



**MINUTES
WASHTO CEO BUSINESS MEETING
July 14, 2009 – Seattle, WA
Bell Harbor Conference Center**

Tuesday, July 14 – CEO Business Meeting
9:00 a.m. – 11:00 a.m.

1. Call to Order

- President Will Kempton (CA) called the meeting to order the meeting at 9:00 a.m.
- Will recognized and welcomed Past President Rhonda Faught, former Secretary of the New Mexico Department of Transportation.
- Will then thanked Paula Hammond (WA) for her Department's efforts in hosting a great meeting in Seattle.
- Will then asked about any proposed changes to the agenda.
 - Paula Hammond noted that a press conference would occur promptly at 11:00 am touting the States' successes in processing and putting out work associated with the American Recovery and Rehabilitation Act (ARRA).
 - Three local television stations plus an east coast feed were to present to carry the coverage to a national audience.
 - The intended visual: CEOs standing together to deliver the message that "we are delivering".
 - WASHTO CEOs would discuss specific federal statistics pertaining to delivery successes, specific achievements related to delivery in their states, and respond to questions posed by the media.
 - Expected duration of the press conference was 20 minutes which would allow the FHWA Roundtable meeting to occur as scheduled.
- Susan Martinovich (NV) addressed the Board and noted that she would not be able to be present at the passing of the gavel ceremony slated the following evening so she had prepared a selection of send-off gifts for President Kempton who's term is ending with WASHTO
 - A light-hearted description of the various gifts prompted others to join in the fun.
 - Immediate Past President Rhonda Faught thanked Will for re-engaging California in WASHTO activities.



2. Roll call of States & Introduction of Guests

- President Will Kempton called the roll of states. All were present except for Oregon.
- A sign in sheet was passed around and completed reflecting thirty-three attendees comprising a mix of state DOTs, FHWA representatives, and Associate Members, a copy of which is attached hereto as Appendix A.
- Guests were introduced by WASHTO leadership, Board Members, and FHWA.

3. Approval of Minutes from 2008 Annual Meeting, Portland, and WASHTO Region IV Meeting, Hartford

- A motion to approve the 2008 Annual Meeting Minutes in Portland, Oregon was offered by John Njord (UT), and seconded by John Fuller (OK)
- The minutes were approved without objection

4. Approval of Minutes from 2009 CEO Spring Meeting in Sacramento, CA

- John Cox (WY) offered some minor changes to the minutes of the April 27 & 28, 2009 CEO Spring Meeting in Sacramento, California:
 - The changes dealt with clarification of the price of asphalt in Wyoming, Colorado, and Utah (rather than Montana as originally listed), and inclusion of language noting that Wyoming was not legislatively authorized to raise driver license fees. These occur on page 7 of the minutes for April 27, 2009.
- A motion by Susan Martinovich (NV) was made to approve the minutes as amended. The motion to approve was seconded by John Cox and approved as amended by the group without objection.
- John Jacobsen (NE) updated the group on a topic discussed at the Spring CEO Meeting regarding the cancelled Materials & Construction meeting originally scheduled for March 20-April 2, 2009 in Omaha, Nebraska.
 - Despite indications that resolution could be reached with the Omaha Hilton Hotel by committing to a replacement meeting negotiations stalled and no amicable agreement could be reached prior to NDOR bringing in legal representatives. The Hilton held firm at \$36,304 in cancellation fees but eventually a settlement was reached wherein



NDOR agreed to pay half that cost.

- NDOR does not expect to seek reimbursement from WASHTO for those costs. John had the following suggestions to the group as a result of that experience:
 - John cautioned CEOs to be careful when meetings are planned, as things can change over the course of a couple of years and low turnout can become costly for a host state if meeting insurance or other potential solutions are not part of the original negotiations.

5. AASHTO Report

- John Horsley and Al Biehler had addressed the general membership the previous day, offering the AASHTO perspective. Given this, together with time constraints the AASHTO Report was deferred to the AASHTO Annual Meeting in October in Palm Desert, California.

6. FHWA Report

- The FHWA Report was deferred to the session immediately following the CEO Business Meeting, titled FHWA/CEO Roundtable.

