



**MISSOURI HIGHWAYS AND TRANSPORTATION
COMMISSION**

Official Minutes

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND
TRANSPORTATION COMMISSION MEETING HELD IN KANSAS CITY,
MISSOURI, THURSDAY, NOVEMBER 7, 2013**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Thursday, November 7, 2013, at Union Station, Board Room, 30 West Pershing Road, Kansas City, Missouri. Lloyd J. Carmichael, Chairman, called the meeting to order at 11:00 a.m. The following Commissioners were present: Stephen R. Miller, Kenneth H. Suelthaus, Kelley M. Martin, Gregg C. Smith, and Bryan T. Scott.

The meeting was called pursuant to Section 226.120 of the Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the Revised Statutes of Missouri, as amended.

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Dave Nichols, Director of the Missouri Department of Transportation; Rich Tiemeyer, Chief Counsel for the Commission; and Pamela J. Harlan, Secretary to the Commission, were present on Thursday, November 7, 2013.

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*“Department” or “MoDOT” herein refers to Missouri Department of Transportation.
“Commission” or “MHTC” herein refers to Missouri Highways and Transportation Commission.*

-- CLOSED MEETING --

VOTE TO CLOSE MEETING

The agenda of the closed meeting was posted in keeping with Sections 610.020 and 610.022, RSMo, including the following statutory citations allowing the meeting to be closed:

1. Section 610.021(1) – Legal actions and attorney-client privileged communications.
2. Section 610.021(3), (13) – Personnel administration regarding particular employees.
3. Section 610.021(11), (12) – Competitive bidding specs, sealed bids, or negotiated contracts.

Upon motion duly made and seconded to convene in closed session, the Chairman called for a voice vote of the members. The vote was as follows:

Commissioner Carmichael, Aye
Commissioner Miller, Aye
Commissioner Suelthaus, Aye
Commissioner Martin, Aye
Commissioner Smith, Aye
Commissioner Scott, Aye

The Commission met in closed session on Thursday, November 7, 2013 from 9:00 a.m. until 11:00 a.m.

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-- OPEN MEETING --

COMMISSION REORGANIZATION

Audit Committee – Chairman Carmichael appointed Commissioner Smith to serve on the Audit committee. Commissioner Suelthaus will continue to serve as Chairman and Commissioner Carmichael will remain on the committee.

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APPROVAL OF MINUTES

Upon motion by Commissioner Smith, seconded by Commissioner Suelthaus, the Commission unanimously approved the minutes of the regular meeting held September 11, 2013. The Chairman and Secretary to the Commission were authorized and directed to sign and certify said minutes and to file same in the office of the Secretary.

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CONSENT AGENDA

Consent Agenda Process

In order to make the most efficient use of Commission meeting time and to ensure Commission members are well informed on issues requiring their action, staff prepares and submits to the Commission members, in advance of their meeting, internal memoranda consisting of advice, opinions, and recommendations related to the items of the Commission meeting agenda. Those items considered by staff to be of a routine or non-controversial nature are placed on a consent agenda. During the meeting, items can be removed from the consent agenda at the request of any one Commission member. The items that are not removed from the consent agenda are approved with a single motion and unanimous vote by a quorum of the members.

Minutes reflecting approval of items on the consent agenda are singly reported herein and intermingled with minutes reflecting action on related subjects that were openly discussed. Reference to

“consent agenda” is made in each minute approved via the process described in the paragraph above. Minutes reflecting action on items removed from the consent agenda and openly discussed reflect the open discussion and vote thereon.

Consideration of November 7, 2013, Consent Agenda

One item was removed from the consent agenda and tabled for a future meeting; this was the item titled Report and Recommendation Regarding Amendment to the Self Insurance Plan. Upon motion by Commissioner Suelthaus, seconded by Commissioner Smith, the remaining consent agenda items were unanimously approved by a quorum of Commission members present.

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COMMISSION COMMITTEES AND COMMISSION RELATED BOARDS

The Commission has two standing committees: Audit and Legislative. In addition, it elects Commission representatives to two boards: Missouri Transportation Finance Corporation Board of Directors and MoDOT and Patrol Employees’ Retirement System Board of Trustees. The following committee and board reports were made during the November 7, 2013, meeting.

Audit Committee – Commissioner Suelthaus stated the Audit Committee met on November 6, 2013 and reviewed two internal audit reports and concurred with the recommendations made in the following audits (1) Review of Multimodal Transit – Program Management, and (2) Review of Multimodal Transit – Subrecipient Oversight. Commissioner Suelthaus also reported the committee received a clean audit report for the fourteenth consecutive year and noted a full report will be presented by the external auditor, RubinBrown, later during this meeting.

Legislative Committee – Commissioner Miller noted on October 16, 2013, congressional leaders along with President Obama agreed to extend the amount of time it needs to conference and pass a fiscal year 2014 budget through January 15, 2014. Legislative leaders also agreed to extend the time to pass legislation that will address reducing the national deficit until February 7, 2014. Commissioner Miller stated the reason these two issues are important to transportation is because during this same time period congress will also be faced with the issue of increasing revenues for the federal highway trust fund,

which is likely to go insolvent by the end of federal fiscal year 2014. At the state level, legislators will begin filing bills on December 1, 2013 for the 2014 legislative session.

Missouri Transportation Finance Corporation – Commissioner Miller stated there was no report.

MoDOT and Patrol Employees’ Retirement System – Commissioner Martin stated there was no report.

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DIRECTOR’S REPORT

During the November 7, 2013, Commission meeting, Director Dave Nichols provided the following report:

New Roles – Director Nichols congratulated Scott Marion as the new Motor Carrier Services Director and Eric Schroeter as the new State Design Engineer. Mr. Marion previously served as the Assistant Motor Carrier Services Director. Mr. Schroeter previously served as the Assistant State Design Engineer and prior to that was the Assistant District Engineer in the Central District.

