



**MISSOURI HIGHWAYS AND TRANSPORTATION  
COMMISSION**

**Official Minutes**

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**March 10, 2010**

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**MINUTES OF THE REGULARLY SCHEDULED HIGHWAYS AND  
TRANSPORTATION COMMISSION MEETING HELD IN  
JEFFERSON CITY, MISSOURI, WEDNESDAY, MARCH 10, 2010**

A regularly scheduled meeting of the Missouri Highways and Transportation Commission was held on Wednesday, March 10, 2010, at the Department of Transportation Building, 105 West Capitol, Jefferson City, Missouri. David A. Gach, Chairman, called the meeting to order at 10:45 a.m. The following Commissioners were present at the meeting location: David A. Gach, Rudolph E. Farber, Grace M. Nichols, Stephen R. Miller, and Duane S. Michie. Commissioner Lloyd J. Carmichael participated via teleconference.

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, March 10, 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 Gach, Aye  
Commissioner Farber, Aye  
Commissioner Nichols, Aye  
Commissioner Carmichael, Aye  
Commissioner Miller, Aye  
Commissioner Michie, Aye

The Commission met in closed from 7:30 a.m. until 10:30 a.m.

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**-- OPEN MEETING --**

**ELECTION OF CHAIR AND VICE CHAIR**

In keeping with Section 226.030(2) of the Revised Statutes of Missouri, Commissioner Miller nominated Commissioner Farber to serve as Chairman and Commissioner Gach to serve as Vice Chairman until March 1, 2011. Commissioner Nichols seconded the nomination, and it was approved unanimously.

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**APPROVAL OF MINUTES**

Upon motion by Commissioner Nichols, seconded by Commissioner Miller, the Commission unanimously approved the minutes of the special meeting held on December 30, 2009 and the regularly scheduled meeting held on January 6, 2010. 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 March 10, 2010, Consent Agenda**

No items were removed from the consent agenda. Upon motion by Commissioner Michie, seconded by Commissioner Nichols, 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 March 10, 2010, meeting.

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

**Legislative Committee** – Commissioner Miller reported, the legislature reached the halfway mark of the 2010 legislative session. Prior to their spring break recess, the legislature continued its debate on the state’s budget for fiscal year 2011. While it appears MoDOT will come out of the budget debate somewhat unscathed because of its dedicated revenues sources, the department is going to lose some of its general revenues for ports, rail, and transit programs. How much revenue

that will be is not yet known. The department prepared a draft resolution for filing in the House and Senate and will support the Missouri River's role in the total transportation system. The resolution is sponsored by Rep. Tom Loehner (R-Koelztown) and Sen. Bill Stouffer (R-Napton) and would support the promotion of all the congressional authorized uses of the Missouri River, such as flood control, navigation, irrigation, power, water supply, water quality and recreation; not for just those uses benefiting upper reservoir states such as the Dakotas. The resolution, when passed, will be sent to the United States Army Corp of Engineers and each member of Congress stating Missouri's opposition to the continued study and review of the river flow. This resolution is similar to a resolution filed by MoDOT and passed by the General Assembly last session and should be viewed as a continued reminder of the importance of utilizing the Missouri River as a viable means of transportation.

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

**MoDOT and Patrol Employees Retirement System** – Commissioner Farber stated there was no report.

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## **DIRECTOR'S REPORT**

During the March 10, 2010, Commission meeting, Director Pete Rahn provided the following report:

**Federal funding.** The 2009 federal fiscal year had programmed \$42 billion; however, because of a series of events and rescissions, the federal program in 2009, is only funded at a \$30 billion level. As a result, because reauthorization has not occurred, the continuing resolutions passed by Congress continue to fund the federal program at the lower \$30 billion level. This means in Missouri, the state

is receiving \$22 million less a month in funds for highway and transit programs. Due to the uncertainty of the availability of federal funds to pay for projects, the department canceled lettings for February and March. If Congress does not address this, Missouri will have to cut \$243 million out of the program this year. This means all lettings from February through May will have to be canceled. Until Congress takes action the department cannot proceed with letting contracts to Missouri contractors.

