

**MINUTES OF THE REGULAR TRANSPORTATION COMMISSION MEETING  
HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM  
OKLAHOMA CITY, OKLAHOMA**

**DATE:** Monday, March 2, 2009  
**TIME:** 11:00 a.m.  
**PLACE:** Commission Meeting Room, ODOT Building

BE IT REMEMBERED that on Monday, the 2nd day of March, 2009, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, Oklahoma.

Present: Carlisle Mabrey Member  
James H. Dunegan Vice Chairman  
Jackie Cooper Member  
Dan Overland Chairman  
Loyd Benson Member  
Bruce Benbrook Member  
Brad Burgess Member  
Guy Berry Member  
Presiding: Dan Overland Chairman

The agenda for this Commission Meeting was posted at or before 4:00 p.m. on Wednesday, February 25, 2009, prior to the meeting. The notification was posted on the Atrium Informational Monitor in the ODOT Building, 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 Regular Transportation Commission meeting of March 2, 2009. For those items amended, deferred or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Chairman Overland opened the meeting and announced that a Special Meeting of the Transportation Commission is being called on March 30, 2009, at 11:00 a.m. The Regular Meeting of the Transportation Commission scheduled for April 6, 2009, is cancelled.

**ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION**

29. Approval of the Minutes of the Regular Transportation Commission Meeting of February 2, 2009

**ACTION:** Dunegan moved and Cooper seconded that the Minutes be approved as presented.  
**MOTION:** Carried by the following vote:  
**AYES:** Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry  
**NAYS:**  
**ABSENT:**

**CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

30. **Traffic Control Improvement Projects - Mr. Smart**

a) Cleveland County - Commission District III - change the traffic control at the intersections of the I-35 Frontage Roads and Indian Hills Road in the City of Norman

- b) Cleveland County - Commission District III - installation of a traffic signal system at the intersection of US-77 and Imhoff Road in the City of Norman
- c) Cleveland County - Commission District III - installation of a traffic signal system at the intersection of SH-77H (12<sup>th</sup> Street) and Robinson Avenue in the City of Norman
- d) Kay County - Commission District IV - change traffic control at the intersection of US-177 and Hubbard Road.

31. **Renewal of Existing Logo Signing Agreement - Mr. Smart**

- a) Statewide Interstate Highway System Commission Divisions I, III, IV, VII and VIII. The Department requests approval to renew the Oklahoma Logos, LLC Agreement which will expire on April 15, 2009.

**Note:** Item No. 31 is **deleted**.

32. **Speed Zone Revisions - Mr. Smart**

- a) Seminole County - Commission District III - various locations along SH-9 in the City of Seminole
- b) Caddo County - Commission District VII - various locations along US-281 in the Town of Hinton

33. **Land Sales - Mr. Bell**

- a) Cherokee County - SH-82 southeast of the Town of Peggs

34. **Programming of Federal Railroad Crossing Safety Funds - Section 130 Title 23 Funds - Mr. Kyle**

- a) Caddo County - construction funding for a signal/surface project near Apache
- b) Craig County - construction funding for a signal/surface project near Welch
- c) Kiowa County - construction funding for a surface project near Snyder
- d) Rogers County - construction funding for a signal/surface project in Talala
- e) Tillman County - construction funding for a surface project in Frederick

35. **Requests for County Bridge and Road Improvement Fund Force Account Projects - Mr. Sheffert**

- a) Adair County - bridge over low-water crossing at Unnamed Creek west of Stilwell
- b) Adair County - road D4685, repair low-water crossing over Illinois River west and north of Watts
- c) Delaware County - roadway construction on EW320 from S520 to S515
- d) Ellis County - road project on EW-53, replace culverts and roadway north and east of Arnett
- e) Haskell County - bridge over Emachaya Creek east of junction of SH-9/SH-71

- f) Haskell County - bridge over Unnamed Creek south and east of Keota
- g) Kingfisher County - bridge on county road NS-292 over Lyon Creek east and north of Hennessey
- h) Major County - bridge on NS-244 over Cheyenne Creek south of Cheyenne Valley
- i) Major County - bridge on EW -48 over an Unnamed Creek north and west of the SH-58/SH-8 junction in Fairview
- j) Major County - bridge on NS-258 over an Unnamed Creek east and north of the SH-58/SH-8 junction in Fairview
- k) Noble County - bridge on EW-50 over an Unnamed Creek 4.2 miles west of the I-35/US-77 junction
- l) Noble County - bridge on EW-50 over an unnamed creek 3.8 miles west of the I-35/US-77 junction

36. **State Highway System Revision - Ms. McGovern**

- a) Hughes County - Relocation of US-75 at Wetumka. A Public Removal Hearing was held February 10, 2009.

