

8:30 a.m., Friday, May 9, 2025
State Highway Commission Meeting Minutes

On Friday, May 9, 2025, the Nebraska State Highway Commission convened at the Fremont City Council Chambers located at 400 E Military Ave in Fremont, Nebraska. The agenda, a recording of meeting, attendance sheets, and handouts relevant to the business of this meeting are a part of the permanent minutes of record and are on file at NDOT Central Headquarters. The Nebraska Open Meetings Act (Statutes 84-1407 to 84-1414) was posted in the meeting room.

MEETING NOTICE

- Notice of the regularly scheduled meeting, including the time, location, and agenda, was advertised on the Department of Transportation and the State of Nebraska's websites no less than ten days prior to the meeting.
- The agenda was emailed or mailed to commission members, NDOT staff, and interested persons no less than ten days prior to the meeting.
- A media release was emailed to all statewide outlets on Friday, May 2, 2025.
- The meeting agenda was kept current and available to the public in the Communication Division of the Nebraska Department of Transportation, 1500 Nebraska Parkway, Lincoln, Nebraska. No changes were made to the agenda within 48 hours prior to commencement.
- Copies of the meeting agenda were posted and available to the public at the entrance to the meeting room.

COMMISSIONERS PRESENT

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|---------------------------------|----------------------|
| • Commissioner Richard Meginnis | District 1 |
| • Commissioner Heath Mello | District 2 |
| • Commissioner David Copple | District 3 |
| • Commissioner James H. Kindig | District 4 |
| • Commissioner Doug Leafgreen | District 5 (Virtual) |
| • Commissioner Jim Hawks | District 6 |
| • Commissioner Greg Wolford | District 7 |
| • Commissioner Vacant | District 8 |
| • Director, Vicki Kramer | Ex Officio |

Molly Mellinger, NDOT Executive Coordinator, was recording. A transcript of the meeting is available upon request. Nebraska State Highway Commission meetings are conducted in compliance with the statutes of the Nebraska Open Meetings Act.

CALL TO ORDER

- Commissioner **Wolford** called the meeting to order at 8:30 a.m.
- The chair requested an attendance roll call. A quorum was present.

INTRODUCTIONS/ANNOUNCEMENTS

- Chair **Wolford** called for Commissioner introductions.
- **Hawks**: Representing District 6 out of North Platte.
- **Kindig**: Representing District 4 out of Grand Island.
- **Copple**: Representing District 3, I live in Norfolk in Northeast Nebraska.
- **Meginnis**: Representing District 1, southeast Nebraska.
- **Wolford**: Representing District 7, southwest Nebraska.
- **Kramer**: Director of the Nebraska Department of Transportation.
- **Mello**: Representing District 2, where we're at today.

MEETING BUSINESS

- Commissioner **Mello** Welcome
 - Good morning, everyone, on behalf of District 2 and the wonderful community of Fremont, it's my honor to welcome you here to today's Nebraska State Highway Commission Meeting here in the Fremont City Council Chambers.
 - Thank you to our friend, Mayor Joey Spellerburg, and the City of Fremont for graciously hosting us today.
 - District 2 is at the heart of some of Nebraska's most vital transportation and economic corridors. The presentation you'll see from Tom Goodbarn, D2 Engineer, will highlight MTIS and several major NDOT projects.
 - Hwy 275 Expansion
 - Hwy 30 Bridge Replacement
 - Double Diamond Interchange
 - These projects represent significant investment in our District's infrastructure and hard work of individuals from Director Kramer to D2 Engineer Goodbarn, to snowplow drivers, to highway maintenance workers. We appreciate your hard work and expertise.
- Commissioner **Wolford**
 - I should announce this is the District 2 focused meeting—at the end of the meeting, towards the end, there will be time for public comment, one of the main reasons we're here.
 - At this point we'll hear from Director Vicki Kramer.
- Director **Kramer** Welcome
 - I wanted to start this morning first by introducing Molly, and then we'll do the formal appointment of the secretary.
 - Molly has been with the Department since I was here. She has run our front office. We know the commission has experienced turnover, so we feel you should have the same level of expertise that the Director's Office has. We're thankful for Molly to take on these responsibilities.
 - Jumping into business, it's hard not to talk about money first right now due to where the state and federal government are.
 - Starting with the state side:
 - Many have been watching the state budget—the Department will be part of the solution for the state budget.
 - We'll be sunseting our Economic Opportunity Program that came out of the Transportation Innovation Act—approximately \$6.5 million will be paid to help with the deficit.

