

MINUTES FOR THE TRANSPORTATION COMMISSION MEETING
HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM
OKLAHOMA CITY, OKLAHOMA

BE IT REMEMBERED that on Monday the 1st day of June, 2015, 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.

NOTICE of the schedule of regular meetings of the Oklahoma Department of Transportation for the calendar year 2015 having been given in writing to the Oklahoma Secretary of State, and public notice and agenda having been posted in a prominent public view at or before 11:00 a.m. on Thursday, May 27, 2015, prior to the meeting, on the Atrium Informational Monitor in the ODOT building, and on the glass doors on the north side of the ODOT Building in accordance with Oklahoma Open Meeting Act, 25 O.S. Section 311.

ITEMS PRESENTED BY COMMISSION CHAIRMAN

CALL TO ORDER: Mr. David Burrage called the meeting to order at 11:02 a.m.

ROLL CALL:

Present:	John Fidler	Member
	David Burrage	Chairman
	Dan Overland	Member
	Greg Love	Member
	Todd Huckabay	Secretary
	Bobby Alexander	Member
	Brad Burgess	Vice Chairman
Absent:	Pete Regan	
Presiding:	David Burrage	

The following items were presented and approved as written at the Transportation Commission meeting of June 1, 2015. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Burrage introduced special guests, Albert Ashwood, Director of Oklahoma Department of Emergency Management (OEM), and Gene Wallace, Executive Director of the Association of County Commissioners of Oklahoma (ACCO).

Commissioner Burrage called upon Director, Mike Patterson for his presentation.

ANNOUNCEMENTS AND PRESENTATIONS

Director Patterson recognized Deidre Smith, the ODOT Waterways Branch Staff Manager in Tulsa. He asked her to come and tell the Commission about the McClellan-Kerr Arkansas River Navigation System taking prestigious step up in national status.

Ms. Smith introduced special guests, Gene Higgenbotham, Executive Director of Arkansas Waterways Commission and Steve Taylor, Executive Director of Johnston's Port 33 in Catoosa. She said in May, the United States Department of Transportation officially upgraded the freight waterway's designation from a

“Connector” to a Corridor” on the national Marine Highway Route. The elevated status places the McClellan-Kerr Arkansas River Navigation System along other large waterway systems nationwide and gives it a higher priority in future funding opportunities for growth. Nearly 12 million tons of cargo was moved on the MKARNS system in both Oklahoma and Arkansas, with a total value of just over \$4 billion.

Director Patterson recognized the ODOT Media and Public Relations Division for receiving a First Place award from the Society of Professional Journalists for its press release, titled “Two cities now one community again as Purcell/Lexington bridge reopens”. Accepting the award from the Public Affairs Division was: Terri Angier, Mills Gotcher and Cody Boyd.

ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION

69. Approval of the Minutes of the Transportation Commission Meeting of May 4, 2015

ACTION: Love moved and Alexander seconded that the Minutes be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN

70. Programming of Federal Railroad Crossing Safety Funds—Section 130 Title 23 Funds – Mr. Moody

- a) Grant County – District IV – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms, utilizing prediction circuitry and the installation of a full-depth concrete crossing surface at County Road E-0090 near Renfrow with the Union Pacific Railroad
- b) Garfield County - District IV – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms, utilizing prediction circuitry and the installation of a full-depth concrete crossing surface at N. Washington Street in Enid with Burlington Northern Santa Fe Railway
- c) Garfield County – District IV – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms, utilizing prediction circuitry at N. 2nd Street in Enid with the Burlington Northern Santa Fe Railway
- d) Sequoyah County - District I – a signal/surface project which includes the relocation and reinstallation of existing pedestal-mounted flashing light signals with gate arms, utilizing prediction circuitry at J.T. Stites Street in Sallisaw with the Union Pacific Railroad

71. Traffic Control Improvement Projects – Mr. Smart

- a) Cherokee County – District I – installation of multiple safety improvements along SH-82, beginning approximately 7.38 miles northwest of the City of Tahlequah, and extending northwest 1.17 miles
- b) Cherokee County – District I – installation of multiple safety improvements along SH-62, beginning approximately 5.98 miles east of the City of Tahlequah, and extending east 1.79 miles
- c) Blaine, Dewey, Jackson, Major, Roger Mills & Washita Counties – District V – installation of thermoplastic and multi-polymer pavement markings at various locations

72. Land Sales – Mr. Johnson

- a) Bryan County – District II – Land Sale – One-half mile West of Ranchette Road, along the North edge of US-70 - \$12,055
- b) Grady County – District VII – Sale of Access Rights - at the NE corner of US-81 and US-62- \$3,250
- c) Oklahoma County – District IV – Land Sale – Division 4 Annex, 1100 E. Reno in Oklahoma City - \$1,265,000

73. State Highway System Revision – Mr. Ooten

This item is necessitated by a request from Division V Engineer and an agreement with the City of Weatherford in Custer County.

