

July 7th, 2020
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, July 7th, 2020 at 9:03 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.

Vice-Chairman Krebs opened the meeting at 9:03 AM. Responding to Roll Call: Commissioners Smith, Pedersen, Jacob and Krebs. Henery absent. Vice 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, Pedersen, Jacob and Krebs. Henery absent. Nays none. Motion carried.

Minutes of June 23rd, 2020 Board of Commissioners Meeting some Commissioners stated they had not read. Minutes will be presented next week.

Correspondence was reviewed: Nebraska Department of Environment and Energy Major Modification Received for Brandon & Sarah Christiansen Livestock Concentrated Animal Feeding Operation; NACO sponsored book, 'The Nebraska Unicameral legislature At Eighty: Does George Norris's Vision Still Live?' Leadership Book Club; Prescription Opiate Litigation Filing Proof of Claim in the Purdue Bankruptcy; Frontier Bankruptcy Motion for Entry of an Order Chapter 11 Bankruptcy; Niewohner Grandchildren's Limited Partnership Nebraska Department of Environment and Energy regarding construction and operating permit issued-Six (6) sites; Bank of Elgin payoff motor grader payment; USDA letter regarding County Committee Elections for 2020; NRCS Emergency Watershed Protection Cooperative Agreement number NR206526XXXXC023; Retirement News for Invitation to Bid – Bridge Repair and Backfill (for bid opening today); NDOR/NDOT Past Due Bridge Inspection Reminder and Upcoming Bridge Inspection Reminder; NIRMA's Safety Shorts; Tobin Buchanan email regarding Road and Bridge Bond financing. FEMA project #DR4420 PW 1149 \$20,284.60; FEMA project #DR4420 PW 1142 & 1453\$76,644.31 & 68,594.42 respectively.

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

Clerk of the District Court Monthly Fee Report for June was reviewed and put on file.

Receipts: General \$52.54 Refund of products returned in June from Tessa Hain; \$0.02 miscellaneous revenue found on floor.

9:18 AM Board of Equalization: Motion by Commissioner Pedersen, seconded by Commissioner Smith to open as a Board of Equalization. Voting aye: Pedersen, Smith, Jacob and Krebs. Henery absent. Nays none. Motion Carried. Met for approximately 4 minutes. Motion by Commissioner Pedersen, seconded by Commissioner Jacob to close Board of Equalization. Voting aye: Pedersen, Smith, Jacob and Krebs. Henery absent. Nays none. Motion Carried. 9:22 AM

Zoning Administrator Report: Liz Doerr met with the Commissioners for her regular meeting report. She reviewed the May permit report. Administrative Plat/Lot Change. Liz presented with a lot split of approximately 2.09 acres in the NE¼SE¼ of Section 23-24-5 for inclusion of the septic tank and additional land for future projects. Mr. Oelsgle plans to sell the house and wants to ready it for the next owners. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve administrative plat as submitted. Voting aye: Pedersen, Smith, Jacob and Krebs. Henery absent. Nays none. Motion Carried.

Brian McDonald, Highway Superintendent met for the opening of Bridge **Bids for the 869th Road Bridge** in northern Antelope County. Two (2) bids were submitted for review. Theisen Construction, Inc, Norfolk, Nebraska submitted a bid for \$137,383.40 with a start date of September 29, 2021; Rutjens Construction, Tilden, Nebraska submitted a bid for \$109,984.00, with a start date of October 1, 2020. Brian stated he would have to review numbers, and qualify bids. Motion by Commissioner Smith, seconded by Commissioner Jacob to award bid to Rutjens Construction pending verification of number by Highway Superintendent. Voting aye: Smith, Jacob, Pedersen and Krebs. Henery absent. Nays none. Motion carried. This is a FEMA project, and they have not approved the work.

A&R Pay Application: \$219,853.97 Tilden **South** & North Bridge Project: Motion by Commissioner Smith, seconded by Commissioner Jacob to approve pay application for A&R Construction for Tilden North & South Bridge Project. Voting aye: Smith, Jacob, Pedersen and Krebs. Henery absent. Nays none. Motion carried. According to agreement, the bridge on 510th Avenue has to be removed before state funds will be received.

A&R Change Order Tilden North and South Bridge Project: Changed order to add rock to establish a better base. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve change order for A&R Construction for Tilden North & South Bridge Project of \$33,357.35. Voting aye: Smith, Jacob, Pedersen and Krebs. Henery absent. Nays none. Motion carried.

