

415 N. Adams Central Avenue  
Juniata, Nebraska 68955-2005

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Email: dmiller@adamscounty.org

June 13, 2011

Mr. LeMoyne Schulz  
Board of Public Roads  
Classifications and Standards  
PO Box 94759  
Lincoln, NE 68509-4759

RE: Project STPE-2175(9) CN 41952  
Ayr Southeast, Adams County  
Relaxation of Standards

Dear Mr. Schulz,

Adams County is requesting a design relaxation be granted for the above referenced project. This project has been identified as a 2<sup>nd</sup> tier stimulus project and is currently under construction with a Contractor mobilized at the site. The design relaxation is required for the roadway sideslopes. A relaxation of standards was previously granted for the horizontal and vertical alignments.

The project meets the definition of a Resurfacing, Restoration, Rehabilitation (3R) project as described in the NDOR LPA Manual for Federal Aid Projects. The original proposed construction consisted of 4 inch hydrated lime slurry recycling of existing bituminous surfacing with 2 inch asphaltic concrete overlay. A pavement analysis recently completed has determined that the overlay should consist of 4" of new asphaltic concrete.

The project starts at the Adams/Webster County line and extends north 6.4 miles on Showboat Boulevard. The roadway has a Nebraska State Roadway Classification of "Other Arterial". The National Function Classification is "Rural Major Collector". Recent traffic data provided by the Nebraska Department of Roads (NDOR) indicates the current average daily traffic is 815 vehicles per day. The 20-year projected traffic is 945 vehicles per day. Truck traffic is 10 percent. The Design Hourly Volume (DHV) is currently 95 with the future projection of 105.

The existing two-lane roadway consists of 22 foot wide asphaltic concrete pavement with 4 foot earth shoulders. State of Nebraska Board of Public Roads, Classifications, and Standards Minimum Design Standards indicate design criteria shall conform to guidance provided in the American Association of State Highway and Transportation Officials (AASHTO) Green Book for current traffic counts over 750 vehicles per day. According to

Ayr SE  
June 13, 2011  
Page 2 of 2

the AASHTO Green Book, a 22 foot traveled way with a 30 foot top width is satisfactory for traffic counts up to 1500 vehicles per day. The Green Book also indicates that the maximum shoulder cross slope not exceed 8% and a 3:1 roadway sideslope is traversable and acceptable with adequate clear zones.

Design speed is 50 miles per hour. Existing roadway cross sections were surveyed at various typical locations to determine the impacts of the additional 2" of asphaltic concrete. Using the 8% shoulder cross slope and 3:1 roadway sideslopes resulted in several locations where the existing sideslope could not be intercepted and the limits of construction extended into the roadway ditch. This would result in work beyond the limits of the current National Environmental Policy Act (NEPA) document for this project and could result in additional Right-Of-Way being needed. Revising the NEPA document for this additional work would require significant survey to obtain roadway cross section data, determination of the new limits of construction, evaluating the new environmental impacts and preparation of a revised NEPA document for submittal. This work, along with routing the NEPA document through the appropriate agencies, would delay the project significantly and would result in the Contractor de-mobilizing and re-mobilizing when the NEPA document was approved and a Notice to Proceed given.

The additional design work, roadway grading and shouldering, R-O-W acquisition and NEPA processing would result in significant increases in project costs, project delays, and additional environmental impacts. Using a 2:1 sideslope in areas as needed would avoid these delays and increased costs. As can be seen on the attached cross section sheets, a 3:1 sideslope is possible at the majority of the roadway cross sections.

The following items are included with this submittal: County Resolution, Project location map and Cross Section sheets X-1 thru X-3.

If you have any questions or need additional information, feel free to contact us at any time.

Sincerely,



Dawn R. Miller  
Adams County Hwy Supt. / Responsible Charge

Cc: Larry Legg, NDDR Local Projects  
Mainelli Wagner & Associates

RESOLUTION NO. 11-06-14.3

WHEREAS, Project STPE-2175(9), located on Showboat Boulevard from Blue Valley Road on the Webster County line extending north to Highway 74, has been programmed by Adams County with the Nebraska Department of Roads (NDOR) for Federal Funding, and

WHEREAS, Project STPE-2175(9) was originally designed for a 4 inch hydrated lime slurry stabilized base course with 2 inch asphaltic concrete overlay over the existing bituminous surfacing with earth shoulder grading matching the existing roadway and shoulder width, and;

WHEREAS, The work proposed by this project is classified by the NDOR LPA Manual for Federal Aid Projects (LPA Manual) as a Resurfacing, Restoration, Rehabilitation (3R) project, and

WHEREAS, Showboat Boulevard is classified by the NDOR with a State Functional Classification of "Other Arterial" and a National Functional Classification of "Rural Major Collector" and the NDOR has recently recalculated the traffic on the roadway and determined the average daily traffic on this roadway is now 815 vehicles per day and 20-year projected future traffic is estimated as 945 vehicles per day, and;

WHEREAS, The LPA Manual indicates that since there is no separate minimum design standard for 3R projects on the local road system shown in the Nebraska Minimum Design Standards, the minimum design standards are the same as for new construction and reconstruction, and

WHEREAS, The Nebraska Minimum Design Standards require roadway projects with a "Other Arterial" classification and average daily traffic greater than 750 vehicles per day to be designed to meet minimum design standards set forth in American Association of State Highway and Transportation Officials (AASHTO) "A Policy on Geometric Design of Highways and Streets" and meet a design speed of 50 miles per hour, and;

WHEREAS, A pavement analysis has determined that the overlay thickness should consist of 4" of new asphaltic concrete and the additional increase in thickness would require additional grading work to be done beyond the limits of the current National Environmental Policy Act (NEPA) document for this project, and;

WHEREAS, Project STPE-2175(9) is currently under construction, and;

WHEREAS, Revising the current NEPA document would require roadway cross sections to be surveyed, new limits of construction developed, and new environmental impacts determined, and;

WHEREAS, This additional work would create significant project delays and increased costs as a result of the additional design work, roadway grading and shouldering and processing of the revised NEPA document, and;

NOW, THEREFORE BE IT RESOLVED, THAT THE COUNTY BOARD OF SUPERVISORS OF ADAMS COUNTY, NEBRASKA:

Hereby respectfully request the Nebraska Department of Roads and Federal Highway Administration grant a "Design Exception" to use a 2:1 sideslope is needed for project: STPE-2175(9).