7. Treasurer's and Audit Reports

Presentation and Approval of Treasurer's Report

- Steve Simmons (TX) distributed the Treasurer's Report and highlighted the cash-on-hand balance of \$73,087.35.
- The 2009 CEO Spring Meeting achieved a slight profit of roughly \$350, pending receipt of one outstanding registration payment from AASHTO for \$300.
- It was reported that expenditures of \$209 approved during the CEO Spring Meeting were made. Steve requested Board of Directors approval of a \$70 expenditure for preprinted deposit slips and stamps.
- The Report and the expenditure request were approved by Presidential fiat.

Presentation and Approval of Audit Report

- Susan Martinovich (NV) reported for the Audit Committee that the Audit



Report had been completed and that it reflects a solid financial picture. The Audit Report was distributed to the group.

- A motion was made by Paula Hammond (WA) to approve the Audit Report and was seconded by John Njord (UT). The motion was approved by acclamation.

8. Nominating Committee: Election of President & Vice President

- John Njord (UT) reported that the charge of the Nominating Committee, comprised of Chair John Njord (UT), Will Kempton (CA), and Gary Ridley (OK) was to nominate a President and Vice President for WASHTO to be elected and installed later that week at the WASHTO Annual Meeting, and to nominate a Vice President for AASHTO to be installed in October at the AASHTO Annual Meeting.
- The Nominating Committee offered the following nominations for the group's consideration:
 - WASHTO President 2009/2010: Paula Hammond (WA)
 - WASHTO Vice President 2009/2010: Amadeo Saenz (TX)
 - AASHTO Vice President 2009/2010: Susan Martinovich (NV)
- President Will Kempton asked if there were other names the group wished to consider for any of the leadership positions. As there were no additional names placed in nomination, the slate of officers as nominated was approved by acclamation.
- President Will Kempton noted the significance of the vote just taken, in that it paved the way for the first woman in the nearly 100-year history of the national organization to be elected President of AASHTO.
- Passing of the gavel from President Kempton to President-elect Hammond was scheduled to occur the following evening at the final event of the Annual Meeting.

9. Revised WASHTO Constitution & Bylaws Ballot

- President Will Kempton noted that changes to the WASHTO Constitution and Bylaws had been proposed earlier in the year and acted upon by those present at the CEO Spring Meeting in Sacramento. As a quorum was not present at the time the matter was taken under consideration in Sacramento the recommendation to approve both documents as modified was slated for a vote



by the Board of Directors at this meeting.

- Will stated that as part of their meeting materials each CEO was given the modified language for the Constitution and Bylaws, and that the required one-month notification period had been satisfied.
- Of note among changes in the two documents: the change to a four-year term for the Treasurer in order to provide fiscal continuity; identification as the Treasurer's responsibility to maintain the Reference Manual and website; and the elimination of the Design, Planning/Intermodal, and Administration Standing Committees.
- A motion to approve the Constitution as presented was made by John Njord (UT) and seconded by Francis Ziegler (ND). Motion was approved by acclamation.
- A motion to approve the Bylaws as presented was made by Paula Hammond (WA) and seconded by Susan Martinovich (NV). Motion was approved by acclamation.
- Steve Simmons (TX) noted that it will be necessary to clarify the portion of the Bylaws detailing the Quality Award Program to specify that the \$3000 per year limitation be tied to a fiscal year time span. It is likely that he will propose language that will be considered for a ballot during the Regional Meetings to be held at the AASHTO Annual Meeting in Palm Desert in October.

10. Presentation of Proposed Resolutions for Approval

- Resolutions Committee Chair John Cox (WY) reported that no resolutions had been presented for consideration by the Resolutions Committee.
- President Will Kempton remarked that WASHTO Resolution 01-09, *A Resolution in Support of the Appointment of Victor Mendez as FHWA Administrator*, which was passed during the 2009 CEO Spring Meeting, was presented and unanimously approved at the AASHTO Spring Meeting in Bedford, Pennsylvania in May.
- John Njord (UT) suggested that while the WASHTO CEOs have no resolutions before them at this meeting that the Board take a stand on the various Authorization legislation that is being proposed in Congress and by the Administration.
 - Support for the proposal was voiced by Paula Hammond (WA), Susan Martinovich (NV) and Will Kempton (CA), who agreed that it may be wise for WASHTO to go on record and to voice a position.
 - There was general agreement among those commenting that while the Oberstar bill has a good measure of merit, and that the group would



prefer not to alienate the Chair of the House Transportation and Infrastructure Committee, the proposed legislation also contains elements that are viewed as less than desirable.

