



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

Monday, June 12, 2023

Meeting Began At 11:00 a.m.

Meeting Ended At: 11:56 am

Members Present: Rick Vest, James Michael Bowers, Roma Amundson, Tom Beckius

Members Absent: Matt Schulte

Others Present: Roger Figard, Mary Lowe, Aaron Keller, Tony Jerina, Bill Kutilek, Dennis Myers, Kris Humphrey, Justin Carlson.

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 the meeting were posted on the RTSD website on June 5, 2023. The RTSD website is also accessible by links from both the City of Lincoln and Lancaster County official government sites. In addition, on June 5, 2023, the Meeting Agenda was posted on the 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. 23-11: Approval of Minutes

Beckius moved to accept the Minutes as provided.

Amundson seconded the motion. Motion approved 4-0

Order No. 23-12: Election of Officers

Beckius made a motion that the three officers who are currently serving in their respective roles, (Rick Vest, President; James Michael Bowers, Vice-President; and Roma Amundson, Secretary) be retained as the officers of the RTSD for the upcoming fiscal year.

Beckius moved to retain the current offices in their respective roles

Amundson seconded the motion. Motion approved 4-0.

Order No. 23-13: Report of Statement of Financial Activity

Dennis Meyers from the Lancaster County Budget and Fiscal Office delivered the report of financial activity for the RTSD. Meyers reviewed the receipts and disbursements for the current fiscal year through May 12, 2023. Total receipts for the period were \$7,721,736, comprising of tax receipts in the amount of \$7,188,020; project cost reimbursements of \$253,456 and investment interest income for the period shown in the amount of \$280,260. During the period of the report, disbursements included: commissions, and refunds to State of Nebraska in the amount of \$132,781; operating costs in the amount of \$87,593; and construction project costs in the total amount of

\$389,180; for total disbursements of \$609,553. For the period, the ending cash balance was \$931,956, and the ending investment balance was \$25,999,537, for a total fund balance of \$26,931,493.

Amundson moved to accept the Statement of Financial Activity.
Beckius seconded the motion. Motion approved 4-0.

Order No. 23-14 & 23-15: Report Regarding Current Budget Status & Consideration of FY 2023/2024 Budget/CIP

Figard updated the Board on the current budget and reviewed the FY 2023/2024 Budget. He indicated the proposed Preliminary FY 2023/2024 Budget was the same information and numbers that were presented to the Board at their March meeting.

Beckius moved to approve the Preliminary 2023/2024 Budget.
Amundson seconded the motion. Motion approved 4-0.

Order No 23-16: Consideration of Levy Request for 2023 Tax Roll

Figard reviewed with the Board the levy from previous years. The current Levy is set at \$0.022217 per one hundred dollars of actual property valuation. He presented a cash flow chart showing the need to increase the levy from the current rate to a higher rate in the future in order to fully fund the project costs for the 33rd and Cornhusker project. Figard recommended that a Levy request to the County Board of Commissioners for FY2023/2024 of \$0.024 per one hundred dollars of actual property valuation.

Beckius moved to Request a Levy of \$0.024 dollars per one hundred dollars of actual property valuation.
Bowers seconded the motion. Motion approved 4-0

Order No. 23-17: Consideration of Additional 1% Lid Authority

Figard reminded the Board of LB989 (passed in 1989) that placed a lid on a number of restricted funds of government entities, but he indicated that there are provisions in the law that allow an increase of the budget by 1% if approved by three-fourths supermajority vote of the governing body. Such an approval does not increase the budget, it only allows for the potential for an increase in the budget in the future, if needed, by subsequent action by the Board.

Beckius moved to approve the Additional 1% Lid Authority.
Bowers seconded the motion. Motion approved 4-0

Order No. 23-18: Report of Project and Crossing Updates

a. **33rd & Cornhusker Project:** Humphrey stated that the RTSD was unsuccessful in securing the RCE Grant and a request was made for a debriefing from FRA to refine the grant proposal for the next submittal. The RTSD continues to move forward with the project and Olsson Associates (Olsson) has submitted the draft EA to the RTSD for review, which opens up the 3rd & final phase of Olsson's contract. The RTSD continues to coordinate the 33rd and Cornhusker project work with the Deadmans Run flood control project of the City of Lincoln, Lower Platte South NRD and the Corp of Engineers.

b. **SE Lincoln Quiet Zone:** The RTSD received a final draft report from FHU. There are some conditions that have changed in the field. The 70th Street OPPD rail crossing was both City & County and the City has now annexed this section so it is now in the City limits. This change will require some additional review with the City of Lincoln LTU. The Calvert crossing was recommended to be privatized and now the ownership of the elevator has changed which will require new discussions with the owners. Figard also informed the Board, per RTSD Resolution No. 10-6, the Board President and Executive

Director had signed an Amendment #3 for this project in the amount of \$4,880 that will allow FHU to finish the Draft Report and work effort to June 30, 2023, which is the end of the RTSD fiscal year.

- c. Other crossings and projects update were also shared by Figard:
1. Lancaster County Engineers is requesting assistance with the Firth viaduct and the approach slabs that have shifted and are requesting some cost sharing for that project.
 2. BNSF continues to improve its crossings along the Saint Joseph line in the County and the City. All locations (Saltillo Road, Old Cheney Road, Park Blvd and South Street) that were slated in the City have been completed.

Order No. 23-19: Consideration of FHU Amendment #4 SE Lincoln QZ

Figard presented a proposed Amendment #4 for FHU to finish the SE Lincoln Quiet Zone Study and required coordination and meetings for the next year to end June 30, 2024, in the amount of \$30,200. This is in draft form and has not been reviewed by legal, at this time. He asked the Board for authorization to have the President and Executive Director sign this amendment after review and approval of form by the RTSD Attorney.

Amundson move to authorize the President and Executive Director to sign Amendment #4 after Legal has Reviewed.

Beckius seconded the motion. Motion approved 4-0

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

None to Report

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

No Comments

Figard expressed his gratitude to Mr. Beckius for his service to and support for the RTSD. Two new Council members will be serving on the Board after their appointments have been confirmed by the City Council. The two new members will be Justin Carlson and Brody Weber.

Amundson noted that the reported next RTSD Board meetings scheduled for September 6, 2023 are actually on a Wednesday (rather than a Tuesday, as noted on the agenda). The agenda should be amended to show the next meeting on Tuesday, September 5, 2023.

Amundson move to amend the agenda to show the next meetings on Tuesday, September 5, 2023 for the Regular & Budget Meeting

Beckius seconded the motion. Motion approved 4-0

Bowers moved to adjourn the meeting

Amundson seconded the motion. Motion approved 4-0.

Next meeting(s)

1. **RTSD Budget Public Hearing, Tuesday, September 5, 2023 @ 11:00 a.m.**
2. **RTSD Regular Board Meeting, Tuesday, September 5, 2023 immediately following the Budget Public Hearing.**

Meeting adjourned at 11:56 a.m.

Prepared by: Mary Lowe, Transportation and Utilities

