

**MINUTES OF THE REGULAR TRANSPORTATION COMMISSION MEETING
HELD IN THE O.D.O.T. BUILDING COMMISSION MEETING ROOM
OKLAHOMA CITY, OKLAHOMA**

BE IT REMEMBERED that on Monday, the 7th day of July, 2003, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, OK.

Present:	Dan Overland	Chairman
	Carlisle Mabrey	Member
	James H. Dunegan	Vice Chairman
	Jackie Cooper	Member
	Jack Begley	Secretary
	Larry Wade	Member
	Brad Burgess	Member
	Guy Berry	Member

Chairman Dan Overland presiding

The agenda for this Commission Meeting was posted at or before 11:00 a.m. on Monday, June 30, 2003, prior to the meeting. Said notification was placed in the display case in the lobby of the ODOT Building and on the glass doors on the north side of the ODOT Building, and sent to the Secretary of State in accordance with 25 O.S. Section 311.

The following items were presented and approved as written at the Transportation Commission meeting of July 7, 2003. For those items amended, deferred, withdrawn or rejected those notations were also made. Action taken by the Commission is noted here on these sheets

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

95. Approval of the Minutes of the Regular Commission Meeting of June 2, 2003

ACTION: Berry moved and Burgess seconded; that the Commission approve the Minutes as written and distributed.
MOTION carried by the following vote:
AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry
NAYS:
ABSENT:

Chief Engineer Bruce Taylor recognized the work of Mr. George M. "Mack" Riddle for his work as Program Manager for Oklahoma's Capital Improvement Projects

Note: No action necessary; information only.

96. Introduction of new Assistant Director - Preconstruction (Mr. Taylor)

Note: No action necessary; information only.

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

97. Change Orders of \$10,000.00 or Less (Mr. Raymond)

a) Cleveland County - IS-35 - IMY-35-2(242)118 / 17937(04), \$1,370.79

- b) Delaware County - SH-412A - BRFY-21C(242) / 13407(04), \$4,000.00
- c) Garfield County - US-412 - NHY-019N(038) / 12545(04), \$2,876.46
- d) Harmon County - Co. Br. - BRO-129D(12)CO / 18770(04), \$3,520.89 No Additional Funds Required
- e) Lincoln County - SH-18 - SAP-141C(86) / 18714(04), \$5,854.64 Underrun
- f) McClain County - IS-35 - BHIY-35-2(243)92/BHIY-35-2(245)63 / 17940(05), \$1,312.04
- g) McClain County - SH-9 - STPY-144B(18) / 17227(04), \$1,218.47
- h) Oklahoma County - IS-40/IS-44 - NHG-15N(29)TR / 19583(04), \$7,497.29
- i) Pontotoc County - SH-3E - NHY-012N(44) / 10164(05), \$303,936.80 Underrun
- j) Pontotoc County - Co. Rd. - STP-162B(57)CO / 18203(04), \$73.98 No Additional Funds Required

- k) Roger Mills County - Co. Br. - BRO-165D(17)CO / 18374(04), \$1,179.76
- l) Tulsa County - IS-44 - IM-NHI-44-2(337)231 / 06374(33), \$9,671.21
- m) Tulsa County - Various - IMG-44-2(405) 237TR / 19850(04) #1, \$9,240.00
- n) Tulsa County - SH-51 - NHY-15N(16)/BHFY-15N(17) / 17082(04), \$1,800.00
- o) Tulsa County - SH-11 - STP-172A(28)IG / 16025(06) #10, \$5,212.50
- p) Tulsa County - Ct. St. - STP-172B(33)UR / 17028(04), \$6,137.20
- q) Tulsa County - Various - STPY-172F(235) / 20496(04), \$9,810.00
- r) Wagoner County - US-69 - CIP-173N(69)IP / 19098(04), \$2,912.00 Underrun

98. Traffic Control Improvement Projects (Mr. Smart)

The following projects are funded with dedicated STP and safety funds:

- a) Muskogee County - installation of traffic signals at two locations on SH-165 (\$200,000 federal funds and \$50,000 county funds).
- b) Comanche County - installation of traffic signal at the intersection of SH-7 and SE 45th Street in the City of Lawton (\$160,000 federal funds and \$40,000 city funds).
- c) Delaware County - installation of traffic signal at the intersection of US-59 and State Park Road in the City of Grove (\$-0-).
- d) Rogers County - installation of traffic signal and intersection modification at the intersection of SH-66 and Frederick Road in the City of Claremore (\$-0-).
- e) Washington County - installation of intersection warning signs with flashing beacons on US-75 at Wyandotte Avenue in the Town of Ramona (\$31,500 federal funds and \$3,500 city funds).

