

Montana Transportation Commission

September 24, 2015 Meeting
Helena, Montana

IN ATTENDANCE

Rick Griffith, Transportation Commissioner, Chairman
Barb Skelton, Transportation Commissioner
Carol Lambert, Transportation Commissioner
John Cobb, Transportation Commissioner
Dan Belcourt, Transportation Commissioner
Mike Tooley, Director MDT
Pat Wise, Deputy Director MDT
Dwane Kailey, MDT Engineering
Lori Ryan, Commission Secretary
Kevin Christensen, MDT
Tim Reardon, MDT legal
Carol Grell-Morris, MDT legal
Lynn Zanto, MDT
Chris Dorrington, MDT
Diane Myers, MDT
Megan Larson, MDT
Danielle Bolan, MDT
Jim Skinner, MDT
Chris DeVerniero, MDT
Breanne Whittaker, MDT
Paul Johnson, MDT
Patti McCubbins, MDT
Chris Riley, FHWA
Paul Dennehy, Lamar
Rick McAlmond, Lamar
Barry Spook Stang, Montana Motor Carriers

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

OPENING – Commissioner Rick Griffith

Commissioner Griffith called the meeting to order with the Pledge of Allegiance and offered the invocation.

Approval of Minutes

The minutes for the Commission Meetings of July 21, 2015, August 4, 2015, August 18, 2015 and August 28, 2015 were presented for approval.

Commissioner Lambert moved to approve the minutes for the Commission Meetings of July 21, 2015, August 4, 2015, August 18, 2015, and August 28, 2015. Commissioner Cobb seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item 1: Montana Scenic Historic Byways Program Advisory Council

Lynn Zanto presented the Montana Scenic Historic Byways Program Advisory Council to the Commission. As outlined in MCA 60-2-601, the Transportation Commission is responsible for appointing an advisory council for the Scenic-Historic Byways Program. In July of 2012, the Transportation Commission re-appointed the

following individuals to the Scenic-Historic Byways Program (SHBP) Advisory Council for a three-year term:

- Ed DesRosier – Mr. DesRosier is owner and operator of Sun Tours in Glacier National Park (20 years). He is an enrolled Blackfeet tribal member and was appointed to serve on the Governor’s Tourism Advisory Council for Montana in 2005 and again in 2009.
- Mike Penfold – Mr. Penfold brings experience from the U.S. Forest Service (20 years) and the Bureau of Land Management (16 years). Currently, he is chairman of the Yellowstone River Conservation Forum and Field Program director of Our Montana.
- Homer Staves – Mr. Staves has over 50 years in the tourism industry. Previously, he served as a Chamber of Commerce executive in Billings, served for 25 years as an executive officer for Kampgrounds of America, and was appointed to the National Scenic Byways Committee by the U.S. Department of Transportation. For the past 15 years, he has owned and operated the Whitefish KOA campground and Staves Consulting (a campground consulting service with over 300 clients in 45 states and 5 countries). He also serves as president of the Campground Owners Association of Montana/Wyoming, the KOA Owners Association, and the International KOA Owners Association.

The purpose of the SHBP Advisory Council is to

- Assist MDT and the Transportation Commission in designing the program.
- Review applications for nominating roads to the SHBP.
- Recommend to the Commission roads that should be included in or deleted from the SHBP.

Since their appointment, the SHBP Advisory Council has

- Reviewed the Scenic-Historic Byways pilot project (MCA 60-2-606) and, based on ARM 18.14.205, determined that only four of the eight routes had potential for designation.
- Reviewed guidelines and website material developed by MDT.
- Recommended Scenic-Historic Byway designation to the Transportation Commission for two qualifying applications: Giant Springs Road – Great Falls and Lake Koocanusa (portion of MT-37).

Note: The Transportation Commission approved these two roads as scenic-historic byways in May 2011.

In preparation for the sunset of the SHBP Advisory Council’s term in 2015, MDT solicited and confirmed the Advisory Council’s interest in continuing with a third term.

Summary: Current members of the SHBP Advisory Council offer the knowledge and expertise to provide the necessary technical oversight to MDT and the Transportation Commission in continued implementation of Montana’s Scenic-Historic Byways Program.

Commissioner Griffith asked about the staff for Giant Springs. Lynn Zanto said it isn't under MDT but we look for a sponsor and Matt Marcinek is the Park Manager at Giant Springs Park. He is our contact. Commissioner Griffith asked if the Transportation Commission sets the Historic Routes and then looks for somebody to take it on. Lynn Zanto said they approached us. There are some criteria in the Administrative Rules that make it a little challenging because it has to be adjacent to public land. Commissioner Griffith said Giant Springs isn't far along with a Management Plan, is there something we can do to help. Lynn Zanto said they are struggling budget-wise and the person they assigned was not able to get to it. There designation process is at risk but that is the Commission's call. Commissioner Griffith said it is a nice route and I would hate to see it not get designated. Are there any other routes that have potential? Lynn Zanto said the Advisory Committee reviewed several routes only four of them qualified. Designating routes doesn't give increased funding but it gives them recognition on the tourist map. It used to be they could apply for funding but it is no longer there so now it is for economic development and promotion. Occasionally we get an inquiry about the program. I'm not aware of any others right now. Commissioner Skelton asked about the budget for Giant Springs. Lynn Zanto did not know but would check into it.

Staff recommends the Transportation Commission appoint the current Scenic-Historic Byways Program Advisory Council members for a third term.

Commissioner Cobb moved to approve the Montana Scenic Historic Byways Program Advisory Council. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item No. 2: Construction on State Highway System Pedestrian Overpass – Reserve Street (Missoula)

Lynn Zanto presented the Construction on State Highway System, Pedestrian Overpass – Reserve Street (Missoula) to the Commission. The Missoula Redevelopment Agency (MRA) is proposing to construct a pedestrian overpass on Reserve Street (N-92) at Old Highway 93 in Missoula. After evaluating numerous options, MRA has determined that the pedestrian overpass is the preferred alternative for linking the Missoula trail system to US-93 corridor trails (most notably the Missoula2Lolo Trail).

In addition to the pedestrian overpass, MRA is proposing to add trail mileage along Old Highway 93 (from Reserve Street to McDonald Avenue) to complete the trail network connection (as stipulated in the Tiger Grant agreement). The project will be 100% funded by MRA and the City of Missoula – with MRA covering costs associated with the overpass (estimated at \$4.8 million) and Missoula being the responsible party for trail connections on both sides of the crossing.

MDT staff has participated in project planning activities and has provided guidance during project development (including a requirement that the overhead structure be removable to allow for passage of oversize loads). Consequently, normal height loads will not be affected by the installation of the pedestrian overpass.

Further, MDT headquarters and Missoula District staff are reviewing design details to ensure compliance with MDT requirements (prior to advancing a permit for the project). Also, MDT is drafting a formal agreement outlining specific roles and responsibilities (for all parties) relating to construction, operation and maintenance of the structure.

Summary: The Missoula Redevelopment Agency (MRA) is proposing modifications to the state highway system to promote trail connectivity in the Missoula area. Specifically, MRA is requesting approval to construct a pedestrian overpass on Reserve Street (N-92) at Old Highway 93 in order to link the Missoula trail system to US-93 corridor trails (most notably the Missoula2Lolo Trail).

Staff recommends that the Commission approve these modifications to the state highway system and delegate its authority to let, award, and administer the contract for this project to the Missoula Redevelopment Agency / City of Missoula, pending concurrence of MDT's Chief Engineer.

Lynn Zanto said Jim Skinner is MDT's responsible party for the coordination effort. Commissioner Griffith said there were members of the audience that wanted to speak to this project.

Barry Spook Stang, Executive Vice President of Motor Carriers of Montana

Mr. Stang thanked the Montana Department of Transportation for sending Mr. Skinner to the Montana Motor Carrier's convention. We had a Transportation Panel that discussed the challenges of funding transportation in Montana and he did a very excellent job. I understand Mr. Reardon is a short timer. Mr. Reardon happened to be one of the RA's when I was a freshman at Carroll College, so if you like what I do you can thank him for that.

The Motor Carriers of Montana are not necessarily opposed to the overpass in Missoula but we would like to understand why some of the alternatives weren't looked at. There are a number of under-the-highway crossings on Reserve Street and why was that option discarded early on? We are also concerned about the cost analysis of the bridge and where that came from. Probably more than anything we would like to see the bridge raised to 22 feet so these loads can be passed without moving the bridge. My understanding is that every time they need to move that section of the bridge it is going to cost the person moving that load somewhere in the vicinity of about \$50,000. We also don't know if there has been some sort of a traffic study that shows what happens when they move that part of the bridge – is there a disruption to traffic? Reserve Street is one of the main streets in Missoula and it is also one of the main streets used for interstate commerce. Last but not least I know there are a couple of bridges that cross highways in Montana that MDT has opposed but I think it is seriously time for MDT to sit down and make a freight plan and look at these corridors that are going to be used to move freight across Montana and assure the public and those people moving that freight that there won't be encumbrances that block the traffic or cause undo expense to people moving loads.

I've been around for 30 years and have been a pretty staunch defender of the Highway Trust Fund where the gas tax goes. This Legislative Session there were a number of people who came in and discussed the condition of the Bike Paths throughout Montana. Although this is Missoula's money, it seems kind of crazy to spend four million dollars on a bridge that may connect bike paths that are in such a state of disrepair that people aren't going to use them anymore. I also think that's something to take into consideration. Are we building this bridge and in five years those bike paths will be in such disrepair that nobody will use them.

