

STATE OF NEBRASKA
Minutes of the
Board of Public Roads Classifications and Standards

July 21, 2017

Nebraska Department of Transportation
Central Headquarters Building Auditorium, Room 139A
1500 Highway 2, Lincoln, Nebraska

Meeting and Hearings Notices:

- Statewide news release emailed and posted on Nebraska Department of Transportation website July 14, 2017.
- Event posted on the State of Nebraska website (Public Meeting Calendar) July 14, 2017.
- Tentative agenda emailed to each board member and interested persons July 14, 2017.
- Meeting agenda kept current and on public display in Liaison Services Section, Room 123B, Nebraska Department of Transportation, 1400 Highway 2, Lincoln, Nebraska.
- Meeting agenda posted in the main entrance of the Nebraska Department of Transportation's 1500 Highway 2 building, July 21, 2017.
- Relaxation of Standards hearing notice emailed to NDOT on July 14, 2017

Board members present:

Roger Figard, Lincoln, Chairman
LeRoy G. Gerrard, Stromsburg
Barbara Keegan, Alliance
John F. Krager, Omaha
Mick Syslo, Lincoln
David Wacker, Hastings
Timothy W. Weander, Omaha
Edward R. Wootton, Sr., Bellevue

Board members absent:

Lisa Kramer, Kennard
James A. Litchfield, Wakefield, Vice Chairman
Darold E. Tagge, Holdrege

Staff members present:

LeMoyne D. Schulz, Board Secretary & Highway Local Liaison Coordinator, NDOR, Lincoln
Dennis R. Smith, Highway Local Coordinator, Liaison Services Section, Nebraska
LTAP/NDOR, Lincoln
Barbara Hasterlo, Office Associate, Liaison Services Section, Nebraska LTAP/NDOR,
Lincoln

Others in attendance:

Jay B. Fallick, JEO Consulting Group, Lincoln, for the Nebraska Department of Transportation
Tony Kessler, Roadway Design, Nebraska Department of Transportation, Lincoln
Wahed Hassani, Roadway Design, Nebraska Department of Transportation, Lincoln
Brian Johnson, Roadway Design, Nebraska Department of Transportation, Lincoln
Mike Owen, Roadway Design, Nebraska Department of Transportation, Lincoln
Erich Strack, Legislative Coordinator, Government Affairs Office, Nebraska Department of Transportation, Lincoln

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Chairman Figard called the meeting to order at 9:00 a.m. The meeting was open to the public.

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Chairman Figard made the following announcements in compliance with the Open Meetings Act.

- A copy of the Open Meetings Act is available for inspection and is posted by the entrance to this room.
- The Meeting Agenda and a copy of all materials that were provided to the Board Members, prior to the start of this meeting, are available on the table by the entrance to this room.
- A sign in sheet is available. Visitors are not required to sign, but are encouraged to do so.

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Mr. Schulz noted the following changes from the originally published agenda:
Additional: Corrected typographical errors.

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Mr. Wootton moved to approve the June 16, 2017 meeting minutes. Mr. Wacker seconded the motion. Members Keegan, Krager, Syslo, Wacker, Weander, Wootton and Figard voted YES. Member Gerrard abstained. Members Kramer, Litchfield and Tagge were absent. The motion carried.

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The board considered the status of the submission of the 2016 – 2017 Standardized System of Annual Reports.

- A total of 93 County, 528 Municipal and the Nebraska Department of Transportation's Reports have been received.
- A total of 93 County, 528 Municipal, and Nebraska Department of Transportation's Reports were accepted at previous meetings.
- One (1) Municipal Report remains delinquent and under suspension: Maskell. Suspension of Highway Allocation Funds began with the May distribution.

Mr. Wootton moved to accept the Status Report of the Standardized System of Annual Reports for 2016 – 2017, as presented. Ms. Keegan seconded the motion. Members Gerrard, Keegan, Krager, Syslo, Wacker, Weander, Wootton and Figard voted YES. Members Kramer, Litchfield and Tagge were absent. The motion carried.

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The board considered the status of the submission of the 2017 One- and Six-Year Plans.

- A total of ninety-three (93) County and 528 Municipal and the Nebraska Department of Transportation's One-and Six-Year Plans have been received.
- A total of ninety (90) County and 528 Municipal One-and Six-Year Plans were accepted at previous meetings.
- Three (3) County One- and Six-Year Plans are recommended for acceptance: Douglas, Hall and Sarpy.
- One (1) Municipal Report remains delinquent: Maskell. Suspension of Highway Allocation Funds began with the June distribution.