- Remove from the State Highway System I-40 Business in the City of Weatherford, beginning at I-40 on the southwest side of town and extending northeasterly 1.58 miles through town on Main Street to I-40 on the east side of town.
- Remove from the State Highway System SH 54 Stub in the City of Weatherford, beginning at SH 54 at 4th Street and extending east 0.22 mile on Main Street to I-40 Business.
- A portion of the above removal of I-40 Business and SH 54 Stub, including right-of-away determined by the Department, will be transferred to the appropriate local jurisdiction for further maintenance or abandonment. In accordance with state law, a Public Removal Hearing was held May 14, 2015.

ACTION: Overland moved and Huckabay seconded that the Consent Docket be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

END OF CONSENT DOCKET

ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler

74. Engineering Contract

Pawnee County – District VIII – to provide preliminary engineering and prepare construction plans for US-64/US-412 Pipe Replacement, 13.7 miles East of US-64/SH-99W Junction

EC-1639 – Cabbiness Engineering, LLC - \$216,900

ACTION: Overland moved and Fidler seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, Burgess, and Regan
NAYES: None
ABSENT: Burgess and Alexander

75. Engineering Contract Supplements

- a) Statewide – All Districts – On-Demand to continue task driven Li-DAR Mapping
EC-1400 – Supplemental No. 2 - \$500,000 – Bearing Tree Land Surveying
- b) Statewide – All Districts - to continue task driven on-call services as agreed upon by the Consulting Firm and Department as needed to provide services for our Weigh Station Facilities
EC-1545 – Supplemental No. 1 - \$1,000,000 – Garver, LLC
- c) Kingfisher County – District IV – additional engineering services to develop final construction plans for US-81 Reconstruction from 5.4 miles North of the Canadian County Line (EW 84) North 3 miles
EC-1473 - Supplemental No. 1 – \$23,900 – Cabbiness Engineering, LLC
- d) Oklahoma County – District IV – additional engineering services to develop final construction plans for NW 50th Street and MacArthur Boulevard in Warr Acres, OK
EC-1395 - Supplemental No. 1 – \$37,401 – Smith Roberts Baldischwiler, LLC
- e) Harmon County – District V – additional engineering services to prepare final design plans for SH-30 over the Salt Fork of the Red River
EC-1474 – Supplemental No. 1 - \$11,049 – Triad Design Group, Inc.

ACTION: Huckabay moved and Burgess seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

ITEMS PRESENTED ON BEHALF OF PROGRAMS DIVISION MANAGER – Ms. Hilmes

76. Lettings

- a) Final August 2015 Bid Opening
- b) Tentative September 2015 Bid Opening
- c) Tentative October 2015 Bid Opening

ACTION: Fidler moved and Alexander seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

ITEMS PRESENTED BY ASSISTANT DIRECTOR OF OPERATIONS – Mr. Raymond

77. Change Orders with Cumulative Total of \$50,000.00 or Less – Information Only

- a) Beckham County – Ct. St. – STP-105B(084)(178)UR / 21321(04), \$20,389.69
- b) Beckham County – IS-40B – SSR-105A(199)SR / 28136(04), \$45,557.66 Underrun
- c) Carter County – SH-53 – STPY-110C(157) / 23291(04), \$2,945.20
- d) Comanche County – Co. Rd. – STP-NBIL(205)CI / 28373(04), \$400.00
- e) Garvin County – IS-35 – SBR-125N(200)SB / 28183(04), \$2,520.00

- f) Grady County – US-81 – NHPP-011N(094)3P / 29183(04), \$18,873.00
- g) Jefferson County – SH-89 – SBR-234C(013)SB / 29593(04), \$32,372.28
- h) Kay County – SH-11 – SBR-236B(016)SB / 29491(04), \$10,600.00
- i) Kiowa County – Co. Rd. – CIRB-138D(149)RB / 25094(04), \$17,701.47
- j) Logan County – SH-33 – STPY-142B(204) / 26379(04), \$32,637.01
- k) Mayes County – Co. Rd. – CIRB-149D(128)RB / 25638(04), \$27,124.58
- l) Okfuskee County – Co. Rd. – CIRB-154C(120)RB / 25425(04), \$0.00
- m) Oklahoma County – Ct. St. – STP-155C(871)AG / 28542(04), \$0.65 Underrun
- n) Oklahoma County – Ct. St. – STP-255A(087)AG / 29309(04), \$4,400.00
- o) Oklahoma County – IS-235 – SSP-255N(246)SS / 30422(04), \$19,672.00
- p) Pawnee County – Co. Rd. – STP-259C(002)CI / 29222(04), \$11,393.24 Underrun
- q) Pawnee County – SH-18 – SBR-259N(011)SB / 29766(04)#1, \$11,817.96
- r) Pawnee County – SH-18 – SBR-259N(011)SB / 29766(04)#2, \$1,116.72
- s) Payne County – SH-33 – SSP-160B(132)SS / 21868(04)#4, \$1,580.64
- t) Payne County – SH-33 – SSP-160B(132)SS / 21868(04)#5, \$16,019.70
- u) Rogers County – US-412 – SEC1702Y-166A(194)SS / 19983(08), \$26,509.95
- v) Sequoyah County – IS-40 – NHPPIY-268N(010) / 27112(04), \$8.93 Underrun
- w) Tulsa County – SH-51 – SBR-172A(515)SB/SBR-272A(005)SB / 27633(04), \$41,235.15
- x) Tulsa County – Co. Rd. – STP-172C(016)CI / 29216(04), \$45,106.70 Underrun

