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Transportation and Telecommunications Committee  
September 30, 2014

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[LR528]

The Committee on Transportation and Telecommunications met at 1:30 p.m. on Tuesday, September 30, 2014, in Nielsen Community Center, West Point, Nebraska, for the purpose of conducting a public hearing on LR528. Senators present: Annette Dubas, Chairperson; Jim Smith, Vice Chairperson; and Lydia Brasch. Senators absent: Galen Hadley; Charlie Janssen; Beau McCoy; John Murante; and Dan Watermeier.

SENATOR DUBAS: Good morning. I think we're going to go ahead and get ourselves started. I believe there might be coffee and water out in the hallway. So if you want to help yourself and then come in and find a seat and we'll go ahead and get the hearing started. We have another senator who is on his way to join us, Senator Jim Smith, and he's caught in some construction I understand. So he'll be a little bit late but we'll go ahead and kind of get some of the housekeeping items out of the way and then hopefully he will join us shortly. My name is Senator Annette Dubas. I am the Chair of the Transportation and Telecommunications Committee. I represent Legislative District 34, which is Fullerton, Grand Island, Central City, that area. I'll introduce my colleague here in just a little bit. We are here today for an interim hearing on Legislative Resolution 528. And that is to look at the financing and maintenance and replacement of county bridges. Joining us here today is my fellow colleague and committee member, Senator Lydia Brasch, and we are happy to be in her district today and thank her for hosting us as well. To my far left is Anne Hajek, she is the committee clerk. It's her job to keep an accurate record of all of these hearings and transcribing and for future use. And then at the far end of the table is Anna Eickholt, she is my research analyst, so. And as I said, Senator Jim Smith from Papillion will be joining us shortly. Back on the table at the back of the room there are pink sheets. If you plan on coming up to testify, please fill that sheet out and then bring it with you when you come forward and hand it to Anna or Anne. Again, that's just to kind of help us with our recordkeeping and should there be any questions about your testimony or anything like that, we know who you are and where we can find you. There is also a white sheet. That's just a sign-in sheet

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Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

saying that you were here and it just helps us with recordkeeping as well. When you do come forward, I would ask that you state and then spell your name. And again, that's just to help with the transcribing. Even if you have a real simple name, it's just to make sure that the record is very clear. I would ask that you shut off or silence your cell phones because it does interfere with our recording device. Interim hearings are a little bit different than our typical legislative hearings during the session. Interim hearings are more fact finding. We aren't talking about any specific piece of legislation. It's just a committee or a senator or the Legislature's opportunity to gather information about a particular topic. As I said, this morning our topic that we'll be asking questions about deals with bridges and how do we ensure that counties can continue to provide that type of infrastructure. So again, it's just very informal. We don't have you come up in a pro position or a con position. You just come forward, state and spell your name, and then share whatever information it is that you would like with the committee. Once you're done with your testimony, then the committee has the opportunity to ask questions. I promise you it's not an interrogation. It's just our chance to kind of follow up on maybe some of the things that you just said or just ask some additional questions to gather information. So please just feel relaxed when you come forward. As a committee and particularly as the Chair, we appreciate you taking the time out of your busy day to come forward and share your information with us. It's very valuable, we use it, and we rely on it, so we thank you for coming forward. So please don't be nervous or anything like that; we really appreciate you coming. And Senator Jim Smith has just entered the room. He'll be joining us here. [LR528]

SENATOR SMITH: My apologies for getting here late. [LR528]

SENATOR DUBAS: No problem. We were just getting the housekeeping things taken care of. So with that, I think...have I covered everything I needed to cover, Anne? All right, I think we are ready for the first person who would like to come forward and share information with us. The first one is always the hardest. Would anyone like to come forward? [LR528]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

SENATOR BRASCH: You don't want us to adjourn this meeting. [LR528]

SENATOR DUBAS: We sure can. I know we have some county officials in the room. Who wants to be first? Come on up. Thank you. [LR528]

GIL WIGINGTON: Hi. [LR528]

SENATOR DUBAS: Good morning. [LR528]

GIL WIGINGTON: Good morning. My name is Gil Wigington, I'm Colfax County Commissioner for District 2. [LR528]

SENATOR DUBAS: Would you spell that for us, please? [LR528]

GIL WIGINGTON: It's G-i-l, last name, W-i-g-i-n-g-t-o-n, and again from Colfax County, District 2. [LR528]