- All state DOT programs will be moving forward so we are confident that the impacts will be minimal, especially to the transportation program.
 - The overall dollar amount for the 2026 program will be announced soon.
 - The financial report contains more information about how much is going into construction, a better idea of the contractual value of our program.
 - Bonding projects included, finances are just a little different (financing is not funding).
 - We have another year and a half of the IIJA
 - We're about 50% federally funded, but ~90% of projects have federal funds included in them.
 - We're closely watching what happens with reauthorization.
 - Bipartisan infrastructure law did give ~15% in formula funding.
 - Normal operations, we know are coming/should be coming every year.
 - Discretionary funds, Once-in-a-lifetime, likely to decrease.
 - Congress will also have a voice in terms of funding mechanisms—the Nebraska delegation is well suited to advocate on our behalf (example: bridge program).
 - Working closely with Pillen Administration to make sure the Trump Administration knows how to best support rural Nebraska.
 - We could see the reauthorization bill as soon as this fall.
 - State side: we did receive our requested budget from the Governor's office. You'll receive an update on the budget and the legislative session. We're continuing to work with the Pillen Administration on reducing regulatory burdens.
- **Wolford:** Next on the agenda is the appointment of the Highway Commission Secretary.
 - Approval of the appointment of Molly Mellinger to the position of Highway Commission Secretary
 - Motion for approval made by **Mello**; **Copple** seconded.
 - Motion carried by rollcall vote, 7 – 0
 - Next we'll hear from District 2 Engineer, Tom Goodbarn.
 - **Goodbarn:** Thank you to Fremont for hosting us.
 - [technical difficulties]
 - **Kramer:** While we're paused, I want to say thank you to our federal partners at federal highway for being here. We've been very happy with our partnership at Federal Highways—thanks to Rusty and leadership from Nebraska division. We're working toward formal intent with 327 NEPA assignment. For us what that means, is we can take one step further with our assumption of duties. We're still waiting for the federal administrator to be confirmed, but we've had several conversations with their head counsel Jay Payne. Trump administration will be pushing states to take on responsibility. Thank you to Rusty, to Wayne Fedora whose last day in the office is today.
 - **Goodbarn:**
 - Recent Accomplishments
 - Hwy 275 Corridor finished last fall.
 - Hwy 30 finished last year, now working on a relinquishment project with Dodge County.
 - Hwy 75 S of Plattsmouth – Covered median, eventually will continue down into Nebraska City.
 - RCUTs and other Safety Improvements
 - Murray school safety concerns, similar solution to Humphrey RCUT.
 - RCUT installation locations: North Bend, Murray, future near Nickerson.

- Pi-lit – sequential flares to help with safety at night. Easy to deploy and provide traffic control.
 - Drones used several ways to access areas difficult to access otherwise for photos to determine need (ex. bridges, salt dome), as well as surveying.
 - 192nd – Diverging Diamond Interchange
 - This Year's Program
 - Lots of projects, we're out working.
 - Dodge street is having a lot of maintenance work.
 - Hwy 275 has lots of patching—these are Band-Aids but important for maintenance.
 - Working intersections is tough—lots of traffic, but it's what we have to do.
 - One corridor that got pushed down, Hwy 30 near Blair, we're exploring ways to advance work on that.
 - Key bridges on 275 through Omaha.
 - Metro Area Travel Improvement Study (MTIS) Projects
 - Study area D2 in Nebraska and portion of Iowa.
 - Regional study through 2040.
 - Recognizes interstate and freeway systems needs are linked with arterials, local roads, & transit systems.
 - Identification of critical corridors.
 - Upcoming Projects:
 - I-80 WB US-75 – 42nd St. (Reconstruction only)
 - I-680 Pacific Street to West Dodge Road
 - I-680/US-6 System Interchange – WB Weave Improvements
 - All corners of the district, we're busy 24/7.
- **Wolford:** Any questions? Seeing none, thank you, Tom. Now it's time for public input on the District 2 program. This is a recorded hearing, if you would state your name who you represent, and spell your last name.

