



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting
March 13, 2007

Meeting Began At: 8:33 A.M.

Meeting Ended At: 9:20 A.M.

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

Members Absent: Ken Svoboda

Others Present: Roger Figard, Bill Kuester, Alicea McCluskey, Randy Hoskins, Fran Mejer, Dick Nuernberger, Tina Queen, Harlan Layton, Danny Walker, Gary Irvin, Joan Olgren

Order No. 07-03 Call to Order. Approval of Previous Minutes.

Stevens motioned to approve the minutes. Workman seconded the motion. Motion approved 5-0.

Order No. 07-04 Report of Treasurer.

Nuernberger presented the treasurer's report. As of February 26, 2007 the District had investments in various banks totaling \$4,402,213.75. As of February 26, 2007, a balance of \$3,801,410.94 was carried in the District's checking account. As of February 28, 2007, the County Treasurer's balance for the District was \$232,393.45.

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

Order No. 07-05 Draft 2007 - 2008 Budget & CIP.

Figard stated that the current budget had \$1.3 million for Antelope Valley and \$1.05 million for Harris Overpass. Neither of those two checks have cleared yet. Figard gave an overview of the draft budget and CIP. Key points were:

- \$250,000 for City crossings - same as last year
- \$50,000 for County improvements - same as last year
- Antelope Valley - \$500,000 for next year
- South Salt Creek/3rd & A will drop off next year
- Harris Overpass - \$4 million for next year
- South 68th Street/Hickman Overpass - County requested \$35,000 for next year's budget
- Southwest 40th Street - will not transfer money from the District to the City unless contract is ready, rebudget \$5 million for next year, possibility of getting a bill for

- \$200,000 - \$300,000 this fiscal year
- 899906 Quiet Zone BNSF 33rd and 70th -\$300,000 budgeted next year includes budget approval of \$259,000 and City staff time
- Emergency and Safety - \$700,000 budgeted next fiscal year, two studies coming forward costing \$65,000 and not sure how much will get paid out this fiscal year, trying to provide a reasonable amount of money that could pay for those two studies next year and if a feasible quiet zone project is approved by the Board and is implemented
- 899171 Salt Creek RR Underpass - \$125,000 still hasn't been expended, NRD continues to work on getting a grant
- 899200 - 18th and Holdrege overpass not in great condition and will need some work, several options besides replacement, \$5.5 million is just a cost estimate for the 6 year CIP
- 899201 - 33rd and BNSF crossing - could move ahead even if Phase II of Antelope Valley doesn't
- 899172 - Miscellaneous Engineering increased from \$50,000 to \$100,0000, proposing to have City staff and consultant give a good cost estimate for an underpass at 33rd and BNSF crossing
- recommend to the Board .026 levy
- flow of funds statement based on .026 levy on future years and 3% growth rate

Eschliman asked how Figard defines what comes out of Emergency and Safety or Miscellaneous Engineering.

Figard replied typically miscellaneous engineering describes City staff time providing engineering support for District activity. If a quiet zone or project comes up, money would come out of the Emergency and Safety account.

Order No. 07-05 Quiet Zone Interlocal Agreement with City.

Figard stated this interlocal agreement goes to the City Council and acknowledges to the City Council, the RTSD is willing to financially fund the quiet zone. This Board wants a concurrence from the City that they will implement the project and own, operate, and maintain the infrastructure that gets built.

Stevens motioned to approve the interlocal agreement and authorize the Board Chair and Executive Director to sign the agreement and send on to the City Council. Marvin seconded the motion. Motion approved 5-0.

Order No. 07-07 Non-Agenda Items.

Danny Walker (427 E Street) - "I'm a Board member of the South Salt Creek Organization. This is a newsletter from July of 1996. Go over into page 3 and look at item 6, noise restrictions. Keep in the mind this was put out in 1996. That was ten plus years ago and yet we're all up in the air about noise control at 44th and Cornhusker. What's going on here? Something doesn't really make much sense now. If people think there is more trains at 44th and Cornhusker, I've got another thought for them. There's twice the noise down that South Salt Creek Neighborhood as there is at 44th and Cornhusker and it's very concentrated which it is not at 44th and Cornhusker. Secondly you still have no emergency service availability. Still a very big hazard of trains blocking emergency vehicles.

