

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

August 20, 2021

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, August 13, 2021.
- Event posted on the State of Nebraska website (Public Meeting Calendar), August 13, 2021.
- Tentative agenda emailed to each board member and interested persons, August 13, 2021.
- 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, August 13, 2021.
- Relaxation of Standards hearing notice emailed to Keya Paha County, August 13, 2021.

Board members present:

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

Board members absent:

LeRoy G. Gerrard, Stromsburg (*term expired 11/30/2019 – serves until replaced*)  
Congressional District 3 representative seat vacant.

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:

Gary Steele, Miller & Associates, P.C., Kearney, for Keya Paha County

Kevin Petross, Miller & Associates, P.C., Kearney, for Keya Paha County  
Kyle Christensen, Roadway Design, Lincoln  
Mike Owen, Roadway Design, NDOT, Lincoln  
Don Butler, Highway Safety, NDOT, Lincoln  
Dan Waddle, Traffic Engineering, NDOT, Lincoln  
Mark Traynowicz, Bridge Division, NDOT, Lincoln  
Jodi Gibson, Jodi Gibson, Highway Local Project and Research Program Administrator,  
Materials & Research Division, NDOT, Lincoln  
Mitch Doht, Director, Nebraska LTAP, 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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There were no changes from the originally published agenda.

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Ms. Kramer moved to approve the April 16, 2021 meeting minutes. Mr. Wootton seconded the motion. Members Keegan, Krager, Kramer, Litchfield, Rames, Syslo, Weander, Wootton and Figard voted YES. Member Gerrard was absent. The motion carried.

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Initial Status of the submission of the 2021 Annual Certification of Program Compliance and Signing Resolution.

- NDOT certification received.
- No County and no Municipal certifications have been received.

Mr. Syslo moved to accept the report. Mr. Krager seconded the motion. Members Keegan, Krager, Kramer, Litchfield, Rames, Syslo, Weander, Wootton and Figard voted YES. Member Gerrard was absent. The motion carried.

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At 9:05 a.m., the Board heard the Keya Paha County relaxation request for County Project No. C-52(269); Federal Aid Project No. ER-1895(2), C.N. 81050, Structure No. C007522105, Bassett Northeast. *(The hearing was held in an informal format, Keya Paha County having declined the option of a formal hearing.)* The request is for a Relaxation of the 428 NAC 2 – 001.03H, New and Reconstructed – County Road Systems Standards, on a Major Collector/Other Arterial road, as specified in its letter of August 16, 2021, and County Resolution No. 21–14, adopted July 27, 2021, all received by email from Kevin Petross on August 19, 2021. The Nebraska Department of Transportation (NDOT) approved the relaxation on August 6, 2021. Mr. Steele and Mr. Petross presented the request on behalf of the highway superintendent, Lloyd Smith, of Valentine. No one appeared in opposition. The hearing concluded at 9:50 a.m. The Board then considered the request.

Mr. Weander moved to grant in whole, the Keya Paha County Relaxation, contingent upon the submittal of corrected information as noted at the meeting, in view of the peculiar, special or unique local situation presented whereby the application of specific Minimum Design Standards would work a special hardship. Mr. Wootton seconded the motion. Members Keegan, Krager, Kramer, Litchfield, Rames, Syslo, Weander, Wootton and Figard voted YES. Member Gerrard was absent. The motion carried with the requisite majority vote. *(Revised letter dated September 1, 2021, with the corrected information, was received by email on September 15, 2021, from Kevin Petross.)*

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Mr. Butler gave a presentation on NDOT Practical Design Safety Review (Highway Safety Manual (HSM)).

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Mr. Owen gave a presentation on NDOT Practical Design Program. Additional information will be forthcoming in the next few months.

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Other business:

- There was no Legislative Report.
- Implementation of LB113 (2017), LB339 (2017), LB1009 (2018), LB82 (2019), LB174 (2021) and other Statutes; and changes to the Board's Operating Procedures and 428 NAC 1 and 2 Regulations. Chairman Figard provided an update.
- Repeal of 428 NAC 3, 4 and 5 Regulations. Chairman Figard reported that regulations 428 NAC 3 and 5 were repealed. Mr. Schulz advised that a second public hearing needs to be scheduled and held on the repeal of 428 NAC 4.

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There was no correspondence and general information.

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There were no comments from the Audience.

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Acknowledgement of Visitors.

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The next tentative meeting will be held on September 17, 2021 at 9:00 a.m., in the Nebraska Department of Transportation Central Headquarters Building Auditorium, Room 139A, 1500 Highway 2, Lincoln, Nebraska. *(No meetings were held from September 17, 2021 through January 21, 2022, due to lack of agenda items. The next meeting is scheduled for February 18, 2022, at 9:00 a.m. at the Lancaster County Extension Education Center, 444 Cherrycreek Road, Suite A, 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  
<https://dot.nebraska.gov/business-center/lpa/boards-liaison/>