

A billboard condemnation case related to the Lafayette Bridge project is attracting the attention of an organization dedicated to preserving scenic highways.

## MnDOT paid \$4.3M to remove digital billboard

By: Brian Johnson February 4, 2014 0

A billboard condemnation case related to the \$130.4 million Lafayette Bridge project is attracting the attention of a Washington, D.C.-based organization dedicated to preserving scenic highways.

Citing court documents from last fall, the group Scenic America says the state of Minnesota is spending \$4.3 million to take down a digital billboard in the way of the new bridge, which carries Highway 52 over the Mississippi River in St. Paul.

A Scenic America spokesman said Tuesday the group believes it's the first time a U.S. road construction project has required condemnation of an electronic billboard, and that the case illustrates the potential costs of allowing such signs to go up in the first place.

"If this sets a precedent ... that is something they need to consider before letting these signs go up," said Max Ashburn, communications director for Scenic America, which opposes digital billboards along highways.

In an email, Minnesota Department of Transportation communications director Kevin Gutknecht said, "by state law, whenever MnDOT acquires private property for a project, it needs to compensate the property owner."

Gutknecht said all the money has been paid, and he believes it is the first digital billboard condemnation for a road construction project in Minnesota.

Ashburn said the added cost to the Lafayette Bridge is noteworthy, given the mounting needs of the state's transportation system and the lack of available funding to address those needs.

In a press release, Scenic America urged the Minnesota Legislature and MnDOT to "consider legal reforms to address these unnecessary costs," including a potential ban on digital billboards along highways.

In September 2013, a Ramsey County District Court judge ordered the state to pay Clear Channel Outdoors \$4.321 million in compensation for removal of the billboard near the Lafayette Bridge project site, according to court documents.

The court also awarded \$441,840 in compensation to Holiday Station Stores Inc.

Ashburn said removal of condemned billboards is costly because the billboard companies can request lost revenues going four to five years out, as well as the billboard cost.

Citing a March 2010 New York Times story, the group said the initial cost of a digital billboard is about \$250,000 to \$300,000.

In a lawsuit, Scenic America is challenging a 2007 Federal Highway Administration ruling that the organization says led to the growth of digital billboards across the country.

The group says such billboards pose a threat to safety and aesthetics, as well as potential costs to taxpayers.



Scenic America, a group that opposes digital highway billboards, says it cost the state \$4.3 million to remove a digital billboard as part of the Lafayette Bridge project over the Mississippi River in St. Paul. (File photo: Bill Klotz)

"The lesson here is: knowing what you are getting into when you allow billboards to go up along your highways, because they are going to be a financial liability for taxpayers," he said.

Scenic America is "dedicated to preserving and enhancing the visual character of America's roadways, communities and countryside," according to the group's website.

The new Lafayette Bridge is scheduled for completion in 2015.

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