



RAILROAD TRANSPORTATION SAFETY DISTRICT

Board Meeting

Monday, December 7, 2015

Meeting Began At 11:00 a.m.

Meeting Ended At: 11:58 a.m.

Members Present: Deb Schorr, Lerion Gaylor Baird , Roy Christensen, Bill Avery, Cyndi Lamm

Members Absent: Larry Hudkins

Others Present: Roger Figard, Amy Cornelius-Jones, Janelle Carnahan, Liz Thanel, Bill Kutilek, Tony Jerina, Justin Petersen, Rick Haden, Susie Filipi, Randy Hoskins, Kris Humphrey, Mark Lutjeharms, Pam Dingman, Candace Meredith

Order No. 15-29 Call Meeting to Order. Approval of Previous Minutes.

Christensen moved to approve the previous minutes. Avery seconded the motion. Motion approved 4-0. One (1) abstained.

Order No. 15-30 Statement of Financial Activity.

Thanel presented the statement of Financial Activity. She explained how the cash flow would work and how the cash is being bundled in money markets and CD's. Comparing this information from a year ago, we were making less than .3% on interest and now are making .475% on the interest rate which is up by 60%. Avery asked if the RTSD is barred by statute by how they invest the money. Thanel stated there are limitations/restrictions in the State law for investing by the County Treasurer but she would let the County Treasurer answer that question as she would be more knowledgeable in that area. Schorr asked Thanel about her comment "don't panic" regarding the ending cash balance of \$1,850.00. Thanel explained that Treasurer's staff can quickly move funds from money markets into cash balances via the internet as invoices are being paid and at the end of each month, there are significant tax deposits made.

Gaylor Baird moved to approve the Statement of Financial Activity.

Christensen seconded the motion. Motion approved 5-0.

Order No. 15-31 Current Budget Status, Project Updates, Committee Updates.

Figard highlighted the following items:

Fiscal Year Budget and Expenditure Report, expended approximately 20% of the operating budget. The majority was spent on accounting and the audit for the year which was about \$10,500.00. Approximately \$3,000.00 were spent in Legal Services.

Construction Projects-

Southwest 40th- Nearing completion of this project, the roadway should be open before Christmas. Debating if there should be a ribbon cutting ceremony at the bridge.

33rd & Cornhusker- Kris Humphrey, Project Manager, stated that the Study Team had prepared for a public meeting that was held in early November. There were about 150 people in attendance, 40 comment sheets were completed and mostly positive comments were received and understood the need for the project. Next steps are to enter the Alternative Analysis Study Phase identifying alternatives/criteria. This information will be taken to the public in a meeting scheduled in March 2016. Humphrey explained you can get updates and materials on the projects on the front page of the City of Lincoln's website, under the RTSD.

Hickman Quiet Zone- Rick Haden, As of Tuesday, November 24, 2015, the Hickman Quiet Zone has been in effect. The City is very happy that the Locomotive Engineers seem to be complying very well with the Quiet Zones. Additional invoices coming in from BNSF and will continue over the next couple months. Pavers submitted first invoice in the amount of \$250,000.00, their work is complete except for some seeding that will take place in the spring. Schorr inquired on outstanding invoices and Haden replied there are approximately \$250,000.00 in outstanding invoices between Pavers and BNSF.

SW Lincoln Feasibility Quiet Zone Project- Diagnostic Study & Field Review meeting was last week, these members are compiled of representatives from the Railroad, Federal Rail Administration, County, City, County Engineer, Olsson Associates, NDOR, the NRD and Parks Dept. A field visit was done to all 8 of the crossings and gathered information. Consultant, Olsson Associates, will analyze data and provide feasibility and possible solutions for a Quiet Zone in that area. This will be the largest Quiet Zone requested as of date.

Committee Updates-

Figard mentioned he will be going to Washington, D.C. in January for the NCUTCD meeting.

Order No. 15-32 Updated /Revised 2016 Meeting Dates

Schorr mentioned the RTSD 2016 Meeting Dates have been scheduled and they all will be starting at 11:00 a.m. while still alternating between Monday and Tuesday for the convenience of the Board Members. Schorr stated that Agenda #5 and #6 will be switched around so next item to be discussed will be #6, County Crossing Update.

