

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

February 16, 2018

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 February 9, 2018.
- Event posted on the State of Nebraska website (Public Meeting Calendar) February 9, 2018.
- Tentative agenda emailed to each board member and interested persons on February 9, 2018.
- 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, February 16, 2018.
- Relaxation of Standards hearing notice emailed to Cheyenne County and NDOT/City of Omaha, on February 12, 2018.

Board members present:

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

Board members absent:

Lisa Kramer, Kennard  
David Wacker, Hastings

Staff members present:

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

Others in attendance:

Jodi Gibson, Materials & Research Division, Highway Local Project and Research Administration, NDOT, Lincoln  
Erich Strack, Government Affairs Office, Legislative Coordinator, NDOT, Lincoln  
Douglas Hart, Cheyenne County Highway Superintendent  
Dan Carey, Olsson Associates, Lincoln, representing NDOT and City of Omaha  
Tom Leikam, Olsson Associates, Lincoln, representing NDOT and City of Omaha  
Jeff Morrison, Olsson Associates, Lincoln, representing NDOT and City of Omaha  
Jacqueline Baird, Roadway Design Division, NDOT, Lincoln  
Bill Wehling, Roadway Design Division, NDOT, Lincoln  
John Thomas, Roadway Design, NDOT, Lincoln  
Mike Owen, Roadway Design Division, NDOT, Lincoln  
Richard Montgomery, Roadway Design Division, NDOT, Lincoln  
Jeff Johnston, Roadway Design, NDOT, Lincoln  
Bill Cook, Nebraska Concrete Paving Association, Lincoln  
Jim Wilkinson, Yankee Hill Solutions LLC, 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: 2017-2018 Annual Reports received (*reducing delinquent municipal reports to 16*).

Additional: 2018 One-and Six-Year Plans received.

Added: Project Nos. 'A, B, C' to Cheyenne County Revision no. C-17(188).

Added: Project Nos. 'A, B, C' to Cheyenne County Revision no. C-17(188).

Added: '*City of Omaha*' to the NDOT Request for Relaxation, Informal Hearing at 9:30 a.m., for Project NH-64-7(123), C.N. 22649.

Added: '*Maximum*' to the word 'Superelevation' for the NDOT Request for Relaxation, Informal Hearing at 9:50 a.m., for Project NH-92-6(122), C.N. 13251.

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Mr. Wootton moved to approve the October 20, 2017 meeting minutes. Mr. Syslo seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried.

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The board considered the Status of the submission of the 2017– 2018 Standardized System of Annual Reports.

- A total of 93 County, 512 Municipal, and the Nebraska Department of Transportation's Reports have been received.
- Six (6) Municipal Reports were accepted at previous meeting:  
Alma      Giltner      Hamlet      Heartwell      Norman      Stockham
- The Nebraska Department of Transportation's Report was accepted at the previous meeting.
- Three (3) Municipal Reports are being held for additional information and/or completion of the submittal:  
Bushnell      Crofton      Kennard
- A total of 93 County Reports are recommended for acceptance.
- A total of 503 Municipal Reports are recommended for acceptance.
- Sixteen (16) municipalities have not submitted a Report. The Reports have been delinquent since January 1, 2018. Omaha's Report is due March 31, 2018.  
Burton      Cornlea      Farwell      Gering      Ithaca      Maskell      Rulo      Scribner  
Clearwater      Cowles      Fremont      Harvard      Orchard      Memphis      Ruskin      Weston

Mr. Wootton moved to accept the Status Report of the Standardized System of Annual Reports for 2017 – 2018, as presented. Mr. Litchfield seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried.

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The board considered the Initial Status of the submission of the 2018 One- and Six-Year Plans.

- A total of 12 County and 117 Municipal One-and Six-Year Plans have been received.
- Two (2) County One-and Six-Year Plans are being held pending completion of the review: Dakota and Phelps.
- Six (6) Municipal One- and Six-Year Plans are being held pending completion of the review:  
Bushnell      Obert      Stromsburg  
Laurel      Prosser      Trumbull
- Ten (10) County One- and Six-Year Plans are recommended for acceptance:  
Arthur      Dundy      Pawnee      Rock      Washington  
Blaine      Kimball      Red Willow      Thayer      Webster
- A total of 111 Municipal One- and Six-Year Plans are recommended for acceptance.

