



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

**TABLE OF CONTENTS**

**August 3-4, 2010**

<b>VOTE TO CLOSE MEETING</b> .....	3
 <b>COMMISSION/DIRECTOR ITEMS</b>	
Kenneth H. Suelthaus Qualified as a Member of the Missouri Highways and Transportation Commission .....	4
Minutes .....	4
Consent Agenda .....	4
Appointment of Committee/Board Members and Chairs .....	5
Commission Committees and Commission Related Boards .....	6
Interim Director’s Report .....	7
 <b>PUBLIC PRESENTATIONS</b>	
Welcome from City Utilities .....	8
Update on Local Partnering to Achieve Regional Goals and Complete Major Projects .....	8
 <b>PUBLIC COMMENT</b>	
Expression of Support of Change in Access/Break in Access on Route 71 .....	10
 <b>MoDOT PRESENTATIONS</b>	
State of MoDOT/ Springfield Region: Assisting with Growth and Development in Still Expanding Area .....	10
Interstate 49 Update .....	11
Consideration of Proposal for Medical and Life Insurance Plan Funding, Calendar Year 2011 .....	12
A Report Card from Missourians – 2010 and the 2010 Employee Satisfaction Survey .....	15
 <b>RESOLUTIONS</b>	
Resolution Expressing Appreciation to Duane S. Michie for Outstanding Service on the Missouri Highways and Transportation Commission .....	17
Resolution Expressing Appreciation to Kris Sandgren for his Many Achievements and Accomplishments .....	18
 <b>STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM</b>	
Consideration of Bids for Roadway Improvements .....	19
2011 – 2015 Statewide Transportation Improvement Program, 2011 Amendment .....	20

Request for Approval of Location and/or Design -----	21
<b>POLICIES/ADMINISTRATIVE RULES</b>	
Report and Recommendation Regarding Orders of Rulemaking, Breath Alcohol Ignition Interlock Device Certification and Operational Requirements -----	22
<b>PROPERTY ACQUISITION AND CONVEYANCES</b>	
Change in Access, Break in Access, North Cass Parkway, Cass County -----	22
Disposal of Excess Property, Business Route 65, Greene County, Excess Parcel Numbers E8-0633, E8-0634, and E8-0635 -----	23
Disposal of Excess Property, Route 100, Franklin County, Excess Parcel Number E6-1083 -----	24
<b>REPORTS</b>	
Financial Report – Year-to-Date, Period Ending June 30, 2010 -----	25
Design/ Bridge Engineering Consultants Quarterly Report -----	25

**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN  
SPRINGFIELD, MISSOURI, WEDNESDAY, AUGUST 4, 2010**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, August 4, 2010, at the City Utilities, 301 E. Central, Springfield, Missouri. Rudolph E. Farber, Chairman, called the meeting to order at 10:10 a.m. The following Commissioners were present at the meeting location: Rudolph E. Farber, David A. Gach, Grace M. Nichols, Lloyd J. Carmichael, Stephen R. Miller, and Kenneth H. Suelthaus. 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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Kevin Keith, Interim Director/Chief Engineer 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, August 4, 2010.

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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 Farber, Aye  
Commissioner Gach, Aye  
Commissioner Nichols, Aye  
Commissioner Carmichael, Aye  
Commissioner Miller, Aye  
Commissioner Suelthaus, Aye

The Commission met in closed from 8:00 a.m. until 10:00 a.m.

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**-- OPEN MEETING --**

**KENNETH H. SUELTHAUS QUALIFIED AS A MEMBER OF THE MISSOURI HIGHWAYS AND TRANSPORTATION COMISSION**

On July 15, 2010, Governor Jeremiah (Jay) Nixon appointed Kenneth H. Suelthaus of St. Louis to the Missouri Highways and Transportation Commission for a term ending March 1, 2015, or until his successor is duly appointed and qualified. Mr. Suelthaus will take the position held by Commissioner Duane S. Michie whose term expired. Mr. Suelthaus was duly sworn on July 30, 2010, at the Missouri Department of Transportation office in Jefferson City by Missouri Supreme Court Justice Mary Rhodes Russell.

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**APPROVAL OF MINUTES**

Upon motion by Commissioner Nichols, seconded by Commissioner Gach, the Commission approved the minutes of the special meetings held on February 18, 2010 and April 20, 2010, the regular meeting minutes of May 5, 2010, and the special electronic ballot meeting minutes of May 11, 2010. Commissioner Suelthaus abstained. 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 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 August 4, 2010, Consent Agenda**

No items were removed from the consent agenda. Upon motion by Commissioner Gach, seconded by Commissioner Nichols, the consent agenda items were unanimously approved by a quorum of Commission members present.

