



## RAILROAD TRANSPORTATION SAFETY DISTRICT

### Board Meeting

Monday, December 5, 2022

Meeting Began At 11:00 a.m.  
Meeting Ended At: 11:53 am  
Members Present: Deb Schorr, Jane Raybould, Rick Vest, James Michael Bowers, Roma Amundson, Tom Beckius  
Members Absent: None  
Others Present: Roger Figard, Mary Lowe, Ron Rhode, Mark Meisinger, Aaron Keller, Richard Rice and Kris Humphrey.

#### **Call Meeting to Order; Notice of Public Meeting/Open Meetings Act**

Rick Vest called the meeting to order. Vest stated that the RTSD is subject to and adheres to the Nebraska Open Meetings Act and indicated that a copy of the Act is posted and available for inspection at the entrance of the meeting room.

Vest stated that the RTSD agenda and all the materials being considered at meeting were posted on the RTSD website on November 28, 2022. The RTSD website is also accessible by links from both the City of Lincoln and Lancaster County official government sites. In addition, on November 28, 2022, the Meeting Agenda was posted on the City and County bulletin boards located in City Hall, first floor, 555 South 10<sup>th</sup> Street. Copies of the Meeting Agenda and all the materials being considered at the meeting are made available at the dais, and complete copies of the materials are on file and retained at the RTSD Office at 949 West Bond Street, Suite 200.

#### **Order No. 22-312: Approval of Minutes**

Schorr moved to accept the Minutes as provided  
Raybould seconded the motion. Motion approved 5 – 0; Bowers abstained.

#### **Order No. 22-32: Report of Statement of Financial Activity**

Ron Rhode from the Lancaster County Budget and Fiscal Office delivered the report of financial activity for the RTSD. Rhode reviewed the receipts and disbursements for the current fiscal year through November 18, 2022. Total receipts for the period were \$2,927,431, comprising of tax receipts in the amount of \$2,608,401; project cost reimbursements of \$251,380 and investment interest income for the period shown in the amount of \$67,650. During the period of the report, disbursements included: commissions, and refunds to State of Nebraska in the amount of \$51,395; operating costs in the amount of \$17,088; and construction project costs in the total amount of \$127,363; for total disbursements of \$195,846. For the period, the ending cash balance was \$571,078, and the ending investment balance was \$21,938,180, for a total fund balance of \$22,509,258.

Amundson moved to accept the Statement of Financial Activity.  
Raybould seconded the motion. Motion approved 6-0.

**Order No. 22-33: Report Regarding Current Budget Status**

Figard updated the Board on the current budget and stated the City has not invoiced the RTSD (pursuant to the continuing administrative Interlocal Agreement) for staff expenses, but the RTSD has paid all the accounting and budgeting invoices received. There have not been any expenditures for crossing expenses, although the RTSD did increase the line item in its current budget for Miscellaneous Engineering and Emergency Safety Study; so there are available funds in the current budget that may or may not be needed for necessary crossing expenses. The work on the 33<sup>rd</sup> & Cornhusker project has not moved very quickly, but the Consultant has been very conservative with expenses as of this date.

**Order No. 22-34: Report of Project and Crossing Updates**

a. **33<sup>rd</sup> & Cornhusker Project:**

Humphrey presented an update on the status of the Draft Environmental Assessment document, which is expected to be submitted early next year. The RTSD submitted a Federal Railroad Crossing Elimination (RCE) grant request in October 2022. Notice of awards on the Grant are not expected to be announced until spring of 2023.

b. **SE Lincoln Quiet Zone:**

Meisinger provided an update on the Diagnostic Meeting with BNSF, OPPD and the State, which took place in May. The compiled comments and updated meeting minutes will be distributed later this week. A draft final report is anticipated to be available for the June 2023 RTSD Board meeting.

c. **Misc/Other Railroad Work:**

Figard provided an update regarding the BNSF train derailment that occurred earlier this year just east of Bennet, and Figard was informed of numerous citizen complaints that were made due to the reduced train speeds while the track and adjacent facilities were under repair. Figard reported that the track has been repaired and the train speeds are back to normal.

Figard reported that the proposed meeting with Union Pacific regarding the elimination of the tracks north of the MSC Building on NW 12<sup>th</sup> Street has been delayed.

Figard reported that the sidewalk along Old Cheney Road from Hunts Drive to Wilderness Park has not been completed, as BNSF is needing additional time to coordinate their panel work with the City's Contractor.

**Order No. 22-35: Consideration of Amendment 33<sup>rd</sup> & Cornhusker Agreement**

Humphrey reviewed and explained the Engineering Amendment with Olsson, Inc. that is being considered for approval. The amendment has been reviewed by the RTSD Legal representative.

Schorr moved to authorize the President and Executive Director to sign the 33<sup>rd</sup> & Cornhusker Amendment Beckius seconded the motion. Motion approved 6-0

**Order No. 22- 36: Consideration of Amendment SE Lincoln QZ Agreement**

Figard reviewed the Amendment for the SE Lincoln Quiet Zone (QZ) prepared by the RTSD Legal representative and signed by FHU which adds scope and fee and extends the agreement's term to June 30, 2033.

Amundson moved to approve and accept the Amendment to SE QZ Agreement  
Beckius seconded the motion. Motion approved 6-0

**Order No. 22-37: Consideration of City/County Marking Invoice**

Figard presented an invoice from the City/County for updating the markings at 14<sup>th</sup> & Yankee Hill, NW 12<sup>th</sup> and No 44<sup>th</sup> Street.

Schorr moved to approve City/County Marking Invoice  
Raybould seconded the motion. Motion approved 6-0.

**Order No. 22-38: Report of Maters**

Figard stated that he made arrangements to attend the winter meeting to The National Uniform Traffic Control Devices in Washington DC in January

**Order No. 22-39: Communications/Correspondence (Placed on File)**

None to Report

**Order No. 22-40: Non-Agenda Items Public Comment**

No Comments

Vest stated that it has been an honor working with everyone in 2022, and he recognizes that the RTSD is making progress, and doing work that is important. As the Board spreads the mission of the RTSD, Vest thanked and congratulated Councilwoman Raybould on her election to the Nebraska Legislature, and Vest thanked and congratulated Commissioner Schorr's move into Congressman Flood's office.

Schorr moved to adjourn the meeting  
Raybould seconded the motion. Motion approved 6-0.

The next meeting is presently scheduled for Tuesday, March 7, 2023 at 11:00 a.m.

**Meeting adjourned at 11:53 a.m.**

**Prepared by: Mary Lowe, Transportation and Utilities**

**Minutes 12-05-22**