99. Speed Zones (Mr. Smart)

- a) Sequoyah County - along US-64 in the Town of Moffett (Town Concurrence)
- b) Choctaw County - along US-70 in the Town of Boswell (Town Concurrence)
- c) Delaware County - along SH-10
- d) Mayes County - along SH-412B

100. Land Sales (Mr. Bell)

- a) Mayes County - SH-20, 2-1/2 miles east of the Mayes/Rogers County line (parcel 43)
- b) Mayes County - SH-20, 2-1/2 miles east of the Mayes/Rogers County line (parcel 45)
- c) McClain County - SH-76, 1-1/2 miles north of intersection of SH-39
- d) Roger Mills County - northwest corner of SH-34 and Savage Street in the Town of Hammon

101. County Bridge and Road Improvement Fund Force Account Project (Mr. Khatib)

- a) Lincoln County - bridge replacement project on county road 2.0 miles south and 0.5 mile east of US-177/SH_105 junction (\$40,000 100% CBRI funds).
- b) Logan County - bridge replacement project over Fall Creek 7.1 miles south and 2.8 miles east of Meridian (45,000 100% CBRI funds).

102. Programming of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds for At-Grade Railroad Crossing Safety Projects (Mr. Kyle)

- a) Creek County - Signal/Surface Project at Euchee Street near Sapulpa with Stillwater Central Railroad (\$135,000 federal funds, \$2,500 railroad funds and \$12,500 other funds; \$150,000 total)
- b) Grady County - Signal/Surface Project at 9th Street in Chickasha with the Stillwater Central Railroad (\$171,000 federal funds, \$6,000 railroad funds and \$13,000 other funds; \$190,000 total)
- c) Grady County - Corridor Project at three locations in Verden with the Union Pacific Railroad Company (\$441,000 federal funds and \$49,000 railroad funds; \$490,000 total)
- d) Pontotoc County - Signal Project at Main Street in Ada with The Burlington Northern and Santa Fe Railway Company (\$162,000 federal funds and \$18,000 other funds; \$180,000 total)
- e) Sequoyah County - Signal/Roadway Project at County Road EW-467 near Sallisaw with the Union Pacific Railroad Company (\$148,500 federal funds and \$16,500 other funds; \$165,000 total)
- f) Tulsa County - Signal/Surface Project at Toledo Avenue in Tulsa with the Stillwater Central Railroad (\$153,000 federal, \$4,500 railroad funds and \$12,500 other funds; \$170,000 total)
- g) Washington County - Signal/Surface Project at County Road EW-13 near Dewey with the Stillwater Central Railroad Company (\$139,500 federal funds, \$3,000 railroad funds and \$12,500 other funds; \$155,000 total)

ACTION: Wade moved and Dunegan seconded; that the Commission approve the recommendations as presented.

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

END OF CONSENT DOCKET

ITEMS PRESENTED BY THE ASSISTANT DIRECTOR - PRE-CONSTRUCTION - Mr. Streb

103. Supplemental Engineering Contracts

- a) Statewide (All Districts) - Bridge Overload - Supplemental Contract No. 1 (100% State funded)
- b) Statewide (All Districts) - Underwater Bridge Inspections - Supplemental Contract No. 1 (80% federal funds and 20% soft match credit)
- c) McClain County - E.C. 647 Supplement No. 2 to Triad Design Group to prepare functionals for the complete interchange and complete detailed final design plans for the interim solution to the west half at the interchange of I-35 and SH-9. This is in the eight-year Construction Work Plan and STIP (90% federal funds and 10% soft match credit)

ACTION: Berry moved and Begley seconded; that the Commission approve the recommendations as presented.