**Snow and Ice Removal.** Director Rahn shared with the commission a video that explains how the department manages and fights snow storms. The video is available on the MoDOT website as well as You Tube. The video explains the tremendous work that employees do and the sacrifices they make in order to fight snow and ice during Missouri winters.

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#### **MISSOURI HOUSE OF REPRESENTATIVES PRESENTATIONS REGARDING CREDIT UNIONS**

Several representatives from the Missouri House of Representatives presented to the Commission their perspective on the decision to separate district credit unions from the department.

The **Honorable Tom Loehner**, Missouri House of Representatives, District 112, spoke in favor of keeping the credit unions as an employee benefit. Representative Loehner explained his constituents do not understand why this is taking place and it is creating mistrust and affecting the public's perception of MoDOT, a consequence that may not be realized. He asked the commission to work through this and make the transition easier in order to gain the trust back.

The **Honorable Mike Parson**, Missouri House of Representatives, District 133, explained that MoDOT's approval ratings improved because of its good employees. He expressed concern that making credit unions move will create a hardship on these dedicated employees. Representative Parson asked the commission to reconsider the established deadlines, and to have the department sit

down with the credit union employees and association, and bring everyone to the table to work out the issues.

The **Honorable Tom Shively**, Missouri House of Representatives, District 8, stated that there should be a compromise made with the credit unions as a courtesy to MoDOT employees. Representative Shively asked the Commission to consider renegotiating this process to reach a resolution.

The **Honorable Larry Wilson**, Missouri House of Representatives, District 119, asked the Commission to reconsider the credit union issue. Representative Wilson commented that employees are your greatest asset. The Representative believes this situation arose due to some misunderstandings on what or when things will happen. Representative Wilson explained that he believed the Commission is responsible to the taxpayers of the state and MoDOT employees and hopefully a resolution can be reached to the mutual satisfaction of everyone.

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## **MISSOURI CREDIT UNION ASSOCIATION**

Roshara J. Holub, President/Chief Executive Officer and Peggy Nalls, Senior Vice President Public and Legislative Affairs, explained in their presentation what a credit union is and discussed the impact of the decision to separate district credit unions from the department. Ms. Nalls defined a credit union as a not for profit financial cooperative with a volunteer board of directors elected by the members of the credit union. The credit union members pool their savings to provide loans and services to each other. Profits of the credit unions are given back to members or help improve rates and reduce fees. MoDOT has ten district credit unions, each with its own individual charter to serve employees and family members of MoDOT and the Missouri State Highway Patrol. The district credit unions total \$138 million in assets and have 18,000 members. Ms. Nalls expressed concern

about the decision to sever ties with the credit unions effective September 30, 2010 because for fifty years credit unions have been a valuable employee benefit. Ms. Nalls stated she was disappointed that this decision was made to eliminate an important employee benefit in a troubled economy when the employees need it the most.

Ms. Holub reviewed several issues with the decision on credit unions and sought approval to keep the credit union employees as MoDOT employees with MoDOT employee benefits. Ms. Holub expressed concern about the failure of the department to include the state regulatory agency, Department of Insurance, Financial Institutions, and Professional Registration, when making a decision that affects the stability, safety, and soundness of financial institutions. MoDOT created a viability risk with this decision and should accept responsibility should a credit union fail to make the transition off MoDOT facilities.

Ms. Holub described the hardships of the credit unions to make a transition to another facility. The credit union's business model is based on residing at MoDOT facilities with the current operating structure. The business models will have to be changed which is a difficult task. When modifying business models some changes will need to be made for credit unions that do not currently have cash on their premises, and to change the pricing structure of time deposits and loans.

This transition creates a hardship on credit union employees who have to create a business plan, develop financial projections, and execute the plans in order to successfully make the transition. This hardship could risk the continuity of credit union management, an important component to a successful transition.

