

June 2nd, 2020
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, June 2nd, 2020 at 9:00 AM in the County Commissioner's Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska, Antelope County Courthouse, Neligh, NE. Meeting was also available via ZOOM.

Notice of the meeting was given in advance thereof by publication in the two (2) county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk's Office. Agenda for said meeting was sent to all members of the County Board of Commissioners, and posted on the Antelope County Website with the Zoom Meeting information.

Chairman Henery opened the meeting at 9:01 AM. Responding to Roll Call: Commissioners Smith, Krebs, Pedersen, Jacob and Henery. Chairman stated the Open Meetings poster is posted on the east wall of the Commissioner Meeting Room. Additional copies available in the County Clerk's Office.

Pledge of Allegiance was recited.

Agenda: Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve agenda. Voting aye: Smith, Krebs, Pedersen, Jacob and Henery. Nays none. Motion carried.

Motion by Commissioner Jacob seconded by Commissioner Pedersen to **approve the Minutes of April 11th, 2020 Board of Commissioner Meeting** as presented. Voting aye: Smith, Pedersen, Krebs, Jacob and Henery. Nays none. Motion carried.

Motion by Commissioner Smith seconded by Commissioner Krebs to **approve the Minutes of April 11th, 2020 Board of Equalization Meeting** as presented. Voting aye: Smith, Pedersen, Krebs, Jacob and Henery. Nays none. Motion carried.

Minutes of May 5th, 2020 and May 22nd, 2020 meetings were tabled for clarification. Will be presented next week.

Receipts: General \$1.10 miscellaneous revenue. Road and Bridge \$200,000.00 from General. Disaster \$19,000.00 from General. Disaster \$7,060.43 FEMA payment.

Correspondence was reviewed: NDOT Past Due Bridge Inspection Reminder; Email from Faythe Petersen regarding Region 11 Board budget; email from NCDHD regarding DHM and large event planning; email from Deann Haeffner regarding Township fund balances; Elkhorn Rural Public Power District & North Central District Health Department letters regarding Hazardous Mitigation Plans; NIRMA Safety Shorts; NIRMA letter regarding 2020-2021 Billing Statement; TERC letter regarding real property in Antelope County 2020 – residential property at 95% - commercial property at 100% - agricultural property at 71% of fair market value; Northeast Nebraska Economic Development District annual membership letter; Oakdale Cemetery Newsletter; Order for TERC hearing on Melinda Graham on July 6th, 2020.

Zoning Permit Report for May was reviewed and put on file.

Zoning Administrator Report: Liz Doerr met with the Commissioners for her meeting report. She reviewed the May permit report. She reported clarification and correction by Invenergy regarding the turbines located in calving units. The WIOM on these turbines has been enhanced. They are willing to work with individual calving operations on an as needed basis during calving times.

COVID-19 Courthouse Opening: discussion recommendations and scenarios. Motion by Commissioner Smith, seconded by Commissioner Pedersen to open the courthouse to any and all traffic immediately, business as normal. Voting aye: Smith, Krebs, Jacob, Pedersen, and Henery. Nays none. Motion carried.

A&R Pay Application: \$159,579.56 Tilden North Bridge Project: this project replaced a weakened bridge with a concrete culvert. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve pay application for A&R Construction for Tilden North Bridge. Voting aye: Smith, Jacob, Krebs, Pedersen and Henery. Nays none. Motion carried. Tilden South is being completed now. According to agreement, the bridge on 510th Avenue has to be removed before state funds will be received.

