

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

July 17, 2020

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 10, 2020.
- Event posted on the State of Nebraska website (Public Meeting Calendar), July 10, 2020.
- Tentative agenda emailed to each board member and interested persons, July 10, 2020.
- 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 17, 2020.
- Relaxation of Standards hearing notice emailed to NDOT, July 12, 2020.

Board members present:

Roger Figard, Lincoln, Chairman
James A. Litchfield, Wakefield, Vice Chairman
Barbara Keegan, Alliance
John F. Krager, Omaha
Lisa Kramer, Kennard
Timothy W. Weander, Omaha
Edward R. Wootton, Sr., Bellevue

Board members absent:

LeRoy G. Gerrard, Stromsburg *(term expired 11/30/2019 – serves until replaced)*
Mick Syslo, Lincoln
Darold E. Tagge, Holdrege

Board member present but not voting:

Steven D. Rames, Norfolk

Staff members present:

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

Others in attendance:

Mike Owen, Roadway Design, NDOT, Lincoln
Mark Traynowicz, Bridge Division, NDOT Lincoln

Brad Reid, Policy and Practical Design, NDOT, Lincoln
Brad Garbers, Roadway Design, NDOT, Lincoln
Bill Wehling, Roadway Design, NDOT, Lincoln
Steve McCullough, Roadway Design, NDOT, Lincoln
Chris Lutz, Roadway Design, NDOT, Lincoln

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Chairman Figard called the meeting to order at 9:00 a.m. The meeting was open to the public. He welcomed new member, Steven D. Rames and congratulated him on the appointment. Mr. Rames was appointed by Governor Ricketts as a City representative, replacing former member David L. Wacker. His term expires November 30, 2023.

The appointment is contingent on approval by the Legislature.

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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:

- Removed: 'Keegan' under *"Reappointment/Replacement of Members."*
- Added: 'Krager' under *"Reappointment/Replacement of Members."*
- Removed: 'Keegan' under *"Legislative Confirmation Hearing."*
- Added: 'Krager' under *"Legislative Confirmation Hearing."*

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Mr. Wootton moved to approve the November 15, 2019 meeting minutes. Mr. Weander seconded the motion. Members Keegan, Krager, Kramer, Weander, Wootton and Figard voted YES. Member Litchfield abstained. Members Gerrard, Syslo and Tagge were absent. The motion carried.

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Chairman Figard announced the recognition of former member, Mr. David L. Wacker, as the next order of business. The board will honor Mr. Wacker by Resolution and by a Distinguished Service Award (plaque) to be presented by Chairman Figard, on behalf of the board, to Mr. Wacker. *(Staff was directed to prepare the Resolution and Service Award.)*

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Presentation of 428 NAC 2 Proposed Changes – Brad Reid, NDOT Policy & Practical Design. Mr. Reid and Mr. Owen provided the board with an update.

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NBCS 428 NAC 2 Proposed Changes – Roger Figard, NBCS Chairperson. Chairman Figard provided the board with an update. The board staff will work with NDOT to develop a list of proposed changes.

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NDOT Practical Design Case Study – Nathan Sorben and Brad Reid. Chairman Figard announced there would not be a presentation today, and that it will be continued into the future.

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At 9:47 a.m., the Board heard the NDOT request for a Relaxation for Project No. NH-75-2(186), C.N. 22756, US-75 Southbound Chandler Road to I-480. *(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 – 001.02U, Resurfacing, Restoration and Rehabilitation (3R) Municipal – State Highway System – Vertical Clearance, on an Expressway/Principal Arterial State Highway, US-75, as specified in NDOT letter of July 6, 2020. Mr. Wehling and Mr. Garbers presented the request and provided an updated PowerPoint presentation. No one appeared in opposition. The hearing concluded at 10:00 a.m. The Board then considered the request.

Mr. Wootton moved to grant the NDOT relaxation, 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. Ms. Kramer seconded the motion. Members Keegan, Krager, Kramer, Litchfield, Weander, Wootton and Figard voted YES. Members Gerrard, Syslo and Tagge were absent. The motion carried with the required six (6) votes.

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At 10:02 a.m., the Board heard the NDOT request for a Relaxation for Project No. STP-S13K(103), C.N. 12704, Weeping Water Spur. *(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 – 001.02G, New and Reconstructed Rural – State Highway System – Clear Bridge Width Structure Number SS13 K 00087, on a Major Arterial/Major Collector State Highway, State Spur 13K, in Cass County, as specified in NDOT letter of June 24, 2020. Mr. McCullough and Mr. Lux presented the request. No one appeared in opposition. The hearing concluded at 10:22 a.m. The Board then considered the request.

Mr. Wootton moved to grant the NDOT relaxation, 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. Litchfield seconded the motion. Members Keegan, Krager, Kramer, Litchfield, Weander, Wootton and Figard voted YES. Members Gerrard, Syslo and Tagge were absent. The motion carried with the required six (6) votes.

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Other business:

- There was no Legislative Report.
- Implementation of LB82 (2019) and other Statutes; and changes to the Board's 428 NAC Regulations and Operating Procedures. Mr. Schultz provided the board with an update on LB82 (2019), which replaces the annual filing of the One- and Six-Year Plan or Program, and the former Standardized System of Annual Reporting (SSAR), with the Nebraska Board of Public Roads Classifications and Standards (NBCS). In its place, all counties and municipalities, and NDOT, are required to file an Annual Certification of Program Compliance and Signing Resolution with the Board, by October 31, 2020 for the counties and municipalities, and July 31, 2020 for NDOT. Letters and forms will be mailed to all county and municipal clerks in mid-August, and to NDOT following this meeting.

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Mr. Schulz reported the following correspondence and general information:

- Reappointment/Replacement of Members. Members Figard, Krager, Kramer, Tagge and Weander were reappointed. Their terms expire on November 30, 2023.

The reappointments are contingent on approval by the Legislature.

- Members Figard, Krager, Kramer, Rames, Tagge and Weander Legislative Confirmation Hearings are tentatively scheduled for July 28, 2020, at 12:15 p.m., in the State Capitol.

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There were no comments from the Audience.

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Acknowledgement of Visitors.

- Chairman Figard thanked Mr. Rames for attending.

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The next tentative meeting will be held on August 21, 2020 at 9:00 a.m., in the Nebraska Department of Transportation 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 10:30 a.m.

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