Ellen Buchanan, Director of Missoula Redevelopment Agency

Ellen Buchanan responded to the questions from the Motor Carriers Association. There was a lot of consideration for the various alternatives in an effort to find a way to get people safely across Reserve Street. The Tiger Grant, by its nature, had to suggest an at-grade mid-block crossing. Because of the constraints of the Grant, they couldn't get involved in anything that might require right-of-way acquisition. I don't think there were very many people who thought that was a suitable solution

particularly with the traffic volumes on south Reserve in that vicinity. So we went through a lengthy process and a lengthy debate on whether to go under Reserve or go over Reserve. Everyone was resolved that we needed a grade-separated crossing of some fashion. The reason we chose the overpass is because of concerns by Parks and Recreation who will have to maintain this connection and also concerns by the Missoula Police Department that this would become a place where vandalism would occur. I am personally convinced and I think most other people are as well that it would have ended up being gated at dark. So we would be spending a considerable amount of money for a connection that couldn't be used a good part of the year because we'd be gating it at 5:00 in December. The site distances because you have to go down as deep as you do and then come back up and take a 90 on the Golf Course side of Reserve Street, a lot of people wouldn't feel safe using it particularly parents with young children, etc., because you can't see all the way through. So we chose the option of going overhead. We listened to people's concerns and at considerable extra expense we've designed this in a way that it just gets unbolted and removed if an oversized load goes through. I doubt there is another overpass in the State that will provide that ability. The decision to go over was driven by safety and maintenance and usability concerns. Police were very concerned about crime prevention. The impacts to Reserve Street going under would have been much greater during the construction period than it will be to erect this bridge.

The other thing I want to point out is this is a really important connection in our Trail System. The trail going from Missoula to Lolo will be a brand new trail that will open next summer. The trail from Lolo south to Hamilton is a relatively new trail that was built by MDT in conjunction with Highway 93 improvements. This will connect that whole system across Reserve to the Bitterroot Branch Trail which runs all the way to downtown Missoula. Not only that, it connects a number of lower income neighborhoods on the east side of Reserve Street to the Trail System, to Ft. Missoula Regional Park, and to Blue Mountain. It's an incredibly important piece of the trail infrastructure for the city. I hope the Commission will see their way to agree with the staff recommendation and approve this project.

Commissioner Griffith asked the height of the bridge at centerline. Ellen Buchanan said 17 feet. Commissioner Griffith asked about the Interstate bridge height. Jim Skinner said I don't know what the Interstate overhead clearance is but the requirement the Department had at this location was 17 feet at curb. Commissioner Griffith said that is not at centerline. Jim Skinner said the centerline should be higher assuming there is some arc to it. Commissioner Griffith asked if they were restricting anything that would go on the Interstate by this structure. Kevin Christensen said no. The height on the Interstate bridges actually vary. I believe the legal height is 13.6 and I don't think we have anything under 14 feet on our Interstate System.

Commissioner Cobb asked how often this route was used for oversized loads. Director Tooley said since the legal action on the Idaho side of the border for the high and wide loads, it has substantially slowed down. There have been a couple of permits issued in the past year. Commissioner Cobb asked if they were impeding the use of state roads. Is this the first time a local community has impeded use of the state roads for these oversized loads. Does this go on a lot? Also if we are going to do this shouldn't the community have to remove it since they are the ones impeding the use of the road? Lynn Zanto said this is a National Highway System route and further up US 93 there is the Pablo Bridge with a pedestrian overpass. There is also Violite Crossing and one in Whitefish. Whether those are oversized load routes I don't know but there is a precedent for pedestrian overpasses. Commissioner Cobb said Pablo doesn't have oversized loads very often. This one would be used more. Director Tooley said they have used different routes. Commissioner Lambert said there was significant use of this road for oversized loads out of Billings when we upgraded the Refineries and at that time we brought five loads over. Kevin Christensen said five loads went to Billings and once they went through Missoula they used Highway 200. The only other big load that's moved into Montana got tired

of waiting for the Idaho Transportation Commission to give them permission to go down the Interstate and across other bridges so it actually went north to Sandpoint, to Kalispell and then down across through the Swan to get there. One of the reasons it didn't go all the way down to Missoula was because of the bridge. There were alternative routes and that is what is probably going to happen in Missoula. Instead of using the road that's available, these wide loads will end up being routed on alternative routes into other communities that probably have the same challenges. Commissioner Cobb said I'm just trying to make sure that one community can't stop the use of the roads. I guess they could pay the \$50,000 but I want to make sure there are alternatives for people to go across the state with these big oversized loads.

Commissioner Griffith said I like pedestrian crossings and I think it's an asset to a community. It means you're taking care of people. I can't imagine trying to cross Reserve Street at the dinner hour. The point is, the cost of having to design that so it's removable and the cost of people paying to remove that, it seems like acquisition of property and having a road available so they could bypass the bridge would be less expensive. Has that been looked at? Director Tooley said not to my knowledge. Commissioner Griffith said I think it's a community's right and need to do pedestrian bikeways but I'm not convinced that it's not an impediment to oversized loads. We may never see another oversized load on this route again but I don't necessarily want to impede our opportunity to have it.

Commissioner Belcourt said I wholeheartedly agree. We don't want to lose sight of the public safety aspect of this. I believe it's critical. I think the folks at RBA have accommodated everyone's concern. Concerning the oversized loads, I don't think we'll ever see another one given the constraints, legal and otherwise, of the mega load that went through. I don't think we'll ever see another load come through that area and if it does \$50,000 can be handled by these mega corporation that have mega dollars. Their routes are all based on what's cost effective for them. I'm not concerned about that. I'm concerned about public safety and what's best for our folks in Missoula and Montana. Commissioner Griffith agreed with him on the public safety aspect, however, my concern is just the fact that we're making it removable has to have a cost associated with it. It seems that we could have an alternative route close by so that we could make the bridge permanent and figure out an alternative route even if it's through the golf course and Frontage Road. It seems like a relatively solvable project. Commissioner Belcourt said if they could go through the golf course and Fort Missoula and around that would be viable. Commissioner Griffith asked how they would get to the Interstate. I'm comfortable with the overpass but I don't think enough thought has been given to the removable part. I don't think it's necessary. I think it's better to find an alternate route to accommodate that. I think more effort needs to be given to it. He asked Jim to explain the alternatives. Jim Skinner said he wasn't involved in that.

Ellen Buchanan said we looked at alternate routes in terms of large loads and there are a couple of different options. The one option that would be most problematic is if you have a 250-foot long load like the mega loads. As far as the height and the lift, we have other street and ways to easily get around that particular constraint and not have to incur the expense of removing that section of the bridge. Commissioner Griffith said it's not about the removal; it's the thought of causing the design cost of that project to go up. Ellen Buchanan said it is designed at this point and it's due to go out to bid in a couple of weeks. The Montana Department of Transportation wanted that section to be removable and we complied with that. We're good with doing that and quite frankly every design decision we've made over the course of designing this bridge has ended up bringing the price down and we're probably a whole lot close to \$4 million than \$5 million at this point.

Commissioner Skelton asked if the right of way was secured. Ellen Buchanan said we found a way to build this completely within our own right of way. Commissioner Skelton asked if MDT had any right of way on the sides of that. Ellen Buchanan said

you have right of way but we didn't have to acquire right of way. We're not impacting any private property with this project and we've worked at great length with the adjacent impacted property owners and businesses and they are okay with the project at this point.

Mr. Stang said first of all regarding most of the over height loads that travel the road, your Engineers will tell you it will take a truck tractor, trailer, trailer, trailer and 98 tires to move them and they will be 200 feet long. The problem we have is when they moved the mega loads through the first time, the private company came in and paid to have all the stop lights and directional signals put on a movable post so they could be thrown out of the way and put back in with very little problem. So that road has been used and we're mostly comfortable with that. If you route these another way you're going to end up with these loads going down Brooks Street and up across by the University somewhere. You're going to end up routing these supersized loads through neighborhoods that have never seen a truck before. That's our concern. If the lift of the bridge could be done mechanically then there is no or very little cost. I've talked to some engineers who have suggested a draw bridge. So we're not opposed. I think the pedestrian overpasses are nice and are safer. I'm afraid they will connect trails that will be in disrepair but our concern is that you are taking a US highway and effectively blocking it for interstate traffic.

Commissioner Belcourt made a motion to approve the Reserve Street Pedestrian Bridge as recommended by the Department. Commissioner Griffith clarified what they were approving. We're approving the modification to the State Highway System and delegating the authority to let, award, and administer the contract to the Missoula Redevelopment Agency City of Missoula. Is that your motion? Commissioner Belcourt said yes. Commissioner Skelton seconded the motion. The motion was later withdrawn.

Commissioner Cobb asked the Department – Is \$50,000 a small amount compared to the whole expense of moving these trucks across the state? How long would it take to remove that bridge each time? Director Tooley said I don't know how long it would take to remove that bridge. The overall cost of moving one of those modules, they pay a lot of money to move them already. It doesn't seem to slow them down. Commissioner Cobb asked how long it would take to remove the bridge. Ellen Buchanan said I don't think it would be a lengthy process. It would require unplugging, unbolting, lowering it onto a flatbed and moving it out of the way. I don't know where the \$50,000 number came from; this is the first time I've heard that. I'm not sure what it would cost but it would certainly require some heavy equipment. Jim Skinner said we actually asked the cost range question during one of our conference calls with the contractors. They just gave a quick figure of \$50,000. As far as how long it would take to remove it, we don't know but we would require a project-specific traffic control plan for when that load would be coming through so that would be part of the plan we would have to work out. Commissioner Cobb said it takes a long time head of time to move that bridge; it's got to be quicker than that. Kevin Christensen said we would have to stop traffic on Reserve Street while that was being lifted in and out and it wouldn't have to be closed for any length of time.