Order No. 15-34 County Crossing Update

1. Figard stated he received an email from the County Engineer regarding a number of crossings. He and Pam Dingman did do a field visit inspecting each of those crossings. Dingman reviewed the specific crossings with the Board and the repairs needing done at each location. The locations are at W Wittstruck Rd between SW 128th and SW142nd, W Denton Rd, Roca, Raymond Rd & NW48th St, 70th St N of Yankee Hill Rd. There are others but Dingman feels these locations are her top 5 priorities. Schorr mentioned she noticed there is a \$50,000.00 allocation in the budget for County Improvements and inquired if that amount would be sufficient to complete all the projects. Figard stated it probably would not be enough but there is money for the City Crossings that could be transferred to cover the County costs. The projects would also cross budget fiscal years so all the costs would not have to come out of one Budget. Christensen asked Dingman if her top 5 were in any order for repairs or were prioritized. Dingman responded that the Wittstruck Rd location was definitely the most critical but also the most expensive and would take the most time. She recommended starting them all at the same time. Gaylord Baird asked Dingman if there

has been any public safety incidences in these areas. Dingman did not know of any. Gaylord Baird also commented that she would like to have all the information on all the projects compiled so it would be easier to compare and review. Schorr stated that the topic will be listed on the agenda for next meeting to discuss in further detail costs.

Order No. 15-33 Denton Quiet Zone

Figard stated that Justin Petersen, Olsson Associates, was going to give an update and overview on the Denton Quiet Zone. A project feasibility report was handed out to all Board Members on the analysis and work done. Petersen discussed the 5 locations that were in the study. They were W Old Cheney, W Denton Rd, W Yankee Hill Rd, SW 98th St and a private crossing in the SE part of Lincoln. Petersen stated that Old Cheney and Yankee Hill Rd would not be feasible and ruled them out as they are too far outside of the Village limits of Denton. The preferred alternative for the Denton Rd and SW 98th St crossings were to put in a 4 quadrant gate. The private crossing will continue to be observed and coordinate with the Parks & Rec. The preferred alternative for this crossing is to close the road. The total cost for the Denton Quiet Zone project would be approximately \$1.8 million dollars. Petersen stated that the Consultant's recommendation is to not move forward at this time with the Denton Quiet Zone. Figard stated that he concurs with the consultant's recommendation to not move forward with the project. Lamm asked what the cost would be to improve the W Denton Rd crossing and to close the private road crossing. Figard stated it would cost \$15,000.00 to close the road and \$30,000.00 - 40,000.00 to update the W Denton Rd crossing.

Christensen moved to accept the recommendation of the Quiet Zone Study Report for Denton.

Lamm seconded the motion. Motion approved 5-0.

Order No. 15-35 West Gate CDARS Agreement

Bill Kutilek, Crosby-Guenzel Law Firm, is asking the Board to approve an Addendum to the Deposit Placement Agreement known as the CDARS Agreement with West Gate Bank. Avery inquired if there were any restrictions on the RTSD on investments/Public Endowment money. Kutilek responded that the State Statute basically restricts the types of investments that we can place the RTSD funds in, they must be in a conservative nature, U.S. insured obligations and things of that nature to protect against risky types of investments. Candace Meredith, County Treasurer office, agreed with Kutilek and also commented that we have to go under the 102% collateralization as well which is a State Statute. We are also looking at options under the State Investment Policy which they are considering banks with A1 ratings.

Christensen moved to approve the West Gate CDARS Agreement.

Avery seconded the motion. Motion approved 5-0.

Order No. 15-36 Non-Agenda Items/Public Comments.

Audit Report- Figard reported that the audit report has been finalized. Gaylor Baird asked if the significant deficiency mentioned in the audit is a new finding or is it commonly used in an audit? Figard states that it is not uncommon and seems to always appear. Lamm inquires if the recommendations on the corrective action plan are being rejected? Figard stated no, that he is saying we have steps in place by management and that we have adequate protection in place.

Insurance- Figard reported that Union Insurance provides the General Commercial Liability coverage for the RTSD. Added non-owned and hired insurance for an additional \$98.00 to protect the RTSD while

driving their own personal vehicles to an RTSD meeting or event. Figard stated we are also checking into Public Officials and Crime Coverage. The money is managed in the County Treasurers Office.

Figard also wanted to mention since the Board recommended and requested a .02 levy, the budget that was advertised in the Journal Star from the September Board meeting was incorrect. The levy was actually set at 1.6 which changed the budget numbers. The State Auditor's office advised we are required to re-advertise a Notice of Revision to the Budget in the paper providing the revised information.

No public comment was made at the meeting.

The next Board meeting will be held on Tuesday, March 1, 2016 @ 11:00 am. Christensen moved to adjourn the meeting. Avery seconded the motion. Motion approved 5-0.

Prepared by: Janelle Carnahan, Engineering Services

Minutes 12-7-15