In correspondence with the credit unions, the department raised four concerns about having credit unions in MoDOT facilities that Ms. Holub responded to in her presentation. The expense of having credit union employees as MoDOT employees was countered by Ms. Holub stating the credit

unions have reimbursed MoDOT for salary and benefits since 1993. Concerns about insurance coverage were countered with an explanation of the various types of insurance and bonding coverage the credit unions currently carry. The concern that no other state agency maintains a credit union as an employee benefit on their facilities was countered by Ms. Holub who explained there are similar arrangements for other nonprofit entities in state facilities. The final concern, that credit unions do not address MoDOT's core mission; Ms. Holub explained the credit union benefit is as core to the mission of MoDOT as any other employee benefit, these benefits attract, retain, and motivate employees.

Ms. Holub concluded the presentation by stating what MoDOT is doing to their employees, past and present, by severing ties with credit unions when they need and trust their credit unions is unconscionable, and creates financial instability when credit unions are providing financial stability during this tough economy.

Following inquiry by Commissioner Miller, Commissioner Farber thanked Ms. Nalls and Ms. Holub for their presentation.

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## **HIGHWAY CREDIT UNION BOARDS AND MANAGERS**

Norm Beeman, District 4 Credit Union, Board Chairman, presented on behalf of the ten credit union boards. Mr. Beeman stated he hopes the department will not implement the eviction of ten credit unions and separation of twenty-seven staff members. Mr. Beeman explained the credit union benefit does not cost MoDOT anything, and the credit unions are willing to rent or lease space from MoDOT and pay their portion of utilities.

Mr. Beeman stated management expressed concern about liability and security. Mr. Beeman explained there is not a liability risk, the credit unions carry insurance coverage on every account

and the credit unions are audited annually by the state regulatory agency and through an independent auditor hired by the credit unions. Mr. Beeman stated that the credit unions wanted to partner with MoDOT to address any security problems. The district offices are public buildings; however, if there is a problem with a disgruntled terminated employee, the credit union can terminate their credit union membership to resolve the issue.

Mr. Beeman expressed concern about continuing to diminish employee benefits which will result in less qualified applicant pools to hire from and inability to retain qualified employees. This will reduce the quality product that taxpayers have learned MoDOT can produce.

Mr. Beeman concluded his presentation by asking for a halt to the action to transition the credit unions away from MoDOT to allow time to resolve any issues whether real or perceived.

Commissioner Farber thanked Mr. Beeman for his presentation.

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## **HIGHWAY CREDIT UNION MEMBERS**

Jim Reser a retiree from District 5, Steve Torbet a retiree from District 10, and Forrest “Duke” Wrisinger a retiree from District 4, presented to the commission on behalf of highway credit union members. The gentlemen explained that employees need the credit unions to be located at MoDOT facilities. Moving the credit unions will make it difficult for the employee to get that check they may need. Currently, the employee can call the credit union for a loan, the employee’s supervisor can go and pick up the check when at the district office and deliver it to the employee.

Mr. Wrisinger explained the department’s greatest assets are the employees and retirees. When it comes time to vote on a funding measure, the department will depend on votes from the employees and retirees. Mr. Wrisinger asked the department to treat the employees and retirees like family and ask them to be a part of the decision making process so that both sides can come to an

agreement. The way the department implemented this decision was not communication but was dictated and it should not be done that way, it needs to be a partnership that can be worked on together.

Following inquiry from Commissioner Miller, Commissioner Michie thanked the gentlemen for their presentation.

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**PUBLIC COMMENT – SHOULDERS FOR SAFETY**

Ann Womack with Shoulders for Safety of St. Charles County (SOS) renewed her request for improvements to routes D, DD, F, Z, and 94 in St. Charles County. Since SOS last presented to the Commission in December 2009, two more fatal accidents occurred on these roads. Ms. Womack reported the group traveled to the state Capitol to lobby key legislators and convey the many reasons why action is needed soon. The group is collecting letters of support from businesses, government officials, and schools in the area. Ms. Womack provided a progress report that included a detailed history of SOS activities in the past five months in order to show how sincere they are in their efforts.