Mr. Stang asked if it would violate the 10-minute rule because it takes more than 10 minutes to move that portion. There is a law in Montana that says you can't stop traffic for more than 10 minutes to move an object. Commissioner Skelton said that is a legal question. Tim Reardon said Mr. Stang was correct – the rule is that you cannot hold up traffic for more than 10 minutes because of a large load. So there would have to be some modification to that rule to address it. The other consideration is you've got a traffic control plan that is going to affect traffic on one of the busiest roads in the state. I don't know what the traffic counts are on Reserve but I can tell you that during the day it's pretty congested. The 20-year life of that road was met after about five years. That traffic control plan could very well eat up a sizeable portion of that \$50,000 even if you amended the 10-minute rule, otherwise

they're going to violate the terms of their permit unless we make a change to expand that 10 minute rule. Maybe some advanced planning takes care of that. I don't have any idea about the process for removing that bridge or the construction process to get it built which will impact traffic as well. If you have four loads coming through on four different weeks and sometimes they ship a week apart, are you going to leave the bridge down for a month or is it going to be \$50,000 four times? I don't know the answer to that because I haven't seen a plan. Missoula has done a lot of work in putting this together and it seems like a pretty big community effort. The trail system over there is probably the most active trail system in the State of Montana. I don't know enough about the details to answer your question but Mr. Stang is correct, we have to make a change to the 10 minute rule. I'm sure we could do that.

Commissioner Skelton asked if we have to have public hearings to make a rule change. How long would it take to make that change? Tim Reardon said when we make a change to the Administrative Rules, the procedure is pretty specific as to how you go about it. We could do it. I would need Motor Carriers to give us some numbers. The rule change would take a couple of months and six months at the most.

Director Tooley said this bridge will not affect 99.99% of all traffic that uses Reserve Street. There are some issues that are obviously still out there regarding that very small percentage of traffic that will ever use that route. I'd encourage you to look at that from a system's perspective as you deliberate.

Commissioner Griffith said my concern is that this is the first time this project has been before the Commission. For the most part our recommendation is giving Missoula the authority to build their bridge. I'm not comfortable that all the questions have been answered. I don't feel comfortable making the decision with those unanswered. I'm going to vote no because I don't feel comfortable that all the avenues to accommodate this have been explored. This will set a precedent because it's not just about this bridge, it's about the next one in Billings or Butte or Great Falls. Once we do this, it changes the precedent for the System. I want to feel comfortable that all the avenues to get traffic around this have been looked at. I love the pedestrian bridge, I'm in favor of it and I want to see it built but I would like to have a better alternative for getting traffic around the pedestrian bride. If I have to vote today, I'm going to vote against the motion. I don't think I have enough information that all the proper investigation has been done.

Commissioner Cobb asked what the tallest oversized load has been. How high would the bridge have to be to go underneath? Jim Skinner said they asked MCS for the maximum dimension that's gone through there so they could accommodate that with the removable section and I believe it was 28-29 feet. Commissioner Cobb said they've got this under \$4 million now, maybe another thousand dollars would put it up to 28 feet and they'd be done with it. Ellen Buchanan said the major costs of this are the components, the ramps that get people off the bridge to meet ADA and if we had to go up to 24 or 28 feet the project would be out of the realm of economic reality.

Commissioner Belcourt asked if the mega loads were 21 feet wide and 17 feet tall. That's an exceptional load. A lot of preplanning had to happen as far the route, timing, etc. Those loads moved mostly at night when there was less traffic. When they get a permit from the department I assume a lot of this is has been worked out between the department and the carrier as far as timing, redirecting traffic, etc. I agree with the Chairman but isn't that a function of the permit? Director Tooley said yes it is. The individuals moving these loads have to have a Traffic Plan. They've worked with MCS for weeks or months in advance to make sure it works. The work of MCS is exactly why we've never failed to get a mega load through the State.

Commissioner Belcourt asked Ms. Buchanan about RDA's timing in all this – if there is a deferral of the decision, what will that do to your process. Ellen Buchanan said we have a very short window to fund this project. The Urban Renewal District that its end will expire in December if we don't issue debt and we have to issue debt to build this project, we don't have the capacity to do it out of cash reserves. So this will be a tax increment revenue bond. The timing, so you understand, we go out to bid in October and we award November 17th and it goes to our Board on November 18th to award the contract and we immediately will issue bonds. We've gone through all the process with City Council to have the bond resolution approved. Otherwise we don't build this bridge; it probably doesn't ever get built. Commissioner Griffith said they have another Commission meeting in three weeks. He asked if that would be soon enough. Ellen Buchanan said we are spending hundreds of thousands of dollars on design. If the Commission is more comfortable delaying this and taking it up in three weeks, we'll move forward if you're going to approve it because we don't have a choice. If you approve it at the last minute then we have a really nice set of plans.

Commissioner Griffith said when the controversy came up on this bridge, this should have probably come to the Commission in some shape or form even if it was just informational. I'm just not comfortable moving forward. There is a motion on the floor and a second. Commissioner Cobb said my concern is how a community can stop oversized loads. They can remove this and put it back up but how tight are the rules. You can never make things 100% but to make sure they can remove it and it's not going to cost ten million dollars. There are so many impediments in there that it will stop the move. That's my concern – that any community can stop a project on state roads. Once you delegate this to the local entity, how do you ensure it's not going to be an impediment just because they don't want them moving the loads? How do you make sure that isn't going to happen? Director Tooley said the Department shares his concern and that is why we're involved at the front end and the back end of the process. Jim Skinner has been involved in this from day one. At the end of the process it has to go to the Chief Engineer for concurrence. We do not want our highways blocked to interstate commerce. It doesn't do us or the state any good so we are involved throughout. Hopefully that helps answer your concerns. Commissioner Cobb said they are going to bid this now so the decision has already been made that this will not impede anything. Haven't you already made that decision? Director Tooley said that is correct.

Commissioner Skelton asked if the Commission could offer a substitute motion that we hold off until we get more information to make a firm decision on October 28th at the next Commission meeting. Commissioner Belcourt said given the number of questions and I respect the chairman's views on this as well, timing-wise it will fit in with RBA. I know they would like to have a decision today but I will support your substitute motion. Commissioner Belcourt asked if they could table this for more discussion. Commissioner Griffith said that would be appropriate.

Tim Reardon suggested the initial motion be withdrawn and the substitute motion be voted on. It would help if the Commission would offer some direction on exactly what additional information you want for the October meeting, i.e., traffic counts of oversized loads, better estimate of the cost of removing the structure, and some estimate of how long that might take. It sounds pretty simple but it never is that simple. This is a large span crossing on a considerably wide road. Commissioner Griffith asked Commissioner Belcourt to withdraw his motion with consent of second. Commissioner Belcourt withdrew his motion with consent of second.

Commissioner Griffith said he would entertain a motion to table this issue until the October 28th meeting with the express purpose of more information regarding alternative routes, the cost of removal and replacement, the length of time to remove, the frequency of oversized loads. Commissioner Cobb asked when this bid goes out and did we just kill this thing. Ellen Buchanan said it would be out to bid when you

next meet. We have to have the debt issued by December and we will open bids November 17th. Commissioner Griffith said the bids would not be accepted by the next meeting. Ellen Buchanan said this project is still doable with this decision.

Commissioner Lambert said I received this letter from Mr. Stang two months ago and at the same time we received a letter from the contractors. Are they okay with it now and have we ever heard any more from them? Mr. Stang said I can't speak for them but their person has been told to sit tight. Obviously the contractors have a vested interest in this because one of them may build it. They are sitting tight. The two most important questions for us are: (1) does it violate the 10 minutes rule when they move it and (2) the more important questions for us and the citizens of Missoula are: what are the alternative routes and which neighborhoods would they go through and which streets would the loads take. That might have a bigger impact on this project. Commissioner Cobb said my concern is the assurance this is not an impediment. I need the details of how this works out and when I feel convinced it is not an impediment then I'll be fine with it.

Commissioner Belcourt moved to table this issue until the October 28th Commission Meeting with the express purpose of getting more information regarding alternative routes, the cost of removal and replacement, the length of time to remove, the frequency of oversized loads. Commissioner Lambert seconded the motion. All Commissioners voted aye.

Tabled.

Outdoor Advertising Update, Carol Grell-Morris

Carol Grell-Morris, MDT Staff Attorney. I'm assigned to the Outdoor Advertising Program. Unfortunately nobody in Outdoor Advertising or Right of Way was aware they were on Agenda today and I apologize for that. The Commissioner had tasked Right of Way and our Outdoor Advertising Program with looking at an LED billboard rule. Our current rule prohibits LED billboards for off-premise permitted signs on controlled routes. That prohibition has been in place for about seven years now. So we're looking at whether or not a change to that rule should be made.

As far as progress, the Right of Way Bureau and their Outdoor Advertising Program talked with a number of sign owners, that included large sign companies and some smaller sign owners because all those groups are affected. The Bureau put together a group of persons that volunteered to look at a draft rule and come up with wording that could be presented to the Commission for your approval. They are all volunteers; we have a representative from the Lamar Sign Company which is a large sign company, one from the YESCO Sign Company another large sign company, and representatives from two smaller sign companies, Premier Outdoor Advertising which is a very small company, and the other is Bella Outdoor Advertising also a smaller company. So we have representatives from all those sign companies. That group was sent a draft. At the time the rule was put together in 2008, it had been drafted to allow LED billboards and to prohibit them. Ultimately the prohibition was the rule the Commission approved. The draft exists that allows LED billboards with a lot of restrictions which includes the brightness levels, the amount of time that each message can be presented. All of those restrictions were in a draft many years ago.

