

# Montana Transportation Commission

September 22, 2016 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  
Dave Ohler, MDT  
Lynn Zanto, MDT  
Dustin Rouse, MDT  
Lloyd Rue, FHWA  
Spook Stang, Motor Carriers of Montana  
Henry Barsotti, Grant County DES and Safety  
Malinda Barns, Whitehall, MT  
Klaus von Stutterheim, Seeley Lake Community Council  
Duane Schlabach, Seeley Lake Community Council  
Rick Parcell, Seeley Lake Community Council  
Carol White, Seeley Lake  
Dan Snerdel, Seeley Lake  
Chris Stout, Seeley Lake  
Stacy Rye, Missoula

*Please note:* the complete recorded minutes are available for review on the commission's website at [http://www.mdt.mt.gov/pubinvolve/trans\\_comm/meetings.shtml](http://www.mdt.mt.gov/pubinvolve/trans_comm/meetings.shtml). You may request a compact disc (containing the audio files, agenda, and minutes) from the transportation secretary Lori Ryan at (406) 444-7200 or [lrayn@mt.gov](mailto:lrayn@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. After the Pledge of Allegiance, Commissioner Griffith offered the invocation.

## **Point of Order**

At 9:10 the Commission will take a break to go to the Bid Opening downstairs and then resume as soon as the bids have been open around 9:30.

## **Approval of Minutes**

The minutes for the Commission Meetings of July 18, 2016, July 26, 2016 and August 23, 2016, were presented for approval.

Commissioner Skelton moved to approve the minutes for the Commission Meetings of July 18, 2016, July 26, 2016, and August 23, 2016. Commissioner Cobb seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item 1: Construction Projects on State Highway System Anaconda RV Resort – Deer Lodge County**

Lynn Zanto presented the Construction Projects on State Highway System – Anaconda RV Resort, Deer Lodge County to the Commission. The Anaconda RV

Resort is developing a new facility near the intersection of MT-1 (P-19) and North Polk Street in Anaconda. To address traffic generated by the new facility, the developers are proposing to add an eastbound left turn-lane at the intersection of MT-1 and North Polk Street in Anaconda.

Anaconda-Deer Lodge County has given preliminary approval for improvements at this location. Additionally, MDT headquarters and Butte District staff have reviewed and concur with the recommended improvements.

The Anaconda RV Resort will provide 100 percent of project funding and will be required to complete MDT's design review and approval process (to ensure that all work complies with MDT design standards).

*Summary:* The Anaconda RV Resort is proposing modifications to the Primary Highway System to address traffic generated by their new facility in Anaconda. Specifically, the Anaconda RV Resort is requesting the addition of an eastbound left turn-lane on MT-1 (P-19) at the intersection of MT-1 and North Polk Street.

Staff recommends that the Commission approve this modification to MT-1, pending concurrence of MDT's Chief Engineer.

Commissioner Belcourt asked how long the turn lane would be. Is there a standard length? Duane Kailey said he did not have the exact distance but assured the Commission they would work with the developer and make sure it is designed appropriately to accommodate however many vehicles we believe will be accessing that approach at any given time. Commissioner Belcourt asked if they do that afterwards. Duane Kailey said they work with the developer through the Systems Impact process to make sure it is designed appropriately. Commissioner Griffith asked if it was right behind Town Pump. Lynn Zanto said it is where the one-way couplet splits going into Anaconda from the east.

Commissioner Belcourt moved to approve the Construction Projects on State Highway System – Anaconda RV Resort, Deer Lodge County, pending concurrence of MDT Chief Engineer. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item 1-b: Amended Access Control Resolution  
Anaconda East  
F68(18), W227-018-Anaconda East**

Duane Kailey presented the Amended Access Control Resolution for F68(18), W227-018-Anaconda East to the Commission. Limited access control was originally implemented on this section of MT1 in August of 1975, and then amended in December of 1980. A developer has approached MDT with a conceptual plan for a new RV park on the east end of Anaconda. See attached Exhibit A. As part of the new development they are requesting a new access point onto US 10A, which the current resolution does not allow. MDT's district staff as well as the Traffic Bureau has reviewed the request and has determined that a Right-In/Right-Out approach located at Station 145+25± would be the safest scenario.

*Summary:* Approval of the Right-In/Right-Out approach for the development is based on the approval of this Amended Access Control Resolution.

Both District and MDT Helena staff recommend approval of this Amended Resolution

Commissioner Lambert moved to approve the Amended Access Control Resolution for F68(18), W227-018-Anaconda East. Commissioner Belcourt seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item No. 2: Urban Pavement Preservation Projects**

Lynn Zanto presented the Urban Pavement Preservation Projects to the Commission. The Urban Pavement Preservation (UPP) program provides funding for pavement preservation work on urban routes throughout the state. MDT Districts work with local governments to advance nominations that align with system needs (as identified by local pavement management systems).

The Missoula District, Butte District, and Glendive District are requesting Commission approval of Urban Pavement Preservation projects in Kalispell, Anaconda, Belgrade, Bozeman, Livingston, Glendive and Sidney. Project locations and amounts are shown on Attachment A. The estimated total cost for all projects (all phases) is \$4,685,000 – with the entirety of the funding originating from the Urban Pavement Preservation (UPP) program.

*Summary:* MDT is requesting Commission approval of Urban Pavement Preservation projects in Kalispell, Anaconda, Belgrade, Bozeman, Livingston, Glendive and Sidney. The estimated total cost for all projects (all phases) is \$4,685,000 – with the entirety of the funding originating from the Urban Pavement Preservation (UPP) program.

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

MDT staff recommends that the Commission approve the addition of these Urban Pavement Preservation projects to the program.

Commissioner Lambert moved to approve the Urban Pavement Preservation Projects. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

## **Agenda Item 3: Missoula District Pavement Preservation Projects**

Lynn Zanto presented the Missoula District Pavement Preservation Projects to the Commission. The Interstate Maintenance (IM) Program finances highway projects to rehabilitate, restore, resurface, and reconstruct routes on the Interstate System. Montana's Transportation Commission allocates IM funds to MDT Districts based on system performance

The National Highway System (NH) Program finances highway projects to rehabilitate, restore, resurface, and reconstruct non-Interstate routes on the National Highway System. Montana's Transportation Commission allocates NH funds to MDT districts based on system performance.

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

In response to emerging pavement preservation needs, the Missoula District is proposing to advance 19 new pavement preservation projects on the Interstate, NHS, and Primary System. Project locations and amounts are shown on Attachment A. The estimated total cost for all projects (all phases) is approximately \$29,268,000.

*Summary:* The Missoula District is requesting approval to add 19 new pavement preservation projects to the highway program. The total estimated cost for all projects is approximately \$29,268,000.

The amounts originating in specific programs are listed below:

Interstate Program (IM)	\$ 12,158,000
National Highway System Program (NH)	\$ 9,154,000
Primary System Program (STPP)	\$ <u>7,956,000</u>
	\$29,268,000

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

Staff recommends that the Commission approve the addition of these Missoula District Pavement Preservation projects to the program.

Commissioner Belcourt moved to approve the Missoula District Pavement Preservation Projects. Commissioner Lambert seconded the motion. All Commissionees voted aye.

The motion passed unanimously.

**Item No. 4: Great Falls District Project  
East of Zurich - Harlem**

Lynn Zanto presented the Great Falls District Project – East of Zurich, Harlem to the Commission. This project is on US2 just west of Harlem. The project is called East of Zurich to Harlem. This is a proposed reconstruction project that is consistent with the Ft. Belknap EIS document so continuing to implement the preferred alternative in that particular document.

The cost of the project is \$23,295,000. It would be funded entirely with Great Falls District National Highway System funds. The project is about 6.7 miles long.

Staff recommends that you add this project to the program.

Commissioner Cobb moved to approve the Great Falls District Project East of Zurich, Harlem. Commissioner Belcourt seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item No. 5: Butte District Guard Rail Projects**

Lynn Zanto presented the Butte District Guard Rail Projects to the Commission. The Interstate Maintenance (IM) Program finances highway projects to rehabilitate, restore, resurface, and reconstruct routes on the Interstate System. Montana’s Transportation Commission allocates IM funds to MDT districts based on system performance

The National Highway System (NH) Program finances highway projects to rehabilitate, restore, resurface, and reconstruct Non-Interstate routes on the National Highway System. Montana’s Transportation Commission allocates NH funds to MDT districts based on system performance.

The Surface Transportation Program – Primary (STPP) finances highway projects to rehabilitate, restore, resurface, and reconstruct routes on the state’s Primary Highway System. Montana’s Transportation Commission allocates STPP funds to MDT districts based on system performance.

In response to identified safety needs relating to existing guardrails, the Butte District is proposing to advance five guardrail rehabilitation projects on the Interstate, NHS, and Primary System. Project locations and amounts are shown on Attachment A. The estimated total cost for all projects (all phases) is approximately \$4,749,000.

*Summary:* The Butte District is requesting approval to add five guardrail rehabilitation projects to the highway program. The total estimated cost for all projects is approximately \$4,749,000. The amounts originating in specific programs are listed below:

Interstate Program (IM)	\$3,624,000
National Highway System Program (NH)	\$ 452,000
Primary System Program (STPP)	<u>\$ 673,000</u>
	\$4,749,000

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

Staff recommends that the Commission approve the addition of these Butte District projects to the program.

Commissioner Lambert asked if they were moving the guard rail back out. Duane Kailey said the guard rail has been out there for a number of years. It is in a real mountainous area where we have a lot of snowplowing. That guard rail basically needs to be rehabilitated. They are not planning on moving it at all, they just need to rehabilitate it. It’s been out there for a number of years and it’s had a fair number of impacts both from traffic as well as the snow and definitely needs to be replaced.

Commissioner Skelton moved to approve the Butte District Guard Rail Projects. Commissioner Belcourt seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

**Agenda Item No. 6: Speed Limit Recommendation  
MT 1 Maxville – North & South**

Duane Kailey presented the Speed Limit Recommendation for MT 1 Maxville – North & South. We presented this to the Commission at the Miles City meeting. We also had an individual from the Maxville area on the phone as well. We’ve reviewed the area, the accident history, and it is our recommendation that we do not change the speed in the area. He presented a map that showed it is a very rural area. Typically what you see in rural areas is the traveling public does not see the need for reducing their speed, so when you put up a speed limit sign where the public doesn’t perceive the need for a reduced speed, you typically see very limited to no compliance. However, Granite County has requested that they believe the speed should be reduced to 55 mph. Just a quick reminder, we did a research project on

areas where the speed limit has been set well below the engineering recommendation and we found that when you get out of the five-to-ten mile recommendation you start to see less compliance and actually an increase in accidents. When we're at 15 mph below the engineer recommendation, we do have a concern that the speeds won't be in compliance with the posted speed limit and you will see an increase in accidents.

Commissioner Lambert asked what Granite County was asking for – why do they want it lowered to 55 mph. Is there a major intersection there? Duane Kailey said there is an access to the Maxville community as well as a few homes in the area. From our perspective that isn't high density access and the accident report shows there were a few accidents in the area, I believe four, but there really aren't that many accidents in the area.

Commissioner Belcourt said we have a guest from the Maxville area and maybe we should hear from him. I've been up there; they invited me to come up and drive it and walk it. When you get out there you get the feel for how dangerous it is and how fast 70 mph is coming around the corner of Maxville. I'll save my comments until after our guest has a chance to speak.

*Henry Barsotti, Safety Coordinator and DES Coordinator for Granite County*

I was hired last December as the DES and Safety Coordinator. My background is 37 years as an Air Traffic Controller, First Line Supervisor and Facility Manager and also have spent time as an Intelligence Analyst. I've been in the Maxville area almost 13 years. My wife and I were on the Granite County food bank which is on Maxville Road which has been there for ten years. We're highly concerned with this problem. I would like to thank Senator Bokavich who intervened on the engineering report and Commissioner Belcourt for coming out and spending quite a bit of time with me as we drove that area.

If you look at the map, you can see we have Drummond, Hall, Maxville and Philipsburg as the major areas of population. George Town Lake is on the border with the other counties so it's kind of split. Drummond has a 55 mph speed limit from the Interstate heading southbound on Hwy 1 until you pass the state shops for the vehicles. Hall goes down to 30 mph and has a school within 30 feet of the intersection; Maxville is 70 mph and Philipsburg is 55 mph. When you get to Georgetown Lake it varies anywhere from 35 mph to 60 mph as you go that area. If you look at the next map, the Maxville area, this is basically a kill zone. Somebody is going to die out here. In seven-tenths of a mile you have seven named roads and eight private driveways that intersect a 70 mph stretch of Hwy 1. You can see Maxville Road and Cassidy Lane across from it – that's the major traffic area. If you go to the next page, Maxville Road extends up to where it splits and becomes Princeton Road. This area is all residential. Commissioner Belcourt was with me. They are building at least four new houses up there and it is solid residential all the way up. So you've got about a 10-mile stretch of road where people have vacation homes, primary residences, etc. You also have the VFW and the Granite County Food Bank right next to each other on Maxville Road. The VFW is open seven days a week and the Food Bank is normally open three days for either cargo unloading, restocking, and serving clients. Down the road a little further, Boulder Creek Road, is the Boulder Creek Lodge. They have RVs there. They have a restaurant and numerous cabins. This area is heavy with RV traffic. These are people who are unfamiliar with the area. They come here to vacation, they want to be safe, and many times they don't know exactly where they are going to go to.

So we have a problem with unfamiliar drivers. In fact Hwy 1 is known as the Pintlar Scenic Loop. Basically it's a beautiful area and we want people to come out and share our area. There's only 3,200 people in Granite County. It's a distracted driving zone; people are not paying attention, they are looking around and seeing the beauty of the

area and they are doing it at 70 mph through the only residential area in the County that doesn't have a restricted speed limit. You can see on the third page, the Princeton area, all the houses up there – there are cabins, recreation, camping, snowmobiling, and four-wheeling. It draws people constantly. I live right close to the edge of Maxville and I see those vehicles coming and going constantly.

On October 14, 2014, 60 plus residents of the area wanted the speed limit reduced. I've dealt with safety my entire career and that's what MDT does, they deal with safety. To have 64 people say they want it reduced: "Those of us who live in Philipsburg, Maxville and Hall have frequently pulled into the main road only to have impatient drivers blast by or tail-gate our vehicles. There have been several reported and unreported accidents on this stretch of road and we believe it poses a hazard to the people who live in the area. Traffic traveling north and down the grade from mile marker 48 come around the curve at full speed or greater into a residential area without a clear line of site. We believe this stretch of road constitutes a traffic hazard that merits study and action. Accordingly we petition the appropriate authorities to conduct a study with an eye toward reducing the speed limit from 70 mph to 55 mph along MT 1."

In a case like this we have 64 residents signing a petition asking for mitigation of a problem that they know about. They live here, they deal with it, and they wind up trying to avoid people. I have myself. I commuted to Missoula for almost 10 years and it's always a crap shoot. I've had people pull out at the last minute to try and pass head on with me going northbound on Hwy 1. In the last week by next door neighbor, Denny Bear, spent 40 years as a professional truck driver and owned his own trucking line for 20 of those years. He looked left (south) and nobody was there, he pulled out and put his foot down and all of a sudden a car comes blasting by him at about 80 mph in a no-passing zone. This is normal. Sandy Robbins, one of our neighbors and board members on the Food Bank, was leaving the driveway on Cherry Lane, she pulled out, had her blinker on to turn left, there is no center turn lane, and somebody came around that corner because you can't see them, and was right on her rear-end all the way into Cassidy Lane where she made a left turn. This is normal; this is in the last week. I'm not soliciting these stories, this is the just my neighbors telling me about it.

