

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

May 16, 2025

Nebraska Department of Transportation,  
Central Headquarters Building Auditorium  
1500 Nebraska Parkway, Lincoln, Nebraska

Meeting and Hearings Notices:

- Statewide news release emailed and posted on Nebraska Department of Transportation website, May 9, 2025.
- Event posted on the State of Nebraska website (Public Meeting Calendar), May 9, 2025.
- Tentative agenda emailed to each board member and interested persons, May 9, 2025.
- Meeting agenda kept current and on public display in Liaison Services Section, Room 123B, Nebraska Department of Transportation, 1400 Nebraska Parkway, Lincoln, Nebraska.
- Meeting agenda posted in the main entrance of the Nebraska Department of Transportation's 1500 Nebraska Parkway building, May 16, 2025.

Board members present:

Roger Figard, Lincoln, Chairman  
James A. Litchfield, Wakefield, Vice Chairman  
Kyle Anderson, Valley  
Barbara Keegan, Alliance  
Russell L. Kreachbaum, Jr., Central City  
Steven D. Rames, Norfolk  
Nathan Sorben, Lincoln  
Brandon Varilek, Lincoln

Board members absent:

Edward R. Wootton, Sr., Bellevue  
Congressional District 3 representative seat is vacant.  
Class 5, 6 or 7 County representative seat is 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:

Phil TenHulzen, Roadway Design Unit Head, NDOT, Lincoln  
Brandie Neemann, Roadway Design Division Head, NDOT, Lincoln  
Matthew Marra, Roadway Design, NDOT, Lincoln  
Todd Hill, Roadway Design, NDOT, Lincoln  
John Lyons, Roadway Design, NDOT, Lincoln  
Reid Yelken, NDOT Roadway Design, NDOT, Lincoln

Ryan Balluck, Manager, Government Affairs, NDOT, Lincoln  
Mitch Doht, Director, Nebraska LTAP, Lincoln

\* \* \* \* \*

Chairman Figard called the meeting to order at 9:00 a.m. The meeting was open to the public. He welcomed three (3) new members that were appointed by the Governor and approved by the Legislature and congratulated them on their appointments.

- Brandon Varilek replaces Tim Weander.
- Nathan Sorben replaces Brandie Neemann.
- Kyle Anderson replaces John Krager.

\* \* \* \* \*

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.

\* \* \* \* \*

There were no changes from the originally published agenda.

\* \* \* \* \*

Ms. Keegan moved to approve the November 17, 2023, meeting minutes. Mr. Litchfield seconded the motion. Members Anderson, Keegan, Kreachbaum, Litchfield, Rames, Sorben, Varilek, and Figard voted YES. Member Wootton was absent. The motion carried.

\* \* \* \* \*

Final Status of the submission of the 2023 Annual Certification of Program Compliance and Signing Resolution.

1. A total of 93 County, 527 (out of 528) Municipal, and NDOT certifications have been received.
2. The County and Municipal filing deadline was October 31, 2023.
3. At the November 17, 2023, meeting, the NBCS board voted to suspend Highway User Revenue, in accordance with Neb. Rev. Stat. Sections 39-2120 and 39-2121, if the certification is not received by December 31, 2023.

4. One (1) Municipal certification remains delinquent: South Bend. At the request of the board, the State Treasurer was notified to suspend Highway-User Revenue distribution beginning with the February 2024 distribution. *(For information, the Village of South Bend is not eligible to receive Highway User revenue, in that they have been out of compliance with the State Auditor's budget filing requirement since FY 2021-2022.)*

Mr. Kreachbaum moved to accept the Final Status Report of the 2023 Annual Certification of Program Compliance as presented. Mr. Rames seconded the motion. Members Anderson, Keegan, Kreachbaum, Litchfield, Rames, Sorben, Varilek, and Figard voted YES. Member Wootton absent. The motion carried.

\* \* \* \* \*

The board considered the status of the submission of the 2024 Annual Certification of Program Compliance. The filing deadline was October 31, 2024.