- President Will Kempton suggested that the group appoint a Subcommittee or Task Force comprised of four or five CEOs who would then craft language for consideration by the Board as a whole.
 - John Njord proposed working with Larry Ehl from Washington State via phone the week of July 20 to draft language and consider phone call to the Task Force later in the week.
 - Will Kempton (CA) proposed ID, WY, TX, CA comprise the Task Force to provide small and large state representation.
 - John Cox (WY) proposed a 2 or 3-bullet point resolution that expresses deep concern.
- In summary then, the task to draft language stating WASHTO's position on proposed authorization legislation was delineated as follows:
 - 1) Nevada and Washington designated to draft language.
 - 2) That material will then be presented to Wyoming, Montana, Alaska, Texas, Hawaii and California for a rapid turnaround review for proposed edits.
 - 3) A teleconference for the purpose of a ballot by the full membership will follow.
 - 4) John Njord (NV) will Chair and lead the development effort. As time is of the essence all were asked to review and provide comment in expedient fashion.

11. Standing Committees

Composition Discussion

- Secretary Kevin Hanley (CA) distributed updated Committee membership information, noting that several vacancies still exist and encouraging states to forward the names of their Committee representatives via e-mail at their earliest convenience.
- Jim Lynch (MT) volunteered to move from his CEO Sponsor role in Construction/Materials to the CEO Sponsor role for the Highway Transport Committee, mirroring his leadership role with AASHTO in that regard.
- Francis Ziegler (ND) agreed to take over the CEO sponsorship role for the Construction/Materials Committee.



- Rick Clasby (UT) was appointed as Chair of the Highway Transport Committee at the recommendation of John Njord (UT).
- Thomas Bohuslav (TX) was appointed as Chair of the Construction/Materials Committee at the recommendation of Amadeo Saenz (TX).
- Members of the Audit Committee were identified as Jan Brown (FHWA), Susan Martinovich (NV), and Steve Reinmuth (WA).
- President-elect Paula Hammond (WA) to appoint a replacement for Will Kempton (CA) on the Nominating Committee.

Committee Reports

- President Will Kempton asked Highway Transport Committee Sponsor Francis Ziegler (ND), Construction/Materials Committee Sponsor Jim Lynch (MT), and Maintenance Committee Sponsor John Njord (UT) to provide Committee reports during the Regional Meeting session at the AASHTO Annual Meeting in Palm Desert in October.

12. WASHTO Archives & Website Discussion

- Amadeo Saenz (TX) introduced Steve Simmons (TX), currently the WASHTO Treasurer, as WASHTO Webmaster and asked Steve to discuss status of the WASHTO Website, Reference Manual and archives.
 - Steve introduced the new website by projecting it on a screen and scrolling through several of the features. It was well received by the group.
 - The Reference Guide is going to be incorporated into the website design, offering greater flexibility and maintainability.
 - Steve distributed a small booklet prototype that will serve as the CEO Directory in which contact information can be found
- President Will Kempton thanked Amadeo and Steve for their efforts in implementing the upgrades.

13. Hewes Award Discussion

- President Will Kempton offered thanks and congratulations to Hewes Award Committee Chair John Njord (UT) on a classy Award presentation during the previous day's Plenary Session. While only the Award winner could be present, each nominee and their contributions were mentioned by John and highlighted in the PowerPoint presentation during the segment.



- The Committee's work was particularly appreciated in light of the relatively late start they were given to organize the competition.
- John thanked Susan Martinovich (NV) and Russ George (CO) for their participation in reading through a lot of material to make the final determination.
- Ten nominations were fielded this year.
- John suggested that the nomination criteria should incorporate limitations on the submittal size so that all submittals could be judged in an equitable manner.
 - Susan offered to draw up guidelines based on her experience this year and in the past and present them to John and then to the Board for approval.
- Steve Simmons (TX) remarked that a large amount of organizational effort is required to coordinate the award the recipient's (and guest's) attendance at the Annual Meeting to collect the Award and the \$1000 stipend. Steve suggested that a WASHTO credit card would facilitate the provision of airfare and other travel-related expenses.

