



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

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**February 6, 2008**

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**MINUTES OF REGULARLY SCHEDULED MISSOURI HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN  
JEFFERSON CITY, MISSOURI, ON WEDNESDAY, FEBRUARY 6, 2008**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, February 6, 2008, at the Department of Transportation Building, 105 West Capitol, Jefferson City, Missouri. The meeting was called to order at 8:35 a.m. by James B. Anderson, Chairman. The following Commissioners were present: James B. Anderson, Duane S. Michie, David A. Gach, Mike Kehoe, Bill McKenna, and Rudolph E. Farber.

The meeting had been called pursuant to Section 226.120 of the 2000 Revised Statutes of Missouri, as amended. The Secretary verified that notice of the meeting was posted in keeping with Section 610.020 of the 2000 Revised Statutes of Missouri, as amended.

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Pete Rahn, 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 Wednesday, February 6, 2008.

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

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 Anderson, Aye  
Commissioner Michie, Aye  
Commissioner Gach, Aye  
Commissioner Kehoe, Aye  
Commissioner Farber, Aye  
Commissioner McKenna, Aye

The Commission met in closed session from 7:30 a.m. until 8:15 a.m.

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**-- OPEN MEETING --**

**APPROVAL OF MINUTES**

Upon motion by Commissioner Michie, seconded by Commissioner Farber, the Commission unanimously approved the minutes of the regularly scheduled meeting held on January 10, 2008 and the special video/teleconference meeting minutes from December 19, 2007. 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, the 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 on the Commission meeting agenda. Those items considered by the 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 February 6, 2008, Consent Agenda**

No items were removed from the consent agenda. Upon motion by Commissioner McKenna, seconded by Commissioner Gach, the 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 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 reports were made during the February 6, 2008, meeting.

**Audit Committee** – Commissioner Michie reported that an Audit Committee meeting had been held prior to the Commission meeting on February 5, 2008. The Committee concurred with the audit report on District Operations of 2,4, and 7. The Committee reviewed the recommendations for the motor carrier audit plan for the coming year. The Committee also approved the recommendation from staff regarding the hiring of independent auditing services, further detail about this recommendation was presented to the Commission as a whole during the MoDOT Presentations portion of the agenda. The Committee received an update regarding two audits being conducted by the State Auditor’s Office. Staff presented to the Committee an Audit Committee Notebook that provides a base for understanding the audit processes and will be useful for members in the future.

**Legislative Committee** – Commissioner Kehoe reported that Director Rahn would present the last State of Transportation Address to the General Assembly later this morning. This is the final State of Transportation Address due to the statutory sunset of five years. Commissioner Kehoe stated he is looking forward to seeing all the special guests who are here to attend the State of Transportation Address, as it will be a proud day for people to be a part of Team MoDOT. Commissioner Anderson commented that when this Address was established by law six years ago, it was more punitive than positive, however, what was set up to be a punitive action has really been a positive and constructive action for MoDOT. Commissioner Kehoe reported Governor Blunt’s recent decision not to run for a second term as Governor has created a domino affect in many public offices with announcements being made by candidates for various offices, and the official filing for office takes place in March. All of MoDOT’s legislative proposals have been introduced in both the House and Senate and are awaiting committee hearings.

**Missouri Transportation Finance Corporation** – Commissioner Gach reported that a Board meeting had been held prior to the Commission meeting on February 5, 2008. The Board received a presentation regarding the MTFC investment accounts at Central Bank. The Board approved a loan request for Crossroads Center Moscow Mills, LLC application to construct a diamond interchange at the intersection of Route U and 61 in Lincoln County. The Board also discussed recapitalization options.

