

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

August 19, 2016
Nebraska Department of Roads'
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 Roads' website August 12, 2016.
- Event posted on State of Nebraska website (Public Meeting Calendar) August 12, 2016.
- Tentative agenda emailed to each board member and interested persons August 12, 2016.
- Meeting agenda kept current and on public display in Liaison Services Section, Room 123B, Nebraska Department of Roads, 1400 Highway 2, Lincoln, Nebraska.
- Meeting agenda posted in the main entrance of the Nebraska Department of Roads' 1500 Highway 2 building on August 19, 2016.

Board members present:

Roger Figard, Lincoln, Chairman
James A. Litchfield, Wakefield, Vice Chairman
LeRoy G. Gerrard, Stromsburg
Barbara Keegan, Alliance
John F. Krager, Omaha
Lisa Kramer, Kennard
Mick Syslo, Lincoln
Darold E. Tagge, Holdrege
David Wacker, Hastings
Timothy W. Weander, Omaha
Edward R. Wootton, Sr., Bellevue

Board members absent: None

Staff members present:

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

Others in attendance:

Jodi Gibson, Materials & Research Division, NDOR, Lincoln
Erich Strack, Government Affairs Office, Legislative Coordinator, NDOR, Lincoln
Allen Schoemaker, City of Blair Street Superintendent

Dennis Graham, Olsson Associates, representing the City of Fairbury
Bill Herr, Sarpy County Public Works
William E. (Bill) Cook, Nebraska Concrete Paving Association Lincoln
Tracey Whyman, City of Waverly Street Superintendent
Steve Rames, P.E., McLaury Engineering, Inc., Wayne, NE
Jim Wilkinson, P.E., Yankee Hill Solutions, LLC, Lincoln, NE
Keith Longsind, Holdrege, NE
Jim Keegan, Hemingford, NE

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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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Chairman Figard noted the following change from the originally published agenda. There is a typo in Agenda re: SSAR 2015-2016: Elk Creek, Riverton and Rulo are in their fifth (not third) month of suspension.

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Mr. Wacker moved to approve the June 17 2016 meeting minutes. Mr. Wootton seconded the motion. Members Keegan, Krager, Kramer, Litchfield, Syslo, Wacker, Weander, Wootton and Figard voted YES. Members Gerrard and Tagge abstained. The motion carried.

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The board considered the status of the submission of the 2015 – 2016 Standardized System of Annual Reports.

1. A total of 93 County, 526 Municipal and the Nebraska Department of Roads' Reports have been received.
2. A total of 93 County and 526 Municipal and the Nebraska Department of Roads' Reports were accepted by the board at previous meetings.
3. Three (3) Municipal SSAR reports are delinquent: Elk Creek, Riverton and Rulo. The reports have been delinquent since January 1, 2016. Highway Allocation Funds are under suspension beginning with the April distribution and are currently in the fifth month of suspension. Notices to place the suspended highway allocation funds into forfeiture,

if the reports are not received by September 16, 2016 Board meeting, were emailed on August 2, 2016 to the village board and the street superintendent of record.

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

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The board considered the status of the submission of the 2016 One- and Six-Year Plans.

1. A total of 93 County, 528 Municipal, and the Nebraska Department of Roads' One- and Six-Year Plans have been received.
2. A total of 90 County and 527 Municipal and the Nebraska Department of Roads' One- and Six-Year Plans were accepted by the board at previous meetings.
3. Three (3) County and one (1) Municipal Plans are recommended for acceptance: Douglas, Hall and Sarpy Counties, and the municipality of Rulo.
4. One (1) Municipal Plan is delinquent: Elk Creek. The Plan has been delinquent since March 2, 2016. A notice to place highway allocation funds into suspension, if the plan is not received by the August 19, 2016 Board meeting, was emailed on August 2, 2016, to the village board and the street superintendent of record.

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

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Mr. Tagge moved to suspend Highway Allocation Funds to Elk Creek, in accordance with Neb. Rev. Stat. Sec. 39-2119. Mr. Krager seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. The motion carried. (*Notification mail was sent August 25, 2016.*) (*Suspension of Highway Allocation Funds will begin with the September distribution.*) (*See Attachment #1.*)

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The Board considered the Custer County One- and Six-Year Plan revision adding Project No. C-21(398)A1 to the 2016 One-Year Plan. A signed copy of county Resolution No. 34R-2016, adopted June 14, 2016, was received on June 30, 2016. No one appeared to present the request.