AASHTO Meeting – Director Nichols reported a few members of senior management attended the American Association of State Highway and Transportation Officials (AASHTO) meeting held in Denver. Director Nichols was pleased to report at this meeting, the Safe and Sound Bridge Improvement Program was announced as the winner of the People’s Choice award in the America’s Transportation Awards competition. It was one of the nation’s two best projects completed in 2012, chosen by a public vote with more than 330,000 votes. The award comes with a \$10,000 prize to be given to the winner’s choice of charity. MoDOT selected CureSearch for Children’s Cancer in tribute to KTU Constructors’ project director, Harry Koenig, who is passionately involved in this effort because of a personal tragedy that his family experienced in the loss of their son, Jake.

Winter Drill – Director Nichols stated the department tested readiness for the upcoming winter season with a statewide drill. The drill is one component of MoDOT’s winter battle plan to make sure travelers can get back on Missouri roadways as quickly as possible after winter storms. The snow removal simulation helps to make sure employees know their roles during a storm and ensures employee can do their jobs successfully and safely.

State Employee of the Month – Director Nichols recognized William “Rusty” James, incident management coordinator for MoDOT and KC Scout, as the August 2013 Missouri State Employee of

the Month. Chosen from more than 50,000 employees, Mr. James was recognized for his successful leadership of the Scout Incident Management Program.

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MISSOURI HIGHWAYS AND TRANSPORTATION COMMISSION POLICIES

Chairman Carmichael stated in an effort to provide a single source document for all current Commission-approved policies, the Commission directed the Secretary to prepare a Draft Policy Manual restating past Commission actions that had not been subsequently rescinded. During open meetings held on February 1, February 26, April 15, May 24, August 9, and August 16, 2013, the Commission reviewed and discussed each of those restated policies. During those discussions, the Commission proposed (1) reaffirming the policy as presented; (2) revising the policy; or (3) rescinding the policy because it was obsolete, superseded by statute, no longer relevant, or no longer desired by the Commission. The Commission further proposed new policies to address and/or clarify additional issues. The new policies, policies to be reaffirmed, and policies that were revised were compiled into a document entitled “Missouri Highways and Transportation Commission Policies” dated November 7, 2013.

Through this comprehensive policy review effort, the Commission determined that a process should be put in place to ensure that each new Commission not only has easy access to its policies, but periodically revise and/or reaffirm its policies. Using a two-year cycle for that review will make certain that all policies have been previously considered by a majority of those on the current Commission. Using an even-numbered cycle will give new Commissioners a one-year period to experience the various issues addressed by the policies prior to being asked to take action thereon. In the interim period, the Secretary to the Commission will immediately update the policies to reflect Commission actions that add, revise, or rescind its policies.

Upon motion by Commissioner Suelthaus, seconded by Commissioner Scott, the Commission unanimously approved the policies as compiled in the document titled “Missouri Highways and Transportation Commission Policies” dated November 7, 2013, and directed the effective date of individual policies be indicated on the respective policy. Upon motion by Commissioner Smith, seconded by Commissioner Martin, the Commission formally rescinded all prior policies not included in the document.

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WELCOME BY UNION STATION

George Guastello II welcomed the Commission to one of the most historic and second largest operating train station in the United States. He also played a brief video about the history of Union Station. Mr. Guastello introduced Mike Haverty, President and CEO of Kansas City Southern Rail Company. Mr. Haverty noted Kansas City’s position as a transportation center for the nation. Chairman Carmichael thanked Mr. Guastello and Mr. Haverty for hosting the Commission and stated the Commission was pleased to have the opportunity to hold the meeting at Union Station, a great example of our passenger rail transportation system in Missouri.

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A VISION FOR MISSOURI’S TRANSPORTATION FUTURE

Director Nichols stated the Missouri Department of Transportation is federally required to develop a long-range transportation plan (LRTP) periodically. The process to develop the LRTP has been underway since January 2013.

Through an initiative known as “On the Move,” the department engaged Missourians all over the state with a series of listening sessions and mobile tours to learn what their priorities are for the state’s transportation system over the next twenty years. On the Move held seventeen listening sessions across the state that were attended by 564 people. The mobile tours visited all 114 counties and the City of St.

Louis, stopping in 232 communities. Through this initiative, the department received more than 12,000 suggestions for projects and operational priorities.

Director Nichols noted the LRTP is an important planning tool used in the development of the annual Statewide Transportation Improvement Program (STIP). The projects suggested by the public and planning partners would cost in excess of \$71 billion to deliver. The department anticipates having \$17 billion in revenues over the next 20 years. At those levels, MoDOT will be challenged just to maintain the state's transportation system.

Director Nichols stated, typically a long range plan at MoDOT would be most focused on roads and bridges. The department purposely established this long range transportation plan to include all transportation issues. He reported citizens' expectations for Missouri's transportation future are summarized in four goal areas:

- Take care of the transportation system and services enjoyed today
- Keep all travelers safe, no matter the mode of transportation
- Invest in projects that spur economic growth and create jobs
- Give Missourians better transportation choices (more viable urban and rural transit, friendlier bike and pedestrian accommodations, improvements in rail, ports, and airport operations).

Through the On the Move initiative, citizens said MoDOT must make sure the existing system and services are well-maintained. That means continued focus on maintaining and preserving aging roads, bridges, ports, rails, airports, and transit vehicles to ensure people and freight move safely and with ease. Missouri is a big state when it comes to the transportation system. Director Nichols reminded everyone Missouri has the 7th largest highway system in the United States. Missouri's transportation system is larger than the neighboring states of Iowa, Nebraska, and Kansas combined. Missourians are telling the department that before the highway system is expanded, make sure that you are taking good care of the current system.