PASSED AND APPROVED THIS 14 DAY OF June, 2011



ADAMS COUNTY BOARD OF SUPERVISORS

Larry Woodman  
Chairman

ATTEST:

Chasler Gaver  
County Clerk

Board of Public Roads Classifications and Standards  
**Form 7 One and Six Year Plan**  
**Highway or Street Improvement Project**

County: Adams	City:	Village:
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**Location Description:**  
 Beginning at the N 1/4 Corner of Section 4, T5N R9W, on Showboat Boulevard proceed south for 6.75 miles to the Adams/Webster County line. Federal Aid Route 2175.

**Existing Surface Type and Structures (Such as dirt, gravel, asphalt, concrete, culvert or bridge)**  
 Asphalt surface 22 - 23' wide x 8" depth

2001 = 990      2021 = 1100	Classification Type (As shown on Functional Classification Map) OTHER ARTERIAL
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**PROPOSED IMPROVEMENT**

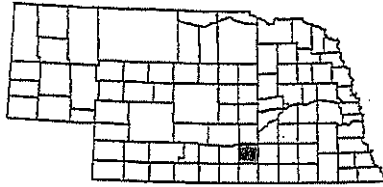
Design Standard Number: ROA-1	Surfacing: ASPHALT	Thickness: 4.0000	Width: 24.0000
Grading <input type="checkbox"/>	Concrete <input type="checkbox"/>	Right of Way <input type="checkbox"/>	Lighting <input type="checkbox"/>
Aggregate <input type="checkbox"/>	Curb & Gutter <input type="checkbox"/>	Utility Adjustments <input type="checkbox"/>	
Armor Coat <input type="checkbox"/>	Drainage Structures <input type="checkbox"/>	Fencing <input type="checkbox"/>	
Asphalt <input checked="" type="checkbox"/>	Erosion Control <input checked="" type="checkbox"/>	Sidewalks <input type="checkbox"/>	
Bridge to Remain in Place: 24.2000	Roadway Width	282.00	Length
New Bridge:	Roadway Width		Length
Box Culvert:	Span	Rise	Length
Culvert:	Diameter		Length
Bridges and Culverts Sized	Yes <input type="checkbox"/> N/A <input checked="" type="checkbox"/>		Hydraulic Analysis Pending <input type="checkbox"/>

**Other Construction Features:**  
 Cold-In-Place 4" depth stabilization to existing surface. Then add 2" depth of new SP4 asphaltic concrete. Fill shoulders with grass seeding. Other Arterial Rt #2175 - STPE - 2175(9), Ayr SE. Project awarded to Werner Construction August 2010, patching started November 2010 with remaining work to be completed 2011.

Estimated Cost	*County	*City	*State	*Federal	*Other	Total
* Optional	249,000			1,126,000		1,375,000.00

