

September 7th, 2021
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, September 7th, 2021 at 9:00 AM in the County Commissioner's Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Vice-Chairman Krebs with the following board members responding to roll call: Jacob, Krebs, Smith and Pedersen. Henery absent. Vice-Chairman Krebs stated that the open meeting laws are posted on the east wall of the Commissioner's Meeting Room with more copies available at the County Clerk's Office.

Notice of the meeting was given in advance thereof by publication in the three (3) 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. Meeting was available by Zoom.

Pledge of Allegiance was recited.

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

Correspondence was reviewed: Blue Cross/Blue Shield Settlement regarding Antitrust Litigation; NIRMA Safety Shorts; NDOR past due bridge inspection reminder; NDOR Local Project Monthly Status Update for Orchard NE and Tilden North; Antelope County Planning Commission meeting minutes from July 6th, 2021; Pipeline Association for Public Awareness newsletter; discussion of September 17th NE District Meeting joint session on conservation easements; Nebraska Department of Environment & Energy letter regarding the transfer of Construction and Operating Permit for Triple Cull LLC Concentrated Animal Feeding Operation; University of Nebraska Agreement for redistricting; JEO letter of Transmittal for Ashfalls Northwest – payroll records; Treasurer's Pledge Collateral Report; Middle Northeast Community Wildfire Protection Plan – draft; TERC letters – Chris VanEgmond request for extension denied and combining of multiple years protest hearing was granted, letter regarding Pre-conference Hearing; KKES Inc, letter to continue hearing for a later date; TERC letters of continuance for Antelope County Shooters Club and Orchard Young Men's Club; Thunderhead Wind Energy Bond \$3,000,000.00; thank you from Pierson Wildlife Museum Learning Center \$300.00.

Sheriff's Miscellaneous Fee Report for August was reviewed and put on file.

Treasurer's Fund Balance Listing for August was reviewed and put on file.

Treasurer's Miscellaneous Revenue Listing for August was reviewed and put on file.

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

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

9:15 AM: North Central District Health Department; Aerial presented; Whitney was not able to attend the meeting. Antelope County Alcohol and Tobacco Compliance checks were completed. The Alcohol tested at 85%, the NEDHD would like to see that 95% or higher. Tobacco compliance was at 100%. Responsible Beverage Server Training was discussed. NCDHD wanted to bring awareness to the County regarding Cannabis effects on the youth brain. They believe this is up and coming situation for Nebraska.

Monthly Grounds Maintenance Report:

- Eddie reported the bat mitigation took place August 19th -22nd. Since then, Marlene has found a couple of bats.
- Guaranteed Roofing was out and completed temporary fixes. Two rains since then only small linkage during second rain.
- Use of Courthouse Meeting rooms not being scheduled. Eddie requested room use be scheduled on the calendar in the Clerk's Office.
- Tree Stump from the tree loss during the July storm is soft, rotted and hollow. Commissioner Jacob volunteered to take the stump down to the ground, so it can be ground and out.

Minutes of the August 10th, 2021 Board of Commissioner Meeting: Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve minutes as presented. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Minutes of the August 31st, 2021 Board of Commissioner Meeting: Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve minutes as presented. Voting aye: Jacob, Pedersen, and Krebs. Nays none. Henery absent. Smith abstains. Motion carried.

Antelope Country Club: Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve renewal of Antelope Country Club Liquor License. Discussion of the beverage server training. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Public Hearing – Budget:

9:50 AM Motion by Commissioner Pedersen, seconded by Commissioner Jacob to open public hearing for setting final tax request. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Commissioner Krebs stated the public hearing for the budget was held on the 31st of August, at which time a review of the proposed expenses was reviewed. There was little to no public comment during that hearing. She stated the there is an increase. The levy proposed is 0.277930. This increased approximately 10% from last year. This is contributed to by the fact that there was no increase in levy last year and expected cost increases across the board. Total expenditures and transfers is \$6,834,250.52. Public comment was requested twice, with no response. It was stated that the increases were not limited to goods and materials but all aspects of the budget.