78. Change Orders with Cumulative Total Greater than \$50,000.00

- a) Canadian County – IS-40– IMY-0040-4(436)/IMY-0040-4(435)138/SBR-109N(182)SB / 24424(07), \$830,006.46
- b) Cleveland County – SH-9 – SSP-114N(099)SS / 20266(04)#6, \$82,367.50
- c) Cleveland County – SH-9 – SSP-114N(099)SS / 20266(04)#8, \$3,300.00
- d) Cleveland County – Ct. St. – TCSP-0H68(007)TC/STP-STIM(504)HP / 22670(04), \$136,639.37 Underrun
- e) Custer County – IS-40 – NHPPIY-0040-3(082)SS/NHPPIY-0040-3(085) / 26490(04), \$6,255.00
- f) Grant County – US-64 – SSP-127C(114)SS / 24175(04), \$156,983.24
- g) Greer County – Co. Rd. – CIRB-128C(073)RB / 24947(04), \$77,679.36
- h) Kay County – US-60 – SBR-136B(210)SB / 28314(04), \$119,961.25
- i) Kingfisher County – SH-51 – SSP-137C(070)SS / 24211(05), \$30,901.50
- j) Lincoln County – US-177 – STPY-141B(166)SS / 24180(04)#1, \$182,089.32
- k) Lincoln County – US-177 – STPY-141B(166)SS / 24180(04)#2, \$5,315.64
- l) Love County – IS-35 – SSP-243N(002)SS / 28584(07), \$2,099.00 Underrun
- m) Mayes County – SH-28 – STPY-149C(076) / 21909(04), \$58,239.00
- n) Oklahoma County – IS-40 – OKCY-XTWN(070) / 17428(80), \$9,440.17
- o) Oklahoma County – Ct. St. – STP-155C(651)(852)AG / 24041(05), \$2,186.22
- p) Osage County – US-60 – NHY-018N(045)TI / 23130(04), \$465,488.28
- q) Osage County – US-60 – NHPPY-257N(020)SS / 24287(04), \$5,057,485.63
- r) Ottawa County – Co. Rd. – STP-158C(147)CI / 25092(04), \$278,576.67
- s) Pawnee County – Co. Rd. – BRF-159C(081)CI / 24375(04), \$661.50
- t) Payne County – Ct. St. – CIRB-160D(139)RB/SAP-260D(008) / 22169(04), \$48,117.26
- u) Rogers County – SH-266 – SBR-166C(254)SB / 28261(04), \$40,731.27
- v) Sequoyah County – IS-40 – SSP-268N(012)SS / 25909(34), \$74,115.33

ACTION: Fidler moved and Overland seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

ITEMS PRESENTED BY THE DIRECTOR OF OPERATIONS - Mr. Green

79. Update on Emergency Project on I-44 Belle Isle Bridge Piers in Oklahoma County

Mr. Green informed the Commissioners that an Emergency Letting was held on May 20th and Sherwood Construction out of Tulsa was awarded the contract with a base bid of \$13.5 Million Dollars. Work began at Midnight on May 21st which consisted mainly of building access roads, because it's pretty wet and swampy from all the rain that we have had; and also delivering materials and equipment to the site. To date they have done some shoring on the 5 critical piers that we need to complete before opening I-44 to all 3 lanes of traffic. We do have some incentives built into the contract so that we can get the work done and get all the lanes open up to traffic.

NOTE: *Commissioner Burrage said to be clear, you are into the construction and you opened the lanes?*

Mr. Green said, "No, we won't be opening a lane until we get those 5 piers done, shored up and concrete poured around them.

Commission Burrage asked what is the timing on when the lanes will be opened.

Mr. Green said that it would be approximately 10-15 days, could be shorter if the weather cooperates and everything goes just right.

ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce

80. Awards

May 21, 2015 – Regular Letting

ACTION: Love moved and Huckabay seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

ITEMS PRESENTED BY THE COMPTROLLER – Ms. Hilmes

81. Fiscal Year 2016 Budget Work Program

The Department is required to submit a Budget Work Program to the Office of Management and Enterprise Services in June of each year which will provide budget authority for the upcoming fiscal year. In keeping with that process, the Department is submitting for Commission approval the Fiscal Year 2016 Budget Work Program in the amount of \$1,761,484,082.

NOTE: *Commissioner Burrage asked if she meant \$471.5 million instead of \$476.5 million.*

Ms. Hilmes said that there was a typo is should have been \$476.5 million; the \$471.5 million is just for highways.

ACTION: Overland moved and Fidler seconded that the Item be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

82. Fiscal Year 2015 Budget Revisions

a) Request to increase federal share of Capital Outlays for unbudgeted federal revenue:

Engineering Contracts	\$15,000,000
Bridge Contracts	\$ 5,200,000
Federal Aid Projects	<u>\$30,000,000</u>
Total	\$50,200,000

b) Request to transfer \$9,000,000 to the state share of Engineering Contracts from:

Director of Engineering	\$ 4,000,000
Federal Aid Projects (state share)	<u>\$ 5,000,000</u>
Total	\$ 9,000,000

c) Request to increase Intelligent Transportation Systems by \$750,000. Unbudgeted revenue will cover this increase.

d) Request to transfer \$5,000,000 from CIRB Construction to CIRB Engineering contracts.