So that draft was presented to our group and they are going through that draft to see whether any changes need to be made. A goal is that a draft will be ready for the Commission to review and ask questions about what the group has come up with. Our group met on September 1, 2015, by Conference Call and we discussed a rule draft that had been presented and got about one third of the way through it and discussed some really important issues. The first one we discussed was whether or

not a restriction on these signs should be included in the rule so that rural areas would not have LED off-premise permitted billboards and only urban areas would be allowed to have them because the controlled routes go through urban areas. We also discussed the twirl time which was not a big issue. As a reminder these LED billboards have been allowed in 46 other states for many years now, so they've got a lot of examples we can look at.

Commissioner Griffith asked the definition of urban. Carol Grell-Morris said that was where the discussion focused because we're having trouble defining that. Is it the population, is it a city limit, is it incorporated or unincorporated, etc.? We considered all those items but we did not reach a decision on that matter. That is exactly the heart of the matter – how do you define an urban area in this state. So some very significant issues were discussed and some minor issues such as the brightness levels, the twirl time. Those have been determine by other states and as you recall there was an organization, Old Triple A, they represented outdoor advertisers. Their representative from Washington DC was here to talk with you earlier this year. They have provided a lot of material on those types of technical issues. Those are probably not going to be the discussion issues; it's whether they should be in urban routes, spacing will be a big contention, and should we require some billboards to be removed in order to allow these. All of these are issues the group hopes to work through and present a proposal to you.

In summary: we have a group put together, we have a draft we're working on and we're about one third of the way through. The group has met once. Our second meeting is set for October 5, 2015 at 1:00 pm. We meet by conference call so obviously any of you would be welcome to join us or any others who are interested from the public are welcome to join. You don't have to be a sign owner to join us. Commissioner Griffith asked if she could send the notice out to the Commission. Carol said she would do that and include the information on how to join the call.

Commissioner Griffith said the concern of the Commission is that you've gone through two meetings and haven't gotten very far. While I'm excited to see you making progress, it took a long time. I would have expected this conversation at the Billings meeting and some kind of report. The Commission felt that we weren't getting our requests handled. Carol Grell-Morris apologized and said I'm not sure the Right of Way Bureau was aware they were working under a certain timeframe. I will convey that sentiment to them. Is there a timeframe? Commissioner Griffith said given the length of time we've wasted, there is a sense of urgency and the Commission would like to get this issue before us in a draft. Carol said she would convey that and see if we can't shorten that up. We didn't speak that quickly at our first meeting but we can certainly encourage people to move quicker and get their suggestions in a draft and out quicker. That may be part of the delay – that we don't get it out to them quick enough to schedule a new meeting. We will speed all that up. Commissioner Griffith said my point is it is September 1st and I would have liked to have seen this back in June. Carol said I understand. My sense is the program has been working on a different set of rules and they spent quite a bit of time focusing on the other rules. Commissioner Griffith said the Commission felt ignored on this issue. Carol said we will speed it up and get a draft in front of you so we can begin the discussion.

Elected Official/Public Comment

No comment given.

Agenda Item 3: CMAQ Annual Program – ADA Updates

Lynn Zanto presented CMAQ Annual Program – ADA Updates to the Commission. The Congestion Mitigation and Air Quality Improvement (CMAQ) Program

provides funding to address air quality and congestion issues throughout the state of Montana. While some CMAQ funds are directed to specific areas (such as Missoula, Billings, Great Falls, and Lincoln County), MDT has the flexibility to prioritize the remainder of CMAQ funds to statewide projects that address air quality or congestion issues.

In recent years, MDT has utilized a portion of these discretionary funds to purchase air quality equipment (in PM10 areas) and to improve intersections and signal synchronization (in order to reduce CO hotspots). To complement these ongoing efforts, MDT is now proposing a statewide ADA upgrade project that will help promote multimodal activities in Montana's urban areas – primarily by improving bike/ped facilities along state routes in urban locations.

With the advancement of this statewide project, MDT should see a reduction in local congestion (due to travelers using other modes) - as well as a reduction in the number of MDT facilities needing ADA upgrades. At present, it is estimated that 7,000 intersections require modifications to become ADA compliant (at a total cost of around \$46 million). This program represents one of the few opportunities MDT has to address these ADA issues directly.

Thus, MDT is requesting Commission approval to utilize CMAQ flexible funding for an annual ADA upgrade program. At this time, it is estimated that \$4 million will be available (annually) to fund the program – although funding may vary with changes to the federal program. MDT Planning, in coordination with the Civil Rights Bureau, will develop a process for prioritizing funding and advancing projects based on overall needs identified in the ADA Compliance Business Case.

Summary: MDT is requesting Commission approval to utilize CMAQ flexible funding for an ADA upgrade program. The Civil Rights Bureau has developed cost estimates, is finalizing a prioritized database of intersections, and will identify locations for ADA upgrades throughout the state. Actual CMAQ funding levels will vary based on the availability of flexible program dollars – but preliminary estimates place the value at \$4 million annually.

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

Commissioner Griffith asked what the connection between CMAQ and ADA was. Lynn Zanto said the connection is people walking and biking. That is considered in the federal requirements. Montana has flexibility with CMAQ funds so we can use it for not only quality improvements but also we have made a concerted effort to meet the intent of the overall purpose of quality improvements. That's because our air quality issues are much less than the very urbanized states. Commissioner Cobb asked if we were caught up in air quality now. Lynn Zanto said we have designated carbon monoxide areas and we haven't had exceedances for decades, but once you're designated by EPA then you have to keep track. The other pollutant is Particulate Matter (PM) and we do have designated non-attainment areas for PM's somewhere in the vicinity of seven to nine areas. That is our equipment purchase, which we have been doing for decades, and we worked with the Department of Environmental Quality. They say that is the best bang for our buck. You have made a commitment to that improvement and we will continue to do that. The other thing that helps particulate matter is paving dirt roads but a lot of money can't be used for that.

Commissioner Cobb said we have limited money and I know you're trying to make it all work. Basically we're short of money to do all these things. Commissioner Lambert said she was surprised there is a lack of funds. Isn't this a federal mandate? Lynn Zanto said yes it is and the ADA law was passed in 1990. We are doing ADA upgrades with every project because that is a requirement. We have 7,000 intersections that require modifications that aren't compliant now. So we'll continue

to make progress with our Core Program but we have a huge gap. There is some balance and funding reserve in the CMAQ program. Now we have put the inventory in place, let's see how big a gap there is. We think this is the prudent thing to do in moving toward compliance with that law.

Commissioner Cobb asked how much money was in the reserve. Lynn Zanto said the carry-over is in the range of \$20 million and that's with funding all the other commitments that you've directed. Commissioner Cobb asked if they could use that for road maintenance. Lynn Zanto said no it cannot be used for that. Commissioner Griffith asked about bicycle paths. Lynn Zanto said that is a possibility for CMAQ funding and Missoula, Great Falls and Billings seem to do a lot of that. We also have the TA program for those. When the program first started there were a lot of bicycle paths done. When we looked at our pollutants and the status of our quality situation, the bigger bang for the buck was the purchase of equipment and traffic flow improvements. So we have altered the program toward those kinds of improvements. Commissioner Griffith said if we're going to fund ADA, let's transfer money out of that program into ADA and fund ADA. I don't have a problem funding ADA, I have a problem funding ADA when we still have CMAQ problems. Every community in the state is screaming to have bicycle paths which gets people off the streets. If you have more than just a path and have connections between where people live and work, then you're building something that gets them off the road. In California they use federal dollars to not just build highways but to build railroads to get people to and from work because they don't have any space left. I think the same idea with bicycle paths is good. If you need the money to do ADA, I would rather see it be transferred to that program. Lynn Zanto said consider that this is existing infrastructure that has safety concerns and impediments for the disabled and it is a federal law for compliance. In terms of new connections for non-motorized, that is new infrastructure with long-term maintenance responsibility. Commissioner Griffith agreed that we need to do that but why not address it as an ADA compliant program. Lynn asked which program he was wanting to transfer it from. Commissioner Griffith said we're going to do it out of here now so why not take the money out of here and put into an ADA program. Lynn said that is what we're requesting. We would set this aside and it would be called an Annual ADA Program. When we program projects for STIP purposes, we have to name the specific project and we also do annual programs so that helps with cost savings overall. Then we will work with our Civil Right Bureau to identify this year's projects within the funding limit we set. So we chose to go with the annual route for expediency and efficiency. Commissioner Griffith said I would have been in favor of a motion to do that but I don't think its congestion; I can't get around it being congestion mitigation.

Commissioner Lambert moved to approve the CMAQ Annual Program – ADA Updates. Commissioner Skelton seconded the motion. Commissioners Lambert, Skelton and Belcourt voted aye. Commissioners Griffith and Cobb voted nay.

The motion passed.

Item No. 4: Missoula District Project US 93 & Cartage Road (Missoula)

Lynn Zanto presented the Missoula District Project US 93 & Cartage Road (Missoula) to the Commission. The National Highway System (NH) Program funds 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. In response to

emerging operational needs on the National Highway System, the Missoula District is advancing an intersection improvement project on US-93 at Cartage Road (near Missoula).

Specifically, the proposed project would upgrade existing traffic signals at this intersection and provide protected left-turn arrows for vehicles on US-93 and Cartage Road. The estimated total cost for all phases is \$142,000 – with the entirety of the funding originating from the National Highway System (NH) program.

Summary: The Missoula District is requesting approval to upgrade traffic signals (and provide protected left-turn arrows) at the intersection of US-93 and Cartage Road near Missoula. The total estimated cost is approximately \$142,000 to be funded through the NH program.

The proposed project is consistent with the Missoula Long Range Transportation Plan and the Missoula Transportation Improvement Program. Additionally, the project is consistent with the goals and objectives identified in the Performance Programming Process (P3) as well as the policy direction established in TRANPLAN-21. Specifically, roadway system performance and traveler safety will be enhanced with the addition of this project to the program.

