

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

June 16, 2017

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 June 9, 2017.
- Event posted on the State of Nebraska website (Public Meeting Calendar) June 9, 2017.
- Tentative agenda emailed to each board member and interested persons June 9, 2017.
- 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, June 16 2017.

Board members present:

Roger Figard, Lincoln, Chairman
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:

James A. Litchfield, Wakefield, Vice Chairman
LeRoy G. Gerrard, Stromsburg

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, Highway Local Coordinator, Liaison Services, Nebraska LTAP/NDOR,
Lincoln

Others in attendance:

Jodi Gibson, Materials and Research Division, Highway Local Project and Research
Administration, NDOR, Lincoln
Erich Strack, Legislative Coordinator, Government Affairs Office, NDOR, Lincoln

Jeff Kuhn, Foreman, Webster 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: 2017 One- and Six-Year Plan for Nebraska Department of Roads was received.

Additional: 2017 One- and Six-Year Plan received (Table Rock), reducing the number of delinquent municipal plans to one (1).

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Mr. Wootton moved to approve the May 19, 2017 meeting minutes. Mr. Krager seconded the motion. Members Keegan, Krager, Kramer, Wacker, Weander, Wootton and Figard voted YES. Members Syslo and Tagge abstained. Members Gerrard and Litchfield 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 Roads' Reports have been received.
- A total of 93 County, 524 Municipal, and Nebraska Department of Roads' Reports were accepted at previous meetings.
- Four (4) Municipal Reports are recommended for acceptance: Central City, Harvard, Omaha and Steele City.
- One (1) Municipal Report remains delinquent and under suspension: Maskell. Suspension of Highway Allocation Funds began with the May distribution.

- The Municipality of Harvard, which was cited to the State Treasurer for suspension of its Highway Allocation Funds, submitted the Report on May 30, 2017. The State Treasurer should be advised to cease the suspension and restore the suspended funds.

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

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Mr. Wacker moved to lift the suspended Highway Allocation Funds to the City of Harvard. Mr. Wootton seconded the motion. Members Keegan, Krager, Kramer, Syslo, Tagge, Wacker, Weander, Wootton and Figard voted YES. Members Gerrard and Litchfield were absent. The motion carried. (See Attachment #1.)

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

- Ninety (90) County and 528 Municipal and the Nebraska Department of Roads' One-and Six-Year Plans have been received.
- Eighty-three (83) County and 518 Municipal One-and Six-Year Plans were accepted at previous meetings.
- Seven (7) County One- and Six-Year Plans are recommended for acceptance: Cheyenne, Furnas, Lancaster, Loup, Madison and Seward.
- Ten (10) Municipal One- and Six-Year Plans are recommended for acceptance: Farwell, Harvard, Omaha, Platte Center, Roca, Seward, Table Rock, Whitney and Winslow.
- The Nebraska Department of Roads' One- and Six-Year Plan was received and is recommended for acceptance.
- One (1) municipal report remains delinquent: Maskell. Suspension of Highway Allocation Funds began with the June distribution.
- The Municipality of Table Rock, which was cited to the State Treasurer for suspension of its Highway Allocation Funds, submitted the Plan on June 14, 2017. The State Treasurer should be advised to cease the suspension and restore the suspended funds.

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

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Mr. Wootton moved to lift the suspension of Highway Allocation Funds to the Village of Table Rock. Mr. Wacker seconded the motion. Members Krager, Kramer, Syslo, Tagge, Wacker,

Weander, Wootton and Figard voted YES. Ms. Keegan Abstained. Members Gerrard and Litchfield were absent. The motion carried. (See Attachment #2.)

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The board considered the Webster County One- and Six-Year Plan revision adding County Work/Project Nos. C-91(643), C-91(644) and C-91(645) to the 2017 One-Year Plan. A copy of a Resolution No. 31-2017, adopted May 16, 2017, was received on June 6, 2017. No one was present to present the request. (Mr. Kuhn was present; however, did not comment.)

Work/Project No. C-91(643) consists of Work/Type N&R, replace bridge with culverts on a Collector road. Estimated cost is \$40,000 (County Funding).

Work/Project No. C-91(644) consists of Work/Type N&R, replace bridge with culverts on a Minimum Maintenance road. Estimated cost is \$60,000 (County Funding).

Work/Project No. C-91(645) consists of Work/Type N&R, replace bridge with culverts on a Local road. Estimated cost is \$40,000 (County Funding).

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

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The board considered the City of North Bend One- and Six-Year Plan revision adding Municipal Work/Project Nos. M-453(96) to the 2017 One-Year Plan. A copy of a Resolution No. 461, adopted June 1, 2017, was received on June 8, 2017. No one was present to present the request.

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

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

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There were no State-Aid Bridge Fund Applications.

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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. Mr. Schulz provided the Board with the handouts given at the Highway Superintendent's summer meeting in June in Grand Island, along with the latest drafts of the NBCS OneAndSix and SSAR rules and forms. The Board provided feedback on the OneAndSix Interim Work/Project form.