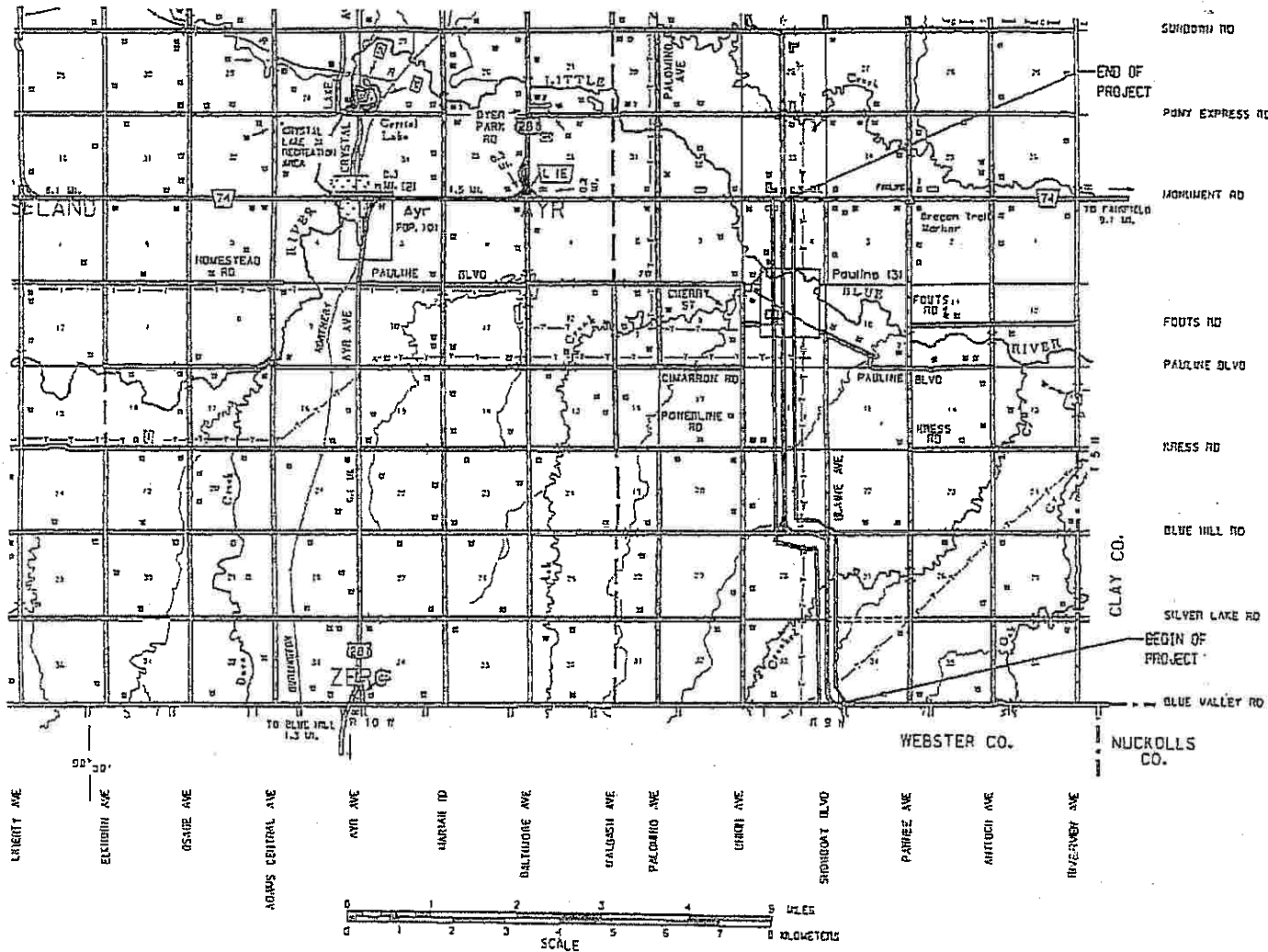
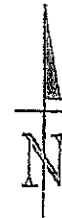
Project Length: 6.75 (Nearest Tenth) (Miles)	Project Number: C1-237
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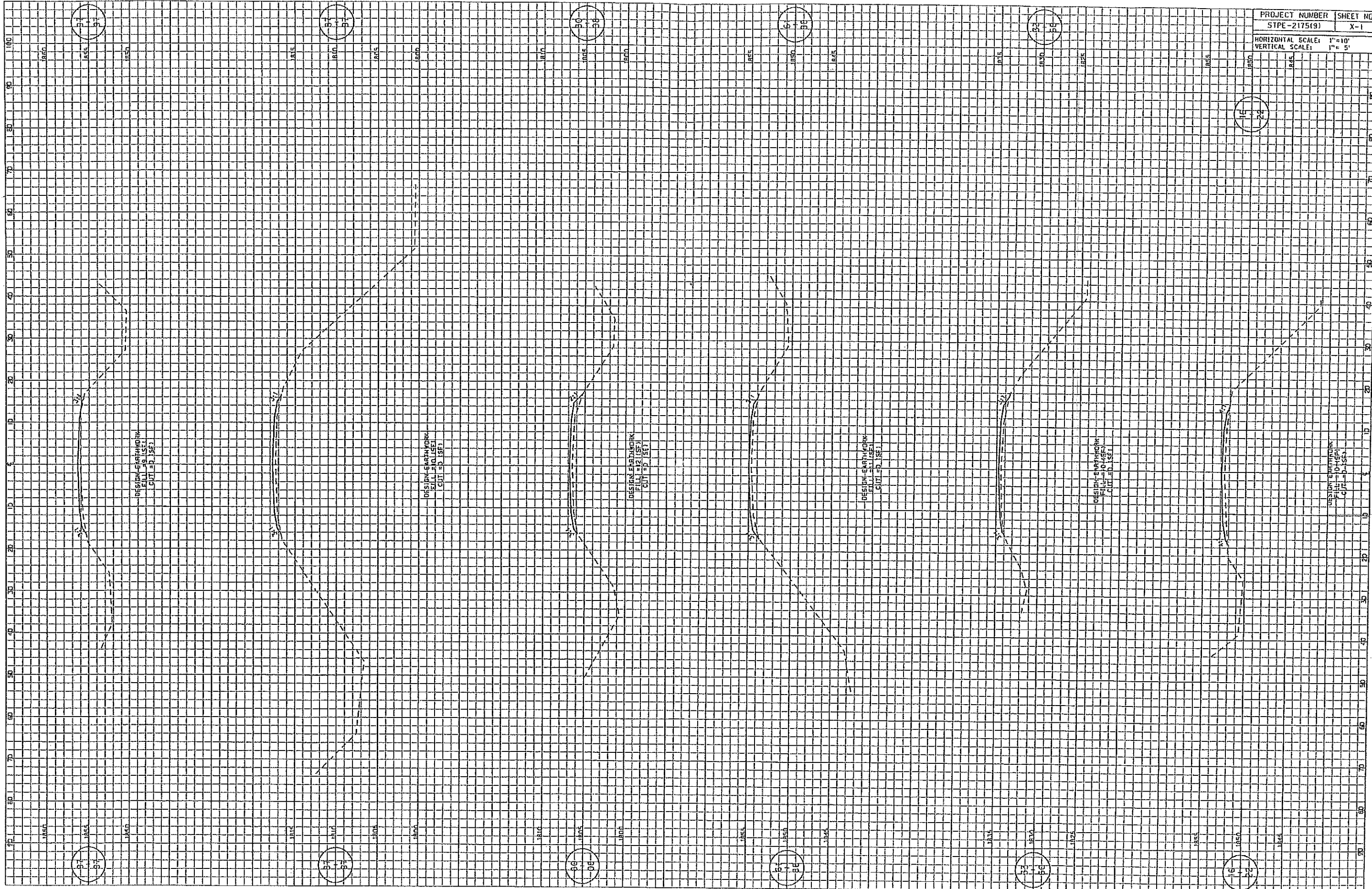
Signature: 	Title: Highway Superintendent	Date: February 23, 2011
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# A Y R S O U T H E A S T

STPE-2175(9) C.N. 41952  
 ADAMS COUNTY  
 PROJECT LOCATION MAP





B7  
1455  
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DESIGN EARTHWORK  
FILL - 18.15 FT  
CUT - 15.57

