



RAILROAD TRANSPORTATION SAFETY DISTRICT
Board Meeting
September 12, 2006

Meeting Began At: 8:30 A.M.

Meeting Ended At: 9:10 A.M.

Members Present: Deb Schorr, Bob Workman, Robin Eschliman, Ray Stevens, Dan Marvin

Members Absent: Ken Svoboda

Others Present: Roger Figard, Bill Kuester, Kurt Micek, Bruce Sweney, Susie Filipi, Fran Mejer, Dick Nuernberger, Alicea McCluskey, Tina Queen, Harlan Layton.

Order No. 06-14 Call to Order. Approval of the Previous Minutes.

Schorr called the meeting to order.

Workman motioned to approve the previous minutes. Eschliman seconded the motion. Motion approved 4-0. Stevens abstained because he was not present at the previous meeting.

Order No. 06-15 Report of Treasurer.

Nuernberger presented the treasurer's report. As of August 24, 2006 the District had investments in various banks totaling \$3,848,574.50. As of August 28, 2006, a balance of \$3,897,603.21 was carried in the District's checking account. As of August 25, 2006, the County Treasurer's balance for the District was \$271,502.92.

Stevens motioned to approve the treasurer's report. Workman seconded the motion. Motion approved 5-0.

Order No. 06-16 Approve 2006/2007 Budget.

Figard stated that there were no changes on the budget. The County Board approved a net revenue for the District after dispersements to the County of \$4,350,000 that fits with the revenue that the RTSD needs to move ahead with the budget.

Marvin asked if the outyear projections assume the 0.026 levy.

Figard replied that 0.026 is used for planning purposes only.

Workman motioned to approve the 2006/2007 budget. Stevens seconded the motion. Motion approved 5-0.

Order No. 06-17 44th & Cornhusker.

Workman stated that this is an emergency situation because the railroad has had a change in policy in

blowing their horns.

Figard stated that there will be a meeting next Monday with the Railroad, NDOR, consulting firm, and City staff to evaluate the entire corridor along Cornhusker Highway from 33rd to 70th for consideration of quiet zones. The Railroad gave a verbal response as it relates to not blowing the whistles during a temporary closure. The Railroad indicated that until a crossing is permanently closed, they will not stop blowing the horns which means the quiet zone study needs to push ahead as fast as possible. There is some development activity going on along the old abandoned rock island right-of-way that stretches from 40th - 44th and 44th - 48th. Some private individuals did buy that property and have proposed some pad sites and some small business sites. If 44th Street closes that would significantly affect access onto 44th Street. An appraisal was done on that property and will be forwarded onto the Board Members.

Marvin stated that he got a call from someone who is trying to appraise that property and found it difficult to figure out what it is worth if the crossing closed.

Stevens stated that fixing 44th Street doesn't solve Adams and 33rd.

Figard replied that the whole corridor will be addressed.

Stevens asked about alternative routes if 44th Street closed.

Figard replied that 27th and 48th would be alternative routes. 44th Street had shown up in a long range plan as one that had the possibility, from a transportation standpoint, to be closed but never advocated closing 33rd, 35th and Adams or 70th. 33rd and 35th and Adams can wait for Antelope Valley Phase II. 70th and 84th is part of a longer range study.

Stevens asked if 33rd Street could be an underpass or an overpass.

Figard replied that 33rd Street is envisioned as an underpass as part of Antelope Valley Phase II. It could be accomplished without the rest of Antelope Valley moving ahead and deserves some consideration a little earlier in the program.

Workman stated that he had not heard any support from the City Council in closing 44th permanently. The concerns of the businesses out there is that if the crossing is closed permanently, their deliveries will come thru that neighborhood. Purchasing the piece of ground that runs parallel with the railroad tracks would not benefit the RTSD.

Figard said that the property will be looked at as part of the quiet zone study.

Figard attended a meeting with Senator Schimek, the Railroad and the South Salt Creek neighborhood where decibel levels of the horns were discussed. Roger addressed the petition going around and that he has nothing to do with the petition, neither as the Director of the RTSD or as the City Engineer, and would wait on the direction from administration, City Council and the County Board.

Schorr asked if there is any legal recourse to ask for a temporary injunction for barricades.