It is important to recognize the need to keep all travelers on our transportation system safe, no matter the mode of transportation. The department is proud of the progress made in recent history with declining serious injuries and fatality rates in Missouri. In 2012, there were 826 fatalities, and the best year in recent history was 2011, when there were 786 fatalities on the highway system. However, Director Nichols explained that is still too many, one fatality is one too many. Missourians are telling MoDOT to keep working on a safe transportation system.

MoDOT hears from business partners around Missouri of the need to invest in all modes of transportation to create economic development opportunities and grow jobs in communities. The Department of Economic Development reports regularly about the top two things businesses look for when deciding where to locate their company: (1) access to transportation, and (2) quality of the work force. Missouri has both of those right now: however, Missourians want MoDOT to continue to grow in that area and continue to invest in transportation and promote economic development and job growth.

Missourians want to invest state dollars in all modes of transportation, however, Missourians may not realize there is no dedicated state funding for all of the transportation options that they want. Every year MoDOT advocates with the legislature to receive a small amount of state funds to keep Amtrak service running, and a little bit of seed dollars to keep rural transit buses running. Federal funds pass through MoDOT to local communities who then have to generate their own revenue to match the federal funds. In rural areas, as populations age they seek rural transit services, which often times is only provided once a week. The elderly in rural Missouri have only one day a week to take care of their grocery shopping, going to the pharmacy, and doing what they need to do with the assistance of transit. The younger generation does not have an affinity to own and drive a car today. The millenials want a community that has transportation options available for their use. Director Nichols commented that it is refreshing to hear from all corners of the state about the need to invest in all modes of transportation.

The benefits of accomplishing these four goals in the LRTP are tangible. Missourians will be better able to leverage geographic assets – rivers and central location – to strengthen Missouri’s position in the global economy. And Missourians’ daily lives will improve regardless of how they use transportation, whether commuting for work, shipping materials and finished goods, or even responding to family, local, and national emergencies.

Director Nichols assured the Commission of the department’s commitment to do everything possible with the budget available to meet those four goals. However, the department is at a point where the funds from Amendment 3 and the American Recovery and Reinvestment Act stimulus program have been used to make great progress. The condition of the highway system has improved. In 2005, only 42 percent of major roads were in good condition. Today, the condition of major roads is 85 percent in good or better condition. The department has been talking about the transportation funding problem since 2007, and the time is coming when the department will have to make some very difficult decisions.

In anticipation of declining transportation funds, the department worked hard to improve the situation by getting as lean as possible. MoDOT went through over two years of right sizing the organization; the effort was called the Bolder Five Year Direction. Through this effort, reductions were made in staffing, facilities, and equipment to be able to save money to put to work on roads and bridges. MoDOT is smaller today than it has been in many years; there are 1,200 fewer staff, 131 fewer facilities, and 750 fewer pieces of equipment. As a result of these reductions, \$500 million was added to the highway program for road and bridge construction.

The challenge now though is that transportation funding is declining. From 2005 to 2009, MoDOT had a \$1.3 billion dollar transportation program, but if nothing is done to improve transportation funding, projections indicate the transportation program will only be \$425 million by 2019.

Director Nichols noted the LRTP, the vision for transportation over the next 20 years, will be of considerable interest to planning partners, transportation stakeholders and the general public, especially those that participated in the process. The department will take the draft LRTP back out to the public to get their opinions of the plan and will bring a final plan back to the Commission in 2014. Director Nichols thanked team MoDOT for all of the work that went into preparing the plan this year. He also acknowledged the consultant team Fleischman Hilliard, Burns and McDonnell, and High Street Consulting for their support in putting the LRTP together.

Chairman Carmichael thanked Director Nichols and recognized the department has focused on making this long range transportation plan a true picture of what Missourians want from their transportation system. Chairman Carmichael stated it was great that Missourians can see the need to diversify Missouri's investment beyond roads and bridges to other modes of transportation. He thanked Director Nichols and MoDOT staff for all of their work and noted the public outreach has been tremendous in developing the LRTP.

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**REGIONAL PRESENTATION BY THE MID-AMERICA REGIONAL COUNCIL (MARC),
GREATER KANSAS CITY CHAMBER OF COMMERCE, AND NORTHLAND REGIONAL
CHAMBER OF COMMERCE**

Ed DeSoignie, Surface Transportation Committee Chair for the Greater Kansas City Chamber of Commerce, stated that it is time to make a decision for transportation in the region and the state. He noted that Amendment 3 provided a much needed funding boost for the statewide transportation system as well as an opportunity for the department to demonstrate its ability to deliver projects. The overall success of those efforts can be seen throughout the Kansas City region, with the new Kit Bond Bridge as one of the more visible regional examples. However, he stated the funding stream for new projects is over. The drastic drop in funding of the state's construction program is placing the department in a long term maintenance only position. Stable long term federal funding in today's world is an iffy

proposition. These harsh realities present a question for all in the business community and the general public. Is a maintenance only program an acceptable plan for us into the future? Will it be acceptable to simply patch the system for the next five, ten, or fifteen years, or should the state choose a different future? He challenged everyone to leave their legacy by providing a better transportation for future generations.

Darren Hannen, Northland Regional Chamber of Commerce Director, explained it is the responsibility of the many groups represented today to advocate on behalf of their respective organizations, however, they all operate under the shared principle that the regions' citizens, goods, and services do not recognize boundaries and lines on a map. For the region to be successful, everyone must focus on a broader regional cooperative effort. Recognizing the importance of regional cooperation, over twenty people from ten different organizations provided input on this presentation today.

