

# MINUTES FOR THE TRANSPORTATION COMMISSION MEETING

HELD IN THE ODOT BUILDING COMMISSION MEETING ROOM  
OKLAHOMA CITY, OKLAHOMA

BE IT REMEMBERED that on Monday the 6th day of June, 2016, at the hour of 11:00 a.m., the Transportation Commission met in the Commission Meeting Room of the ODOT Building in Oklahoma City, Oklahoma.

NOTICE of the schedule of regular meetings of the Oklahoma Department of Transportation for the calendar year 2016 having been given in writing to the Oklahoma Secretary of State, and public notice and agenda having been posted in a prominent public view at or before 11:00 a.m. on Thursday, June 2, 2016, prior to the meeting, on the Atrium Informational Monitor in the ODOT building, and on the glass doors on the north side of the ODOT Building in accordance with Oklahoma Open Meeting Act, 25 O.S. Section 311.

## ITEMS PRESENTED BY COMMISSION CHAIRMAN

**CALL TO ORDER:** Mr. David Burrage called the meeting to order at 11:01 a.m.

**ROLL CALL:**

<b>Present:</b>	John Fidler	Member
	David Burrage	Chairman
	Dan Overland	Member
	Greg Love	Member
	Todd Huckabay	Secretary
	Bobby Alexander	Member
	Brad Burgess	Vice-Chairman

**Absent:** Pete Regan

**Presiding:** David Burrage

The following items were presented and approved as written at the Transportation Commission meeting of June 6, 2016. For those items amended, deferred, or rejected, those notations were also made. Action taken by the Commission is noted here on these sheets.

Commissioner Burrage recognized Special Guests, Carl Gibson, Member of the OTA Board of Directors and former Secretary of Transportation, Neal McCaleb. He also recognized Tim Gatz, who is the new Executive Director of the Oklahoma Turnpike Authority.

## ANNOUNCEMENTS AND PRESENTATIONS

Commissioner Burrage recognized Director, Mike Patterson for his announcements.

Director Patterson stated that it is sad that I stand at the podium today to inform you that we lost another ODOT employee. On May 18<sup>th</sup>, Jarrell Gray was killed in the line of duty, making him the 60<sup>th</sup> ODOT employee to fall in the line of duty. Mr. Gray was a part of our Delaware County crew and was working with a Department of Corrections Inmate Crew doing brush removal along SH-20 near Grove when a car left the highway and struck Jarrell and killed him. He had worked for the Department since 1998, and he was 47 years old.

There were some people on the inmate crew that were very helpful to Jarrell and tried everything they could to take care of him, and did keep him alive until the first responders got there. I want to recognize these brave people: Sergeant, Jason Lemons, Inmates, Corey McCarroll, Quentin Ross, Jerry Hoehne, Kenneth Coulter, and Stephen Laver.

Director Patterson asked for a moment of silence for Jarrell, and when we do, think about all of our workers who are working alongside the highways, both with the State, the County, and the City, who are dedicated to make this State a better place. And we need to dedicate ourselves to make their work zones and their work areas a safer place.

Director Patterson noted it is a very tight group that we work with here at the State of Oklahoma; there were 8 other agencies that reached out to us and offered their condolences. Also there were 6 other DOTs from across the country that reached out to me to offer condolences.

**NOTE:** *Commissioner Burrage thanked the Director and stated, "We need to all keep our heads up, keep our phones put away, and stay diligent when driving through work zones"!*

### **ITEM PRESENTED BY THE SECRETARY TO THE COMMISSION**

#### **72. Approval of the Minutes of the Transportation Commission Meeting of May 2, 2016**

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

### **CONSENT DOCKET PRESENTED BY COMMISSION CHAIRMAN**

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

- a) Wagoner County – District I – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 32' concrete crossing surface at Boston Avenue in Redbird, with the Union Pacific Railroad - \$322,326
- b) Wagoner County - District I - a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 32' concrete crossing surface at Main Street in Redbird, with the Union Pacific Railroad - \$329,565
- c) Wagoner County - District I - a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms and some highway resurfacing on SH-51B near Porter, with the Union Pacific Railroad - \$263,293
- d) Pontotoc County - District III - a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at County Road E1670 near Roff, with the Burlington Northern Railroad - \$352,265
- e) Oklahoma County – District IV – a signal project which includes the installation of cantilever-mounted flashing light signals with gate arms at Meridian Avenue in Oklahoma City, with the Stillwater Central Railroad - \$301,140
- f) Noble County – District IV – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 24' concrete crossing surface at County Road E0305 near Morrison, with the Burlington Northern Railroad - \$313,324