14. Award WASHTO Annual Meeting Host Venue for 2013

- President Will Kempton stated that the Constitution calls for the Board of Directors to "select the host state for the annual meeting to be held four years following the current meeting". This requires the Board at this meeting to select the host state for the meeting to be held in 2013.
- As the selection of a host state has followed a fairly regular rotational schedule, the group ascertained that the natural rotation would fall to California in 2013.
- President Will Kempton (CA) agreed to have California host the 2013 WASHTO Annual Meeting.

15. Quality Award State Reports

- President Will Kempton noted that ten States had applied for and received Quality Program Awards since last December. Reports from those states were deferred in April at the CEO Spring Meeting, and because of time constraints were deferred once again at this meeting until the AASHTO Regional Meetings in Palm Desert in October.



16. Report on WGA Meeting in Denver

Report from the Denver WGA Meeting

- John Cox (WY) reported on the Western Governors' Association (WGA) meeting in Denver in May that he and John Njord (UT) attended.
 - WGA has been trying to find mutually beneficial partnering areas into which to invest the moneys contributed by WASHTO.
 - Freight movement has been identified as one such area of mutual interest and was a major focus in Denver.
 - Attendees included the trucking industry, ports representatives, AASHTO, other freight stakeholders, and John Njord (UT), and John Cox (WY).
 - Those from the private sector spoke in favor of preserving the "freedom = productivity" approach, i.e.
 - Don't toll (trucking industry position)
 - Expand capacity (trucking industry position)
 - Bigger, longer, wider loads (trucking industry position)
 - Railroads' Position:
 - Railroads expressed that they only care to expand if they are subsidized.
 - Public Sector's Position:
 - Public sector's position was to encourage whatever is necessary to facilitate origin to destination freight throughput.
 - During the Denver meeting Chris McKinnon from WGA suggested WGA and WASHTO need to decide what to do with the remaining \$100,000 in funding provided by WASHTO.
 - Will Kempton (CA) suggested that California won't support the bigger/wider/longer approach.
 - Paula Hammond (WA) asked John what funding mechanism the trucking industry would support if they are opposed to tolls? John indicated that they don't appear to have an answer to that question.
 - John Jacobsen (NE) suggested that this relationship has been going on for several years, with little productive results for all the money expended thus far. He suggested that WASHTO



- may wish to reconsider additional expenditures.
- John Njord queried: “How do you tell the Western Governor’s Association that you don’t want to participate?”
 - John Cox found merit in John Jacobsen’s comment, but remarked that the WGA is asking for some guidance from WASHTO and noted the difficulty given the turnover in governors and CEOs.
 - Jim Lynch (MT) endorsed continued support of WGA—Montana Governor Brian Schweitzer will chair WGA.
 - Paula Hammond (WA) would like WASHTO to stay connected in order to work more cooperatively with WGA rather than have no input on decisions.
- Will Kempton suggested the possibility of inviting Chris McKinnon to the Regional Meeting in Palm Desert in October.
 - As Highway Transport Committee CEO Sponsor, Jim Lynch (MT) was asked to contact Chris McKinnon to work with that WASHTO Committee on finding common ground between the WASHTO and WGA.

Proposed WASHTO/WGA Partnering Strategy

- As part of the discussion immediately preceding this item, Jim Lynch (MT) was asked to contact Chris McKinnon to work with the WASHTO Committee on Highway Transport in an effort to find common ground between the two organizations.

17. Economic Stimulus, ARRA, and Authorization discussion

- The three topics originally intended for discussion under this item were expected to be the main emphasis of the FHWA/CEO Roundtable slated immediately following this session and so the topic was deferred until then.