Kuester replied that it would be a very expensive proposition and doesn't think a temporary injunction would be possible in Lancaster County.

Figard added that the Railroads will say their jurisdiction lies in Washington with the Interstate Commerce Commission. It would take months and months to get thru the paperwork.

Marvin stated that he thinks the right path is to do a quiet zone study with as much deliberate speed as possible.

Workman agreed with Marvin and asked what the time frame is on the study.

Figard replied that his goal is to have a better report at the next board meeting. If something substantial happens before that, ongoing communication will take place with the Board. As the number of trains increase and the noise continues to be an issue, it will add validity to the Comp Plan that talks about grade separating arterial streets from the major tracks in the community.

Stevens asked if it is feasible to look at an access road south of the railroad tracks from 40th - 48th.

Figard replied that he will ask his engineers to talk about a circulation road, what it would do and how much it would cost.

Workman stated that if this study comes forth and the Board could act sooner than December 11th on the quiet zone, he would recommend doing so.

Figard stated that the Board could have a special meeting or could communicate other ways to get some direction on how to move ahead. The cost of the hard fixtures are relatively expensive. He will call the consultant and continue to push them ahead.

Schorr added that the Board would be willing to call an emergency meeting if information arises before December 11th.

Order No. 06-18 Non-Agenda Items.

Stevens asked about the discussions with the railroad about wanting a longer bridge for Southwest 40th.

Figard replied that discussions on Southwest 40th will be part of the meeting next Monday with the railroad. A letter was sent to the railroad saying that the RTSD operated in good faith and had a general agreement on a bridge of a certain length and if the railroad wanted something more, they needed to be prepared to pay additional money. Figard has been told that the railroad has some alternatives and they think that the RTSD will be pleased with those alternatives.

Stevens stated that the RTSD has approved money in this year's budget for Southwest 40th and asked if there is an agreement with the railroad itself.

Figard replied that the agreement with the railroad is with the City and he will get the Board a copy of that agreement.

Stevens asked if the project is on track and if the agreement with the railroad had a stipulation in it that if the project takes longer than expected, the road can be opened back up with signalization.

Figard replied that the agreement does not have a condition in it to open it back up. If the agreement can be worked out, there should be no problem with meeting the time frame schedule.

Stevens asked about the time frame for closing Harris Overpass.

Figard replied that Harris Overpass will be a total closure. Late this winter or early spring, the project will be bid. This will allow the contractor to order, fabricate and get bridge materials. In the fall of 2007, the bridge closes for the goal of being done in one year.

Stevens asked if there were any plans to shorten the span.

Figard replied that it will still touch down where it does now. Future flexibility must be allowed for whatever the City might want to do with the streets that go underneath the overpass along with the convention center, arena, etc.

Marvin asked about how traffic would be interrupted if the access across Holdrege into Devaney was eliminated.

Figard replied that discussions are continuing with the project manager for Antelope Valley as to what exactly happens with 17th Street when the Big T is done. Figard's goal would be to close 17th Street to vehicular and pedestrian traffic as soon as it possible. As soon as the Big T is done, 14th Street closes. It is currently closed to vehicular traffic but is still open to pedestrian traffic because there is no pedestrian component on the south side of the Big T to get from Devaney across the channel into the University. As soon as that is done, 14th Street will be closed.

Schorr suggested to put that on the agenda for the next meeting as well as provide some aerials for those who aren't quite as visual.

Figard stated that the south leg may already be opened by the next board meeting. Bill Kuester, legal representation for the RTSD, has informed the RTSD that LB161 that was passed in the legislature during the last session, was amended. In Section 12 it now states that the RTSD has bonding authority. Copies of that amended bill will be forwarded to the board members.

Schorr reminded everyone that the next board meeting is on Monday, December 11, 2006 @ 8:30 a.m. barring any emergency meetings that may take place before that.

Figard added that while the budget has been approved, before the RTSD can disperse money to the City or County for projects, an interlocal agreement must be approved by the Board. The goal is bring some interlocal agreements forward at the December meeting to transfer budgeted money from the RTSD budget to City and County projects.

Schorr adjourned the meeting.

Prepared by: _____
Tina Queen, Engineering Services