- g)** Noble County – District IV – a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at County Road N3300, near Perry, with the Burlington Northern Railroad - \$236,764
- h)** Noble County – District IV – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 32' concrete crossing surface at County Road E0490 near Perry, with the Burlington Northern Railroad - \$374,742
- i)** Noble County – District IV – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 56' concrete crossing surface at Eagle Street in Lucien, with the Burlington Northern Railroad - \$445,394
- j)** Caddo County – District VII – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 40' timber crossing surface at Caddo County Road E1480 near Cyril, with the Stillwater Central Railroad - \$254,321
- k)** Caddo County – District VII – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 32' timber crossing surface at Caddo County Road N2730 near Cement, with the Stillwater Central Railroad - \$245,222
- l)** Comanche County – District VII – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 32' concrete crossing surface at Kleeman Street near Elgin, with the Stillwater Central Railroad - \$268,612
- m)** Grady County – District VII – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 72' concrete crossing surface at SH-92 near Norge, with the Stillwater Central Railroad - \$321,397
- n)** Grady County – District VII – a signal/surface project which includes the addition of gate arms to the existing cantilever-mounted flashing light signals at Lake Burtschi Road near Norge, with the Stillwater Central Railroad - \$211,375
- o)** Grady County – District VII – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 32' concrete crossing surface at SH-92 near Norge, with the Stillwater Central Railroad - \$248,397
- p)** Tulsa County – District VIII – a signal/surface project which includes the installation of pedestal-mounted flashing light signals with gate arms to the existing cantilevered signals on East 2<sup>nd</sup> Street in Tulsa, with the Union Pacific Railroad - \$404,553
- q)** Tulsa County – District VIII – a signal/surface project which includes the installation of four quadrant pedestal-mounted flashing light signals with gate arms and the extension of an existing concrete crossing surface an additional 16' at Peoria Avenue in Tulsa, with the Union Pacific Railroad - \$542,264
- r)** Tulsa County – District VIII – a signal/surface project which includes the installation of cantilever-mounted flashing light signals with gate arms interconnected with the adjacent traffic signal and the extension of an existing concrete crossing surface an additional 16 feet at Utica Avenue in Tulsa, with the Union Pacific Railroad - \$368,425
- s)** Tulsa County – District VIII – a signal/surface project which includes the installation of cantilever-mounted flashing light signals with gate arms and the extension of an existing concrete crossing surface an additional 8 feet at East 6<sup>th</sup> Street in Tulsa, with the Union Pacific Railroad - \$372,493
- t)** Tulsa County – District VIII – a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at Wheeling Avenue in Tulsa, with the Union Pacific Railroad - \$230,593
- u)** Tulsa County – District VIII – a signal project which includes the installation of cantilever-mounted flashing light signals with gate arms at Lewis Avenue in Tulsa, with the Union Pacific Railroad - \$322,995

- v) Tulsa County – District VIII – a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms at SH-97 in Sand Springs, with the Sand Springs Railroad, \$340,365
- w) Tulsa County – District VIII – a signal project which includes the installation of pedestal-mounted flashing light signals with gate arms and a 48’ concrete crossing surface at East 47<sup>th</sup> Place in Tulsa, with the Union Pacific Railroad - \$300,395

**74. Traffic Control Improvement Projects – Mr. Smart**

- a) Canadian, Garfield and Oklahoma Counties - District IV – installation of pavement markings at various locations
- b) Canadian, Kay, Oklahoma and Noble Counties - District IV – installation of pavement markings
- c) Kiowa and Tillman Counties – District V – installation of pavement markings at various locations along US-62
- d) Cimarron, Major, Texas, Woods and Woodward Counties – District VI – installation of pavement markings at various locations
- e) Cimarron, Texas, Beaver, Harper, Ellis and Woodward Counties – District VI – installation of Centerline Rumble Strips and pavement markings at various locations
- f) Carter and Love Counties – District VII – installation of pavement markings at various locations along I-35
- g) Carter, Grady and Stephens Counties – District VII – installation of pavement markings at various locations