PUBLIC INPUT

- **Bob Stubbe** – Public Works Director for the City of Omaha
 - We work very closely with the Director and her staff.
 - State highways within the City of Omaha is about 305 lane miles. 6% of lane mile responsibility.
 - Intersections are meeting of two State highways—ex. 90th & Dodge 95,000 vehicles a day pass through.
 - Bridge locations see 35 – 45,000 vehicles a day.
 - Areas of heavy traffic used by locals but also commuter traffic, visitors, freight, etc. using major corridors within the City of Omaha.
 - We support the district program. It's a benefit to everyone that work is done on the Interstate system.
 - 38th & L bridge, 72nd & L, Dodge & Saddle Creek bridges that need work
 - \$600,000 from District is small part of \$20 million allocated by the city for work on highway within the City. We believe it should be 4 or 5 times that amount provided to the City of Omaha to manage, bid, etc. projects. This funding would allow those projects to be incorporated into our program.
 - We have a good relationship with the Department.
 - **Commissioner:** What's your suggestion for the source of the funding for your request at 4 to 5 times the current level?

- **Stubbe:** Gas tax, user fee for registered vehicles—city has done bonding, Street Preservation Bonds supposed to be looked at as a revenue stream. It got almost 75% support from residents in Omaha. This should be given a strong consideration.
- **Goodbarn:** That \$600,000 comes out of the District allocation—we've programmed it perpetually. We also have additional money from the maintenance agreement we have with the city. It hasn't changed, it's been that for a lot of years. Dedicated to surface maintenance only.
- **Commissioner:** That money is over and above the gas tax share that the city gets?
- **Goodbarn:** It comes right out of my district allocation.
- **Commissioner:** Are other district donating directly to cities?
- **Goodbarn:** I did it in District 1.
- **Commissioner:** Wheel tax is the tax imposed by the City of Omaha, correct? Or state-wide?
- **Stubbe:** City of Omaha—we call it a Vehicle User Fee.
- **Kramer:** One think to look at, you do have the annual report, we look at the NSI across the state. We drive every mile of our highway, to communicate the quality of our roads. To answer your question, we look at the NSI by district to look at our investments. Because of the gas tax increase, we've seen our NSI go up significantly. The quality is really a 10-year cycle. Our buying power is limited, concerned NSI will start decreasing. Where do you assume risk? We're going through the process and looking into things, what is our capability and long-term strategy, etc.
- **Wolford:** It's bigger than NSI—it's who's responsible for whose streets. It doesn't matter where you are, I guarantee I could find streets in every town that have needs. If you think it's okay for you to give your allocation to the City—other cities are going to come knocking on our door.
- **Kramer:** The \$600,000 stays on system—it's just an agreement that allows them to make repairs on system.
- **Wolford:** That makes more sense.
- **Kramer:** We've been successful working with the Legislature and being thoughtful about what is the actual need? We're thankful for the admin's support and the legislature concurring with that increase in \$70 million last year. This will drive the NSI up as it goes toward areas that needed attention. We're in the same place as many states where there is not an appetite for tax increases. Revenue isn't enough to keep up with program, let alone capacity for economic growth. Our neighbors are experiencing similar impacts. We're hoping to have a thoughtful conversation with the revenue committee for going into next year. We're working with the Governor's office to answer the question where do we want to be, in terms of investment.
- **Mike Helgerson – Executive Director of the Metropolitan Area Planning Agency**
 - Here today to offer thanks for continued partnership with the NDOT and Director Kramer.
 - We also support the MTIS—this is an important framework for investment in the Metro. We have a large funding gap, so continued partnership to identify resources for federal and non-federal funding is a priority.
 - Commendation to NDOT on their work on the Infrastructure Hub.
 - Looking toward reauthorization, there will be a need to support these formula programs.
 - We're looking ahead to project delivery and implementation across our program.
 - Regional infrastructure accelerators & 4Ps
 - \$2m for looking at prioritization of projects.
 - Continued support for MTIS program—planning & environmental linkages study & others. Coordinated local investments for complete streets approach.
 - South Sarpy Expressway is priority for Sarpy County. Will require significant state and federal cooperation.
 - Systemic Safety: IIJA had an emphasis on safety, MAPA got Safe Streets for All grant. This aligns local planning with Toward Zero Deaths, a systemic safety plan that looks at eliminating deaths by 2040.
 - Highway Safety Office & Don Butler have been great partners.