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**APPOINTMENT OF COMMITTEE/BOARD MEMBERS AND CHAIRS**

Chairman Farber made the following appointment to the Commission committees/board:

**Audit Committee** – Commissioner Suelthaus.

Duane Michie’s term as a Commissioner expired. Commissioner Michie served on the MoDOT and Patrol Employee’s Retirement System Board of Trustees (MPERS). This created a vacancy on the MPERS board. Chairman Farber nominated Commissioner Suelthaus to fill the position. Upon motion by Commissioner Nichols, seconded by Commissioner Gach, Commissioner Suelthaus was unanimously elected to serve on the Board of Trustees of the MoDOT and Patrol Employees Retirement System.

## **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 August 4, 2010, meeting.

**Audit Committee** – Commissioner Nichols stated there was no report.

**Legislative Committee** – Commissioner Carmichael reported that on July 19, 2010, following the special session of the Missouri General Assembly, Governor Jeremiah “Jay” Nixon signed into law TAFP HB 1. HB 1 is a pension reform bill that contains provisions for both the MOSERS and MPERS retirement systems. Two key provisions of this legislation that will impact MoDOT employees hired after January 1, 2011, include: eligibility for normal retirement changed to age 67 with at least ten years of service or the age of 55 when the sum of the member's age and service equal 90, employees will be required to contribute four percent of their salary into the pension system.

**Director Search Committee** – Chairman Farber reported the Commission is on track with the process for selecting a new director. The Commission received preliminary information from qualified applicants and is in the process of reviewing that information. The Chairman noted that while the Commission hopes to have a new director on board by December 2010, the process could take longer to ensure the Commission makes the best selection.

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

**MoDOT and Patrol Employees Retirement System** – Chairman Farber reported the MPERS board met on June 24, 2010. The board welcomed Kevin Keith, Interim Director as a new member. Other new members or reelected members included: Sue Cox, represents active MoDOT employees; Major Bret Johnson, represents active Highway Patrol employees; Bob Sfreddo, represents retired MoDOT

employees; and Roger Stotlemeyer, represents retired Highway Patrol members. Roger Stotlemeyer was elected as chair of the board. The board also voted to purchase liability insurance and adopt a budget.

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## **INTERIM DIRECTOR'S REPORT**

During the August 4, 2010, Commission meeting Interim Director, Kevin Keith, provided the following report:

**Transportation Authorization bill.** At the Mississippi Valley Conference for the mid-western states in AASHTO, a comprehensive analysis of Congressman Oberstar's draft reauthorization bill was reviewed. There was discussion on how the major components of the bill would affect states in the Midwest. The Interim Director shared a copy of the report with the Commission for their review. Interim Director Keith reported it is anticipated no movement on an authorization or reauthorization bill is likely to occur until after the election in November.

**TIGER II.** A new discretionary grant application program, TIGER II, is available and MoDOT was involved with three applications that were due on July 26, 2010. One application was for a combined package of improvements in St. Louis to connect communities through trails and transit, and to enhance freight, commerce, operations, and safety. The second application is for the difference in resources to replace versus rehabilitate the Route 5 Hurricane Deck Bridge at the Lake of the Ozarks. The third application is to improve livability in smaller urban communities of St. Joseph, Kirksville, Joplin, Cape Girardeau, Poplar Bluff, and Farmington by improving bicycle and pedestrian accommodations and interconnecting traffic signals.

**Completion of four-lane improvements.** This year there have been a number of completed or soon to be completed four-lane projects, some of those include: fifty-two miles of US 36 from Macon to Hannibal, fifty miles of Route 60, US 50 in Moniteau County from St. Martins to California, ten miles

of Route 100 in Franklin County connecting Washington to I-44, Highway 65 from Springfield to north of Buffalo, Route 13 north of Springfield, Highway 5 between Camdenton and Lebanon will be open later this year, and Highway 54 through the Lake of the Ozarks will be open later this year. These projects make a total of 150 miles of new four-lane improvements around the state of Missouri.

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**WELCOME FROM CITY UTILITIES**

Mr. John Twitty, General Manager of City Utilities of Springfield, welcomed the Commission to Springfield and to the City Utilities building. Mr. Twitty expressed appreciation for the partnership in transportation and for transit in particular because City Utilities operates the local bus system. He thanked the Commission for their service to the State of Missouri.

