



## RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

Tuesday, September 8, 2015

Meeting Began At 8:30 a.m.

Meeting Ended At: 9:29 a.m.

Members Present: Deb Schorr, Roy Christensen, Bill Avery, Larry Hudkins, Cyndi Lamm

Members Absent: Lerion Gaylor Baird

Others Present: Roger Figard, Amy Cornelius-Jones, Liz Thanel, Bill Kutilek, Tony Jerina, Peter Fellers, Justin Peterson, Rick Haden, Susie Filipi, Randy Hoskins, Kurt Micek, Kris Humphrey, Mark Lutjeharms, Kyle Fischer, Gary Aldridge

### **Order No. 15-18 Call Meeting to Order. Approval of Previous Minutes.**

Hudkins moved to approve the previous minutes. Christensen seconded the motion.

Motion approved 5-0.

### **Order No. 15-19 Statement of Receipts & Disbursements.**

Thanel presented the statement of receipts and disbursements. The levy is at 1.6 for the coming year and will start collecting at this rate in December. Valuation has also increased by 6.6%. Investments were earning 0.3 – 0.4% interest but were now up in the 0.7% range. Thanel reported that she and Michelle Raphael from the Treasurer's Office had been discussing investment strategies for some time, considering the difficulty in tying up RTSD funds in CD's when cashflow needs are unknown. Thanel and Roger Figard recently met with Treasurer staff to provide recommendations on levels to be retained in cash, money markets, and timed investments. She believes that because of increasing interest rates and this discussion, interest revenues in the coming year will be higher than budgeted. Hudkins asked how many dollars annually is generated from the levy going from 1.3 cents to 1.6 cents? Thanel responded that every point (0.1 cents) is approximately \$227,000.

Christensen moved to approve the Statement of Receipts & Disbursements.

Hudkins seconded the motion. Motion approved 5-0.

Thanel also presented a Statement of Receipts & Disbursements for the FY15 year ending June 30, 2015 in full account detail. Presentation of this report to the Board is required per SS74-1308.

### **Order No. 15-20 Current Budget Status, Project Updates, Committee Updates.**

Figard highlighted the following items:

There currently has not been any funds spent on railroad crossing improvements to this point.

#### **Construction Projects-**

Southwest 40<sup>th</sup>- Concrete for the bridge deck has been poured. Finishing some of the railing between the roadway and the trail. Paving on the trail at the north end of the bridge and grading

up to O Street needs to be completed. Asphalt on the south end of the project down to A Street needs to be completed. It is hopeful that this will be open by the end of the month.

33<sup>rd</sup> & Cornhusker- Kris Humphrey, Project Manager, stated that the project is in the information gathering stage. The project kick off meeting has taken place with the project team along with meetings with various agencies to include: FHWA, Lower Platte South NRD, US Corps of Engineers. The next phase of the project is the public outreach program. A meeting is tentatively set for October 27, 2015 from 4:00 – 7:00 pm, location is to be determined. Once final information is set, newsletter and postcards will be sent and the website updated. Next, the information received from the agencies meetings and the public meetings will be gathered and analyzed, which will take three to four months. Sometime around early March, the team will be able to come back to the public with some different alignments and get feedback. This study should be wrapped up next June 2016. Humphrey stated that if there is anyone that would like to be added to the mailing list to please let her or Mark Lutjeharms know.

Hickman Quiet Zone- Rick Haden from FHU gave an update on the status of the Hickman Quiet Zone project. BNSF has completed their work so that Pavers can begin their work which is anticipated to take approximately 2 weeks to complete. The heavy rains in May 2015 did significant damage to the work that had been done and to some of their equipment at the 2<sup>nd</sup> Street crossing with the 4-quadrant gates. It took four months to fix. As of last week the 4 quadrant gates are up and operating. It is the first 4-quadrant gate system in the state of Nebraska. The city of Hickman has been billed for about 70% of the work that BNSF has done.

91<sup>st</sup> and Yankee Hill Crossing – Figard said that the City continues to work with the school district for improvements on Yankee Hill Road in southeast Lincoln. Hudkins asked about what was being considered for the crossing protection. Figard responded that gates, lights and medians are all being considered. This would meet the criteria for a quiet zone if proposed or needed in the future.

Figard said that he is working on scheduling a field visit for all the proposed crossings that are in need of repair with Pam Dingman, County Engineer. Hudkins looks forward to Figard's assessment of the Denton crossings needing repair.

There were not any NUTCD committee updates.

### **Order No. 15-21 Approval of Draft Audited Financial Statements**

Tony Jerina from HBE Becker Meyer & Love LLP presented audit report for RTSD.

Total assets increased from \$13.5 to \$15.3 million in which most consisted of \$7.8 million in cash or cash equivalent and investments of about \$6.2 million. Liabilities went up slightly, from \$28,000 to \$63,000. Total expenses increased from \$560,000 to \$1.1 million, mostly due to construction projects. Revenue stayed about the same. A little increase in investment income was earned. Total net position went from \$13.5 million to \$15.3 million. Jerina said the audit went very well and the staff was very accommodating and prompt in providing information.

Hudkins moved to approve the Draft Audited Financial Statements. Avery seconded the motion. Motion approved 5-0.

**Order No. 15-22      Approve 2015 -2016 Budget**

Figard presented the budget for approval which is the same as the draft budget that was approved in June 2015. Nothing has changed in the proposed expenditures. The budget was prepared using the anticipated revenue based on the 1.6 cents. When the draft budget was approved in June, there was a recommended request for 2 cents from the County. The projected revenues that were worked on in June is slightly reduced with the budget being presented. There is adequate cash in the bank to support the operations and the capital budget, therefore there is no required change to the budget as amended for the 1.6 cents.