SENATOR DUBAS: Thank you. Welcome. [LR528]

GIL WIGINGTON: Thank you. It's my understanding you guys are basically looking at some of the information from our bridges. From Colfax County's standpoint, we've been pretty proactive about getting our bridges. We also self-levy a lot of that and rely on ourselves for that funding. And we've been working...several years ago we started in on the smaller and started moving towards medium-size bridges and larger bridges. We're now getting to that point that we are in the medium to larger size. So from our county aspect and the mill levy, we've done a very good job of being able to keep the roads moving forward and accommodating some of the larger equipment. Every day we see larger and larger equipment coming through these roads and we also see more of them coming through. You know, it used to be years ago you had a semi, you were

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

something special in the neighborhood. Now everybody's got a semi. Now we load them instead of 80,000 pounds, we've got pretty comfortable with 100,000, 110,000, maybe even a little bit more when we shouldn't necessarily. So as that goes forward, we feel that these larger bridges are becoming more and more pertinent because the smaller ones we used to do between around 15 to maybe around 20, 25 culverts, smaller bridge projects. And so now that we've started to see that, it's going to start taking a bigger toll on some of our mill levy too, if we're not careful. My projection is that we're going to start seeing some of the valuations go down in the next few years. So if we start to see the expenses go up because the bridges are larger, we're going to have to accommodate that some way. I guess from my opinion, that if we're going to find a way to distribute funds to the counties to help with the bridges, we really need to make it in a share manner so that the counties that have been proactive and the counties that have been levying their own infrastructure are ones that are being considered maybe over other counties that aren't necessarily doing anything. It's very easy as a county commissioner to say, you know what? We're going to lower the mill levy and do absolutely nothing with our infrastructure. And quite honestly, there's a lot of counties out there that do it that way. And it looks good for a few years, but eventually it's going to catch up to them. We have taken that approach that we need the things fixed. But yet on the same note, we've managed to lower our mill levy. We lowered it 2 cents last year. This year we lowered it another about a penny and about a fifth so we're sitting down at around that 35.6 cents. And so we've been able to do both. And I think counties that are able to do that should be rewarded in some fashion rather than it just being doled out to those that have not been proactive. The other thing I would caution a little bit in my own personal opinion is I would like to see a regulatory body that is not NDOR. Typically what we're seeing out of NDOR is we start to lose through administrative fees and other regulations, we start to see our money dissipate. We've seen it in the bridge funds that we've got now and I'd hate to see that be replaced again and we'd start to see more administration start to take its toll on our county budgets. Because quite honestly if we were given the full amount, then we could all lower our mill levies properly or to a little bit more extent than we are and still keep our infrastructure going, so. [LR528]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

SENATOR DUBAS: Thank you. Are there questions? Senator Smith. [LR528]

SENATOR SMITH: Mr. Wigington, can you speak a little bit more to those administrative fees that are being levied on you by NDOR? [LR528]

GIL WIGINGTON: One of the portions of it right now are as they've taken away some of the federal bridge funds and wanting to do more designing in-house in NDOR and not allowing us to have the ability to go out and find our private engineers. That to me is padding some of their administrative side of the world because quite honestly we think we can do it cheaper with our own engineers than the state can. And to me, it's kind of justifying some employees right now. [LR528]

SENATOR SMITH: Okay. And then we had heard maybe from some other county commissioners in a previous meeting about the impact of unfunded mandates on your ability to cover some of the costs for the maintenance. Is that the case in your county as well? [LR528]

GIL WIGINGTON: I wouldn't say it's as big of an impact, but there's something to be concerned about. So I can't speak real highly on it, so. [LR528]

SENATOR SMITH: Okay. All right. Thank you. [LR528]

SENATOR DUBAS: Any other questions? I would have a couple for you... [LR528]

GIL WIGINGTON: One thing I will add. [LR528]

SENATOR DUBAS: Sure. [LR528]

GIL WIGINGTON: I'm sorry. When it comes to the switching of the dollars from, say,

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

probation that we have to absorb from the county when we have to see an increase of some of those mandates that are being pushed down on the county, it certainly doesn't help us. I'll use our example of probation because I know the dollars right off the top of my head. We increased another \$3,500 this year, we'll increase another \$3,500 next year. Just talked to Shane Stutzman yesterday. Those types of things all are going to start impacting us too. It doesn't sound like a lot of dollars right off the bat. But on the same note, it's an increase of about 150 percent in the last two and a half years. When you start seeing those kind of things, it becomes about...we're not seeing it just in one spot, it's on everything. [LR528]