The project consists of replacing Bridge No. C002157605 with a bridge on a Minimum Maintenance road. The hydraulic analysis is pending. The estimated cost is \$296,000.

Mr. Wacker moved to accept the Custer County One- and Six-Year Plan revision as presented. Mr. Tagge seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. The motion carried.

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The Board considered the City of Blair One- and Six-Year Plan revision adding Project No. B-165(Y-16) to the 2016 One-Year Plan. A signed copy of city Resolution No. 2016-22, adopted June 28, 2016, was received on July 13, 2016. Mr. Schoemaker presented the request.

The project consists of concrete surfacing on a new Local street. The hydraulic analysis is pending. The estimated cost is \$100,000 (City Funding).

Mr. Wootton moved to accept the City of Blair One-and Six-Year Plan revision as presented. Mr. Krager seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. The motion carried.

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The Board considered the City of Grand Island One- and Six-Year Plan revision adding Project No. M-310(640) to the 2016 One-Year Plan. A signed copy of city Resolution No. 2016-167, adopted July 12, 2016, was received on July 18, 2016. No one appeared to present the request.

The project consists of lifting and stabilizing concrete slabs using polyurethane foam, on an Other Arterial street. The estimated cost is \$250,000 (City Funding).

Mr. Wacker moved to accept the City of Grand Island One-and Six-Year Plan revision as presented. Mr. Tagge seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. The motion carried.

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The Board considered the City of Saint Paul One- and Six-Year Plan revisions (3) adding Project Nos. M-530(141) revised; M-530(172); and M-530(173) to the 2016 One-Year Plan. A signed copy of city Resolution No. 2016-19, adopted July 18, 2016, was received on July 22, 2016. No one appeared to present the request.

The (3) projects consist of concrete surfacing on a new Local street and an Alley. On Form 10, the hydraulic analysis was not indicated. The total estimated cost is \$247,600 (City Funding).

Mr. Wacker moved to: 1) table the City of Saint Paul One- and Six-Year Plan (3) revisions until the next board meeting, and 2) request the City provide clarification of the project pertaining to the drainage, and 2a) complete the check box for "Bridges and Culverts Sized." Mr. Wootton seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES.

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The Board considered the City of Fairbury One- and Six-Year Plan revision adding Project No. M-279(130) to the 2016 One-Year Plan. A signed copy of city Resolution No. 1022, adopted July 19, 2016, was received on August 1, 2016. Mr. Graham presented the request.

The project consists of asphalt surfacing on an existing asphalt surface, Local street. The estimated cost is \$23,500 (City Funding).

Mr. Wootton moved to accept the City of Fairbury One-and Six-Year Plan revision as presented. Mr. Litchfield seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. The motion carried.

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The Board considered the Sarpy County One- and Six-Year Plan revisions (2) adding Project Nos. C-77(19-1)A and C-77(20-1)A to the 2016 One-Year Plan. A signed copy of county Resolution No. 2016-241, adopted July 12, 2016, was received on August 3, 2016. Mr. Herr presented the request.

The projects consist of concrete surfacing on Other Arterial roads. On Form 10, the hydraulic analysis is pending on both projects. The total estimated cost is \$1,600,000.

Mr. Wootton moved to accept the Sarpy County One-and Six-Year Plan revisions as presented. Mr. Krager seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. The motion carried.

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The Board considered the City of Waverly One- and Six-Year Plan revisions (2) adding Project Nos. M-616(128) and M-616(138) to the 2016 One-Year Plan. A signed copy of city Ordinance No. 16-07, adopted May 24, 2016, and city Ordinance No. 16-21, adopted June 14, 2016, respectively, were received on August 8, 2016. Mr. Whyman presented the request.

Project M-616(128) consists of concrete surfacing on new Local street. The estimated cost is \$376,000 (City Funding).

Project M-616(138) consists of concrete surfacing on a new Local street. The estimated cost is \$510,000 (Other Funding).