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

Commissioner Cobb moved to approve the Missoula District Project US 93 & Cartage Road (Missoula). Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item No. 5: Speed Limit Recommendation Montana 5 – Scobey East

Kevin Christensen presented the Speed Limit Recommendation for MT 5 – Scobey East to the Commission. The speed limit recommendation originated from a follow-up investigation into a recently installed pedestrian crosswalk at the intersection of Lincoln Road and Montana 5 east of Scobey. This is a crosswalk that is in an existing speed zone transition and it's used by high school kids crossing the street for football and track. A speed study was conducted and recommendations were sent to the local officials and you have a letter of concurrence. The speed recommendations are as follows:

A 35 mph speed limit beginning at station 15+00, (100' east of the intersection with "A" Street) and continuing east to station 30+00, an approximate distance of 1,500 feet.

A 45 mph speed limit beginning at station 30+00 (300' east of Plainsman Road) and continuing east to station 40+00, an approximate distance of 1,000 feet.

Commissioner Griffith asked if it was all within the city. Danielle Bolan said the extent of this speed study was within the city. The reason is to move the 35 mph speed limit to incorporate the school crosswalk. Prior to the speed study the 35 mph speed zone ended just prior to that and that put the school crosswalk in the 45 mph zone. With the activity we had there, we're just moving that transition and to keep our zone length at our standard of practice the 45 mph zone also moved down.

Commissioner Lambert asked what the statutory speed limit is. Danielle Bolan said the statutory speed limit is what is set by the Legislature. We have two main statutory speed limits in the state: (1) our urban district and interstate statutory speed limit, and (2) we have our rural two-lane highways speed limit. In what is classified as an urban district, the statutory speed limit is 25 mph unless a special speed limit has been put in place. Again on our two-lane highways the statutory speed limit currently is 70 mph in the day and 65 mph at night for cars. There is a separate speed limit for trucks. If we don't fall within either of those speed limits, if we have a different speed limit it is an approved special speed limit.

Commissioner Lambert moved to approve the Speed Limit Recommendation for Montana 5 – Scobey East. Commissioner Cobb seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item No. 6: Speed Limit Recommendation Secondary 540 – East River Road

Kevin Christensen presented the Speed Limit Recommendation Secondary 540 – East River Road to the Commission. I believe this has been before the Commission at a previous meeting. The investigation encompassed the entire Secondary 540 corridor beginning at an intersection with US 89 north of Garner and continuing north along the Yellowstone River to an intersection with US 89 south of Livingston. This has been through public process and two public meetings. The speed study was done and the recommendations were sent to the local officials and they have concurred. The speed recommendations are as follows:

South end of Corridor

A 55 mph speed limit beginning at milepost 0.0 – intersection with US 89 and continuing north to milepost 24.3 (500' south of the intersection with Sunset Trail Road), an approximate distance of 24.3 miles.

Pine Creek – Pine Creek School Segment

A 45 mph speed limit 500 feet south of the intersection with Sunset Trail Road and continuing north to straight-line diagram station 26+00 (200' south of the Pine Creek Bridge), an approximate distance of 900 feet.

A 35 mph speed limit beginning at straight-line diagram station 26+00 (200' south of the Pine Creek Bridge) and continuing north to station 49+00, an approximate distance of 2,300 feet.

A 45 mph speed limit beginning at straight-line diagram station 49+00 (400' south of milepost 25.0) and continuing north to station 100+00, an approximate distance of 5,100 feet. (Park County officials have the option to invoke a 35 mph school zone speed limit within the portion of this 45 mph speed zone that passes in front of the Pine Creek School, having an approximate distance of 1,100 feet.)

North end of Corridor

A 55 mph speed limit beginning at milepost 25.9 (400' north of Weeping Wall Way) and continuing north to the end of the route at the intersection with US 89, an approximate distance of 5.2 miles.

Commissioner Griffith said one of the questions to be answered was the fact that it was posted different than the speed limit. Kevin Christensen said that was his understanding. Some speed limits were arbitrarily posted in the area. Daniel Bolan said yes we did have some arbitrary signs placed out on this roadway but whether that was done when the Secondary Roadway was still under the county or whether that was done after the department took over the Secondary Roads we are not sure. There is no rhyme or reason as to how some of those speed limit signs were placed. It is not in our standard of practice. We have signs in one direction but not the other. Statutorily there was nothing that has ever come to the Commission for approval. So statutorily the speed limit on this roadway would be 70 mph. That was never posted because we felt that 70 mph on this roadway is not an appropriate speed.

Commissioner Griffith said the posted speed limit is 35 mph now. Danielle Bolan said in the area around Pine Creek there is a posted speed limit for that community. Our speed study went through that community and concurred to leave that at the posted speed limit of 35 mph. We shortened up that limit a little bit and then put 45 mph transitions on either end based on the data that we collected. Again that speed limit was posted but I'm not sure by whom but that was probably the one speed limit that did follow the standard of practice. There was also south of Pine Creek on the south end of the corridor where we did have a speed limit sign that was put underneath a curb warning sign rather than an advisory speed sign. Again that was only in one direction and there was not another sign in the opposing direction. There was a lot of different signing placed out there and we'd like to make it all consistent with the travel speeds. Commissioner Griffith said it is consistent now at 35 mph. Danielle Bolan said within the Pine Creek area we are making minor changes and we are asking you to officially approve what is in that area and the rest of the corridor. We'd like to get that consistent and signed correctly. Commissioner Griffith asked if it was signed this way now. Danielle Bolan said what we have for the posted speed zone is 35 mph for the whole limit. The proposed speed zone is two 35 mph zones within the Pine Creek area and the school by Prey with a 45 mph zone in between and 45 mph transitions on either end. So we are making some changes to what is posted there based on the roadway environment and the travel conditions.

Commissioner Griffith said it doesn't make sense to me to increase the speed limit on the corner. You're going 35 mph and then just before the corner you're going 45 mph. That's the corner a constituent was concerned with. There isn't a designated walking path on that road and they walk there. I realize the County Commission went through the process of having public input but subsequent to that I've also received concern from the public. We actually postponed this at the last Commission meeting to try and get some answers. I think the department's answer is the County Commission went through public meetings to get to this point.

Commissioner Cobb said he has seen places where somebody puts signs up that aren't legal. When MACO comes along you might want to tell the County Commissioners they should start looking at this. My own home town used to be 25 mph by the Augusta school and the County Commission just changed the sign to 15 mph. If somebody gets arrested then someone is going to question whether these signs are even legal. Somebody should go back and see that these posted signs are correct because some of them are just being put up by the County Commissioners who are not going through the proper process. Commissioner Lambert said nobody knows where the signs came from. Danielle Bolan said we do have that happen occasionally. Even on Commission approved zones we see those signs get moved out even further than what was approved by the Commission. When we see that, we correct it to what the Commission approved. If it's on a state maintained roadway then we have the authority but if it's not a state maintained roadway, that falls under our process. Kevin Christensen said normally our maintenance people recognize that too because they maintain the same segments in their districts.

Commissioner Cobb moved to approve the Speed Limit Recommendation, Secondary 540 – East River Road. Commissioners Cobb, Skelton, Lambert, Belcourt voted aye. Commissioner Griffith voted nay.

The motion passed.

Agenda Item No. 7: Certificates of Completion June & July 2015

Kevin Christensen presented the Certificates of Completion for June & July 2015 to the Commission. Staff recommends the Commission approve these certificates.

Commissioner Lambert moved to approve the Certificates of Completion for June & July 2015. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item No.8: Project Change Orders June & July 2015

Kevin Christensen presented the Project Change Orders for June & July 2015 to the Commission. Staff recommends the Commission approve these change orders. Commissioner Cobb asked about the Water Main in the town of Browning. Kevin Christensen said it's a complicated issue and has to do with the water line. The ownership of the water line was in dispute as to whether it was owned by the Tribe or the city of Browning. There was some legal wrangling back and forth and in the end, in the interest of expediting the project, the department took over the relocation of that water line. Director Tooley said it's been a long and contentious battle with the town of Browning and the Tribe. It was holding up a major project so we just fixed it. Commissioner Griffith asked how long the water line was. Tim Reardon said it bisected the road.

Commissioner Skelton asked when they were going to get done with Red Lodge. They tore that whole street up. Kevin Christensen said they have been struggling with that particular contractor. They have had to redo a significant amount of work. They had to mill off and repave Zone A coming from Red Lodge. They had to mill off Brewery Hill and repave it. I was just informed last week that the contractor acquiesced to the fact that maybe they're not the best at paving and they subcontracted out the remainder of the paving to Knife River in Billings. Knife River Billings is going to be supplying the plant mix and everything. Previously they were using the hot plant they set up and they were hauling it 45 miles and dumping it. Commissioner Skelton said she was glad to see that Knife River and Riverside both have equipment up there. Kevin Christensen said that came as a great relief to us as well. Those companies really know how to pave. We're really hoping we can get that buttoned up soon. Commissioner Skelton said she was too because I'm on speed dial with about 45 people up there. Kevin Christensen said they are on speed dial to us as well.

Commissioner Griffith said he had to acquiesce to Mr. Christensen about the Elk Park project. I bring you back to the day we awarded this project. This Commissioner also asked questions about this contractor and his ability to complete the project. Kevin Christensen said these were the first two projects they completed for us. Before we awarded the project my counterpart in Utah and I conversed quite a bit. He conveyed to me they were a good contractor and did good work but they were a little bit slow on their paperwork. Commissioner Griffith said his conversation with Utah conveyed the company had gone bankrupt and had started a new company under a different name which is this company. Kevin Christensen said

a number of things came to light after the project was awarded that we weren't privy to before.