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**UPDATE ON LOCAL PARTNERING TO ACHIEVE REGIONAL GOALS AND COMPLETE MAJOR PROJECTS**

Kris Upp, Chairman of the Springfield Chamber of Commerce Transportation Committee, welcomed the Commission to Springfield and explained that the Springfield area is extremely proud of the partnerships between MoDOT, Greene County, the City of Springfield, the Ozarks Transportation Organization (OTO), and the Springfield Area Chamber of Commerce. Mr. Upp then introduced Greg Burris, Springfield City Manager, to speak in detail about the partnerships.

Mr. Burris explained how these organizations have worked together to accomplish past and current projects, how these projects were accomplished, and where the region would like to go next. Some of the past projects that Mr. Burris reviewed include: diverging diamond at Kansas Expressway and I-44, Glenstone Avenue and James River Freeway interchange, Glenstone Avenue and I-44 interchange, dual left turn lanes to increase capacity at various locations, and construction of a new Traffic Management Center and Intelligent Transportation System Facility. Some current projects

underway include: adding capacity to US 65 by making it a six-lane road, diverging diamond at National Avenue and James River Freeway, and cost share agreement for diverging diamond at Chestnut Expressway and US 65.

Mr. Burris explained that these projects were accomplished through innovation, partnerships, and shared priorities. Mr. Burris first reviewed some of the innovations. The City of Springfield has been innovative by using a dedicated sales tax to cost share with MoDOT on transportation projects. An example of innovation in design was used by constructing the first diverging diamond in North America. Next, Mr. Burris explained the partnerships with the City of Springfield, Greene County, Ozarks Transportation Organization, Christian County, Battlefield, Nixa, Ozark, Republic, Strafford, Willard, and the Springfield Area Chamber of Commerce have helped the area view transportation as a regional system and develop a strategic plan for transportation for the region. Additional projects were built with three recent public private partnerships with: Cox Health for the diverging diamond at National Avenue and James River Freeway, Jack Henry Associates for Blackman and Battlefield improvements, and Springfield Underground for Kearney and LeCompte improvements. The shared priorities for the region helped address safety, capacity improvements, and increase cost efficiency.

Mr. Burris concluded his presentation by explaining where the region would like to go next. This included the following projects: James River Freeway at Campbell Avenue interchange improvements and additional lanes on Campbell Ave between Springfield and Nixa; the railroad grade separation on Chestnut Expressway; a diverging diamond at Battlefield Road and US 65; OTO priority projects for Ozark, Nixa, Willard, Republic, and Battlefield; and passenger rail connectivity.

Commissioner Carmichael thanked Mr. Burris for his presentation and willingness to partner with MoDOT and for the leadership that accomplished the transportation projects for the region.

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**PUBLIC COMMENT - EXPRESSION OF SUPPORT OF CHANGE IN ACCESS/BREAK IN ACCESS ON ROUTE 71**

Juan Alonto, Mayor, City of Raymore, expressed appreciation to the Commission and MoDOT staff for the break in access on Route 71 at North Cass Parkway which will allow the community to develop neighboring property and work to improve congestion in the area. Mayor Alonto also expressed appreciation for the Commission’s decision to improve Route 71 from Joplin to Kansas City in order for it to be designated as I-49. Mayor Alonto explained that having the I-49 designation improves economic development because businesses want to locate near an interstate.

Commissioner Miller inquired about the recent growth in Raymore; Chairman Farber expressed appreciation to the Mayor for his comments.

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**STATE OF MODOT/ SPRINGFIELD REGION: ASSISTING WITH GROWTH AND DEVELOPMENT IN STILL EXPANDING AREA**

On behalf of the Interim Director, Kirk Juranas, District 8 Engineer, explained the Springfield region’s quality of life – a balance of urban, suburban, and rural with a diversified economy – has helped the area grow. MoDOT/Springfield has worked to accommodate increases in traffic and to maintain rural-urban connectivity. The district is making it easier for people to walk by improving sidewalks and ramps in selected locations and listening to those beginning to discuss rail and transit needs.

To improve the transportation system and make the best use of funds, MoDOT/Springfield has developed engineering innovations. One is the first-in-the-nation Diverging Diamond Interchange (DDI) at Kansas Expressway (Route 13) and I-44, which has won national awards. The second-in-the-nation DDI is now in use at National Avenue and the James River Freeway (Route 60), and is the result of a successful partnership involving MoDOT, the City of Springfield and Cox Health System.