Mell Henderson, Mid-America Regional Council Transportation Director, discussed the region's long range plan, *Transportation Outlook 2040*, and the nine goals for the transportation system: accessibility, climate change and energy use, economic vitality, environment, place making, public health, safety and security, system condition, and system performance. Mr. Henderson acknowledged the funding constraints that impede implementing the statewide and regional transportation plans and is hopeful that any future funding initiative will involve all organizations working together to engage the community through one process of involvement. Mr. Henderson stated he would expect the list of projects developed by the region from this cooperative effort to be multi-faceted, multimodal, and multi-agency to continue to make progress on the nine goals of *Transportation Outlook 2040*.

Matt Kauffman, Kansas City Regional Transit Alliance Chair, explained the two core elements of the organization is advocacy for transit services and educating the public about the value of transit. He noted that transit drives development. When the city or state invests by putting a transportation facility physically in the ground, that permanence is attractive and people come to those areas and build.

He stated the organization believes very strongly in the investment of multimodal transit and walkable cities to help revitalize Kansas City and communities around the state.

Commissioner Miller thanked Mr. Henderson, Mr. Kauffman, Mr. DeSoignie, Mr. Hennen, and the organizations they represent for their presentation. Commissioner Miller noted the funding constraints felt by the organizations mirror the State of Missouri as a whole and any future funding initiatives for transportation will involve all transportation partners working together.

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PRESENTATION BY THE PIONEER TRAILS REGIONAL PLANNING COMMISSION

Randall White, Executive Director, stated the Pioneer Trails Regional Planning Commission (RPC), comprised of Johnson, Lafayette, Pettis and Saline Counties, represents 153,000 citizens, and anchors the principal rural Missouri east-west/north-south corridor system of I-70, Route 50, Route 13 and Route 65. This corridor network is the heart of west-central Missouri and has been recognized by a 30-plus member council appointed by local government officials from each of the four counties as crucial to the region's economic well-being and safety. The Transportation Advisory Council (TAC) meets bimonthly to discuss transportation needs.

The TAC has explored the looming transportation funding questions, discussing tolls, increased vehicle fees, increased gas tax, and increased state sales tax. Ultimately, whatever the transportation funding solution is, the TAC wanted to make sure that no funds are diverted as has happened in the past and was corrected by Amendment 3. The TAC ultimately agreed upon an increased gas tax, and a statewide sales tax with a sunset clause to ensure the issue would be revisited in the future.

Chairman Carmichael thanked Mr. White for his presentation and recognized like his counterparts in the Kansas City region, Mr. White illustrated the value of the transportation system in the Pioneer Trails RPC region. Commissioner Martin also noted that many on the Commission have

rural backgrounds and are fully cognizant of the importance of good transportation systems in the rural areas of the state.

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PRESENTATION BY THE MISSOURI HIGHWAY 13 CORRIDOR COALITION

Bill Bernier, Chairman, presented to the Commission the need to widen Route 13 from two lanes to four lanes from Hamilton to Clinton, a distance of 107 miles. The Missouri Highway 13 Corridor Coalition is an advocacy organization representing interests from Ray, Lafayette, Johnson, Henry, and Caldwell counties. There are three volunteer representatives from each of the five counties that serve on the Coalition. Mr. Bernier said the Coalition's single objective is to advance Route 13 as a north/south transportation corridor of statewide importance. Mr. Bernier said the Coalition believes the expansion of Route 13 would further spawn economic development in the state by creating a thoroughfare for complete north/south commerce in Western Missouri, from Hamilton to Springfield. Additionally, the Coalition touts that the corridor connects University of Central Missouri; twenty-eight hospitals; Truman, Stockton, and Pomme de Terre Lakes; Whiteman Air Force Base; and serves twelve counties with a combined population of 570,000.

Mr. Bernier stated Route 13 is the most economical approach to building a four-lane transportation corridor connecting rural Missouri counties on both sides of the Missouri River. Mr. Bernier said the Ike Skelton Bridge is the only four-lane Missouri River crossing between metropolitan Kansas City and the I-70 Bridge near Columbia. Mr. Bernier closed his presentation by reminding the Commission that Route 13 is of major importance to all Missourians.

Commissioner Carmichael thanked Mr. Bernier for his presentation and stated this project is a great example of the kinds of transportation improvement projects that would not only improve travel through the corridor but would also positively impact the economic development of the area. Commissioner Smith expressed appreciation for the coalition's advocacy through the years.

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PRESENTATION BY THE CITY OF RIVERSIDE, MISSOURI, CONCERNING THE FUTURE CONSTRUCTION OF THE U.S. 69 BRIDGE OVER THE MISSOURI RIVER

Kathleen Rose, Mayor, discussed construction of the U.S. 69 bridge over the Missouri River, which includes two bridges – the Platte Purchase Bridge handling traffic northbound and the Fairfax Bridge handling traffic southbound. The Environmental Assessment’s preferred alternative is to replace the existing two-lane bridges with a single, four-lane structure upstream from the existing location. Construction is scheduled for the next three years and the Environmental Assessment for the U.S. 69 Missouri River bridge is scheduled to be signed on November 15, 2013.

Mayor Rose stated the City of Riverside supports specific improvements to be included with the replacement of the existing U.S. 69 bridges over the Missouri River. The City of Riverside desires the construction of the new U.S. 69 bridge to include a realignment of Argosy Parkway (local route) and improved access from NW Tremont Trafficway (local route) to U.S. 69. The current Argosy Parkway alignment is a loop road under the U.S. 69 bridges. Mayor Rose said the Argosy Parkway realignment would provide more direct access to current and future development and would spur economic development and help serve existing businesses. The existing access from NW Tremont Trafficway to U.S. 69 provides secondary access to Argosy Casino Hotel & Spa. Mayor Rose also stated the Argosy Casino Hotel & Spa staff expressed the existing access from NW Tremont Trafficway to U.S. 69 provides traffic relief during special events, and the closure of access would impact future planned development on their property.