**75. Speed Zone Revisions – Mr. Smart**

Creek County – District VIII – various locations along SH-16 in the City of Bristow

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

**END OF CONSENT DOCKET**

**ITEMS PRESENTED BY DIRECTOR OF ENGINEERING – Mr. Tegeler**

**76. Programming Item**

Kay County – District IV – repair vehicle impact damage to US-60 over US-60 Business located 12.2 Miles East of Junction I-35 - \$140,000 – Party responsible for damage is known

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

**77. Engineering Contracts**

- a) Statewide – All Districts - to develop an Aesthetic Means and Methods Manual and write a Special Provisions Standard for Aesthetic Integration

EC-1742 Creative Design Resolutions, Inc. \$550,000.00

- b) McCurtain County – District II - to provide preliminary engineering and prepare construction plans for US-259 from 8.0 miles North of the Texas State Line, North 5.09 miles & US-259 2.0 miles North of the Texas State Line, North 6.0 miles

EC-1744 Jacobs Engineering Group, Inc. \$1,286,100.00

- c) Oklahoma County – District IV - to provide preliminary engineering for I-44 between May Ave. and I-235

EC-1714 MacArthur Associated Consultants, LLC \$1,937,470.00

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

**78. Engineering Contract Supplements**

- a) Statewide – All Districts – to provide hands-on bridge inspections of reinforced concrete box girders

EC – 1436 – Supplement 2 Burgess and Niple, Inc. \$75,000.00

- b) Statewide – All Districts – to provide On-Demand Mobile LiDAR Mapping

EC – 1702 – Supplement 1 CEC Corporation \$500,000.00

- c) Cherokee County – District I – for additional engineering and to develop final construction plans for US-62: 3.38 miles East of SH-82 Jct. Northeast 2.6 miles

EC – 1577 – Supplement 3 Aguirre and Fields, LP \$34,925.00

- d) Tulsa County – District VIII – for additional engineering to develop final design plans for I-244 under Yale Avenue, Harvard Avenue, Pittsburg Avenue

EC – 1511A – Supplement 1 EST, Inc. \$16,900.00

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

**ITEMS PRESENTED BY THE PROGRAMS DIVISION MANAGER – Mr. Adkins**

**79. Lettings**

- a) Final August, 2016
- b) Tentative September 2016
- c) Tentative October, 2016

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

**ITEMS PRESENTED BY ASSISTANT DIRECTOR OF OPERATIONS – Mr. Raymond**

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

- a) Alfalfa County - Co. Rd. - CIRB-102C(129)RB / 24832(08), \$3,539.51 Underrun
- b) Canadian County - Co. Rd. - SAP-209N(033) / 31846(04), \$0.00
- c) Carter County - SH-76 - SSP-110C(208)SS / 24953(04), \$4,654.89
- d) Cleveland County - SH-9 - STP-114B(108)SS / 20266(07), \$17,385.00
- e) Harper County - Co. Rd. - CIRB-130C(125)RB / 24964(04), \$1,350.00
- f) Jackson County - Ct. St. - STP-133B(019)SG / TCSP-233B(011)SG / 17014(04), \$6,117.16
- g) Kay County - I-35 - NHPPI-236N(025)SS / 27100(04), \$9,327.48
- h) Kingfisher County - Co. Rd. - CIRB-137D(076)RB / 25086(04), \$10,615.37
- i) Marshall County - Co. Rd. - STP-248D(003)CI / 29304(04), \$3,186.27
- j) McCurtain County - SH-3 - STP-145B(150)SS / 24184(04), \$80,632.50 Underrun
- k) Oklahoma County - Ct. St. - STP-155A(878)AG / 17827(05), \$2,940.00
- l) Oklahoma County - Ct. St. - STPG-155F(787)AG / 27738(04), \$4,170.74
- m) Ottawa County - SH-125 - SSP-158C(128)SS / 24276(04), \$4,343.00
- n) Pontotoc County - SH-3W - SSR-262B(024)SR / 29702(04), \$17,887.61
- o) Pontotoc County - SH-1 - SAP-262C(029) / 31589(04), \$3,886.05
- p) Pottawatomie County - SH-102 - STP-263C(027)RW / 21788(11), \$1,500.00
- q) Tulsa County - SH-11 - STP-172B(368)SS / STP-272B(094)SS / 24365(07), \$12,750.00
- r) Wagoner County - Co. Rd. - STP-273D(016)CI / 29393(04), \$6,080.07
- s) Woods County - Co. Rd. - CIRB-176D(150)RB / 25475(08), \$12,277.94