Mr. Wootton moved to accept the City of Waverly One-and Six-Year Plan revisions as presented. Mr. Krager seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. 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. Chairman Figard updated the board on the status of updating the 428 NAC 3, Annual Report of the One- and Six-Year Plans and 428 NAC 4, Standardized System of Annual Reporting Regulations. Meetings continue involving staff; the State Auditor; the NDOR Legal Counsel; and the NBCS Committee (Figard, Gerrard, Keegan, Litchfield, Wacker). The goal is to make filling out the forms easy to do and as least cumbersome as possible, while figuring out what can or can't be done, in accordance with state statutes. Following the NBCS meeting today, the Committee will meet with staff and the NDOR Legal Counsel to discuss further.

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Other business:

- Mr. Strack provided a state and federal Legislative Report.

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Mr. Schulz reported the following correspondence and general information.

- Board Members received a copy of the Nebraska Legislative Survey (2016) for the Nebraska Board of Classifications and Standards, filed every four years with the legislature.
- Board Members received a copy of the NDOR Annual Report – 2015.
- Mr. Syslo announced the Boards - Liaison Services staff is now part of the Materials and Research Division, under the supervision of Jodi Gibson, Highway Materials and Test Manager. Mr. Syslo introduced Ms. Gibson.
- Chairman Figard thanked NDOR for funding Mr. Wilkinson as a consultant, who has served the board very well and without his help, the board would be hampered.

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Comments from the Audience.

- Mr. Steve Ramos, P.E., of McLaury Engineering, Inc., Wayne, NE, introduced himself and noted he has applied for both a County Highway and City Street Superintendent's license.

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The next regular meeting will be held September 16, 2016 at 9:00 a.m., in the Nebraska Department of Roads' Central Headquarters Building Auditorium, Room 139A, 1500 Highway 2, Lincoln, Nebraska.

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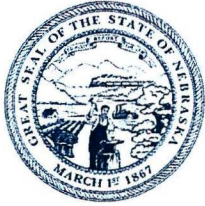
There being no further agenda items, Chairman Figard adjourned the meeting at 9:56 a.m.

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LeMoyné D. Schulz

Secretary for the Board

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



Pete Ricketts
Governor

STATE OF NEBRASKA
BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759
Phone (402) 479-4436 • FAX (402) 479-3525 • roads.nebraska.gov

August 25, 2016

Mr. Don Stenberg
Nebraska State Treasurer
Rm 2003 State Capitol
Lincoln NE 68509

Roger A. Figard
Lincoln

LeRoy G. Gerrard
Stromsburg

Barbara J. Keegan
Alliance

John F. Krager, III
Omaha

Lisa Kramer
Kennard

Dear Mr. Stenberg:

The Board of Public Roads Classifications and Standards, at their regular meeting on August 19, 2016, voted to request that you suspend distribution of Highway-User Revenue to the Village of Elk Creek for failure to submit the Annual One- and Six-Year Improved Plan for 2016.

James A. Litchfield
Wakefield

Mick Syslo
Lincoln

The penalty provision of 39-2119 Nebraska Revised Statutes provides that if any county or municipality fails to file such report on or before its due date, the Board shall notify the local governing board, the Governor, and the State Treasurer who shall suspend distribution of any Highway-User Revenue allocated to such county or municipality until the report has been filed. Such funds shall be held in escrow for six months until the county or municipality complies. If the county or municipality complies within the six-month period, it shall receive the money in escrow, but after six months, if the county or municipality fails to comply, the money in the escrow account shall be lost to the county or municipality.

Darold E. Tagge
Holdrege

David L. Wacker
Hastings

Timothy W. Weander
Omaha

The Board of Public Roads Classifications and Standards respectfully requests that Highway-User Revenue distribution to the Village of Elk Creek be suspended, commencing with the next monthly disbursement, until the plan is filed. The Board will advise you at such time as the plan has been filed.

Edward R. Wootton, Sr.
Bellevue

LeMoyne D. Schulz
Secretary – ex officio

Sincerely,

LeMoyne D. Schulz
Secretary for the Board

LDS/G3-JJ1

xc: Pete Ricketts, Governor
Elk Creek Village Board
Paul R. Buss, Elk Creek Street Superintendent
Kyle Schneweis, Nebraska Department of Roads
Teresa Kuper, Nebraska Department of Roads
File

Attachment No. 1

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