9:30 AM, **Summerland School Road Study Report and Follow-up** Mark Meisinger, representing Felsburg, Holt & Ullevig (MFU) presented highlights of the road study. The school is located in the NW corner of the intersection of 513th Avenue (Orchard Road) and 857th Road (Summerland Road). The original proposal was for a four (4) way stop for safety. The study also recommended to have stop sign ahead signs, flashing beacons on School 35 MPH Speed signs on all four (4) intersection approaches, overhead lighting on intersection and pavement striping in school zone which would be 200 feet in advance of the school property lines. Discussion on the flashing beacons and necessary placement along County right of way. Brian McDonald, Antelope County Highway Superintendent offered an issue for the need for the four (4) way stop. There has been travel on the road that does not warrant all way stopping, stop signs should not control speed, that is the purpose of speed limit signs. Orchard Road is a through corridor and stopping traffic seems to be creating an issue. Mr. Meisinger agreed, and consented the additional two (2) stop signs (on Orchard Road) could be added if problems are or become evident. The flashing lights could be controlled by the school for peak hours and possibly late/early traffic. Discussion of intersection light with flashing red on the east and west and flashing yellow on the north-south, Brian McDonald recommended you have to have a certain level of traffic before you can have a flashing light. Discussion of the school speed zone signage and placement and the responsibility of initial cost. The School will have the initial cost of such signs, however, sign placement in County right of way and maintenance will be County responsibility. The school can (and probably should) be responsible for controlling the light beacons on said school MPH signs. After presentation and discussion recommendation from the Board of Commissioners was to avoid the four (4) way stop and continue with only stop signs on the east – west road (857th Road-Summerland Road). Mr. Meisinger is in agreement and will rework the intersection – school road study. Commissioner Smith makes a motion to allow Summerland School District to pay for signage, placement and initial installation of signs, flashing lights, and school zone signs regarding Summerland School location. Seconded by Commissioner Jacob. Voting aye: Smith, Jacob, Pedersen, and Henery. Nays Krebs. Motion carried. Driveway access was also discussed. During the February Meeting driveway access was discussed and temporarily approved. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve four (4) driveway permits and two (2) re-grading permits: Access Permits two (2) permits 857th Road SE¼ 4-26-8; two (2) permits 513th Avenue SE¼ 4-26-8; and regrading of 513th Avenue and 857th Avenue. Voting aye: Smith, Jacob, Krebs, Pedersen and Henery. Nays none. Motion carried.

Road Superintendent Report:

Aaron Boggs, Road Superintendent met with the Commissioners

- **Underground Permit:** Motion by Commissioner Jacob, seconded by Commissioner Smith to approve the application for underground permit submitted by North Central Public Power District to place a permanent phone line beneath 868th Road in the SW¼ of Section 7, Township 28, Range 5 to SW¼ 7-28-5 West of the 6th P.M., Antelope County, Nebraska. Kevin Klabenes is owner. Phone line to alleviate clearance issues between transmission lines. All work to be done according County and State specs, including 48 inches below road surface. Voting aye Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.
- **Underground Permit:** Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve the application for underground permit submitted by Frontier Communications to place a permanent phone line beneath 513th Avenue in the SW¼ of Section 22, Township 28, Range 8 West of the 6th P.M., Antelope County, Nebraska. Frontier Communications is owner. Phone line for telecommunications service drop

for customer. All work to be done according County and State specs, including 48 inches below road surface. Voting aye Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

- **Access Permit:** 534th Avenue in S½NE¼ 36-25-5/Frey – tabled until June 9, 2019 meeting. Motion by Commissioner Smith, seconded by Commissioner Pedersen to table, because Road Superintendent did not have time to review. Voting aye Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.
- **Access Permit:** Motion by Commissioner Smith, seconded by Commissioner Pedersen to approve the application for access permit submitted by Brian Frey to place a permanent access to 524.5th Avenue in the SE¼ of Section 9, Township 25, Range 6 West of the 6th P.M., Antelope County, Nebraska. Brian Frey is owner. Build up access to field and new bin entrance. All work to be done according County and State specs. Voting aye Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.
- **Access Permit:** Motion by Commissioner Smith, seconded by Commissioner Jacob to approve the application for access permit submitted by Brian Frey to place a permanent access to 849th Road in the NE¼ of Section 22, Township 25, Range 6 West of the 6th P.M., Antelope County, Nebraska. Andy Frey is owner. Access to field and bin entrance. All work to be done according County and State specs. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.
- **Underground Permit:** Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve the application for underground permit submitted by L.J. Beckman (Joe Beckman) to place a permanent electric line beneath 527th Avenue in the NE¼ of Section 23, Township 23, Range 6 West of the 6th P.M., Antelope County, Nebraska. LJ Beckman is owner, Joe Beckman, tenant. Placing a grain bin in SE corner. All work to be done according County and State specs, including 48 inches below road surface. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.
- **Access Permit:** Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve the application for access permit submitted by Mary Auger to place a permanent access to 532nd Avenue in the N½NW¼NW¼ of Section 26, Township 28, Range 5 West of the 6th P.M., Antelope County, Nebraska. Mary Auger is owner. All work to be done according County and State specs. 200' south of intersection 40' culvert 18" purchased by Auger; Antelope County will do work when claying Lichty Road. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.
- **Fuel Contracts:** Farmers Pride 1.49 – up to 39,000.00 (June – November 2020) gallons and Sapp Brothers 1.67 – up to 7,000 Gallons (. Antelope County contacted the suppliers about contracting fuel at the more affordable rates quoted. The affordable prices are significantly lower than the prices last year at this time. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve fuel contracts. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.
- Discussion of **City/Villages repairs** of roads damage and who fixes and pays. No action
- Discussion of projects. Clearwater Village has asked about North-South road past cemetery (854th Road) the plan to grind and Sinclair dirt the stretch to west of Cemetery (north side). 854th Road between 515 to 516th Avenue will be ground, and 849th Road between 529th and 530th Avenue will be ground.