Mayor Rose also requested the bridge and Parkway remain open during construction, the city be consulted on submitted design plans and be given an opportunity to comment, and that all requests be accomplished without additional local revenues contributing to share in the additional cost.

Mayor Rose noted for the past few years, the City of Riverside has laid the foundation for the Horizons Industrial Park, an active and fast-growing industrial area. Mayor Rose said there's no place in the state with such a large concentration of quality industrial development comprising national and international companies. The U.S. 69 bridge and the Parkway is one of the main routes to and from the Horizons Industrial Park. Also, the bridge is a vital link from the GM plant in Fairfax to the new automotive suppliers beginning to locate in Riverside. Closures or delays on the bridge can impact timely delivery of components for the GM production line.

Mayor Rose closed her presentation by stating the U.S. 69 bridge and the Argosy Casino Parkway provides more revenue for the State of Missouri, more economic growth locally, and more jobs through the Horizons Industrial Park. By improving its configuration and access, as part of the U.S. 69 bridge replacement, the State of Missouri is investing in the future.

Commissioner Martin thanked Mayor Rose for her presentation and noted the City's recent economic development success stories. Chairman Carmichael thanked Mayor Rose for her comments and noted the Commission would give them consideration. He also reminded the Mayor that the project will be following the design-build process and that the project has not been designed yet.

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PUBLIC PRESENTATION CONCERNING REQUEST FOR INTERSTATE 49 OVERPASS NEAR ADRIAN, MISSOURI

Jim Robinson, a farmer from Butler, requested the department build a bridge or an interchange over Interstate 49 between Adrian and Passaic in Bates County to be able to move his large farm implements to the land he farms on either side of Interstate 49. Mr. Robinson said a bridge would benefit other people who live and work on both side of the interstate as the distances involved to be able to cross Interstate 49 at existing interchanges are three mile north of Adrian and two miles south of Passaic. Mr. Robinson reported the completion of converting US 71 to Interstate 49 in 2012 eliminated

an at-grade crossing that connects County Roads 9002 and 9004, which Mr. Robinson used before the highway was upgraded to a freeway. Mr. Robinson voiced his concern about safely moving wide loads on two lane roads that carry more traffic than County Roads 9002 and 9004 and pass through small towns. To help with the cost of building a bridge, Mr. Robinson offered to provide land to build the improvement on and fill needed for construction of the project. He also proposed canceling the construction of the outer road on the west side of I-49 and using those funds to construct this interchange.

Commissioner Smith thanked Mr. Robinson for his presentation. Commissioner Smith further said with the conversion of US 71 to Interstate 49, Missouri was able to advance its efforts to improve traffic flow and enhance safety along the corridor; focus on safety is very important to the department and the Commission and very important to Missourians. Commissioner Smith noted this project is one of the many unfunded needs and encouraged Mr. Robinson to work with the regional planning commission to see where such a project would fall in their priority list.

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PUBLIC COMMENT – RON MCLINDEN

Ron McLinden, citizen, stated he has spoken to the Commission about a dozen times in the past twenty years, mostly on behalf of the Sierra Club. In 1996, he was one of 35 citizens appointed by Governor Carnahan to the Total Transportation Commission, an experience that helped him gain a broad perspective on Missouri's transportation system and its needs.

Mr. McLinden praised the Commission and the department for the rumble strips, as there has been a decline in traffic deaths, and it is a cost-effective way to prevent highway deaths, injuries, and property damage.

Mr. McLinden stated he believes a sales tax is the wrong approach to solve the state's transportation funding challenge. Mr. McLinden believes there are other approaches to revenue

enhancement that need to be considered, and MoDOT has a role to play in preparing Missourians to consider a more broad approach to financing transportation rather than the rifle shot of just one source. When working to resolve the transportation funding challenge, he asked the commission to consider two issues, urban rural equity and mode balance.

Mr. McLinden closed his statements by recommending the Commission take the opportunity during a constitutional amendment to change their name from Missouri Highways and Transportation Commission to the Missouri Transportation Commission as they are much more than just a highway commission.

Commissioner Miller thanked Mr. McLinden for his comments and noted the Commission takes seriously all of the public comments. Chairman Carmichael noted he liked the idea of the name change for the Commission.

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FISCAL YEAR 2013 COMPREHENSIVE ANNUAL FINANCIAL REPORT (CAFR), INCLUDING INDEPENDENT AUDIT REPORT

On behalf of the Director, Brenda Morris, Financial Services Director, and Jeff Winter and Ted Williamson, both of RubinBrown, presented the Comprehensive Annual Financial Report (CAFR) for Fiscal Year 2013 including the independent audit report. State law requires an annual audit of MoDOT's financial statements be performed by an independent certified public accountant. MoDOT believes preparing the CAFR demonstrates the highest level of public accountability. Ms. Morris explained while the Financial Services division is responsible for preparing the CAFR, the results that are presented in the report are based upon a department wide effort. Ms. Morris recommended the Commission accept the Fiscal Year 2013 CAFR and independent audit report as presented.

Jeff Winter, CPA, reviewed with the Commission the results of the audit of the CAFR for the year ended June 30, 2013. Mr. Winter reported for the fourteenth consecutive year, MoDOT received an

unmodified clean opinion. An unmodified opinion is issued when auditors can state that financial statements conform, in all material respects, to all reporting requirements. Mr. Winter indicated in the report is the auditor's opinion on internal control and compliance, and the auditor's opinion on the results were no items of material weaknesses on internal controls, and no items were considered material noncompliance. Mr. Winter also noted their partnership with a minority firm, Randle and Associates, who participated in twelve percent of the hours and fees for the audit.