**MoDOT and Patrol Employees Retirement System** – Commissioner Michie reported that the last Board meeting occurred on January 31, 2008. The Board elected officers and Commissioner Kehoe was elected as Vice Chairman and Commissioner Michie was elected as Chairman, both are to serve one-year terms. The Board also welcomed Roger Stotlemeyer back as a retiree, where Mr. Stotlemeyer had served on the Board previously in his capacity as the Colonel of the Missouri State Highway Patrol. A retired highway patrol board member position was added for a total of 11 members on the Board. The investment return for calendar year 2007 was 9.3 percent. The Pension Administration System that will bring all of the administration work within MPERS is approximately one month behind schedule but they are working to accomplish the scheduled completion date of late spring 2009. The 2008 cost-of-living adjustment for retirees and survivors is 2.27 percent which is down slightly from 2.58 percent in 2007. The retirement system has been nominated for the “Mid-Sized Public Plan of the Year Award” Money Management Letter. The winner will be announced in March. The executive search firm of Grant Cooper of St. Louis is conducting a search for a new executive director for the retirement system and the Board approved

the job specification for the position of Executive Director.

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## **DIRECTOR'S REPORT**

During the February 6, 2008, Commission meeting, Director Pete Rahn provided the following report:

- (1) **Safe and Sound Bridge Improvement Program.** The department is very close to reaching an agreement with the Missouri Bridge Partners. There is one issue that needs to be resolved before a contract can be executed and at that point the department will return to the Commission for approval of the contract. There is no estimate on how long it will take because execution of this type of contract is usually a long drawn out process, however the department will bring it back as quickly as possible to the Commission.
- (2) **Transportation Research Board Annual Meeting.** There were over 11,000 registered participants at the annual meeting for the Transportation Research Board (TRB) in Washington D.C. in January. Director Rahn proudly reported that MoDOT was asked to give a number of presentations on various issues where MoDOT has been a leader. The conversations around TRB frequently mentioned MoDOT and what the department is doing. This is indicative of the level of performance of Team MoDOT and the dynamic people that are producing great projects. The beneficiaries of these efforts are the citizens of Missouri.
- (3) **State of Transportation Address.** During the State of Transportation Address, Director Rahn explained he would only be able to recognize a few members of the New I-64 and Jefferson Street Overpass teams due to time constraints. However, Director Rahn recognized all members of both teams who were present at the Commission meeting for their hard work that has resulted in community support of the department.

Commissioners McKenna, Anderson, and Kehoe praised both teams for making a world of difference in public opinion of MoDOT.

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**FISCAL YEAR 2008 FINANCIAL AUDIT - AUDIT FIRM RECOMMENDATION**

On behalf of the Director, Debbie Rickard, Controller, outlined the process followed when reviewing the responses received to the request for proposal for independent auditing services. The request for proposal (RFP) was issued in December 2007 for a three-year contract with 2 one-year options renewal. The Department received four responses to the RFP.

An evaluation team included MoDOT staff and a representative of the Office of Administration accounting staff. Statutorily, the Office of Administration Commissioner selects the independent auditor for MoDOT, however, historically MoDOT has selected the auditor and the Office of Administration Commissioner concurred with the recommendation. This year, the representative from the Office of Administration on the evaluation team concurred with the team's recommendation.

The evaluation team ranked the responses based on the criteria outlined in the RFP. The items ranked included experience, proposed method of performance, fees and expenses, staffing, and credentials.

The evaluation team recommended to the Audit Committee, who concurred with the recommendation, to award BKD a three-year contract with two optional one-year renewals. After consideration, and upon motion by Commissioner Michie, seconded by Commissioner Farber, the Commission approved the recommendation to award the independent auditing services contract to BKD.

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## **AUDITS AND INVESTIGATIONS ANNUAL REPORT**

On behalf of the Director, Bill Rogers, Director of Audits and Investigations, presented the 2007 Annual Report of the Audits and Investigations Division. Mr. Rogers stated in 2007 there was an increase in the investigation workload, however a decrease in the grievance caseload compared to 2006. The Audits and Investigation Division (AI) watches for trends to see what can be done to prevent fraud, waste, and abuse; while at the same time, work with employees to reduce grievances and EEO complaints.