Christensen moved to approve the 2015-2016 RTSD Budget. Hudkins seconded the motion.

Motion approved 5-0.

**Order No. 15-23      Approve Hickman Quiet Zone Interlocal**

Figard presented the Interlocal Agreement for the Hickman Quiet Zone. There are a couple steps that have been put in place to ensure financial transparency and consistency. An initial interlocal agreement for the Hickman Quiet Zone was entered into on September 10, 2013. It was continued by the first annual financial supplement on September 9, 2014. Although money is in the budget, each year before any money is expended or transferred on a significant project, we must bring forward an annual financial interlocal agreement. This year's budget shows \$1 million for the Hickman Quiet Zone. This interlocal agreement is the Board's authorization to go ahead and reimburse Hickman for those expenses that they have incurred for the quiet zone. They are paying the consultant, the railroad, and contractor. The RTSD will be reimbursing them upon proof of the payments of those expenses.

Hudkins moved to approve the Hickman Quiet Zone Interlocal. Christensen seconded the motion.

Motion approved 5-0.

**Order No. 15-24      SW Lincoln Quiet Zone**

Figard and Justin Peterson from Olsson Associates presented information on the SW Lincoln Quiet Zone. Figard stated that when we approved the budget, we had moved \$40,000 from the Emergency and Safety line item into the SW Lincoln Quiet Zone line item. At the time, Figard thought that would be sufficient funding. 5 or 6 crossings had been discussed previously, but there is 8 crossings (7 roadway & 1 trail). A Scope of Services – Appendix A was included in the Board packet that lays out the tasks and work activity. After reviewing the Scope of Services, it is Figard's opinion with the extra crossings and added public process that the costs will come in just under \$70,000. Figard has a simple suggestion for an amendment for minor revision within the budget that does not change the bottom line, it just moves funds from one line item to another. Figard recommended that \$30, 000 be transferred from the Emergency and Safety line item into the SW Lincoln Quiet Zone line item. This would leave \$30,000 in the Emergency and Safety line item should any need arise.

Hudkins asked about the Trail Crossing and if an over/underpass has been considered? Schorr stated that this area is fairly flat. Figard added that there are not any gates, lights or other warning equipment at the trail crossing. Figard stated that this area (Hastings/AmTrak Line) has increased train traffic at night with horns blowing. 8 crossings (7 roadways and 1 trail with 3 – 5 neighborhood groups) that would be affected, will require significant public outreach and additional meetings.

Peterson said this is similar to the Denton Quiet Zone. This project will have some trail work that will coincide from Parks & Recreation. It will go through the conceptual design and public meeting process, followed by a report at the end presented to the Board. Peterson said he hoped to complete the study within

a 6 – 9 month period. This is dependent on how fast the various stakeholders can be engaged. Hudkins encouraged Peterson to take a strong look at the trail crossing and possibility of having a quiet crossing.

Figard concluded that he anticipated using the \$70,000 would not create a problem as we have not used the Emergency and Safety funds in previous years and there is also a miscellaneous engineering account that has \$100,000 that can provide contingency if needed.

Christensen moved to reallocate \$30,000 from the Emergency & Safety line item to the SW Lincoln Feasibility Quiet Zone and authorizing the RTSD Chair and Executive Director to enter into the contract. Hudkins seconded the motion. Motion approved 5-0.

**Order No. 15-25      Denton Quiet Zone**

Peterson stated that this is the Lincoln/McCook Branch of the Hastings Line. An on-site diagnostic review was done about a year ago, October 2014. This includes five crossings: Old Cheney, W. Denton, a private crossing, SW 98<sup>th</sup>, and west Yankee Hill Road. One thing that makes this unique is the size of the area and the rural nature of the area. At four of the five crossings (not the private crossing), a median and gates option was evaluated and a 4 –quadrant gates option. One thing being consider is the median and gates option restricts width for agriculture equipment. There are also high speed facilities in this area as well. There was a public meeting in mid-July. Most attendees were supportive of the project as long as the agriculture equipment access was being considered. One challenge is that the City of Lincoln purchased some ground on the south side of Denton for a trail project. We are currently working with the Parks & Rec Department and looking at different options for the private crossing. For all five crossings, this project is looking at a cost of approximately \$3.7 million with the 4-quad crossing option, \$2.3 million for the median and gates option. Peterson hopes to have a draft recommendation by the December meeting.

Figard added that 4-quadrant gates do not come with the same operation and maintenance that the normal single gates and lights do. The railroad has been asking for additional operation and maintenance costs from the local road authority. Figard suggested that additional coordination time with County Engineering is needed to discuss options for this quiet zone.

Schorr asked if we had ever just done a portion of the crossing and not the entire zone? Figard responded that there are opportunities that can be looked at. There are criteria with lengths and dimensions between crossings that must be included. Hudkins added that the Denton Road crossing is the primary route to Crete.

**Order No. 15-26      City County RTSD Levy Interlocal**

This item has been moved to the December 7, 2015 RTSD Board meeting.

**Order No. 15-27      Petitions/Letters/Requests.**

There are none.

**Order No. 15-28      Non-Agenda Items/Public Comments.**

Gary Aldridge made an observation that the Pledge of Allegiance was not recited at the beginning of the meeting. The agenda for this meeting was not outside the meeting hall. Lastly, that he felt that there was not an opportunity to address the Board on the budget prior to the vote being taken.

Minutes of all future RTSD meetings will be available electronically on the website or by e-mail as requested. Anyone wishing to receive an electronic copy may request so at the RTSD office at 949 West Bond Street, Suite 200 or by calling 402-441-7711.

The next Board meeting will be held on Monday, December 7, 2015 @ 11:00 am.

Christensen moved to adjourn the meeting. Hudkins seconded the motion. Motion approved 5-0.

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

Minutes 9-8-15