Mr. Wootton moved to accept the Status Report of the 2018 One- and Six-Year Plans, as presented. Mr. Krager seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried.

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The board considered the Pierce County One- and Six-Year Plan revision adding Work/Project No. C-70(493), and Cedar County Project No. C-14(747), to the 2017 One-Year Plan. A copy of Resolution #2017-23, adopted July 31, 2017, was received on December 1, 2017. No one was present to present the request.

The Work/Project consists of Work/Type N&R, replace bridge with culverts on a Local road. The estimated cost is \$25,000 (\$12,500 County Funding and \$12,500 Other Funding). Mr. Syslo moved to accept the Pierce County revision. Mr. Gerrard seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried.

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The board considered the Village of Malcolm One- and Six-Year Plan revision adding Work/Project No. M-406(37) to the 2017 One-Year Plan. A copy of Resolution No. 2017-11, adopted December 6, 2017, was received on December 13, 2017. No one was present to present the request.

The Work/Project consists of Work Type N&R, concrete surfacing on a Local street. The estimated cost is \$20,000 (Other Funding).

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

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The board considered the Village of North Bend One- and Six-Year Plan revision adding Work/Project No. M-453(96) to the 2017 One-Year Plan. A copy of Resolution No. 461, adopted June 1, 2017, was received on December 29, 2017. No one was present to present the request.

The Work/Project consists of Work Type N&R, concrete surfacing on a Local street. The estimated cost is \$450,000 (Municipal Funding).

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

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At 9:30 a.m., the Board heard the NDOT/City of Omaha request for a Relaxation for Project No. NH-64-7(123), C.N. 22649, W. Maple Road, Military – Cuming, Omaha. *(The hearing was held in an informal format, NDOT/City of Omaha having declined the option of a formal hearing.)* The request is for a Relaxation of the 428 NAC 2-001.02W, Resurfacing, Restoration and Rehabilitation (3R) Municipal-State Highway System – Lateral Offset to Obstruction, as specified in the NDOT letter of February 1, 2018, and City of Omaha letter of February 12, 2018. No City Resolution was included. Mr. Leikam and Mr. Morrison presented the request. No one appeared in opposition. The hearing concluded at 9:47 a.m. The Board then considered the request.

Mr. Wootton moved to 1) grant the NDOT/City of Omaha Relaxation request in view of the peculiar, special or unique local situation presented, whereby the application of a specific Minimum Design Standard would work a special hardship; and 2) pending receipt of a signed Resolution by the City of Omaha. Mr. Syslo seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried with the requisite majority vote. *(On April 10, 2018, the City of Omaha filed a signed Resolution, No. 247, adopted by the city council on March 13, 2018.)*

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At 9:48 a.m., the Board heard the NDOT request for a Relaxation for Project No. NH-80-2(100), C.N. 61566, Big Springs West. *(The hearing was held in an informal format, NDOT having declined the option of a formal hearing.)* The request is for a Relaxation of the 428 NAC 2-001.02C, New & Reconstruction Rural-State Highway System – Clear Bridge width, as specified in NDOT letter of February 5, 2018. Mr. Johnston, Mr. Wehling and Mr. Owen presented the request. No one appeared in opposition. The hearing concluded at 10:06 a.m. The Board then considered the request.

Mr. Weander moved that a relaxation of the Minimum Design Standards is not required in that 428 NAC 2-001.02A Note C covers Minimum Width. Wootton seconded the motion. Members Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Member Gerrard voted NO. Members Kramer and Wacker were absent. The motion carried with the requisite majority vote, therefore the relaxation was not granted.

