

RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting
September 17, 2001

Meeting Began At: 9:10 A.M.

Meeting Ended At: 10:03 A.M.

Members Present: Coleen Seng, Bob Workman, Ray Stevens, Jonathan Cook.
Glenn Friendt and Larry Hudkins arrived late.

Members Absent: None

Others Present: Roger Figard, Bill Kuester, Kurt Micek, Roger Ohlrich, Fran Mejer, Dick Nuernberger, Bruce Sweney, Larry McNeel, Tina Mackel, Harlan Layton

Order No. 01-17 Call to Order. Approval of the Previous Minutes.

Coleen Seng called the meeting to order. She asked for a motion of silence in remembrance of the families of the recent tragedy. She asked for a motion to approve the previous minutes.

Bob Workman motioned to approve the minutes. Jonathan Cook seconded the motion. Motion approved.

Order No. 01-18 Report of Treasurer.

Dick Nuernberger presented the treasurer's report. As of September 7, 2001, the District had investments in various banks totaling \$12,805,736.42. A balance of \$1,468,656.09 was carried in the District's checking account as of August 31, 2001. The County Treasurer's balance for the District was \$1,124,419.98 as of August 31, 2001.

Cook motioned to approve the treasurer's report. Workman seconded the motion. Motion approved.

Order No. 01-19 2001/2002 Budget Hearing.

Roger Figard stated that the budget has not changed. There is one change since the County Board set the levy slightly lower than requested. The County Board set the levy at 0.02206 and the projected revenues and incomes have been changed to reflect that. Three projects have been added.

Workman mentioned that the County Board operates under the 15 cent lid. In that lid are items like rural libraries, rural fire departments, RTSD, etc. Rural libraries went up from 0.026 to 0.0299. Everything was added up and there was not room for the 0.026.

Cook asked how many crossings there are for the South Beltway. Figard replied that there are 2 crossings.

Seng was pleased to see that 70th & Cornhusker is listed for upcoming projects and asked if that is part of the Antelope Valley project, phase 2.

Figard stated that yes it is, but is concerned that this cannot wait 6 years.

Ray Stevens expressed his appreciation for the update on the projects and would hope that next year, the levy will be restored to the same level as previous.

Harlan Layton (740 Skyway Road) asked if the Southwest 40th project is still listed. Seng replied that it is still listed.

Layton asked about 70th and Cornhusker and if that is figured for a viaduct over the railroad tracks.

Figard feels that the whole area needs to be looked at. The whole intersection needs to be studied to determine how to eliminate the at-grade crossing and improve the capacity on Cornhusker Highway over the railroad tracks.

Workman motioned to approve the budget as proposed. Cook seconded the motion. Motion approved.

Order No. 01-21 Audited Financial Statement Approval.

Kurt Micek highlighted the balance sheets and the statement of revenue expenses. The RTSD has liquid assets in the amount of \$15,600,308 as of June 30, 2001 which consists of cash and investments, certificates of deposits, U.S. treasury bills and cash with the County Treasurer and property taxes receivable. Liabilities total \$38,149. The fund balance of the District as of June 30, 2001 was \$15,401,570 which is a reduction from a year ago of \$15,751,312. Total revenues amount to \$4,085,748. A reimbursement was received from the University in the amount of \$175,500. The District has a situation of the timing of expenditures. One of the recommendations made is that the County Treasurer's office move funds on a monthly basis over to the RTSD checking account. Projects are becoming more expenditures over revenues and it's harder for Dick Nuernberger to know when those expenditures are going to happen. The recommendation is for more communication and cash flow on a monthly basis. Rather than having these funds build up in the County Treasurer's fund, it should be moved to the RTSD account where it can earn interest for the RTSD account.

Workman motioned to approve the audit report. Stevens seconded the motion. Motion approved.

Order No. 01-22 **Antelope Valley Interlocal Agreement.**

Figard stated that the interlocal agreement is the legal document that is used for the Board to authorize the transfer of the expenditure of that money. If the Board approves the interlocal agreement, it is forwarded onto City Council for their approval.