Ms. Womack was pleased to report St. Charles County approved a ten percent cost share of up to \$3 million to improve these roads. In addition, a local quarry agreed to donate supplies. This creates a key opportunity for MoDOT to realize cost savings on these shoulder projects.

Ms. Womack thanked the department for fulfilling their promise of immediate maintenance work along these roads. However, there remains a need for funding a more permanent solution to save lives. Following inquiry by Commissioners Michie and Miller, Commissioner Farber thanked Ms. Womack for her presentation.

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## **MoDOT FIVE-YEAR (2010-2015) DIRECTION**

Director Pete Rahn outlined a path for the department to maintain a high level of customer satisfaction while dealing with a diminished construction program. He noted that today, more Missourians are satisfied with the job the department is doing, as evidenced by an eighty-five percent satisfaction rate, which is up seven percent from last year. Missourians are happier with the overall condition of major routes than in 2000, but satisfaction with the minor routes has decreased. Director Rahn emphasized there is a strong correlation between the increased customer satisfaction and the improved condition of major roads. Eighty-nine percent of Missourians indicate they trust MoDOT to keep its commitments to the public.

In December 2009, MoDOT senior management met for the annual strategic advance. During that meeting, staff identified nine of MoDOT's eighteen tangible results (something that can be defined and measured) that are critical in delivering eighty-five percent customer satisfaction and discussed strategies to continue high customer satisfaction in the face of a severely reduced construction program. On January 27, 2010, the Commission and staff participated in a workshop to further discuss a new direction.

Director Rahn then presented state and federal revenues and MoDOT operating costs projected for a five-year period. He cautioned that federal revenue will remain uncertain until a Federal Reauthorization Act is approved by Congress, which is unlikely to take place during the next 12 months. Any significant increase in federal funds will create state match issues.

Director Rahn said that while MoDOT must contend with a declining construction during the next five years (through Fiscal Year 2015), it must also keep the infrastructure in good condition and maintain customer satisfaction. The challenges to accomplishing this include keeping good roads in good condition, improving minor roads, retaining the current condition of bridges on major and

minor roads, addressing the needs on deteriorating major bridges, and addressing rapidly increasing employee benefit costs.

This plan will deliver all Commission commitments in the current Statewide Transportation Improvement Plan (STIP) and follow the Commission's funding distribution formula. Director Rahn then explained MoDOT's current direction could not continue; he proposed the department significantly change direction by implementing the following cost saving strategies:

❖ Workforce

- Reduce workforce below 6,000 salaried positions by June 30, 2012.
- Reduce workforce below 5,900 salaried positions by June 20, 2013.
- Limit use of temporary employees.
- Place a hiring freeze on 75% of MoDOT vacancies.
- Focus on getting the right people in the right positions.
- Release poor performers.
- Reduce MoDOT offices/buildings.

❖ Changing how MoDOT does business.

- Reduce fleet expenditures.
- Reduce Capital Improvement expenditures.
- Reduce Information Technology expenditures.
- Reduce Administrative expenditures.
- Reduce material inventory.
- Eliminate Contingency Funds.
- Reduce mowing.
- Reduce litter pickup.
- Replace fewer signs.
- Find a cheaper approach to striping.
- Reduce the use of consultants.
- Use shorter-term pavement treatments.

If revenues do not improve over the next five-year period, a different approach will be needed to construct and maintain the transportation system. He clarified this plan will result in not having the ability to make significant safety improvements, address congestion, assist and support economic development, use longer term roadway surface treatments, deliver corridor improvements, and address major bridges.

Director Rahn stated the cost savings strategies will allow MoDOT to continue to carry out its mission of providing the best transportation system and support economic prosperity within its financial means to do so. He emphasized that these strategies will only get the department through Fiscal Year 2015, and no longer, without a positive change in revenue.