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At 10:11 a.m., the Board heard the NDOT request for a Relaxation for Project No. NH-92-6(122), C.N. 13251, Rising City East. *(The hearing was held in an informal format, NDOT having declined the option of a formal hearing.)* The request is for a Relaxation of the 428 NAC 2-001.02Q, Resurfacing, Restoration and Rehabilitation (3R) Rural-State Highway System – Maximum Superelevation, as specified in the NDOT letter of February 5, 2018. Mr. Montgomery and Mr. Owen presented the request. No one appeared in opposition. The hearing concluded at 10:29 a.m. The Board then considered the request.

Mr. Gerrard moved to grant the NDOT Relaxation request, in view of the peculiar, special or unique local situation presented, whereby the application of a specific Minimum Design Standard would work a special hardship. Mr. Tagge seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried with the requisite majority vote.

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At 10:11 a.m., the Board heard the Cheyenne County request for a Relaxation for County Project No. C-17(188)A,B,C; FHWA/Federal Lands Project CO/NE OMAD H-06. (*The hearing was held in an informal format, Cheyenne County having declined the option of a formal hearing.*) The request is for a Relaxation of the 428 NAC 2-001.03J, New and Reconstructed/Resurfacing, Restoration and Rehabilitation (3R) County Road, as specified in its letter of February 5, 2018. A copy of county board Resolution No. 2018-4, adopted February 5, 2018, was received by email on February 5, 2018, and a second, unapproved county board Resolution was received by email on February 14, 2018. Mr. Hart presented the request. No one appeared in opposition. The hearing concluded at 10:29 a.m. The Board then considered the request.

Mr. Tagge moved to 1) grant the Cheyenne County Relaxation request, in view of the peculiar, special or unique local situation presented, whereby the application of a specific Minimum Design Standard would work a special hardship and, 2) upon the county board adopting the unsigned resolution, and 3) filing the adopted resolution with the NBCS. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried with the requisite majority vote.

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The board considered the Cheyenne County One- and Six-Year Plan revision amending Work/Project No. C-17(188)A,B,C; FHWA/Federal Lands Project CO/NE OMAD H-06 to the 2017 One-Year Plan. A copy of county board Resolution No. 2018-4, adopted February 5, 2018, was received by email on February 5, 2018, and a second, unapproved county board Resolution was received on February 14, 2018. Mr. Hart presented the request.

The Work/Project consists of Work/Type N&R, (3R) and maintenance, grading, aggregate surfacing, asphalt surfacing, culverts and a bridge, on Local roads. (*See Relaxation of Standards request above*). The total estimated cost is \$450,000,000 (Federal Funding).

Mr. Weander moved to 1) accept Cheyenne County revision projects C-17(188)A,B,C, contingent upon an amended project C-17(188)D be added for maintenance, and 2) upon the county board adopting the unsigned resolution, and 3) filing with the amended project C-17(188)D and adopted resolution with the NBCS. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried with the requisite majority vote. (*On February 20, 2018, Cheyenne County filed a signed Resolution, No. 2018-6, and, filed amended Work/Project forms for C-17(188)A,B,C and D.*)

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Other business:

- Mr. Strack provided a state and federal Legislative Report.
- 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.
- Governor's Executive Order No. 17-04. Regulations review. Ms. Gibson briefed the NBCS board. Both she, Chairman Figard and Mr. Schulz have met with NDOT legal counsel to obtain direction of the possibility of converting some of the NBCS rules and regulations to guidance documents which allow for more administrative actions. The goal is to reduce the rules and

regulations for OneAndSix and SSAR forms while, at the same time, remaining cautious about those items that must remain as rules and regulations. The OneAndSix and SSAR interim forms and instructions will have to be done, so that they reflect the current standards.

- 2018 Work Plan/Vision for the Future: Mr. Schulz advised that Ms. Gibson, Chairman Figard, the NDOT legal counsel, and himself are working towards eliminating unnecessary regulations and converting them to guidance documents, which allow for more administrative actions.
- 2017 Standard Specifications for Highway Construction. Mr. Schulz advised the board that 428 NAC 2 – 002 Minimum Construction Standards will need to be updated at some future date. The current standards reference the NDOR 2007 Standards Specifications.
- The board considered a schedule of meeting dates for 2018 and a tentative schedule for 2019. The 2019 dates, which will be subject to confirmation late in 2018, are for planning purposes.