Bob Workman asked how the \$1.5 million will be spent.

Figard replied that the district is sharing in the costs to closing grade crossings and building big bridges. The \$1.5 million that has been budgeted on an annual basis goes into paying the consultants that are working on the preliminary design and the right-of-way for the bridge at 16th and Holdrege, for closing the crossings at 14th Street and the roadway design that comes through there. There no was no intention to have a specific percentage split.

Stevens stated that according to the interlocal agreement, the duration of that agreement should not exceed 3 years.

Figard commented that if there were no expenditures in this fiscal year, we could carry that over for 3 years. He added that an agreement for this would be drawn up every year.

Seng welcomed Glenn Friendt to the Board.

Friendt asked if the previous interlocals have been this general.

Figard replied that yes, they have been that general in the past. The amount of dollars being spent and what they are being spent for are consistent with the charge of the RTSD, but they were intended to be general for flexibility.

Friendt asked for a report on where the \$1.5 million went and the progress on projects.

Hudkins concurred with Friendt for a detailed report.

Figard said he could get a report together on every dollar that has been spent.

Friendt asked if it is normal for the Mayor to be listed on the interlocal agreement.

Figard replied that the City Council will authorize the Mayor to sign this agreement because the interlocal agreement goes in front of City Council by resolution.

Hudkins motioned to approve the Antelope Valley Interlocal Agreement. Stevens seconded the motion. Motion approved.

Order No. 01-20 Exceed Budget Limit 1%.

Figard stated that the intention of this action is to allow the upper limits of the budget to increase by an additional 1% over what would be allowed by the lid limits. The budget will not increase. The action of the Board would allow the budget authorization to go up to \$997,584. If any changes are made, \$60,000 does not operate and maintain very much infrastructure. By super majority of the Board's votes, a large dollar amount could be used in the future as an operating budget for flexibility and not be in violation of the lid limit.

Hudkins asked why should another bureaucracy be set up.

Figard replied that it does not create another bureaucracy. It is only increasing the amount of dollars the budget could be increased to and not violate the lid limit.

Hudkins commented that he is very cautious about granting this authority.

Figard stated that with an approval on this, the limit will go up, but there will be no increase in taxes, the budget or the levy.

Friendt asked if there would there be any problem in passing such a resolution in the future.

Figard replied that the only ramification would be that the lid would stay where it is and won't continue to grow by that 1%.

Workman stated that this does not change the hit to the taxpayer. It stays at 0.02206 for this year, but what changes is the switch from capital expenditure to a possible operating budget. If this is passed, it would not affect the 0.02206 limit to the taxpayer.

Cook motioned to approve the additional 1% increase. Workman seconded the motion. Hudkins and Friendt voted against the motion. Motion failed.

Stevens asked if there would be anything that would prevent the Board from reconsidering this at the end of the fiscal year and still making the 1% increase effective for this year.

Figard replied that it has to be done with the budget and must be submitted to the State Auditor's office with the budget at the beginning of the year.

Order No. 01-23 Non-Agenda Items.

Seng wanted to discuss the meeting setup and alternating Monday and Tuesdays.

Figard stated that board meetings are needed early in the winter, June and late August or early September. He asked the Board if a more regular schedule, alternating Monday and Tuesdays, would be easier for the Board. Sometimes things come up suddenly and signatures are needed. Friendt likes the idea of quarterly meetings.

Hudkins stated that Mondays will be problematic, but if the meetings are going to be quarterly, he will have a better chance of rearranging his schedule. In fairness to the City Council, board meetings should be alternated. Hudkins asked if RTSD has the authority to do conference calls in the interim.

Figard replied that the only problem would be with the notice of the meeting. He added the importance of the Board to be part of the implementation of the budget including all detailed paperwork.

Seng suggested that we have the next meeting after the Commons meeting on November 6th. She also added that the Commons meetings shift from Mondays to Tuesdays, so the RTSD board meetings could be held more on a regular basis after the Commons meetings.

Cook motioned to adjourn the meeting. Stevens seconded the motion. Motion approved.

Prepared by: _____
Tina Mackel, Public Works & Utilities