DESIGN EARTHWORK  
FILL - 18.15 FT  
CUT - 15.57

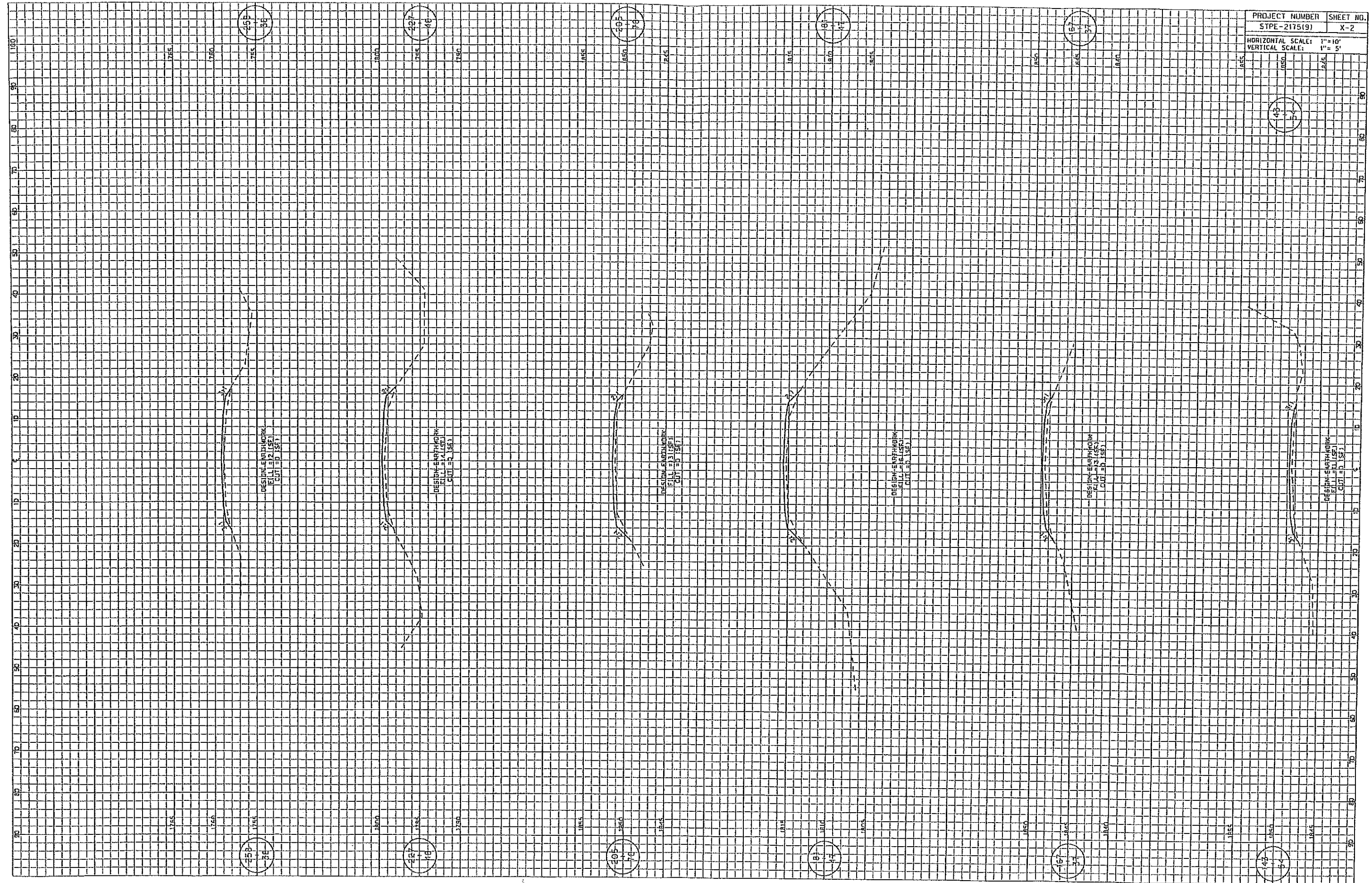
DESIGN EARTHWORK  
FILL - 18.15 FT  
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DESIGN EARTHWORK  
FILL - 18.15 FT  
CUT - 15.57

PROJECT NUMBER	SHEET NO.
STPE-2175(19)	X-2
HORIZONTAL SCALE: 1" = 10'	
VERTICAL SCALE: 1" = 5'	



PROJECT NUMBER  
STPE-2175(9)

SHEET NO.  
X-3

HORIZONTAL SCALE: 1"=10'

VERTICAL SCALE: 1"=5'



DESIGN EARTHWORK  
FILL (P.L.S.F.)  
CUT (P.L.S.F.)

DESIGN EARTHWORK  
FILL (P.L.S.F.)  
CUT (P.L.S.F.)

DESIGN EARTHWORK  
FILL (P.L.S.F.)  
CUT (P.L.S.F.)

338  
0.9

309  
0.8

338  
0.9





July 8, 2011

FOR IMMEDIATE RELEASE

## Roads Standards Board to Meet

The Board of Public Roads Classifications and Standards will meet at 9:00 a.m. on July 15, in the Nebraska Department of Roads' auditorium at 1500 Highway 2 in Lincoln.

The agenda includes:

- Informal Hearings on Relaxation of Standards Requests from Adams and Dixon Counties, the City of Wymore/Gage County and NDOR.

The meeting is open to the public.

#NDOR#

Detailed agenda, as of July 8, 2011 below.

**Contact:**

LeMoyne D. Schulz, (402) 479-4436

NR1-DY

STATE OF NEBRASKA  
Minutes of the  
Board of Public Roads Classifications and Standards  
July 15, 2011  
Nebraska Department of Roads  
Central Headquarters Building Auditorium  
1500 Highway 2, Lincoln, Nebraska

Meeting and Hearings Notices:

- Statewide news release emailed and posted on Nebraska Department of Roads' website July 8, 2011.
- Event posted on State of Nebraska website (Public Meeting Calendar) July 8, 2011.
- Tentative agenda emailed to each board member and interested persons July 8, 2011.
- Meeting agenda kept current and on public display in Liaison Services Section, Room 202, Nebraska Department of Roads, 1600 Highway 2, Lincoln, Nebraska.
- Meeting agenda posted in the main entrance of the Nebraska Department of Roads' 1500 Building, July 15, 2011.
- Relaxation of Standards hearing notices emailed July 8, 2011 to Adams and Dixon Counties, the City of Wymore/Gage County and NDOR.