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

- a) Beckham County - I-40B - SSR-105A(199)SR / 28136(04), \$19,992.50
- b) Bryan County - US-70 - HSIPG-207N(030)TR / 31489(04), \$87,651.20
- c) Caddo County - US-281 - SSP-208B(024)SS / 30175(08), \$3,998.06 Underrun
- d) Choctaw County - Co. Rd. - CIRB-112C(079)RB / 24822(04), \$16,960.42
- e) Jackson County - US-283 - STP-133B(087)SS / 24379(07), \$400,565.38
- f) Johnston County - SH-22 - SSP-235F(019)SS / 23285(06), \$51,969.94
- g) Logan County - Co. Rd. - CIRB-142D(153)RB / 25090(04), \$18,203.52
- h) Oklahoma County - I-40 - OKCY-XTWN(047)SS / 17428(59), \$1,127,277.70
- i) Oklahoma County - I-40 - OKCY-XTWN(006)(048)SS / 17428(60), \$185,445.11
- j) Oklahoma County - Ct. St. - STP-155C(604)AG / 24041(04), \$4,541.26
- k) Osage County - Ct. St. - STP-157A(143)IG / 22146(07), \$4,964.27

- l) Pawnee County - US-64 - BRFY-159C(042) / 20897(04), \$2,747.08
- m) Payne County - Co. Rd. - CIRB-160D(183)RB / 22169(09), \$13,106.71
- n) Tulsa County - I-44 - IMY-0044-2(399)226 / 06374(47), \$87,207.91 Underrun
- o) Tulsa County - I-244 - ACNHPPI-2440-(008)SS / 28861(09), \$99,687.81
- p) Washita County - SH-152 - STP-175C(103)SS / 26478(04), \$51,031.60
- q) Woods County - US-64 - STP-176B(163)SS / 26495(04), \$16,778.78

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

**ITEM PRESENTED BY THE OFFICE ENGINEER – Mr. Delce**

**82. Awards**

May 19, 2016 – Regular Letting

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

**ITEMS PRESENTED BY THE COMPTROLLER – Ms. Hilmes**

**83. Fiscal Year 2017 Budget Work Program**

The Department is required to submit a Budget Work Program to the Office of Management and Enterprise Services in June of each year which will provide budget authority for the upcoming fiscal year. In keeping with that process, the Department is submitting for Commission approval the Fiscal Year 2017 Budget Work Program in the amount of \$1,438,750,744.

**84. Fiscal Year 2016 Budget Revisions**

- a) Request to increase federal share of the County Program by \$6,200,000 for unbudgeted federal revenues.
- b) Request to increase Intelligent Transportation Systems by \$4,800,000 for unbudgeted federal funds.

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

## **ITEMS PRESENTED BY THE DIRECTOR – Mr. Patterson**

### **85. Consideration and Possible Approval of the New Turnpike Routes contained in the “Driving Forward” Initiative**

Director Patterson explained that Item 85 is the presentation and explanation of proposed routes for the new turnpikes. Last month, Secretary McCaleb offered a great explanation to the Commission to kind of set the tone for this approval. He went over the proposed locations and the reasons why, and I'd like to take just a moment to talk about the reasons why again.

The reasons why is financial. The Department for the last 20 or 25 years has been working to come up with a solution for the congestion and the safety issues we have on I-40 and I-35. It's a situation that we now find ourselves that we have to do something, and the Department is just not in a position to do so, and will not be in a position to do so in the foreseeable future.

When we once found a need to expand I-35 in downtown Oklahoma City towards Norman, the reason for that was because we had 80,000 vehicles just south of the river on I-35, so we began the expansion and widened it to 6 lanes. Today we have more than twice that amount; we are at 129,000 to 150,000 vehicles a day. We have no place to go, so we have to go out, making us much like any other big city.

If we were to try to expand I-35 again, realizing that we started this expansion of I-35 in 1979 and we're still not complete with it; it will take at least that long and we will lose the reason for the expansion. It would also take out businesses that are vital to downtown Oklahoma City, Moore and Norman. So it's something that we have to come up with another alternative, and the alternative is looking out and we started looking out 20 years ago.