Mr. Wootton moved to approve the schedule as presented by staff. Mr. Gerrard seconded the motion. Members Gerrard, Keegan, Krager, Litchfield, Syslo, Tagge, Weander, Wootton and Figard voted YES. Members Kramer and Wacker were absent. The motion carried. (See Attachment # 1.)

- Interlocal Agreement between the City of Grand Island and Hall County, for snow removal and right-of-way mowing, was received November 8, 2017.
- Interlocal Agreement between the City of Albion and Boone County, for Licensed Street Superintendent Services, was received January 12, 2018.
- Corrected Buffalo County Work/Project forms for Project No's. C-10(961), C-10(962), and C-10(963), were received January 3, 2018.
- Mr. Litchfield advised he will not be present at the March meeting.

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Mr. Schulz reported the following correspondence and general information:

- Legislative Confirmation of Members Keegan, Litchfield, Syslo and Wootton. The Hearing on the appointments of Ms. Keegan, Mr. Litchfield, Mr. Syslo and Mr. Wootton were held by the Legislature's Transportation and Telecommunications Committee, as follows: Mr. Syslo's hearing was held on February 6; Ms. Keegan's hearing was held by phone, on February 12; and Mr. Litchfield and Mr. Wootton's hearings were held on February 15, 2018. The appointments will expire November 30, 2021.
- Board members received a copy of the *Board of Examiners for County Highway and City Street Superintendents October 6, and November 3, 2017 meeting minutes*.
- Board members received a copy of the *Laws Applicable to the Nebraska Department of Transportation (July 2017)*.

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There were no Comments from the Audience.

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The next regular meeting will be held March 16 at 9:00 a.m., in the Nebraska Department of Transportation's Central Headquarters Building Auditorium, Room 139A, 1500 Highway 2, Lincoln, Nebraska. *(Note: On March 9, 2018, Chairman Figard cancelled the March 16, 2018 meeting for want of a sufficient agenda. The next meeting will be held on April 20, 2018, at the Nebraska Department of Transportation Training Room 152, 5001 South 14<sup>th</sup> Street, Lincoln, Nebraska.)*

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There being no further agenda items, Chairman Figard adjourned the meeting at 11:14 a.m.

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LeMoyne D. Schulz  
Secretary for the Board  
<http://www.transportation.nebraska.gov/gov-aff/gov-aff-main.html>



**SCHEDULE OF MEETINGS**  
**BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS**  
**2018 – 2019**

-- Usually 3<sup>rd</sup> Friday of Month --

Upon adoption the 2018 schedule is fixed; 2019 schedule is tentative.

- \* No meeting, unless one becomes necessary, in which case, it will be set no later than the prior meeting
- \*\* Outstate meeting

Friday, January 19, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, February 16, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, March 16, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, April 20, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, May 18, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, June 15, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, July 20, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
*(Friday, August 17, 2018)	(9:00 a.m.)	(NDOT Auditorium, Lincoln)
Friday, September 21, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
**Friday, October 19, 2018	9:00 a.m.	(tba)
Friday, November 16, 2018	9:00 a.m.	NDOT Auditorium, Lincoln
*(Friday, December 21, 2018)	(9:00 a.m.)	(NDOT Auditorium, Lincoln)
Friday, January 18, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, February 15, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, March 15, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, April 19, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, May 17, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, June 21, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, July 19, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
*(Friday, August 16, 2019)	(9:00 a.m.)	(NDOT Auditorium, Lincoln)
Friday, September 20, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
**Friday, October 18, 2019	9:00 a.m.	(tba)
Friday, November 15, 2019	9:00 a.m.	NDOT Auditorium, Lincoln
*(Friday, December 20, 2019)	(9:00 a.m.)	(NDOT Auditorium, Lincoln)

Attachment No. 1  
Page 1 of 1 Pages