SENATOR DUBAS: It sounds like you said you've been very proactive, you've been working the...you've got a plan in place working on your bridges. But we have heard from other counties who are either at their levy limit, they're at their spending limit. And for those counties, they don't have a lot of options. Is that a problem for your county? [LR528]

GIL WIGINGTON: No. [LR528]

SENATOR DUBAS: Would you see that being something that we should look at legislatively to make some adjustments to those caps that are in place? [LR528]

GIL WIGINGTON: Well, quite honestly when I came into office four years ago, we were...financially it was a struggle. We had dollars that were short in the general fund but yet we had snow emergencies and we had to try to shift some money back and forth to make that work. Because of the proper way of budgeting and looking forward two, three, four years out instead of going on a year-to-year only outlook on things, we've managed to bring our cash reserves up. We're just shy of our three-month reserves in our starting balances. We've managed to not pull out of our inheritance funds. We used to make a tradition of having to pull those half million dollars or so out of the inheritance fund each year too. Bearing in mind, that inheritance fund is for emergencies. It's not for

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

day-to-day use or it was not designed to be that way. But we've had to, because of some of the way that it's been strategically planned, it's been forcing counties to do it. So I think if there was maybe a little different approach on some of those that are bumping them...and quite honestly, it boils back to your assessor too. Are they being very active and making sure they're staying up with the market trends? I know we've seen counties in the past that have had that problem. They're hitting their cap, but that's because their valuations didn't move for years. And now all of a sudden you hear things like, oh, our counties have gone up 60 percent, 70 percent, but that was because they didn't have them adjusted properly. So as long as the realm of all the elected officials are doing their job properly in that tax system, then I don't think it should be that big of a problem. So do I think legislatively there should be something? No, I don't think so.

[LR528]

SENATOR DUBAS: Do you have any bridges in your county that you ever had to close?

[LR528]

GIL WIGINGTON: Yes. We've got quite a few bridges. We've got one that is getting some abutments redone on it; going to be right around the neighborhood of about \$45,000. To replace that bridge, we're looking at probably three-quarters of a million dollars. And the bridge quite honestly is an old arch bridge so it does need to be replaced because they simply cannot get wider equipment through that. And that's some of the challenge as I said. The size of the equipment has gotten to be so wide, so big that necessarily, just because structurally it can impact that weight doesn't necessarily mean it's good for through traffic. And so we've got quite a few that we have had to close. We are selective on trying to put the priorities on the ones that are higher traveled, doing road counts, traffic counts and those types of things to make sure. We also strategically use...in our area we've got the main "throughs" for highways are Highway 15 and Highway 30. So we try to work a few miles off of that area instead of directly on it. We've also got Maple Creek and Shell Creek running through our county which are big creeks. So we've got a lot of big bridges too. And we're doing a good job

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

on keeping those moving forward but still have to be very selective on those big...and each one you can probably guess are going to be around that half million to three-quarter million dollar bridge. And we've got obviously I would guesstimate around 40 of those large bridges. [LR528]

SENATOR DUBAS: With the planning that you do, do you have any intention of permanently closing any bridges or making some changes? No. [LR528]

GIL WIGINGTON: None of us want to permanently close any bridges. It's bad enough when we've got to close a bridge to accommodate for some time gap between budget catchups and stuff like that. But to permanently close a bridge, that's what we're here for is to keep the infrastructure going in our...and it's easy to shut things down and look away from it. But none of us want to deal with that if we live next to it nor do we expect our citizens who are paying taxes to be able to do that either. [LR528]

SENATOR DUBAS: Have you ever tallied up the dollars that are transported across your county roads and bridges with ag products? [LR528]

GIL WIGINGTON: I've never calculated it, no, but I would guess it's in the billions. It doesn't take long by the time you get a semi load that's got a thousand bushel on it of corn or whatever, especially as the higher commodity prices were. We've got a lot of revenue that's generated from excavators and everything else that goes through those areas too. Quite honestly, when the agricultural sector is booming, everything in its area also booms; construction, buildings are being put up. Those are being traveled down those same country roads that have got bridges in them, so. But I've never calculated it. [LR528]