The study came out June 1, 2015. Danielle C. Boland, Professional Engineer, Traffic Operations Engineer. You have copies of this. I talked to Danielle Boland on the phone and she said she's never been out and walked the area, she never interviewed anybody. This is basically a computer-generated study. Computer-generated studies are nice and they are helpful but they are guidelines; they are not laws. This has been taken as gospel by somebody who has no idea of what this road does. Now she came out and presented this to the Commissioners and two people on separate interviews I conducted, Doug Robbins and Candy Tobias. Candy is a retired school teacher and Doug Robbins is a retired supervisor for fleet operations on the north-slope. They said they had never seen anything like that in their life – a condescending, rude, arrogant presentation by this person to the Commissioners. Now when I hear that kind of stuff from somebody who is involved with safety, it's not Visions Zero No Traffic Accidents, it's vision zero no vision. Again this is in the face of the people who are living there and who drive it every day. Another expert!

July 14, 2015, this is where the Commissioners bought into the Potomac Two Step they there presented. I wasn't there for this but I don't have any respect for it. They said it was thorough and it looks authoritative, like they say "if you can't dazzle them with brilliance."

In February 2016, right after I came on board, we had an accident with Mr. Doug Robbins who attended the meeting and reported on the arrogance of Engineer Boland. He was involved in an accident there and he is lucky he was not killed as well as the other people who hit him. He was at Cassidy Lane across from Maxville

Road, he pulled up and looked right toward Philipsburg and nobody was there, he looked across and there was a vehicle at Maxville Road hesitating. He waited a second, they didn't turn so he came across and the next thing he heard was brakes squealing and he gets hit. There were four people coming back from ice fishing – distracted driving zone, tourists unfamiliar with the terrain. There was \$10,000 worth of damage to his vehicle. If you look at the letter on the back they said he was at fault for not yielding. You can't yield to something you can't see.

“After investigating this loss and considering information presently available to us, we have evaluated the claim of Rene Glennly at the amount equal to or in excess of your available bodily injury liability limits. Therefore to comply with the Montana Supreme Court's directive in Schenik vs. D2 Trucking case we are paying \$100,000 to Rene Glennly which represents and exhausts the available per person and per accident bodily injury liability limits under the State Farm Car Policy. Based on the Montana Supreme Court Case mentioned above, Rene Glennly is not required to and will not execute an agreement releasing you from liability in this claim. You may want to consider retaining an attorney of your own choosing at your own expense to personally represent you should suit be filed against you as a result of the February 13, 2016, accident. State Farm will provide a defense for you at our expense even though we have paid your acceptable applicable policy limits. Please contact us if you have any further questions.”

He is subject to being sued. The amount of money that has been spent on studies would have been more than enough to fix this problem. My wife put it very succinctly and wrote this down about a month ago, “Doug Robbins lived but look at what he's got to go through now. He is their victim, MDT. This whole community tried to prevent it and we are all being victimized by it.” We're trying to prevent this problem. We're thinking safety but I don't know what the heck is going on at the Engineering Department. You guys are the watchdogs who are supposed to be watching this.

Commissioner Belcourt said he looked at the accident reports. Coming off that corner which is a blind corner with a rise and you can't see the cars, what would you say the distance is. Henry Barsotti said from the top of the hill to where the sign is about 1,300 feet. The sign is eight feet, ten inches tall. From the intersection of Maxville Road and Cassidy Lane, you can't see seven feet of it. I'm 6'3" and this is about seven feet tall which means you can't see any car, regular mini-van or any regular truck. The only thing you're going to see is a semi or a small short-box truck. They just pop up. They are lucky nobody got killed. Commissioner Belcourt said when I was out there I pulled out of Maxville and a truck was coming and it's hard to estimate the distance. Henry Barsotti said it is amazing, this has such an optical problem with it that the vehicles just suddenly appear just like that; there is no gradual appearance, they are just there. Commissioner Belcourt said it is surprising that the speed limit is 70 mph there.

May 10, 2016, the Commissioners wrote a letter asking for the speed limit again to be reduced.

“Maxville is a residential area with seven named roads and eight private driveways that enter Hwy 1 in seven-tenths of a mile stretch. Maxville Road and Boulder Creek Road have RV traffic coming and going year-around. Maxville Road has two business, VFW Post 8292 and Granite County Food Bank which bring in additional passenger and truck traffic. A third business, Boulder Creek Lodge, is accessed directly from Hwy 1. Maxville Road is over 10 miles long going to Princeton and brings all residential and tourist traffic along its entire length to Hwy 1. Visibility northbound on Hwy 1 approaching



Maxville is severely impaired, reducing a driver's perception or reaction time before braking can occur. Hwy 1 has a four-degree downhill grade northbound to the Maxville/Cassidy Lane Intersection which degrades braking especially in winter. Winter driving conditions exist in the area at 4,800 feet plus for six months out of the year. Hwy 1 is advertised as the Pintlar Scenic Route. As one person stated distracted driving zone."

There was no response to this letter. Not a word; not one word.

July 5, 2016, there was a second letter by all four Commissioners that was never responded to. The interesting thing about this letter is the fact at the bottom of the first paragraph, page 2, "the residence of Maxville area are the actual experts in this matter. We feel strongly that their request for a speed limit reduction is only prudent. Considering conversations with various people by our Safety Coordinator, he relays that there seems to an air of 'somebody has to be killed here first before anything will be done'. There also appears to be a biased on not lowering speed limits anywhere for any reason." That statement that somebody has to be killed is a 100% correlated fact in Granite County. In Drummond in 2004 a man by the name of Mike Conn was killed at the intersection of Hwy 1 and a road that comes out of Drummond that meets right near the state highway shops. The speed limit was then lowered to 55 mph. In 2004-2005 Mr. Tom Collins Sr. was killed in Philipsburg on Hwy 1 and Broadway. The speed limit was then lowered to 55 mph. A turn lane was then put in. So it is not an air, it is a fact.

As Sheriff Scott Dunkerson, who gave me this information, told me if you want to get the speed limit lowered in Granite County, you have to get a prominent citizen killed first. What's going on? Why? Safety? No this is just some political game we're here. Somebody sent me an email chain and I'm going to read one phrase off it. It's from Mr. Duane Kailey when they wanted me to come in on a telephone conference in July: "don't worry too much, I try to properly advise the Commission when there is a controversy on a speed study. Maybe this is a bad way to look at it but I see it as protection for the Agency. If we advise them appropriately then it is less likely they will find out additional information after the fact and be upset with us and loose trust." Politics! CYA Mr. Kailey! I don't play that game and I don't like that game. It gets people killed. We've had two in Granite County that got speed limits lowered and I'm not looking for a third unless you want to get volunteers from one of these departments who put these studies together to pay the price. I think it is ridiculous when 64 people put their names on a piece of paper and have to fight like this to get this thing done! I hear Seeley Lake has got the same problem too.

In your photo package, if you look at the first photo it says Maxville Curve. Approaching Maxville curve you will notice you see nothing of the 15 entrances to Hwy 1 at 70 mph. If you see the circle I put a round the sign, that sign is eight feet ten inches tall, it says "icy spots next six miles". You will see in the next photo I've come out of the curve and you still can't see much of Maxville. You see a couple of driveways off to the left and one off to the right. You're doing 70 mph. Third picture from Maxville Road looking up, I've circled this little yellow triangle that happens to be that same sign. This is where vehicles magically appear doing 70 mph or 80 mph that people have to deal with. If you're trying to go to Philipsburg, you have to accelerate up a four degree grade. Now this is nice dry conditions but we'll see what it does later on. This picture is from Cassidy Lane. Please note the sign just to the left of the double yellow line. The last picture is from Maxville Road looking north. That car is exactly where the no passing zone starts – it's too close. There are driveways all along this area and you have people weaving in and out. I've had to bail out myself.

At 80 mph you're traveling 117.3 feet per second. Just your reaction and perception time is 292 feet under ideal conditions. At 70 mph, which is the posted speed limit, it is 102.6 feet per second. It goes down to 40 mph at 66 feet per second. This is an

analysis of the speed study that was done in 2015 that was presented to the Highway Commissioners, 20.34% of all vehicles in that study were exceeding 70 mph. Yes, if the speed limit is lowered there, Sheriff Dunkerson will enforce it and he will get the state to help him.

The second page is information from Forensics Dynamics, Inc., Consulting Forensic Engineering and Scientist with over 30 years of experience. This is your braking distances. From Philipsburg you're going downhill, on flat pavement on dry asphalt, at 70 mph it takes 234 feet to stop. On wet asphalt it takes 298 feet at 70 mph. Then the six-month conditions – with snow it takes 546.38 feet and with ice it takes 1,092 feet to stop.

Recommendations which we would like implemented immediately and I think it could be done fairly quickly: (1) Lower the posted speed limit on Hwy 1 to at least 55 mph from one half mile south of Maxville Road to a point north of Boulder Creek Bridge which is depicted on the map. (2) We request that “speed zone ahead” signs also be included with flashing yellow lights, LED lights solar powered to avoid commercial power expense. (3) Extend the no passing zone from where it currently ends some 300 feet north of Maxville Road to a point north of Boulder Creek. You may want it to connect it to Coin Road and make it continuous from where it starts further down. Later on this would be a turn lane on the right side of Hwy 1 approaching Maxville Road. This would get people out of the main flow of traffic and allow them to slow outside of the main highway lane which they do not have the option to do now. (4) A center-turn lane that would serve all the 15 driveways/streets in that area.

Commissioner Griffith said he would like to address two things. I'm sorry you feel the way you feel but I can assure you the department doesn't play politics with this issue. Our goal, our job is to move traffic safely. That's our job. Their job is to engineer traffic moving safely. So the inference that this is political or that somebody has to die absolutely couldn't be further from the truth. I'm disappointed this is what the residence of the area feel. We have cities all over the state and given the opportunity, every single one of them would want a lower speed limit than what they have. But we do need to move traffic; that's our job. We do need to move traffic. We need to do it in a way that is safe with the rest of the community, not just Maxville but the community of the state. It's not just your area, it's the state's road and that, while we are sensitive to your needs, we are also sensitive to the needs of the people who drive that road all year around. Commissioner Lambert said I think it is unfortunate that you think we're not interested in safety. I have to tell you that I was in favor of doing something about this, but you're presentation has changed my mind. However, I would like to hear what Commissioner Belcourt thinks.

Commissioner Belcourt said having spent some time with Mr. Barsotti he speaks passionately about this. I think the presentation was passionate and I apologize if anybody has taken it otherwise. These are not easy issues. We've heard numerous speed studies, we've had opposition to speed studies, and once the speed study is done the department's hands are tied. So it is the Commission that has the authority to deviate from the speed study. We don't do that often but in these two cases with Maxville and Seeley Lake – I've been on the ground, I've looked at it, I've seen the map on page 3 that you pointed out. This is the view I had. He circled the sign at the top of the hill and I was just there. Mr. Barsotti didn't mention that we also have Forest Service Land up in Maxville so there's a lot of campers in the summer and a lot of snowmobilers in the wintertime. So they have additional traffic beyond the residents and the new homes going in there. Coming out of there you have to take a quick look and people coming around the corner at 70 mph is just too fast. It was dry and I pulled out and I didn't see the car. I had to step on it to get moving. So I really feel, after going there, listening to them, driving around there that we need to do something. If there are no other comments I'd make a motion to that effect.

Commissioner Griffith asked Dave Ohler to paraphrase the job of the Commission regarding speed studies. Dave Ohler said Section 61-8-309 is the state law that discusses the Commission's authority with respect to setting speed limits other than the statutory speed limit. It requires the Commission to determine, on the basis of an Engineering and Traffic Study, what an appropriate speed would be on a particular stretch of road. The statute is not entirely clear but the more I read it the more I've become convinced that the Commission needs to base their decision on the Engineering and Traffic Study and not other factors. To be clear I don't think the statute is 100% clear but the more I read it the more convinced I am that the Commission needs to consider the Speed Study. Director Tooley said we've been here before. The department does things that people just don't like and sometimes we own those criticisms very much, even partially in this case when you talk about the May 10<sup>th</sup> letter. We checked with the district and there was no response and there is no excuse for that and we'll deal with that. The July 5<sup>th</sup> letter, however, was responded to by the district in communications with the County Commissioners. It was a phone conversation and wasn't written down. I wish we had the record but they did respond. But for the first time in my more than three and half years with you I've had an employee insulted on the record and I need to respond. Danielle Boland is somebody I work with all the time. She is professional and polite. She's very much to the point; she's an engineer. She'll tell you no and maybe not in the way you want to hear it but it's never insulting. She is a key member of my safety team and the personal attacks on the record are uncalled for and unprofessional. I appreciate the Commission's willingness to respond.

Commissioner Belcourt asked where Dave Ohler was reading the law. I'm not reading it the same way. Dave Ohler said I reached that conclusion is Section 1A which talks about the Commission determining on the basis of an Engineering and Traffic Investigation what the speed limit should be. If you look at the last sentence in that section it says, "in the case of a school zone, the Commission is not required to base a speed limit determination solely upon the results of an Engineering and Traffic Investigation." So what that is telling me is that outside of a school zone the Commission should be basing their decisions solely on a traffic study. As you know attorneys can disagree. Commissioner Belcourt said I respectfully disagree. I read Section 1A "if the Commission determines upon the basis of an Engineering and Traffic Investigation that a speed limit set by Section 61.8.303 or 61.8.312 is greater or less and is reasonable or safe under the conditions found to exist at an intersection, curve, or location or on a segment of highway less than 50 miles in length under its jurisdiction, the Commission may set a reasonable and safe special speed limit at that location."

Commissioner Cobb asked about picture 101 showing the no passing zone ending where the car is – is there a reason why it ends there and didn't go on further. Should it go on further because things change over time? Do you think it's okay where it's at now or should it be moved out further? I think people are going to drive the way they want but should the no passing zone be further or is it pretty much where you want it? Duane Kailey said we looked at that for site distance as well as counting the approaches. I'm not exactly sure where this photo was taken but I'd be more than happy to have my staff go look at it and verify that it is ending as appropriate. It may be in conjunction with the Maxville Road which means we stripe no passing 500 feet either side of the county roads. I'd be more than happy to have staff to look at it.

Commissioner Cobb asked about the curve where you can't see. With a truck intersection there are always signs when the trucks are crossing. Is there any way to put up a flashing sign or a sign that says "intersection ahead"? Is that viable? Duane Kailey said yes, we can review it. One of the things we look at for consistency statewide is the number of vehicles that we're dealing with as well as the number of accidents we're dealing with. We don't have enough money to go out and put flashing signs everywhere. Commissioner Cobb said the Fish and Game always gets worried if you do one thing then you have to address it over the state. I don't want

to do that. I'm just trying to figure out on that curve if we don't go all the way to reducing the speed limits, to have a flashing light to see if it makes people slow down. Commissioner Griffith asked if they had the choice to do advisory speed limits on a corner that isn't regulatory. Duane Kailey said we'll definitely see if there are some additional safety features whether its "approach ahead" signs that need to be added in there or advisory signs. You are correct if we do what we call a "ball bank" – we drive the curve at certain speeds looking at the G-force as you go around the curve. Depending on where that is, and typically if we're seeing it is 15 miles or so below the posted speed limit, we will put advisory signs for that curve. I haven't been on that curve recently but we just did the entire state two years and have put in all those signs as appropriate. If it was determined to need a sign, we put them in. I'm guessing it didn't warrant it. Commissioner Cobb asked if they had looked at flashing signs. Duane Kailey said typically when they go out, contrary to what was said earlier, we put tubes on the ground to measure traveling speeds. They also look at other features as well – are there issues with blind approaches, do they have site distance. The report says they looked at sight distance in those locations, so I'd bet they already looked at that but I can have them go look at it again. Commissioner Cobb said as communities grow in Montana, right now your studies are based on accidents, but how do you try to project when you ought to be doing it ahead of time. Duane Kailey said if they are aware that a major subdivision is going in, we will look at it ahead of time. A lot of times those go through systems impact process and we'll look at it and see if something needs to be done but typically we don't see those come in that fast and we'll get contacts from the locals, the local governments, and we'll go out and look at them as well. Typically you don't see communities grow that fast and we're able to predominantly keep up with it. Commissioner Cobb said it was like the Belgrade to Bozeman issue where the community developed and the city wanted everybody to go faster on that road than the community wanted. The Commission said no it was going to be for the community. Commissioner Griffith asked for the ADT on the road. Duane Kailey said it was 1,010 per day. Commissioner Cobb said that's a lot of cars. On my Reservation we did a Feasibility Study and we had about 17 cars per hour. Duane Kailey said 10% of that is what you'd see in peak hours, so 10% would be 100 and then divide it by 60 minutes and roughly you're talking two cars per minute which in my opinion, coming from western Montana where you have a lot of roads like the east side highway which is running about 7,000 vehicles, in my opinion 1,000 is not very heavy. Commissioner Cobb said Evaro runs about 12,000. That helps put it into context.