Board members present:

Roger A. Figard, Lincoln, Chairman  
Randall D. Peters, Lincoln, Vice Chairman  
LeRoy G. Gerrard, Stromsburg  
Barbara J. Keegan, Alliance  
James A. Litchfield, Wakefield  
Richard L. Pierce, Miller  
David L. Wacker, Hastings  
Timothy W. Weander, Omaha  
Edward R. Wootton, Sr., Bellevue

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Board members absent:

James R. Daws, Seward  
Darold E. Tagge, Holdrege

Staff present:

LeMoyne D. Schulz, Board Secretary and Highway Local Liaison Coordinator, NDOR  
Linda George, Secretary II, Liaison Services Section, NDOR

Others in attendance:

Stan Johnson, Miller & Associates, representing Hayes County  
Howard Schwartz, FHWA, Lincoln  
Jeff Wagner, Mainelli Wagner and Associates, representing Adams, Cheyenne and Wayne Counties  
Marlin Kliewer, Gage County Highway Superintendent  
Mark Olson, Roadway Design Division, NDOR

Don Turek, Roadway Design Division, NDOR  
Brian McDonald, JEO, representing Dixon County  
Jim Keegan, Village of Hemingford, Chairman Village Board

\* \* \* \* \*

Chairman Figard called the meeting to order at 9:00 a.m. The meeting was open to the public.

\* \* \* \* \*

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.

\* \* \* \* \*

Mr. Schulz noted the following changes from the originally published agenda:

Added: Adams County requested that the board postpone consideration of its relaxation request to the September 16, 2011 meeting.

\* \* \* \* \*

Mr. Wootton moved to approve the June 17, 2011 meeting minutes. Mr. Pierce seconded the motion. Members Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Member Gerrard abstained. Members Daws and Tagge were absent. The motion carried.

\* \* \* \* \*

The board considered the status of the submission of the 2010 - 2011 Standardized System of Annual Reports.

1. A total of 93 County, 529 Municipal and the Nebraska Department of Roads' Reports have been received.
2. 93 County, 529 Municipal and the Nebraska Department of Roads' Reports were accepted by the board at previous meetings.
3. 1 Municipal Report remains delinquent and under suspension: Magnet. Suspension of Highway Allocation Funds began with the April 11, 2011 distribution. Currently in the fourth month of suspension.

Mr. Wootton moved to accept the Status Report of the Standardized System of Annual Reports as presented. Mr. Peters seconded the motion. Members Gerrard, Keegan,

Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried.

\* \* \* \* \*

The board considered the Final Report on the status of the submission of the 2011 One- and Six-Year Plans.

1. A total of 93 County, 530 Municipal and the Nebraska Department of Roads' One- and Six- Year Plans have been received.
2. 91 County, 530 Municipal and the Nebraska Department of Roads' One- and Six- Year Plans was accepted by the Board at previous meetings.
3. 2 County One- and Six-Year Plans have been reviewed by the Liaison Services Section as directed by the board and are recommended for acceptance without recommendation for change: Douglas and Sargy Counties.

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

\* \* \* \* \*

The board considered the Cheyenne County One- and Six-Year Plan revision adding Project C-17(182) to the 2011 One-Year Plan.

The project consists of grinding the existing deteriorating asphalt in place and converting the surfacing back to gravel on an Other Arterial road. The total estimated cost is \$46,000. Mr. Wagner presented the request.

Mr. Wootton moved to accept the Cheyenne County revision. Ms. Keegan seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried.

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The board considered the Hayes County One- and Six-Year Plan revision adding Project C-43(250), Federal-Aid Project Number to be assigned, to the 2011 One-Year Plan.

The project consists of installing a drop culvert and repairing a washout on the shoulder of an Other Arterial road. The total estimated cost is \$68,000. Mr. Johnson presented the request and advised that the Design Standard Number on the NBCS Form 10 should be ROA4.

Mr. Wootton moved to accept the Hayes County revision, contingent upon the county correcting the Design Standard Number. to ROA4 on the NBCS Form 10. Mr. Peters seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried.

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The board considered the Wayne County One- and Six-Year Plan revision amending One-Year Plan Project C-90(528).

The project, as amended, consists of milling the existing asphalt surface, grading to meet the ROA3 Design Standard Number and placing a gravel surface on an Other Arterial road. The total estimated cost is \$40,000. Mr. Wagner presented the request.

Mr. Wootton moved to accept the Wayne County revision. Ms. Keegan seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried.

\* \* \* \* \*

At 9:26 a.m., the board heard the City of Wymore/Gage County request for Relaxation of Minimum Design Standards for Project No. BRS-3265(5), C.N. 12299, In Wymore; City Project No. M-635(9), County Project No. C-34(715), Bridge No. M268502915. *(The hearing was held in an informal format, the City of Wymore and Gage County having declined the option of a formal hearing.)* The request is for a decrease in Bridge Design Loading on an Other Arterial street as specified in a June 23, 2011 letter and Resolution No. 2011-7 from Wymore and in a March 17, 2011 letter and Resolution No. 11-08 from Gage County. Mr. Kliever presented the request and advised that the bridge plans were completed on July 29, 2005, and were received by the NDOR Secondary Roads Engineer on April 20, 2006. No one appeared in opposition. The hearing concluded at 9:36 a.m. The board then considered the request.

Mr. Wootton moved to grant the City of Wymore/Gage County Relaxation Request, in view of the peculiar, special or unique local situation presented, whereby the application of the specific Minimum Design Standard would work a special hardship. Mr. Gerrard seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried with the requisite majority.

\* \* \* \* \*

At 9:39 a.m., the board heard the NDOR request for Relaxation of Minimum Design Standards for Project No. IM-80-7(158), C.N. 42630, Giltner East & West on Interstate 80. *(The hearing was held in an informal format, NDOR having declined the option of a formal hearing.)* The request is for a decrease in Bridge Roadway Width as specified in its June 23, 2011 letter. Mr. Turek presented the request. No one appeared in opposition. The hearing concluded at 9:44 a.m. The board then considered the request.

Mr. Wootton moved to grant the NDOR Relaxation Request, in view of the peculiar, special or unique local situation presented, whereby the application of the specific Minimum Design Standard would work a special hardship. Mr. Pierce seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried with the requisite majority.