During 2007 the division opened 90 investigations of fraud, waste, or abuse, compared to 67 investigations in 2006. As a result, eighteen employees were terminated, five employees resigned, twenty-one employees were suspended, one employee was demoted, two employees were placed on probation, five employees received a written warning, and thirty-seven employees received verbal warnings. In addition, seven cases were referred to law enforcement. Approximately \$37,501 was recovered through investigations in 2007.

During 2007, 109 complaints, grievances, termination hearing requests, and inquiries were received, compared to 134 in 2006. During 2007, sixteen external complaints were completed by EEOC and MCHR. Of those sixteen complaints, fourteen were dismissed with no probable cause and two were administratively closed.

Mr. Rogers highlighted three sections of the written report:

- (1) The External Auditors reviewed over \$280 million worth of expenditures last year, and recovered over \$229,000 in audit findings. The recovered funds went back into the road fund.

- (2) The Internal Auditors completed four audits and worked with the independent auditor to save over \$40,000 in audit expenses. The Internal Auditors also worked with the Controller's office to develop an Audit Committee Notebook.
- (3) The Motor Carrier Auditors continue to do a great job and look for ways to make it a more efficient and effective statewide operation.

Mr. Rogers noted that a goal of the division was to be a benchmark for other states. Subsequently, MoDOT has had five other state department's of transportation make contact with the division to learn how MoDOT operates so efficiently and effectively in audits, investigations, and contract monitoring. One MoDOT staff member even traveled to another state to work with FHWA and that state's DOT on contract monitoring.

Mr. Rogers explained that the Division of Audits and Investigations work ensures that Missouri's taxpayers are getting the best value for every dollar spent. He recognized his staff and commended them for their hard work and dedication. The Commission commended the auditing staff for its professionalism in conducting its assignments with knowledge, objectivity, and a sincere desire to cite issues that will result in better internal and external processes and operations.

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#### **FISCAL YEAR 2008 BUDGET AMENDMENT**

On behalf of the Director, Brenda Morris, Resource Management Director, recommended approval of adjustments to the fiscal year 2008 budget. The adjustments represent transfers between appropriations to address changing priorities and provide greater flexibility to districts in funding program priorities.

Via approval of the consent agenda, the Commission unanimously approved the adjustments to the fiscal year 2008 budget.

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**CONSIDERATION OF BIDS ON FEDERAL-AID AND STATE PROJECTS**

On behalf of the Director, Dave Nichols, Director of Program Delivery, presented the following recommendations pertaining to bids received on federal-aid and state highway and bridge projects during the past month.

Mr. Nichols recommended (1) Award of contracts to the lowest responsive and responsible bidders for bids received on January 25, 2008, as recommended and noted in Table I below. Non-contractual costs for these projects are shown on the below tabulation. (2) Rejection of bids received on Calls 408, 409, 416, 418, and 611, as noted in Table II below due to the bids being excessive per Section 102.15 of the Missouri Standard Specifications for Highway Construction. (3) Declare the bid on Call 602 from KCI Construction Company as irregular due to KCI not having a valid bid bond per Section 102.8 and 102.9 of the Missouri Standard Specification for Highway Construction.

**Table I  
Award of Contracts  
January 25, 2008, Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
102	36	Caldwell	J1P0913	\$1,983,164.07	\$656.00	Norris Asphalt Paving Co.	Resurfacing with Superpave and Bituminous Pavement BP-1 on Shoulders
201	C	Macon	J2M0024	540,235.05	0	APAC-Missouri, Inc.	Thin-Lift Overlay (SL)
202	5	Howard	J2M0025	935,506.89	0	Lake Asphalt Paving & Construction, LLC	Thin-Lift Overlay (SL)
203	E	Mercer	J2S2148	637,502.00	0	Widel, Inc.	Bridge Replacement with a Concrete Girder Structure and Bank Stabilization
301	6	Adair/ Sullivan	J2M0023	1,790,289.15	288.00	Chester Bross Const. Co./C.B. Equipment Inc.	Thin-Lift Overlay (SL)
		Knox	J3P0783		216.00		