Following inquiry and discussion by the Commission, upon motion by Commissioner Nichols, seconded by Commissioner Gach, the Commission unanimously adopted MoDOT's direction for the next five years as set out above.

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### **REPORT AND RECOMMENDATION REGARDING CREDIT UNIONS**

On behalf of the Director, Roberta Broeker, Chief Financial Officer, stated providing on site personal financial services for MoDOT employees and retirees and their families is well beyond the core business of MoDOT. It is time to refocus the department's efforts and transition away from subsidizing the district credit unions.

Rich Tiemeyer, Chief Counsel, then reviewed various liability issues associated with MoDOT's relationship with the district credit unions. These liabilities include employment issues, insurance coverage or the lack of coverage, premises liability, and fleet liability.

Ms. Broeker reviewed the Commission's request from the February Commission meeting, for staff to work with the Department of Insurance, Financial Institutions, and Professional Registration, Division of Credit Unions and the credit unions to determine if a transition plan could be developed that was more orderly and would ensure the viability and success of the credit unions. Since then the department worked extensively with the Division of Credit Unions who is the state regulatory agency for the credit unions. As a result of these discussions, the department modified the initial request for the credit unions to leave MoDOT facilities by September 30, 2010. The

physical relocation out of MoDOT buildings is extended to December 31, 2012; however, beginning January 1, 2011 the credit unions will begin to pay rent and for information system services as long as they continue to use MoDOT's network. The department maintained the date of employee separation at September 30, 2010.

In a letter from the regulators, two concerns were raised. The first one is to allow enough time for the credit unions to set up alternative benefit plans, the second one is to allow enough time to replace any credit union employees who may leave due to the transition. Ms. Broeker addressed the first concern by explaining vested employees may continue to pay the medical care premiums and receive the same benefits; the employees who are not vested will have the COBRA benefit for about eighteen months which should be plenty of time for the credit unions to establish an alternate benefit package. For retirement benefits, vested employees will not lose anything they have earned, when they retire their earnings will be waiting for them. In addition, the money that the credit unions would normally contribute for retirement benefits with MoDOT could now be used for an alternate retirement system for all credit union employees. The department also offered assistance with the transition by foregoing reimbursement for salary and benefits for a three month period in order to provide operating cash to start a new benefits package for the credit union employees.

Ms. Broeker recommended the Commission approve the credit unions' separation from MoDOT with physical separation to occur by December 31, 2012 with credit unions paying for rent and information system services beginning January 1, 2011; the employment separation occur on September 30, 2010, and other transition details including foregoing financial reimbursements to be determined by the MoDOT Director. Following inquiry by Commission Miller, and upon motion by Commissioner Miller, Seconded by Commissioner Carmichael, the Commission unanimously approved the recommendation.

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## **SERIES 2010 FEDERAL REIMBURSEMENT STATE ROAD BONDS PRICING**

On behalf of the Director, Roberta Broeker, Chief Financial Officer, reported the Series 2010 Federal Reimbursement State Road Bonds were priced on February 23 and 24, 2010. Of the \$185 million commission approved issuance, \$100 million will fund the New Mississippi River Bridge project, and \$85 million will fund the Safe and Sound Bridge Improvement Program. There were two series, one was tax exempt municipal bonds, and the other was Build America Bonds which were created under the American Recovery and Reinvestment Act and provides thirty-five percent of the interest costs from federal funds.

The result of this sale was better than expected and the average interest rate for the \$185 million of debt was 2.89%. The department strives to retire debt when the projects still have a lot of life left in them. The average life of the bonds is 8.8 years.

Ms. Broeker recognized the underwriting team members that were present and thanked them for their efforts.