Commissioner Belcourt said he respected Dave Ohler's opinion since he is the Commission's attorney and Duane is a great engineer, but having been out there with Mr. Barsotti and visualizing all this, I sympathize and I support lowering the speed limit. So to the extent allowable for the Commission to deviate or set up a special speed zone from the Speed Study that we would lower the speed limit to 55 mph. I think it needs to be lowered because coming around that blind corner on a downhill slope and if you put ice on there, something is going to happen. We need to slow things down. If we need law enforcement out there to enforce that lower speed, more power to you. A speed zone on the other end – the four points Mr. Barsotti suggests, I would ask the Commission to support that. If we can make those change, let's do it because we don't want to see anybody hurt out there. Commissioner Cobb said if you do a 55 mph speed limit, then you have to figure out where to put it. If we're going to do it, let's do it right. Duane Kailey said my staff will set it up appropriately but I don't believe 55 mph needs a step down. For clarity, Mr. Barsotti wrote in one of his letters that he wanted it half a mile south of the Maxville Road to a point north of Boulder Creek Bridge. Is that what you're asking for?

Mr. Barsotti said that is the busy area. If you want to implement one and two, that would solve a lot of the problems to start with. The center turn lane might be something for later on. Commissioner Cobb said that costs a lot of money and the question is whether they have other issues about safety. We only have so much money. There are other places that have a lot worse problems and I'd have a hard

time telling them to do that. I don't want to tell them to build something that may be appropriate but we only have so much money. Mr. Barsotti said I would say do one and two and then study three and four to see what feasibility money would be available. I'm sorry if I came across pretty sharp on this. Commissioner Cobb said I'm not doing three and four; that's their business. But one and two can be done. Mr. Barsotti said the point is we want the residential area protected where people are coming and going, so if it's longer or shorter, that's discretionary.

Commissioner Cobb said we need to see if this will work. If people aren't slowing down then why do it. If the police aren't doing their job, then why are we doing something like this? Commissioner Lambert asked if this piece of highway is at a higher speed limit than others. Mr. Barsotti said its 70 mph all the way through and it's the only residential area in the county with a concentration of homes that has a 70 mph speed limit. Drummond is 55 mph, Hall is 30 mph, and Philipsburg is 55 mph but we're 70 mph. Commissioner Lambert asked how far off the road Maxville sits. Mr. Barsotti said Maxville goes on either side of the road, but the problem is that the main road is Maxville Road and it extends 10 miles up to Princeton and feeds all the residential and recreational traffic year around to Hwy 1. Almost directly across from Maxville Road is Cassidy Lane where there is a growing area of houses. So the area is growing as a community and that is the problem – it's kind of crept up and the introduction of more traffic constantly with the geometry of the road and you can't see going south and people pop up just like that. Plus the winter condition, under ideal conditions maybe it wouldn't be as much of a problem, but it's a bad problem.

Commissioner Belgrade said it looks like the roadway template has been updated in the last 20-25 years. It looks like a fairly modern roadway template. My question is the curve has been characterized as blind although when I've driven through there, my trained eye says it is more than appropriate for the limit on the highway. We probably do not have a design exception for the curve, horizontally and vertically has been designed and built. Duane said you are right on. The road was rebuilt in 2000 and then we did some preservation work in 2014. Based on what they looked at in the report, it is at the limit but there is stopping sight distance based on that curve and the approaches. Commissioner Cobb said to get around your law, we can always put in a temporary speed limit and study it for two years. Dave Ohler said it is your responsibility to set speed limits. Commissioner Cobb said we can either ignore the study or put in a temporary speed limit and review it and take it out if it doesn't make any difference. Commissioner Griffith said we've done it both ways but I think the more appropriate way is to put in an interim speed limit and pick a date and review it. Dave Ohler said I don't think the speed study is set in stone; I think there is room to make some decisions.

Commissioner Belcourt said this is what is so great about this board. We have very experienced folks and I'm the newcomer. To hear these conversations, I'm appreciative of it and the department as well, you guys do a fabulous job on top of everything. Thank you Mr. Barsotti as well. Paring down your request to the two requests, I would ask Duane if these are doable and how long could these be implemented on an interim basis. Duane Kailey said we've done several of these and we like to come back a least year after the fact and report on it. We could do it according to what the Commission directs us to do. If you want to give us one year, we'll do it in one year. If you want to give us two years, we'll do it in two years. We can get the signs up fairly quickly and we'd want to review it mid to late next summer and come back to you in the fall if you want it for one year. I want to point out the Commission in the past has communicated with both the local government as well as the Highway Patrol to let them know we are doing a special speed zone. In the report we said there was only one citation written in this area for speeding and yet if you look, approximately 10% of the public is traveling well in excess of the posted speed limit. Mr. Barsotti reported as well numerous instances where people were in excess of 80 mph and yet we're only seeing one citation in this area. So I'm very concerned about the lack of enforcement out here and I'm very concerned that we're

going to get very little compliance. Mr. Barsotti said we have expanded the Sheriff's department and added one more deputy and maybe more. We've had a slim response as far as law enforcement but they will work with us and they will get it enforced because they want it too. Commissioner Lambert asked why they haven't been enforcing it. Mr. Barsotti said we have five deputies for that whole county. I don't know the coverage of the Montana Highway Patrol. One of the things that concerns us is that we have a problem with ambulance service if there is an accident. We may not even get a response because it is all volunteer. Mr. Barsotti said they want to keep the county as safe as we can and the Sheriff has assured me that he will enforce it and make sure everybody knows it is in effect. Director Tooley said when I left the Patrol there were three Highway Patrolmen in Anaconda and two in Drummond and they spend a lot of their time on the Interstate.

Commissioner Belcourt moved to approve a 2-year Interim Speed Limit reduction of 60 mph and extend passing zones for MT 1 Maxville – North & South.

Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### ***Elected Officials/Public Comment***

*Melinda Barns, Executive Director of Bike/Walk Montana*

Bike/Walk Montana is a statewide non-profit working to improve biking and walking throughout the state. I commend MDT on the work they do and the progress they've made. We've seen very positive changes being made. I personally greatly appreciate Director Tooley and his staff always being willing to meet with me, to talk with me and to listen to me. I think that is very important. Over the last several months we've heard concerns across Montana about shared-use paths. Then we heard about a possible policy that MDT would be creating around shared use paths. In a recent conversation with Director Tooley, he explained to me that it's a way to create criteria and prioritization for shared use paths and when they will be included in projects which makes complete and total sense, I get that.

One concern we have is it's my understanding there may not be the opportunity to involve stakeholders or for public input which is not a very transparent approach and I feel is a huge mistake. Therefore we have drafted a letter directed to the Commission. In just barely over week and with very limited outreach we gathered about one hundred signatures for this. You will notice that it is not just trails groups, biking groups or running groups but includes economic folks, health, local governments, and others all across the state who this is really important to. This affects everyone statewide.

While prioritization may work for identifying stand-alone projects or retrofitting roads, it's not the approach for determining if the shared use paths should be included in a project or not. The fact is that all of our roads throughout Montana need to be safe for every user including motor vehicles, bicyclists, and pedestrians. I'm not saying that every road needs a shared-use path, I do not agree with that. However, different roads do require different facilities based ADT and traffic speeds. Sometimes that may mean nothing needs to be done and other times it may need sidewalks, bicycle lanes, protected bicycle lanes, or shared use paths. We believe the right approach to take is a systematic evaluation of what is needed and that the system needs to be looked at comprehensively and not just whether or not shared use should be included.

A better approach would be to develop a statewide, stand-alone bicycle and pedestrian plan. One that would expand beyond what will be written in the TranPlanMT because that may end up being a very small portion of what it could be. A statewide bicycle and pedestrian plan would involve stakeholders and a thorough

public process, it would set a vision for Montana which would support Vision Zero, it would establish goals that MDT and communities would agree on and work together on reaching, it would set MDT as the leader in the state for biking and walking and it would be something that Montanans could really get behind and support. Communities throughout Montana are striving to make their communities safer for people to bike and walk. They recognize the benefits, they want more people out there, they recognize that it is going to improve the health and the economy but without MDT's full and complete support, and I'm not saying they don't have MDT's support but I think there could be more done with that and they could partnership with communities. Not that they don't already do that but I think it could be elevated. Without that then communities aren't going to be able to achieve all their goals and will never reach Vision Zero. As an example, this summer alone there have been five bicyclists hit here in Helena. That's pretty significant and that's only here in Helena.

I do want to clarify that in the letter the reason why we indicate that shared use paths will be restricted or prohibited, which I realize is strong language, but it's because setting priorities and criteria for when and where paths are included in projects does mean that in some projects they will not be included. Maybe that is justified and maybe it's not. Currently it has already happened in a couple of projects.

I mentioned that while prioritization works for stand-alone and retrofit projects but otherwise a full system-wide approach needs to be taken and it needs to involve the public. I believe that MDT is capable of so much more. They are doing great work but I think there is more that can be done. Other states are setting great examples for what can be done. They are developing and adopting bicycle and pedestrian plans, adopting complete street policies, they are proactively building more infrastructure, they are taking measures to slow traffic and they are funding safe routes to school programs and education through transportation alternative programs which unfortunately Montana is not doing at this time.

In closing I would just like to mention that last week I had the opportunity to go to Vancouver, BC to attend a conference called Pro Walk Pro Bike and I found Vancouver absolutely astounding. I have never been in a city that has been that inclusive of all modes of transportation. They are really making it a priority to make facilities truly safe for people who drive, bike and walk and it shows. The number of people who are actually out there biking and walking is tremendous. There is a continual flow of people. Granted it is a different country and it's a larger city but it's a great model that we can follow here. The conference brought together over 1,100 people primarily from North America but some from a few other countries and there was large representation of transportation professionals there who I was able to talk with and learn from and it was a great experience. I encourage you to go to Vancouver and see what it's like because it is so hard to wrap your mind around this unless you can really experience it and see what really is possible. Montana is currently ranked 46<sup>th</sup> in the nation for a bike-friendly state which is pretty sad. That doesn't just include transportation but includes other factors such as enforcement and education but a pretty strong part of that is transportation. So please help us move up on the scale.

Commissioner Griffith addressed one point about Vancouver, you can get around on a bike but you can't get around in a car. The same is true about Calgary and Edmonton. So while they may have addressed the biking community, they haven't addressed the driving community yet. Melinda Barns said yes, however, the trend nationwide and worldwide is to slow traffic so it is safe. Slowing traffic is proven to increase safety for everyone whereas faster speeds reduce traffic and create more serious accidents. I completely get what you're saying. Commissioner Griffith said we also have the Legislature in this that has increased the speed of the traffic and we have to weight their wishes with our personal goals. Thank you very much.

Commissioner Griffith said from a personal note, I've been working with the department to try and get a dedicated bike route from Sheridan to Virginia City. I'm totally in agreement, I'd love to have dedicated bike routes rather than shared use paths. Literally, right now, how do I take the money out of a project that has 2,000 ADT for 1,100 people bike path? It's a safety issue in the summertime because we get a lot of Park guests on that route. I know the need for that project. We've got a relatively new overlay on that road; it's in nice condition but it's incredibly dangerous to ride a bike on and yet it doesn't stop people from trying to do that. It's their right to be there because they are one of the vehicles that are allowed on that road and we have to accommodate all users. I know I wouldn't want to do it just because of the safety but I want to try to get that funded. I'm with you, we'd love to have it but right now this equation doesn't get solved until we have more funding. I think part of your issue and everybody that is on that letter ought to be signing a letter that says let's raise the fuel tax so we can afford to do more items like this. That's the way we're going to get this problem solved and lots of others.

Commissioner Belcourt thanked Melinda for her advocacy for Bike Walk Montana. He asked Director Tooley if this was internal policy. Director Tooley said I'm glad for the opportunity to do that. This internal policy is not a replacement for a Comprehensive Bike Ped Plan. We have known we needed to do this for a while but we haven't had the internal capacity to create a Comprehensive Bike Ped Plan yet and we still don't and won't until December of 2017 at the earliest because we get a new Transportation Bill. I'm not blaming FHWA, I'll blame Congress. The requirements in there for plans keep adding up and Lynn's shop only has so much internal capacity financially and personnel wise. So we've walked through this state-funded financial issue together since February. It was in a crisis mode and, at that time, all we could figure out to do was to maintain what we had with zero expansion of any existing system and that included shared use paths. Well that's not necessarily where we should be because obviously there is a desire and need for that in many place. So we needed to react to the world we found ourselves in and come up with some guidance for the districts as to when shared use paths or other ways of moving bicyclists and pedestrians around could be added to existing projects. Now some of them have this already designed in and those aren't effected, but rather a major rehab that doesn't have that already designed in. How do you handle that – when, where, how? You have to consider things like maintenance which is huge and is 100% state funded by law on the books and case law from district courts, and also planning – how does this fit in. So that's the discussion we're having internally right now so we can move forward and do some of these things. Yes, it will restrict some but like I've explained to Melinda, we want to move forward where we can and not put this blanket policy of no expansion of any system where in some places it might make sense. We need a Bike Ped Plan long term. That is where public input is critically important. We're getting input now from the public on the internal creation of policy but we have to not only stop the bleeding but keep it from starting again and that's why we're reacting the way we are in this case. I understand the concerns of the advocacy groups.

Commissioner Griffith said the thing that should come from this is they're asking for some input into whatever plan, whether the full blown plan or an interim plan. Is that a possibility? Director Tooley said yes and no. This is basically a guide to help us manage our finances right now in the interim until we get some stabilization from whatever the Legislature might do. Long term the Bike Ped Plan is going to require public input and a lot of it and we're going to ask for that and it is more than what is in TranPlanMT. In the meantime, project-by-project, we expect to get public input through already existing processes. They are not shut out and we don't want them to be but right now we need something to help us, sooner rather than later, manage our financial position. Commissioner Griffith asked who you go to that is a representative of the industry? Director Tooley said a good place to start is Bike Walk Montana, that's who I call. Commissioner Griffith asked if there was any coordination going on at the department at the planning level. Director Tooley said



Planning houses the Bike Ped Coordinator and that's the first stop. Commissioner Griffith said the point, from the Commission, is try to involve them at every level because I think it is in our best interest to solve this problem both from an accident basis and a way to get people to use our system better.