37. **Statewide - Certification of County Road Mileages - Ms. McGovern**

Title 69, O.S. 2002, Section 316, requires that the Transportation Commission annually certify to the Tax Commission the county road mileage of each county in Oklahoma as it existed on the first day of January each year.

**Note:** Item No. 31 was deleted prior to meeting time on March 2, 2009.

ACTION: Mabrey moved and Berry seconded that the Items be approved as presented, noting that Item No. 31 was deleted.  
 MOTION: Carried by the following vote:  
 AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry  
 NAYS:  
 ABSENT:

**END OF CONSENT DOCKET**

**ITEM PRESENTED BY THE DIRECTOR OF ENGINEERING - Mr. Streb**

**Note:** The following items were presented by Mr. Kurt Harms.

38. Programming Item

- a) Oklahoma County - Commission District IV, I-40 at Choctaw Road, Vehicle Damage - \$30,000.00

ACTION: Benbrook moved and Cooper seconded that the Item be approved as presented.  
 MOTION: Carried by the following vote:  
 AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:  
ABSENT:

39. Engineering Contracts

- a) Statewide, All Districts, Demand Services, Environmental Studies for CIRB Program, EC 1231 - \$2,000,000.00
- b) Statewide, All Districts, Off-system County and Municipal Bridge Inspection Program, EC 1232 - \$2,500,000.00
- c) Statewide, All Districts, Demand Services, Land Survey, EC 1233 - \$1,000,000.00

ACTION: Benson moved and Dunegan seconded that the Items be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT:

40. Engineering Contract Supplements

- a) Adair and Cherokee Counties, Commission District I, SH-51, EC 914, Supplement No.1 - \$23,000.00
- b) McClain County, Commission District III, SH-9/I-35, EC 647, Supplement No. 4 - \$435,400.00
- c) Noble County, Commission District IV, US-64, EC 1036, Supplement No. 2 - \$48,200.00
- d) Oklahoma County, Commission District IV, I-235, EC 651, Supplement No. 4 - \$1,347,000.00
- e) Kiowa County, Commission District V, US-183, EC 577G, Supplement No. 9 - \$394,000.00
- f) Caddo County, Commission District VII, SH-152, EC 1138, Supplement No. 1 - \$239,000.00
- g) Osage County, Commission District VIII, US-60, EC 1063, Supplement No. 3 - \$52,000.00
- h) Ottawa County, Commission District VIII, SH-10, EC 1072, Supplement No. 1 - \$125,000.00

**Note:** Concerning Item 40.h), the narrative should be corrected to indicate the first scheduled letting date is FFY 2010.

ACTION: Burgess moved and Cooper seconded that the Items be approved as presented, noting the letting date of FFY 2010.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT:

**ITEM PRESENTED ON BEHALF OF THE PLANNING AND RESEARCH DIVISION - Ms. Borelli**

41. Statewide Transportation Improvement Program

In accordance with federal law, the Department has prepared the Statewide Transportation Improvement Program (STIP) for Federal Fiscal Years 2009-2012. Upon receiving Commission approval, the STIP will be forwarded to Federal Highway and Federal Transit Administrations for formal approval.