The Turnpike Authority has come to the rescue again, much as they have in the past. When we needed a high-speed safe passage between Oklahoma City and Tulsa, the Turner Turnpike was built in the '50s, the Will Rogers shortly after that. So much of this is driven off of safety, and it's important to keep that fact in mind.

In the area of I-35 between I-240 and I-40, there has been 6,600 accidents and 33 fatalities in the last 10 years. That's something that we just can't tolerate; we have to come up with a better solution, and this is the better solution.

Yours and my obligation in this, statutorily, as identified in Title 69, Section 1701, is to approve these routes only to the extent that I'm telling you that we don't have a route planned in the next several years. And I'm telling you that we need your approval to allow the Turnpike Authority to make that connection at I-40 east of Oklahoma City and State Highway 152 in southwest part of Oklahoma City. So our our collective obligations, is simply to ratify that we don't have any conflicts in our programming, and that we need that connection.

Mr. Chairman, as you identified, we have Director Gatz, Secretary McCaleb, Carl Gibson from the OTA Authority and other staff members here from the Turnpike Authority, should you have any questions that you would like to ask them about the proposed routes. Mr. Chairman, I would recommend this item for approval.

**NOTE:** *Commissioner Burgess said, “So what you're saying is that at this point ODOT has no plans for any kind of roadways in the corridor that OTA is planning on building these facilities in, is that correct?”*

*Director Patterson answered, “That is correct, we have no plans, we wish we had plans, but we don't”. With the budget and the amount of financial resources that we've been afforded, we're doing all that we can to keep the rest of the system up and going. So adding capacity to that size of a project is impossible for us.*

*Commissioner Overland said, "So we're affirming that there is no plan, and with that affirmation, then the Turnpike Authority takes the necessary steps, whatever they need to do next. But our job by statute is to affirm that we have no plans and we'll allow the connection to the interstate or state highways or whatever, if that gets completed, correct?"*

Director Patterson said, "That's correct".

Director Patterson presented a slide show to the Commissioners of the proposed turnpike routes and where the connections would be at. He said several people have already identified that they will be using these routes to keep from going through downtown Oklahoma City. One of the things that we are going to do in our eight-year plan rebalancing is we're going to seek ways to accelerate our I-40 six-lane expansion in eastern Oklahoma County. We think we can get that done to accommodate the opening of the eastern route.

Commissioner Burrage asked OTA Director, Tim Gatz if he had any comments?

Director Gatz said, "First and foremost I would say thank you for your congratulations and your kind comments this morning". The Turnpike Authority certainly is appreciative of your consideration of this item and really values the support of the Department as we work together to try to provide the safest and highest-functioning transportation system that we can for the State of Oklahoma. As Director Patterson pointed out, I certainly have Secretary McCaleb and staff members here if you have questions that we might be able to answer and thank you again for your consideration.

Commissioner Burrage said, at this time I know there are others that have differing views and I will let one person speak for your group. You all have to figure out between yourselves the one person that would be prepared at this time to make some comments. Looks like we have a consensus, would you introduce yourself and that sort of thing so we'll know who you are.

Thank you, sir and thank you for having me. My name is Paul Crouch, I live at 44th and Luther in Newalla and I don't think it's a secret to anyone of you of why I'm standing before you today. We are in opposition to this projected turnpike, for eastern Oklahoma County, and for a lot of reasons. One of the primary reasons that we're against this is because we don't believe the traffic estimates that were put forth by the OTA. You can go back to the May 1<sup>st</sup> edition of the Daily Oklahoman, front page, above the fold, and you can see the numbers; up to 63% inflation rates for the traffic estimates and the monetary profits that come off of the turnpikes. So that worries me tremendously, because you're not just talking about moving fence posts here. You're talking about moving people and you're talking about doing away with their homes, and you're talking about doing away with their property. Before I ever made a move when I was in a position of authority. Before I ever made a move to approve something of that nature, I would say, these are real people, these are their homes. I don't know if any of you sitting on this board today in this panel have plans for Christmas this year, I hope you have plans. I hope you entertain the thought of having your folks come to the old home place and have your Christmas holiday together, because the people who stand to get their houses removed and their property taken, they're not going to have those memories anymore. As a matter of fact, they're already worrying about where they are going to hold anything.

Just because you come and you offer somebody money for their property and you offer it and they have no choice but to take it because eminent domain is going to cause them to lose, they don't have the funding to come up and lawyer up like the OTA has. Some of them have gone out and tried to get lawyers, but unfortunately, the OTA has most of those on retainer, so we don't have any options.