ACTION: Love moved and Alexander seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

ITEM PRESENTED BY THE DIRECTOR – Mr. Patterson

83. Declaration of Emergency Repair Project

Pushmataha County – District II – US-271 South of Clayton – \$385,000.00

Director Patterson read the, "Declaration of Emergency" into the record. He stated that subsequent to his Declaration of Emergency and before any action could be taken the slide area continued to fail. Repair of the slide is now expected to exceed \$750,000.00. On Tuesday, May 26, 2015 the Department entered into a contract in the amount of \$389,900.00 with GeoStabilizing International for temporary stabilization of the slide area to prevent the slide from further failing. So the next item is another Declaration of Emergency to request approval of a repair project to permanently fix the slide.

NOTE: Commissioner Burrage said Agenda Item 83 had been amended to change the contract dollar amount to \$389,900.00. (Please see attached Amended Item No. 83)

Information Only; No Commission action required

NOTE: Addendum Item No. 86 was presented at this time.

ITEM PRESENTED BY THE DIRECTOR – Mr. Patterson

86. Declaration of Emergency

- a) Pushmataha County – District II – US-271 South of Clayton
- b) LeFlore County – District II – SH-1
- c) Haskell County – District I – SH-82

Director Patterson read the, "Declaration of Emergencies" into the record.

ACTION: Burgess moved and Fidler seconded that the Items be approved as presented.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

ITEM PRESENTED BY THE DIRECTOR – Mr. Patterson

84. Director's Report

Director Patterson called upon Director of Operations, Paul Green to give a slide presentation.

Mr. Green presented a slide show of the flood damage in Division 2 and Division 1. He also showed pictures from the company that is doing the slide repairs. These pictures were of similar slide repair jobs that GeoStabilizing International had done in the past and showed the process of how they make these repairs.

Director Patterson showed some slides of flood damage to our state owned Railways that are leased to Operators. The Operators are facing some challenges with these issues, and Craig Moody of our Rail Division is working with our Leasees to try and rectify some of these challenges. The importance of getting this done is that it's harvest season. Back in the early 80's this was one of the main reasons we bought these abandoned railroads, we wanted to make sure that our farmers had access to get their crops to market.

Director Patterson said on May 26th that he and Casey Shell had a great opportunity to tour the flooded areas by helicopter. He said he was very grateful to DPS for making that helicopter available to them. He explained that since that video that Highways 271 and 259, and the Roosevelt Bridges had now been closed. He stated that as of yesterday afternoon we had a total of 30 roads closed. This morning we are down to 29, one of the roads had opened. He said that 2 years ago when we dealt with the tornado damage we came up with a slogan, "ODOT Strong" because of our employees that sacrificed their personal time with their families during the Memorial Holiday to volunteer and help people in need and ensure the safety of the traveling public. Our employees did the same thing this Memorial Weekend to help people and keep traveling public safe during the floods. We had some tornadoes hit Southeastern Oklahoma on the evening of May 25th, and we had employees out 24 hours a day flagging traffic in the rain and we had to hurry and get them to safety when the tornadoes hit. That just shows the dedication of this agency, especially of our maintenance and construction employees that are out in harm's way to help people and ensure their safety; and I want to express my appreciation to all these employees.

NOTE: Secretary Ridley asked how many employees we had out helping.

Director Patterson stated that we had approximately 1000 people out on the roads helping.

Director Patterson commented that we are a little behind on our mowing, but as soon as it dries out we will be out there mowing. He stated that as the flood waters recede we will probably have more emergency challenges; because right now we can't see what's going on with the surfaces under the flood waters. He said the Washita Bridge on SH-99 south of Tishomingo had some challenges before the flood and we recently put some wooden cribbing underneath the bridge to support it, and we don't know if that cribbing is still there. We hope that it remained in place but with the way the water is moving under there I question it. As soon as the water recedes we will get under there and

inspect it and if the cribbing isn't there we will have to rebuild it. He said that every Division in the state had road closures except for Division 6; but that doesn't mean Division 6 wasn't involved, because they were helping with traffic control and lending manpower to the other divisions in need. As we begin the ER Process, we are also reaching out to the counties, because the counties have issues that will involve both us with our ER Program and Director Ashwood with the FEMA Program; depending on what kind of road or bridge we're looking at, whether it's a major collector or a minor collector or a lesser categorized road.