SENATOR DUBAS: If I remember right, isn't your county one of the leading livestock producing counties in the state? [LR528]



Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

GIL WIGINGTON: We've got quite a few cattle up there too. [LR528]

SENATOR DUBAS: That's what I thought. Any other questions? Senator Brasch.  
[LR528]

SENATOR BRASCH: Thank you, Madam Chairman. And thank you, Mr. Wigington. You've brought some very interesting testimony in the sense that I heard the words, not legislative, correct? [LR528]

GIL WIGINGTON: Um-hum. [LR528]

SENATOR BRASCH: And I also heard you say that perhaps more money could go into your and all counties by working independent of the Department of Roads? [LR528]

GIL WIGINGTON: Yeah. I would personally like to see that independent of the Department of Roads. [LR528]

SENATOR BRASCH: Do you have thoughts on how many dollars that would generate or save, how much further your money can go? [LR528]

GIL WIGINGTON: No, I don't have any because obviously I don't look at the state's budgets directly as often as I look at mine. We hear and we see things, but to be able to speak fluently on it and with specific dollar amounts, I probably couldn't. [LR528]

SENATOR BRASCH: So no one has really put a pencil to it to see? [LR528]

GIL WIGINGTON: No. [LR528]

SENATOR BRASCH: But you...and you would propose doing it as contractors as well? Or do you have a... [LR528]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

GIL WIGINGTON: From a bridge inspection point and our engineering, absolutely I think we should be entitled to hire the people that we wish to hire for the prices...I mean, obviously, it's no different than me mandating somebody having to have a contractor for their house. You know, if we're all following the state guidelines for nonfederal aid projects, then I'm not really sure why the state would take it upon themselves to be the guys that design it and engineer it. Good primary example, we had...we've got a federal aid project right now on Road 2 that just four years prior we had done one about 4 miles away. Our private engineer knew that it was going to be basically very tough to find base down in that area. They advised the state on a lot of that portion of it. Beings that it's a federal, they're working in on it. And we ended up I think about 17 days behind because we could not find a base to that bottom. And we ended up having to continue to bring pilings in. From my understanding, there was a better type of piling that could have been used. Those are things that a local contractor or a vendor, as an engineer, will know because of working in our area. Where somebody sitting in an office in Lincoln, Nebraska, may not be familiar with the area, we could have easily saved some dollars on that project. When you waste 17 days on a project and are prewarned on something like that, obviously there was a mistake. And those mistakes I see typically quite frequently in some of those projects. And I think our local contractor would be much better or a private engineering company. So now as far as state Legislature, from the aspect of moving the mill levy up or the caps, no, I don't think that needs to take place. I think...now bearing in mind, inflation has got to accommodate for it some time and eventually that will have to change. But...and quite honestly, if inheritance taxes continued to be pressed upon and threatened to be taken away from the counties, that's going to be another issue that's going to drive some of that and change some of that. It all interlinks with each other when it comes to budgetary issues, so. [LR528]

SENATOR BRASCH: Very good. And when you had mentioned the inheritance tax not being used for bridges at this point, when we had our tax hearings across the state and at the Capitol... [LR528]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

GIL WIGINGTON: For the inheritance tax? [LR528]

SENATOR BRASCH: Well, not just inheritance tax, but tax relief... [LR528]

GIL WIGINGTON: Okay. Oh, sure. [LR528]

SENATOR BRASCH: ...when we assess taxes. We had lines of people out the door wanting to lower taxes. And at the same time, how much on inheritance tax is a cash reserve, as the state has a cash reserve? [LR528]

GIL WIGINGTON: Right. [LR528]

SENATOR BRASCH: Is there a lid or a limit or...to go actively into the bridges? And that's...I'm just wondering on the funding when you want to leave the lids the same, keep taxes the same and hopefully lower because that's what the state has been loud and clear. [LR528]

GIL WIGINGTON: Right. [LR528]

SENATOR BRASCH: So the funding solution I'm hearing is just better money management? [LR528]

GIL WIGINGTON: Yeah. What we did was consciously move into the direction of instead of the use it or lose it concept, we came in with the idea as a board that, hey, ask for what you need. We will not punish you and take away this amount if you don't use it all. And that has completely turned our budgets around; no different than we would do in private business. Budgeting is no different in private as it is government. It's just managed a lot differently in government. And you asked the cap of inheritance on where that should sit. That really should be the eyes of the county. You stop and think