Mr. Wootton moved to accept the Status Report of the 2017 One- and Six-Year Plans as presented. Mr. Gerrard seconded the motion. Members Gerrard, Keegan, Krager, Syslo, Wacker, Weander, Wootton and Figard voted YES. Members Kramer, Litchfield and Tagge were absent. The motion carried.

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The board considered the Madison County One- and Six-Year Plan revision adding County Work/Project No. C-59(897) to the 2017 One-Year Plan. A copy of a Resolution No. 2017-19, adopted June 27, 2017, was received on July 5, 2017. No one was present to present the request.

The Work/Project consists of Work/Type N&R, replace bridge with culvert on a Major Collector/Other Arterial road. Estimated cost is \$225,000 (County Funding). The Drainage Study was completed.

Mr. Syslo moved to accept the Madison County revision. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Krager, Syslo, Wacker, Weander, Wootton and Figard voted YES. Members Kramer, Litchfield and Tagge were absent. The motion carried.

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At 9:10 a.m., the Board heard the NDOT request for a Relaxation for Project No. STP-97-3 (104), C.N. 61569, Mullen South. *(The hearing was held in an informal format, the NDOT having declined the option of a formal hearing.)* The request is for a Relaxation of the 428 NAC 2-001.02R, Resurfacing, Restoration and Rehabilitation (3R) Rural-State Highway System – Design Speed Standard, as specified in its July 12, 2017 letter. Mr. Fallik and Mr. Kessler presented the request. No one appeared in opposition. The hearing concluded at 9:21 a.m. The Board considered the request.

Mr. Wacker moved to grant the NDOT Relaxation request. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Krager, Syslo, Wacker, Weander, Wootton and Figard voted YES. Members Kramer, Litchfield and Tagge were absent. The motion carried.

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Update on revision of 428 NAC 3, Annual Reporting of One- and Six-Year Plans and 428 NAC 4, Standardized System of Annual Reporting Regulations. The latest drafts of the NBCS OneAndSix and SSAR rules and forms will be made available on the Boards- Liaison Services website shortly.

Mr. Strack spoke on the Governor's Initiative of July 6, 2017, that declared a review of all state regulations by each state agency, while placing a stay on all new rule-making through December 31, 2017. For the NBCS, this includes a thorough review of 428 NAC 1, 2, 3, 4 & 5. Additionally, this will result in a delay the rule-making on the NBCS Interim SSAR forms (428 NAC 4). The board is encouraging the superintendents to use the interim forms this year and provide feedback.

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Other business:

- There was no Legislative Report;
- Discussion of 2017 Proposed Work Plan/Vision for the Future. The Board will continue to work on the Proposed Work Plan/Vision for the Future through the end of the year, while the Governor's Initiative of July 6 is in place.
- Discussion of Date/Location for Annual Outstate Meeting. The Board discussed the need for an Outstate meeting. Chairman Figard concluded that, in the interest of being good stewards of state resources and not impeding someone's project, the NBCS will not meet in August, September, and possibly October, unless a relaxation is filed.
- Local Officials' Workshops Fall 2017. The Board discussed the need for Regional Workshops in conjunction with the Nebraska Association of County Officials Fall District meetings. The Board agreed additional instruction is needed for superintendents across the state. Upon further discussion, Chairman Figard recommended the Regional Workshops not be held, due to September being a busy month with the scheduled NACO Fall district meetings, and the fall Pre-Examination training courses and Pre-Exam Workshop being put on by the Nebraska Board of Examiners for County Highway and City Street Superintendents.
- Annual Mailing to Clerks and Superintendents is planned for July when the interim NBCS SSAR forms become available.

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Mr. Schulz reported the following correspondence and general information.

- Board members received a final, bound copy of the *Nebraska Surface Transportation Program Book, Fiscal Years 2018 - 2023*.

- Board members received the current State Functional Classification and National Functional Classification map legend that is now available on the NDOT website.

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There were no Comments from the Audience.

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The next regular meeting will be held November 17, 2017 at 9:00 a.m., in the Nebraska Department of Transportation's Central Headquarters Building Auditorium, Room 139A, 1500 Highway 2, Lincoln, Nebraska. *(On October 10, 2017, NDOT submitted a relaxation request, resulting in the need for a meeting on October 20.)*

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There being no further agenda items, Chairman Figard adjourned the meeting at 9:59 a.m.

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LeMoyne D. Schulz

Secretary for the Board

<http://www.transportation.nebraska.gov/gov-aff/gov-aff-main.html>