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

ITEMS PRESENTED ON BEHALF OF THE DIRECTOR'S OFFICE - Mr. Surrent

104. Additions to the Industrial Access Road Program

- a) Marshall County - The City of Madill is requesting approval for an industrial access project for Oklahoma Steel & Wire; Department's participation not to exceed \$269,000
- b) Bryan County - The City of Durant is requesting approval for an industrial access project for Cardinal Glass; Department's participation not to exceed \$197,000
- c) Carter County - The City of Ardmore and the Ardmore Development Authority are requesting approval for an industrial access project for the Best Buy Distribution Center; Department's participation not to not exceed \$225,000
- d) Adair County - The City of Westville is requesting approval for an industrial access project for the new Hanna's Candles manufacturing facility; Department's participation not to exceed \$170,00
- e) Delaware County - Delaware County is requesting approval for an industrial access project for the Cobb-Vantress Grand Meadows Farm facility; Department's participation not to exceed \$55,000

Note: Item 104. d) should state that the Department's participation not to exceed \$170,000.

ACTION: Dunegan moved and Berry seconded; that the recommendations be approved, noting dollar correction on Item 104 .d)

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

105. Addition to Lake Access Road Program

- a) Sequoyah County Commissions are requesting approval for a lake access project for Roland Lake; Department's participation not to exceed \$267,000

ACTION: Burgess moved and Mabrey seconded; that the recommendation be approved as presented

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins

106. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final August 2003 Bid Opening
- c) Tentative September 2003 Bid Opening
- d) Tentative October 2003 Bid Opening

ACTION: Berry moved and Wade seconded; that the recommendations be approved as presented

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond

107. Change Orders Greater Than \$10,000.00 (Mr. Raymond)

- a) Blaine County - US-281 - NHY-10N(005)(17) / 12556(04), \$66,160.12
- b) Cherokee County - Pk. Rd. - SAP-111D(58) / 20453(04), \$32,746.50
- c) Grant County - US-60 - STPY-27B(235) / 00418(04), \$48,884.00
- d) Kay County - IS-35 - IMY-35-4(170)229IR / 15887(04) #12, \$38,873.02
- e) Kay County - IS-35 - IMY-35-4(170)229IR / 15887(04) #11, \$159,179.00
- f) McClain County - IS-35 - IMY-35-2(275)95IR/IMY-35-2(276)101IR / 19568(04), \$57,748.20
- g) Noble County - Co. Br. - BRO-152D(31)(36)CO / 17787(04), \$22,500.00
- h) Okfuskee County - SH-56 - BRFY-154C(005) / 16235(04), \$16,406.25
- i) Okmulgee County - SH-52 - CIP-156C(52)(63)IP / 19102(04), \$89,927.30
- j) Pawnee County - US-64 - CIP-159B(007)IP / 16990(04), \$12,980.18
- k) Pittsburg County - Co. Br. - BRO-61D(373)CO / 12912(04), \$17,212.50
- l) Sequoyah County - SH-100 - IMY-40-6(316)290 / 20029(33), \$17,253.29
- m) Tulsa County - Various - IMG-44-2(405)237TR / 19850(04) #2, \$10,668.00
- n) Tulsa County - SH-11 - STP-172A(28)IG / 16025(06) #8, \$18,034.95
- o) Tulsa County - SH-11 - STP-172A(28)IG / 16025(06) #9, \$71,127.16

ACTION: Begley moved and Dunegan seconded; that the Commission approve the recommendations as presented

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

ITEMS PRESENTED BY THE OFFICE ENGINEER - Mr. Stewart

108. Awards

ACTION: Wade moved and Berry seconded; that the Commission approve the recommendations as presented

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

ITEMS PRESENTED BY THE ASSISTANT DIRECTOR - ADMINISTRATION - Mr. Mayberry

109. Highway and Bridge namings requiring signage

- a) The Oklahoma Administrative Code (OAC), Title 730:15-1-9 provides that, "Highways, bridges and other facilities which are part of the state highway system may be considered for dedication in honor of individuals deserving of commendation for the active involvement in the project or for outstanding service to the nation, this state, or their community. Persons proposed to be so honored shall have been deceased not less than five years prior to consideration. Proposals for the dedication of state highway facilities should specifically state the accomplishments upon which the proposal is based."

