November 1st, 2022 Antelope County Board of Commissioners Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, November 1st, 2022, at 9:00 AM in the County Commissioner's Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairperson Henery with the following board members responding to roll call: Pedersen, Jacob, Krebs and Henery. Chairperson Henery stated 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. Commissioner Smith attends meeting.

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

Minutes of the October 11th, 2022, Board of Commissioner Meeting, Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve as presented. Voting aye: Smith, Jacob, Pedersen, Krebs and Henery. Nays none. Motion carried.

Minutes of the October 11th, 2022, Board of Equalization Meeting, Motion by Commissioner Smith, seconded by Commissioner Jacob to approve as presented. Voting aye: Smith, Jacob, Pedersen, Krebs and Henery. Nays none. Motion carried.

Correspondence was reviewed: Health Reimbursement correspondence from Mike Boden; Nebraska DOT letter regarding Tentative Acceptance of Project; Nebraska DOT letter regarding speed on 275 (by Bomgaars); letter from Deb Branstiter regarding delinquent tax list; Nebraska DOT letter and resolution regarding Highway Superintendent; Nebraska DOT letter regarding National Functional Classification System Review; letter from Deb Branstiter regarding Personal Property Distress Warrants; Copy of Highway 20 Law Enforcement Interlocal Agreement; Noxious Weed Control Act and Noxious Weed Regulations and Calendar of Activities for year round program; Great Plains Communication email regarding internet speed and cost; DLL McCormick Tractor payoff paperwork; First Concord Benefits letter regarding non-discrimination of employee; September Union Bank and Trust Statement for Antelope Memorial Hospital Bond; Thank you from Neligh Chamber of Commerce for Parade of Lights and Novemberfest contribution.

Updates from Congressman Adrian Smith's Office: Jared Reimers did not call regarding current event updates from Congressman Adrian Smith's Office. Will follow up later.

9:17 AM: Met in Executive Session for approximately 75 minutes. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to go into executive session regarding personnel issues, NIRMA litigation correspondence, and NIRMA response to claims adjuster . Attending the executive session was Commissioners Henery, Jacob, Krebs, Pedersen and Smith, and County Attorney, Joe Abler. 9:23 AM Aaron Boggs attends executive session, at 9:35 AM Boggs leaves. At 9:37 AM Clerk Lisa Payne attends executive session and is dismissed at 9:47 AM. Executive session continues with County Attorney and all five (5) board members. 10:06 Smith invites Aaron Boggs to executive session. 10:32 AM executive session breaks. Motion by Commissioner Jacob, seconded by Commissioner Smith to close executive session and resume normal activity. Voting aye: Smith, Jacob, Pedersen, Krebs and Henery. Nays none. Motion carried

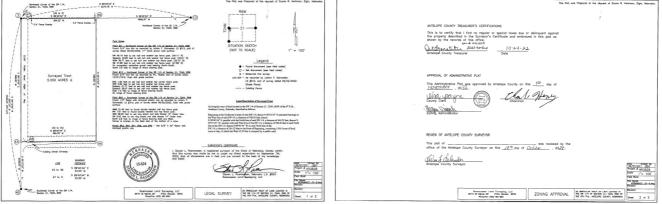
10:32-10:37 AM Break

NACO: Jon Cannon, Executive Director of NACO, met with the Commissioners reviewing and discussing old and upcoming issues and legislative issues. Among other issues, Mr. Cannon reviewed pink post card, annual conference, NACO sponsored GIS Program, NACO affiliated building proposed for Ogallala, ARPA Funds/Cares Act. Mr. Cannon reviewed the benefits of national NACo (National Association of County Officials).

Weed Department Update and Review: Bryan Cornett met with the Commissioners regarding general duties of the Weed Superintendent. He presented a calendar of duties along with a book regarding the Nebraska Statutes on Noxious Weed Control Act and Noxious Weed Regulations. Regarding previous issue of landowner not controlling noxious weed, after follow-up the owner sprayed the weeds. He shared no office concerns or follow up discussion.

Zoning Administrator Report:

- CAV: (Community Assistant Visits) Ms. Wingate stated they worked through issues with Hemenway and Henkenius properties and are still working on the Jacob site. She is hoping to have this resolved by the end of the month.
- Kerkman Administrative Plat: Jeff and Rebecca Kerkman, plan on splitting a five (5) acre tract from the parent parcel in Section 21, Township 24, Range 6, (Oakdale Township) West of the 6th P.M, Antelope County, Nebraska. Parcel is currently owned by Jeff's parents, Duane and Sandy Kerkman. Jeff and Rebecca plan on building a home and shop. Motion by Commissioner Jacob, seconded by Commissioner Smith to approve administrative plat. Voting aye: Pedersen, Jacob, Smith, Krebs and Henery. Nays none. Motion passed.