So I would tell you this, I don't believe that all the alternatives have been looked at. We've offered up to take a look at 102, take a look at 177 and they will come up and they will spin this to say, oh, well, that's existing road, we can't do anything about that. You can do something about that, if you look at that situation and you go 5 to 7 miles from their proposed route, 5 to 7 miles east, they already have roads that are clear that are going that way. But no, they have come up with this idea that they're going to take homes and property from people, and damn the torpedoes, full speed ahead, we're going to do this. So we don't feel like we've had a voice in any of this. Mr. McCaleb spoke to the fact that this was a vote of the people to do this cross-funding. Yeah, 70 years ago that was the vote, but that's not the vote today. It's almost as though it's intentional, it's almost as though it's by design that we're going to do this, and you can't do anything about it! So we do take great exception to that, you've seen us; we have had 3 Capitol rallies and a rally in Choctaw. We've done everything that we can; we've gone before our State Senate and State Representatives. And you know what? It's almost as if, though, they're afraid to do anything because they're afraid of repercussions it's going to happen to their careers or maybe their political aspirations in the future. That worries me, because I don't care if you are one person standing up for what is right, then it's the right thing to do. You may stand alone, but it's the right thing to do. I would impress upon you that these are real people, please look at us, all of us, in that regard.

I served for 24 years in the United States Air Force, I've been deployed to many places, slept in almost every desert that you could name, and hoping that I could come back one day to my home state, Oklahoma, and build a place where me and my wife could retire, and enjoy the country, the beauty, the non-light pollution, and the fresh air. And now, nobody told me 2 ½ years ago, when I built that house, that there was going to be a turnpike running through this thing, but I think they knew. So sometimes when you look at this thing, it's almost as if, though, the people who are in the throes of this, that are about to get their homes taken are the lucky ones. They're the fortunate ones, almost, you think that, because the ones that have to look and stare at this thing and see it, smell it, hear it, taste it every day for the rest of our lives, then we're stuck.

Back in 1950 or '49, whenever they first started talking about building the Turner Turnpike, and then it opened in 1953, okay, so they said, when it's paid for, we'll drive on it for free. We're not driving on it for free, are we? And so there are a total of 10 turnpikes now, and not a one of those are free, we have to pay to drive on those. They've already announced that they are going to raise the rates on those 16%. So Oklahomans are going to have to drive on the roads. I've gone out and done some research on this; it's not just Oklahoma, the State of Pennsylvania, is dealing with this same thing, too. The people are tired of it, they are absolutely sick of it, because there is no plan to ever stop raising the rates! There's absolutely no plan of ever stopping the tolls and we're going to live with that! So basically, from what I've been told, I've contacted the State Auditor and the State Attorney General; and I got a letter from the State Auditor's Office and it said, that it's frustrating for all of us when all the other agencies within the State Government cannot incur debt, but yet OTA can go out and can incur debt because they can sell bonds to private investors and allow them to make money.

Some of these people that are sitting in the room here today, they are losing their homes and property. I ask if it was you, would you look at it differently. I would definitely look at it differently, because there are alternate routes for this, this is not the only route and it's actually not the best route.

So I heard talk just now that this is going to cause better traffic safety. I would put before you today here that better roads don't increase safety, safe drivers increase safety. All the time that we've been trying to fight this thing, in the month of April, there were, I think, 4 fatalities on the Turner Turnpike, so that doesn't sound very safe to me.

I appreciate your time, I appreciate every one of you and I would ask you to consider this from the bottom of your hearts. I'm serious, when you think about what's about to happen here, people are going to lose their homes. There's no place planned for them to go or move to. So that's all I have to say about that. Thank you.

Commissioner Burrage told Mr. Crouch that he certainly appreciated his comments and appreciated everyone coming and having one individual speak to the issues that concerned them. He then asked Director Patterson if he had any additional comments.

Director Patterson stated that he appreciated all the comments today. We've been presented with a request from the Turnpike Authority to allow them to move forward and to acknowledge, as Commissioner Overland said that we have no conflicts and that we need to make the connections with I-40 and State Highway 152. I do understand what each one of the parties has talked about. It should be recognized again that the Department does not have the financial resources available to them to make the additional routes under the purview of the Department of Transportation.