One attraction of living in the Springfield region is its clean water, clean air, scenic hills, and forests. MoDOT/Springfield is conducting business to preserve those environmental qualities. The district has focused on “green” initiatives, including installing energy-efficient lighting and heating systems, recycling waste-oil and paper products, reducing dump truck emissions and encouraging contractors to use recycled materials, including asphalt shingles.

The MoDOT/Springfield region has a high number of Adopt-A-Highway volunteers, an example of the area’s neighborly concern. This results in valuable roadside cleanup assistance for MoDOT along 950 miles of state roadway. Neighborly concern includes MoDOT/Springfield employees. Over the last two years, district employees have led the department in contributions to the Missouri Employees Charitable Campaign. A district maintenance worker recently pedaled his bicycle across eight states to raise money for MoDOT’s Fallen Workers Memorial.

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## **INTERSTATE 49 UPDATE**

On behalf of the Interim Director, Becky Baltz, District 7 Engineer, presented to the Commission a brief history of the I-49 corridor. In 1991, the federal transportation legislation, Intermodal Surface Transportation Efficiency Act (ISTEA) provided for high priority corridor Number One, also known as I-49. The I-49 corridor connects with interstates to the north and south to create a corridor from Canada to the Gulf of Mexico. In Missouri, there are two sections of the corridor that remain to be completed. The Joplin to Kansas City section along the current Route 71, and the part known as the Bella Vista Bypass that connects Missouri to Arkansas.

In 2005, the Commission committed to funding Missouri’s portion of the Bella Vista Bypass. However, in 2008, when Arkansas was unable to commit funding to the Bella Vista Bypass, the Commission broadened its project description in the STIP to begin the conversion of Route 71 to I-49 at

various locations in District 7. In June 2010, correspondence from the Arkansas State Highway Commission indicated their intent to construct a two-lane Bella Vista Bypass in phases over six years as funding allows and asked Missouri to match their work and plan to connect to their two-lane bypass. If the Bella Vista Bypass had been built to interstate standards it could have been signed I-49 from Joplin to Fort Smith, Arkansas; however, with a two lane road that designation will not happen. That leaves Missouri with two options (1) go ahead and build the Bella Vista Bypass and let Arkansas connect to it when they get the two lane road completed and not have an I-49 designation, or (2) use the funds to construct interchanges, overpasses, and service roads between Joplin and Kansas City and get approval to sign that portion of roadway as I-49.

Ms. Baltz requested the commission apply \$54.4 million to improvements on Route 71 between Kansas City and Joplin in fiscal years 2011 and 2012 to achieve the I-49 designation and use remaining funds for the Bella Vista Bypass.

After consideration and upon the motion of Commissioner Suelthaus, seconded by Commissioner Gach, the Commission unanimously approved the application of \$54.4 million to improvements on Route 71 between Kansas City and Joplin in fiscal year 2011 and fiscal year 2012 to achieve the I-49 designation and use remaining funds for the Bella Vista Bypass.

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**CONSIDERATION OF PROPOSAL FOR MEDICAL AND LIFE INSURANCE PLAN FUNDING, CALENDAR YEAR 2011**

On behalf of the Interim Director, Jeff Padgett, Risk and Benefits Management Director, explained three years ago some significant plan changes occurred with the medical and life insurance plan premium contribution strategy. At that time it was determined the premium contribution strategy of sharing a percentage of the premium increase with the Commission and plan subscribers was necessary,

and he recommended that strategy continue for 2011. Mr. Padgett then reviewed the proposed plan changes. These changes include:

- Premium contribution strategy that will share the four percent medical care plan premium increase between the Commission and subscribers.
- Proposed rates for 2011 include premium changes for active employees ranging from a decrease in one category of \$6.00 per month up to an increase of \$19 a month depending on the rate category an employee is in.
- Changes to spouse contribution categories, this category is for when both employees work for MoDOT/MSHP and this change will make contribution amounts more equitable compared to other rate categories.
- Modest benefit changes include an increase to the office visit co-pay from \$20 per visit to \$25 per visit, limited coverage on hearing aids for dependent children, and coverage for Gardasil vaccinations for male children.
- Pre-65 retiree rate categories will have an additional two percent increase because the gap between funding for that group and their claims has widened over the past several years and needs to be addressed.

Mr. Padgett also reported the plan premium stabilization reserve is adequate to provide any necessary additional funding. The funding recommendation for 2011 adequately maintains this reserve.

Mr. Padgett reviewed the medical cost trends for 2010 and stated MoDOT experienced less than a 5 percent increase which is very good compared to the national average of a 9.5 percent increase. The reasons for the good trend are due to provider discounts, vendor contracting efforts, and an increase in availability of generic drugs.