So I already received our acknowledgement back from the Federal Highway Administration for the ER program so that we will begin expediting our process both on our system, as situations are known, and on the county system, as their situations are known. We've reached out to the county commissioners, with the help of ACCO and Randy Robinson, and made direct contact with the county commissioners, so that we can begin the process of communication between the county commissioners and us, so that we both understand the projects and the documentation that's going to be required to do ER projects. But in addition to that, last week the governor asked the department to elevate our cooperation with the counties. So we're putting together a plan that we can bring to the Commission, and expedite projects that would be let to contract through the CIRB program. So we are beginning that process as well, Shannon Sheffert is visiting with the county commissioner this afternoon in Canadian County that we believe has a project that will fit that model perfectly. Of course, we still have to go through all the right of way, utilities and environment, but a lot of these projects won't involve those. It's just putting the road back exactly where it was, and we can expedite this whole thing, bring it to you and get the road replaced through CIRB funding. But as it was pointed out by the chairman this morning, we have to communicate with not only ourselves, but the county commissioners of the availability of these funds, the ER funds and the FEMA funds. So we're going to continue that communication, we don't want people spending money that they didn't have to, out of their pocket that they could have gotten from the Federal Highway Administration or FEMA. So we're going to continue that conversation and make sure that that happens. So later this week we hope to sit down with the county commissioners, face-to-face with the guys from ODOT that really have all the details and really get into the bread and butter of the program. He asked Director Ashwood to come and let the Commission know where he is at in this process.

Mr. Ashwood thanked Director Patterson and said that he too would like to say how outstanding a job ODOT has done over the years working with us and working with the counties to help them through their time of disaster. The good news is the drought's over! Unfortunately, we have a lot of work to do out there. You look at the counties and when we talk about FEMA funds, we're talking about the non-major collectors, what we can do to help out commissioners in that sense.

Last week on Tuesday we received a presidential disaster declaration for the floods that we have been having and experiencing from May 5th ongoing, but it was only for individual assistance in 3 counties: Oklahoma, Grady and Cleveland. Now, there's a reason for that, it's because that's the easiest thing to assess right off the bat. You can assess the individuals that are victims, how many houses are major damaged and how many are destroyed, so on and so forth.

The good news is that we got the declaration! The easy part is then adding on assistance, whether it be infrastructure assistance or additional counties, to the declaration that you now have from the President, it doesn't have to go back the White House. So for the last 10 days or so we've been doing damage assessments with the federal government of infrastructure damages, primarily in southeastern Oklahoma. That's because that's the only number of teams that we could field at the time with the federal inspectors limited. Last Friday we asked for 16 counties to be declared for public assistance, which are infrastructure damages. I anticipate hearing that approved probably

either today or tomorrow; and at the same time, we're still doing more assessments. So I think when it's all said and done, just from previous history in this, we'll probably have 50 or more counties declared for public assistance.

We will have to go back out after the assessments are done; and they're declared to go out and actually write the project worksheets. That's where we go to the individual sites, look at the damages they have with the Commissioner, agree on the scope of work, again, not the price, the scope of work. In other words, this road is damaged, how much fill is it going to need, how much of labor, how much equipment, and everything else. Once you agree on that, then there's a cost code that goes to it and that figures out how much it costs.

He said when they passed this law originally that provides federal assistance, going back to 1998 the "Stafford Act". Congress was actually very wise in knowing that it's one thing to pass a law that provides assistance, but if you do it strictly on reimbursement, those local commissioners don't have the kind of capital that can go out and do the work and then get reimbursed. So they divided up assistance between what they call large projects and small projects. So you had small projects that we could pay up front and they could do all the work on that as well, utilize it for the larger ones as well; and then you had the large projects, mostly bridges that you'd come back in and reimburse as needed, based on the documentation that came back in.

The good news is they've actually changed the rules since our last disaster; and the small project large project number has gone up to where now I can advance money for projects that are anything under \$120,600. So that's a lot of money that can go out there very quickly once that project worksheet is done. So I think it's going to help the Commissioners a great deal and get money out in the field very quickly to help them out.

Now what does concern me is they also changed the rules on procurement. Because I used to go out and tell commissioners don't throw your hands up in the air and say this is disaster and throw away all your rules. Follow your current procurement rules, your current bidding procedures, and you will be fine. Well, that's not really true anymore; you have to follow federal bidding procedures and federal procurement procedures. So we're going to be working with ACCO and we're going to be working with ODOT as well to make sure we get this information out to the Commissioners that they don't paint themselves into a corner and get their selves into trouble where we can't reimburse them.

So that's where we are, like I said, patience is the key here. It's just a matter of how quickly we can do the assessments, get back in, get them turned on, and then go back out and actually write the project worksheets. But I anticipate that all, actually, money out the door probably within just the next few weeks.

NOTE: *Secretary Ridley commented, Director Ashwood is the best in the country at doing his job; and I can assure you he knows how to spend every dollar that's available of federal funds in an emergency. We couldn't ask for better person to have running the show in what he believes is probably the worst statewide flood that we've ever had; and I wanted to make sure that the Commission knows that the Turnpike Authority along with the Department of Transportation is going to supply you with however many people you need to help in your assessments and your assistance as needed. We certainly want to help county governments, local unit of governments; they certainly are up against it for sure. Anything that we can do within statutes, I know that Mike and you are going to be able to provide and we thank you for that.*

Mr. Ashwood expressed his appreciation to Mr. Ridley for his kind words. He said, we're planning on doing training with the FEMA staff as well as the engineers you provide and my staff later this week to where we sit down and talk about nothing but gravel roads. Because there is a real difference of opinion on eligibility when it comes to gravel roads, whether it's just pulling up the gravel from the bar ditches and reshaping, that's one thing; but then actually doing much larger, much detailed damages. I want to make sure that every inspector we send out in the field has the exact same training. So we're looking for that consistency, regardless of which county we go to.