5. A total of 93 County, 525 Municipal, and NDOT certifications have been received.
6. Zero (0) County and 3 Municipal certifications are delinquent: Bruno, Snyder and South Bend.

Mr. Litchfield moved to accept the Status Report of the 2024 Annual Certification of Program Compliance as presented. Mr. Kreachbaum seconded the motion. Members Anderson, Keegan, Kreachbaum, Litchfield, Rames, Sorben, Varilek, and Figard voted YES. The motion carried.

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Ms. Keegan moved to suspend Highway Allocation Funds to the following counties and municipalities: Bruno, Snyder and South Bend, in accordance with Neb. Rev. Stat. Sections 39-2120 and 39-2121, as the certifications were not received by December 31, 2024. Mr. Anderson seconded the motion. Members Anderson, Keegan, Kreachbaum, Litchfield, Neemann, Rames, Sorben, Varilek, and Figard voted YES. Member Wootton was absent. The motion carried. *(See Attachment #1- Letters of Suspension)*

\* \* \* \* \*

At 9:10 a.m., the Board heard the NDOT request for a Relaxation for Project No. NH-83-2 (129), C.N. 61360, Leota – 1<sup>st</sup> Street (NB) North Platte. *(The hearing was held in an informal format, NDOT having declined the option of a formal hearing.)* The request is for a Relaxation of 428 NAC 2 001.02A Note (1) and 428 NAC 2 001.02L New and Reconstructed Municipal – State Highway System, Minimum Standards, on a Major Arterial/Other Principal Arterials U.S. Highway 83 on the National Highway System, as specified in the NDOT letter of April 23, 2025. Mr. TenHulzen presented the request. No one appeared in opposition. The hearing concluded at 9:28 a.m. The Board then considered the request.

Mr. Sorben moved to grant the NDOT relaxation, in whole, in view of the peculiar, special, or unique local situation presented whereby the application of specific Minimum Design Standards would work a special hardship, contingent upon NDOT resubmitting the request and eliminating Note 001.02A, and acknowledge posted speed of 25 m.p.h. will remain the same. Mr. Kreachbaum seconded the motion. Members Anderson, Keegan, Kreachbaum, Litchfield,

Rames, Sorben, Varilek, and Figard voted YES. Member Wootton was absent. The motion carried with the requisite majority votes. *(The PowerPoint presentation shown at the meeting was received on 5/20/25, and the resubmittal with requested changes was received on 6/3/25. Both were emailed to the board members and others, on 6/9/25.)*

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Status on updating 428 Nebraska Administrative Code (NAC) and affected regulations and state statutes as needed: Chairman Figard gave a brief update.

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### **Biennial Election of Officers**

Chairman Figard announced the election of officers as the next item of business *(terms commencing at the conclusion of today's meeting)*.

Nominations were opened for Chairperson, Vice Chairperson and Secretary.

Mr. Sorben moved to keep all elected officers in their current positions for a two-year term, as follows:

Chairperson	Roger Figard
Vice Chairperson	Jim Litchfield
Secretary	LeMoyne Schulz

Ms. Keegan seconded the motion. Members Anderson, Keegan, Kreachbaum, Litchfield, Sorben, Rames, Varilek, and Figard voted YES. Member Wootton was absent. The motion carried.

\* \* \* \* \*

### **Other business:**

- Mr. Balluck provided a state and federal Legislative Report.
- The board considered a schedule of tentative meeting dates for 2025 and a tentative schedule for 2026. The 2026 dates are for planning purposes. The meeting dates can be found on the NDOT Local Assistance Division, Boards- Liaison Services website <https://dot.nebraska.gov/business-center/lpa/boards-liaison/nbcs/meetings/> Meetings are scheduled for the 3<sup>rd</sup> Friday. If there will be no meeting, the Chairperson will advise at least two (2) weeks prior. *(See Attachment #2)*
- Status of Board Members *(All appointments have been confirmed by the Legislature) (Members serve until a successor is appointed):*
  - Two (2) NDOT Members: Brandie Neemann resigned December 31, 2024, and was replaced by Nathan Sorben on March 17, 2025 *(term expires November 30, 2025)* & Timothy Weander *(term expired November 30, 2023)* was replaced by Brandon Varilek on December 1, 2023 *(term expires November 30, 2027)*.