*Representative Myke Ling, Malta, House District 33 (on the phone).*

I represent House District 33 and I'm a candidate for Senate District 17. I respectively come before the MDT Commissioner, Director Tooley and his staff, and other Montana citizens. You have received communications from me concerning the potential roundabout near Grass Range, Montana. I likewise have received responses from the MDT District management with their opinion on the project. This roundabout would be on a primary highway. It was mentioned there is a need for increasing safety at this intersection and I agree. I'm not clear on the individual wreck fatality statistics at this intersection nor the causes of the wrecks whether it was alcohol, time of day or just poor judgement. That has not been cleared up. What we know is that what we've done hasn't worked. Increasing the intersection costs to \$3 million is over the top when different speed limits and other signs can be tried for around \$100,000. How many dollars might be invested in signs to tell drivers they are approaching a roundabout? Will speeds be restricted for the approach to this roundabout? These things should be tried before the roundabout is built. Let's invest before we go with this roundabout at this location. We need to build roundabouts in Montana and I'm okay with the design at this point, I just don't like the location.

In House Joint Resolution 12, 2005, the Legislature directed MDT to consider the economic vitality of commercial motor carriers, Line 23-24 of the Resolution. This Resolution, while it is not law, is directed at towns and cities and therefore suggests to MDT to use roundabout within these parameters. MDT did conduct public notice back in 2014 about this project at Grass Range. I feel that MDT determined that there was ample notification represented in 2014, however, I disagree and feel there is more public opinion needed on this matter so I ask you to hold this meeting before this moves any further. I oppose introduction of this roundabout. I'll await your decision.

Commissioner Griffith thanked Representative Ling. For most of the Commission this is the first time they've heard about the issue so maybe we could have somebody from the department brief us on it. Duane Kailey said most of you I'm assuming know where this intersection is. It is the intersection in Grass Range. Long-term we've had a number of accidents there including fatalities as well as injury accidents. We have done some mitigation in the past but unfortunately that mitigation is not working. Roundabouts have proven, not only in urban settings but in rural settings, to be extremely effective at reducing accidents and predominately limiting them to property damage only. A shining example of that is the one just outside of Helena at Lake Helena Drive and Canyon Ferry Road. Prior to putting in the roundabout we had a fatality and 14 injury accidents in a five-year timeframe. After putting in the roundabout we've reduced that to eight property damage only. Nationwide rural roundabouts are very significant at reducing injury and fatality accidents and limiting them to property damage only. This is the best design for this intersection. One of the complaints and issues is how to trucks get through it. This roundabout is being designed specifically to not only address your standard WV67 trucks but also high-wide loads. We are very aware this is a high-wide load corridor and we are designing it to accommodate those trucks as well. We are confident this is the appropriate design.

Director Tooley said the Chief Engineer has laid out the case pretty well but from a layman's perspective I just want to go back and make it clear that this roundabout wasn't our first choice, it's more like our third choice. We've tried other mitigations and those previous incremental attempts have had zero effect on safety so the

department has chosen this design to basically cut to the chase and end right-angle collisions that are killing people in Grass Range. As a matter of fact, the right-of-way negotiations for this project were probably the easiest the department's ever had. One the initial meeting with the landowner, who happens to own all four quadrants, she wanted to sign that day because she's tired of people dying in her field. That's really unusual; we didn't even have the paperwork because we thought it would actually be a negotiation and it wasn't. It was "I want to sign right now, get this thing built." That's really unusual. There are people who live right there that understand this is important from a safety perspective.

Commissioner Griffith asked about the safety things that have been tried already. Director Tooley said we put in rumble strips east/west before the intersection letting people know something is coming. We have flashing lights above the intersection, red one direction and yellow the other saying there is something going on here. We've put up larger signs, big stop signs, and yet it doesn't stop people; the fatalities are coming from east/west traffic not stopping at the intersection in spite of all that. So the roundabout would eliminate those right-angle collisions or if they do occur it would be property damage only.

*Spook Stang, Executive Vice President of the Motor Carriers of Montana*

It is interesting to hear about this project, although the Resolution calls for the consideration of the commercial motor vehicle industry, we have never been notified that this project was there until after the public hearing. I'm here today and I've talked to Director Tooley about this. Eighteen months ago we were promised to be notified of every roundabout that was to be built in the State of Montana so that if we had an issue with it we could comment on it. We have yet to be notified of any. I was notified of one in Kalispell on Monday but the meeting was last Monday. I'm here to ask and I really don't like beating up on the department because we've had a great working relationship for 30 years and I think we still do. We, like them, support safety. That's our first priority in any project. I can hear Representative Ling's frustration in that the communities involved weren't notified about this roundabout until after the public hearing was held in a little area. We need to be notified about these especially on primary roads that are of statewide significance. People who use that road, whether it be the agriculture community or the trucking community, need to be notified ahead of time so they can comment. I have yet to see the design for that road. The Resolution says you must consider the industry concerns but we can't give our concerns if we don't know the project is happening until after it's already started. I have yet to see the design of this road. A year ago there was a load sitting in Idaho that was destined for the Refinery in Great Falls and four years ago there were loads that came across Hwy 12 that were destined for the Refinery in Billings. All I'm asking is that every roundabout that is designed on a primary road used significantly to move large loads through and across Montana, that we be notified and that those loads can move through those roundabouts with ease and very little extra expense to the people who are moving them. For example, the proposed one in Kalispell. I've talked to a couple of people up there and obviously something needs to be done at that intersection which is similar to the Grass Range intersection. It might be a whole highway reconstruction because a signal nor a roundabout might not be the answer to that problem. A couple of years ago there was a load that sat in Idaho that had to be to the Refinery in Great Falls in order to upgrade that. It was not allowed to move through the State of Idaho because it was too long and too heavy to cross and Interstate bridge. The ultimate solution in getting it to Great Falls wasn't the Interstate, it ended up going through Sand Point across Hwy 2 and down through Kalispell, up through the Swan and then up to Great Falls. All I'm asking is that when these roundabouts are designed that they be designed for the largest load to move without a whole lot of additional expense to the people that are moving those. Montana should not be impeding the growth of our own industries by narrowing our roads to the point where they don't work. All I'm asking is that we be

notified so we can let our members know so we can hear their concerns. I found out about the one on Orange Street the other day through the news reports.

The only other comment I have is on the fuel tax. The position of the Motor Carriers of Montana for years has been that we support fuel taxes as long as they are not diverted for other uses and we actually consider bike paths a diversion. I am working with Director Tooley and my board on what should happen should somebody propose an increase in the fuel tax.

Commissioner Skelton thanked Mr. Stang and Representative Ling for their comments. I went out and looked at that project and I did see the brief design on that project and it appears to me that the project will be 80 feet wide and we can most assuredly get the mega loads through there. Is that correct? Director Tooley said the very first question I asked when this came up was what had ever used that corridor that can't get through there after this project and the answer was nothing. We did have a meeting at Spook's convention in Billings in August and Representative Ling was there. I brought the design consultant in to explain the design of the roundabout. Spook missed that part. Those questions were all answered right there. So we're on the same page. I was very concerned about restricting commerce as well. Spook makes a very valid point. The consultant basically took in all of this input but didn't ask for it. So that's a short-coming on our part. We're constructing a map that will be accessible and updated frequently for any interested stakeholder to see where these are planned and hopefully have some design and some of the other specifics so you can look at them any time you want. Also better notification specifically to the Motor Carriers.

Commissioner Skelton reiterated that sometimes in rural Montana we're used to not having good communication other than the gossip line. I think communication is really key here. Motor carriers and the agricultural people who are taking big trucks of cattle and equipment down the road and the farmer that is taking a 60-foot header down the road somehow need to be better communicated with. If the Commission could get on the notification list so that when you're looking at a roundabout somewhere I can react and call Steph and ask what he thinks about it. I think part of it too is education, i.e., I was scared to death of the roundabout at the airport in Billings when we brought those mega loads through. I followed them through and they did a fabulous job and we got them through without incident because we educated the public and told them what we were doing and how we were doing it, it worked. I think communication is a key issue here and if there is some way we can get on an email list it would be fabulous. I'll be honest, if I have to go look on the website and every Friday so see where the new roundabouts are going to be, I'll forget that until the 3<sup>rd</sup> Friday of the second month. So somehow if we can communicate better with the Motor Carriers and the Commissioners on those issues, I'd really appreciate that. Thank you.

Commissioner Lambert asked if they had public meetings before this roundabout was designed. Commissioner Griffith said yes, in 2014. Commissioner Lambert said I believe one of the comments that Representative Ling said was that there was only one public meeting in an isolated place. Duane Kailey said the complaint is that typically when we have a project, we'll notify individuals in that area in media such as a newspaper. The issue is that this road served a much larger area all the way up to Havre. No we didn't run our notice in the Havre area and establish a public meeting up in those areas. That is the complaint and there is some validity to it and yes we do need to do a little bit better job in communicating some of this stuff. Commissioner Skelton said if an email had gone out to the Motor Carriers that could have been alleviated just with a little better communication because then Spook could have sent it out to his membership. Duane said that was correct. Commissioner Griffith said you usually publically advertise in multiple locations. Duane said correct but we don't necessarily send it statewide. Commissioner Griffith said but it's more than just the Grass Range Gazette, isn't it notified in a newspaper. Pat Wise said typically for a

public meeting there are two display ads placed in the location of the project and the surrounding areas. Along with that, prior to placement of the second display ad which is a paid ad, there is a news release which is optional for the media to pick up. So typically we have two paid ads that go out per project prior to the public meeting. Commissioner Griffith asked where it was advertised. Pat Wise said she would have to look to see where those ads were placed. I know we sent it to Malta, Lewistown, and Roundup plus the local papers. They also met with the Fergus County Commissioners.

Commissioner Cobb asked where they were in the process of this roundabout. Duane Kailey said we are in the design process which means we haven't progressed all the way to right of way yet. Commissioner Cobb said when you have the design finished, do the communities have to see it again as a courtesy so they feel more comfortable with it. It is 80 feet wide and that's big enough for Spook and everybody to see before you let it. In this case since it's such an educational thing, do you have to do something different? If the design is done now, how do we redo things a little bit before its let so people feel comfortable that it's the right size? Spook Stand said the whole education process is the problem. You advertise in the Billings Gazette and a lot of the local papers but I don't read a paper anymore, I do it all on line so I never see those notifications and I'm willing to bet a lot of you read things mostly on line. I think it would behoove the department to find a different media. That might make the newspaper association upset but I would suggest that you contact associations like us, the logging association, the grain growers, the stock growers, the petroleum marketers, and anybody that uses the road.

Commissioner Cobb said the roundabout is already going through the process and it's left to the rumor mill on how big it is and such. What do we do now? Spook Stang said I don't know that area real well and I don't know what kind of media they have out there, whether everybody has a satellite TV. Commissioner Cobb said your organization could get word out too and that would help. Spook Stang said if you'd work with organizations like ours, we could show the proposed design and what is going to happen, and ask if it alleviates all the fears of the people. I'm not a millennial and maybe you should get somebody 20 years old to answer how you're going to communicate with the people to get that information out. I think we need to start communicating better and maybe we won't get this far in the process and have people upset. Generally I know when I was a Legislator and if there was any project in my district, I was usually the first to know from the department or my local MDT employee. I think it is important to communicate with Legislators so that you don't surprise them. They really have some of the best ways to communicate with their constituents, get their input and send it to MDT. I think you've got a tough job because there are a lot of people to communicate with and we're not going to make them all happy but if we can keep 51% happy then we're doing good.

Representative Ling said I want to reiterate what Spook just said. This is not a Myke Ling thing, this is constituents talking to Representative Ling with objection to the project. I'm just doing their work. That's my duty and my calling to represent constituents. It's nothing personal, it's just the way things have to be. Commissioner Lambert asked if that was his district. Representative Ling said it was not his district. I have constituents that use that highway and have to go through there to go to Billings or anywhere else out of state.

### ***Agenda Item No. 7: Speed Limit Recommendation MT 83 – Seeley Lake***

Duane Kailey presented the Speed Limit Recommendation for MT 83 – Seeley Lake to the Commission. Commissioner Griffith said we've heard this issue before and I understand there is another option. He asked guests to keep comments brief and to the other option. I don't think we want to repeat things we talked about at the last

hearing. Duane Kailey said I'm not going to go through the history of this because you've heard it already. At a past meeting MDT had a recommendation and the community of Seeley Lake had a recommendation. Since then the community has come back revising their recommendation and I'll refer to the map to explain it. Essentially the community's recommendation is within 5 mph of what MDT is recommending. There are two areas toward the bottom of the map where their recommendation versus the department's recommending is out of sorts by 15 mph. As mentioned and discussed in the last meeting those are the areas that concern the department the most. I would be remiss if I didn't support the engineering recommendation. My bigger angst is within those two red areas (referring to map) where the speed is approximately 15 mph different than our recommendation.

*Duane Schlabbach, Seeley Lake Community Council*

I'm the Chair for this specific traffic project. I'm going to assume we all know the history of this specific project. I'm here to address the option to the approach. After our last meeting it became pretty obvious afterwards that we had reached out to Commissioner Belcourt. We had a meeting with Commissioner Belcourt as well as Greg Robertson who is the Missoula County Director of Public Works, Senator Sue Malik who is our representative and the Missoula County Commissioners. Within that meeting we had a discussion and it became pretty clear and was obvious when we left the last meeting that the points of contention had clearly been the long extensions for speed reductions. So we looked at it and in our initial reach to the community, we had proposal one, proposal two and proposal three. Proposal one was presented last May, Proposal Three had no changes and Proposal Two was another vetted option. We looked at how much input a community can have, what were the desires of the community versus state law and state recommendations. Within that we have looked in the Seeley Lake Community and 90% of the people who responded to this survey wanted change. So let's look at compromise and look at something that is a common sense solution where everybody walks away feeling satisfied about what is happening.

This new proposal essentially does the same as Proposal One to reach speed limit reductions on both the north and south end for about one mile. We have done that specifically. As far as compromising we've gone down to the bare base level of what the community of Seeley Lake and the residents can live with. I think this is something they can work with. We come to you in a spirit of compromise asking you to strongly consider the approach that we've taken and the measures we've taken to try to address this. If you look at the last map, it specifically addresses the speed limit reductions. The reductions go into Wagon Wheel Way and ends at Whitetail Drive and the reason we have that as a minimum is because that is right where the grocery store is. This speed limit reduction is focused primarily on the town itself because it is right in the downtown area. We have maintained the same speed limit of 25 mph. The internal parts of this proposal are the same in the downtown area and we've only taken those chunks that were a huge concern to you at the last meeting and we've come back with this proposal knowing that it is something we want to try and reach a compromise on because in Seeley Lake the residents want reduced speeds. It is very important to the residents. I think we have a lot of support obviously we've all shown up in support of this and I hope you do allow some time for them to speak to this and address their own specific concerns.

In conclusion, I do want to reiterate where we're coming from as a community, when Proposal Two was reached in the initial discussion in Missoula on more of a local level, Commissioner Belcourt had reached out to the district trying to reach some kind of a workable solution to this. The district mentioned the fact that they are bound by statutes and regulations, they have to follow specific engineering studies and whether they want to or not they are not permitted to allow citizen input on making changes. Interestingly enough they made the comment that they see this common sense solution to what we're offering but it is not something within their

power to change but in the power of the Commission to change. That is the reason we're here. I strongly urge you to consider the compromise before you; it is done in the spirit of trying to get a common sense solution because Montana is a small town with long streets and we all work together.