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
401	45 SPUR	Platte	J4P1857	271,984.15	656.00	Chester Bros Const. Co./C.B. Equipment Inc.	Coldmilling and Resurfacing with Bituminous Pavement (BP-1)
402	13	Henry	J4P1810	7,464,593.8	656.00	Hilty Quarries, Inc.	Pavement Repair & Ultra Thin Bonded Asphalt Wearing Surface
	7	Cass	J4P1929		656.00		Diamond Grinding and Resurfacing with BP-1 and Superpave
	7	Henry	J4P1934		656.00		Diamond Grind and Resurface with BP-1 and Superpave
404	I-29	Platte	J4I1662D	3,049,537.53	1,640.00	Progressive Contractors Incorporated	Pavement Repair, Reconstruct Ramps, & Bridge Rehabilitations
405	152	Clay	J4S1952	2,181,869.95	0	Ideker, Inc.	Ultra Thin Bonded Wearing Surface Overlay and Pavement Repair
	1	Clay	J4S1955		144.00		Ultra Thin Bonded Wearing Surface Overlay
406	29	Platte	J4I1985	63,097.53	0	Collins & Hermann, Inc.	Install Chain Link Fence
407	470, 291	Jackson	J4M0183	74,994.00	0	A & T Commercial Mowing, Inc.	Contract Mowing
410	13, 7	Cass/ Henry	J4M0186	55,319.00	0	A & T Commercial Mowing, Inc.	Contract Mowing
411	169	Clay	J4M0187	34,293.60	0	Millgoal Enterprises II LLC	Contract Mowing
412	I-435	Clay/ Jackson	J4M0188	159,520.20	0	Millgoal Enterprises II LLC	Contract Mowing
413	50	Jackson/ Johnson	J4M0189	78,250.00	0	A & T Commercial Mowing, Inc.	Contract Mowing
414	10	Ray	J4M0190	17,658.88	0	Millgoal Enterprises II LLC	Contract Mowing
415	13	Ray	J4M0191	13,200.00	0	Millgoal Enterprises II LLC	Contract Mowing
417	152	Clay/ Platte	J4M0193	34,701.40	0	Millgoal Enterprises II LLC	Contract Mowing
419	435	Clay/ Platte	J4M0195	41,979.60	0	Millgoal Enterprises II LLC	Contract Mowing
420	29, 35, 210	Clay/ Platte	J4M0196	155,718.25	0	Millgoal Enterprises II LLC	Contract Mowing
421	50	Platte	J4M0197	33,600.00	0	H & H Mowing and Landscape, LLC	Contract Mowing