18. Climate Change—Prospects for presentation of Scientific Evidence

- At the CEO Spring Meeting in Sacramento Christine Johnson (FHWA) had offered to assist in making some scientific expertise available to WASHTO and AASHTO. As a follow-up, Chris distributed a paper titled *Climate Change Briefing Paper* prepared by the Office of Planning, Environment and Realty, FHWA together with a June 2009 *Transportation and Climate Change Newsletter*, from the same source.
 - Chris indicated that she is still available to research and provide additional resources, i.e. speakers, etc. should the need exist.
- Paula Hammond (WA) noted the existence of a report that is about to emerge addressing climate change that will be very problematic for WASHTO and all the nation's DOTs.
 - *Moving Cooler* is the title of the document. AASHTO is going to remove its name as one of the sponsoring entities, as comments provided by AASHTO did not get incorporated, nor is there full disclosure about how VMT reduction can be achieved.
 - John Njord (UT) thanked Paula for her efforts to remove AASHTO's name from the document her continued efforts to limit the damage that this document might cause.

19. Wrap-up

- President Will Kempton addressed the group:
 - a. In summarizing progress during the past year, he noted that WASHTO has achieved a great deal:
 - i. The organization was streamlined operationally
 - ii. With the able assistance of TxDOT the WASHTO website was revamped and improved
 - iii. WASHTO's finances are in good order
 - iv. The organization is working to take a position on authorization issues and has addressed American Recovery and Rehabilitation Act issues at the national level
 - b. It is Will's belief that the organization needs to become a more active sub-unit of the AASHTO umbrella while standing on its own on issues of regional importance.
 - c. He spoke confidently of the ability of new WASHTO leadership's strength and ability to raise its voice regionally and at the national level in Washington D.C.
 - d. He noted it was an honor to serve with Rhonda Faught during the past



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year as President

- e. He remarked that his involvement with WASHTO and AASHTO and the ability to work with colleagues in both organizations has been a terrific experience.
 - f. Will stated that leading Caltrans and working with Governor Schwarzenegger has been the highlight of his career.
- With those closing comments he thanked the group and the meeting was adjourned.

20. Adjourn

- The meeting was adjourned at 10:50 a.m.



**APPENDIX A
ROSTER OF ATTENDEES
CEO BUSINESS MEETING JULY 14, 2009, SEATTLE, WA**

Name	Organization	Title
Simmons, Steve	TxDOT	Deputy Executive Director
Saenz, Jr., Amadeo	TxDOT	Executive Director
Faught, Rhonda	Unaffiliated	Immediate Past President
Ziegler, Francis G.	NDDOT	Director
McOmie, Delbert A.	WYDOT	Chief Engineer
Cox, John	WYDOT	Director
Tveidt, Kevin	SD DOT	Deputy Secretary
Njord, John	UT DOT	Executive Director
Maroufkhani, Sam	AZ DOT	Deputy State Engineer
Lowe, Pamela	ITD	Director
Morioka, Brennon	HDOT	Director
Richards, Frank	AK DOT+DF	Deputy Commissioner
von Scheben, Leo	AK DOT+DF	Commissioner
Johnson, Christine M.	FHWA	Dir. Of Field Services
Benavidez, Celina	CDOT	Div. Director Admin.
Martinovich, Susan	Nevada DOT	Director
Lynch, Jim	Montana DOT	Director
Giron, Gary	NM DOT	Secretary
Jacobsen, John	NDOR	Dep. Director/Chief Engr.
Fuller, John	Oklahoma DOT	Dep. Director/Chief Engr.
Patterson, Mike	Oklahoma DOT	Dir. Finance & Admin.
Hammond, Paula	Washington DOT	Secretary
Kempton, Will	Caltrans	Director
Hanley, Kevin	Caltrans	AASHTO/WASHTO Coord.
Yasui, Glenn	Hawaii DOT	Highways Administrator
Sumada, Jiro	Hawaii DOT	Deputy Director Highways
Ehl, Larry	WSDOT	Federal Relations Manager
Corino, Gary	FHWA-OK	Division Administrator
Hollis, Bob	FHWA-AZ	Division Administrator
Sitton, David	Skanska USA Civil RMD	VP Administration
Zanto, Lynn	Montana DOT	Planning Administrator
Hull, Linda	Utah DOT	Legislative Director
Horner, Tim	NDDOT	Dep. Director for Business