- **Kramer:** We have been working closer with MAPA to tackle problems—we're asking the federal government's help, using the 4P Planning Grant process. This helps the public understand projects aligned with Governor's needs and MAPAs needs.
- **Sam Huppert** – Director of Legislative Research, Greater Omaha Chamber of Commerce
 - We want to thank the Department and Commission.
 - The MTIS Study identified needs for congestion relief and multimodal enhancements.
 - These needs currently remain underfunded.
 - Exploration is needed on how to stretch funding further in the coming decades.
 - We're excited about the Department's regional funding initiatives, including the funding accelerator.
 - **Kramer:** I should mention, the bill I mentioned earlier, LB 558 did just advance.
- **Wolford:** We'll move on to our presentation about Highway 81.
- **Keller:** Project Development Engineer
 - Project Overview & Scope of Work
 - Purpose—fulfil legislative intent, improve regional connectivity, improve condition of infrastructure
 - Design Features
 - 40+ mile corridor, 2+2 lane configuration
 - 3-lane urban sections through communities
 - Alignment alternatives & preliminary design are completed
 - Public Involvement
 - Multiple communities / high stakeholder interest
 - Final environmental assessment submitted to FHWA
 - March 2024 public information hearings, October 2024 public hearing, stakeholder meetings, public comments
 - Cost and Schedule
 - Estimated \$400 – 450 million from federal and state sources
 - 2024 – 2028
 - Construction Packages
 - Six segments
 - Commission Recommendation of the project location and design, approval of the use of access control on the project.
 - **Commissioner:** Why are we required to propose or pass this?
 - **Jeff Schroeder:** NDOT Chief counsel—Nebraska law requires, particularly for access control, that we get permission from the Highway Commission and then go to the Governor for approval.
 - **Commissioner:** Typically we get projects with a lot of right-of-way.
 - **Wolford:** Any other questions? Or a motion to approve?
 - **Kindig:** Chair, I'll make the motion to approve.
 - **Commissioner:** Second.
 - **Wolford:** Okay, some discussion.
 - Discussion on extension of the highway.
 - **Kindig:** This is a long-awaited project, a lot of excitement building. This will be a crucial asset. This is really going to have an impact, a great economic boon. It's really going to be a great project. A lot of unknowns with the RCUT, answered most of the questions from the school and students. We've done some training for them at the school.
 - **Kramer:** This is one of the last major corridors to tackle—as Kyle said, that 2032 timeline is where that sits today, affected by buying power etc. Bonding authority ends in 2029, so right now this is not a potential project for bonding. There will be significant statutes to tackle to extend that timeline.
- **Wolford:** Let's call the question.
- **Mellinger:** Was there any public input?

- **Wolford:** Well we can't, we're—Is there any? Seeing none.
- Approval of project location and design, approval of the use of access control on the project.
 - Motion for approval made by **Kindig**; seconded.
 - Motion carried by rollcall vote, 7 – 0

REMARKS FROM THE CHAIR

- There are a couple other issues like this [the approval for Hwy 81] coming up, we've been asked to incorporate them rather than having a special meeting in Lincoln. I thought that made a lot of sense. We'll probably see another one in District 8, and another in District 7? We are going to take up some of these issues so we don't have to add a special meeting.

PUBLIC MEETINGS CALENDAR

- NDOT's Public Involvement Team has been busy this spring. Upcoming meetings include:
 - A public hearing for the BNSF, Bridgeport Project from 5:30 p.m. to 7:30 p.m. on May 13 2025 at Prairie Winds Community Center in Bridgeport.
 - And a public meeting for the N-66 Connection in Louisville Project from 5 p.m. to 7 p.m. on May 29th, 2025 at Louisville Public Schools in Louisville.
- The next scheduled Highway Commission meeting is June 27, 2025 at 8:30 a.m. in the Council Room at the O'Neill City Office, 401 East Fremont in O'Neill, Nebraska.

ADJOURNMENT

- The chair adjourned the meeting at 10:14 a.m.