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

about it. As an emergency tool--is what that inheritance fund is--if...like I'll use Colfax County. Let's roughly...I kind of roughly in my head figure we've got about \$60 million worth of assets if you include the roads and the gravel and the bridges and the courthouse and everything else that falls into place. We've got \$3 million sitting in our inheritance fund right now. You're less than 2 percent of your total assets. Does that make sense to cap that in somewhere in that area? Not necessarily, but it doesn't mean we have to fulfill that indefinitely. Kind of the plan that I've got in mind is as we start to see our valuations go down, we should see in about two more years...if statistics continue, we should see about another \$1.6 million go into that so we'll have around just shy of \$5 million in it. We may be able to take some at that point and move it into our general so that in two years we can continue lowering down our mill levy and keep up the projects we are. But there again, it starts to become good money management. Too many times, we think the government should have been running dry on fumes and we just simply can't have that. We've updated our equipment in Colfax County and it has been direct money management in a proper manner necessarily than running it on fumes all the time. [LR528]

SENATOR BRASCH: And cap was not intended to say it's a mandatory limit. But at the state of Nebraska, we have \$700 million at this point in our cash reserve and \$500 million is a good number to help through. And so we're looking at a \$200 million... [LR528]

GIL WIGINGTON: Reduction? [LR528]

SENATOR BRASCH: ...reduction or reallocations or examining where a good limit is. And as a county, it sounds like you've done a great job managing and keeping up with your bridges in a good plan. [LR528]

GIL WIGINGTON: We sure try. We sure try. [LR528]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

SENATOR BRASCH: So thank you for testifying; very interesting. [LR528]

GIL WIGINGTON: You bet. You bet. Thank you. [LR528]

SENATOR BRASCH: I have no other questions. [LR528]

SENATOR DUBAS: Any other questions? Thank you very much for coming forward today. We do appreciate it. [LR528]

GIL WIGINGTON: Do you want these? [LR528]

GIL WIGINGTON: Thank you. Do you want these? Okay. [LR528]

SENATOR DUBAS: Hand it right there. Next testifier. [LR528]

JERRY HEARD: Jerry Heard, Colfax County. [LR528]

SENATOR DUBAS: Jerry, could we have you spell your name, please? [LR528]

JERRY HEARD: H-e-a-r-d is the last name. [LR528]

SENATOR DUBAS: All right. And you said Colfax County? [LR528]

JERRY HEARD: Yep. Been with the county 19 years between on the road crew and now I'm a county commissioner. I've been a county commissioner for 8 years, I was 11 years on the road. When I was on the road crew, since the time we started we have probably done 13 to 14 bridges a year in that time. Unfortunately for Colfax County, we have a lot of bridges. Now we're to the point where we have a lot of big ones to do. We have two roads that we have closed because the bridges are gone; they're not safe. I think I'm a little frustrated with the way things are going because we were told we had to

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

have an RC to oversee our jobs, which we trained the person for that job. Now all of a sudden they're saying, we're going to do the RC work, you don't need one anymore. So we kind of wasted our money training an RC to do this job, which is very frustrating to us as a county. Now also at the same time, we were struggling with the budget for a long time trying to figure out how to make everything work. Now this year, we...our E911 is totally outdated. So we're looking at roughly half a million dollars of expense to get E911 back on track. We tried looking at doing it with other counties as well. We finally arrived at the decision that it is probably \$50,000 or \$60,000 cheaper to do it on our own. So we're trying to be very careful how we're spending our money. And fortunately for us, we were out in Kearney, they had a very good budget workshop that we attended. And that really put us on the right track on how to get our budget back in shape. But at the same time, it's very difficult when we keep getting told that we're going to cut you back a little bit more, but you still have to get your bridges and your roads kept up, you know. We have probably 15 or 20 old arch-back bridges that need to be replaced. You're probably at three quarters of a million for every one of them. We just got one done this year. By doing that one bridge...otherwise we had producers in our county, taxpayers, that were driving six miles to go around to get to another field because they didn't have a bridge they could cross. So I really think we need to do something and we need some help from the state. We can't do it on our own. [LR528]

SENATOR DUBAS: Very good. [LR528]

JERRY HEARD: Or the feds. [LR528]

SENATOR DUBAS: Questions? Do you have any...have you had any issues with school buses? Have you had any problems where you had school buses that couldn't cross bridges? [LR528]

JERRY HEARD: As of yet, no. No. But then if you look at the rural community, how many kids are out there anymore? We don't have the number of kids that we had at one

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

time either, you know. So that's changed quite a bit too. Unfortunately for us, we have Maple Creek going through the county. That costs us a lot of money, big bridges.