Commissioner Lambert moved to approve the Project Change Orders for June & July 2015. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item No. 9: Liquidated Damages

Kevin Christensen presented Liquidated Damages to the Commission. We've got two projects: Guardrail North of Polson. The contractor is HL Construction. They had 10 days of liquidated damages at \$12,510. They are not disputing.

The second project is Checkerboard Martinsdale East. SK Construction is the contractor. They had seven days of liquidated damages at \$29,694. They are not disputing. The Commission does not need to take any action.

Stand

Agenda Item No. 10: Letting Lists

Kevin Christensen presented the Letting Lists for August 27, 2015 through January 21, 2016 to the Commission. Staff recommendation is to approve.

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

The motion passed unanimously.

Agenda Item No. 11: Downtown ADA Ramps Helena DB Project

Kevin Christensen presented the Design Build Downtown ADA Ramps, Helena DB Project to the Commission. RFQs were issued July 23rd and we received four responses. The Technical Review Committee reviewed those and short listed three firms. We got Technical Proposals from those firms on September 15th and Bid Price Proposals on September 22nd. The three firms that submitted were:

Helena Sand and Gravel/DOWL/White Resources
Diamond Construction/WGM Group/Big Sky Civil & Environmental
KLJ/Northside Welding & Fabrication.

For the Commission's information, this was a little bit of an unusual design build because it was a fixed cost. We had a fixed amount of money that was known by everyone up front. So the winning firms was all based on the score of their Technical Proposals. As you can see Helena Sand and Gravel/DOWL/White Resources received the highest Technical Proposal score and as such the department has two recommendations: (1) The Commission award the contract to Helena Sand and Gravel/DOWL/White Resources; and (2) All three Firms receive the stipend of \$5,000 because all three firms submitted responsive Technical Proposals.

Commissioner Skelton moved to approve the Helena Design Build Project for Downtown ADA Ramps and the \$5,000.00 stipend. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Agenda Item No. 12: Directors Discussion & Follow-up

Retirement of Tim Reardon and Jim Walther

Director Tooley said we have a couple of people here today that I want to recognize. They are both retiring and they are major retirements for the department and two that I've worried about occurring and was hoping they wouldn't occur on my watch but they will. The first one is Tim Reardon. Besides being Chief Legal Counsel, Tim is a former Director of the Montana Department of Transportation. He's a great advisor and a good friend of mine. I couldn't have been luckier to have Tim on board with me. I think of all the Department Directors I'm probably the most fortunate because I have my immediate predecessor right here and still having the department's interest at heart. He's gotten me through some pretty challenging times and set us up for success. So I've been pretty lucky. We're going to find a person to fill Tim's job but we're not going to be able to replace him. I wanted to say that and I appreciate everything you've done for me and the department.

The second retirement is Jim Walther. Jim is my "trains run on time" kind of guy. That's what I love about Jim. When it comes to the federal program, he's always told me two things: (1) we're going to deliver the program, and (2) we're not sending any federal money back. He's done a great job of programming our federal program through some really challenging times. The Preconstruction Program was out-of-sync with where they wanted to be and Jim got it back on track. I can't say enough good things about him. He's a heck of a musician too. He's an all-around good person to work with and we're going to miss them both. There will be some challenges for the department but they've both put us in a really good spot and I want to publically and on-the-record say thank you both and you're going to be missed.

Commissioner Griffith said to Jim, I've spent 10 Red Books with you and, while there were times you probably thought I was a punk from Butte, you've always been kind and gracious and understood what I was trying to do and usually found a way to make sure it got done. I appreciate that and I respect, not only the job but the job you did under other Directors and I saw you bloom again under newer Directors. You've really had the department's interest at heart and I appreciate all you've done for me and the department. Thank you very much.

Commissioner Lambert said I agree with everything and asked if they were going to be able to Red Book now with him retiring. She thanked him. I'm not sure we're going to be able to find a replacement for Tim; I know we're not going to be able to find anybody to fill his shoes. We will miss you. You've been a good friend and I've enjoyed working with both of you guys. Thank you so much.

Commissioner Griffith said to Tim, I've asked Lauri and Tim both if they would set up a time when the Commission could take Tim and his wife to dinner when we're here for Red Book. I hope that you are able to go to dinner with us; it's your choice where. I can tell you on a personal level that you've been a great friend and I don't think you'll quit being that. You're from Anaconda and while Butte and Anaconda fight a lot, we team up together when it's us versus the world. Tim has been the type of person that when I call him, he usually answers and I get my questions handled. Sometimes I get good answers and sometimes I get bad answers. Amongst all that Tim and I have remained good friends and I appreciate his loyalty to the department. Tim brought a sense of calm to this department when he became the Director which the department needed and I really do appreciate that. It was the calming the department and its employees needed. I really do thank you

Tim Reardon said thank you. I've enjoyed so much working for you and with you. I can't tell you how many Commission meetings I've been to in 21 years. As I think about it, I think about the billions of dollars that have passed through your hands to the people of this state. I have such respect for what you do. It's easy to sit back and let it become routine but I appreciate that the Commission takes such an interest and is careful with the dollars and are mindful of what roads are being taken care of and looking out for your districts and at the same time looking out for the people who will use the roads. I don't think the general public understands that responsibility but I've learned it and I have such respect for what you do.

Commissioner Skelton thanked him for his service and said it's been phenomenal. I appreciate it. I don't know how we're going to do Red Book without him. Tim Reardon said he went into the Director's position in 2011 and I consciously avoided going to Red Book meetings because I knew the guy who really new how to run the show was not in the corner office, so I stayed away from it. It is amazing how much work got done the more I stayed out of the picture. It all got done and it got done well.

Federal Fiscal Update

Director Tooley said on the federal side things are still where they were. I'm 100% sure a Continuing Resolution is on its way. On the state's side, we've had an uptick in collections in gas and diesel to the tune of about \$8.5 million. Staff is happy about that but we also think, since we collect it quarterly at the distributor level, probably that reflects when the price was way down. The distributors were smart and bought a lot more gas, so we'll probably see a corresponding dip somewhere down the road. Overall that puts the State Special Revenue Fund in a position where we think we'll still be able to maintain a positive balance through the end of fiscal year 2017.

Commissioner Griffith asked if we're going to see less federal money due to the portion of the Continuing Resolution. Director Tooley didn't think so. We think they'll fund it at current levels. The problem is because it's only a few months at a time, it's hard to plan on. We really hope the Senate Bill makes it to the finish line because it's at current levels plus inflation and doesn't really affect state flexibility much more than what we already have. I'm meeting with the Revenue Transportation Committee Interim Committee to make a presentation. Since you deal with this a lot more than they do, they will get a little bit more of an update. Commissioner Cobb asked if that was a Legislative Committee. Director Tooley said yes. Commissioner Cobb said we always like the fund balance to be okay but even with the fund balance at the current level, the roads are still deteriorating radically and I think they need to know that. So if they want the roads to keep deteriorating, that's fine but they really need to know that. They ought to be looking at cutting projects and bike paths, etc., at some point three or four years down the road. They need to be told now that we can't do all these things unless you want the roads to keep deteriorating and they need to cough up some money. That's my view point. Tell them the fund balance looks good but the roads are deteriorating and you need to raise some money at the state level too.

Director Tooley said he appreciated that. As a former Senator you know the process. Commissioner Cobb said if you keep the fund balance level, the roads are still deteriorating and it's going to get to a point where you can't get back to where you were. Director Tooley said that's correct. The message today isn't that the fund is fine. We're going to be able to make it through this biennium but long term, it's exactly what you said. My first update was exactly that. We can only do so much. The department now is focusing more on system preservation and safety. Major reconstructs are now being prioritized lower than they have in the past. There is a Contingency Plan to address that. Again flat funding is actually a decline. Commissioner Cobb said sometimes if you tell them this is what we can't do in your community or this is what we could have done, then they start realizing it and it hits

home. Director Tooley said he was in Billings and told them their bike path was at risk. They heard that.

Commissioner Griffith said the Missoula Pedestrian Bridge could have gone a lot smoother had we had it before the project was due. They are ready to go with the project. We've been hearing rumblings from the contractors and the truckers. I would have liked to have this sooner to make this decision because it sort of puts us in the position of having to act. Director Tooley said this isn't the first time something like this has happened. We can't anticipate all the questions the Commission might have but you and I need to go a better job of communicating. Maybe when this comes out I'll talk to you and set up a time to touch base at least every couple of weeks so if you have questions they can get answered. Commissioner Griffith said I knew there was trouble brewing with this issue and I'm sure you did too. We're three weeks away and funding is going to fall off the chart. We're not above making the right decision, we just want to make sure we're not pushed into making the right decision. Director Tooley agreed.

Commissioner Skelton said when we moved the mega loads through here, we didn't have any trouble anywhere except in Missoula. We had people say to us that we'd never get another one through here. So when this comes up from Missoula, all my red flags go up. Director Tooley said we have the same concerns. We want to keep the commerce going and we've been heavily involved, specifically Jim Skinner who knows what the department's goals are. Commissioner Griffith said in the end it's part of the National Highway System and if you put up a block on the system, then you block the whole system not just Missoula. Commissioner Skelton said it sets a precedent. Commissioner Griffith said then Billings could block it or anybody could block it. I just want to make sure they've exercised every good judgement about being able to access the system. Everybody should have the same right whether you're a Fiat or a mega load. Director Tooley said we need to do a better job of answering those concerns before they come up and we didn't this time.