Motion by Commissioner Smith, seconded by Commissioner Jacob to close public hearing for setting final tax request. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried. 9:53 AM

Adopting Budget:

Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve and authorize the vice-chairman to sign the Adoption and Appropriations Resolution, reflecting the 1% increase in the restricted fund base. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

ANTELOPE COUNTY, NEBRASKA
RESOLUTION of ADOPTION AND APPROPRIATIONS
2021-09-00002

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2021 to June 30th, 2022, prepared by the Budget Making Authority, was transmitted to the County Board on August 31st, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioner of Antelope County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1st, 2021 to June 30th, 2022 as categorically evidenced by the Budget document be, and the same hereby is, adopted as the Budget for Antelope County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1st, 2021, and ending June 30th, 2022.

SECTION 3. That the income necessary to finance the appropriations made and expenditure authorized shell be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Passed and adopted this 7th day of September, 2021

Antelope County Board:

___/s/ Regina Krebs _____
Regina Krebs, District 3, Vice Chairman

_____ absent _____
Charlie Henery, District 4, Chairman

___/s/ Dean Smith _____
Dean Smith, District 1

___/s/ Eli Jacob _____
Eli Jacob, District 2

___/s/ Carolyn Pedersen _____
Carolyn Pedersen, District 5

Motion by Commissioner _Pedersen_, seconded by Commissioner _Jacob_ to approve resolution.

Voting: __4__ Aye __0__ Nay __0__ Abstain __1__ Absent

Setting the Property Tax Request: Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve and authorize the vice-chairman to sign Setting the Property Tax Request Resolution. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

ANTELOPE COUNTY, NEBRASKA
RESOLUTION SETTING THE PROPERTY TAX REQUEST
2021-09-00001

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of Antelope County passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Governing Body of Antelope County resolves that:

The 2021-2022 property tax request be set at:

General Fund	\$ 6,309,744.93
Law Enforcement Band	\$ 481,735.85
Veterans Aid	\$ 16,805.24
Building	\$ 25,964.50

The total assessed value of property differs from last year’s total assessed value by 1 percent.

The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.248247 per \$100 of assessed value.

Antelope County proposes to adopt a property tax request that will cause it tax rate to be 0.277930 per \$100 of value.

Based on the proposed property tax request and changes in other revenue, that total operating budget of Antelope County will increase last year’s budget by zero percent.

Motion by Commissioner _Pedersen_, seconded by Commissioner _Jacob_ to adopt said resolution.

___/s/ Regina Krebs _____
Vice-Chairman, Regina Krebs

Voting Yes: __Smith _____ __Krebs _____
__Pedersen _____
__Jacob _____

Voting No: ____none _____ Absent: __Henery _____

10:00 AM Public Hearing – Closing of the Crumly Road: Motion by Commissioner Pedersen, seconded by Commissioner Jacob to open the public hearing for closing of the ‘old’ Crumly Road on 516th Avenue in northern Antelope County. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried. Mr. McDonald presented: This is the bypassed section which was rerouted after the flood in 2019. Antelope County has established the new road path to bypass the ‘old’ roadway. This is an 800-foot tract of the road. Antelope County has an agreement with the landowner to establish the road as current in exchange for the ‘old’ roadway. Call for public comment. No response. Motion by Commissioner Smith, seconded by Commissioner Jacob to close the public hearing for the closing of 800 feet of 516th Avenue in Verdigris Township. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried. 10:04 AM. Commissioner Smith, seconded by Commissioner Jacob to approve abandonment of the ‘old’ 516th Avenue. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Resolution: 2021-09-0003

Antelope County, Nebraska

Abandonment of part 516th Avenue in Verdigris Township

WHEREAS, Antelope County considered the possible vacation or abandonment of County roadway 516th Avenue located in Section 6, Township 28 North, Range 7 West of the 6th Principal Meridian, Antelope County, Nebraska starting at the east quarter corner of Section 6 and extending west 800 feet.

WHEREAS, Antelope County directed the Highway Superintendent to make a study of the use of the road and held a public hearing to discuss possible vacation or abandonment of the above-described road.

WHEREAS, it was found to be in the public interest that the County close the roadway to the traveling public.

NOW, THEREFOR, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, said road be vacated and the right of way easement revert to the adjacent property owners as defined in county resolution 2021-07-0001.

Adopted this 7th day of September 2021, at Neligh, Nebraska.

Board of County Commissioners of Antelope County

___/s/ Regina Krebs _____
Regina Krebs, Vice Chairperson

Commissioner __Smith ___, seconded by Commissioner _Jacob_. Moved the adoption of said resolution.

Roll Call: 4 Yea 0 Nay 1 Absent

Resolution adopted, signed and billed as adopted.