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At 9:45 a.m., the board heard the Dixon County request for Relaxation of Minimum Design Standards for Project No. STPE-3130(5), C.N. 31723, Concord East, County Project No. C-

26(267). *(The hearing was held in an informal format, Dixon County having declined the option of a formal hearing.)* The request is for a decrease in Design Speed as specified in its June 27, 2011 letter and County Board Resolution adopted June 14, 2011. Mr. McDonald presented the request. No one appeared in opposition. The hearing concluded at 9:53 a.m. The board then considered the request.

Mr. Gerrard moved to grant the Dixon County Relaxation Request, in view of the peculiar, special or unique local situation presented, whereby the application of the specific Minimum Design Standard would work a special hardship. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried with the requisite majority.

\* \* \* \* \*

At 9:55 a.m., Chairman Figard advised that Adams County has requested the board to postpone to the September 16, 2011 meeting its request for Relaxation of Minimum Design Standards for an increase in Foreslope, for Project No. STPE-2175(9), C.N. 41952, Ayr Southeast, County Project No. C-1(237), on an Other Arterial road.

Chairman Figard opened the informal hearing. No one was present to present the request and no one appeared in opposition.

At 9:56 a.m., Mr. Wacker moved to continue to the next meeting. Mr. Pierce seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Members Daws and Tagge were absent. The motion carried with the requisite majority.

\* \* \* \* \*

Mr. Schultz advised that he had nothing new to report on the Village of Greenwood matter.

\* \* \* \* \*

Other business:

- The date/location for Annual Outstate Meeting has not been determined.
- Local Officials' Workshops (Executive Sessions), Fall 2011. Staff is coordinating with the NDOR Local Projects Division and NE-LTAP to provide one day of combined training for County and Municipal officials in conjunction with the Nebraska Association of County Officials Fall District meetings.
- The Board confirmed its previous decision to not meet in August, unless the Chairman requests a special meeting.

\* \* \* \* \*

Mr. Schulz reported the following correspondence and general information:

- MINK Local Roads Meeting, September 21-22, 2011, in St. Joseph, Missouri.
- Guidelines for Development of the Nebraska Statewide Transportation Improvement Program (STIP), and Public Involvement Plan.

\* \* \* \* \*

The next regular meeting will be held September 16, 2011, at 9:00 a.m., in the Nebraska Department of Roads' Central Headquarters Building Auditorium, 1500 Highway 2, Lincoln, Nebraska.

\* \* \* \* \*

There being no further agenda items, Chairman Figard adjourned the meeting at 10:10 a.m.

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LeMoyne D. Schulz  
Secretary for the Board

September 9, 2011

FOR IMMEDIATE RELEASE

## Roads Standards Board to Meet

The Board of Public Roads Classifications and Standards will meet at 9:00 a.m. on September 16, in the Nebraska Department of Roads' auditorium at 1500 Highway 2 in Lincoln.

The agenda includes:

- Consideration of initiating forfeiture of Highway Allocation Funds to the Village of Magnet.
- Addition to the Box Butte, Frontier, Johnson, Otoe and Valley Counties' One-Year Road Improvement Plans, and the Cities of Beatrice, St. Paul, Superior and Tekamah and the Village of Pickrell's One-Year Street Improvement Plans.
- Informal Hearings on Relaxation of Standards Requests from Adams and Harlan Counties.

The meeting is open to the public.

#NDOR#

Detailed agenda, as of September 9, 2011.

**Contact:**

LeMoyne D. Schulz, (402) 479-4436

NR2-DD



STATE OF NEBRASKA  
Minutes of the  
Board of Public Roads Classifications and Standards  
September 16, 2011  
Nebraska Department of Roads  
Central Headquarters Building Auditorium  
1500 Highway 2, Lincoln, Nebraska

Meeting and Hearings Notices:

- Statewide news release emailed and posted on Nebraska Department of Roads' website September 9, 2011.
- Event posted on State of Nebraska website (Public Meeting Calendar) September 9, 2011.
- Tentative agenda emailed to each board member and interested persons September 9, 2011.
- Meeting agenda kept current and on public display in Liaison Services Section, Room 202, Nebraska Department of Roads, 1600 Highway 2, Lincoln, Nebraska.
- Meeting agenda posted in the main entrance of the Nebraska Department of Roads' 1500 Building, September 16, 2011.
- Relaxation of standards hearing notices emailed September 9, 2011 to Adams and Harlan Counties.

Board members present:

Roger A. Figard, Lincoln, Chairman  
Randall D. Peters, Lincoln, Vice Chairman  
LeRoy G. Gerrard, Stromsburg  
Barbara J. Keegan, Alliance  
James A. Litchfield, Wakefield  
Richard L. Pierce, Miller  
Darold E. Tagge, Holdrege  
David L. Wacker, Hastings  
Timothy W. Weander, Omaha  
Edward R. Wootton, Sr., Bellevue

Board member absent:

James R. Daws, Seward

Staff present:

LeMoyne D. Schulz, Board Secretary and Highway Local Liaison Coordinator, NDOR  
Linda George, Secretary II, Liaison Services Section, NDOR

Others in attendance:

Andrew F. Cunningham, Government Affairs Office, NDOR  
Jerry Hain, Olsson & Associates, representing the City of Saint Paul  
Harvey Keim, Johnson County Highway Superintendent  
Doug Lennemann, Harlan County Highway Superintendent  
Rex Behrends, City of Beatrice and Village of Pickrell City Street Superintendent

\* \* \* \* \*

Chairman Figard called the meeting to order at 9:00 a.m. The meeting was open to the public.

\* \* \* \* \*

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. Mr. Schulz noted that NDOR and 3 County Annual Reports were received since the agenda was published.

\* \* \* \* \*

Mr. Wootton moved to approve the July 15, 2011 meeting minutes. Mr. Wacker seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Wacker, Weander, Wootton and Figard voted YES. Member Tagge abstained. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the status of the submission of the 2010 - 2011 Standardized System of Annual Reports.

1. A total of 93 County, 529 Municipal and the Nebraska Department of Roads' Reports have been received.
2. 93 County, 529 Municipal and the Nebraska Department of Roads' Reports were accepted by the board at previous meetings.
3. 1 Municipal Report remains delinquent and under suspension: Magnet. Suspension of Highway Allocation Funds began with the April 11, 2011 distribution. Currently in the sixth month of suspension.