ACTION: Benbrook moved and Dunegan seconded that the Item be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry  
NAYS:  
ABSENT:

**ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER - Mr. Adkins**

42. Lettings

- a) Deletions and Additions to the Bid Openings
- b) Final April 2009
- c) Tentative May 2009 Bid Opening
- d) Tentative June 2009 Bid Opening

ACTION: Dunegan moved and Berry seconded that the Items be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry  
NAYS:  
ABSENT:

**ITEMS PRESENTED BY THE CONSTRUCTION DIVISION ENGINEER - Mr. Raymond**

**Note:** The following Items were presented by Mr. Gary Evans.

43. Change Orders - Cumulative Total - \$50,000.00 or Less - **Information Only**

- a) Caddo County - SH-19 - SSR-108C(248)SR / 25697(04), \$13,822.92
- b) Canadian County - SH-4 - STPY-109B(077) / 20851(04), \$0.00
- c) Canadian County - Co.Rd. - BRO-109D(088)CO / 21565(04), \$46,718.52
- d) Canadian County - SH-66 - SAB-109C(118)BF/MC-109C(126) / 23214(04), \$3,000.00
- e) Carter County - SH-199 - STPY-110B(211)RW / 20231(09), \$9,407.55
- f) Cleveland County - Ct.St. - STP-114B(138)AG / 22089(04), \$19,128.59
- g) Coal County - Co. Rd. - BRO-115D(019)CO / 19305(04), \$1,000.00
- h) Ellis County - Co. Rd. - BRO-123D(047)CO / 23065(04), \$5,361.83
- i) Garfield County - Co. Rd. - BRO-124D(099)CO / 23740(04), \$7,536.00
- j) Garvin County - IS-35 - IMY-35-2(265)74/BHIY-35-2(267)70/IMY-40-5(359)211/BH FY-125C(82) / 18003(05), \$7,000.00
- k) Kiowa County - US-183 - NHY-9N(006) / 16063(04), \$84,236.25 Underrun
- l) Latimer County - SH-2 - BRFY-139B(062) / 23142(04), \$990.00
- m) Logan County - SH-51- BRFY-142C(48)(123) / 18361(04), \$38,340.40
- n) Love County - IS-35 - SEC1702Y-143N(072)HP / 22161(10), \$47,321.36 Underrun
- o) McCurtain County - US-70 - ACNHY-022N(145)GB / 18842(04), \$5,240.00
- p) Muskogee County - SH-2 - SBR-151B(162)SB / 24000(04), \$13,003.76
- q) Nowata County - US-75A - BRFY-119C(177) / 23185(05), \$1,177.39
- r) Oklahoma County - Ct. St. - DEMO-OMAC(001)MT / 18991(04), \$1,260.00
- s) Osage County - SH-99 - STPY-157B(152)3R / 25742(04), \$2,100.00
- t) Ottawa County - SH-10 - STPY-158A(089) / 22562(04), \$15,271.82
- u) Tulsa County - IS-244 - IMY-244-2(463)004 MS / 24720(04), \$2,768.00 Underrun
- v) Wagoner County - Ct. St. - STP-173B(122)IG / 23605(04), \$23,100.00
- w) Woodward County - Co. Rd. - BRO-177D(071)CO / 22894(04), \$1,320.00

