good thing. Historically conversations that were directions, documentation, so on and so forth between FWP staff and MDT staff and an a

appropriate issue escalation from other has been challenging at best so we're going to improve on that on our end. It starts with people and relationship building and we're making good steps to do that with the appropriate folks.

Commissioner Aspenlieder asked the Commission their thoughts about putting some correspondence together under the guidance of the Director and Deputy Director to formulate a letter to submit to FWP requesting to participate or engage.

Commissioner Sansaver said we've pretty much beat up this horse this morning. What I thought Director Dorrington was asking is for some cooperation for representation of our Commission to go with him to meet with FWP and I would certainly support that. We need to move forward as quickly as Director Dorrington thinks is necessary and that one of us from the Commission attend and it seems Commissioner Aspenlieder has the best background to assist Director Dorrington going to a meeting with FWP and see if we can nip this in the bud. Alongside sending another letter because I remember very clearly three years ago we were asked to stop and wait. I think we've waited long enough and we need to make a physical presence there with their Commission or their Director and say let's do something. I don't know if we need a motion to do so. Let's do something now and move forward with it.

Commissioner Sanders said this particular bridge south of Ryegate, is the delay at a Commission level. I'm trying to figure out where the delay is – is it commission to commission? Where is the appropriate level as we decide what kind of motion we want to make? Where is the appropriate level for us to try to engage?

Director Dorrington said I used that as an example and there's probably five or ten of them. I'm trying to highlight through the Ryegate challenge we're facing that it's a systemic issue. We keep facing the same set of issues over and over. In my view if the Commission would make a motion and then vote to engage with an Ambassador to come with me to visit with Director Clark and take Dustin Rouse and others with me and highlight a couple of examples and emphasize the point we made last week. Your presence in that meeting is because you as a Commission have a responsibility both fiduciary and to protect the communities of our transportation system, and you represent that differently than the department. I really view the Commission as my partner and we have a lot to achieve.

Commissioner Sanders said my recommendation is that we do need a letter, we do need to formalize that with our frustrations, and we extend an invitation to meet with appropriate FWP representatives. I'd like to attend the meeting because I'd like to have a better understanding as to why it is so challenging for them. Director Dorrington said we can meet with in Bozeman. More than one Commissioner can join us.

Commissioner Aspenlieder said this is absolutely necessary at this point in time. I'm more than happy to be a part of that and it won't hurt to have Commissioner Sanders join in. We need to keep it to two of us at any one time. I'm 100% supportive and willing to wade into the waters on this to try and help as much as we possibly can. Commissioner Sanders and I will mount up and assist.

Commissioner Sanders moved that the Commission send a letter to the Director of FWP formalizing the Commission's concerns, along with an invitation to meet with appropriate FWP members recommended by Director Dorrington. Commissioner Sansaver seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 10: Change Orders November & December 2024

Dave Gates presented the Change Orders for November and December 2024 to the Commission. This is informational only. The total for November 2024 was \$978,669.85 and for December 2024 the total was \$26,049.52 for a total sum of \$1,004, 719.37.

Agenda Item 11: Letting Lists

Ryan Dahlke said we just presented the upcoming Letting List for your information.

Commissioner Sansaver asked to be sent an email of the letting list. Commissioner Aspenlieder asked if MDT had determined where they're going to reposition the Bad Route Rest Area. Dave Gates said that is currently in the April 3rd letting. Commissioner Aspenlieder asked to be sent any information posted so he could get it out to the GCs in the Billings area who completely missed it the last time it was put out.

Commissioner Aspenlieder asked the Director to pass on to the Maintenance staff the Commissioner's appreciation for their efforts over the last couple of weeks. In District 5 those guys have been buried under snow and icy roads. I certainly appreciate the time and the effort and dedication of those folks to keep our communities and roads safe and travelers safe. Director Dorrington said former Senator Duane Ankney called me last night and conveyed the same message. He called to say thank you to the D5 folks for their maintenance efforts. He said he had never seen the highways maintained at the level they are this year and he was appreciative of the effort.

Jim Wingerter said I've been in communication with Commissioner Frazier and he is on the mend and hopefully will be back on track in about one month or so. Commissioner Aspenlieder said give him our best and let him know I'm happy to give the gavel right back.

Next Commission Meetings

The next Commission Conference Calls were scheduled for March 4, 2025, March 25, 2025, and April 15, 2025.

The next Commission Meeting was scheduled for April 24, 2025.

Meeting Adjourned

Commissioner Scott Aspenlieder, Chairman
Montana Transportation Commission

Chris Dorrington, Director
Montana Department of Transportation

Jess Bousliman, Secretary
Montana Transportation Commission