Road Superintendent Report:

- Tentative Acceptance of Project: Tilden North, State of Nebraska. The State of Nebraska sent a letter to Antelope County stating all items of ٠ work, on the subject project by Herbst Construction Inc. have been completed as of June 24th, 2022. Antelope County gave verbal agreement. Aaron agrees this to be an 80/20 split. Motion by Commissioner Jacob, seconded by Commissioner Smith to approve the acceptance and authorize Chairman to sign. Voting aye: Smith, Jacob, Krebs, Pedersen and Henery. Nays none. Motion carried.
- Concrete Patching 2023: As a heads up, Mr. Boggs stated the County will probably have quite a bit of concrete patching next construction season.
- **Truck Discussion** possible Replacement: Mr. Boggs stated he had talked to a few of the vendors who have stated new truck inventory is 12 18 months out. Mr. Boggs reported the trucks purchased in 2017-2018 are starting to show wear and are getting high on mileage. The trucks both are having injector problems, transmission jumping out of gear, along with other issues. Mr. Boggs has talked with a vendor that has four (4) 'voluntary repossessions' on his lot or will be there shortly. These are 2021 model year ranging from 44K - 66K miles, and similar to dump truck the County owns in Tilden. Three (3 have pushers He requested the Commissioners make a motion to advertise for new or used truck at

this time, to evaluate what is available, and to be ahead of the eight ball. Motion by Commissioner Jacob, seconded by Commissioner Krebs to advertise for new and or used trucks, with bids to be opened at the December 6^{th} , 2022, meeting. Voting aye: Smith, Jacob, Krebs, Pedersen and Henery. Nays none. Motion carried.

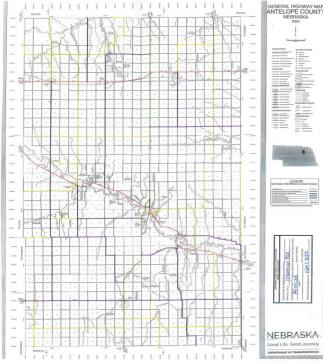
- Access Permit: Permit submitted by Luke Schilousky to have an access off 513th Avenue in the SE¹/₄ of Section 21, Township 28, Range 8, (Sherman Township) west of the 6th P.M., Antelope County, Nebraska. Luke is proposing to build a home on the property. Aaron had not talked to the landowner and requested to postpone action.
- **Oversize Permit**: Bridgeport Materials submitted an oversize permit for a crane to help with construction of the bridge on 870th Road. Dixon Construction was bid winner of the bridge repair construction. Motion by Commissioner Jacob, seconded by Commissioner Smith to approve oversize permit to help facilitate the bridge repair project. Voting aye: Smith, Jacob, Krebs, Pedersen and Henery. Nays none. Motion carried.
- County Bridge Match: Mr. Boggs shared a list of bridge structures for the County Bridge Match Program. Antelope County had submitted two (2) bridges C000211205 & C000220220. Antelope County bridges were not chosen for 2022 (only 40 are chosen annually), proximity of projects may be beneficial. Brian McDonald and Mr. Boggs suggests Antelope County submit the same bridges for the 2023 year. Motion by Commissioner Smith, seconded by Commissioner Jacob to authorize Brian McDonald/Mr. Boggs to submit the same bridges for fiscal year 2023. Voting aye: Smith, Jacob, Krebs, Pedersen and Henery. Nays none. Motion carried.
- Access Permit: Motion by Commissioner Jacob, seconded by Commissioner Smith to approve the application for an access permit submitted by Bill Marx along 865th Road in the NE¹/₄ Section 35, Township 28, Range 5, West of the 6th P.M. Antelope County, Nebraska. This access does not require a culvert. Voting aye: Smith, Jacob, Pedersen, Krebs, and Henery absent. Nays none. Motion carried.
- Access Permit: Motion by Commissioner Smith, seconded by Commissioner Jacob to approve the application for an access permit submitted by Bill Marx, along 865th Road in the NE¹/₄ Section 35, Township 28, Range 5, West of the 6th P.M. Antelope County, Nebraska. This access requires a culvert. Voting aye: Smith, Jacob, Pedersen, Krebs, and Henery absent. Nays none. Motion carried.
- **Tree Issues:** Mr. Boggs reports there are over 300 areas along county roads that have tree areas. Mowing of ditches was also discussed and Mr. Boggs thought could be upwards of greater than 400. Discussion. Mr. Boggs will be sending reminders.
- No Through Trucks on Old Highway 14 no action
- **Discussion of undocumented claim from September.** Aaron reports he has been in contact with owner, and they are working on sorting documentation by project. No action today.