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Other business:

- Mr. Strack provided a state and federal Legislative Report.
- Discussion of 2017 Proposed Work Plan/Vision for the Future. Chairman Figard reported that he and Ms. Gibson met with Director Schneweis, and that the director is supportive of NBCS and gave general support of the majority of what is in *Strategic Plan* table, which lists opportunities to improve efficiencies for the NBCS. (Reference *NBCS Strategic Plan, Strategic Implementation Table pages 13-17.*) There is potential for more than one option of what the NBCS can do. The legislature is keenly interested in how gas tax money is being used, and this vision demonstrates transparency and will involve numerous regulatory and statutory issues.

Ms. Gibson added that anytime changes are made in rules and statutes, it is important to know who will be affected before going to the Legislature; therefore, NDOR Government Affairs office will need to be involved. She suggested tackling all items at once, rather than a little at a time, which would be more appealing to the Governor. The goal is to created efficiencies by 2019 or 2020.

Chairman Figard concluded his report saying the Work Plan/Vision committee — consisting of NBCS members Figard, Gerrard, Litchfield, Keegan and Wacker, along with NDOR staff of Schulz, Gibson, Smith, Hasterlo, and consultant Mr. Wilkinson — will meet today setting priorities and schedules. This is a priority for the chairman and committee and there will be more to come.

- Discussion of Date/Location for Annual Outstate Meeting. Members were asked to provide suggestions at the July NBCS meeting.
- 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.
- Annual Mailing to Clerks and Superintendents is planned for July.

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Mr. Schulz reported the following correspondence and general information.

- Board members received a copy of the *State of Nebraska, Department of Roads Annual Report for 2018*.
- Board members received a copy of a June 13, 2017 news release by Governor Ricketts, *Infrastructure to Grow Nebraska*.

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There were no Comments from the Audience.

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The next regular meeting will be held July 21, 2017 at 9:00 a.m., in the Nebraska Department of Transportation's 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 9:53 a.m.

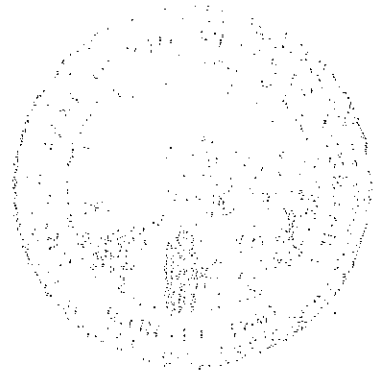
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LeMoyne D. Schulz
Secretary for the Board
<http://www.transportation.nebraska.gov/gov-aff/gov-aff-main.html>

NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF ROADS June 16, 2017



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

Dear Mr. Stenberg:

The Board of Public Roads Classifications and Standards, at their regular meeting on June 16, 2017, voted to lift the suspension of Highway-User Revenue to the **City of Harvard**. The suspension was initiated by letter of this board dated May 1, 2017, pursuant to action taken at the April 21, 2017 meeting. By action of your office, funds were suspended beginning with the May 10, 2017 allocation. Harvard's Standardized Annual Street Program Report for 2016-2017 was received May 30, 2017.

The penalty provision of 39-2121 Nebraska Revised Statutes provides that if any county or municipality fails to file such plan 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 you release the funds held in escrow, pursuant to 39-2121 Neb.Rev.Stat., and resume distribution of Highway-User Revenue to the **City of Harvard** at this time. Please note that this Board's action does not alter sanctions imposed by the State Auditor pursuant to other statutes.

Sincerely,

LeMoyné D. Schulz
Secretary for the Board

LDS/BPR9-zy

xc: Pete Ricketts, Governor
Kyle Schneweis, Nebraska Department of Roads
Harvard Mayor and City Council
Teresa Kuper, Nebraska Department of Roads
Kevin Prior, Harvard Street Superintendent
File

Kyle Schneweis, P.E., Director

Department of Roads

Board of Public Roads Classifications and Standards

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David L. Wacker
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Timothy W. Weander
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Edward R. Wootton, Sr.
Bellevue

LeMoyné D. Schulz
Secretary – ex officio

Attachment No. 1

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NEBRASKA

Good Life. Great Journey.

DEPARTMENT OF ROADS

June 16, 2017



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 on June 16, 2017, voted to lift the suspension of Highway-User Revenue to the Village of Table Rock. The suspension was initiated by letter of this board dated June 1, 2017, pursuant to action taken at the May 19, 2017 meeting. By action of your office, funds were suspended beginning with the June 9, 2017 allocation. **Table Rock's** One- and Six- Year Improvement Plan for 2017 was received June 14, 2017.

The penalty provision of 39-2119 Nebraska Revised Statutes provide that if any county of municipality fails to file such a plan 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 of 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 with 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 escrow account shall be lost to the county or municipality.

The Board of Public Roads Classifications and Standards respectfully requests that you release the funds held in escrow pursuant to 39-2119 Neb. Rev. Stat. and resume distribution of Highway-User Revenue to the Village of Table Rock at this time.

Sincerely,

LeMoyne D. Schulz
Secretary for the Board

LDS/BPR-zz

xc: Pete Ricketts, Governor
Table Rock Village Board
Barbara Keegan, Table Rock Street Superintendent
Kyle Schneweis, NDOR
Teresa Kuper, NDOR
File

Kyle Schneweis, P.E., Director

Department of Roads

Board of Public Roads Classifications and Standards

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Attachment No. 2

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