Mr. Wootton moved to accept the Status Report of the Standardized System of Annual Reports as presented. Mr. Tagge seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

Mr. Wootton moved to place the suspended Highway Allocation funds to the Village of Magnet in forfeiture in accordance with Neb.Rev.Stat. Sec. 39-2121, if the reports are not received by October 1, 2011. Ms. Keegan seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried. (See Attachment #1.)

\* \* \* \* \*

The board considered the Initial Report on the status of the submission of the 2011 - 2012 Standardized System of Annual Reports.

1. A total of 3 County and the Nebraska Department of Roads' Reports have been received and are being held pending initial review.

Mr. Wootton moved to accept the Status Report of the Standardized System of Annual Reports as presented. Mr. Pierce seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the Valley County One- and Six-Year Plan revision adding Project C-88(274)B to the 2010 One-Year Plan.

The project consists of replacing wing walls downstream and guardrail on Bridge No. C008823120 on a Local road. The total estimated cost is \$10,000.

Mr. Wootton moved to accept the Valley County revision. Mr. Tagge seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the Valley County One- and Six-Year Plan revision advancing Project C-88(273)B from the Six-Year Plan to the 2011 One-Year Plan.

The project consists of grading and aggregate surfacing and replacing Bridge No. C008810510 with culverts on a Local road. The total estimated cost is \$35,000.

Mr. Wootton moved to accept the Valley County revision. Mr. Peters seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the City of Beatrice One- and Six-Year Plan revision adding Project M-139(1-11) to the 2011 One-Year Plan.

The project consists of grading and concrete surfacing with curb and gutter on a Local street. The total estimated cost is \$165,000. Mr. Behrends presented the request.

Mr. Tagge moved to accept the City of Beatrice revision. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the City of Tekamah One- and Six-Year Plan revision adding Project M-583(102)A to the 2011 One-Year Plan and Project M-583(102)B to the 2012 One-Year Plan.

Project (102)A consists of base stabilization on existing hard surfaced and aggregate surfaced Local streets. The total estimated cost is \$66,500.

Project (102)B consists of an armor coat surfacing of the stabilized streets. The total estimated cost is \$25,000.

Mr. Wootton moved to accept the City of Tekamah revision. Mr. Weander seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the Village of Pickrell One- and Six-Year Plan revision amending 2011 One-Year Plan Project M-490(1-01).

The project as amended consists of 6" thickness x 8' width concrete surfaced shoulders on an Other Arterial street. The total estimated cost is \$15,000. Mr. Behrends presented the request.

Mr. Wootton moved to accept the Village of Pickrell revision. Mr. Tagge seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the Box Butte County One- and Six-Year Plan revision adding Project No. C-7(11,214) to the 2011 One-Year Plan.

The project consists of widening to an RL1 Design Number Cross Section, with a 6" thickness x 30' width crushed concrete surfacing on a Local road. The total estimated cost is \$62,200. Ms. Keegan, in her capacity as Box Butte County Highway Superintendent, presented the request.

Mr. Wootton moved to accept the Box Butte County revision. Mr. Gerrard seconded the motion. Members Gerrard, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Ms. Keegan abstained. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the City of Saint Paul One- and Six-Year plan revision adding Projects M-530(49) and M-530(155) to the 2011 One-Year Plan.

Project (49) consists of grading, concrete surfacing with curb and gutter and drainage structures on a Local street. The Hydraulic Analysis is pending. The total estimated cost is \$67,400.

Project (155) consists of grading, concrete surfacing with curb and gutter and drainage structures on a Local street. The Hydraulic Analysis was marked as not applicable. The total estimated cost is \$49,800.

Mr. Hain presented the request.

Mr. Wootton moved to accept the City of Saint Paul revision, contingent on completion of the Hydraulic Analysis for Project (49). Mr. Peters seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the Frontier County One- and Six-Year plan revision adding Project C-32(27R) to the 2011 One-Year Plan.

The project consists of grading, aggregate surfacing and a culvert on a Local road. Information on the Hydraulic Analysis was not provided. The total estimated cost is \$24,000.

Mr. Wootton moved to accept the Frontier County revision, contingent on the county providing this board with the width of the approach roadway, information on the status of the Hydraulic Analysis and a formal Resolution. Mr. Tagge seconded. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

At 9:30 a.m., the board heard the Adams County request for Relaxation of Minimum Design Standards for Project No. STPE-2175(9), C.N. 41952, Ayr Southeast; County Project No. C-1(237). The request was carried over from the July 15, 2011 meeting. *(The hearing was held in an informal format, Adams County having declined the option of a formal hearing.)* The request is for an increase in Foreslope on an Other Arterial road as specified in its June 13, 2011 letter and County Board Resolution No. 11-06-143. No one was present to present the request. No one appeared in opposition. The hearing concluded at 9:35 a.m. The board then considered the request.

Mr. Pierce moved to deny the Adams County Relaxation request. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Weander, Wootton and Figard voted YES. Member Wacker abstained. Member Daws was absent. The motion carried with the requisite majority.

\* \* \* \* \*

The board considered the City of Wakefield One- and Six-Year plan revision adding Project M-608(84) to the 2011 One-Year Plan.

The project consists of grading, concrete surfacing, right-of-way and a culvert on a Local street with access to Nebraska Highway 35. Approval by NDOR of the highway access and culvert size is pending. The total estimated cost is \$70,000. Mr. Jim Litchfield, in his capacity as City Street Superintendent, presented the request.

Mr. Wootton moved to approve the City of Wakefield revision, contingent on approval of the access and culvert size by NDOR. Mr. Gerrard seconded motion. Members Gerrard, Keegan, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Litchfield abstained. Member Daws was absent. The motion carried.

\* \* \* \* \*

At 9:40 a.m., the board heard the Harlan County request for Relaxation of Minimum Design Standards for County Project No. C-42 (80). *(The hearing was held in an informal format, Harlan County having declined the option of a formal hearing.)* The request is for a decrease in Design Speed on an Other Arterial road as specified in its July 25, 2011 letter and County Board Resolution# 11-8. Mr. Lennemann presented the request. No one appeared in opposition. The hearing concluded at 9:50 a.m. The board then considered the request.