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## **CONSIDERATION OF BIDS FOR ROADWAY IMPROVEMENTS, CONCURRENCE IN AWARD REQUESTED FOR PROJECTS ADMINISTERED BY LOCAL PUBLIC AGENCIES (LPAS)**

On behalf of the Director, Dave Nichols, Director of Program Delivery, presented the following Economic Recovery projects let and administered by Local Public Agencies (LPAs).

Mr. Nichols recommended concurrence in the award of the following projects: (1) The City of St. Louis on January 29, 2010 opened bids for the Phase I reconstruction of North Tucker Boulevard, Gershenson Construction Company, Inc. was the low bid, as noted in Table 1 below. (2) The City of St. Louis on January 29, 2010 opened bids for the St. Louis Port Authority for

improvements on a municipal dock; R.V. Wagner, Inc. was the low bid, as noted in Table 1 below.

(3) The St. Joseph Regional Port Authority opened bids on February 5, 2010 for intersection improvements at a truck staging area; Loch Sand & Construction was the low bid, as noted in Table 1 below. (4) The City of Kansas City opened bids on February 9, 2010 for intersection improvements and a bridge replacement over Brush Creek on Troost Avenue, Pyramid Contractors, Inc. was the low bid, as noted in Table 1 below.

**Table I  
Economic Recovery Projects  
Local Public Agencies (LPAs)**

<b>LPA</b>	<b>Route</b>	<b>Bid Opening Date</b>	<b>Contractor</b>	<b>Description</b>
City of St. Louis	North Tucker Boulevard	January 29, 2010	Gershenson Construction Company, Inc.	Phase I reconstruction of North Tucker Blvd.
City of St. Louis	Municipal dock	January 29, 2010	R.V. Wagner, Inc.	Improvements on a municipal dock.
St. Joseph Regional Port Authority	Truck Staging Area	February 5, 2010	Loch Sand & Construction	Intersection improvements at a truck staging area.
City of Kansas City	Troost Avenue	February 9, 2010	Pyramid Contractors, Inc.	Intersection improvements and a bridge replacement over Brush Creek on Troost Avenue.

### **Commission Consideration and Action**

After consideration, and upon motion by Commissioner Michie, seconded by Commissioner

Gach, the Commission took the following action:

1. Concurred in the award of Phase I reconstruction of North Tucker Boulevard. A project awarded by the City of St. Louis on January 29, 2010 to Gershenson Construction Company, Inc.
2. Concurred in the award of the improvements on a municipal dock. A project awarded by the City of St. Louis on January 29, 2010 to R.V. Wagner, Inc.
3. Concurred in the award of the intersection improvements at a truck staging area. A project awarded by the St. Joseph Regional Port Authority on February 5, 2010 to Loch Sand & Construction.
4. Concurred in the award of the Troost Avenue improvements. A project awarded by the City of Kansas City on February 9, 2010 to Pyramid Contractors, Inc.

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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**2010 – 2014 STATEWIDE TRANSPORTATION IMPROVEMENT PROGRAM,  
2010 AMENDMENT**

On behalf of the Director, Dave Nichols, Director of Program Delivery, recommended that the 2010-2014 Statewide Transportation Improvement Program (STIP) be amended, as noted in the tabulations below, to add or modify thirteen projects.

**2010 – 2014 STIP  
Highway and Bridge Construction Schedule  
Projects Added and Modified  
March Amendment**

(Dollars in Thousands)