*Klaus vonStutterheim, Chair of Community Council*

We appreciate the opportunity to come before you on this study. We appreciate Commissioner Belcourt's visit to Seeley Lake. We want to emphasize that we respect the work MDT is doing. We don't agree with all of their conclusions but we respect their work and respect the fact they engage in dialogue with us and have talked to us including the meeting in Missoula. That meeting was interesting because MDT in Missoula expressed regret they couldn't take community input into consideration but would very much like to. We have the strong support of the Sheriff's Department, the County Commissioners, and State Senator Sue Malik was going to be here but unfortunately she had a bad eye injury but she sends her regards and wants you to know she also strongly supports our scaled down version of the speed limit. We had over 300 community members supporting our submission. Because of the issues raised before regarding what the Transportation Commission can do and the legal constraints on MDT, Senator Malik who serves on the Senate Transportation Committee is looking into possible legislative solutions to clarify this. As MDT Missoula said, we can't help you with community input because we're not allowed to do it, only the Commission can. So we're here before asking that you please consider endorsing our scaled down version.

On the issue of enforcement, we have a new Deputy. In talking to him and asking him what he was doing, he said when he was not chasing criminals he was lying in wait for speeders. Finally some reference was made to Vision Zero, as I understand it part of it includes not only the vision for fewer accidents but also consideration of lower speed limits.

*Commissioner Stacy Rye*

Thank you for holding this hearing today and especially Commissioner Belcourt who has been so generous with his time to the Community of Seeley Lake in his role as a Transportation Commissioner. Thank you so much for your help. The Missoula County Commission greatly supports the compromise the community has found along with the Chief of Public Works, Greg Robertson, and we hope that you can support the compromise that has come forward from May. Personally the Vision Zero Campaign has been pretty remarkable. I travel throughout the summer on vacation across the state mostly in western Montana and when I started traveling this summer for family gatherings there had been 90 deaths on the highway and today when I saw the billboard it was up to 148. I've seen it creep up in my travels throughout western Montana and those electronic billboards have been eye-opening. I think it's a great campaign and I'm glad you have latitude to help the community of Seeley Lake come to the compromise they've come to and their desires to have lower speed limits especially in the area of the elementary school where the speed is quite high. I would always be scared of pedestrians near an area over 30 mph.

*Sergeant Robert Parcell, Seeley Swan Resident Deputy*

I'm representing the Sheriff's office and was asked to be here by the Sheriff. First of all I recognize the rock and a hard place that you all have to work. I appreciate your position. Seeley Lake sits in kind of a funk, you fall on this from both ends because there are many straight segments coming into the city. Before that there are slow sections that tick everybody off coming in because there is no passing, double lanes, lakes, a very narrow area, bicyclists have a heck of time because they are taking their life in their hands. It's very slow and people get stacked up in huge convoys. You get into the straight sections right before Seeley in both directions and you want to make

some time. Law abiding citizens will follow the rules no matter how ticked off they are but the rest of us will sometimes speed. If it says 70 mph, they'll go 75 mph or if it says 45 mph, they'll go 50mph or 55 mph. When you get to town it's frustrating. We understand law enforcement is a big key and the risk of getting a ticket may slow you down. The problem there is the Sheriff office's main priority is criminal. Highway Patrol is traffic. If we have time that's what we do; we have a new Deputy who is heavy into the traffic things because he is not burdened yet with too many reports. Hopefully now that we can thin things out, we will be able to work on that. We have a position for an MHP officer but he's not there yet. They haven't been able to station one in the area for quite a while. It's out there and it's a matter of getting people trained, getting somebody who wants the position and takes it. Once that's in effect, that person plus our input will have an effect on this.

The Sheriff wants you to understand that we very much support the compromise; we think it's a very good one. The big choke point is down between the ice cream place and a BBQ place. Everything funnels into that and it comes to a screeching problem because you have people that park there. It is such a short distance between that and the other eating establishment where they park as well. You take one or two steps out into the road and people are very much speeding, it's a disaster waiting to happen. That's the point we're most worried about. Plus in the main part of town it would be great if we could limit the speed as shown in the compromise. We very much support that and we'll be willing to make the risk greater for people who are speeding in the area. Thank you.

*Chris Stout, School Superintendent in Seeley Lake*

I'm also on the Community Council and the Community Foundation Board. I spoke last time we were here in May and I'd like to reiterate the fact that the entire town of Seeley Lake really exists along Hwy 83. There are not really neighborhoods, there is not an official downtown so students, community members, and tourists all end up downtown. Probably due to poor design, the town isn't aesthetically set up to where you actually slow down because things are spread out and there's no sidewalk system or anything like that. So people come speeding through before they realize they should be going the posted speed limit let alone a reduced speed limit. With that in mind, I worry about kids. I appreciate the crossings that were put in and those are being used and hopefully they will stay in place to reduce the dangers. We are currently working with the county on a bike trail project to connect the school system to other places in town so students can ride their bikes but part of that would exit out into Hwy 83 in different areas. I know you can't change the speed limit now for something that might happen in the future but Seeley is making every attempt to make the town safer but also looking at good economic development which I believe the reduced speed limits would help with that as well.

One concern that was brought up in May is that you guys have an obligation to keep traffic flowing throughout the state. The number that came in from the study was that only 10% of the traffic that actually comes up Hwy 83 from Hwy 200 is bound for someplace other than Seeley Lake. It seems we have a lot of traffic going on those roads but it isn't necessarily that it is being used as a major thoroughfare, if those numbers are accurate because only 10% of the 8,000 cars recorded were actually headed north of Seeley. I appreciate you having us here and I know you have your hands tied on a lot of things. I sit on a lot of boards and understand these are not easy decisions to make. I think both for the safety of the residents and the overall picture of the community, this proposal would really help out.

*Dan Snerdel, Seeley Lake Resident*

I've been in Seeley Lake about three and half years but I've been recreating up there since 1981. In my prior life I was a Deputy Sheriff of Cascade County for nearly 28 years and I did a lot of traffic enforcement. I've been to several accident

investigation schools, Northwestern Institute, Montana Highway Patrol so I have a well-rounded idea of what's going on here. I understand the speed study issue; you're hands are tied by what the law says and you have to abide by that. Before 1981 when the highway was rebuilt, you didn't have a lot of issues because the highway was so bad and if you went fast, you fell off. The highway that was put in is a very beautiful stretch of road. One of the areas I use frequently is Whitetail Drive from Hwy 83. The highway is a beautiful wide stretch and has a turning lane inside, the 50 mph speed zone starts just south of there about a quarter of a mile. The highway is supered and is good for traveling but not for the people that live in the Double Arrow, there's about 300 homes up there and that is one of the main access points. With the highway supered such as it is, you turn down into the county road and it is also right by Cory's market which is a very busy business. It is the grocery store for the whole valley. You either go there or drive to Missoula, 60 miles versus a few miles. It is very heavily used. If you have a small vehicle that comes out of Whitetail Drive and they pull up to the stop sign back where you're supposed to, you can't hardly see the roadbed because there is such an angle there. In the wintertime you have people coming from both north and south, you come up over there and with the snow conditions a lot of people are going too fast and slide off into the ditch, the stop sign get pushed over on a yearly basis. It's an area where the current 50 mph speed limit is too high. Here it is requested to be reduced to 45 mph to the south of there by Wagon Wheel Lane and then go to 35 mph beyond that.

Just north of that is where we had the fatality last year – an elderly gentleman pulled out in front of truck and had very bad results. You have the ice cream store in the downtown area and it's not unusual to have 15-20 people standing in line. You've got kids running back and forth. The parking down there is terrible; there is absolutely no parking for the amount of traffic it gets. Looking at it as a resident in the area and looking at the potential problems, the speed studies – that road was designed to move traffic and it does it very well, it's just that the community has grown. The children who live on the west side of Hwy 83 have to utilize one of the crosswalks. In the wintertime it gets dark early and stays dark until 8 am and you've got kids with after-school activities crossing those areas. I know it's not in here but one thing brought up was about crosswalks that are light activated by the actual pedestrian. I think those might be something well-worth looking at for the kids. In the wintertime you've got slick roads and dark conditions. Again that is just a safety issue. I'm not taking into consideration any of the economic issues, it's a safety factor for the community that uses it. Many of the people up there are year-round residents and retirees. You get older you don't see as well and you don't react as well. Sometimes we need to be protected from ourselves. So I would appreciate consideration on this. Thank you.

Commissioner Griffith asked Duane to answer some questions. My concern in the beginning was the length. Where is the new length of it? Duane said it is coincidental with what we're recommending; they shortened it. Commissioner Griffith asked about the two areas in red on the map. What is the total length? Duane said it is around a half mile to a mile. Commissioner Griffith said in those two areas what is the department's recommendation? Duane said the department is recommending 60 mph, the community's recommendation is 45 mph. In the second red area the department is recommending 50 mph and the community is recommending 35 mph. Commissioner Griffith said for me personally I consider this to be downtown and this seems reasonable. I understand the need for that. As you get further away from town, there are two major streets that intersect with that between milepost 13 & 14.

Duane Schlabach asked if the Commission had seen the map. This area in the red on the south end of town is the area where we had the fatality last year (referring to map). That is the entrance into town. You have the grocery store there which is the only grocery store in the valley. The second area of concern is the physical therapy center and the small mall there. We have a retirement group that lives on the Double



Arrow, so a lot of times they are down at the medical center which is along that stretch in the red zone of disagreement. Our rationale is you have the medical center there and a lot of our elderly people are in there. Cory's Market is right here, then if you come up to the Bison Bear Mall the physical therapy center is right here, and this is the medical center itself (referring to the map). So this is kind of a hub for a lot of our population base who live at the Double Arrow and they do frequent this. We have a lot of elderly people who retire here and also we have people who work at the mill. The reason we've requested the lower speed is simply because of those elderly concerns since we did have a fatality of a local elderly gentleman last year right at the Bison Bear Mall who was at the physical therapy center and pulled out in front of a vehicle going the speed limit of 50 mph. He wasn't cited because he was going the speed limit. I can't speculate if he could have stopped if he were going slower because we don't know that but with the current speed limit it was a fatality. Those are the reasons for the red zones. The community does feel this area is a high concern. It is currently 50 mph through here and lot of people are driving 55 mph and this is a busy part of our town.

Commissioner Belcourt asked about the speed limit in the yellow zone. Duane Schlabach said the current speed limit is 50 mph starting here all the way into here and we're requesting it start at 45 mph down here, reduce to 35 mph here and stay at 35 mph in here (showing map). Commissioner Belcourt said the department is saying 50 mph, right. Duane Kailey said the department's recommendation is on the left side of the map. We're recommending 60 mph from here on down and then going back to the statutory down here. Commissioner Belcourt asked about the yellow line. Duane Kailey said the department's recommendation is 50 mph, and their recommendation is 45 mph – a 5 mph difference. Commissioner Belcourt said 5 mph isn't going to make a difference but the big thing is the bottom red zone – that's a concern. Commissioner Belcourt asked about the red zone in the middle. Duane Kailey said the department is recommending 50 mph through here, at this point in time the community is recommending a transition to 35 mph – a 15 mph difference right in here.

Commissioner Belcourt said he has driven that area and there is a lot of traffic there. That is way too fast. To transition into town at 50 mph? Where is the crosswalk? Duane Schlabach said the crosswalk issue has been addressed locally. We reached an interim basis where a crosswalk was put in at Riverview. Riverview Drive is in the Red Zone. We have a low income area in here and there's only one way in and out of here. This road does not lead to anywhere else. A lot of low income students who live there come to school up here and they need to make a crossing. So we did an interim school crossing study on that specific place. Boy Scout Road is the other crosswalk. Just for your information, we are not requesting crosswalks because it was addressed locally. My concern is if we have addressed the crosswalks on a local level and they are implementing them at a local level at Riverview Drive on an interim basis, and if we retain the speed limits, you have a larger safety issue than you previously had because you have a crosswalk in an area that is 50 mph. It was never my intent to separate the speed and the crosswalks but rather to keep them as a package. Commissioner Griffith said we have a half mile of the upper red line and when I think of 35 mph speeds – we have Continental Drive in Butte at 35 mph, it's right in the middle of residence, schools and stores. To me the density of that area doesn't warrant a 35 mph zone. There's basically three approaches in that area. I just think we can fine-tune that a little bit.

Commissioner Belcourt asked Duane Schlabach to run through the speed limits on the map. Duane Schlabach said we are proposing a speed limit down here at Wagon Wheel beginning at 45 mph, coming up to the Grocery Store where Whitetail Drive comes in a reduction to 35 mph (currently 50 mph), then we are proposing it stay at 35 mph and then a reduction into the downtown area at 25 mph where Barrows and the School is, then past the Ice Cream place we bump it back up to 35 mph, then at Morrell Creek Road bump it up to 45 mph and then transition it into the regular

speed. Commissioner Griffith asked if it was also the department's recommendation. Duane Kailey said that is correct. The ending points are coincidental on both recommendations. The gold lines on the map shows a 5 mph difference between our two recommendations.

Commissioner Lambert asked Commissioner Belcourt if he helped with the compromise. Commissioner Belcourt said this has been a process for me – you have the Community Council, community members we've met, and MDT District office with Shane. It was great; we had to do a collaborative effort here because hands are tied. I think we would have reached a solution at the lower level and hopefully the Legislature will address the change in statute to allow it at the lower level. We all looked into this since the last meeting and the Community Council has made a compromise in support with the County Commissioners, the Missoula Public Works Director, the Sheriff's Office, and come up with this. This makes sense. It's slowing down as you come into town – not keeping it at 50 mph past a grocery store. We all know our little communities and the grocery store is where a lot of people meet. I was amazed coming into Seeley Lake, 50 mph is way too fast.

Robert Parcell said there is more than just a grocery store as you come into town. There's a grocery store on the right on a curve with lots of people turning in from various directions, the next thing on the left right away is Lazy Pine Mall with the therapy place and a bar, then on the right shortly thereafter is a gas station and everybody uses it. As I said before the grocery store is used by both the Seeley area but the Swan area as well. Beyond that you have River Road which is a community. On a little farther is the mill on the left which has huge trucks coming out and going in with huge loads. It looks less dense but it is actually used a lot more than the density shows. Beyond that you have businesses, garages, maintenance people turning in to go to several different garages and the tow shop. Then it gets really dense after that. I just wanted to set the stage for you.

Dan Snerdel said it seems the main concern is south here. The highway is beautiful and it is made for driving on at a good speed. When we received public input, we set up at Cory's Valley Market with traffic throughout the day, heavy back and forth, we did this in the summertime. Also beyond the Lazy Pine Mall is another subdivisions here and we have people coming in on Rearview Drive and back across off this map there is another subdivision up the mountain. Here on Redwood before that you have Timberline Lumber Products, a lumber store, a hardware store. Next to that is the Bank and the gas station and the medical center. On a beautiful day, things are dry and conditions are great for driving but in reality in the wintertime most all of these side roads are at an angle to the highway. Whitetail is a good one for that, Rearview Drive is also by the mill and in the winter we have traction issues with people getting out on the road and not being able to accelerate up to the flow of traffic which creates a hazard. It's just something we deal with up there five or six months a year. Everybody thinks of a beautiful spring or summer day when you can get and out get into the flow of traffic but in the wintertime it's not as easy to do. A 2-wheel drive vehicle has problems on some of those hills getting traction to get out. The way the highway is supered it creates an issue in itself.

Commissioner Griffith said I personally don't have a problem if we put the 40 mph speed limit before the store and coincide with the other recommendations they have through the middle of town. Commissioner Belcourt said there's a five mile difference between ours and theirs. Commissioner Griffith said either way is fine with me. Commissioner Lambert said 50 mph is too fast to go by the grocery store in Broadus which is on Hwy 212. Commissioner Belcourt said that is Seeley Lake's recommendation. Commissioner Griffith said his recommendation is to come in on the department's recommendation and then go to 40 mph before the store and carry the 40 mph until you hit Riverview Drive and then go back to Seeley Lake's recommendation. Commissioner Belcourt said they are saying 35 mph and you're saying 40 mph through there. Duane said they are recommending 35 mph starting

right here (showing map) and then where the red line on the map turns into the gold line do 35 mph there, then take Seeley Lake's recommendation from there.