Commissioner Burrage said the comment he would make, and extended it to Gene and Randy too, is the last couple of disasters we had down in Division 2, tornado and the bad freeze, we really need a lot of education, on the local level, with the County Commissioners, the Mayors. So it's not just ODOT and the Turnpike Authority, maybe you need to have more than one training and need to get that information really to them, so we make the right decisions.

Mr. Ashwood said we will do that, and we bring the State Auditor and Inspector with us; because we know you're going to be audited, just like we are. So we want to make sure we cover those things before we ever get out there and start handing out the money.

Commissioner Burrage said that one suggestion that he would make, there are a lot of different people involved, and when you tell one group and you're tired of delivering your message and somebody else asks the question again, instead of the answer being well, we've already gone over that, is to go over it again.

Mr. Ashwood answered; I don't think we've ever done that, if we have, please, by all means, tell me. We are very good about making sure that every group knows about this and exactly what the changes are.

Commissioner Burrage said, well I don't say that as a criticism, it's just that those two disasters, as I traveled around and watched what was going on, communication, communication, communication.

Mr. Ashwood said one of the biggest problems we have, and we bring this forward again, it gets back to consistency; and what will happen is you'll have one federal inspector who will come in and say okay, I'm writing you up for this project, this is all eligible, here's half a million dollars or wherever costs. Then two weeks later a different inspector comes in and says well, this is all ineligible and we have a problem with that.

Commissioner Burrage said, "I didn't want to specifically say that".

Mr. Ashwood said, yeah we understand that. So the way we're trying to combat that is to take the Federal Inspector out of the business and basically have only state-managed disasters. They still have federal funds, but we have state-managed disasters. In other words, our inspectors that go out are just as trained and equipped as any federal inspector they can send us; but it will be the exact same person your Commissioner is working with every time. So before long, you're not going to ineligible projects, everybody's on the same page. So I think that will take care of a lot of it, and we realized that. We realize that a lot of the inspectors that come in again, with multiple disasters across the nation, that a lot of them are just trained to a very limited basis; and then they're sent in here to write project worksheets that can really change people's budgets, change their lives. So we want to make sure that in Oklahoma they have that consistency. There is something to be said about rumors too that go out there. I dealt with a rumor this weekend, I was told that again,

on the Red River, that we needed to use National Guard helicopters to actually airlift cattle out from a stranded area. I was told that we did that back in 1990, they made the mistake, I was there in 1990, we did not do that, but we'll work those issues out.

Commissioner Burrage said, I really appreciate you expanding your comments, you really made me feel comfortable.

Director Patterson said Mr. Ashwood brought up a great point about the changes with the FEMA program. We also have changes with the ER Program; where before everything was reimbursable. With recent changes, now there is some up-front money that we can receive as well, based on our aggregate damage assessments. So as we develop those, then the Federal Highway Administration will be able to advance us some money. He asked Gene Wallace from ACCO to come and give the County's perspective on the damages.

Mr. Wallace said I will tell you that we have been doing this for the past nine to 10 days, and communication is the primary goal that we have. In fact, we had a meeting, Randy and I and some other staff, not 15 minutes before we came about changing the way we communicate, because there is a tremendous difference between giving message and understanding the message once they get it. So we're trying to delineate our messages where they absolutely are on spot to the point that we don't have these myths that develop out there.

I'm fairly new to the position as you well know, but I've spent the last 32 years working with disaster declarations across our great country. So it's not a new exercise for us, but for our local elected officials this is probably what they do best. They respond from the middle of the night to early in the morning when they have a crisis, even over a holiday, as Director Patterson had talked about. But there are just some things you get to the point that they're much larger than the scope that they can actually handle; but the wonderful thing about not only Mr. Ashwood's office, but the entire State of Oklahoma, our phone does not quit ringing. I call it somewhat like the rural firefighters association they're not necessarily organized, but if a fire gets out, they all grab a burlap bag and they start fighting fire; and that's what's happening in the State of Oklahoma today. We've got every agency calling. We're going to put a conference call together with the Governor's office tomorrow. The one thing that we've known from the past disasters is we do not want any after effects in having the wrong information. So we appreciate the invitation to be here today. We're going to hold hands with you throughout this exercise. We all know what our jobs are, and we're going to do our best to fulfill them. So on behalf of the counties and elected officials thank you for being here.

Secretary Ridley said we have Gary Carino here of Federal Highway Administration and I'd like to ask him a couple questions. Gary, the event that has taken place is probably, in my tenure with the agency, I've never seen it. Consequently, as Director Ashwood pointed out, there may be up to 60 counties that could very well have damage, and probably do have damage that will meet the FEMA requirements; and we have a statewide declaration on ER funds. So I want to make sure that we have a commitment from federal highways. Because on the ER locations, you have to have an Inspector out there to approve those projects, do you not?

Mr. Carino said, "That's correct".