The Patient Protection and Affordable Care Act (PPACA), also known as Health Care Reform was signed into law by President Obama in March 2010. The United States Department of Health and Human Services has rule-making authority, and as they release rules staff has determined this law will affect the plan in the future. Currently it is important for the plan to maintain its grandfathered status under the new law. The grandfather provision of the law allows any plan that is in place prior to the

passage of the health care reform law to maintain its current plan. However, there are plan changes that will occur due to the passage of the PPACA, these are: change coverage for dependents up to the age of 26 and eliminate annual limits on preventive care. Under the PPACA, there are funds available through the Early Retiree Reinsurance Program to help provide coverage for the pre-65 retirees. The medical plan applied for some of these funds with the understanding that when the program runs out of money this additional assistance will not be available.

Another change to the plan comes from the state mandated coverage of Autism. This will cover dependent children up to age 18 and is projected to have an impact of about \$1.4 million in 2011. The recommended increase in premium provides necessary funding for this expected increase in cost of coverage.

Some of the wellness initiatives available for the benefit of plan members include a web based application that focus on physical and mental well-being, and nutritional planning. There were 837 members who used this service last year. In addition, there is a smoking cessation program called Quitnet, which has had 170 participants since January 2009.

Mr. Padgett concluded his presentation with making the following recommendations for the Commission:

- Increase medical care plan premiums by approximately 4 percent for calendar year 2011, with the increase to be shared by the Commission and subscribers.
- Increase retiree non-Medicare categories an additional 2 percent to make the categories more self-sufficient compared to other plan rate categories.
- Approve ongoing adjustments to the “Spouse Contribution” rate categories to make contribution amounts more equitable when compared to other rate categories.
- Approve recommended benefit changes: increase the office visit co-payment from \$20 to \$25, provide coverage for hearing aids for dependent children, and provide Gardasil vaccinations for male children.

Chairman Farber commented that he was pleased to have an increased use of the wellness initiatives and encouraged the department to continue to encourage employees to live healthier life styles because it does have an impact on the cost of health care. After consideration and upon motion by Commissioner Suelthaus to approve the recommendation, seconded by Commissioner Gach, the Commission unanimously approved the recommendations.

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### **A REPORT CARD FROM MISSOURIANS – 2010 AND THE 2010 EMPLOYEE SATISFACTION SURVEY**

On behalf of the Interim Director, Mara Campbell, Organizational Results Director and Micki Knudsen, Human Resources Director, reported on recent survey results for customer and employee satisfaction. The ETC Institute recently completed a comprehensive statewide customer satisfaction study for MoDOT. The study assessed customer perceptions of MoDOT's overall performance and asked respondents to identify and prioritize transportation services and improvements that are most important to Missourians. The study consisted of phone interviews with a sample of 3,526 households in the State of Missouri, with a minimum of 350 interviews conducted in each district. The Human Resources Division conducted an annual employee satisfaction survey to measure satisfaction across four categories: job satisfaction, employee engagement, organizational justice, and living the values. The statewide return rate was 67.4 percent. For both studies the samples are representative of their respective populations, and the results are considered valid both statewide and for each district.

Mara Campbell reported this is the sixth year for conducting the customer satisfaction survey. The overall satisfaction is at 83 percent, which is down slightly from last year but when compared to the trend when the survey began in 2005, overall satisfaction is up fourteen percent. This is the second year Missourians were asked how well MoDOT is perceived in terms of trust, and 92 percent of Missourians

indicate they trust MoDOT to keep its commitment to the public. Missourians are satisfied with the job MoDOT is doing, deem MoDOT as the primary transportation experts, trust MoDOT to do what it says it will do, and feel like MoDOT listens and values them. Ms. Campbell concluded her presentation by stating Missourians are beginning to realize that transportation is a good investment.

Micki Knudsen explained the four categories that were surveyed. Job satisfaction is about how employees feel about their job and the work they do every day. Engagement is about measuring an employee's commitment to the organization. Organizational justice speaks to the employee's perception of policy administration, discipline, and grievances. Living values is a new item and measures how well MoDOT lives its value statements every day. Research indicates there is a direct correlation between employee satisfaction and high performance in an organization. Although there were slight drops statewide, and the preference is for the results to go up; given the current economy, the uncertainties of funding, and the organization being in a state of transition while seeking a new director, the slight drop is not considered really bad news. The department simply needs to keep working at it and listening to employees. In summary, satisfaction is down some, pocket book issues continue to be the strongest indicator of dissatisfaction but employees are very committed to the organization. MoDOT has a great team that does great things for Missouri. Human Resources will look more at the details of the survey and develop action plans to address some of the concerns expressed in the survey.