Kelly Mueller, Antelope County Assessor, met with the Commissioners regarding **GWorks** and taking of oblique photos of rural Antelope County. This process is used in identifying building changes and structure placement not otherwise noted. This is a process that helps to physically inspect all rural areas in rural Antelope County. This process cost is approximately \$34,000.00. This was completed in 2015 and by the time the flying and pictures are complete it will be the six (6) year cycle. The amount can be split in two (2) fiscal years; 2020-2021 and 2021. Motion by Commissioner Jacob, seconded by Commissioner Pedersen. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

Budget Function Transfers: Road and Bridge function 705-00 is over by \$46,202.27 and there is available budget in function 907-00. To balance the overage a motion of the Board is necessary. Motion by Commissioner Pedersen, seconded by Commissioner Jacob to authorize transfer of \$67,000.00 to cover current and June expenses. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

Budget Fund 3800: during recent conversation with the State Auditors Office, it was discussed that this fund is no longer a State Recognized Fund, they are requesting a change to Fund 2360 Drug Law Enforcement & Education Fund (Drug Forfeiture). Motion by Commissioner Pedersen, seconded by Commissioner Krebs to remove Fund 3800 Drug Forfeiture from the 2020-2021 budget since this fund is no long recognized by the Nebraska State Auditor's office and replace it with Fund 2360 Drug Law Enforcement and Education Fund with the money currently in Fund 3800 being transferred to the 2360 Funds. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried. The clerk will work with the budget and make proposed changes.

Township Balances: there are a few Townships with larger balances, and a few with smaller amounts due to back taxes. According to email from Deann, back taxes paid should be deposited to Road and Bridge. Discussion on larger balances need to be accounted for and used for any work in the township. If and when the work for the Township is being paid a transfer can be made from the Township funds. Casey and Aaron will review claims and bills and provide an accounting of projects in each township. The Commissioners will take action in one of the next two (2) meetings before the end of the 2020 fiscal year. No further action.

Deb Branstiter, Antelope County Treasurer met with the Commissioners regarding barrier counter windows for the offices. This has been discussed multiple times regarding violence safety etc. She believes it is the time now to complete this project as it is an answer to protect the employees and the customers as a whole. Discussion of the availability of the projects and contractor. The County has contacted two (2) or three (3) contractors regarding the construction of the safety windows. Maintenance department thought the only bid he had received was from Kinnan Construction. It was requested the contacting of Aaron Kinnan to see if he is still interested in constructing this. It was discussed this had been bid in the past.

Discussion of Bonding money for Road and Bridge Projects. The discussion of doing projects right and correct the first time, so the County can continue a workable/affordable maintenance schedule. A quick estimate is bonding will be an approximate \$0.01per \$1,000,000.00 of bonded money. Commissioner Pedersen reiterated it was discussed to grind up 15 miles of hard surface, it is still not enough to establish a workable, maintainable, affordable maintenance plan for the future. In addition to maintenance, equipment, and employees, all has to be afforded in the workable plan. After the current miles are ground, there will be approximately 146 miles of hard surface road. If we are able to lower those miles by half leaving approximately 73 miles of hard surface roads. Today, if we are to grind the 73 miles and place with 6" of Sinclair Dirt it is at a cost of \$4,500,000.00 with a future maintenance cost of \$182,500.00 a year. If we are to grind the 73 miles and overlay it would cost \$8,900,000.00 with a future maintenance cost of greater than \$1,000,000.00 a year. By turning more of the paved roads to gravel using Sinclair dirt would make road maintenance more affordable. Discussion of bonding, and what amount would be necessary. It was requested to contact Tobin Buchanan and have him meet with the Commissioners next week to discuss bonding amounts and budget impacts.

There being nothing more to discuss.

Motion was made by Commissioner Pedersen seconded by Commissioner Jacob to **adjourn**. Voting aye: Voting aye: Smith, Krebs, Pedersen, Jacob and Henery Nays none. Motion carried.

Meeting adjourned at 12:11 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Charlie Henery

Attest: _____
County Clerk, Lisa Payne