Discussion of **truck traffic on Old Highway 14 north of Neligh**. Discussion of various authorized signage. If posting a ‘No Truck Authorized Without Permit’ sign discussion of ‘who’ would issue the permit. Discussion of heavy truck traffic. Long discussion of pros and cons, whys and what... Discussion of local verses over the road traffic. There are businesses in the area which may have periodic truck traffic, including the clay pit towards the northern stretch of the old highway. Brian was asked to write a resolution regarding this, working with NIRMA, state and federal guidelines and the County Road Superintendent. When it is presented, discussion will continue.

10:32 AM Motion by Commissioner Jacob, seconded by Commissioner Pedersen to open the **Public Hearing for the 1- and 6-Year Road Plan**. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried. Discussion of the projects listed on the current plan. Additionally, one project was duplicate numbered and three (3) projects were discussed and requested to be incorporated in the current 1- and 6-Year Road Plan. No public comment was offered. Motion by Commissioner Smith, seconded by Commissioner Pedersen to close public hearing. 11:04 AM Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried. Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve the One- and Six-Year Road Plan with addition of Project #422, 423, 424 and 425. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Antelope County
One- and Six-Year Road Plan
2021-09-0004
Be it resolved by the Board of Commissioners for Antelope County, Nebraska that the One and Six Year County Road Program as prepared by Brian E. McDonald of Norfolk, Nebraska, and attached hereto, be adopted.

BOARD OF COMMISSIONERS FOR ANTELOPE COUNTY, NEBRASKA
_____/s/ Regina Krebs _____
Vice Chairperson
Attest:
_____/s/ Lisa Payne _____
Passed and approved this 7th day of September, 2021.
Motion by Commissioner Pedersen, seconded by Commissioner

2021 Pavement Repairs: A& R Construction was the single bid submitted for bid opening on August 10th. After verifying numbers and bid, Highway Engineer, Brian McDonald is recommended rejecting all bids at this time. He recommends bidding the pavement improvement projects with a couple of larger projects and rebid the pavement projects as a bigger project, which will probably (hopefully) get a couple more bidders. Motion by Commissioner Smith, seconded by Commissioner Jacob to reject all bids for the 2021 Pavement Improvements Repairs. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.
Brian will work on gathering more projects and rebidding the pavement project in October or November 2021.

Martensen/Mitchell Road – on the Agenda for October 5th, 2021.

ER Funding – FHWA – Sargent Irrigation Road: Brian McDonald explained this is a cost reimbursement request for the Sargent Irrigation Road. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve the Emergency Relief Program on Permanent Repairs. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Resolution
For Emergency Relief Program – Emergency/Permanent Repairs
Antelope County
Resolution No. 2021-09-0005
Project No. ER-2(35)
Control No. 32331
DDIR Site: L2-05
Whereas: Certain transportation facilities have been designated as being eligible for Federal assistance from the Department of Transportation through the Emergency Relief Program (ER) of the Federal Highway Administration (FHWA); and
Whereas: Major highways and bridges in Nebraska that are part of the Federal-Aid highway system suffered widespread serious damage as a result of flooding beginning on March 12, 2019 (Disaster # NE19) and were in need of emergency or temporary repair, or restoration; and
Whereas: The Nebraska Department of Transportation, as a recipient of the previously described Federal assistance, is charged with oversight of the expenditures of said funds; and
Whereas: The County has completed all repair work on an eligible Federal-Aid route to restore essential traffic.
Whereas: The project has met all contract provisions as required by 23 CFR Part 633A; met the Davis-Bacon wage requirements; and abided by the Disadvantaged Business Enterprises (DBE) requirements, American with Disability Act (ADA) requirements, “Buy America” Provisions, FHWA 1273 and prohibitions against the use of convict labor (23 U.S.C. 114); and
Whereas: The State has completed the required NEPA document, along with resource agency concurrences, and no new right of way (ROW) was needed for completing permanent repairs; and
Whereas: The total emergency/permanent repairs reimbursement at 80% is **\$68,586.20** and no further costs relating to this project will be incurred or submitted to the State.
Be it Resolved: That the Nebraska Department of Transportation is hereby requested to act on behalf of Antelope County to administer Federal funds.
Be it Further Resolved: That the Chairman of the County Board is authorized to sign this Resolution on behalf of said Board.
Adopted this 7th day of September, 2021 at Neligh, Nebraska
By Board of Commissioners of Antelope County, Nebraska
_____/s/ Regina Krebs _____
Vice - Chairman
Attest:
_____/s/ Lisa Payne _____
County Clerk
Board Member _Smith _____
Moved the adoption of said Resolution
Roll Call: _ 4_ Yes _ 0_ Nay Henery absent
Resolution adopted, signed and billed as adopted