Mr. Peters moved to grant the Harlan County Relaxation request, in view of the peculiar, special or unique local situation presented, whereby the application of the specific Minimum Design Standard would work a special hardship, with a reminder of the 428 NAC 2 001.06(4) Minimum Design Standards - Rural Roads requirement for a speed study and appropriate sign posting, if required. Mr. Wacker seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried with the requisite majority.

\* \* \* \* \*

The board considered the Otoe County One- and Six-Year Plan revision adding Projects C-66(475) and (476) to the 2011 One-Year Plan.

Project (475) consists of grading, aggregate surfacing and culverts on a Local road. The total estimated cost is \$25,000.

Project (476) consists of grading, aggregate surfacing and culverts on an Other Arterial road. The total estimated cost is \$40,000.

Mr. Wootton moved to accept the Otoe County revision. Mr. Pierce seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the City of Superior One- and Six-Year Plan revision adding Project M-571(285) to the 2011 One-Year Plan.

The project consists of concrete surfacing with curb and gutter on a Local street. Information on Hydraulic Analysis was not provided. The total estimated cost is \$150,000.

Mr. Gerrard moved to approve the City of Superior revision, contingent on the city providing this board with information on the status of the Hydraulic Analysis. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

The board considered the Johnson County One- and Six-Year Plan revision adding Projects C-49(237), (238), (239), (240), and (241) to the 2011 One-Year Plan.

Project (237) consists of grading, aggregate surfacing and a culvert on a Local road. The total estimated cost is \$5,000.

Project (238) consists of grading, aggregate surfacing and replacement of a culvert with a culvert on a Local road. The total estimated cost is \$15,000.

Projects (239) and (241) consist of grading, aggregate surfacing and replacement of a bridge with a triple box culvert on a Local road. The total estimated cost is \$49,000.

Project (240) consists of grading, aggregate surfacing and replacement of a bridge with a culvert on a Local road. The total estimated cost is \$49,000.

Mr. Keim presented the request.

Mr. Tagge moved to approve the Johnson County revision. Mr. Wootton seconded the motion. Members Gerrard, Keegan, Litchfield, Peters, Pierce, Tagge, Wacker, Weander, Wootton and Figard voted YES. Member Daws was absent. The motion carried.

\* \* \* \* \*

There was nothing new to report on the Village of Greenwood matter.

\* \* \* \* \*

Other business:

- Mr. Cunningham provided a Legislative Report.
- Date/Location for the Annual Outstate Meeting. Chairman Figard proposed that the City of Lincoln host the meeting on October 21, 2011, with a tour of the Antelope Valley and West Haymarket Improvements on October 20, 2011. The members present concurred with the proposal.
- Local Officials' Workshops (Executive Sessions) Fall 2011. Members received copies of the following handouts used in the workshops: Projected Average Factor Dollar Value for Counties & Municipalities, a schematic on "Surface Transportation Financing" in Nebraska, and "County Support" and "Municipal Support" provide by NDOR. Sessions were held in Grand Island on September 14, 2011 and the Saint Benedict Center, Schuyler on September 15, 2011. Three more sessions are scheduled: September 23, 2011 in Mahoney Park, September 27, 2011 in Bridgeport and September 30, 2011 in North Platte.

\* \* \* \* \*

Mr. Schulz reported the following correspondence and general information:

- 26<sup>th</sup> Regional Local Road Conference, October 25-26, 2011, in Rapid City, South Dakota.
- Relaxation of Standards request from Colfax County received September 14, 2011, possible agenda item for the next meeting.
- Agreement between Seward County and the City of Seward received September 14, 2011.

\* \* \* \* \*

The next regular meeting will be held October 21, 2011, at 9:00 a.m., in the Lincoln City Hall, City Council Chamber, 555 South 10<sup>th</sup> Street, Lincoln, Nebraska.

\* \* \* \* \*

There being no further agenda items, Chairman Figard adjourned the meeting at 10:55 a.m.

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LeMoyne D. Schulz  
Secretary for the Board





Dave Heineman  
Governor

STATE OF NEBRASKA

BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS  
1500 Highway 2 • PO Box 94759 • Lincoln NE 68509-4759  
Phone (402)479-4436 • FAX (402)479-3525 • transportation.nebraska.gov

September 20, 2011

Magnet Village Board Members  
c/o Joan Cautrell  
Magnet Village Clerk  
PO Box 86  
Magnet, NE 68749-0086

James R. Daws  
Seward

Roger A. Figard  
Lincoln

LeRoy G. Gerrard  
Stromsburg

Dear Village Board Members:

Barbara J. Keegan  
Alliance

The Board of Public Roads Classification and Standards, at their regular meeting September 16, 2011, voted to request that the State Treasurer place in forfeiture the Highway Allocation funds distributions suspended from the Village of Magnet for failure to submit the Standardized Annual Road, Street and Highway Program Financial and Budget Report for 2010 - 2011, if the report is still outstanding on October 3, 2011.

James A. Litchfield  
Wakefield

Randall D. Peters  
Lincoln

The penalty provision of 39-2121 Nebraska Revised Statutes provides that if any county or municipality fails to file such a report on or before it's 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.

Richard L. Pierce  
Miller

Darold E. Tagge  
Holdrege

David L. Wacker  
Hastings

Suspension commenced with the April 11, 2011 distribution and extended through the September 9, 2011 distribution. Unless the report is submitted by October 1, 2011, a letter will be sent to State Treasurer, Shane Osborn requesting forfeiture of Village of Magnet's suspended funds. Those funds will then revert to the Municipal Account of the Highway Allocation funds for redistribution to the other 529 municipalities in Nebraska.

Timothy W. Weander  
Omaha

Edward R. Wootton, Sr.  
Bellevue

LeMoyne D. Schulz  
Secretary-ex officio

Sincerely,

LeMoyne D. Schulz  
Secretary for the Board

LDS/BPR4-DK

xc: Terry J. Mead, Magnet Street Superintendent  
File

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