Commissioner Griffith said 35 mph on the crosswalks. Commissioner Belcourt asked if it was too quick to go from 60 mph to 40 mph. Duane Kailey said they would put in the appropriate transition. Commissioner Belcourt said I want to make sure Seeley Lake is supportive of this. That's what we're here for, it's their safety and these guys have bent over backwards so I want to make sure when they leave everybody has the same numbers. Duane Kailey said essentially we're taking Seeley Lake's recommendation up to or just south of Riverview, at which point in time we'll transition to a 40 mph speed limit from there up to the department's recommended 60 mph and carry 60 mph on up. The 40 mph would be south of the grocery store. We will make the appropriate steps to transition from 40 mph to 60 mph.

Commissioner Belcourt moved to approve the Speed Limit Reduction for MT 83, Seeley Lake as follows: A 40 mph speed limit beginning at station 700+00, project S65(1) (800' south of Whitetail Dr.) and continuing north to station 725+00, an approximate distance of 2,500 feet. A 35 mph speed limit beginning at station 725+00, project S65(1) (450' south of Riverview Dr.) and continuing north to station 757+00, an approximate distance of 3,200 feet. A 25 mph speed limit beginning at station 757+00, project S65(1) (200' south of Locust Ln.) and continuing north to station 2947+00, project FHP 15(18), an approximate distance of 3,100 feet. A 35 mph speed limit beginning at station 2947+00 (500' north of Cedar Ln.) and continuing north to station 2929+00, an approximate distance of 1,800 feet. A 45 mph speed limit beginning at station 2929+00, project FHP 15(18) (1,000' north of Morrell Creek Rd.) and continuing north to station 2906+00, an approximate distance of 2,300 feet. The speed limit signs should be the 24" X 30" size. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 8: Speed Limit Recommendation Secondary 284 – Canyon Ferry Road**

Duane Kailey presented the Speed Limit Recommendation for Secondary 284 – Canyon Ferry Road to the Commission. As a reminder we discussed this in Miles City. So I'll just read the department recommendation:

A 55 mph speed limit beginning at the hill approximately 1,900 feet south of the intersection with Secondary 430 and continuing east to milepost 7.96 (as posted), an approximate distance of 3.8-miles.

A 45 mph speed limit beginning at milepost 7.96 (as posted) and continuing north to milepost 8.4, an approximate distance of 0.44-miles.

A 35 mph speed limit beginning at milepost 8.4 and continuing across Canyon Ferry Dam and along the shore to milepost 8+1.960, an approximate distance of 1.560-miles.

Perpetuate the statutory 25 mph speed limit (as posted) beginning at milepost 8+1.960 and continuing through the community of Canyon Ferry to milepost 10.310, an approximate distance of 0.35-miles.

A 45 mph speed limit beginning at milepost 10.310 and continuing east and south to the Lewis & Clark – Broadwater County Line at milepost 16.0, an approximate distance of 5.2-miles.

We presented this to Lewis and Clark County and they concurred with this recommendation with one comment – they would prefer 35 mph from milepost 10.310 to milepost 16 and we’re recommending 45 mph.

Commissioner Cobb moved to approve the Speed Limit Recommendation for Secondary 284 – Canyon Ferry Road. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 9: Speed Limit Recommendation Primary 201 – MT 16 to Fairview**

Duane Kailey presented the Speed Limit Recommendation for Primary 201 – MT 16 to Fairview to the Commission. This was requested by Richland County Commissioners. We’ve reviewed the accident history, the traveling speeds, the citation data, as well as the terrain. At this time we are recommending the following:

Statutory 25 mph speed limit beginning at the intersection with MT 200, and continuing west to station 247+00, project S 327(2) (west side of the canal), an approximate distance of 1,100 feet.

A 35 mph speed limit beginning at station 247+00, project S 327(2) and continuing to station 238+00 (600’ west of S. Dawson Ave), an approximate distance of 900 feet.

A 45 mph speed limit beginning at station 238+00, project S 327(2) and continuing west to station 181+00 (800’ west of the Airport access), an approximated distance of 1.08-miles.

A 55 mph speed limit beginning at station 181+00, project S 327(2) and continuing west to milepost 66.5, an approximate distance of 1.7-miles.

This recommendation was presented to Richland County Commissioners. Their letter of concurrence is attached.

Commissioner Lambert moved to approve the Speed Limit Recommendation for Primary 201 – MT 16 to Fairview. Commissioner Skelton seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 10: Speed Limit Recommendation MT 55 Whitehall South**

Duane Kailey presented the Speed Limit Recommendation for MT 55 Whitehall South to the Commission. This was requested by Jefferson County Commissioners. We have reviewed the accident history, the terrain and the citation data. At this point in time we’re making the following recommendation:

A 55 mph speed limit beginning at station 578+00, project S 100(1) (1,300’ south of the intersection with Ryan Lane) and continuing north to station 621+00, an approximate distance of 4,300 feet.

A 45 mph speed limit beginning at station 621+00, project S 100(1) (1,200’ south of the intersection with Kaddy Lane) and continuing north to station 631+00, an approximate distance of 1,000 feet.

A 35 mph speed limit beginning at station 631+00, project S 100(1) (200' south of the intersection with Kaddy Lane) and continuing north to station 632+00 (intersection with MT 2), an approximate distance of 1,600 feet.

This was not our original recommendation because Whitehall did not concur with the original. However, we have reconciled our differences and Whitehall is concurring with this recommendation.

Commissioner Skelton moved to approve the Speed Limit Recommendation for MT 55 Whitehall South. Commissioner Belcourt seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### ***Agenda Item No. 11: Certificates of Completion June & July 2016***

Duane Kailey presented the Certificates of Completion for June & July, 2016, to the Commission. They are presented for your review and approval.

Commissioner Skelton moved to approve the Certificates of Completion for June & July, 2016. Commissioner Lambert seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### ***Agenda Item No. 12: Project Change Orders June & July, 2016***

Dwane Kailey presented the Project Change Orders for June & July, 2016, to the Commission. They are presented for your review and approval.

Commissioner Cobb asked about page 5 of 9 for the Butte District. It adds administrative settlement for asphalt testing errors. What was that about? Duane Kailey said we had some issues on our asphalt testing. In essence what happened was we had the contractor remove some asphalt based on the test results. Based on additional investigation and review, we found we had a problem with one of our scales which was showing the asphalt to be out of specification. Unfortunately it wasn't out of specification, so we ultimately had to have negotiations and a settlement with the contractor.

Commissioner Cobb asked about the last page 6 of 6, on the bottom we have Lewistown SE which says "increased sub excavation and special borrow due to unstable upgrade conditions." Is that really \$1.2 million? Duane Kailey said yes that is correct. Commissioner Cobb said this company bid high on this anyway. I'm wondering what happened. This was let in March 2014. They put extra money aside for this special borrow so what happened. Duane Kailey said when we design a roadway we take soil surveys. We drill down through the asphalt and test the soil beneath it. Depending on when we do the soil surveys and the frequency of them, we try to determine what is underneath that existing roadway because when we open it up and try to build a new road on part of it, at times we'll hit poor soils. When we did these soil surveys, we did not predict the poor soils we ended up encountering during construction. Depending on when we do the survey versus when the contractor is out there building, if there is more moisture than we anticipated, it ends up making that soil way more difficult to work with. So we end up working with the contractor writing change orders to excavate and remove that soil and replace with better material. Commissioner Cobb asked if that was the same issue on Harlowton North. Duane said yes. On both of these projects we ran into that issue.

Commissioner Cobb said my concern is it is the same company and you allowed a big change order on Certificates of Completion. This company seems to be having large change orders. These are huge amount way above normal. Duane Kailey said it is more coincidence than an issue with that contractor. They're also fairly close together geography-wise. So I think it's a consistency issue more with our design and the geography and not with the contractor. Commissioner Cobb asked if you use their bid amounts to figure out how to pay for it. Duane Kailey said the way the spec is written is if it is a major quantity and it exceeds by more than 125%, we will actually negotiate the value. If it isn't we go strictly with their bid price.

Commissioner Lambert moved to approve the Project Change Orders for June & July, 2016. Commissioner Belcourt seconded the motion. All Commissioners voted aye.

The motion passed unanimously.

### **Agenda Item No. 13: Liquidated Damages**

Dwane Kailey presented the Liquidated Damages to the Commission. We have one project for your review – MT 16 Culbertson. The contractor was Riverside Contracting out of Missoula. They had an overrun of four days at a rate of \$2,756/day resulting in a total liquidated damages amount of \$11,024.00 They are not disputing this. The Commission need do nothing and the LD stands as is.

Commissioner Griffith asked if we were going to expect that contractor to be on the previous list next week. Duane Kailey said typically when we have change orders like this, we do put in additional time if warranted. Ultimately when they sign off on the change order, they are agreeing to all compensation with means not only dollars but time as well. I never know what contractors are going to do and sometimes they change their minds after the fact and yes they could potentially dispute them at a later date.

Liquidated Damages STAND

### **Agenda Item No. 14: Letting Lists**

Dustin Rouse presented the Letting Lists to the Commission. All the Commissioners received a handout of the Letting List for September 22<sup>nd</sup> through February 3, 2017. Within these letting lists are some projects that we've carried as backup and that we moved into the letting list once we knew the amount of redistribution that Montana would receive. In the next agenda item I'm going to go through a discussion on how we handle backup projects. Moving to the October 13<sup>th</sup> letting – D3 Fencing Brady North, Midtower Road, Vaughn North, Satin Springs East, Miles City East, Boyce Canyon Road, and Thompson Falls SW. Moving to the October 22<sup>th</sup> letting list – Superior West, Billings NW, West Valley Georgetown and I-90 Yellowstone River.

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

The motion passed unanimously.

### **Agenda Item No. 15: Backup Projects (Informational)**

Dustin Rouse presented how MDT handles backup projects. Historically MDT has developed projects, nominated through our normal process, ahead of schedule. These "shelf" projects serve as backup projects during the current fiscal year. Backup projects may be needed to replace projects that experience issues that cannot be resolved within the current fiscal year. Through the course of the year we can get

bids that come in low and that releases funds. To utilize those funds we use these backup projects. Additionally this past year, 2016 was kind of unique in that we had a decrease in oil prices last fall and that carried through the whole year because all our estimates were set at last year's Red Book. That was prior to knowing what impact that change would have. As the bids came in low we had projects that we could move in and utilize our federal funds. Additionally there are issues that come up that cannot be resolved in the fiscal year, so we also carry some backup projects to cover if we cannot come to an agreement.

Backup projects can also be moved in to cover bids coming in lower than the estimates used in the previous year's Tentative Construction Plan (TCP). This has been the trend this year due to the drop in crude oil prices last fall. Further, these backup projects can be moved in to cover redistribution of federal funds at the end of the fiscal year.

Typically, by the end of March we have awarded more than 50 percent of our obligation for any given year. I go through every district, look at the projects that could potentially be moved in, look at their schedules and the health of their projects. We don't want to move in projects that also have risk. So we vet that out. I send the district a pretty long list of projects that they then go through and prioritize. Based on the awarded bid amounts, the status of the remaining projects, and the estimated amount of potential redistribution we project an estimated amount of backup projects (obligation) needed to close out the fiscal year.

Project prioritizations are based on MDT's Mission, TranPlan 21, national performance criteria, and state performance metrics through P3.

1. Preservation
  - NHS highest priority
2. Safety
  - high crash corridors
  - HSIP projects
3. Bridge improvements to correct structurally deficient bridge deck
4. Preservation – other than NHS routes
5. Projects with committed Environmental mitigations
6. Reconstructs of pre WWII designs (no shoulders, safety issues) or roads experiencing excessive maintenance costs
7. new construction/expanded infrastructure last

Each district is sent a list of viable candidate projects and requested to prioritize the projects based on the criteria above and individual district needs. These lists are then verified by the appropriate program managers and then "shortlisted" based on the projected backup needs for the year. That's how we select projects.

*Summary:* The process of developing projects ahead of schedule is necessary for MDT to continue to deliver the federal aid program. This process also allows MDT to be in position to request and obligate redistribution funds each year.

Project selection is based on the same metrics that drive our decisions in development of the TCP. Frequently projects are selected from the following fiscal year freeing up program funds for the next year.

Some items of note for 2016: Over the course of the year, due to the prices coming in low, 34 projects were brought into 2016. Of those 34 projects, 25 projects were from 2017. You've already seen them, already reviewed them, they are 2017 projects that were just done a year early. Twenty-nine of the 34 projects were either 2017 or 2018 projects, so the next two years. So the impact to the TCP next year means it

frees up some funds for them next year. So when they go through the Red Book process, they can move some projects into that. So you'll see some balance where you can move in projects.

The redistribution amount was \$31 million, but over the 2016 federal year, we brought in \$70 million. Commissioner Griffith said that's a big number off our Red Book for November. Commissioner Cobb said we don't see the ones that got rejected. You've narrowed it down and this is all we get. I just want to know if we can get it a little bit earlier. You've gone through all this but we need to be assured what you're doing – I just wanted to make sure the Commission gets things a little earlier so we can see the projects that didn't get on. I'm not worried about the department, I'm just worried that the Commission should know ahead of time. Could we have gotten this a little earlier? It's not a criticism.

Commissioner Griffith asked if they receive redistribution in September. Dustin Rouse said yes in September. Commissioner Griffith said it is not until the feds try to spend all their money that we know if there is money coming in. Commissioner Cobb said it would be nice to have it in the book. Dustin Rouse said the information I have is the same list you can see through the Red Book process. There is a two-step process where I send the districts a list of projects but I also need to make sure that those are realistic and can be delivered. So I'd hate to send you the list of projects that are just not possible to do. Commissioner Cobb said sometimes the books you send out are blank. If you make the decision a couple of days earlier, it would be nice to have it in our book. Duane Kailey said we have a very short timeframe from the time we are notified that we have redistribution to the time we actually move those projects in and get them taken care of. What we could do in the future is when we have the finalized list which was about a week and half ago, we could send you an email showing the ones we're adding to the list and what the redistribution amount is.

Lynn Zanto said this comes from the list of projects that you have seen in the Red Book and it comes back to deliverability and then meeting that criteria and as Dustin mentioned, we try to go with the ones that would come in the next year anyway. Commissioner Cobb said you live in this everyday but remember I'm in Grass Range. Commissioner Griffith said information is power. The Commission doesn't want to feel like a rubber stamp, so when you present things to the Commission on the day you're asking or telling us about it, it makes the Commission's value less. I understand John's thought process and I agree with it.

## **Agenda Item 16: Director Discussion and Follow-up**

### *Budget*

Director Tooley said we ended the fiscal year on June 30<sup>th</sup> with \$36.1 million in the bank. You already know that \$40 million is the beginning of the target range. \$36 million will work, \$40 would be better but we're in much better shape than when we were talking in February so things are kind of turning around. September 1<sup>st</sup> we had to submit our budget to the Budget Office. Our next biennium budget is basically the same plus 1% that we turned in last time; needs based and well below the projected income. DOJ had not submitted at that point so we don't know what they put in but clearly we'll be in deficit by the end of the biennium no matter what they put in. Revenue and Transportation Interim Committee are aware of that. They have a Committee Bill to remove everybody from DOJ from the State Revenue Fund except for MHP which will still leave us in deficit. There are 20 bills drafted right now that the department is watching that directly mention MDT funding or things that might affect MDT funding. So apparently we have the attention of the Legislature and that's a good thing. One of our concerns is the department would do such a good job at managing the money that the Legislature wouldn't feel compelled



to do something. Now that the opposite is true we have 20 bills to watch. Some of the people elected in November are going to start dropping things in the hopper too. So we're looking forward to a very busy session.