Highway Superintendent Year End Certification: Motion by Commissioner Smith, seconded by Commissioner Jacob to approve and sign the Year End Certification of Brian McDonald of JEO Consulting as the 2022 Antelope County Highway Superintendent. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

Highway Superintendent Year End Certification Resolution: Motion by Commissioner Smith, seconded by Commissioner Jacob to approve and sign the Year End Certification Resolution regarding Antelope County Highway Superintendent. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

Do not necreate or worke this decrement. Twinsion and scotations with not to account of <u>failures to complete and return</u> the noncoasser, documents part interfacients, will steady in our account of the scotation as howeful to account of the scotation of the Year 2022. Occuments involves the <u>actings</u> Signard Resolution, Year-Gird Carditatoria), and a copy of documentation of the apportition regio of the Courty Information Signard Signard Resolution, Year-Gird Carditatoria), and a copy of documentations of the apporting region of the Courty Information Signard Signard Resolution at the NCOT <u>yet Resolution of 1, 2022</u> .	 Bo not necesse or messes this document: environ and necrotions will not be accepted. Copying this form jacceptable, see ballow: Environmental testing the competition and testing the competition will result by nur cooperts order testings together Bayment to competite and testing the competitional set and the anging the property Resultant, Val-End Calminiant Set Bayment and Set and Set Description 23, 2022.
RESOLUTION	Year-End Certification of County Highway Superintendent For Determining Incentive Payment in Calendar Year 2022
SIGNING OF THE YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT	Separate forms may be needed to account for the online year, see (3) below
2022	This Form Covers the Following Period: United view 1 , 2022 to Devenion 31, 20
Resolution No. 2022-11-000	"(1)(a) The county of ATTELODE detries that STAN MCOORDIA
Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 detail the requirements that	(Port name of Supervisedue) as appears or Ramos and / applicable was the appointed County Highway Superintendent from during the above period. FOR ANY PERIOD OF TIME YOUR COUNTY
must be met in order for a county to quality for an annual Incentive Payment; and	DID NOT HAVE AN APPOINTED HIGHWAY SUPERINTENDENT, WRITE IN "COUNTY BOARD" AS THE NAME OF THE "SUPERINTENDENT" AND SKIP TO (2) BELOW.
Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually	(b) the superintending services of the above listed person were provided by: (Check one bax)
certify (by December 31 st of each year) the appointment(s) of the County Highway Superintendent(s) to the NDOT	🔯 Employment 🖾 Contract 🗌 Contract (interlocal agreement) between this
using the Year-End Certification of County Highway Superintendent form; and	with this (consultant) County and the following listed County(ies) County with this and/or Municipathy(ies) County
Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent's appointment, i.e., meeting minutes showing the appointment of the County Highway	
Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and	(c) the above listed individual assisted in the following: Reference Neb. Rev. Stat. \$39-2502
Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal	 Developing and annually updating a long-range plan based on needs and coordinated with adjacent local governmental un 2. Developing an annual program for design, construction, and maintenance.
agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and	3. Developing an annual budget based on programmed projects and activities,
Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall	 Submitting such plans, programs, and budgets to the local governing body for approval; and Implementing the capital improvements and maintenance activities provided in the approved plans, programs, and budgets
whereas: I ne NUUT also requires that such Year-End Centrication or County Highway Supervisedent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing	(d) If the above listed individual is a Licensed County Highway Superintendent, enter their Superintendent's License Number
the signing of the Year-End Certification of County Highway Superintendent form by the County Board Administrating	S and Class of License, and/or
	(e) If the above listed individual is a Licensed Engineer in Nebraska, enter their Engineer's License Number E-
Be it resolved that the County Board Chairperson of <u>AnTELOPE</u> (Which Karard Chairpers) is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).	(2) Signature of County Bland Davisonan
life champion and challed	*(3) If during the calendar year your county (a) did not have an appointed County Highway Superintendent for any portion(s) of
Adopted this day of <u>NAMINEXY</u> , 20 <u>12</u> at <u>Neligib</u> , Nebraska.	year; or (b) had <u>one or more appointed</u> County Highway Superintendent(s) <u>that were not iscensed</u> for any perion(s) of the year; or had <u>one or more appointed learned</u> County Highway Superintendent(s) for any perion(s) of the year; or had <u>or more appointed learned</u> County Highway Superintendent(s) for any period(s). These separate periods.
Course the there the the	(4) The payment amount will be computed based on (a) your most recent Federal Censue, numl populations (b) the number of
- Carrier - Carrier	calendar months served by the appointed County Highway Superintendent who is licensed or exempted from licensure under Superintendents Act; (c) class of license, A or B if applicable; (d) whather the appointed County Highway Superintendent is employ
Company of	or under contract (consultant or interlocal agreement with another county and/or incorporated municipality); and (e) if the appoint County Highway Suparintendent assisted with the required duries in (1)(c) above. Reference Neb. Rev. Stat. \$439-2302 and 39-2
cle paros	mrough 39-2505
- Inialy- hidew	(5) Failure to return by December 31, 2022, the Year-End Certification(s), Signing Resolution, and a copy of documentat of the appointment(s) of the superintendent(s) per the instructions will result in your county not receiving an incent Payment.
County Board Member Sm) Th Moved the adoption of said resolution	
Member <u>JRRDb</u> Seconded the Motion Roll Call <u>5</u> Yes <u>No</u> <u>Abstained</u> Absent	Return the completed original resolution and certification(s), and a copy of the documentation of appointment(s) by December 31, 2022 to:
Resolution adopted, signed, and billed as adopted.	Highway Local Liaison Coordinator
Atlests *	Boards-Lisison Services Section Local Assistance Division
Ullia payne ((()))	Nebraska Department of Transportation
(Signation of Charge	PO Box 94759 Lincoln NE 68509-4759
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orbit 2 No.	