Ted Williamson, CPA, explained the CAFR is a large comprehensive report, and the auditor's opinion covers two sections of the report: the financial statements and notes to the financial statements. The auditor's opinion does not include the introductory section, management's discussion and analysis, or the statistical sections of the CAFR. However, the auditors review these sections to ensure there is nothing contradictory in the report. Mr. Winter and Mr. Williamson praised the professional and competent Financial Services Division for their assistance and cooperation during the audit process.

Commissioner Suelthaus commented that RubinBrown reviewed the CAFR in great detail with the Audit Committee. After consideration and upon motion by Commissioner Suelthaus, seconded by Commissioner Smith, the Commission unanimously accepted the Fiscal Year 2013 Comprehensive Annual Financial Report and independent audit report as presented.

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MEDICAL AND LIFE INSURANCE PLAN REAPPOINTMENT OF BOARD MEMBER

The Commission established and approved guidelines for a self-insured Medical and Life Insurance Plan for employees of the Department and the State Highway Patrol on November 9, 1977. The guidelines established a board of trustees to manage the operations of the Plan. Potential board members, and the board chairman, are recommended by either the Department Director or the State Highway Patrol Superintendent and are subject to Commission approval.

On behalf of the Director, Jeff Padgett, Risk and Benefits Management Director, recommended approval of the appointment of Sherri McGregor as a MoDOT active employee representative for a term ending November 2019 or until a successor is named. Ms. McGregor replaced Mr. Steve Hermann, who resigned from employment in September 2013. Ms. McGregor serves as Support Services Manager in the Kansas City District, and has been recommended by Director Dave Nichols. Via approval of the consent agenda, the Commission unanimously approved the appointment of Sherri McGregor as a MoDOT active employee representative for a term ending November 2019 or until a successor is named.

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REPORT AND RECOMMENDATION REGARDING THE SELF INSURANCE PLAN

On behalf of the Director, Jay Smith, Assistant Chief Counsel-Risk Management, presented an amendment to the Commission's self-insurance plan to provide coverage for temporary snow removal hires. This item was pulled from the Consent Agenda and tabled for a future meeting by Chairman Carmichael. No action was taken on this item.

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CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS

On behalf of the Director, Eric Schroeter, State Design Engineer, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month.

Mr. Schroeter recommended (1) Award of contracts to the lowest responsive bidders for bids received at the October 18, 2013, letting, as recommended and noted in Table I below. (2) Rejection of bids received on Call D03, as noted in Table II below, due to the bids being excessive per Section 102.15 of the Missouri Standard Specifications for Highway Construction.

**Table I
Award of Contracts
October 18, 2013, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
A01	JJ	Buchanan	J1L1400B	\$1,054,308.73	\$0.00	Herzog Contracting Corp.	Thin Lift Overlay (SL)
	MM		J1L1400C				
	V		J1L1400D				
A02	O	Gentry, Nodaway	J1L1400E	\$1,692,941.60	\$0.00	Herzog Contracting Corp.	Thin Lift Overlay (SL)
	B	Gentry	J1L1400F				
	Spur B		J1S3037L				
A03	K	Mercer	J1L1400G	\$1,562,578.77	\$0.00	Norris Asphalt Paving Co., LC	Thin Lift Overlay (SL)
	U	Putnam	J1L1400H				
A04	O	Atchison	J1S2165	\$1,037,176.95	\$0.00	Widel, Inc.	Bridge Redeck
	B		J1S0960				
	C	Nodaway	J1S0992				
A05	139	Chariton	J2S2190	\$2,199,840.41	\$0.00	Widel, Inc.	Bridge Replacement
B01	15	Monroe, Audrain	J3L1400J	\$998,518.10	\$0.00	Vance Brothers, Inc.	Seal Coat
	151	Shelby, Monroe	J3L1400I				
B02*	70	Montgomery	J2I3064	\$1,005,598.56	\$0.00	Magruder Paving, LLC	Grading and Optional Paving
C01	435	Platte	J4I2356	\$6,036,538.89	\$0.00	Superior Bowen Asphalt Company, LLC	Resurfacing (SP & BP), and Pavement Repair
C02	49	Cass	J4S2365	\$6,794,673.04	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Resurfacing (SP), and Pavement Repair
C03	50	Jackson	J4P2364E	\$1,597,578.60	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Resurfacing (SP and BP)
C04	240/41	Saline	J3P3032	\$3,287,297.11	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	UBAWS and Seal Coat
	240		J4P2395				Resurfacing (SL), Add Shoulders and ADA Improvements
C05	52	Pettis	J4P2395B	\$1,530,214.00	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Thin Lift Overlay (SL), Add Shoulders
C06	23	Lafayette	J3S3036	\$653,787.58	\$0.00	APAC-Missouri, Inc.	Thin Lift Overlay (SL)
C07	69	Clay	J4P2364	\$4,718,900.13	\$0.00	Ideker, Inc.	Resurfacing (SP), ADA Improvements
	1		J4P2364B				
	9		J4P2364C				