Nothing has ever been done there and this has been present and on the table for the Railroad Transportation Safety District for years. Still nothing but all of a sudden 44th and Cornhusker carries all the priorities. Well maybe that apartment complex shouldn't be built so close to that highway at 44th and Cornhusker. Anybody ever think of that? Ya know there's a lot of strange stuff here and people wonder why South Salt Creek is up in the air about 90% of the time. This is a very good example. What are you people telling the neighborhood down there? Well we don't care? We'll go along with the mouth piece. Is that what you're saying? We'll go along with the developer. Well there we sit down there. These people out in that area, they think the noise is bad at 44th and Cornhusker, let them come down and sit along 5th Street when the Gooch's runs up and down 5th Street. It could be at 10:00 in the morning and 4:00 in the afternoon, it could be 3:00 a.m. By the new regulations he honks when he leaves Gooch's and he honks all the way through until he gets to those yards. That's bad. That's noise. It's not this little turmoil that they encounter out on 44th and Cornhusker. Next item, when those crossings were closed in the South Bottom, the money from those crossing closures was supposed to go over to the D Street crossing to make noise improvements.

Where did all that money go when they closed all those crossings? I think that item and the next item I think I'll request in writing cause I want to know where that money went. In addition, there was \$3500 - \$4000 set aside for a Kawasaki mule. Where's the money or where's the Kawasaki mule? I want to know where it's at. I don't know if the Fire Department ate it up or their little rat trail that they put down off that bypass. I don't know if that's where that money went but I want to know where that \$3500 - \$4000 is at. Like I say, this is a very good example of how that neighborhood is treated and it's wrong. They come off some brain storm idea well we're gonna run the school kids down along Salt Creek to get back and forth to school. How smart can you get or should I say, how stupid can you get. That is one of the most hair brained ideas I've ever heard of in my life. Any questions?"

Schorr reminded everyone that South Salt Creek is being studied currently for a quiet zone.

Harlan Layton (740 Skyway Road) - "You all have my comments on the south quiet zone. At 1st and J where I am suggesting maybe getting a roadway off of westbound Capitol Parkway down to 1st, what I'm talking about is you can get off and also get on. You can go up there westbound, stop, and make a right turn and go west just like any intersection in the City. And the same way on the south side of Capitol Parkway down to Southwest 2nd. If you put down the road put something in like this that is workable, you could close 1st and J and to do away with the little underpass there that you go through and wade in mud, you could put a stairway in over the tracks just like in this building and they've got them in Omaha except they are ramps, they're not steps. You can go up a ramp at an incline and it builds up and then go across and come down. They've got them in Omaha where some roadways and around the interstates. And if can't do nothing else, then you should do that right turn off of Capitol Parkway on the north side to get down to 1st Street for the emergency vehicles, fire and rescue and police so they can get down there if it's possible. I think it is. We've only got a raise from 1st Street up whatever the overpass is and you don't have to go around these things 40 - 50 mph to get in and out of there and I mean the emergency vehicles or the private people even. I think it's possible to do that. That's my comments."

Schorr assured the information passed out to the Board from Mr. Layton would be part of public record and would be forwarded on to the consultants and the NRD.

Gary Irvin (President of South Salt Creek) - "Just a couple comments about what has been said. We have been shall we say neglected a little bit. Thinking back as to what has transpired and what has

happened, when they put the bypasses in there, the K & L bypasses, we asked at that time if there can't be a way of getting into our neighborhood off of that. We were told no. When the second track was put through there, we were guaranteed and as that letter he just showed you has, it said that we were going to put barriers and stuff along those two tracks to keep the noise down and vegetation and that type of thing. They planted about five or six trees and proceeded to let them die. They are no longer there. There is just so many things that if you're going to get people in and out of that area where you put the bypass over A Street, when they started putting that in there on Southwest 1st where that intersection is right at the bottom of the overpass, that is such a dangerous intersection right now because nobody wanted to put in stop lights at that intersection. People are having a hard time getting in and out of that place because there is no stop light. If you close any of these intersections or any of these crossings, that's going to make that much more dangerous. I think we need to be looking at what the impacts are later on as to what is done now. I don't think anybody is following through on some of this stuff. I think we need to backtrack a little and look back. No place in the City is there more tracks in a neighborhood and more people next to, and I'm not saying 300 - 400 feet, I'm saying right next to tracks in the town. Just drive and look. There is no place in town where there is more people right beside the track. I just don't think we've, shall we say, addressed the issue as fast and as much as we should have."