Following inquiry and discussion, Chairman Farber thanked Ms. Campbell and Ms. Knudsen for their presentations.

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**RESOLUTION EXPRESSING APPRECIATION TO DUANE S. MICHIE FOR  
OUTSTANDING SERVICE ON THE MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**WHEREAS**, Duane S. Michie was appointed to the Missouri Highways and Transportation Commission by Governor Robert Lee “Bob” Holden, Jr. on December 3, 2001. Commissioner Michie served an extended term of nine years and was chairman from March 2008 through March 2009; and

**WHEREAS**, Commissioner Michie brought to the Commission a distinguished background of business expertise, and respect for the perspectives and input of Missouri’s diverse populace; and

**WHEREAS**, during his tenure on the Commission, Commissioner Michie performed his duties with extraordinary professionalism, integrity, dignity, and the desire for his actions to reflect the best interest of all Missourians; and

**WHEREAS**, Commissioner Michie advocated the connection between a good transportation network and economic development in the state of Missouri; and

**WHEREAS**, Commissioner Michie shared his passion for all modes of transportation and promoted the use of Missouri’s waterways for the movement of goods and services; and

**WHEREAS**, Commissioner Michie was instrumental in many positive changes within MoDOT, as evidenced by Commission concurrence in an objective funding allocation process in 2003, voter approval of Amendment 3 in 2004, major improvement of the state highway system through MoDOT’s Smooth Roads Initiative in 2005, in 2007 commission approval of the design-build process to construct kcICON on I-29/I-35 in Kansas City, initiation of a statewide Safe and Sound Bridge Improvement Program in 2007, both Missouri and Illinois jointly signing agreements in March 2008 for the Mississippi River Bridge project on I-70, and the use of the design-build process for the New I-64 in St. Louis that was completed in 2009; and

**WHEREAS**, Commissioner Michie gave unselfishly of his personal time to enhance public awareness of Missouri’s transportation needs; and

**WHEREAS**, Commissioner Michie’s interest in, and concern about others endeared him to his cohorts on the Missouri Highways and Transportation Commission and to department staff.

**NOW, THEREFORE, BE IT RESOLVED** that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Commissioner Michie for the public service he has performed for the citizens of Missouri and extends to him best wishes in his future endeavors.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Commissioner Michie so he will have a permanent record of the admiration and affection in which he is held by the members of the Missouri Highways and Transportation Commission and department staff.

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**RESOLUTION EXPRESSING APPRECIATION TO KRIS SANDGREN FOR HIS MANY ACHIEVEMENTS AND ACCOMPLISHMENTS**

The Commission personally presented the following resolution to Kris Sandgren.

**WHEREAS**, One hundred thirty Missouri Department of Transportation employees have died in the line of duty since 1932; and

**WHEREAS**, to honor these public servants a Fallen Workers Memorial is designed and will stand on the Capitol grounds in Jefferson City, Missouri; and

**WHEREAS**, many efforts are underway to raise funds to build the Fallen Workers Memorial; and

**WHEREAS**, Kris Sandgren is a valuable state employee who began working for the Missouri Department of Transportation in 1999 and is currently serving as a Maintenance Crew Leader; and

**WHEREAS**, an avid bicyclist for over twenty years, Mr. Sandgren participated in many long distance bicycle races in Missouri to raise money for various charities; and

**WHEREAS**, Mr. Sandgren recently completed a 2,600-mile solo bicycle ride across nine states, to honor his co-workers at the Missouri Department of Transportation who have been killed on the job; and

**WHEREAS**, giving of his personal time by taking three weeks of his summer vacation, Mr. Sandgren bicycled in rugged conditions through the states of Washington, Idaho, Montana, North Dakota, South Dakota, Nebraska, Kansas, Iowa and Missouri averaging 100 miles per day on his journey; and

**WHEREAS**, all donations for Mr. Sandgren's ride were contributed to fund the Fallen Workers Memorial; and

**WHEREAS**, the importance of work zone safety was conveyed around the country by Mr. Sandgren's numerous media interviews during his ride; and

**WHEREAS**, Mr. Sandgren is a devoted husband, father, and grandfather who resides in Nixa, Missouri with his wife Dorothy.