### *Bridge Deck Issue*

You were brought up to date in July on the bridge deck issue. We are still waiting on the final report but we aren't alone in this issue; other surrounding states have had the same problem. Our concern that it may have been a single supplier or an MDT spec that might have led to this appears to be unfounded. It is something else. Duane Kailey said we are still working with the expert to determine what the causal factors are and hope to have that here in the next couple of months. Director Tooley said we are not the only state. Duane Kailey said we heard from Minnesota and Idaho and both have significant cracking as well as each have at least one deck where a hole has opened up in that deck very prematurely. Commissioner Griffith asked if it was a newer deck. Duane said yes. Commissioner Skelton asked if that would affect all the bridge decking we did. Duane Kailey said some preliminary analysis that we've done – we have a some smart flags that we have in our bridge management system, we've queried that and we've identified that it is predominately reserved for the western, more mountainous, more climatic parts of the state. You have very little, Carol has very little, but what we're seeing is the western portion of Butte and Great Falls and almost the entire Missoula District. It's where we have that high freeze thaw cycles and where we're using a little more mag chloride. We can't tie it directly to the mag chloride but we think it is a combination of changes in the industry combined with weather events. Commissioner Skelton said we get a lot of bridge decking down across the Interstate in my district. Commissioner Griffith said the problem is that they are not in the Red Book yet. Duane said that is correct.

Duane Kailey said we do believe if we can seal those decks off, get those cracks sealed so we're not getting the water and the mag chloride down into the decks, it will elongate their life and possibly abate the whole issue. So we actually do have a project out there to start sealing a lot of these decks.

Commissioner Skelton asked about the outdoor advertising signage for digital signs, has anybody applied for a permit. Director Tooley said I'm not aware of any; it's brand new. Commissioner Griffith asked if Director Tooley could let the Commission know.

### **Agenda Item No. 17: Performance Planning Process (P3)**

Lynn Zanto said this is adding the fifth year of funding in preparation for our TCP meeting coming up. So that's 2021.

Paul Johnson presented the Performance Planning Process (P3) to the Commission. Today our P3 Analysis topics will be discussed. We meet annually each year about the same time to discuss the financial issues that form our P3 Analysis. This is the end of our federal fiscal year and the beginning of a new federal fiscal year. To some degree we're at the mercy of pieces of paper that route through FHWA that tells us how much we're going to get to finish out the year and begin the next year. Is there a possibility to get information a little sooner? Certainly and we could certainly do that.

Today we'll be discussing our P3 and the Tentative Construction Plan (TCP) activities as outlined:

Timeline - we'll give you a timeline of those activities.

Recent developments – we'll talk about some of the things that have been changing in the federal program. Some state issues that have popped up.

Budget Issues – we’ll talk about the budgetary issues that we’re seeing that are different than what we’ve seen in the past.

System Performance – we’ll review system performance

Funding Recommendation – we’ll give you some funding recommendations.

#### *Commission Approvals and MDT Processes*

There is a distinction between Commission approvals which are noted in black versus MDT processes which are shown in red (referring to slide). In this particular case, if we go back in time for the yearly schedule, as you know each year we update the Funding Plan which goes into the TCP. At the beginning of this year we’ve had additional projects added to the program. That happens January through December at the individual Commission meetings. Earlier this year you saw and approved the STIPP document on May 26<sup>th</sup>. So those are Commission approvals that are required for us to do our business. The items shown in red are concurrences but not necessarily Commission approvals. Commission approvals come from MCA 60-2-110 and 60-2-111. Those relate to additions to the program and the letting and awarding of projects. This is a necessary process and we ask your concurrence but there is no statutory approval for the funding distribution. That’s why it’s shown in red.

Today, to set the stage for the Tentative Construction Plan (TCP) which will occur on October 26, 2016, we are going to be informing you and asking concurrence of the funding distribution and we’re going to be talking about some other funding reserves and other issues that have arisen. So again this is to set the stage for the TCP meetings next month.

#### *Recent Developments*

So our federal program – we’ve been asking for it for a really long time and we finally got it. Last year in December we received a Reauthorization Bill, the Fixing America’s Surface Transportation (FAST) Act was signed into law on December 4, 2015. It was a long-term bill and it established federal funding levels through Federal Fiscal Year 2020. The program structure was very similar to MAP21. It did add some provisions for freight such as National Highway Freight Program (NHFP) funding which we’ll be discussing briefly later. Our annual apportionment increased and looks like it will mirror our anticipated inflation. That means this bill was a pretty good deal for the State of Montana. I don’t know that we could have asked for a whole lot more as far as the bill. We kept our federal share, we’re beating inflation based on the latest projects, so from a federal perspective through 2020 we’re doing really well as far as that goes.

If you look at our projections you’ll note on the far right hand side of this graphic, for a couple of years we were showing a very flat projection as far as both apportionment and obligation authority. That meant we were losing ground to inflation. You can see that we’re starting to increase. One of the significant issues we’ve been seeing that’s been a boon to us is, not only has apportionment gone up but obligation authority has gone up as witnessed by the \$30 million redistribution we got at the end of the year. So in both categories we’re seeing a significant increase that will most likely beat inflation through 2020. That means we can probably keep our buying power if all other factors stay consistent. So the federal program looks good but there are some challenges.

First of all it seems like we never get all three legs to the triangle. We don’t have an appropriations approved for Federal Fiscal Year 2017 which means we’re likely to see Continuing Resolutions. This means the money will come dribbling in again in little

bits and pieces for the first part of Federal Fiscal Year 2017. The bigger challenge is likely to be the state match that we need for this increased federal program. As you know, simple math shows if we have an increased federal program, we're going to need an increased state match from where we were in the past. Well, MDT revenues have been relatively flat. We also have a minimal ability to shift MDT resources. We have taken a few steps that relate to adjusting our state match rate. That means individual projects, other types of opportunities that we have at the federal level to reduce our federal share but those come with a price. That means we're going to reduce our buying power over time. We have some ability to adjust our state match rates but over time we'll need additional revenue to keep up with the federal program.

Commissioner Cobb asked how much money they were looking at. Paul said it has a lot to do with the projections you heard earlier as far as in the biennium. For this biennium the latest projections show we'll be okay to match whatever we get. Commissioner Cobb asked about the next two years following that. How much will you need to do the increase match? Paul said it would be 3% annually over what we are doing presently. If you're looking at the federal program, probably about \$10 million but that's pretty high. It's in the several millions of dollars for sure but we do have some ability to counteract that. It's a balancing act between the innovative projects and all the adjustable match rates we have one side versus the revenues we need. Commissioner Cobb said the Director did something about the next biennium but after that we're broke based on existing figures. Paul said correct; that is for sure. So in the next biennium at some point on the pace that we're at, if we had to choose we would probably be turning back federal dollars or doing something else like stealing it from maintenance or some other activity. That is a certainty and at the latest would be 2019. Director Tooley said that was accurate. The estimates are if somebody were to come up with a revenue increase, we'd need at least six cents to break even to do this. Commissioner Cobb asked how much money six cents would equal. Director Tooley said \$30 million per year. Commissioner Cobb said then somewhere between 2019 you're going to run out of revenue to keep the existing match. Director Tooley said correct. Commissioner Cobb said then to do the additional match you're going to need about \$30 million more. Director Tooley said yes, to do this and maintain operations where they're at right now on maintenance and everything else.

Paul Johnson said there needs to be an additional revenue source and you as well as the Director have spoken to that issue. It is one of the challenges. So we catch a break with the federal program but it effects our state match which in the past hasn't been one of the big considerations as far as what our program is going to look like. That is the challenge.

With the new Act we still have some implementation requirements. MAP21 and the FAST Act had some measures that we had to take care of in order to be compliant. One of those was our Transportation Asset Management Plan (TAMP). Presently our TAMP has been completed and submitted to FHWA in accordance with all the federal guidance today. So we've checked that off our list for now.

We also have to do an Annual Performance Report. In this case the Performance Report was due on October 1<sup>st</sup>. Our draft is being finalized and will be submitted in advance of that date which shows MDT is meeting or exceeding all of our current metrics. In addition we have a new requirement for a State Freight Plan which is being developed and is due to FHWA by December 4, 2017. Lynn Zanto said we are just kicking off our process to develop the Plan and we have federal criteria we have to follow. We have a stakeholder meeting coming up on October 18<sup>th</sup> here in the MDT Auditorium. The federal law identifies the type of stakeholders we need to include and invite to get input about goals and freight needs. Then eventually we come to an investment strategy for about \$12 million of our program that got carved out by the FAST Act to go to freight. It has to be on a nationally designated freight network which currently is only I-15 and I-90 and that is designated at the national

level not by us. Commissioner Cobb said state freight is separate so we allocate the money between all the different districts that is totally separate. Lynn Zanto said that is correct. What is coincidental, if you recall with our TCP we have that Interstate Capacity and Reserve Sheet; the bridges out here have a little bit of that funding as well as other projects. Coincidentally that sheet kind of lines up with the eligibilities that came through the FAST Act for freight other than I-94 is ineligible per the federal criteria. So this plan it will identify goals and confirm how we use that \$12 million but that Interstate Capacity and Reserve was about \$10 million for projects that came through it. Commissioner Lambert asked why I-94 wasn't eligible. Lynn Zanto said partly our large land size hurt us in this regard. The criteria the feds set is they first estimated the primary highway freight network, the only routes that made it in Montana which was volume driven, was I-15 and I-90. They then said other interstates will be part of a multi-modal freight network but if a state's total primary highway network is more than 2% of the nation total, then that additional interstate mileage is not eligible. So if you think about I-15 and I-90, we are the fourth largest land area state so our interstates have a lot of miles so we exceeded that 2% threshold and therefore they won't let us spend on I-94. Through the plan we have the ability to designate 188 miles of critical rural freight corridors. It is like 94 miles of critical rural freight corridors in Billings, Great Falls and Missoula total but the problem with I-94, if we decided that was our critical rural freight corridor, it's 250 miles so we'd have to stop it short somewhere to meet their criteria. It's the east coast not understanding large land-based states.

Commissioner Cobb said you talked about the Interstate Reserve Capacity, you are not going to use this money for building interchanges are you? Lynn Zanto said it's a possibility. There are several things that are eligible for the freight funding, it could even be non-infrastructure things like technology improvements, like the pre-pass systems at weigh stations on the Interstate that allow trucks to move through. Commissioner Cobb asked how you decide how that money is divided up, is it the Red Book? Paul Johnson said in the short term the Interstate Capacity Program is going to be continued for two more years. We have three existing projects. In the short term, the eligible projects from that category are improvements in Missoula that are pending and in West Laurel that would be eligible. Presently the 2018 project in Miles City is not because it is on I-94. In the short term, the only projects that we really have the ability to draw from are those Interstate Reserve Capacity projects. There will be a transition once the Freight Plan is enacted and then we'll regroup and see how we prioritize selecting those projects. Commissioner Cobb asked if right now they have to do Interchanges. We can't do Miles City but after that you have the option to do the freight plan roads. Lynn Zanto said we have to have the Plan in place by December 4<sup>th</sup> to obligation any more funds for the feds to approve any proposed federal programming funds. Commissioner Cobb asked if that was done in Red Book. Lynn Zanto said we are doing that now through a public process with the stakeholders involved. We're kicking it off – will get a website up and we have the stakeholder coming up October 18<sup>th</sup>.

Paul Johnson said in the Red Book for this year you will see the Interstate Reserve Program will still be active and we do have the option of using this type of funding on the projects that are scheduled for this year. So for 2017, for the Van Buren portion of Missoula project and for West Laurel Project Interchange we have the option of using that funding source. After that date, the only projects that will be able to be advanced will have to be consistent with the plan and with the process that we're developing. Commissioner Cobb said I want to make sure the Commission can make some decisions too before the stakeholders decide how to split the money up. Our thinking on freight plans might be different so I want to make sure we have some options before we come in and say here are the three different ones we've decided. Lynn Zanto said as the plan is developing and we get to the point of having a draft in place, we'll bring it here. I appreciate your concern. The stakeholder input will be more about the goals that will help frame the investments. There are other things that will go into the analysis like system condition, the date, and more of the

broader picture. Commissioner Cobb said I just want something that's for the whole state not just for one community. Paul Johnson said the sideboards on that are the routes that will be included in the freight networks. Those will be very specific. The emphasis at the federal level has been toward reliability, bridges and capacity. So there are areas where we are looking at those needs. Once we get to that point, you'll see the plan and it will be clear and that transition will take place but in the short term for 2017, you're going to see the Interstate Reserve Capacity with the projects that we've committed to and then transition will occur.

Summary: In regard to MAP21 and FAST Act limitation: we are in compliance with all of MAP21 and FAST Act performance requirements we've identified today and we are prepared to include any additional requirements identified during the rulemaking process which is ongoing and probably won't be completed for many, many months if not a couple of years.

### *Budgetary Issues*

We've discussed a little bit about our Annual Federal Program and you can see that the growth was about 3% which is what we anticipated. The inflationary rate that we are carrying in the next few years is about 2.8%. That means we've had the ability to meet and beat inflation with our federal growth. That's good news. For once we can say our federal program is taking care of us and it's as good as we could have possibly have asked for. In these assumptions not much else has changed with the exception of the second bullet from the bottom. In the past we have assumed that magic state funds were available under all circumstances and that is just not the case. That's going to be the key constraint moving forward in the next few years. I will add that the final bullet is the grab bag contribution. When we do our model and our assumptions, we start out somewhere in the neighborhood of \$15-\$20 million. We might have to move that number upward because we've seen it march steadily upward to a value of \$30 million. I don't know that we're going to hit \$30 million again. I don't know the circumstances that led us to that but we might be seeing something like \$20 million moving forward. Again it is good news we get that money but the backside is we have the state match.

### *Funding Reserves*

We are talking about no changes as far as our funding reserves. Our Annual Emergency Program, every year we have a project pop up that will utilize these dollars. So it's been a very valuable program. It's allowed us to react to any of the issues that we might see out there in the system that we might need to address in a timely program. The Rest Area Program, we finished a Rest Area Assessment just recently. We still have continuing needs in the Rest Area Program. We have quite a few studies still out there. We have commitments from previous Commission actions and also our Legislative Audit that we need to finish. We have ADA issues that we need to address. At some point that number will go down. We are meeting our needs and we will reduce that number when we get there. Presently we've got 10-year needs that are over this amount. Wetland Mitigation, Stream Mitigation, Vegetation Control – that program has served us very well.

Interstate Reserve and Capacity Expansion. We've got three projects left. We had allocated \$10 million for each of these project areas and the Missoula East and West Project was split, Orange Street has been awarded, the Van Buren portion remains and you'll see that in the TCP. West Laurel remains and that's a 2017 project presently. Both of those projects as I've noted are eligible to received NHFP funding if we chose to go that route. At present Broadus Interchange is not eligible for that funding type since it is not on that freight network yet. We're working to see if we can rectify that situation. So no changes to the funding reserves.

*Expected System Performance*

As you recall, our Performance Program's goal each year is to develop an optimal funding allocation investment plan based on strategic highway system performance goals and the continual measurement toward these goals. We have seen a few changes that have come about recently but our pavement condition analysis methodology has remained relatively unchanged. Our current performance metric relates to ride and MAP21 guidance is not likely to recommend something different other than ride. Our 2016 pavement analysis performance goals are to optimize our pavement performance to maximize our ride index. Priority One is the Interstate System and the NHS System. Priority Two is the Primary System. So we start with the Interstate System and work our way down to the Primary System. The other secondary goal is to have no significant difference in ride condition between districts. We don't want to hit a district boundary and all of sudden start hitting bumpy roads, so that is also considered in the analysis.