Commissioner Griffith said we knew we were going to get to this point but having it at the last meeting would have made it easier. Commissioner Lambert said we got those letters from Spook and the Contractors at least two months ago and then all of a sudden we have to get this done because we only have two weeks. I agree, I think we should have heard about this at the last meeting. Commissioner Skelton said some of this should have fallen on Missoula too. They should have come before there were only three weeks left. I think the department did a good job. Director Tooley said overall we do but we have a much higher level of confidence because we deal with it every day. I don't always think about the time line and I'll take responsibility for not getting you that information.

Kevin Christensen said he appreciated the questions you asked today. When we look at projects we look at what's being presented for us to review and approve. We did ask some of those questions early on. You guys asking those questions and making the community aware they need to justify some of this stuff, I think it's very good for them to hear. Commissioner Griffith said it's also good that you guys understand the Commission. This may be good at your level but the Commission's probably going to have those same questions. To be honest, it wasn't a very good presentation. This wasn't a regular presentation, this needed some work and explanation because there were other people there. I would have had the community leaders telling people they had looked at all this. There were a lot of issues that couldn't be answered by this group and you don't expect that at this level of a project. Lynn Zanto said this process has been pretty challenging. All these questions have crossed our mind but when you manage all the customers that come through the system impact, our process is such that we review the design from our annual average daily traffic with the typical user with the interest of not impeding other users. So we struggled with that throughout the process. We thought about Billings but we knew there would probably be public comment and Billings would be a further place to travel and all of that was a consideration. This hasn't been a very easy project so it's very helpful to

hear your concerns. Absolutely if something like this comes through we will make sure that the community is prepared to provide the detail. I think the community would have been prepared to do that so that is something we will tell them. Commissioner Griffith said it would have made life easier on you guys to say this is our recommendation but I'm sure the Commission is going to have different questions. They ought to be prepared to defend them and I don't think they were today.

Columbus Design Build Rest Area Project

Kevin Christensen said we are in the process of moving forward with the Columbus Rest Area Design Build Project. Somewhere along the line we were directed to present the Design Build projects to the Commission for award in person at Commission meetings. I think it was because there is a misconception that we had a lot of difficulty with design build, which we haven't. The schedule of events on this project lands us in no man's land between Commission meetings, so we're asking if we could present this project to the Commission for award at the December 22nd phone conference. It is very low risk. We've done nine design build rest areas and haven't had any issues with any of them. Commissioner Griffith asked if it would be ready by the October meeting. Kevin Christensen said no it wouldn't be. Commissioner Lambert did not see any reason to not have it at the conference call. I have every confidence in you guys. Commissioner Griffith said he didn't want it to become a habit but thought it was a reasonable request.

Kevin Christensen said since the inception of the program, we've done 23 design build projects, and we've had two that we've had protests on. One of them was high profile and kind of bogus and was a mess. That kind of tainted the program but we've got a really good track record with design build.

Agenda Item No. 13: Performance Planning Process (P3)

Lynn Zanto introduced the staff. Paul Johnson, Supervisor of our Project Analysis Section. Jim Skinner, the Bureau Chief. Chris DeVerniero, Analyst. Brianne Whittaker in the Policy Bureau.

This is the Performance Planning Process (P3). Our annual time when we go in and set the plans that allows us to move forward to develop the Draft TCP. Paul Johnson said this particular conversation sets the stage for the TCP talks which will come up shortly. We're going to set the funding framework today and we're going to ask for concurrence on a few items. Thankfully everybody has covered all my topics, so I can go through this relatively quickly.

We are going to talk about a few things: this presentation and the TCP activities which are upcoming next month; some recent developments related to funding; discuss our budgetary issues; and go over system performance and present some recommendations at the end.

This is a chart of our annual processes. The items in black (referring to slide) are state statutes the Commission is responsible for.

Addition of projects to the program. We can do that any time or via the STIP which is taking place this year. We also have letting lists and work approvals which occurs any time from January through December. In this particular case we are doing two activities today to set the stage for the Tentative Construction Planning. These are all concurrence items where we're requesting your concurrence with our suggestions. Today we'll be discussing the funding distribution and the reserves to set the stage for the TCP which is coming up on October 28th.

Recent Developments. The federal program has already been discussed. Our current extension expires on the October 29th which is the day after TCP. Short term extension looks like the only solution that we'll have. Presently the program structure looks a lot like MAP21. That's part of our assumption in moving forward for the framework for this particular distribution for this year. Some movement on the long term reauthorization has been mentioned previously. The Senate did approve our six year Transportation Bill, however, there are many questions that are unanswered primarily having to do with the Trust Fund solvency. So there's a lot of work that needs to be done and it probably won't get done in time for this particular analysis.

Assumptions. We have to move forward with some assumptions. We are going to assume that we have federal funds beyond 2015. We are going to assume we will get a slight increase in funding over MAP21 over time. We're assuming that the program structure will be similar to MAP21 so there will be no major differences. We are not advocating for any major program changes or new project changes. Basically we will "stay the course". We do have mechanisms in place to deliver the program and projects that we have including our high dollar construction projects. If a dramatic federal cut does arise, our emphasis will be on project prioritization and preservation and safety first. The contingency planning rules will be in effect.

Commissioner Cobb asked about "otherwise stay the course". What is the course? Paul Johnson said the course is to stick to the TCP plan as constructed. We have four years of the plan already set so that provides the framework. Within that framework if we have anything outside of full funding, then we will resort to contingency planning. Commissioner Cobb said his concern is that you only have so much money coming in and the roads are slowly deteriorating, don't we have to start changing the course and not do certain projects. We can continue doing everything but when does that take effect in this process. We've already got the next couple of years planned but what if they don't give us more money. We can't do everything so when do you start deciding if the roads start deteriorating in quality, when does that "stay the course" change. Paul Johnson said with the long term bill because then we can plan. Commissioner Cobb said but if we only get a small amount, when do we start changing the project schedule, i.e., bike paths and other things we do for people. With the deterioration of the roads, when do we start changing the course? Lynn Zanto said we sort of are in that ship right now. If you recall last year, we still moving forward and still developing the projects you have approved, but when it came to February and March of last year and we looked at the lettings for the spring and realized we couldn't afford those so we went through contingency planning. We have those rules set by TRANPLAN21, our policy plan that says preservation and safety first. Commissioner Cobb said preservation and safety first is our number one priority? Lynn Zanto said prior to this year we had a year of reconstruct. We have to have a mix. Commissioner Cobb said I'm just trying to find out if we are doing preservation and safety first or are we doing both of them together. Lynn Zanto said new priorities is where our conversation needs to go as we're watching this. New projects are coming into the program and already we are seeing less and less major reconstructs. You will continue to see some non-motorized projects and part of that is driven by the eligibilities of the certain funding programs.

Director Tooley said you got that exactly right. There are some things we have to do for the piece of the pie that the federal government says we have to spend money on. We had a long discussion about CMAQ and other things like bike/ped that we're going to be spending money on because that's what the feds say that money is for. We've already started to make that shift. Paul Johnson said in the last two years of this particular fund plan the Interstate Reserve will not be renewed. So that money is going to preservation work on the system.

Commissioner Cobb said so we're changing course now. Paul Johnson said we have a certain amount of money that we can do appropriate things with. This pot of money here we can optimize and evaluate the best treatments and get the right mix.

There are other funding pots that we don't control. A lot of that will be dictated by what the bill says. With Continuing Resolutions it's hard for us to change course. We are starting to shift and change the course.

Director Tooley said when you look at "stay the course" you still have to have the big plan in case everything comes through because it's really hard to speed up the program. You can always slow one down. That's what the TCP is for. You have the basic map but if you can't get that far, then you start with priorities. Lynn Zanto said keep in mind that we have a commitment to move the group of projects you see in the program. If we drop some of those because of funding, we would have federal payback and a bigger hit on our state funds. Paul Johnson said we do have flexibility and if for some reason we catch a break, then we can take care of the needs we have. At the end of last year we had an opportunity to spend dollars so we took care of our debt service. When we do have opportunities we address existing debt first then preservation and safety, which are core needs.

MAP21 Implementation. Strangely enough MAP21 has expired but we are still implementing it. One of the requirements of MAP21 is a Transportation Asset Management Plan. Our attempt is currently being developed in accordance with the federal guidance to date. There will be some new performance measures but we have not gotten additional guidance from the feds. For the things that we have seen to date MDT is meeting or exceeding our current metrics. That's good news.

Additional Impacts. We will see some to our processes and our systems but they are still being assessed and we're waiting for further direction from FHWA.

Schedule. This is the schedule for releasing the rules (referring to slide). You see a lot of red in there and a lot of movement. We've got two different parts of the equation. On one side the funding is uncertain and on the other side the regulations are uncertain. So there's a lot of uncertainty moving forward. Presently we're in compliance with MAP21 performance requirements that have been identified to date and we're on track with regard to the development of our Transportation Asset Management Plan. It will be advanced to you when we get it developed.

Budgetary Issues. We talked about the changing landscapes. As far as our core assumptions go, there's a little bit of good news. Initially we're assuming we are going to get some growth in the federal program but probably not as much as we've seen historically. So moderate growth rate. Inflation is down a little bit. Our MCAP is up a little bit. Grab bag has been very generous to us. So we've been receiving a little bit of additional obligation authority at the end of the year. The rest of the system is fairly intact. We assume state matching funds are available for all federal funds. We're probably okay for about two years and after that there is a big question mark.

A few activities we hope will continue: Emergency Contingency Program, Rest Area Program, Wetland Mitigation, Vegetation Control, and Stream Mitigation Program. We do have our commitments to Interstate Reserve and Capacity that were routed through the Commission. Commissioner Cobb asked if we've been spending the \$1.5 million. All these other ones we've agreed to already? Paul Johnson said yes these are all previous commitments. Commissioner Cobb said so basically we've been spending everything. Paul Johnson said yes. We are actually getting close to awarding the Capital Interchange/Cedar Interchange Project. That is a gigantic project and some folks said we'd never get it out the door.