Secretary Ridley asked, "Do you have enough staff to be able to do that, not only on the state system, because we're used to dealing with that, but on the county system, where we may very well have 60-70 counties that are going to have damage that will qualify for ER funds". Do you have staff to be able to handle that; and if so, are they going to be where they can run seven days a week until we get done with this?

Mr. Carino said, “ Mr. Secretary, thank you for the opportunity to talk to you; and let me just say that I have personally been working with Director Patterson for some time now in preparing for this event; and as he mentioned, we have approved the ER event itself”. We're in a process of doing the quick release of the advanced funding forward as well, instead of just having it on a reimbursement basis, as it has been in the past. My staff stands ready to work with your staff; FHWA strong will stand with ODOT strong in moving ahead with this effort. If for some reason I need additional staff than what I have in my office, I will reach out to our agency throughout the country to get the staff that we need. Believe me, we will not hold you up; we will stand behind you and help you and assist you in any way we can. We will not hold up or restrict anything you need to do to take care of this situation.

Secretary Ridley said, “Very good, and I really appreciate the commitment on federal highways; because I do know that you have limited amount of staff and we have a really big problem. Your willingness to reach out to your other counterparts across the country is important in case you need to do so.

Mr. Carino replied, “Whatever it takes”.

Director Patterson said that was all he had about the ER Fund and asked if there were any more questions before he moved on.

NOTE: *Commissioner Love asked, “Do you and your division engineering staff feel like you've got a pretty good game plan for what you're going to be doing”. The water recedes, you now can see what you have, and all the testing that you're going to need to do on the pavement, all the inspections of possibly washed out bridges, just all the things that you guys need to do. Do you feel like you have a good game plan in place to be able to do that and do it fairly quickly.*

Director Patterson said I believe we have a good game plan in place for what we don't know. Certainly, as we've all talked, we're not sure what's out there, but we're ready to mobilize as things become known. We will reach out to our consulting partners to help us with bridge inspections and roadway inspections, whatever we need. But we have a tremendously intelligent staff here at ODOT; we think we've got enough people, but if not, we will reach out. Because as the Secretary mentioned, we've committed to help the counties as well; so we may have some of our staff working with the counties. We may have to bring in consultants to help on their stuff, but I believe the game plan's in place. We just need the water to recede so we can get started.

Commission Burrage commented that I really appreciate, from being a commissioner, and I'm sure these guys feel the same way; is how you guys have worked to keep the roads open. Now I don't know about every area, because I didn't pay attention to them; but ODOT has kept roads open and done it safely. Whereas some other places may not have done that; and what that means, people got to go home, they got to go to work and they got to continue their business; and that's a big deal. It's easy to go and close a road, very easy, but it's hard to close a road and keep it closed when people are driving through barricades and doing unsafe things. I appreciate our guys. I know that some of them were having to go and check those barricades, every hour, and put them back up and devise methods so that people wouldn't destroy them and we could still use them. But the people that had a little bit of bad judgment could get through them and tried. I applaud you guys and you guys representing the county for keeping roads open; because it makes a difference to all of us when you close one needlessly, or you don't do it in a safe manner. So thank you guys for that.

Director Patterson expressed his appreciation to the Commissioners for their approval of the budget going forward for the next fiscal year. He said as we went through the legislative process, we knew that we were going to be part of the legislative budget shortfall, solution. We were anticipating something to be less; but we weren't sure what it was going to be until the final negotiations were done in the waning hours of the legislative session. At one point the Department was up for about \$80 million; but through the efforts of many, including those negotiators, it was finally settled that we would take a \$12.5 million reduction in our motor fuel tax over the previous year. So as Chelley told you earlier, our motor fuel tax collections for next year will be \$184 million, down from \$197 million. Now that is less than the amount that was certified by the board of equalization; but please know this Commissioners we will continue to deliver on the eight-year plan as part of this budget; and as I mentioned last month, we have increased our maintenance budget. We will keep our asset preservation plan at the level it's been at for the last two years. We are not going to forsake maintenance. We have spent a lot of time; our citizens have spent a lot of money putting in new bridges and new roadways, and we're not going to let those go unmaintained. So we're going to continue to increase our maintenance budget going forward.

There is a trend that I see that is a bit disturbing; and that's the reduction in motor fuel tax year after year. So we're going to have to address that going forward. Secretary Ridley and I have been in conversation with some people that are going to help us with an education process, and we will be meeting with them throughout the summer. These people are economists and transportation folks that understand transportation finance; and so they're going to be helping us put together a program that we can educate legislators and stakeholders and the public on what transportation means to Oklahoma.

There are a couple of projects that you awarded today that are fairly significant. One is on I-40 and Radio Road, it's a new interchange. You may recall the Governor some years ago, along with then CEO of Chesapeake, Aubrey McClendon announced in a formal presentation a collaboration between the agency and Chesapeake to build an interchange there, one of our public-private partnerships. That project has come to fruition and you awarded that today. So we will begin construction on that new interchange near El Reno, on I-40. The other one I want to mention, because it's so small, relatively speaking, but it's an intersection modification on Santa Fe here in Oklahoma City at 36th Street and 50th Street. That's really the beginning of the next phases of the widening of I-235 in the interchange with I-44. We had to do those intersection modifications so they could become truck routes and increase the turning movement for trucks so that we could do the other things that we need to do on I-235. So that little project is going to manifest into a much broader effort.