Keep Nebraska Beautiful: Used Oil Program: Antelope County used to participate in the used oil program. In recent years Antelope County has not participated as they were burning the used oil. This contract would pay the County \$0.13 a gallon. The County currently has approximately 1300-1500 gallons of used oil. The County does burn the fuel during the winter months. The County was/is a collection agreement. Aaron will follow up with the point of contact – Pete Stadig – at Keep Nebraska Beautiful.

Zoning Administrator Report: Liz met via Zoom today. Regarding Permit Report there are a number of buildings that did not have permits prior to construction so Liz is trying to catch those outstanding permits. NextLink is working on a new tower more information to come.

Zoning Administrator: The Committee accepted and interviewed four (4) applications. Since the interviews the Committee has agreed and recommends the appointing of Megan Wingate for the Zoning Administrator position. All interviews went well, and Megan seems to be a good fit for Antelope County. She will take the position if it is offered. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to appoint Megan Wingate as Zoning Administrator at \$18.00 an hour for 30 hours a week, full benefits. The discussion was to have Zoning Administrator work four (4) specific days. (Possibly Monday – Thursday.) Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Delinquent Personal Property: Deb Branstiter met with the Commissioners regarding the delinquent tax that has not been collected. This is an outstanding balance of \$1,507.46 owned by Cottonwood Health Care LLC. This entity has been in a receivership. Striking this off of the list does not forgive the taxes, it removes it from the list, so the continual attempt to collect the taxes can cease. Motion by Commission Smith, seconded by Commissioner Jacob to strike the taxes from the Delinquent tax list. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried. Deb Branstiter promised if it becomes available, she will collect on this.

Improvement Fund: Oakdale Fire Department requested funding for Oakdale’s New Fire Station Project. The Antelope County Visitor Committee recommended approval on August 31st, 2021. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve funding for Oakdale Fire Hall for \$1,750.00. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Promotional Fund: Elgin United Methodist Church requested funding for promotion of the Annual Fall Supper. The Antelope County Visitors Committee recommended approval at \$150.00. Motion by Commissioner Jacob, seconded by Commissioner Smith to approve payment to the Methodist Church Fall Supper. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

Annual Certification of Program Compliance Certificate and Resolution: Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve and authorize Vice Chairperson to sign certificate. **Improvement Fund: Oakdale Fire Department** requested funding for New Fire Station Project. The Antelope County Visitor Committee recommended approval on August 31st, 2021. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve funding for Oakdale Fire Hall for \$1,750.00. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

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RESOLUTION

SIGNING OF THE COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE 2021

Resolution No. 2021-09-0006

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and

Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.

Be it resolved that the County Board Chairperson of Antelope County is hereby authorized to sign the County Annual Certification of Program Compliance.

Adopted this 7th day of September, 2021 at Nelson Nebraska.

County Board Members

County Board Member Pedersen
Moved the adoption of said resolution
Member Jacob Seconded the Motion
Roll Call: 4 Yes 0 No 0 Abstained 1 Absent
Resolution adopted, signed and billed as adopted.

Attest:

(Signature of Clerk)

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COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE TO NEBRASKA BOARD OF PUBLIC ROADS CLASSIFICATIONS AND STANDARDS 2021

In compliance with the provisions of the State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requiring annual certification of program compliance to the Board of Public Roads Classifications and Standards, the County of Antelope hereby certifies that it:

- ✓ has developed, adopted, and included in its public records the plans, programs, or standards required by sections 39-2115 and 39-2119;
- ✓ meets the plans, programs, or standards of design, construction, and maintenance for its highways, roads, or streets;
- ✓ expends all tax revenue for highway, road, or street purposes in accordance with approved plans, programs, or standards, including county and municipal tax revenue as well as highway-user revenue allocations;
- ✓ uses a system of revenue and costs accounting which clearly includes a comparison of receipts and expenditures for approved budgets, plans, programs, and standards;
- ✓ uses a system of budgeting which reflects uses and sources of funds in terms of plans, programs, or standards and accomplishments;
- ✓ uses an accounting system including an inventory of machinery, equipment, and supplies;
- ✓ uses an accounting system that tracks equipment operation costs;
- ✓ has included in its public records the information required under subsection (2) of section 39-2510; and
- ✓ has included in its public records a copy of this certification and the resolution of the governing body authorizing the signing of this certification by the County Board Chairperson.