**NOW, THEREFORE, BE IT RESOLVED** that the Missouri Highways and Transportation Commission does hereby publicly express its appreciation and gratitude to Mr. Sandgren for the public service he has performed for the citizens of Missouri and extends to him best wishes in his future endeavors.

**BE IT FURTHER RESOLVED** that a copy of this resolution be forwarded to Mr. Sandgren so he will have a permanent record of the appreciation of the members of the Missouri Highways and Transportation Commission and MoDOT staff.

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## CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS

On behalf of the Interim Director, Dennis Heckman, State Bridge Engineer, presented the following recommendations.

Mr. Heckman recommended (1) Ratify the award of an emergency project that was let and awarded on July 22, 2010 for road and bridge repairs to the west bound I-470 ramp within the Three Trails Memorial Crossing in Jackson County, as noted in Table I below. (2) Concur in the award for two projects, the main span and Missouri approach of the Route 159 bridge replacement over the Missouri River in Holt County near Rulo, Nebraska. The Nebraska Department of Roads is the lead state and awarded both projects on July 21, 2010 to the respective low bidders, as noted in Table II below.

**Table I  
Emergency Project  
July 22, 2010, Special Bid Opening**

Call No.	Route	County	Job No.	Bid Amount	Non-Contractual Costs	Contractor	Description
401	470	Jackson	J4I2341	\$5,465,653.65		Pyramid Contractors, Inc.	Bridge Repair and Rehabilitation
			<b>TOTAL</b>	<b>\$5,465,653.65</b>			

**Table II  
Projects Awarded by Nebraska Department of Roads  
July 21, 2010, Bid Opening**

Route	County	Job No.	Bid Amount	Contractor	Description
159*	Holt	J1P0777B	\$16,200,563.98	Cramer and Associates, Inc.	Rulo Bridge Main Span
159**	Holt	J1P0777	4,693,560.11	Commercial Construction, Inc.	Rulo Bridge Missouri Approach
		<b>TOTAL</b>	<b>\$20,894,124.09</b>		

\* MoDOT's Portion of Cost - \$8,257,165.00.

\*\* MoDOT's Portion of Cost - \$4,693,560.11.

### Commission Consideration and Action

After consideration, and upon motion by Commissioner Carmichael, seconded by Commissioner Gach, the Commission took the following action:

1. Ratified the award of Call 401 for road and bridge repairs on west bound I-470 ramp in Jackson County, as noted in Table 1 above.
2. Concurred in the award of two projects let by the Nebraska Department of Roads, as noted in Table II above.

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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**2011 – 2015 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM, 2011 AMENDMENT**

On behalf of the Interim Director, Dennis Heckman, State Bridge Engineer, recommended that the 2011-2015 Statewide Transportation Improvement Program (STIP) be amended, as noted in the tabulations below, to add four projects.

**2011 – 2015 STIP  
Highway and Bridge Construction Schedule  
Projects Added or Modified  
August Amendment**

(Dollars in Thousands)

<b>County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year by Type</b>	<b>Change in Construction and Right of Way Funds</b>	<b>Change in Engineering Funds</b>
Montgomery J3S2165	CC	Bridge improvements over Elkhorn Creek 0.6 mile west of Route E. Project involves bridge N0312	2011 CN	\$506	\$35
Clay J4I2305	35	Bridge improvements over Lightburne Street. Project involves bridge A0678.	2011 CN	1,145	125
Dade J7S2167	Y	Bridge improvements over Stockton Lake 0.4 mile east of Route H. Project involves bridge A2085.	2011 CN	4,176	308
Dallas J8S2235	AA	Bridge improvements over the Pomme de Terre River. Project involves bridge A2065.	2011 CN	268	18
			<b>TOTAL</b>	<b>\$6,095</b>	<b>\$486</b>

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2011 – 2015 STIP as noted in the tabulations above.

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**REQUEST FOR APPROVAL OF DESIGN OF HIGHWAYS**

**Route 71, Vernon & Bates Counties  
Route TT in Vernon County to Route A & B in Bates County  
Job No. J7P0797I  
Public Hearing Held April 14, 2010**

The proposed improvement provides a new interchange at Route 71 and Route TT, a relocated section of Route TT and construction of outer roadways. Existing Route 71 consists of a four-lane divided highway with 2 twelve-foot lanes, a ten-foot outside shoulder and a six-foot inside shoulder in each direction. The new section of Route TT and outer roadways will consist of 2 ten-foot lanes with four-foot earth shoulders. Route 71 will have fully controlled access right of way and Route TT and Outer Roadways will have normal access right of way. Traffic will be maintained on Route 71 during construction. Route TT will utilize a detour over county roads. This project is 2.8 miles in length.