<b>County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year</b>	<b>Construction and Right of Way Funds</b>	<b>Engineering Funds</b>
Adair & Schuyler J2B0803	Various	Bridge painting on Rtes. 11 and J in Adair Co. over North Fk Salt Rvr. and N Fabius Rvr. and Rtes. V and C in Schuyler Co. over North Fk Middle Fabius Rvr. And North Fabius Rvr.	2010	\$302	\$23
Cass J4B0803B	Various	Bridge painting on Rte. 2 over W Fork of South Grand Rvr. and over Poney Creek and S Fork of South Grand Rvr. on Rte. O.	2010	540	39
Benton J5B0803B	C	Bridge painting on Rte C in Benton Co, Rte E in Callaway Co, Rte D in Moniteau Co, Rte HH in Morgan Co, and Rtes H, E, and Y in Pettis Co.	2010	843	60
Cole J5S0906	179	Construct new interchange from south of Edgewood Drive to north of Rte. C in Jefferson City. Cost Share Project.	2011 RW \$36 2012 CN \$7,321	7,357	485 (was \$5, now \$490)
Franklin J6P1994	100	Widen two lanes to five lanes from west of High Street to Rte. 47 in Washington. Cost Share project with City of Washington.	2011 RW \$1,931 2013 CN \$9,360	11,291	1,082
Dallas & Polk J8B0803	32 & AA	Bridge painting on Rte. 32 in Dallas Co. over Niangua Rvr. and Rte. AA in Polk Co. over Hominy Cr.	2010	301	23
Crawford J9B0803	M	Bridge painting on Rte. M in Crawford Co. over Meramec Rvr., on Rte. 17 in Howell Co. over Eleven Point Rvr., on Rte. K in Phelps Co. over Spring Cr. and Rte. 185 and U in Washington Co. over Indian Cr. and Big Rvr.	2010	811	58

Various JOB0803	Various	Bridge painting on Rte. TT in Bulter Co. over Ten Mile Cr., Rte. 177 in Cape Girardeau Co. over Indian Cr., on Rte. O in St. Francois Co. over Koen Cr., and Rte. N in Ste. Genevieve Co. over Saline Cr.	2010	594	43
			<b>TOTAL:</b>	<b>\$22,039</b>	<b>\$1,813</b>

**2010 – 2014 STIP  
Highway and Bridge Construction Schedule  
Forest Highway ARRA Projects Conditionally Added  
March Amendment**

(Dollars in Thousands)

<b>County Job No.</b>	<b>Route</b>	<b>Description of Improvement/Location</b>	<b>Tentative Award State Fiscal Year</b>	<b>Construction and Right of Way Funds</b>	<b>Engineer- ing Funds</b>
Barry J7S2195	112	Resurface from Rte. 37 to Rte. F. Pavement Treatment utilizing Forest Highway ARRA Funds.	2011	\$396	\$49
Barry/ Stone J7S2194	YY	Resurface from Rte. 39 to the end. Pavement Treatment utilizing Forest Highway ARRA Funds.	2011	174	21
Christian J8S2237	T	Resurface from Rte. 125 to Rte. UU. Pavement Treatment utilizing Forest Highway ARRA Funds.	2011	602	45
Carter/ Ripley J9S2202	J	Resurface from Rte. K to Rte. 160. Pavement Treatment utilizing Forest Highway ARRA Funds.	2011	709	78
Madison JOS2213	C	Resurface from Rte. 67 to Rte. CC. Pavement Treatment utilizing Forest Highway ARRA Funds.	2011	556	47
			<b>TOTAL:</b>	<b>\$2,437</b>	<b>\$240</b>

Via approval of the consent agenda, the Commission unanimously approved the amendments to the 2010 – 2014 STIP as noted in the tabulations 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>
Callaway	Business 54	J5S0927	November 16, 2009
St. Louis City	I-70	J6U1086	April 14, 2004 (1 <sup>st</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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**THE INTERSTATE 44 AND HIGHWAY 47 TRIANGLE TRANSPORTATION DEVELOPMENT DISTRICT, CONSIDERATION OF THE PROJECT AND APPOINTMENT OF AN ADVISOR**

On behalf of the Director, Ed Hassinger, District 6 Engineer, advised the Commission that in response to a petition filed by the Board of Alderman of the City of St. Clair, on February 17, 2009, the Circuit Court of Franklin County established the Interstate 44 and Highway 47 Triangle Transportation Development District (TDD) as a political subdivision on July 29, 2009. The proposed project includes relocation of the Interstate 44 North Outer Road. When the relocation is fully completed, it will allow for signalization of ramps and outer roads. The Commission does not own any real property within the proposed TDD and has no financial participation in the project.