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
D01	BU 54	Miller	J5S3064	\$2,067,595.39	\$0.00	Magruder Paving, LLC	Coldmilling, Resurfacing (SP)
			J5P3065				
	54	Miller, Cole	J5P2237C				
	KK	Camden	J5S3068				
D02	19	Dent, Shannon	J5L1400B	\$3,290,000.00	\$0.00	Pace Construction Company, LLC	Thin Lift Overlay (SL), Add Shoulders
	HH	Dent	J5L1400D				Thin Lift Overlay (SL)
	B		J5S3063				
D04 **	179	Cole	J5P2237D	\$1,329,611.02	\$0.00	Magruder Paving, LLC	Resurfacing (SP), Coldmilling, Improve Shoulders
D05	NN	Callaway	J5S3062	\$3,740,730.24	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Thin Lift Overlay (SL)
	MM, J		J5S3061				
	WW, F & J	Boone, Callaway	J5L1400C				Thin Lift Overlay (SL), Add Shoulders
D06	54	Callaway	J5P0959	\$1,439,650.04	\$0.00	Chester Bross Construction Company/C.B. Equipment, Inc.	Resurfacing (3/4" UBAWS)
			J5P0958				
G02	65	Christian	J7P3006	\$3,635,134.81	\$0.00	Leo Journagan Construction Co., Inc.	Resurfacing (SP and BP)
		Greene, Christian	J8P2263C				
	65/F	Christian	J8S2266				Coldmill, Resurface (SP & BP), Add Shoulders
G04	744	Greene	J8S2449	\$2,438,047.14	\$0.00	APAC-Missouri, Inc.	Paving, Grading, Drainage
	125		J8S2426				
	OO	Webster, Greene	J8S2340				Resurfacing (BP), Add Shoulders
		Greene	J8P2265				
G05 ***	66	Jasper	J7S0594C	\$854,232.73	\$0.00	Ewing Signal Construction, LLC	Add Turnlane and Signal Improvements
G06	65	Benton	J7P3026	\$1,315,385.75	\$0.00	Magruder Paving, LLC	Resurfacing (SP, BP)
G07	M	Greene	J8S1300	\$3,539,184.75	\$0.00	Blevins Asphalt Construction Company, Inc.	Resurfacing (SP and BP)
	14	Christian	J8S2414				Resurfacing (BP), Add Shoulders
			J8S2416				
		Lawrence, Christian	J8S2444				
		Christian	J8S2443				
	ZZ		J8S2277				
Greene		J8S1300B					
G09	60	Greene	J8P3020	\$496,284.00	\$0.00	Branco Enterprises, Inc.	Sound Walls

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
G10	125	Christian	J8P2292	\$1,223,929.40	\$0.00	Leo Journagan Construction Co., Inc.	Resurfacing (BP), Add Shoulders
			J7S3027				
		Greene	J8S3028				
G11	83	Polk	J8S2283	\$9,998,826.16	\$0.00	APAC-Missouri, Inc.	Resurfacing (SP and BP)
	32		J8P2270B				
	83		J8P2270C				
	13	Polk, St. Clair	J7P3001				
			TOTAL:	\$69,538,563.90	\$0.00		

* Call B02 – Funding Earmark – \$1,000,000.00

** Call D04 – Funding by Highways for Life Grant – \$50,000.00

*** Call G05 – Funding Earmark – \$783,100.80

**Rejection of Bids
October 18, 2013, Bid Opening**

Call No.	Route	County	Job No.	Description
D03	7	Benton	J5P2211,	Thin Lift Overlay (BP), Add Shoulders
		Camden	J5P2211B	Thin Lift Overlay (SL) with Alternate Shoulder Widening

Commission Consideration and Action

After consideration, and upon motion by Commissioner Smith, seconded by Commissioner Scott, the Commission took the following action with the abstentions noted below:

1. Awarded contracts to the lowest responsive bidders for bids received on the October 18, 2013, bid opening, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejected the bids received on Call D03, as noted in Table II above, because they were considered excessive.
3. Authorized the Director, Chief Engineer, Chief Financial Officer, or Assistant Chief Engineer to execute the contracts awarded above.

Commissioner Carmichael abstained from voting on Calls C02, G01, G04, G07, and G11. Commissioner Miller abstained from voting on Calls A01, A02, C01, G02, G09 and G10. Commissioner Suelthaus abstained from voting on Call D02.

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**2014 – 2018 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM,
2014 AMENDMENT**

On behalf of the Director, Ed Hassinger, Chief Engineer, recommended addition or modification of twenty-three projects to the 2014-2018 Statewide Transportation Improvement Program (STIP) that was approved in July 2013, as noted in the tabulation below.

**2014 – 2018 STIP
Highway and Bridge Construction Schedule
November Amendments
Projects Added or Modified**

District County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year and Change by Type	Change in Construction and Right of Way Funds (Dollars in Thousands)	Change in Engineering Funds (Dollars in Thousands)
NE Lincoln J2P3068	47	Bridge maintenance over Route 61 at Troy. Project involves bridge A2604.	2014 CN	\$285	\$22
KC Clay J4P3101	169	Payment to Smithville for intersection improvements at Second Creek Road.	2014 CN	\$30	\$2
KC Platte J4I3103	435	Right of way for slide correction at Cookingham Drive within Kansas City.	2014 RW	\$10	\$25
KC Platte J4P2279	69	Bridge improvements over the Missouri River. Design/Build project involves the Platte Purchase bridge A0450 and the Fairfax Bridge K0456.	2014 RW 2015 CN 2016 CN	\$3,713	-\$3,303
KC Ray J3P3038	10	Pavement improvements from Merrifield Lane to Route FF.	2014 CN	\$1,417	\$127
KC Saline J3S3039	127	Pavement improvements on Route 127 from I-70 to Route 52, Route B from Route 127 to Route 65 and Route O from Route 50 to Route HH in Pettis County. Includes sidewalks along Route 127 in Green Ridge, La Monte, and parts of Sweet Springs.	2014 CN	\$4,206	\$372
CD Camden J5P2187	5	Capacity improvements from Lake Road 5-36 to Jet Ski Road, 0.3 mile north of the Hurricane Deck School. Cost Share project with Sunrise Beach.	2014 RW 2014 CN	-\$287	\$35
CD Camden J5P3080	54	Safety improvements at Key Largo Road and Osage Beach Parkway.	2014 CN	\$525	\$40
CD Moniteau J5S3088	87	Pavement and shoulder improvements from Route 50 to Route 54.	2015 CN	\$2,629	\$320

