



## RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting  
Tuesday, March 3, 2015

Meeting Began At: 8:32 a.m.

Meeting Ended At: 9:18 a.m.

Members Present: Doug Emery, Leirion Gaylor Baird, Roy Christensen, Bill Avery, Larry Hudkins

Members Absent: Deb Schorr

Others Present: Roger Figard, Amy Cornelius-Jones, Liz Thanel, Bill Kutilek, Michelle Raphael, Randy Hoskins, Rick Haden, Mark Lutjeharms, Pam Dingman, Bob Jacobs, Devin Biesecker

### **Order No. 15-01 Call Meeting to Order. Approval of Previous Minutes.**

Christensen called the meeting to order and announced that the Open Meeting Act is posted in the rear of the Hearing Room.

Hudkins motioned to approve the previous minutes. Gaylor Baird seconded the motion. Motion approved 5-0.

### **Order No. 15-02 Statement of Receipts & Disbursements.**

Thanel presented the statement of receipts and disbursements.

Gaylor Baird inquired about the adjustment downward investment interest income. Does that reflect current year actuals or will we be spending more and having less invested and therefore making less interest? Thanel responded that both is the case. We have been optimistic about interest rates and they have not done anything. Thanel has budgeted a little high every year. If we do start spending, then you will have less balance to invest. We are just being conservative. This is not a huge amount, but we can keep it at 50 if you would like.

Christensen wanted to take the time to acknowledge Avery to the RTSD Board and welcome him and Hudkins back to the Board.

Avery asked about restrictions for the kind of investments we can invest in. Raphael from the Lancaster County Treasurer's office indicated state statute is fairly conservative and therefore we are restricted to more secure options. The CDARS program and Insured Cash Sweep are both options and allow for security and little bit better rates.

Hudkins mentioned that the County has used NPAIT and he does see that Union Bank & Trust, which we have several instruments with them, and they are the sponsoring agency with NPAIT, Do we currently have

anything through NPAIT? Raphael said that we do not, the rates have remained fairly low. Hudkins requested that we check rates again, specially with the CDARS program. He also asked what the average rate of return was currently. Raphael responded that the rates are fluctuating currently.

Emery motioned to approve the statement of receipts and disbursements. Gaylor Baird seconded the motion. Motion approved 5-0.

### **Order No. 15-03      **Current Budget Status, Project Updates, Committee Updates.****

Figard highlighted the following items:

- 91<sup>st</sup> & Yankee Hill - proposing for the RTSD to set aside funds to help with this crossing.
- West Pioneers - work is done and RTSD share has been paid.
- SW 40<sup>th</sup> - Devin Biesecker- Project Manager, R.C. for this federal aid project. Currently pouring caps on the last two piers near the RR tracks. The last cap will be poured on the last pier next week. Sometime in March they hope to set the girders on the bridge and then hopefully in May to pour the deck. The Middle Creek Bridge is done with the exception of the deck which still needs to be poured. Once all this is done, the roads will be paved and hopefully open by late summer. Hudkins asked when did the construction start? Biesecker indicated that it started in 2013.
- Salt Creek Underpass - waiting for NRD and Railroad agreement.
- Misc Engineering & Emergency Safety are standard items.
- South Salt Creek Quiet Zone - Done
- Waverly Quiet Zone - Done. Mark Lutjeharms is present if there are any questions.
- Quiet Zone at BNSF and Cornhusker Hwy is done.
- The proposed study and environmental work 33<sup>rd</sup> & 35<sup>th</sup> and Adams is on-going. The RFP is out and the submittal deadline is March 11. Kris Humphrey is the project manager for this project. After the short list, the interviews are slated for April 21, selection of the firm April 24, negotiations would start April 28, notice to proceed by June 9 with the goal of having a deliverable of a study evaluation and if the project is feasible and what the anticipated costs are by June 2016. The individuals on the formal selection committee are: Deb Schorr, Roger Figard, Kris Humphrey, Miki Esposito and Lonnie Burklund. Other non-voting individuals who will provide input are: NDOR - Thomas Goodbarn and Jason Jurgens, County/City Planning - David Cary, NRD - Glenn Johnson. FHWA might participate as an ex-officio -they are not providing input, but this will assist in making sure all steps and procedures are being met to ensure we are eligible for federal funding.

Gaylor Baird inquired about the letter of support from NDOR who believes it is a viable project.

She

would like to know what is the added value we will get from this year long study to determine it is viability? Is there a difference between having a preliminary judgement that it is a viable project and a study that at the end of the year has a report that confirms it? Figard responded that the end result will be public involvement and outreach and re-looking at all the previous alignments and studies and having a process that brings forward a real project. The state believes there is a need to close two crossings and build a grade separation. The exact configuration is unknown and analysis needs to be done. Figard stated we need to go back through environmental preliminary planning and search out the best way to solve that solution. Once that is done, then we can bring the project to the RTSD Board and City Council or County Commissioners and say that we have a

project that went through public process, we have buy in by all the agencies, we followed all the steps, and we are now prepared to move ahead. Hudkins indicated that the County Board is very supportive that something needs to be done, but is unsure that the best solution has been presented yet. Figard added that since we have last been out at the project area, some things have changed, so the study would re-evaluate if there are changing needs for access, zoning and land use. Going back to the NDOR letter, Figard wanted on the record that they see this as a project that has high potential and value. Once the study is complete and proves viable, Figard would then expect the State to come into the process with funding and revenue. Hudkins added that the County also stated that they feel this is a viable project in need of State and Federal funding.