Ms. Rebecca Baltz, District 7 Engineer, recommended approval of the location and design as presented at the public hearing.

**Route 34, Reynolds & Carter Counties  
From Route 21 to Route 60  
Job No. J9P2147  
On-Line Public Meeting Held March 15-29, 2010**

The proposed improvement consists of resurfacing existing Route 34, constructing four-foot wide paved shoulders and realigning two sections of Route 34 to eliminate sharp curves. This project will have normal access right of way. Traffic will be maintained on the existing roads during construction. The project is 3.5 miles in length.

Mr. Tom Stehn, District 9 Engineer, recommended approval of the design as presented through the on-line public meeting.

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 ORDERS OF RULEMAKING, BREATH ALCOHOL IGNITION INTERLOCK DEVICE CERTIFICATION AND OPERATIONAL REQUIREMENTS**

On behalf of the Interim Director, Leanna Depue, Highway Safety Director, reminded the Commission that at the April 7, 2010, meeting the Commission authorized the filing and publication of the proposed final orders of rulemaking for 7 CSR 60-2.010 & 60-2.030, Definitions and Standards and Specifications. These amended rules correct inconsistencies in the definition of a violations reset feature and require an ignition interlock device to be programmed to include a violations reset message when the device registers three non-consecutive refusals to submit to a rolling retest of the person's breath within a thirty-day period. The amended rules were published in the *Missouri Register* on May 17, 2010, and no comments were received during the 30 days following the publication. Ms. Depue recommended approval to file the proposed final orders of rulemaking with the Joint Committee on Administrative Rules and the Office of the Secretary of State. She further recommended that the Interim Director 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 unanimously approved the rulemaking recommendations.

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**CHANGE IN ACCESS, BREAK IN ACCESS, NORTH CASS PARKWAY, CASS COUNTY**

On behalf of the Interim Director, Beth Wright, District 4 Engineer, recommended approval of a request from Good-Otis, LLC, to construct two 36-foot entrances centered at the northerly and southerly right of way lines of North Cass Parkway, opposite Station 514+28.66. Good-Otis, LLC, shall provide

geometric improvements at the intersection of North Cass Parkway and Fox Ridge Road. The improvements will be constructed by permit and shall include, but are not limited to, left turn lanes, right turn lanes, and a raised median. 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.

Via approval of the consent agenda, the Commission unanimously approved the request of Good-Otis, LLC as described above with \$1.00 compensation due the Commission for the change in access. This also includes the donation of 24.5 acres of right of way required to build the interchange that is currently being constructed at Route 71 and North Cass Parkway, the District Engineer has determined the value of the 24.5 acres donated exceeds the value of the access break.

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## **DISPOSAL OF EXCESS PROPERTY**

In keeping with the Commission's October 11, 2006 delegation of authority policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission and transferred to a governmental entity at no cost or exchange interest in land must be approved by specific Commission action. The following sale is to a government entity.

### **Route 65, Greene County, Excess Parcel Numbers E8-0633, E8-0634, and E8-0635**

On behalf of the Interim Director, Kirk Juranas, District 8 Engineer, recommended conveyance of three tracts of land totaling 0.092 acre located in Greene County near the intersection of Primrose and Business Route 65, in the City of Springfield, for consideration of \$1.00.

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

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**DISPOSAL OF EXCESS PROPERTY, ROUTE 100,  
FRANKLIN COUNTY, EXCESS PARCEL NUMBER E6-1083**

In keeping with the Commission's June 14, 2006 delegation of authority policy regarding disposition of Commission-owned property or property rights, the sale of all properties owned by the Commission with appraised or sale values of \$200,000 or more must be approved by specific Commission action.

On behalf of the Interim Director, Ed Hassinger, District 6 Engineer, recommended conveyance of 2.85 acres located in Franklin County along Route 100, east of Highway E to the Engelbrecht Enterprises, Inc. for \$160,000.

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

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**-- REPORTS --**

The Commission received the following written reports.

**FINANCIAL – BUDGET - REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, JUNE 30, 2010**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2010 monthly financial report for the period ending June 30, 2010, with budget and prior year comparisons.

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**DESIGN/BRIDGE ENGINEERING CONSULTANTS – QUARTERLY REPORT**

Dave Nichols, Director of Program Delivery, provided to the Commission the Design/Bridge Engineering Consultants Report as of June 30, 2010. 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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