[LR528]

SENATOR DUBAS: There has to be a lot of places to cross those creeks, yep. [LR528]

JERRY HEARD: Yes. Yep. A year ago we had one go down with the flood so FEMA come in and helped us put that one back up. [LR528]

SENATOR DUBAS: Is that your only bridge FEMA had anything to do with or did you have others that...? [LR528]

JERRY HEARD: We've had others too. A few years ago...I don't know, Mark Mainelli might be able to tell you. I'm thinking it was on Road N, we had one that the back wall fell and the bridge dropped right down in the creek as well. But that's the only two that I know of as far as I know that FEMA helped us with. Pretty basically otherwise, it's been whatever we can get together to put up. [LR528]

SENATOR DUBAS: I should have asked this question of Mr. Wigington, but I think you can probably answer it as well. He talked a lot about being able to use local contractors. Are there enough people in the business...bridge construction business in the area that you can use or are you having... [LR528]

JERRY HEARD: Unfortunately for us right now, I think other people could vouch for that--Mark Mainelli could--we have one contractor probably coming out of Norfolk. But most of our big bridge work is people coming in out of Iowa. We don't have very many right here in Nebraska right now. Am I wrong on that, Mark? [LR528]

MARK MAINELLI: No, you're right. [LR528]

Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

---

JERRY HEARD: Okay. [LR528]

SENATOR DUBAS: How about for the small or medium-size bridges? Are those things that you, your local road crew people can do? [LR528]

JERRY HEARD: A lot of our small bridges we take out and put culverts in ourselves. We do that with our own crew. And then we have M.E. Collins, he has done quite a few box culverts for us where we've pulled bridges. M.E. Collins does a very good job for us. [LR528]

SENATOR DUBAS: Okay. Senator Brasch. [LR528]

SENATOR BRASCH: Thank you. I had a question after this dialogue on, do you have a lot of erosion problems, debris? We heard testimony yesterday and when we went on the bridges tour here that is there anything...we need bridges. But to help the life span of current bridges, do you have erosion problems along the river? Or is that well maintained with riprap and good... [LR528]

JERRY HEARD: No, no, we have problems. [LR528]

SENATOR DUBAS: You do have, okay. [LR528]

JERRY HEARD: Most of the bridges that we're probably looking at replacing, if we have a 90-foot bridge, we're probably going to be looking at putting 130 back in. The bridges are just way too short for where the channel is today. Okay? [LR528]

SENATOR BRASCH: Okay. Very good. No other questions. Thank you. [LR528]

SENATOR DUBAS: Anything else? Thank you very much Mr. Heard, we appreciate you coming forward. Next testifier. Anyone else? Don't be shy. Welcome. [LR528]



Transcript Prepared By the Clerk of the Legislature  
Transcriber's Office  
Rough Draft

Transportation and Telecommunications Committee  
September 30, 2014

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RICHARD JOHNSON: Thank you. My name is Richard Johnson, R-i-c-h-a-r-d J-o-h-n-s-o-n. I'm a consulting engineer in Norfolk and for about 25 years have been the Madison County highway superintendent. We would like to echo the sentiments of Colfax County that yes, we do need money to replace bridges. Madison County has about 225 bridge-size structures. Of those, approximately 50 of them have a sufficiency rating of 50 or below, which in the old days would have made them eligible for federal aid. We have pretty diligently been replacing bridges over probably the last 15 years, not to the extent that Colfax County has, but probably on average I'd say four or five a year of the smaller ones typically. What we do, our preference is to...first, culverts. If we can't get a culvert to work then we go to box culverts and bridges would be the last option. The two reasons for that are cost and the fact that not having guardrails and that makes it a lot easier for the agricultural traffic, and there's less maintenance. I would also echo the sentiments that if you do come up with some funds for this program that the Department of Roads be left out of it to the extent possible. I firmly believe that the locals know their bridge needs better than the Department of Roads and ought to be making the decisions on which ones get replaced. Additionally, I think if you bring the Department of Roads in, you're just going to increase the bureaucracy. We do pretty good at replacing bridges on a pretty regular basis. The other project I'd like to tell you about very briefly just to give you a little bit of idea of our prowess, there's an animal up around Norfolk called Northeast Industrial Highway, which is 4.5 miles of new road on brand new alignment connecting Highways 35 and 81. We tried federal aid, the whole process and finally at some point we just said let's just do it ourselves. It's about \$12 million. There's a viaduct, there's five new bridges or there ultimately will be. We went through the permitting. We followed all the rules, permitting, right-of-way, the whole works. The only thing we didn't have was anybody looking over our shoulders. And this should be complete the spring of next year. So with that, I would encourage you to see if you can come up with some sort of a program and again, leave it up to the locals as much as you can. One thing I would like to say, I don't want to hammer the Department of Roads. I think they do a very good job on the state highway system. But when you