- Hickman Quiet Zone - Rick Haden from FHU gave an update. The railroad has finished the work on Hickman Road putting in the new gates. They have completed everything possible on 2<sup>nd</sup> Street until the weather gets better. Once the weather gets better, they will do paving work on the approaches and change out the crossings. The railroad has billed the City of Hickman for work done. The City took bids for the paving portion of the project on February 20, 2015. They received two bids and the apparent low bidder was Pavers, Inc. The City is in the process of signing the contract with them. The anticipated date to begin work is April 1. Pavers, Inc. has also been contracted by BNSF to do the paving work on 2<sup>nd</sup> Street, so there should not be any conflicts.
- OPPD Crossing S. 84<sup>th</sup> - a possible crossing that could be improved once the school goes up.
- Salt Creek Levy N of A - place holder with NRD and doing trail work.
- Park Blvd - is done.
- South Beltway Crossings - no money has been spent or gone into any agreements with the City, County or State.
- Denton Feasibility Quiet Zone - Nearly done with actual study, we are waiting for cost estimates from the railroad.
- Committee Updates - The Federal Highway was going to look at a split for the NCUTCD Manual and has decided not to do that. They will continue to work on this over the next two years. The summer meeting, Chapter 8- Highway Rail Grade Crossing Technical Committee, that Figard goes to will be held in Texas this year.

#### **Order No. 15-04      2015/2016 Draft Budget & CIP.**

Figard highlighted the following items:

- Slight increase suggested in the operating budget to allow for inflation and cost of staffing.
- Railroad Crossing improvements - suggesting to keep the same amount. Figard is proposing that money that does not get spent this year is carried over to the next year.
- There year, there was \$100,000 put in the SW 40<sup>th</sup> as a contingency, the project is not going to be done by July 1 of this year. The current draft budget does not show funding for SW 40<sup>th</sup> and Figard is suggesting we put \$100,000 for next year.
- Similarly for South Salt Creek, Misc Engineering and Emergency Safety, we will just move funds forward.
- 33<sup>rd</sup> & BNSF Crossing - Figard is suggesting \$600,000 might be needed.
- Hickman Quiet Zone - Figard moved \$1 million into this line item and will firm that up between now and July 1.
- South Beltway - What was originally done was to take approximately \$13 million and divide it by 6 and came up with approximately \$2.1 million. Figard is suggesting that every year RTSD does not spend these funds they get rolled over to the following year and so on. This results in having the funds in the budget when the State indicates they are ready to do work on the South Beltway. This will assist in paying money up front and reducing future costs when the time comes.

Avery asked if we were on tract with the South Beltway? Figard stated that we were and directed our attention to the CIP Draft Budget handout. Figard said he would work on a cash flow document prior to the next meeting taking into account different levy amounts. Gaylor Baird asked if the chart was based on the full levy amount, Figard thought that the chart was doable with the full levy.

**Order No. 15-05 County Railroad Crossing Repair.**

Dingman- County Engineer, brought Bob Jacobs -Maintenance Superintendent to assist in answering questions. Dingman brought 5 possible crossings for the Board to review, however there are approximately 15 crossings in need of repair. There are concerns with some of the tracks that have sight distant issues and there might be a better way. Others are more simple in nature in the improvement needs. Hudkins asked if these are approved, how soon is the plan to get started on the improvements? Dingman indicated that once approved, work would begin right away. Hudkins also asked about the Raymond Road crossing. Dingman answered that there are several concerns for this one. Hudkins mentioned the loss of a family at this crossing a while ago. Jacobs responded with a suggestion of crossing arms at this location. Avery inquired about the configuration of the crossing at Wittstruck Road. Jacobs responded that the angle of the road is the main reason for that. Dingman stated that there are challenges with these 5 crossings and that if approved, she would work with Figard to prepare cost estimates for the Board. Figard stated that this item does not need action at this meeting. He stated that there might be a misconception about who is responsible for what repairs. The approaches up to the railroad tracks is the responsibility of the road authority, City and County. The crossing itself, is the responsibility of the Railroad. So depending on the kind of repairs needed, we will need to work with the County and Railroad and put together some agreements to see who will do the work. New standards may be required depending the repair needed. Simple repairs needed, Figard thinks Dingman can go ahead with the repairs and bill RTSD. Repairs that are more extensive will need to have an agreement. Figard will work with Dingman to prepare cost estimates for those items prior to next meeting.

**Order No. 15-06 Frontier Bank CDARS.**

Kutilek and Raphael presented information in relation to the Frontier Bank CDARS agreement.

Gaylor Baird inquired about Exhibit 1, stating that "...These are a list of institutions that are insured that the County does not want to place funds with." She is asking for an explanation of this statement. Raphael indicated that the statement is correct. How this product works is; we would notify the institution, in this case - Frontier Bank, that we want to place funds with them. That money is actually put through a network of banks that they do business with and this is where our funds are placed. We deposit funds locally and the bank may hold onto a small portion of the funds and place the rest into the network that supports CDARS. Raphael stated that we do get reporting as to where funds are placed.

Hudkins motioned to approve to participate in the Frontier Bank CDARS program. Gaylor Baird seconded the motion. Motion approved 5-0.

**Order No. 15-07 Petitions/Letters/Requests.**

Figard referenced the NDOR letter already discussed.

Figard also mentioned an e-mail from Raphael regarding the bundling and discounted rates on bank fees.

The Jail, JPA and RTSD were each charged \$7.30 for January bank fees. Had these not been bundled, the JPA would have been charged \$122.00 and the RTSD would have paid \$ 157.31.

**Order No. 15-08      Non-Agenda Items.**

No public comment.

The next Board meeting will be held on Monday, June 8, 2015 @ 8:30 am.

Avery motioned to adjourn the meeting. Gaylor Baird seconded the motion. Motion approved 5-0.

**Prepared by: Amy Cornelius-Jones, Engineering Services**

Minutes 3-3-15.wpd