Signature of County Board Chairperson (Required) [Signature] (Date) 9/7/21

Signature of County Highway Superintendent (Optional) _____ (Date) _____

Return the completed original signing resolution and annual certification of program compliance by October 31, 2021 to:
Nebraska Board of Public Roads Classifications and Standards
PO Box 94759
Lincoln NE 68509

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This did not get signed – will sign next week.

150th Anniversary of Antelope County – tabled at this time.

Road Superintendent Report:

- Summerland School – speed limit resolution:** discussion of school zone speed limit signs. Aaron visited with Tim Baxter, Brian McDonald and County Attorney regarding resolution. All are a go, with the County Attorney requesting we add the ‘road study report’ from construction summary. Motion by Commissioner Jacob, seconded by Commissioner Smith to approve and adopt Speed Limit Resolution for Summerland School District. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.

ANTELOPE COUNTY SPEED LIMIT ON 513 AND 857 ROADS
RESOLUTION 2021 09-0007

WHEREAS, the Board of County Commissioners Antelope County, Nebraska, is a legally elected, qualified and acting body and has jurisdiction of the following described road; and,

WHEREAS, in order to protect the public health and welfare, and on the basis of an engineering and traffic investigation, which bears on the fact that the present speed limit on the following described road is greater than is reasonable or safe under the existing conditions, it is deemed in the public interest that the speed limit on the roadway be reduced as herein set forth.

NOW, THEREFORE BE IT RESOLVED by the Board of County Commissioners of Antelope County, Nebraska, pursuant to Nebraska Revised Statute 60-6,190, that the speed limit of the following described roadway be ordered reduced as described:

513 Avenue (35) miles per hour commencing for a point of beginning at approximately 200 feet South of 857 Road and ending approximately 1500 feet North of 857 Road. Only white lights are flashing during school hours or activities.

857 Road (35) miles per hour commencing for a point of beginning at approximately 1300 feet West of 513 Avenue and ending approximately 100 feet East of 513 Avenue. Only white lights are flashing during school hours or activities.

BE IT FURTHER RESOLVED, that all sign installation shall be made and maintained by Antelope County and in accordance with the most recent edition of the Manual on Uniform Traffic Control Devices.

Motion made by Jacob, seconded by Smith, that the resolution be adopted.

Dated this 7th day of September, 2021

[Signature]
Chairman of the Antelope County Board of Commissioners ATTEST:

[Signature]
Clerk of Antelope County

ESTABLISHING SPEED LIMITS

Neb. Rev. Stat.

§60-6,186. Speed; maximum limits; signs.

1. Except when a special hazard exists that requires lower speed for compliance with section 60-6,185, the limits set forth in this section and sections 60-6,187, 60-6,188, 60-6,305, and 60-6,313 shall be the maximum lawful speeds unless reduced pursuant to subsection (2) of this section, and no person shall drive a vehicle on a highway at a speed in excess of such maximum limits:

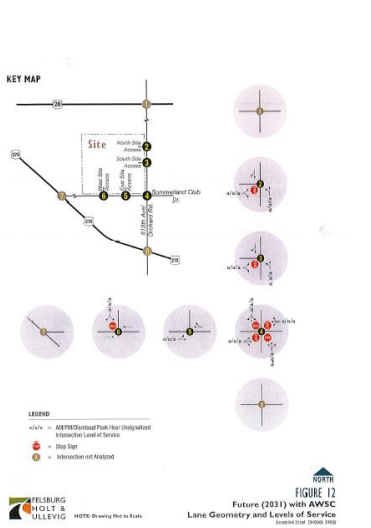
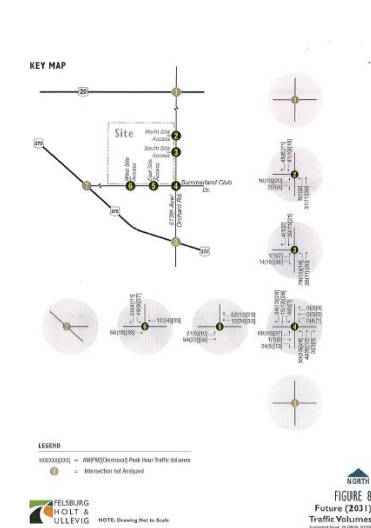
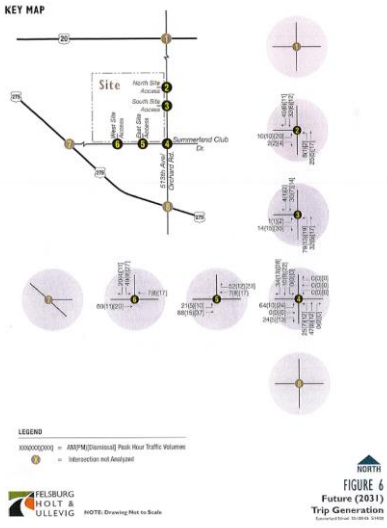
- a. Twenty-five miles per hour in any residential district;
- b. Twenty miles per hour in any business district;
- c. Fifty per hour upon any highway that is not dustless surfaced and not part of the state highway system;
- d. Fifty-five miles per hour upon any dustless-surfaced highway not a part of the state highway system;
- e. Sixty miles per hour upon any part of the state highway system other than an expressway or a freeway, except that the Department of Roads may, where existing design and traffic conditions allow, according to an engineering study, authorize a speed limit five per hour greater;
- f. Sixty-five miles per hour upon an expressway that is part of the state highway system;
- g. Sixty-five miles per hour upon a freeway that is part of the state highway system but not part of the National System of Interstate and Defense Highways; and
- h. Seventy-five miles per hour upon the National System of Interstate and Defense Highways, except that the maximum speed limit shall be sixty per hour for:
- i. Any portion of the National System of Interstate and Defense Highways located in Douglas County; and ii. That portion of the National System of Interstate and Defense Highways designated as Interstate 180 in Lancaster County and Interstate 129 in Dakota County.

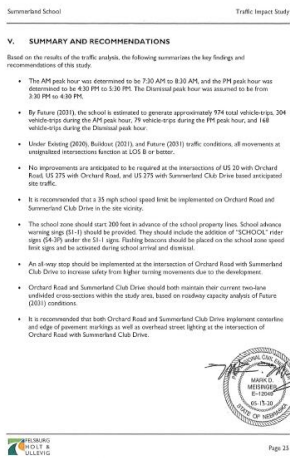
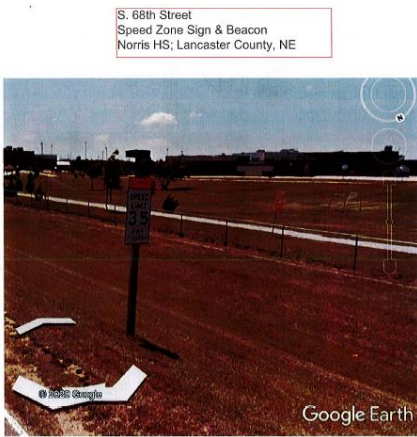
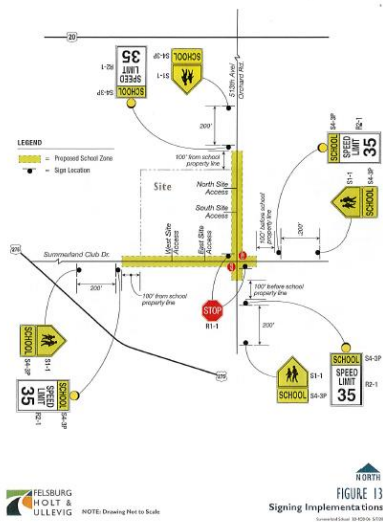
2. The maximum speed limits established in subsection (1) of this section may be reduced by the Department of Roads or by local authorities pursuant to section 60-6,188 or 60-6,193.

3. The Department of Roads and local authorities may erect and maintain suitable signs along highways under their respective jurisdictions in such number and at such locations as they deem necessary to give adequate notice of the speed limits established pursuant to subsection (1) or (2) of this section upon such highways.

§60-6,190. Establishment of state speed limits; power of Department of Roads; other than state highway system; power of local authority; signs.