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Transportation and Telecommunications Committee  
September 30, 2014

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get to the counties, it's a little different animal and I think there's people better suited to deal with it. Thank you. [LR528]

SENATOR DUBAS: Thank you, Mr. Johnson. Questions? Yesterday there was some testimony and they talked about HS20 design versus HL93 design and that basically we're...you are required to use this HL93 design. Can you kind of help me get a better grip on what we're talking about here? [LR528]

RICHARD JOHNSON: Well, it's just a different way to rate the bridges. I assume it came down from the Federal Highway Administration at some point. But it's basically different types of loading. The...well, probably five years ago or whatever, Nebraska went through and had all their bridges remeasured and rerated and reanalyzed using this HL93. And the idea at the time was that...or at least what we were told is that we would probably come up with more bridges that were deficient and as such increase the federal aid money that Nebraska gets. I don't know that that ever happened, but that's what we were told. And there was a lot of money spent on doing this rerating. [LR528]

SENATOR DUBAS: Is this, this HL93, is that more of a requirement than we really need out in our counties or is that appropriate? Is that an appropriate measurement, I guess is what I'm trying to say, for what we need out in the counties? I'm putting you on the spot? [LR528]

RICHARD JOHNSON: You're putting me on the spot. [LR528]

SENATOR DUBAS: I guess what I'm trying...the question I asked yesterday was, is this a one-size-fits-all approach or are there some things that could be done to either modify or make it more applicable to the needs we have out in the county versus what goes on in the more urban settings? [LR528]

RICHARD JOHNSON: Well, it's tough to say. We have heavier loads now out in the

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September 30, 2014

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counties than we used to, obviously; quite a bit heavier. And probably from that aspect, it's not a bad thing. On the other hand, the HS20 served us quite well for years and years, including some of these heavier loads. So I don't know, to be honest with you. [LR528]

SENATOR DUBAS: So we might not have the volume of traffic... [LR528]

RICHARD JOHNSON: We don't have the volume, right. [LR528]

SENATOR DUBAS: ...but our weights have definitely increased. [LR528]

RICHARD JOHNSON: Yeah. We don't have anywhere near the volume of traffic that a lot of these regulations are written for. And there's never been a real good way to say, okay, this road has got 50 vehicles a day, it doesn't need the same requirements that this road that has 5,000 vehicles a day. [LR528]

SENATOR DUBAS: So that might be where that one-size-fits-all approach kind of comes in, where if you're just looking at traffic load versus the weight of that load, those aren't necessarily an apple-to-apple comparison? [LR528]

RICHARD JOHNSON: Right, yeah. [LR528]

SENATOR DUBAS: Other questions? Thank you very much. We appreciate you coming today. [LR528]

RICHARD JOHNSON: Thank you. [LR528]

SENATOR DUBAS: Next testifier. Anyone else? This will be a record hearing if we don't have anyone else coming forward to testify. We're getting through pretty quickly. Anyone else? Okay, last call. Well, we do appreciate those of you who did come...all of

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you who came today and especially those of you who came forward today and shared your information with us. It's very helpful. We'll be having our final hearing next week in Lincoln. I know Mr. Mainelli will be making a presentation for the committee at that hearing as well and we'll have some questions for him, I'm sure, as well as possibly the Roads Department and others. So this is a series of three hearings, we did the tours last week, and so a final report will be done regarding this interim study resolution. That report will be available to the general public as well as for the Legislature for their use as far as any potential legislation or things that may be needing some attention. So once that report is finished, we'll make sure that it gets distributed and out and about to the counties and other interested parties. And with that, we will close the hearing for today. Thank you again for coming. [LR528]