Road Superintendent Report:

Aaron Boggs, Road Superintendent met with the Commissioners

- **Underground Permit-Black Hills Energy** submitted an underground permit and a map the map is showing they are intending to intersect four (4) different locations. Because the paperwork was not complete, Aaron has not inspected the sites. It will be added to future agenda.
- **Access Permit:** Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve the Access Permit submitted by Invenergy to access 846th Road in the SW¼ 31-25-8. Access to be according to specs. Voting aye: Smith, Jacob, Pedersen and Krebs. Henery absent. Nays none. Motion Carried.
- **Advertising for Patching and Lifts:** Road Superintendent, Aaron has been working on measuring on roads and has compiled a list to get the ball rolling on some projects to advertise for bids. Brian McDonald and Aaron have been working on locations to submit so Brian can get specifications to advertise to patch/repair various projects. Motion by Commissioner Smith, seconded by Commissioner Jacob to authorize the Clerk to advertise same when bid notice is ready. Voting aye: Smith, Jacob, Pedersen and Krebs. Henery absent. Nays none. Motion carried.
- **New Employees:** Aaron requested to hire an employee or two to help alleviate the work load on his employees. Currently, there is approximately 64 miles of maintaining per employee, averaging eight miles a day, it becomes two (2) weeks' worth of work per employee. If you consider the other elements, the Road Department does not seem to be covering the maintaining work needing to be done. Aaron reports he has three (3) maintainers that are unmanned at this time. He would like to add an employee in both the north end and south end of the County. Winter down time, Aaron is planning to keep the employees busy. Trimming trees, building a grizzly, building rolling barricades, machine maintenance, etc. Discussion of hiring (out sourcing) a road maintaining crew. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve advertising for additional help in the Road & Bridge Department. Voting aye: Smith, Jacob, Krebs. Nays Pedersen. Henery absent. Motion carried.

TransCanada/TC Energy Road Use Agreement: met with the Commissioners regarding the Road Use Agreement for the upcoming pipeline project. A lengthy discussion regarding the current changes to RUA. TransCanada changed the verbiage in paragraph 42 and other changes discussed during the

last meeting. TransCanada has been working with Aaron and Casey regarding the denied access permits. Most of them have been corrected. The RUA refers to Exhibit A – which is the Road Map – list of Roads which needs to be updated and finalized. It was agreed for all practical purposes the Road Use Agreement verbiage is adequate. Discussion of roads to be included in Exhibit A. Aaron is suggesting possibly roads will be utilized to haul pipe and other equipment on roads. He suggested having a different haul route for loaded then the empty loads. TransCanada has talked about doing some road upgrades to facilitate the traffic flow during and after construction. (Highway 20 & 517th Avenue – heavy loaded trucks up to 90,000 lbs.) It noted the State of Nebraska recognizes heavy loads do far more damage than regular passenger traffic. Road Superintendent pointed out 521st Avenue between 858 & 859th Road; and 859th Road between 521 & 522nd Avenue may need to be addressed in the RUA map. S & A Feedlot and Copenhagen Roads may be utilized heavily for TransCanada Employees utilizing their designated ‘camp ground.’ Aaron suggested various projects in which he felt Antelope County could work with TransCanada in preparing areas for their work to complement County work in the future. Aaron and Casey compiled a list of various road improvements and upgrades worth approximately \$3.8 million with various upgrades needed to facilitate the current road access needed for this project. Commissioner Krebs asked for an updated map showing the TransCanada proposed route and the mile by mile proposed upgrade list from the County standpoint. While reviewing the access permits with Dan Forbes, one access was noted not to have good site distance, and it was not able to be remedied any other way 529th and 852nd Road in Willow Township – so the logistics of same was discussed. The County can close a road for up to 30 days for road improvements, or we can force TransCanada to utilize a flagger during construction. It was agreed as long as TransCanada has written agreement from adjacent land owners the County will allow the stretch to be closed. TC access permits to be on the 14th of July agenda.

- Casey Dittrich, former Antelope County Road Superintendent has submitted a claim to TC Energy in the amount of \$1,950.00 to reimburse for time spent by Aaron and Casey working on the TransCanada permits.

- **Discussion on Road Improvements:** Aaron presented today with a list of Road Improvement Projects. Many projects were discussed, with a presentation of various road projects and estimate project costs.

The Commissioners agreed on the following Road Grinding Projects:

- 1) Pierce Road 1 mile - \$567,000.00 Sinclair 6”
- 2) Cemetery Road - grind and double armor coat
- 3) Plainview Country Club Road – grind in place Sinclair Dirt 1 mile on the n/s mile & e/w mile we will grind and leave in place with possible future overlay
- 4) North mile on 513th Avenue between 869th-870th Roads – grind and Sinclair dirt

Discussion of Bonding Road and Bridge Projects: many ideas and points were shared about the number of projects and amount of dollars needed to improve the Road situation in Antelope County

Recognition of City of Neligh: Sheriff Moore was called out of County and was not able to attend meeting.

There being nothing more to discuss.

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

Meeting adjourned at 12:48 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Vice-Chairman of the Board, Regina Krebs

Attest: _____
County Clerk, Lisa Payne