- Three (3) Municipal Members: Roger Figard & Steven Rames were reappointed on March 13, 2024 (*terms expire November 30, 2027*) & James Litchfield (*term expires November 30, 2025*).
- Three (3) County Members: Russell Kreachbaum was reappointed on March 13, 2024 (*term expires November 30, 2027*); Barbara Keegan (*term expires November 30, 2025*) & the Class 5, 6, 7 County Board Member Representative seat remains vacant since January 2023.
- Three (3) Lay Members: Congressional District 1: Edward Wootton (*term expires November 30, 2025*); Congressional District 2: John Krager, (*term expired November 30, 2023*) requested not to be reappointed on March 7, 2024 & was replaced by Kyle Anderson on March 17, 2025 (*term expires November 30, 2027*) & Congressional District 3: the Lay Citizen Representative seat remains vacant since November 2020.

\* \* \* \* \*

- Correspondence and general information to report:
  - Chairman Figard extended his sympathy of the recent passing of James Wilkinson.

\* \* \* \* \*

There were no Comments from the Audience.

\* \* \* \* \*

Acknowledgement of Visitors.

\* \* \* \* \*

The next tentative meeting is scheduled to be held on June 20, 2025, at 9:00 a.m., in the Nebraska Department of Transportation Central Headquarters Building Auditorium, 1500 Nebraska Parkway, Lincoln, Nebraska. (*There have been no meetings held since May 16, 2025, though and including January 16, 2026, due to lack of agenda items. The next meeting is scheduled for February 20, 2026, at 9:00 a.m. in the Central Headquarters Building Auditorium, 1500 Nebraska Parkway, Lincoln, Nebraska.*)

\* \* \* \* \*

There being no further agenda items, Mr. Litchfield moved to adjourn. Mr. Kreachbaum seconded the motion. Members Anderson, Keegan, Kreachbaum, Litchfield, Rames, Sorben, Varilek, Wootton and Figard voted YES. The motion carried and the business meeting adjourned at 9:58 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 16, 2025



Jim Pillen, Governor

Mr. Tom Briese  
Nebraska State Treasurer  
Rm 2003 State Capitol  
Lincoln NE 68509

RE: Notice of Suspension of Highway-User Revenue to the Village of Bruno

Dear Mr. Briese:

The Nebraska Board of Public Roads Classifications and Standards ("Board") request that you suspend distribution of Highway-User Revenue to the **Village of Bruno** for failure to submit the Annual Certification of Program Compliance for 2024, as referenced in Neb. Rev. Stat. §§39-2120 and 39-2121(1).

The penalty provision of Neb. Rev. Stat. §39-2121(2) provides that if any municipality fails to file such certification 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 municipality until the certification has been filed. Such funds shall be held in escrow for six months until the municipality complies. If the municipality complies within the six-month period, it shall receive the money in escrow, but after six months, if the municipality fails to comply, the money in the escrow account shall be lost to the municipality and shall be distributed to other municipalities, as appropriate, in the manner provided by law for allocation of highway-user revenue.

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

Sincerely,

LeMoyné D. Schulz  
Secretary for the Board

xc: Jim Pillen, Governor  
Bruno Village Board  
Roger Figard, NBCS Board Chair  
Heidi Wallace, Nebraska State Treasurer's Office  
Lily Kathee-Harner, Nebraska Department of Transportation  
James Busing, Nebraska Department of Transportation  
Mark Avery, Nebraska Auditor of Public Accounts Office

Kyle A. Anderson  
Valley

Roger A. Figard  
Lincoln

Barbara J. Keegan  
Alliance

Russell Kreachbaum, Jr.  
Central City

James A. Litchfield  
Wakefield

Steven D. Ramos  
Norfolk

Nathan Sorben  
Lincoln

Brandon Varilek  
Lincoln

Edward R. Wootton, Sr.  
Bellevue

LeMoyné D. Schulz  
Secretary – ex officio

Vicki Kramer, Director  
Department of Transportation

Board of Public Roads Classifications and Standards  
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[ndot.blshelp@nebraska.gov](mailto:ndot.blshelp@nebraska.gov)

Attachment No. 1

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# NEBRASKA

Good Life. Great Journey.