The Pavement Management System is the entity that recommends optimal funding mix based on prioritized pavement needs. That's not all of the needs, it's just that we've prioritized the more important ones and that is where this recommendation comes from.

Optimal Performance Analysis for this particular year – well one thing I can say is that our Interstate System, we have had a long history of being able to maintain our system in really good condition. So you can see it is about 80. Given the funding we've seen, we believe we can maintain that performance and we have dedicated resources to do that. When you look at the Interstate condition by district, by the time we're done with the analysis we're shooting for them to have similar conditions in each district as far as the Interstate condition goes.

The NHS System, it is interesting to note that you see a rise in the NHS condition. So you might ask yourself how can we do that and why. There's two parts to that. The first part is we had a small dip in performance when we added a significant amount of NHS routes a few years ago. We added some routes and unfortunately they weren't great. We would love to have added some good routes but a lot of that was dictated to us and we didn't have a choice. The point is we had a slight dip in performance because of the new routes added but given the funding at the federal level, we do have the ability to bring that level back up over time to where it was before and maybe even higher.

Again the performance by district is closely linked together. On the Interstate System, our goal is to try to stay even. With the decisions we've make for the Interstate and the NHS system, it looks like we can maintain, for the most part with maybe a slight dip depending on what happens in the last five years as far as funding goes, but for the most part our goal is to shoot for maintaining condition. At this point in time, if all holds true and state funds hold up, we can do that. That's pretty good news. Again the Primary System again is closely lumped together.

Commissioner Cobb asked about the \$30 million we just spent, does that get figured in those charts now or is it too small. Paul Johnson said it is in the five-year plan. So most of the projects that were in the five-year plan are in this performance chart. Commissioner Cobb asked if it had changed much. Paul Johnson said a slight change. Would it be noticeable? A little bit noticeable if we were to blow it up on a larger scale – \$30 million is significant. Our choice to do preservation – more than bump it up it prevents it from declining in the out years because it resets the clock. When we see those lines hold steady it is good because it means we have relatively good conditions. Lynn Zanto said in prior P3 presentations, we worked with the uncertainty of federal funding and we were seeing decline. Paul Johnson said yes we were seeing decline. We would hold the Interstate as steady as we could but all three graphs showed decline because we were not keeping up with inflation.

### *Bridge Program*

Bridge is in a state of transition. We've talked about a few of the issues that have popped up. We were able to track our performance more strategically again and "functionally obsolete" is not part of the equation anymore. We have requirements for the National Highway Performance Bridge Performance Metrics that relate to both MAP21 and the FAST Act. The requirement in MAP21 was carried over in the FAST Act that required us to have less than 10% of our NHS bridge deck area be structurally deficient. We are currently at 8% and that's mostly bridge decks. Now that might seem a little bit high but for us prior analysis showed an increase in this category and now we're holding steady. That means we have had some effect on this particular metric in holding it steady and we have a lot more work scheduled to bring that number down. In speaking with the head of our Bridge Program, he is comfortable saying that he believes this number will go down. There is a big asterisk with that because we have some other bridge deck issues out there. If those turn out to be much more severe than we suspect, as discussed previously, then all bets are off. Based on what we see right now the thought is that we will hold steady or improve in that particular area. There is going to be some additional FHWA guidance to come on performance metrics but we're not sure what that is yet.

On-System Program encompasses things like Secondary Routes, Primaries, all of the routes on the lower level systems. That is a choice year-to-year. We set our performance metrics and prioritization strategies on what's best for MDT. There aren't too many federal requirements that relate to that. We make our best decisions based on the information that's available and react to those. In regard to Off System Bridge – there is a funding threshold and we vastly exceed that especially last year.

### *The Bridge Program Moving Forward*

The FAST Act effects on the MDT Bridge Program – the MAP21 Performance Metrics are still in place for NHPP and Off-System Bridges and we are meeting those. The performance on the NHPP, which is the Interstate and the NHS, is holding steady and we're expecting to improve that. We have a continued high-level of investment for NHS bridges and we'll see how those numbers change with that investment. We have a strategic approach for other MDT and off-system bridges meaning that we can be flexible on how we respond to those to meet our state needs not responding to something nationally. We have a greater number of preservation rehabilitation strategies available and we are awaiting FHWA guidance on additional bridge metrics. For now we're holding steady and doing well in this category.

### *Congestion Analysis*

With regard to congestion analysis, presently we are awaiting final decision on the congestion or the reliability metric from FHWA. In the past, we had a congestion metric that was considered to be a level of service. You would see Level of Service A – F and that was our state's way of doing business. FHWA has suggested adoption of a metric for reliability which is slightly different. The measures and metrics associated with reliability have to do with the travel time reliability – the amount of time it takes to go from Point A to Point B. The measure would be the percent of Interstate or NHS that provides for reliable travel. The metric would be the level of travel time reliability. So it's kind of a complicated equation and there's been a number of challenges in initiating this particular course of action. There is a high level of data that's involved. So essentially what FHWA and the federal movement involved in this effort is to take all of the travel times they know about from cell phone, transponders and then figure out what a reliable time is and compare the rest of your network versus a reliable section and see how much of your network is reliable. Well, what we're going to find out for the State of Montana is that we're mostly reliable. So it probably isn't the best measure for us. We've provided a lot of

comments on this particular measure. Lynn Zanto said they set it at a national perspective with really urbanized areas of a million plus and not thinking about reliability needs in rural areas. We have commented heavily under Director Tooley's signature but also with our five state border coalition and we are also very involved in AASHTO's comments to this. The jury is out so we don't know what the final determination is. Paul said our main objection to the requirement is that you have to get vast amounts of data and process those and we don't have the systems to do it. We would have to get a contractor with these skills to manage our data and in the end it would tell us we are pretty darn reliable. For us it isn't the best measure. But if it's required then we'll comply. If there is something better we can do that maybe points back more to what we were doing previously with level of service, we'll investigate that as well. In this particular case, its stay tuned and see what comes of this.

Overall our reliability, our congestion, whatever measure that you're looking at, on a statewide basis we're fairly reliable. We do identify specific location that require some attention from a congestion standpoint. Typically via corridor studies or other tools and we integrate those into our program. We do have the tools to do this, it is just how you report on this that's up in the air. I think we are very proactive in that area.

### *Funding Recommendations*

You're not going to see a lot of change in the funding distribution and there's a number of reasons for that. Typically this is like a big moving ship. You'll gather data and it will turn a little bit but usually doesn't turn substantially. A few of the highlights (referring to graph) in the Average Ride Quality. You will find between systems and districts that everything is fairly equivalent as far as not giving one district or one system more. First I have to mention, clearly the Interstate is the higher level condition and NHS is the second and Primary is third. If you look across the board there is no difference between the districts. We are going for quality of condition for each of the systems and you can see that demonstrated in the Average Ride Quality area.

As far as percentage of Pavement Undesirable – we don't really track this as a performance metric but I like to put this out there to show that we don't have a lot of awful pavement out on our system. In some cases you can have a really good performance level that's very high but you have some pavement that is just awful. So you've got a lot of good and then there's a few out there that are piling up. What we're seeing is there is not a lot of very undesirable pavements out there.

Lastly is the percent by district and system of the funding package that we're going to advance for Federal Fiscal 2021. What you'll see is that across the board, if you look at the sum total per district, there's no change between districts with one exception. The Glendive District went up by one percentage point and the Billings District went down by one percentage point. So we've seen over time there are a couple of trends that continue. There's two systems out there that have a lot of needs: Missoula has a lot of lane miles and a lot of traffic and there's a lot of wear and tear on the pavement; and Glendive has a lot of lane miles. In the past the system said these weren't a priority yet, sure they're old but they're getting us by. Well more and more those things are clicking in. As we're getting the other systems upgraded you're going to see that. So for the next few years this isn't going to be changing much, Missoula and Glendive will usually be one and two.

Commissioner Cobb asked regarding the one percent, do you mean 23 and 17 or something else. You said there was a difference between Glendive and Billings, is everything still pretty much the same as last year except 23 and 17. Paul said yes. Commissioner Cobb asked if those are Primary. Paul said internally where you're seeing the shift, if you look to the performance graphs, you see that on the Interstate System we've been able for quite some time to keep performance up with not a lot of investment. Why is that? Because we are in a preservation mode. We're doing a lot



of preservation work; we don't have a lot of reconstruction needs or geometric needs so it's easier to maintain the Interstate System. Where our needs are currently is the NHS System. We added so many routes to NHS so some of the shuffling you're seeing internally is a result of some of those routes emerging needs. So the NHS went up slightly. Then the Primary is the third tier. If there are any trends I can say that Glendive continues to have those older roads surface and Missoula continues to have a lot of lane miles, a lot of need and a lot of traffic. The emphasis on the NHS and money shifting to the NHS to address those needs, a lot of that has to do with older roads, geometrics, and that sort of thing. The Primary, whatever we have that we can pump up the primary performance then we do that as the third tier.

Commissioner Cobb asked if number 7 changed more than 20. Paul said not the totals. Commissioner Cobb asked if between them they had changed much. Paul said no. Commissioner Griffith said sometimes I don't think this actually reflects the system. I think the point of percentage of pavements in the Missoula District as being undesirable at zero – 50% of their pavement is undesirable; it's awful. From Missoula to the border the pavement is awful. Paul said one thing I will say is the analysis starts with a 10-year analysis and we put all of the projects in the program, so the area of Frenchtown is in the program and will be delivered soon and is on the schedule for next year. Commissioner Griffith asked if there is a question on whether it's in or out. Paul said that will be determined later but it's ready to go. The plan for the district would be to address that as soon as possible. Funding is available and it looks like it is ready and it is a priority, which I think is a reasonable statement. Then for the five-year analysis, those projects that are in the program that help address these issues are given consideration in this analysis. So it says here's our base conditions, here's what we have in the plan, what are we missing and what are the remaining needs. Things like those types of projects are actually given consideration. You are correct that those are some of the few undesirable pieces of pavement on the Interstate System – Frenchtown, St. Regis, and those little sections in there but for the most part those are in the program and will be coming on the Interstate System. If somebody is curious how this translates into dollars, these projects are the dollar amounts that would be showing up in your TCP as far as your apportionment amounts. They are pretty close. I crunched them in advance and it looks like they'll be pretty close.

For historical reference, these are all of the funding distributions back to 2016. If you want to see trends over time you can look at your district and see how things changed over time. Billings has been parked at about 17% for as long as I can remember. It clicked up to 18% when we added some NHS routes but it went back to 17%. You'll see Glendive go up, Missoula go down, and you see Butte remains steady, and Great Falls is around 17%-18%. So going through the years, you don't see a whole lot of change and you really shouldn't. So you see Missoula has been meeting their needs, their number has gone down a little bit. Glendive's number have gone up. The Butte District has remained the same for the last couple of years. There is some shifting of needs within the systems in Butte for instance but the number has stayed relatively steady. Those are the changes over time. Paul said it is interesting because the numbers don't change significantly, only 10%-20% changes each year because we're only adding one new year. So 80% of it should be the same.

#### *Concurrence Items*

This is not statutory approval, this is a concurrence. It's in conjunction with the advance of the TCP. The things we're looking for concurrence on today is the funding distribution, the funding reserves that we talked about and specifically that distribution which we reviewed, and the funding reserves.

Commissioner Cobb asked if Broadus Interchange was in or out. Paul said that is in. That will be done. It's an Interstate Capacity Project. It will present us with an interesting challenge if it's not eligible for NHS funding. Next year we'll be having

that discussion. It is a commitment that we've made. Commissioner Cobb said that is because Interstate Reserve is going to end so the money we have there may not go to Broadus and you'll have to figure out how to pay for it. Paul said it would be Core Funding if we can't use NHS funding. Lynn Zanto said this was a commitment that the Commission prioritized a long time ago. We would complete this with our Interstate Capacity Reserve because we planned for that. Then come December 4<sup>th</sup> and the TCP following that we'll have some new priorities but we won't abandon putting Interstate Capacity Reserve toward that. Commissioner Cobb said you projected \$10 million forever but it ends sometime. So you have \$10 million that is outside of everything. Lynn Zanto said it is built into the fund plan through the years. Commissioner Cobb said the plan is something separate and this is additional monies. Paul said it can be. You can approach it two different ways: you could approach it as a prioritization process which is its own process that operates independently or you could chose the other projects that develop through other systems like Bridge and where the funding applied, you could pick from those. Commissioner Cobb said no matter what, we have to reallocated money somewhere in the system and Broadus is going to get done. Paul said yes.

Commissioner Belcourt asked if he could get the slides for 2016. Paul said he would get those to him. Commissioner Griffith said a couple of us may not be sitting here the next time we do P3 and the Red Book. So promise that you'll do this ahead of time and that you get us the slides. Paul said the information is compiled almost down to the last minute. We'll give you a couple of days to look at it. In this case we were still working on things as late as yesterday. Commissioner Griffith said as I look at this, the Missoula District has gone from 27% to 23% which is \$400 million so it's a big number. Commissioner Belcourt is new to the Commission and we need the time to go through this ahead of time. Paul said part of my assumption is that you guys are familiar with this to some degree but if you have new folks, they're going to need more time as well as more introduction to the subject. Commissioner Belcourt asked if the districts have been involved. Paul said yes completely, they have all weighed in. Just for your information we do have an internal meeting where we introduce the concepts initially to the districts and discuss internally and it's usually 7-10 days in front of this. So the districts are aware of these concepts. I heard from every district on some element of this. So they get a chance to review and digest, so they're not out of the loop. You guys should definitely see more information earlier, so we'll make sure we get that out to you.

Commissioner Griffith said the point is this is a blue smoke and mirrors press release type of presentation. I'm not being negative but the point is ride to some extent may have improved but as a system we've got all these projects that are sitting outside the system that aren't even here yet. We can't put any more in because we still have projects beyond 2021 that haven't hit the system. We've got projects sitting that far out. This makes it too warm and fuzzy about the condition our system really is in. Yes, you've done a good job managing ride maintenance but the system is still extremely deficient over a period of time. You've done good job of putting that together and saying look at how good we've done, and I agree you've done good with that but it doesn't take the whole picture in of all the projects that are sitting out there. We can't even nominate projects because they have no chance of getting into the Red Book. Paul said you're right, this doesn't speak to needs. This is the prioritized needs. A lot of the metrics you see are federal matrix that speak in terms of "ride". Ride is a lot like an odometer – it's an indicator but it doesn't tell you specifically how everything is going. As a tool to advance funding its good but behind the scenes there is a lot of analysis and I give a lot of credit to the engineers. So you're right, this is the dashboard view; this is the condensed version. The hard work of lots of folks, a whole year's worth of work condensed into a 30-minute presentation and it can't do it justice but we certainly can make it more reflective of what you want to see. We have that ability. So we will definitely entertainment that. You're right this is the Reader's Digest version. The intricacies of some of these elements are off the charts. The bridge analysis, the pavement analysis, there are

whole careers that you don't even see behind the scenes that are driving it. So the awareness is high.

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

The motion passed unanimously.

### **Next Commission Meeting**

The next Commission Conference Calls were scheduled for October 4, 2016 and October 25, 2016. The next Commission Meeting was scheduled for October 26, 2016.

### **Adjourned**

Meeting Adjourned

Commissioner Griffith, Chairman  
Montana Transportation Commission

Mike Tooley, Director  
Montana Department of Transportation

Lori K. Ryan, Secretary  
Montana Transportation Commission