

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

May 18, 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 May 11, 2018.
- Event posted on the State of Nebraska website (Public Meeting Calendar) May 11, 2018.
- Tentative agenda emailed to each board member and interested persons on May 11, 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 on May 18, 2018.
- Relaxation of Standards hearing notice emailed to Custer County on May 11, 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
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, 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

Allen Schoemaker, City of Blair Street Superintendent
Bill Cook, Nebraska Concrete Paving Association, Lincoln
Jeff Wagner, Mainelli-Wagner & Associates, Lincoln, representing Custer County
Jim Wilkinson, P.E., Yankee Hill Solutions, LLC, Lincoln, 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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Mr. Schulz noted the following changes from the originally published agenda:

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

Added: '*Suspension requested May 3, 2018 and initiated with the May 10, 2018 allocation. Currently in the first month of suspension*' under 2017-2018 Standardized System of Annual Reports; Suspension of Highway Allocation.

Added: '*Memphis SSAR received 4-25-18 and Orchard SSAR received 4-24-18*' under 2017-2018 Standardized System of Annual Reports.

Added: '*Agenda Item 'E', City of Blair Revision for projects B-185(Y-18) and B-186(Y-18).*'

Added: '*110, 5001 S. 114th St.*' under Next meeting.

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Mr. Wootton moved to approve the April 20, 2018 meeting minutes. Mr. Krager seconded the motion. Members Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Gerrard abstained. 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, 527 Municipal and the Nebraska Department of Transportation's Reports have been received.
- A total of 93 County, 524 Municipal and the Nebraska Department of Transportation's Reports were accepted at previous meetings.
- Three (3) Municipal Reports are recommended for acceptance: Memphis, Omaha and Orchard.

- Two (2) municipalities have not submitted a Report: Ithaca and Maskell. The Reports have been delinquent since January 1, 2018. Highway Allocation Funds are under suspension beginning with the May distribution. Currently in the first month of suspension. (See Attachment #1, letters to Ithaca and Maskell.)

Mr. Wootton moved to accept the Status Report of the Standardized System of Annual Reports for 2017– 2018, 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 Status of the submission of the 2018 One- and Six-Year Plans.

- A total of 89 County and 529 Municipal One-and Six-Year Plans have been received.
- Eighty-five (85) County and 522 Municipal One- and Six-Year Plans were accepted at previous meetings.
- Four (4) County One- and Six-Year Plans are recommended for acceptance: Antelope, Cheyenne, Madison and Pierce.
- Seven (7) Municipal Plans are recommended for acceptance: Benkelman, Carroll, Farwell, Greenwood, Platte Center, Winslow and Wynot.

Mr. Weander moved to accept the Status Report of the 2018 One- and Six-Year Plans, 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 Phelps County One- and Six-Year Plan revision adding Work/Project No. C-69(0880) to the 2018 One-Year Plan. A copy of the county Resolution #18-4, adopted April 24, 2018, was received on April 26, 2018. 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 \$50,000 (County Funding).

Mr. Gerrard moved to accept the Phelps County revision. Mr. Wacker 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 Work/Project Nos. B-181(Y-18), B-182(Y-18), B-183(Y-18) and B-184(Y-18) to the 2018 One-Year Plan. A copy of city Resolution No. 2018-10, adopted April 24, 2018, was received on May 1, 2018. Mr. Schoemaker presented the request.

The Work/Project Nos. B-181(Y-18), B-182(Y-18), B-183(Y-18) and B-184(Y-18) consist of Work Type N&R, concrete surfacing on new Local streets. The total estimated cost is \$500,000 (Municipal Funding). The Drainage Study is pending for all projects.

The board considered the City of Blair One- and Six-Year Plan revision adding Work/Project Nos. B-185(Y-18) and B-186(Y-18) to the 2018 One-Year Plan. A copy of city Resolution No. 2018-11, adopted May 8, 2018, was received on May 15, 2018. Mr. Schoemaker presented the request.

The Work/Project Nos. B-185(Y-18) and B-186(Y-18) consist of Work Type N&R, concrete surfacing on new Local streets. The total estimated cost is \$400,000 (Municipal Funding). The Drainage Study is pending for both projects.

Mr. Litchfield moved to accept the City of Blair revisions contingent upon the drainage studies being completed for each project. Mr. Wootton 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 Central City One- and Six-Year Plan revision adding Work/Project No. M-195(124) to the 2018 One-Year Plan. A copy of city Resolution No. 2018-8, adopted March 12, 2018, was received on May 3, 2018. No one was present to present the request.

The Work/Project consists of Work Type N&R, concrete surfacing on new Local street. The estimated cost is \$120,000 (Other Funding). The Drainage Study is pending.

Mr. Wootton moved to accept the City of Central City revision contingent upon the completion of the Drainage Study. Ms. Keegan 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 Village of Milligan One- and Six-Year Plan revision adding Work/Project No. M-425(17) to the 2018 One-Year Plan. A copy of the April 9, 2018 village meeting minutes, showing the village board vote, was received on May 3, 2018. No one was present to present the request.

The Work/Project consists of asphalt surfacing on Major Collector/Other Arterial street. The estimated cost is \$28,000 (Municipal Funding).