**NOTE:** *Commissioner Burrage stated based on the length of time these have been under consideration, over years, changing conditions, having confidence in OTA's and the Department of Transportation's planning, understanding the limited funding available, really at both places, and also being sensitive to the problems that the right of eminent domain causes, I do have confidence in the planning that's gone on. And I would make a motion that we approve this item.*

*Commissioner Overland said he just wanted to be crystal clear. Our vote today is to affirm that we have no projects in that corridor, and we're approving any connection that may occur if the turnpike is constructed. We are not approving any specific design or anything else here today. The final design corridor or engineering or even the pathway hasn't been done yet. There's a pretty good idea, but it's not final. We're just doing those two things. Is that correct?*

*Director Patterson answered, that's correct Commissioner.*

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

Commissioner Burrage stated he thinks that this is a historical moment for OTA and ODOT to use the limited resources we have. I really see it as a move not to go backwards, because we're continually fighting the battle of being behind the curve; and hopefully this is another action that the State takes that will give us a leg up, keep us competitive, and keep us going in the right direction.

Director Patterson thanked Commissioner Burrage for his support because we were at our wit's end on a solution, and this is our solution.

## **86. Director's Report**

Director Patterson talked about the Belle Isle Bridge engineering contract that they just approved to do the study on how we can take care of the Belle Isle area. You might recall when we ran into our last problems on the Belle Isle Bridge; I mentioned to you that our goal one day would be to put the Belle Isle area on the ground. At the time, I believe it was Steve Jacobi, our Bridge Engineer, showed a photograph from when the bridge opened in 1979, '78, and it showed that a lake was there. So that's why we even have a bridge there, because the Belle Isle Lake was in place. If the Belle Isle Lake wasn't there, we would not have put a bridge. The lake's gone now, so we are going to look at putting the roadway on the ground. Now, does that mean it's a mounded pile of dirt? Probably, because we'll have to get over several intersections and interchanges, but nonetheless, we're trying to get the bridge out of service; and I really appreciate your support in letting Mr. Tegeler move forward with that.

A bridge that we recently opened is one that was problematic for us for a while, and it was the bridge on State Highway 99/US 377 south of Tishomingo, reopened on Memorial Day. The significance of that bridge, it was in our eight-year plan, and we had it scheduled for 2018, but in the floods of last year, it was under water so long and it became damaged. So we were able to accelerate that project and got the bridge back open to service. I really appreciate the Contractor, Overland Construction, for moving so quickly; and likely you're going to see a Change Order for an incentive payment that they are due. Thanks to the patience of the Citizens of Tishomingo as they went through that process with us.

He talked about a piece of legislation that was signed into law recently about speed limits. HB 3167 simply removed the maximum speed limit in the statutes. There was some thinking that now that the speed limits or the speed limit maximum is gone, that we can raise the speeds to whatever. Speed limits are set by ODOT based on engineering and safety measures; so we are still going to go through our engineering studies. We're going to do all the things that we have to do to provide safe passages. The legislature is not getting involved in the speed limits; they just simply removed the maximum. It wasn't an ODOT request bill; in fact, we would have preferred to have left the maximums there. But the decision was not to be that way, and so we will continue to do what we do. But in case you're asked by people in your district, it doesn't mean we're going to run out and raise a bunch of speed limits, we're just we're missing the maximum now.

Ms. Hilmes was up here earlier talking about the budget, and what the 2017 budget starts off with is a billion four. Last year it was a billion six, billion seven when we started off. So it's down, and the Chairman talked about that, how the Department helped with that.

Director Patterson presented 3 slides to the Commissioners about the budget. As we went through the legislative process, one of the things that often get talked about is the Motor Fuel Tax; it is our longstanding source of revenue, and this first slide depicts what was going on with motor fuel collections in 2014. As you can tell, all of the money, even the non-highway usage, is going to something dealing with transportation. But as we look at the next slide for the estimate for 2017, you can see that this being the second year in a row that we're going to lose some of that motor fuel tax, as it was moved to special cash or general revenue. As Ms. Hilmes indicated, there is an additional portion of motor fuel tax going to special cash in 2017. The \$50 million difference there, the Board of Equalization certified motor fuel tax at \$205 million was to come to the Department for 2017, and we're going to end up with \$154 million. So that's a \$50 million difference.