Figard addressed two specific questions Mr. Walker asked. The final horn rule didn't come out until 2006. It took Congress ten years to do it. There wouldn't have been a quiet zone project or a way of installing a quiet zone in that area prior to 2006. There could have been some other things worked on. Crossing money for the crossing closures of B, C, E, and F went to pay for other parts of the 3rd and A Street viaduct. A number of roads were built in and around that neighborhood to facilitate access as part of 3rd and A. There was conversation about using a small four-wheeler to provide emergency access through the 1st and J Street tunnel. The Fire Department needed to determine what they could do safely. In the end, the Fire Department said they were not comfortable in using that type of vehicle. There was no RTSD money expended or set aside or given to anyone else for a Kawasaki mule. Any money that might have been there, just went back into the RTSD budget. Emergency access does remain a concern in that area. There are no good solutions. Solutions are high dollar costs but will continue to look at alternatives. Sound barriers and birms were talked about but it was determined that it would not be effective. A quiet zone study will be done for South Salt Creek to see what opportunities there are to quiet the horns. There is a South Salt Creek neighborhood meeting this evening. Figard and several staff members have been invited and plan on attending to discuss the quiet zone study as well as the paving of 4th Street.

Schorr asked who is responsible to replace the dead trees in this neighborhood.

Figard replied that Parks and Recreation is responsible.

Marvin stated that noise studies have been done off freeways and that trees do not create sound barriers.

Workman asked for confirmation on when the final horn rule went into effect.

Figard replied that it was 2006. Directional horns could have been installed in this particular instance, but did not get done.

Stevens stated that we could have done this 20 years ago if we would have thought about it and had the technology to do it. The railroad changed their regulations increasing the amount of noise at crossings. What had been a problem became a significant problem due to the duration of the horns sounding through all these crossings.

Figard stated the railroads do support the final horn rule as written. The Federal Rail Authority and the railroads probably wouldn't have signed off to quiet these areas before the final horn rule was in place.

Marvin asked if Figard could look past the six year window to see what kind of projects are looming. If there aren't a lot of projects in those years, the mill rate could be lowered.

Figard will put together a draft 12 year CIP for the next board meeting.

Joan Ogren (9811 South 64th Street) - "This is not my norm to be addressing boards so please be patient with me. My norm is in the gardens as you can tell. I see you have gotten out as far as Yankee Hill Road. I wonder if you have any thoughts of all addressing the Saltillo crossing out there.

We're on South 64th and almost 3-1/2 - 4 miles away. Last night it was 11:00, 1:15, 5:15, 6:15, 7:11. The night before it was just awful. Those guys driving those trains they are just laying on them things. It's just driving me nuts. My concerns for the people along Wilderness Ridge are quite something else again. They knew when they built those houses there that they were having the train running in their back yard. We're out on 64th and I never thought that the trains would be has bad as it is. I guess I don't understand why 3-1/2 miles away I have to be woke up in the middle of the night by trains blasting. I realize on Rokeby Road we've got that corridor. You mentioned the trees there.

Thank you for doing that Dan. Two years ago Rokeby came through and they took down all the trees. I do think there was a little bit of a barrier there. I just hope that someday you address Saltillo. Thank you."

Schorr asked Figard if that intersection could be quieted as well.

Figard replied that there isn't a reason why the quiet zone couldn't continue on to Saltillo. It is a mile down from the existing quiet zone study area. The current quiet zone study stops where the residential areas end. If the Board wants the quiet zone study to go out to Saltillo, that could be added. The initial study will take about five months.

Schorr stated that the quiet zone study will go to Yankee Hill Road for now. Once the Board sees the cost estimate of the current study, the Board can then address Saltillo.

Figard stated that the quiet zone "studies" are preliminary engineering to determine whether a project can be done and how much it will cost.

Workman and Marvin would like the term "study" to be eliminated and/or re-worded.

The next board meeting will be held on Monday, June 11 @ 8:30 a.m.

Stevens motioned to adjourn the meeting. Workman seconded the motion. Motion approved 5-0. Meeting adjourned.

Prepared by: _____
Tina Queen, Engineering Services