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
422	29	Platte	J4M0198	36,145.60	0	Millgoal Enterprises II LLC	Contract Mowing
423	71, 150	Clay/ Jackson	J4M0199	77,140.00	0	H & H Mowing and Landscape, LLC	Contract Mowing
424	71	Jackson	J4M0200	495,944.91	0	S & S Lawn, Inc.	Contract Mowing & Landscape
425	24	Jackson/ Lafayette	J4M0201	33,623.20	0	Millgoal Enterprises II LLC	Contract Mowing
501	50	Pettis	J5P0833	1,997,133.32	1,312.00	Gaines Construction, Inc.	Grading, Drainage, & Optional Bid Pavement (PCCP or Superpave)
602	141	Jefferson	J6P2172	33,389.65	0	Jokerst paving & Contracting, Inc.	Slide Repair
603	61/67	Jefferson	J6S1963	660,000.00	0	Thomas Industrial Coatings, Inc.	Bridge Rehabilitation
604	50/47	Franklin	J6P1948B	3,404,000.00	656.00	Pace Construction Company, LLC	Diamond Grinding, Pavement Repair, Optional Shoulder Stabilization, and Bridge Rehabilitation
	100	Franklin/ St. Louis	J6S2122		656.00		Diamond Grinding, Pavement Repair, and Optional Shoulder Stabilization
605	100	Franklin	J6S1597	910,000.00	872.60	Pace Construction Company, LLC	Bridge Replacement - Prestressed Concrete I-Girder
606	30	Jefferson	J6P1803	1,079,561.79	144.00	All Type Excavating Inc./DBA L. Krupp Construction, Inc.	Optional Pavement (Superpave or PCCP), Traffic Signals, Highway Lighting
608	141, 21	Jefferson/ St. Louis	J6P1985	1,263,993.15	0	N. B. West Contracting Company	Resurfacing with Ultra Thin Bonded Wearing Surface in Three Disconnected Sections
609	270,255,4 4,55	St. Louis	J6M0115	121,772.30	0	Munie Outdoor Services, Inc.	Mowing & Trimming Right of Way
612	55	St. Louis City	J6M0124C	43,860.00	0	A.U. Innovative Lawns LLC	Mowing & Trimming Right of Way
801*	Bus 65	Greene	J8P0789	876,230.00	656.00	Hartman and Company, Inc.	Optional Pavement (Superpave or PCCP), Traffic Signals
901	60	Shannon	J9P0381C	11,523,006.05	2,276.26	H. R. Quadri Contractors, LLC	Alternate Pavement (PCCP or Superpave), Grading, Drainage

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
902	60	Howell, Shannon	J9P0381B	16,254,759.65	3,113.67	H. R. Quadri Contractors, LLC	Grading, Drainage, Alternate Pavement (PCCP or Superpave) and Bridge (Conc. Bulb-Tee Girder)
X01	164	Dunklin	J0P0376B	1,564,382.61	656.00	Robertson Contractors, Inc.	Grading, Optional Pavement, Replacement of One Bridge with a Concrete Girder Structure, and Rehabilitation of Two Bridges
X02	67	St. Francois	J0P0591L	7,743,813.17	2,254.13	Iron Mountain Trap Rock Co./DBA Iron Mountain Const. Service	Grading, Drainage, Alternate Bid Pavement, and Alternate Bid Structures
				<b>\$67,735,770.45</b>	<b>\$18,164.66</b>		

\* Call 801 - Funding by City of Springfield (50 percent) \$438,115.00.

**Table II  
Rejection of Bids  
January 25, 2008, Bid Opening**

Call No.	Route	County	Job No.	Description
408	70	Jackson	J4M0184	Contract Mowing
409	70	Lafayette	J4M0185	Contract Mowing
416	I-35	Clay	J4M0192	Contract Mowing
418	635	Platte	J4M0194	Contract Mowing
611	I-70	St. Louis City	J6M0124B	Mowing & Trimming Right of Way

### Commission Consideration and Action

After consideration, and upon motion by Commissioner Michie, seconded by Commissioner Farber, the Commission unanimously took the following action:

1. Awarded contracts to the lowest responsive and responsible bidders for bids received on January 25, 2008, as recommended and noted in Table I above. Non-contractual costs for these projects are shown on the above tabulation.
2. Rejection of bids received on Calls 408, 409, 416, 418, and 611, as noted in Table II above due to the bids being excessive per Section 102.15 of the Missouri Standard Specifications for Highway Construction.
3. Declare the bid on Call 602 from KCI Construction Company as irregular due to KCI not having a valid bid bond per Section 102.8 and 102.9 of the Missouri Standard Specification for Highway Construction.

In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director, Chief Engineer, Chief Financial Officer, or the Director of Program Delivery may execute the contracts awarded above.