He informed the Commission of two pieces of legislation that were passed during this last session that are huge for the safety of our workers and the traveling public. The first one was by Representative Hoskin and Senator Paddock; and it expanded the move over law. You may be familiar with the move over law, where you have to move over to the left lane if law enforcement has somebody pulled over. That's actually a law, most of us do it out of courtesy, but it is a law. They expanded that to include highway workers. So if our guys are out on the side of the road picking up litter or whatever they're doing, move over, because that is now a law. The other one was by Senator Stanislawski and Representative Sanders that provided us with variable speed zones. Heretofore, we had not been able to put enforceable speed zones in maintenance work zones; we always have them for construction work zones; but for maintenance work zones we now have an opportunity to slow the public down and have that as an enforceable speed limit. So we're really appreciative of these four authors and certainly the Governor for signing these two measures, just to provide additional safety to not only the traveling public, but to our workers.

Director Patterson said there is an individual, a guy that is one of our servant leaders here at ODOT. This guy wants to walk away from ODOT without any fanfare, because that's the kind of guy he is. Paul Rachel, is retiring at the end of this month; this is his last Commission Meeting. He didn't want a party, but I wanted to acknowledge what he has done for ODOT. Paul was born in Wewoka, Oklahoma, he graduated high school there and went to Oklahoma State University, got his engineering degree, came to work at ODOT for a whole month and then he left. I was surprised, but I learned this several years ago, Paul and I share something, we're both aviators. He doesn't fly as much as he used to, but he left after a month and joined the Air Force. So in May of '71 he came to work, in June of '71 he left. He joined the Air Force and spent four years flying, and then he came back to ODOT. And he went to work in our IT area. You may think that's odd, but he provided such knowledge to the IT area about engineering issues. He changed the way we do business; our old maintenance management system, our old maintenance reporting system was done by Paul Rachel. It was the base upon which many of our IT systems are based today. From there, in 1979 he moved to the maintenance division, and then in '83 became the Assistant DE in maintenance, all the while, just doing what he does. He doesn't talk much, but he works hard. In 1991, which is a date that's hard for me to believe, January of '91 he became the Division Engineer in Division 3 in Ada, and has tirelessly worked as a Division Engineer in Ada. As I said, he's not one to talk a lot; but he speaks loud with his actions, he speaks loud with his presence. Mr. Chairman, if I could, I'd like to give Paul Rachel a round of applause. I know Commissioner Overland has some words that he'd like to express.

Commissioner Overland said the first call I ever received when I was appointed Commissioner was from Paul Rachel. I told him I didn't know anything about this; and he said, "Hey, let's just sit down let's talk about it and I'll tell you everything I know". So over the last 14 years or so, his patience with me and his knowledge and talking about issues in a layman's viewpoint has really made me look good. But he's a good and decent man, he's a man of faith and I'm going to miss him; because he could call me any time and I could call him any time. Any time we were with a crowd or in a meeting his calmness and patience got other people calmed down that should be angry. I just say it's a sad day for ODOT, but a good day for Paul. Thanks, Paul.

Secretary Ridley stated he has known Paul for a while; you couldn't make Paul Rachel do something wrong, you just couldn't do it. He is by far the most cerebral guy that I've ever been around. He has helped me with a lot of things, changed my mind on so many things, and he didn't do it argumentatively, he was able to change it logically and relentlessly. He would stay focused on something and he'd stay after you until he convinced you that the way he wanted to do something was right; and 99% of the time he was right. But he is a longtime friend, somebody that's going to be sorely missed by this agency. I never worried about the Ada Division, Division 3, whether it was being taken care of, because he was always on top of every issue. Paul we're going to miss you, this agency will miss you and I will certainly miss you personally. We hate to see you go, but we love you, guy, we really do!

Director Patterson said as I expected Mr. Rachel is not going to say any words; because again, he's a man of few words and he's very humble about what he does. But I know that he and his wife Dinda are going to have a wonderful time, they love to travel and love going to see their family. Paul as everyone has said, this agency will miss you; and you know where you can come any time you want to. Thank you very much.

Commissioner Burrage said, "The only thing I'll say is you are a great man, and you've represented ODOT well, but you have to come up here and take a picture".

Commissioner Burrage said that prior to hearing a motion for adjournment, I want to again brag on ODOT for their response and how they've handled this latest flood incident and taken all the angst out that you can take out. But I would also remind everybody that after all the debris is cleaned up and the roads are open, as the Secretary and the Director said many times, the road services are in bad shape and none of us need to forget that.

Information Only: No Commission action required.

ITEM PRESENTED BY COMMISSION CHAIRMAN

85. Adjournment Motion

ACTION: Overland moved and Burgess seconded that the Meeting be adjourned.
MOTION: Carried by the following vote:
AYES: Fidler, Burrage, Overland, Love, Huckabay, Alexander, and Burgess
NAYES: None
ABSENT: Regan

Meeting adjourned at 12:28 p.m.

Approval of the Minutes of the Transportation Commission Meeting of June 1, 2015.

David Burrage – Chairman

Brad Burgess – Vice Chairman