Mr. Syslo moved to accept the Village of Milligan revision. Mr. Wootton 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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At 9:34 a.m., the Board heard the Custer County request for a Relaxation for County Project No. C-21(372), Bridge No. C002157205P, Mason City East. *(The hearing was held in an informal format, Custer County having declined the option of a formal hearing.)* The request is for a Relaxation of the 428 NAC 2-001.03J New and Reconstruction County Road – 50 MPH Design Speed, Crest K Value, Sag K Value, Stopping Sight Distance, and 428 NAC 2-001.03B note 8 first paragraph Standards, and for Construction of a Low Water Crossing, as specified its letter dated May 15, 2018, and County Board Resolution No. 16R-2018, adopted May 15, 2018. The

request was continued from the April 20, 2018 NBCS meeting for additional information. Mr. Wagner presented the request. No one appeared in opposition. The hearing concluded at 9:42 a.m. The Board then considered the request.

Mr. Wootton moved to 1) grant the Custer County Relaxation request in view of the peculiar, special or unique local situation presented, whereby the application of the specific Minimum Design Standards would work a special hardship and 2) contingent upon the County submitting a Drainage Study and Crash History. Ms. Kramer seconded the motion. Members Gerrard, Keegan, Krager, Kramer, Litchfield, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. The motion carried with the requisite majority vote. *(The requested information was received on May 23, 2018.)*

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Other business:

- There was no 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; 2018 Work Plan/Vision for the Future; and, the possible inclusion of the 2017 Standard Specifications for Highway Construction.

Chairman Figard announced the *NBCS Vision/Mission Implementation Committee* will meet today, following the NBCS meeting, to discuss proposed changes to the state statutes and rules and regulations governing the OneAndSix and SSAR, and Construction and Maintenance. The Committee's goal is to present the proposed changes to the NBCS board at their June meeting, and to present the changes to the *Nebraska Association of County Engineers, Highway Superintendents and Surveyors* at their summer meeting on June 13-14. The goal is for the NBCS to suggest simplification in doing the right thing regarding safety, rules and regulations, and reviewing statutory requirements and, with a new NDOT director and new governor, make new initiatives to make dollars go further.

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Mr. Schulz reported the following correspondence and general information:

- Ms. Kramer advised she will not be present at the June 8 NBCS meeting.
- Mr. Weander advised he will not be present at the June 8 NBCS meeting.
- Board members received a copy of the May 11, 2018, NDOT news release *New Highway and Street Superintendents Licensed*.
- Board members received a copy of the *Nebraska Board of Examiners for County Highway and City Street Superintendents April 6, 2018 meeting minutes*.

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There were no Comments from the Audience.

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Acknowledgement of Visitors. The board acknowledged Mr. Cook.

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The next regular meeting will be held June 8 at 9:00 a.m., in the Nebraska Department of Transportation Conference Room 110, 5001 South 14th Street, Lincoln, Nebraska.

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There being no further agenda items, Chairman Figard adjourned the meeting at 9:51 a.m.

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LeMoyne D. Schulz
Secretary for the Board
<https://dot.nebraska.gov/business-center/lpa/boards-liaison/>

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

May 3, 2018



Pete Ricketts, Governor

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

Dear Mr. Stenberg:

The Board of Public Roads Classifications and Standards, at their regular meeting April 20, 2018, voted to request that you suspend distribution of Highway-User Revenue to Ithaca for failure to submit the Standardized Annual Road, Street and Highway Program Financial and Budget Report for 2017-2018.

The penalty provision of 39-2121 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.

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

Sincerely,

LeMoyné D. Schulz
Secretary for the Board

LDS/G4-JJ1

xc: Pete Ricketts, Governor
Ithaca Village Board
Julie Ogden, Ithaca Street Superintendent
Kyle Schneweis, Nebraska Department of Transportation
Erin Stoddard, Nebraska Department of Transportation
File

Roger A. Figard
Lincoln

LeRoy G. Gerrard
Stromsburg

Barbara J. Keegan
Alliance

John F. Krager, III
Omaha

Lisa Kramer
Kennard

James A. Litchfield
Wakefield

Mick Syslo
Lincoln

Darold E. Tagge
Holdrege

David L. Wacker
Hastings

Timothy W. Weander
Omaha

Edward R. Wootton, Sr.
Bellevue

LeMoyné D. Schulz
Secretary – ex officio

Kyle Schneweis, P.E., Director

Department of Transportation

Board of Public Roads Classifications and Standards

1500 Highway 2

PO Box 94759

Lincoln, NE 68509-4759

dot.nebraska.gov

OFFICE 402-479-4436 FAX 402-479-3525

NDOT.ContactUs@nebraska.gov

Attachment No. 1

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Good Life. Great Journey.

DEPARTMENT OF TRANSPORTATION

May 3, 2018



Pete Ricketts, Governor

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

Dear Mr. Stenberg:

The Board of Public Roads Classifications and Standards, at their regular meeting April 20, 2018, voted to request that you suspend distribution of Highway-User Revenue to Maskell for failure to submit the Standardized Annual Road, Street and Highway Program Financial and Budget Report for 2017-2018.

The penalty provision of 39-2121 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.

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

Sincerely,

LeMoyne D. Schulz
Secretary for the Board

LDS/G4-JJ2

xc: Pete Ricketts, Governor
Maskell Village Board
Keith Gilmore, Maskell Street Superintendent
Kyle Schneweis, Nebraska Department of Transportation
Erin Stoddard, Nebraska Department of Transportation
File

- Roger A. Figard
Lincoln
- LeRoy G. Gerrard
Stromsburg
- Barbara J. Keegan
Alliance
- John F. Krager, III
Omaha
- Lisa Kramer
Kennard
- James A. Litchfield
Wakefield
- Mick Syslo
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Secretary – ex officio