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**2008 - 2012 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM,  
2008 AMENDMENT**

On behalf of the Director, Mabelle Watkins, Director of Transportation Planning, recommended that seven new projects totaling \$9,923,000 be added to the Highway and Bridge Construction Schedule of the 2008-2012 Statewide Transportation Improvement Program (STIP), as noted in the tabulation below.

**Highway and Bridge Construction Schedule**

<b>County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year</b>	<b>Contract Estimate</b>
Various J1Q2160	I-29 I-35	Installation of dynamic message signs at various locations on I-29 and I-35.	2008	\$212,000
Various J4P2236	Various	Striping in various locations on interstates statewide.	2008	1,331,000
Various J5I2153	Various	On-call statewide preventive maintenance repair on interstates.	2008	7,500,000
St. Charles J6P2100	40	Construct an eastbound off-ramp at Missouri Research Park interchange.	2008	461,000
St. Charles J6U1028R	364	Building demolition and asbestos abatement along existing Rte 94 at Harvest Drive.	2008	61,000
Various J0Q2151	I-55 I-57 I-155	Installation of dynamic message signs at various locations on I-55, I-57 and I-155.	2008	256,000
Various J0P2155	Various	On-call preventive maintenance repair on major roads throughout District 10. To be let with 5I2153.	2008	102,000
			<b>TOTAL:</b>	<b>\$9,923,000.00</b>

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2008-2012 STIP as noted in the tabulation above.

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**RATIFICATION AND APPROVAL OF RIGHT OF WAY PLANS FOR CONDEMNATION**

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended the Commission ratify the approval of the Chief Engineer of the following right of way plans, which have been filed for condemnation.

<u>County</u>	<u>Route</u>	<u>Job Number</u>	<u>Date Commission Approved Design</u>
Platte County	45	J4P1567	January 16, 2004
Moniteau	50	J5P0631A	August 12, 2005
St. Louis County/ St. Louis City	I-64	J6I0978	October 14, 2005 (5 <sup>th</sup> Amended)

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

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**REQUEST FOR APPROVAL OF DESIGN OF HIGHWAYS**

**Route 32, Dent County  
Six Locations between Route 119 and Route F  
Job No. J9P0561  
Public Hearing Held January 8, 2008**

The proposed improvement provides for widening or realigning six curves to improve the alignment on three disconnected sections of Route 32. The improved sections will consist of 2 eleven-foot lanes with two-foot shoulders. This project will have normal right of way. Traffic will be maintained on Route 32 during construction. This project is 1.3 miles in length.

Mr. Tom Stehn, District 9 Engineer, recommended approval of the design of the project 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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**REPORT AND RECOMMENDATION REGARDING ORDER OF RULEMAKING FOR  
NONCONFORMING SIGNS**

On behalf of the Director, Dave Nichols, Director of Program Delivery, reminded the Commission that it authorized the filing and publication of the notice of proposed rulemaking, containing a proposed amendment for administrative rule Title 7 Code of State Regulations (CSR) 10-6.060, Nonconforming Signs, at the Commission meeting held on November 13, 2007. This rulemaking was published in the *Missouri Register* on December 17, 2007, and MHTC received a total of one comment during the thirty-day comment period following the publication. Mr. Nichols recommended approval of the final order of rulemaking and authorization for the Commission Secretary to file the final rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State. He further recommended the Director, Chief Engineer, or Chief Financial Officer be authorized to execute any document appropriate and necessary to complete this final rulemaking process.

Via approval of the consent agenda, the Commission approved the recommendations.