The last slide is a summation of the Senate Bill 1616 and what it meant to the Department. Ms. Hilmes talked about some of this, the Weigh Station Revolving Fund is going to lose \$12.5 million; the Passenger Rail Fund is going to lose \$5 million; and jumping down to the Rail Maintenance Revolving Fund, the 210 fund, that \$26.6 million is actually the seed money that was provided to the Department back in the late '70s, early '80s to buy the abandoned railroads. So we thought it best that that be returned to the State for their use, since we made a profit, significant profit on the last sale; and we can continue with our efforts to provide maintenance to our state-owned railroads and to continue with our \$100 million effort to improve crossings. As you look at the other items, the \$50 million that I just discussed and the \$73 million cash transfer, but the \$73 million being taken from the 310 fund, and then the \$200 million cash transfer that comes out of the Roads fund. So all of those will affect the highway program. Now, we're being offset with the opportunity to issue bonds through the Capitol Improvement Authority for \$200 million; but the Department will be responsible for making the debt service for the next 15 to 20 years on that \$200 million.

As we were so afraid of, there was much discussion, and I know we talked to the Commissioners about what might happen if there were efforts to take the \$59 million additional that we receive each year, or somehow lower the cap in the Roads fund from \$575, but all of those discussions went away, and this is what we were left with. As the Chairman talked about, we went forward early, offered up a \$300 million solution to the overall budget situation of a \$1.3 billion shortfall, and it was our way that we could participate and kind of guide where the money was taken from.

We have made significant improvements and investments in our highway system in the last 10 years because of the legislature's efforts to provide us with additional money. I have discussed with you on numerous occasions that going forward, no matter what happens, we're going to keep our maintenance budget, our asset preservation budget, in place. We have to do that, we have constructed so many new bridges; it would be irresponsible for us to not maintain those bridges and new roadways; so we're going to do that.

So any impact that we have on the budget reduction will be affected in the eight-year plan. This afternoon we're going to begin our meetings to rebalance the eight-year plan, and we will visit with you during the summer and eventually bring to you hopefully in September at the Commission Meeting. We don't know what projects will be affected, I'm confident that all the projects that are in the current eight-year plan will remain in the plan; we just may have to delay them a little bit, depending on what priorities and costs have done to us.

The last thing I want to mention is our Work Zone Safety Program, and I really appreciate the support the Commission has given us to go out and not do one week, but do two months. It's been identified that that is a monumental effort, and I want to thank Terry Angier and the MPR staff for everything they did. They went into some places we never thought about going, with a Facebook page; and we had a lot of hits on our Facebook page! We did our PSA's that we had on YouTube. We had our Work Zone Wednesdays where we put messages up on the big board; more than 6 million people saw those. We're going to continue some of these efforts. I'm loving the Work Zone Wednesday thing. I hope we can keep the Facebook page in place, because we have to continue to make an effort to change behaviors.

Additionally, we had the Honor Wall come to Oklahoma City and Tulsa at Penn Square Mall and Woodland Hills Mall, and thank you to Simon Properties for allowing us to do that, and to make our presence known and have media events at those locations. It was gratifying, to see people walk by the wall with 1,400 names of people who have died in work zones, and then to recognize our at one time 59, now 60, employees who have died in the line of service.

There was a couple of other fellows that I want to recognize, Chuck May and Michael Dean. You guys saw the PSA's, and those were the 2 guys with the great voices. I wish I had that radio voice like they do and they did a great job in putting that together.

You have our new pins on, and every ODOT employee's going to get one of those pins, and we're going to pass those out to anybody that will wear them because we want to make that awareness known. Because during our 2 month effort, just in the month of May, there were 2 people killed in work zones in Oklahoma. Bobby White, a schoolteacher from Owasso, was killed on US-169 by our Bird Creek construction area; and then of course Jarrell Gray. Both of these folks left a family and colleagues behind. Bobby White left a lot of students behind and all because somebody wasn't paying attention in the work zone. I can't tell you how much I, again, appreciate your support, in our effort, to make an impact on the driving public.

**Information Only:** No Commission action required.

#### **ITEM PRESENTED BY COMMISSION CHAIRMAN**

##### **87. Adjournment Motion**

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

**Meeting adjourned at 12:07 p.m.**

Approval of the Minutes of the Transportation Commission Meeting of June 6, 2016.

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David Burrage – Chairman

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Brad Burgess – Vice Chairman