Further, OAC Title 730:1-3-3 provides that "the Commission shall prescribe the rules by which the Department of Transportation operates. Rules for the operation of the Department shall be adopted in accordance with the requirements of Article 1 of the Oklahoma Administrative Procedures Act. The

Commission shall maintain final authority on the application of its rules and may by unanimous vote of the Commission, suspend the effect of any rule for a particular circumstance which to do so is in the public interest.”

At this time, it is recommended that the Commission, under the authority of Title 730:1-3-3, consider suspending Title 730:15-1-9 for the items listed below. In so doing, the five year requirement will be waived and the affected highways will be memorialized as recommended by the Oklahoma Legislature.

Please vote now on Item a). If it is approved, Items b) through f) will then be presented for your consideration.

ACTION: Begley moved and Cooper seconded; that the Commission approve the recommendation 109. a) as presented

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

- b) In accordance with Senate Concurrent Resolution 9, filed with the Secretary of State on April 15, 2003, the Department has been directed to designate a certain portion of SH-64 as the “Dwight C. Woodrell, Jr., Memorial Highway” from the city limits of Pawnee east to the city limits of Cleveland in Pawnee County. (Division IV)

Note: Designation of highway should be US-64 in Division VIII

- c) In accordance with Senate Concurrent Resolution 18, filed with the Secretary of State on May 24, 2002, the Department has been directed to designate a certain portion of SH-15 as the “Henry Bellmon Highway” from the intersection of SH-177 in Noble County west to the intersection of SH-74 in Garfield County. (Division IV)

- d) In accordance with Senate Concurrent Resolution 19, filed with Secretary of State on April 15, 2003, the Department has been directed to designate SH-77 as the “Congressman Bill K. Brewster Highway” from the intersection of SH-199 in Carter County south to SH-32 in Love County. (Division VII)

Note: Designation of highway should be US-77

- e) In accordance with Senate Concurrent Resolution 34, filed with Secretary of State on May 23, 2003, the Department has been directed to designate a certain portion of SH-70 as the “Tom Tipps Highway” from the intersection of SH-77 west to SH-76 in Carter County. (Division VII)

Note: Designation of highway should be US-70

- f) In accordance with House Concurrent Resolution 1026, filed with Secretary of State on May 27, 2003, the Department has been directed to designate the bridge on Interstate 40 that extends over Sunnyslane Road in Del City in Oklahoma County as the “Bob Wood Memorial Bridge.” (Division IV)

ACTION: Burgess moved and Cooper seconded; that the Commission approve the recommendations, noting corrections of highway designations in Items 109. b), d), and e), and Division number correction on Item 109. b)

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

ITEMS PRESENTED BY THE ASSISTANT DIRECTOR - FISCAL AND PROGRAMS -

Mr. Patterson

110. Settlement - Farmer's Insurance Company's proposed settlement for damages to retaining wall and other components of the facility on I-40 at Virginia Avenue in Oklahoma County. Damages resulted from an accident at that location on May 17, 2002.

ACTION: Burgess moved and Cooper seconded; that the Commission approve the recommendation as presented

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

111. FY2004 Budget Work Program

The FY2004 Budget Work Program submitted and approved in June 2003 for \$662,443,328 was based on an anticipated state appropriation of \$155,000,000. Subsequent to preparing the budget for Commission approval, the amount of the appropriation bill changed to \$192,185,387. The Assistant Director - Fiscal and Programs requests to increase the FY2004 budget to allow utilization of the additional state funding.

ACTION: Mabrey moved and Dunegan seconded; that the Commission approve the recommendation as presented

MOTION carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Begley, Wade, Burgess and Berry

NAYS:

ABSENT:

Meeting Adjourned at 11:42 a.m.

Approval of the Minutes of the Regular Transportation Commission Meeting of July 7, 2003

Dan Overland, Chairman

Jack Begley, Secretary

(Seal)