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**DISPOSAL OF EXCESS PROPERTY, BOONE COUNTY,  
ROUTE AC AT US 63, EXCESS PARCEL NUMBER E5-0467**

On behalf of the Director, Roger Schwartze, District 5 Engineer, recommended conveyance of 6.48 acres located in the southwest quadrant of the intersection of Route AC at US 63, Boone County, located in the City of Columbia to Raul J. Walters Revocable Living Trust in the amount of \$491,996 subsequent to entering a sales agreement that also includes the third-party's fee interest in the property, subject to Chief Counsel's office approval as to form.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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**DISPOSAL OF EXCESS PROPERTY, ST. CHARLES COUNTY,  
INTERSTATE 70, EXCESS PARCEL NUMBER E6-0854**

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended conveyance of 38,218 square feet of land located in the southeast quadrant of South Fifth Street and Interstate 70, St. Charles County, located in the City of St. Charles to Noah Development, LLC in the amount of \$458,544. Access control will be retained for I-70 and ramp right of way, and reserved easement for existing utilities. Billboard use is restricted from the site with a modified version of the standard billboard clause.

Via approval of the consent agenda, the Commission unanimously approved the property conveyance described above.

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**CHANGE IN ACCESS, ACCESS SHIFT,  
ROUTE 71, NODAWAY COUNTY**

On behalf of the Director, Don Wichern, District 1 Engineer, recommended approval of a request from Brandon and Brandy Wolf, to shift a 60-foot wide driveway located at the westerly right of way line opposite Station 18+430.302 on Route 71 to Station 18+395.014. Sight distance at the existing entrance location is insufficient to insure adequate safety for vehicles on Route 71, as well as those using the entrance. The requested shift of the driveway location will exceed the sight distance necessary for adequate safety. The proposed shift is being requested with no compensation due the Commission; therefore, the request does not comply with the Commission's action of February 13, 1997, and Commission approval of the proposal is needed to proceed.

Via approval of the consent agenda, the Commission unanimously approved the request from Brandon and Brandy Wolf, as described above.

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**CHANGE IN ACCESS, BREAK IN ACCESS,  
ROUTE C, LINCOLN COUNTY**

On behalf of the Director, Paula Gough, District 3 Engineer, recommended approval of a request from the Bank of Old Monroe, to construct a forty-foot entrance centered at the southerly right of way line of Route C, opposite Station 532+37. The proposed entrance is a non-arterial connection constructed to accommodate a commercial development and will not provide traffic relief to the state system; therefore, the request does not comply with the Commission's action of February 13, 1997, and Commission approval of the proposal is needed to proceed. In lieu of compensation, the Bank of Old Monroe is requesting to deed to the Commission their remaining rights of direct access to Route C.

Via approval of the consent agenda, the Commission unanimously approved the request of the Bank of Old Monroe, as described above.

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**BREAK IN ACCESS, ROUTE 71, MCDONALD COUNTY**

On behalf of the Director, Rebecca Baltz, District 7 Engineer, recommended approval of a request from Barbara Sindelar to construct an entrance at Station 257+40 on Business 71. As part of condemnation settlement negotiations, Ms. Sindelar requested to construct two thirty-foot wide entrances, one on the east side and one on the west side of existing US 71 (now Business 71). The east side entrance was constructed but the west side was not. The proposed entrance is non-arterial access to undeveloped farmland. This access will not provide traffic relief to the state system; therefore, the request does not comply with the Commission's action of February 13, 1997, and Commission approval of the proposal is needed to proceed in order to honor a commitment to Ms. Sindelar.

Via approval of the consent agenda, the Commission unanimously approved the request of Barbara Sindelar as described above.

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**--- REPORTS ---**

The Commission received the following written reports.

**FINANCIAL – BUDGET – REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, DECEMBER 31, 2007**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2008 monthly financial report for the period ending December 31, 2007, with budget and prior year comparisons.

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**FINANCIAL ACCOUNTABILITY REPORT - QUARTERLY REPORT**

Deborah S. Rickard, Controller, provided to the Commission the written Quarterly Financial Accountability Report for the period ended December 31, 2007.

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**DESIGN/BRIDGE ENGINEERING CONSULTANTS**

Dave Nichols, Director of Program Delivery, provided to the Commission the Design/Bridge Engineering Consultants Report as of December 31, 2007. The report reflects current active consultant work on projects contained in the State Transportation Improvement Program.

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

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