## DEPARTMENT OF TRANSPORTATION

May 16, 2025



Jim Pillen, Governor

Mr. Tom Briese  
Nebraska State Treasurer  
Rm 2003 State Capitol  
Lincoln NE 68509

RE: Notice of Suspension of Highway-User Revenue to the Village of Snyder

Dear Mr. Briese:

The Nebraska Board of Public Roads Classifications and Standards ("Board") request that you suspend distribution of Highway-User Revenue to the **Village of Snyder** for failure to submit the Annual Certification of Program Compliance for 2024, as referenced in Neb. Rev. Stat. §§39-2120 and 39-2121(1).

The penalty provision of Neb. Rev. Stat. §39-2121(2) provides that if any municipality fails to file such certification 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 municipality until the certification has been filed. Such funds shall be held in escrow for six months until the municipality complies. If the municipality complies within the six-month period, it shall receive the money in escrow, but after six months, if the municipality fails to comply, the money in the escrow account shall be lost to the municipality and shall be distributed to other municipalities, as appropriate, in the manner provided by law for allocation of highway-user revenue.

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

Sincerely,

LeMoyné D. Schulz  
Secretary for the Board

xc: Jim Pillen, Governor  
Snyder Village Board  
Roger Figard, NBCS Board Chair  
Heidi Wallace, Nebraska State Treasurer's Office  
Lily Kathee-Harner, Nebraska Department of Transportation  
James Busing, Nebraska Department of Transportation  
Mark Avery, Nebraska Auditor of Public Accounts Office

Kyle A. Anderson  
Valley

Roger A. Figard  
Lincoln

Barbara J. Keegan  
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Russell Kreachbaum, Jr.  
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Wakefield

Steven D. Ramos  
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Attachment No. 1  
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# NEBRASKA

Good Life. Great Journey.

## DEPARTMENT OF TRANSPORTATION

May 16, 2025



Jim Pillen, Governor

Mr. Tom Briese  
Nebraska State Treasurer  
Rm 2003 State Capitol  
Lincoln NE 68509

RE: Notice of Suspension of Highway-User Revenue to the Village of South Bend

Dear Mr. Briese:

The Nebraska Board of Public Roads Classifications and Standards ("Board") request that you suspend distribution of Highway-User Revenue to the **Village of South Bend** for failure to submit the Annual Certification of Program Compliance for 2024, as referenced in Neb. Rev. Stat. §§39-2120 and 39-2121(1).

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

Sincerely,

LeMoyne D. Schulz  
Secretary for the Board

xc: Jim Pillen, Governor  
South Bend Village Board  
Roger Figard, NBCS Board Chair  
Heidi Wallace, Nebraska State Treasurer's Office  
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Attachment No. 1  
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**TENTATIVE SCHEDULE OF MEETINGS**  
**BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS**  
**2025 – 2026**

-- Usually 3<sup>rd</sup> Friday of Month --

\* No meeting, unless one becomes necessary, in which case, it will be set by the Chairperson no later than two (2) weeks prior to the meeting.

2025		
Friday, January 17, 2025 *	9:00 a.m.	NDOT Rm. B12, Lincoln
Friday, February 21, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, March 21, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, April 18, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, May 16, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, June 20, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, July 18, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, August 15, 2025 *	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, September 19, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, October 17, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, November 21, 2025	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, December 19, 2025 *	9:00 a.m.	NDOT Auditorium, Lincoln
2026		
Friday, January 16, 2026 *	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, February 20, 2026	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, March 20, 2026	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, April 17, 2026	9:00 a.m.	NDOT Auditorium, Lincoln
Friday, May 15, 2026	9:00 a.m.	NDOT Auditorium, Lincoln
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