



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

Tuesday, March 7, 2023

Meeting Began At 11:00 a.m.
Meeting Ended At: 11:58 am
Members Present: Rick Vest, James Michael Bowers (arrived at 11:05 am), Roma Amundson, Tom Beckius, Matt Schulte
Members Absent: None
Others Present: Roger Figard, Mary Lowe, Ron Rhode, Mark Meisinger, Aaron Keller, Tony Jerina, Bill Kutilek.

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 March 1, 2023. The RTSD website is also accessible by links from both the City of Lincoln and Lancaster County official government sites. In addition, on March 1, 2023, the Meeting Agenda was posted on the City and County bulletin boards located in City Hall, first floor, 555 South 10th 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. 23-01: Approval of Minutes

Beckius moved to accept the Minutes as provided.

Amundson seconded the motion. Motion approved 3 – 0; Schulte abstained, Bowers absent.

Order No. 23-02: 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 February 17, 2023. Total receipts for the period were \$4,015,892, comprising of tax receipts in the amount of \$3,599,733; project cost reimbursements of \$253,456 and investment interest income for the period shown in the amount of \$162,703. During the period of the report, disbursements included: commissions, and refunds to State of Nebraska in the amount of \$67,283; operating costs in the amount of \$19,427; and construction project costs in the total amount of \$155,105; for total disbursements of \$241,814. For the period, the ending cash balance was \$249,242, and the ending investment balance was \$23,264,726, for a total fund balance of \$23,513,969.

Schulte moved to accept the Statement of Financial Activity.

Amundson seconded the motion. Motion approved 5-0.

Order No. 23-03 & 23-04: Report Regarding Current Budget Status

Figard updated the Board on the current budget and stated that he has requested the City to invoice the RTSD (pursuant to the continuing administrative Interlocal Agreement) for staff expenses. The RTSD has paid all the accounting and budgeting invoices received. There have not been any expenditures for railroad 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 33rd & Cornhusker project has not moved very quickly, but the consultant has been very conservative with expenses as of this date.

Order No 23-05: Consideration of Audit and Budget Contract

Jerina reviewed and updated the Board on the proposed contract renewal for auditing and budgeting services for RTSD for FY 2023-2024. HBE is a qualified Governmental Accounting Standard Board (GASB) firm. It was also noted that Figard and our legal team have reviewed this agreement with no concerns and recommends approval of the contract.

Amundson moved to authorize the President and Executive Director to sign the agreement for Auditing and Budgeting Services

Beckius seconded the motion. Motion approved 5-0

Order No. 23-06: Consideration of Legal Contract

Kutilek presented and discussed with the Board the proposed contract for Legal Services for Fiscal Year 2023/2024. Figard recommended approving the agreement.

Amundson moved to authorize the President and Executive Director to sign the Legal Contract

Beckius seconded the motion. Motion approved 5-0

Order No. 23-07: Report of Project and Crossing Updates

a. **33rd & Cornhusker Project:**

Keller updated the Board on the progress of this project and the status of the Draft Environmental Assessment (DEA) document. 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:**

Mark Meisinger from FHU provided an update on the quiet zone feasibility study along Nebraska Parkway (i.e. old highway 2). The original costs of approximately \$1.2 million have increased to more than \$4 million, which increase is primarily due to the BNSF requested equipment upgrades. These costs are still an estimate and need to be reviewed with the actual costs supplied to the RTSD by the BNSF railroad. The Calvert crossing is being removed from the Quiet Zone and it is being considered for conversion to a private crossing with added safety improvements. The grain elevator has been sold to Farmers Cooperative which is being included in the discussions for the possibility of making it a private crossing. Figard noted that he has worked with the County on their crossings within the quiet zone boundaries and the rest of the County crossings east of Lincoln. The RTSD has not received any complaints in regard to the crossing in Bennet which is a NDOT crossing. The draft feasibility report has been submitted to the RTSD's Executive Director for review. The

Board requested receiving an electronic copy of the report when it is distributed to the railroads and the rest of the QZ Diagnostic team.

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

Figard noted that BNSF is working on the bridge just west of Southwood

Order No. 23-08: Report of Maters

Figard stated that the RTSD website has been updated with new members and the June meeting agenda will include the election of officers, as required under the applicable Nebraska statutes.

Order No. 23-09: Communications/Correspondence (Placed on File)

None to Report

Order No. 23-10: Non-Agenda Items Public Comment

No Comments

Amundson moved to adjourn the meeting
Beckius seconded the motion. Motion approved 5-0.

The next meeting is presently scheduled for Monday, June 5, 2023 at 11:00 a.m.

Meeting adjourned at 11:58 a.m.

Prepared by: Mary Lowe, Transportation and Utilities

Minutes 3-07-22