In keeping with Sections 238.220(3) and 238.225(1), RSMo, the Commission, via approval of the consent agenda, (1) found the upgrades to the area noted above, to be a necessary and desirable extension of the state highways and transportation system, subject to the TDD making any revisions in the plans and specifications required by the Commission and subject to the TDD entering into a mutually satisfactory agreement with the Commission regarding development and future maintenance of the project, and (2) appointed the District 6 Engineer, or his designee, as the Commission advisor to the Interstate 44 and Highway 47 Triangle TDD board of directors. In keeping with the Commission's Delegation of Authority to Execute Documents Policy, the Director,

Chief Engineer, Chief Financial Officer, or respective business unit director may execute the related agreements.

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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 to a governmental entity at no cost or exchange interest in land must be approved by specific Commission action. The following sales are to governmental entities.

**Business Route 36, Marion County, Excess Parcel Number E3-0427**

On behalf of the Director, Paula Gough, District 3 Engineer, recommended conveyance to the City of Hannibal, 0.15 acre of land located in Marion County on the southwest side of Business 36 (Mark Twain Avenue) at the end of Vesper Street in the City of Hannibal for the consideration of \$1.00.

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

**Route 364, St. Louis County, Excess Parcel Number E6-0946A**

On behalf of the Director, Ed Hassinger, District 6 Engineer, recommended conveyance to St. Louis County, 2,765 square feet of land located in St. Louis County in the northwest corner of Route 364 (Page Avenue) and Maryland Heights Expressway for the consideration of \$1.00.

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

**Route E, Phelps County, Excess Parcel Numbers E9-0293, D9-0345, and E9-0346**

On behalf of the Director, Tom Stehn, District 9 Engineer, recommended conveyance to the University of Missouri, three tracts of land totaling 0.36 acre located in Phelps County at the intersection of Route 63 and Route E and extends westerly along both the northern and southern side of Route E in Rolla, Missouri for the consideration of \$1.00.

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

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**CHANGE IN ACCESS, BREAK IN ACCESS,  
EHRHARDT PROPERTIES, LLC, BUSINESS LOOP 44, PULASKI COUNTY**

On behalf of the Director, Tom Stehn, District 9 Engineer, recommended approval of a request from Ehrhardt Properties, LLC, to construct a thirty-foot right-in/right-out only entrance centered at the southerly right of way line of Business Loop 44, opposite Station 1053+10.57. Ehrhardt Properties, LLC, shall provide geometric improvements along Business Loop 44, including the construction of a right turn lane for the proposed entrance at 1053+10.57. Ehrhardt Properties, LLC, will also shift another existing entrance located in normal right of way and combine it with an existing entrance into the adjacent property to the west to provide a joint use entrance at Station 1048+90. At the location of this combined joint use entrance, Ehrhardt Properties, LLC, will reconstruct the median crossover, and extend the median deceleration lane. 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 Ehrhardt Properties, LLC as described above with \$2,500 compensation due the Commission for the change in access.

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**-- REPORTS --**

The Commission received the following written reports.

**FINANCIAL – BUDGET - REPORTS  
YEAR-TO-DATE FINANCIAL REPORT, January 31, 2010**

Deborah S. Rickard, Controller, provided to the Commission the Fiscal Year 2010 monthly financial report for the period ending January 31, 2010, with budget and prior year comparisons.

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**DELEGATION OF AUTHORITY FOR EXECUTION OF DOCUMENTS,  
OPERATING BUDGET APPROPRIATIONS**

In keeping with the Commission’s delegation of authority for specific staff members to execute documents in keeping with its approved budget, and in keeping with the Commission’s desire to be apprised of all single purchases over \$200,000, Beth Ring, General Services Director, submitted a report showing the purchase orders issued and contracts executed that exceeded \$200,000 in the second quarter of Fiscal Year 2010.

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

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