System Performance. Our goal via this process is to develop an Optimal Funding Allocation Investment Plan based on strategic highway system performance goals and the continual measurement and progress toward these goals. We were talking about flexibility to spend money the way we want to. It's a huge part of the new Drive Act.

If we get that then we can control our future and we can change our direction. These are some of the previous goals we had and we are changing direction.

So the new direction for pavements – we are going to maintain a current performance metric that involves ride index. Our MAP21 guidance has not been finalized but it's not likely to differ from that very much. So for 2015 Pavement Analysis Performance Goals, part of which will be reflected in our new Transportation Asset Management Plan, we are going to optimize our pavement performance to maximize ride index. Our number one priority is our Interstate and the NHS System. We will be measured on that. So we will take care of the Interstate first and the NHS System will be slightly behind that. Priority number two is ride index on the Primary System. We are hoping to keep all of those up if we get enough available funding. This is part of the shift you were talking about. We are going to focus on our best systems first.

Commissioner Cobb asked what it was before. Paul Johnson said in the past we've had adequate funding to keep up all of the performance. Now we're going to have to make some choices. Without funding relief in some form, federal or state, then we will see degradation and it will most keenly affect the primary system. Now our goal is to do that but we also don't want a significance difference in ride conditions between districts. We don't want to hit a district boundary and all of a sudden have very different conditions. So we're aware of that as well.

Funding. Based on the budgetary assumption, what do we really know about funding? Not much. We've got until October 29th and after that we don't know. So all of this assumes that we're going to have growth in the federal program and that we're going to get money in a timely fashion. We're ready if it doesn't come but these graphs assume that it will come. That's the only way that we can plan for the TCP. So I've highlighted a few of the items: moderate federal growth, 10-year inflation, ICAP is up a little bit, and matching state funds are a concern.

Commissioner Cobb asked when we get in trouble. Director Tooley said we will make it through fiscal 2017 for sure. Fiscal 2018 and 2019 are starting to look like concerns under any projections. So barring a full-fledged program we get the vast majority from this. As you can see the last five-six years are flat which means we're losing ground. Our buying power is diminishing, therefore, we can't keep up performance. It doesn't matter how good our systems are, how good our Engineers are, we can't keep up performance. Now we are catching a small break at the end in that at the end of the year people are returning funds and we're cobbling every one of those we can get. So our obligation authority doesn't look too bad, at least we're seeing a little bit of growth. Essentially it is a flat program and that's why we need long-term goals. We need something that says here is growth that you can bank on. So it's really clear why we're seeing the graphs that decrease slightly. So as we mentioned we're trying to keep the Interstate performance up. We're optimizing it as much as we can but we still see a slight decline.

The second slide just indicates there is no difference between the districts. We're not preferring one district over another.

Pavement Analysis. In looking at the NHS system, you can see at about year six we're making a commitment when you can start to add funds after the TCP and we're going to do everything we can to minimize that decrease. We can do it for the NHS System but we can't do it for the Primary System. That's where, in eight-nine years from now, we're going to see some degradation. So we're losing ground to inflation. We still are meeting our goals for desirable but we're less desirable than we were. And that will just continue that way until we have a funding solution.

Bridge Analysis. This is a time of change for the Bridge Program in that we went away from some of the old measures that we used. So functionally obsolete is no longer

applicable to this particular program. On the NHS System which includes Interstate and NHS Routes, our MAP21 requirement is that less than 10% of the NHS bridges can be structurally deficient. We're currently at 7.9%. So we've been relatively steady in that. These are mostly bridge decks. The Bridge Program has been shifting priorities to address these decks but we haven't seen the results of that yet. If you lived in the Billings District, you could see some of the work we're doing. We're anticipating to stay steady or improve over the next couple of years based on those efforts. We are anticipating additional FHWA guidance but we don't know what that metric might be.

On-System Bridge, that's the Primary System and the Secondary System, we get to determine the performance metrics and prioritization strategies and we're developing that now. In part we have to wait and see if there are additional metrics on the NHS System before we can finalize that because we can't commit to something if we have another metric to meet.

Off System Bridge has a minimum of funding threshold in MAP21, so we've been very kind to our off-system bridge.

Moving Forward. Our Bridge Program has more opportunities as a result of these changes. MAP21 loosened the eligibilities. We now have additional options for addressing geometric and safety issues, great freedom resulting in a more dynamic approach to Bridge Asset Management which we will integrate into our Transportation Asset Management Plan. A lot of those elements need to come up before we can finalize that portion.

Congestion Analysis. Congestion is relative. I was just in Houston for a week and comparing their congestion to ours there is just no contest. These are indicators that tell us where we have areas in our rural system that are seeing congestion. It usually means is that we have geometric issues or other constraints that are preventing movement of vehicles. Typically you don't see much on the Interstate System. When you get to the NHS System we have a few areas in District One and District Two. Interestingly enough the congestion in District Two got a little bit better when we delivered our NHS projects that added lanes. We still have some challenges and mostly these are narrow roads with poor geometrics and need a little bit of help. The vast majority of these have been identified and are in the program. The same with the Primary System. We deal with them on a very specific basis, places that we target and we have either integrated them into existing projects. Or we've reviewed them via corridor studies. In the vast majority of these, we're well aware of the issues and are moving forward. If we had more funding we could probably tackle them a little bit better.

Fund Distribution. At the top you can see this is the performance that we expect. All these categories are slightly lower than the 10-year analysis. They're still pretty good but they are not as what we've had historically. So it represents a decrease. Between the districts there is no significant change on the Interstate by District, the NHS by District, and the Primary by District. Our goal is to have no significant difference between districts. We're looking for equality of condition. That doesn't mean equality of funding because some systems have higher needs and we send the funding to address those needs. The end goal is to have equality of condition as optimal as we can get.

Undesirable Pavement Conditions. The second part is the percent of pavements that are undesirable. You probably won't see this anymore after this presentation because we've found this is not a driver for us to send money. We don't have that many pavements that are undesirable. We don't have a lot of bad roads. The vast majority are already in the program and will be addressed in the five-year program. The new Transportation Asset Management Plan won't reflect those particular values.

Percentage by District. Then the bottom line is the Percentages by District and the next page is approximately how much each District will get for your 2020 Allocation which will show up in the TCP.

Commissioner Cobb asked if they were about the same last year. Paul Johnson (referring to graph) said here is 2019 and 2020. I can tell you where we see some changes – the Butte District saw no changes; they have the same total amount. We have a decrease in the Missoula District. The Missoula District has done a really good job meeting their needs. We have a 1% bump up in the Great Falls District and a 1% bump in the Billings District and Glendive was the same. So essentially your particular area is 1% up. As far as the individual percentage, you'd have to look at them individually. I can say there was a shift in priority based on our directions in that the NHS System is getting a little bit more money and that's by design. The first line is the Interstate System and it is about the same. NHS is up a little and Primary has a lot of needs but you have to pick your poison on the Primary. We are not going to be able to meet them all.

Commission Concurrence Items: Funding Distribution and Funding Reserves.

No major changes, slight funding changes based on the priorities as established earlier in the presentation, mainly the NHS System. This is the distribution and this is the funding reserves (referring to handout)

Commissioner Cobb asked about the Interstate Reserve in the past expansion, is that every year for those same projects? Paul Johnson said they will be done in 2018. Commissioner Cobb asked what happens to the money after that. Paul Johnson said it goes back to the core. Lynn Zanto said it gets distributed back to the districts. Paul Johnson said it went to preservation. About \$10 million got distributed to the districts for preservation work. Commissioner Cobb asked about all fund distribution in 2019. Paul Johnson said it was about the same. Commissioner Griffith said yours went up by a percentage. Commissioner Griffith asked if they had numbers for 2016. Paul Johnson said the Missoula District went down by 3%, Butte went down by 1%, Glendive went up by 3%, and both Great Falls and Billings went up by 1% in the five-year period.

Lynn Zanto said the concern about the condition, the performance graphs show the downward trend which is very subtle. If you look at the average ride quality and then look at this presentation you'll see where we moved. The change in the transportation system and the condition is very subtle. Paul Johnson said the numbers don't change very much from year to year. This is a ten-year analysis and we're dropping one year off and then considering all the other financial changes so 75% of the picture is roughly the same. When you look at the big looming needs, Glendive has a lot of lane miles that are old. If you don't run trucks over them you could probably get by but the second you start running trucks over them they deteriorate. Old pavement is a big need. If there's one shift that's pronounced it's that Glendive has those miles. Some of them we wouldn't prioritize; they are very low volume. We'll prioritize some of it but not all of it. That's the shift we've seen in the most recent years especially with the trucks that have been running over some of those roads.

Commissioner Skelton asked what the percentage of the average ride quality has to drop down to before it's considered poor. Paul Johnson said if you look at your graphics on page 22, it shows you the ranges of desirable and undesirable. Usually to be undesirable or poor it has to be under 60. We don't see a lot of roadways in that condition and usually those are already screaming for attention. Each of your districts will know where their poor quality pavements are. Every time we lose a point up there, it represents many millions of dollars and as it goes away it becomes harder and harder to get it back.

Commissioner Skelton moved to approve the Performance Planning Process (P3).
Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

Next Commission Meeting

The next Commission Meeting was scheduled for October 28, 2015. The next
Conference Calls were scheduled for October 20, 2015, December 1, 2015, and
December 22, 2015.

Adjourned

Meeting Adjourned

Commissioner Griffith, Chairman
Montana Transportation Commission

Mike Tooley, Director
Montana Department of Transportation

Lori K. Ryan, Secretary
Montana Transportation Commission