National Functional Classification Review: Nebraska Department of Transportation, in follow up of the census requested the review of road classifications in Antelope County. Mr. Boggs has reviewed, and offers no changes, he believes it to be correct. Moton by Commissioner Smith, seconded by Commissioner Pedersen to approve said map. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.



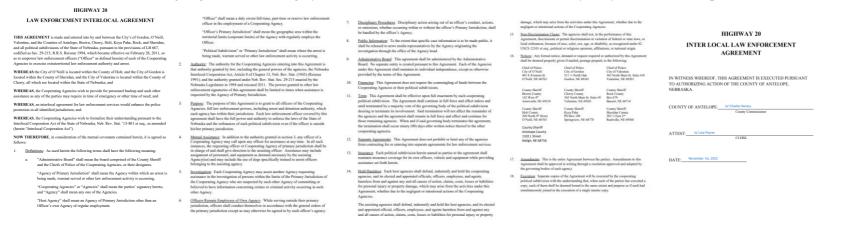
Update on Court Technology Upgrades: Angela Mortensen, Antelope County District Court Clerk met with the Commissioners regarding upgrades of technology going into the Courtroom. Angie had met with the Board last spring. Bill Rahder will be upgrading the phones while the state personnel are in house, which will happen the weed of December 12th. Angie stated most of the expense will be on the State. The State is purchasing the equipment and upgrading the courtroom. The State will own the equipment for five (5) years, at which time Antelope County will own the equipment and be responsible for the maintenance. Motion by Commissioner Pedersen, seconded by Commissioner Smith to approve and authorize the signing of the agreement. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

Promotional Fund: Neligh Oakdale Teammates: Erin Whitesel, with Neligh-Oakdale Teammates submitted a promotional grant request for Annual Rafts of Crats to be held on November 12, 2022. Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve \$350.00 Promotional Fund request from Neligh Chamber of Commerce Parade of Lights. Voting aye: Pedersen, Jacob, Smith, Krebs, and Henery. Nays none. Motion passed.

Distress Warrants: Deb Branstiter, Antelope County Treasurer, met with the Commissioners regarding her current Distress Warrant list. She is requited by November 1^{st} of each year to provide a list of distress warrants to the Sheriff's office. This year there were 45 on the list and since then three (3) of them have paid.

Delinquent Tax List: Deb Branstiter, Antelope County Treasurer met with the Commissioners. She had presented a list of Delinquent Taxes. There are four (4) County Tax Sales that will expire March 10th of 2023. She is requesting the Board to direct the County Attorney to foreclose on those County Tax Sales on that expiration date. Previously, the County Attorney has sent a letter at this time, which has helped with the timeline and collections. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to direct County Attorney to send letter and to start foreclosures at the expiration date in March of 2023. Voting aye: Pedersen, Jacob, Smith, Krebs, and Henery. Nays none. Motion passed.

Highway 20 Interlocal Agreement: For the past couple of years Antelope County has participated in the Highway 20 Interlocal Agreement which is an agreement that allows the Law Enforcement Agencies to offer assistance and cross jurisdiction lines in the completion of law enforcement. Antelope County wishes to continue this agreement. Motion was made by Commissioner Krebs seconded by Commissioner Jacob to approve participation and authorize the Chairman to sign agreement. Voting aye: Pedersen, Jacob, Smith, Krebs, and Henery. Nays none. Motion passed.



No other issues to discuss.

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

Meeting adjourned at 12:12 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By:

Chairperson of the Board, Charlie Henery

Attest:

County Clerk, Lisa Payne