44. Change Orders - Cumulative Total Greater Than \$50,000.00

- a) Alfalfa County - Co. Rd. - BRF-102C(065)CO / 20705(04), \$3,706.50
- b) Bryan County - US-69 - NHG-013N(115)TR / 24072(04), \$69,636.88
- c) Canadian County - SH-66 - BRFY-009B(316) / 15110(04), \$4,551.09
- d) Coal County - SH-48 - STPY-115C(59)(60) / 23204(04), \$70,175.19
- e) Comanche County - IS-44 - BRFY-116F(173) / 20326(05), \$56,993.63
- f) Custer County - Co. Rd. - BRF-120C(104)CO / 22007(04), \$36,350.46
- g) Dewey County - US-270 - NHY-017N(068) / 17671(04), \$61,303.02
- h) Garfield County - US-412 - NHY-019N(070) / 12545(05), \$824,289.47
- i) Greer County - Co. Rd. - STP-128C(049)CO / 19348(04), \$35,361.38
- j) Hughes County - SH-48 - SSP-032C(181)SS / 06505(04)#1, \$61,588.27
- k) Hughes County - SH-48 - SSP-032C(181)SS / 06505(04)#3, \$210,000.00
- l) Hughes County - US-270 - BRFY-132B(057) / 20265(04), \$0.00
- m) LeFlore County - US-271 - NHY-33N(001)/BRFY-033N(002) / 11395(04), \$4,600.00
- n) Lincoln County - SH-102 - BRFY-041C(239) / 13402(04), \$41,818.78
- o) Mayes County - US-69 - SSR-149N(102)SR / 24009(04), \$65,736.00
- p) Noble County - US-64 - SBR-152C(148)(149)SB / 24525(04), \$13,500.00
- q) Oklahoma County - IS-235 - ACIM-NHIY-235-1(092)003 GB / 09033(23), \$4,074.00
- r) Oklahoma County - IS-40 - OKCY-XTWN(002)HP / 17428(21), \$293,620.66
- s) Oklahoma County - IS-40 - OKCY-XTWN(055)SG / 17428(66), \$3,458.00
- t) Oklahoma County - Ct.St. - STP-155A(283)AG / 19312(04), \$29,988.51
- u) Pittsburg County - US-69 - NHY-013N(014) / 14998(04), \$49,225.04
- v) Pittsburg County - US-270 - STPY-161A(212)3R / 24934(04), \$109,784.84
- w) Pottawatomie County - IS-40 - IMY-040-5(403)185 TR / 24091(05)#2, \$108,133.69
- x) Pottawatomie County - IS-40 - IMY-40-5(403)185 TR / 24091(05)#3, \$84,000.00
- y) Rogers County - SH-20 - ERSTPY-166A(223)ER / 25779(04), \$26,359.21
- z) Washita County - US-183 - ACNHY-009N(082)GB / 17126(08), \$23,593.60
- aa) Woods County - US-64 - BRFY-176B(072) / 20950(04), \$213,000.00

ACTION: Berry moved and Benson seconded that the Items be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry  
NAYS:  
ABSENT:

**ITEM PRESENTED BY THE OFFICE ENGINEER - Mr. Schmitt**

45. Awards

- a) Deferrals from January 22, 2009 Regular Letting
- b) February 19, 2009 - Regular Letting

ACTION: Burgess moved and Mabrey seconded that the Items be approved as presented.  
MOTION: Carried by the following vote:  
AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry  
NAYS:  
ABSENT:

**ITEM PRESENTED BY THE DIRECTOR OF FINANCE AND ADMINISTRATION - Mr. Patterson**

46. Permanent Rulemaking Action to the Oklahoma Administrative Code, Title 730, Department of Transportation

- Chapter 35. Maintenance and Control of State Highway System
- Subchapter 5. Highway Advertising Control
- 730:35-5-3 (Amended)
- 730:35-5-6 (Amended)
- 730:-35-5-8 (Amended)

730:35-5-12 (Amended)  
730:35-5-13 (Amended)  
730:35-5-16 (Amended)  
730:35-5-17 (New)

This proposed rulemaking action is to reflect changes in federal and state laws, clarification of the permit renewal process, deleting reference to the reconsideration process, a change in the name of the office that administrates this program and correction to several typographical errors.

ACTION: Mabrey moved and Benson seconded that the Items be approved as presented.

MOTION: Carried by the following vote:

AYES: Mabrey, Dunegan, Cooper, Overland, Benson, Benbrook, Burgess and Berry

NAYS:

ABSENT:

**PRESENTED BY THE DIRECTOR - Mr. Ridley**

47. Director's Report

Director Ridley provided a brief update on preparations being made regarding economic stimulus-related projects, pointing out that some of the projects are going to be let this month. Timing is important and he explained that during this time of year contractors will have two summer seasons for project construction. He also updated commissioners on other federal issues, noting that anticipated long-term funding for transportation projects has been affected by a reduction of vehicle miles traveled and a corresponding drop in expected fuel tax revenue.

**Information only; no Commission action required.**

**Meeting adjourned at 11:43 a.m.**

Approval of the Minutes of the Regular Transportation Commission Meeting on March 2, 2009

\_\_\_\_\_  
Dan Overland - Chairman

\_\_\_\_\_  
James H. Dunegan - Vice Chairman

(Seal)