- Whenever the Department of Roads determines, upon the basis of an engineering and traffic investigation, that any maximum speed limit is greater or less than is reasonable or safe under the conditions found to exist at any intersection, place, or part of the state highway system outside of the corporate limits of cities and villages as well as inside the corporate limits of cities and villages on highways which are part of the state highway system, it may determine and set a reasonable and safe maximum speed limit for such intersection, place, or part of such highway which shall be the lawful speed limit when appropriate signs of prohibition thereof are erected at such intersection, place, or part of the highway. Except that the maximum road and freeway limits shall not be exceeded. Such a maximum speed limit may be set to be effective at all times or at such times as are indicated upon such signs.
- The speed limits set by the department shall not be a departmental rule, regulation, or order subject to the statutory procedures for such rules, regulations, or orders but shall be an authorization over the signature of the Director-State Engineer and shall be maintained on permanent file at the headquarters of the department. Certified copies of such authorizations shall be available from the department at a reasonable cost for duplication. Any change to such an authorization shall be made by a new authorization which cancels the previous authorization and establishes the new limit, but the new limit shall not become effective until signs showing the new limit are erected as provided in subsection (1) of this section.
- On county highways which are not part of the state highway system or within the limits of any state institution or any area under control of the Game and Parks Commission or a natural resources district and which are outside of the corporate limits of cities and villages, county boards shall have the same power and duty to alter the maximum speed limits as the department if the change is based on an engineering and traffic investigation comparable to that made by the department. The limit outside of a business or residential district shall not be decreased to less than thirty-five miles per hour.
- On all highways within their corporate limits, except on state-maintained freeways which are part of the state highway system, incorporated cities and villages shall have the same power and duty to alter the maximum speed limits as the department if the change is based on engineering and traffic investigation, except that no imposition of speed limits on highways which are part of the state highway system in cities and villages under forty thousand inhabitants shall be effective without the approval of the department.
- The director of any state institution, the Game and Parks Commission, or a natural resources district, with regard to highways which are not a part of the state highway system, which are within the limits of such institution or area under Game and Parks Commission or natural resources district control, and which are outside the limits of any incorporated city or village, shall have the same power and duty to alter the maximum speed limits as the department if the change is based on an engineering and traffic investigation comparable to that made by the department.
- Not more than six such speed limits shall be set per mile along a highway, except in the case of reduced limits at intersections. The difference between adjacent speed limits along a highway shall not be reduced by more than twenty miles per hour, and there shall be no limit on the difference between adjacent speed limits for increasing speed limits along a highway.
- When the department or a local authority determines by an investigation that certain vehicles in addition to those specified in sections 60-6,187, 60-6,305, and 60-6,313 cannot with safety travel at the speeds provided in sections 60-6,186, 60-6,187, 60-6,188, 60-6,305, and 60-6,313 or not pursuant to section 60-6,188 or 60-6,189, the department or local authority may restrict the speed limit for such vehicles on highways under its respective jurisdiction and post proper and adequate signs.





- **Access Permit:** 864th Road Otto. Aaron has not spoken with the landowner, Calvin Otto. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve permit pending verification with Road Superintendent and landowner. This is on 864th Road east of 512th Avenue in the NW¼ of Section 4, Township 27, Range 8 West of the 6th principal median, Antelope County, Nebraska. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.
- **Access Permit 512th Avenue** – SW¼NW¼ Section 4, Township 27, Range 8 West/Borntrager – tabled until next week. Road Superintendent has not spoken with land owner, and believes there may be a line of site issue.
- **Access Permit: 527th Avenue** – S½NE¼ Section 26, Township 25, Range 6, West/Rice. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve Access permit submitted by Ron Rice for a field entrance off of 527th Avenue. This entrance had been there, there was not permit for it, and they are wishing to re-establish it. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.
- **Newman Signs Follow-up:** After negotiating with Newman Signs, they have agreed to remake the signs and send to us. When the new order is shipped and they will allow us to return the original incorrect signs. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to authorize Road Superintendent to proceed with the new order and return the incorrect signs to Newman Signs as needed. Voting aye: Jacob, Smith, Pedersen, and Krebs. Nays none. Henery absent. Motion carried.
- **Maintenance Policy:** Road Superintendent requested writing a resolution combining all maintenance and policies into one policy. The Commissioners agreed and asked him to write a policy to present. Road Superintendent will work on policy.
- Discussion of hiring seasonal ditch mowers. Discussed various aspects including, who to hire, what hours, what roads, equipment, costs, contracting the work, etc. No further action.

No other issues to discuss.

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

Meeting adjourned at 12:33 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

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

Attest: _____
County Clerk, Lisa Payne