District County Job No.	Route	Description of Improvement/Location	Tentative Award State Fiscal Year and Change by Type	Change in Construction and Right of Way Funds (Dollars in Thousands)	Change in Engineering Funds (Dollars in Thousands)
CD Phelps J9P2221	8	Bridge replacement over Dry Fork Creek, approximately 0.7 mile north of Route 68 to south of St. James. Includes overlay of Zion Hill Road. Project involves bridge L0188.	2014 CN	\$255	\$50
CD Pulaski J5P3087	28	Pavement replacement near bridge H0088 over Jones Creek Branch.	2014 CN	\$152	\$22
SL St. Charles J6I3083	70	Engineering services contract for signal optimization at various interchanges and along Route K.	2015 CN	\$299	\$0
SL St. Louis J6P2422B	340	ADA and sidewalk improvements from Warson Road to Dielman Industrial Drive.	2014 CN	\$1,277	\$171
SL St. Louis J6I3087	44	Engineering services contract to create interstate traffic diversion plans along various arterial routes in response to incidents along I-44, I-55, and I-64 in the St. Louis district.	2015 CN	\$249	\$0
SW Greene J8S3037	M	Intersection safety improvements at County Road 107 near Republic.	2014 CN	\$150	\$10
SW Henry J7S3016	P	Pavement improvements on various sections from Route 18 to end of route.	2014 CN	\$806	\$40
SE St. Francois J9P3090	8	Widen for turn lane at the intersection of Route 8 and Hunt Street in Leadwood.	2014 CN	\$55	\$8
			TOTAL:	\$15,771	(\$2,059)

Via approval of the consent agenda, the Commission unanimously approved the amendment to the 2014 – 2018 STIP as noted in the tabulations above.

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REQUEST FOR APPROVAL OF LOCATION AND/OR DESIGN OF HIGHWAYS

Route I-44 and County Road 190 (Prigmor Avenue), Jasper County Job No. J7I2181 Public Hearing Held September 30, 2013

The proposed improvement provides an interchange at I-44 and County Road 190 (Prigmor Avenue), adding shoulders along County Road 190 (Prigmor Avenue) north of the interchange to Route 66. The project will have controlled access right of way. Traffic will require a reduction in lanes. The project is 1.2 miles in length.

On behalf of the Director, Becky Baltz, Southwest District Engineer, recommended approval of the location and design as presented at the public hearing.

After full consideration of the favorable and adverse economic, social and environmental effects of the recommended designs, the Commission via approval of the consent agenda unanimously found and determined the recommended designs would best serve the interest of the public and approved the recommendation.

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RATIFICATION AND APPROVAL OF PLANS FOR CONDEMNATION

On behalf of the Director, Eric Schroeter, State Design Engineer, recommended the Commission ratify and approve the following detailed project plans, approved by the Chief Engineer, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>
Butler	Business Route 60	J0P2274
Christian	CC / Cheyenne Road	J8S0736B
Jackson	Route I-70	J4I1916

In accordance with Section 227.050 RSMo, the Commission via approval of the consent agenda, approved the detailed project plans for the above noted projects and directed they be filed as necessary for the condemnation of right of way.

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-- REPORTS --

The Commission received the following written reports.

MEDICAL AND LIFE INSURANCE PLAN: MISSOURI DEPARTMENT OF TRANSPORTATION AND MISSOURI STATE HIGHWAY PATROL MEDICAL AND LIFE INSURANCE PLAN REPORT

Jeff Padgett, Risk and Benefits Management Director, provided financial and claims data reports for the period January 2013 through June 2013, and for the most recent five calendar years, to update the Commission on the cost and utilization of the Medical and Life Insurance Plan. Claims and administrative expenses exceeded total revenue by approximately \$263,000 during the first half of calendar year 2013, with the excess borne by the premium stabilization reserve. Contributions have decreased 2.8 percent in the first half of calendar year 2013 compared to the same time in 2012. This is attributable to a decrease in plan participants. Claims and administrative expenses have increased 3.7 percent during the same time period. This can be attributed to a higher volume of medical claims and an increase in administrative fees. There is a slight decrease in claims over the last 3 years. The decrease in medical and prescription claims between calendar year 2011 and calendar year 2012 is attributable to the decrease in plan participants.

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**FINANCIAL – BUDGET – REPORTS
YEAR-TO-DATE FINANCIAL REPORT, PERIOD ENDING SEPTEMBER 30, 2013**

Brenda Morris, Financial Services Director, provided to the Commission the financial report for fiscal year-to-date ended September 30, 2013, with budget and prior year comparisons.

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CONSULTANT SERVICES CONTRACT REPORT

Eric Schroeter, State Design Engineer, provided to the Commission the report of consultant contracts executed in the month of September 2013, for both engineering and non-engineering related

projects. The department utilizes consultants to efficiently manage workload and provide specialized expertise to supplement and support department staff. Expenditures for consultant services are funded from the Commission approved Statewide Transportation Improvement Program and MoDOT Operating Budget. Thirteen engineering consultant services contracts were executed in September 2013, for a total cost of \$550,891. Four non-engineering consultant contracts were executed in September 2013, for a total cost of \$236,803.

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By unanimous consensus of all members present, the meeting of the Commission adjourned.

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The Mission of the Missouri Highways and Transportation Commission is to:

- Represent the citizens of Missouri pursuant to the Constitution by providing independent and nonpartisan governance of the Missouri Department of Transportation; and
- Establish policies, exercise oversight, and ensure accountability in developing and maintaining a world class transportation system in Missouri which fosters safety and economic development.

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