

January 6, 2015  
Antelope County Board  
Neligh, Nebraska

The Antelope County Board of Supervisor's convened in regular session on Tuesday, January 6, 2015 at 9:00 AM in the County Supervisor's room, Antelope County Courthouse annex, Neligh, Nebraska. Meeting called to order by Chairman Schwager with the following board members responding to roll call: Brandt, Kerkman, Baker, Williby, Henery and Schwager. Bolling absent. Chairman Schwager stated that the open meeting laws are posted on the east wall of the Supervisor's room with more copies available at the County Clerk's office.

Notice of the meeting was given in advance thereof by publication in the four 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 Supervisors.

Mrs. Nancy Pedersen met with the board in regards to the accident she had last summer when an employee with the Antelope County Road Department backed into her vehicle while grading a county road. Antelope County insurance carrier NIRMA wrote a letter stating that they would not pay for the claim due to Mrs. Pedersen was following to close to a county maintainer as per State Statute. Mrs. Pedersen asked the board to pay her \$250.00 deductible. Chairman Schwager stated that they county would not pay for the \$250.00 deductible. No further action taken.

Mr. James Williams representative with Invenergy, met with the county board to give them an update on the Prairie Breeze Phase II progress and the future expansion of the wind towers in Antelope County.  
Motion by Williby, seconded by Kerkman designating the Neligh News and Leader, Orchard News, Elgin Review and the Clearwater Record as the official county newspapers for 2015. Those voting aye: Brandt, Kerkman, Baker, Williby, Henery and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Kerkman, seconded by Baker to approve paying the NE Nebraska RC&D sponsor dues in the amount of \$1,500.00 for 2015. Those voting aye: Kerkman, Baker, Williby, Henery, Brandt and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Henery, seconded by Williby to approve the two applications for permit submitted by Great Plains Communications, Blair, Nebraska to place permanent 1/2" fiber optic cable beneath 528<sup>th</sup> Avenue crossing between Sections 1 and 6, Township 24 North, Range 6 West of the 6<sup>th</sup> P.M., and beneath 529<sup>th</sup> Avenue, crossing between Sections 5 and 6, Township 24 North, Range 5 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska, said fiber optic line will provide communication to new AT&T tower and rural patrons along fiber route and will provide faster broadband and internet speeds to rural customers; all work to be done according to State specs. Those voting aye: Baker, Williby, Henery, Brandt, Kerkman and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Kerkman, seconded by Henery to approve the December 2, 2014 and December 9, 2014 county board minutes. Those voting aye: Williby, Henery, Brandt, Kerkman, Baker and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Henery, seconded by Williby to appoint newly elected Antelope County Clerk Lisa Payne as the NIRMA contact person. Those voting aye: Henery, Brandt, Kerkman, Baker, Williby and Schwager. Nays none. Bolling absent. Motion carried.

Chairman Schwager stated that he had been contacted by Frank Morrison requesting that the county consider pulling down the hill between Koenig's and Ziegenbein's property due to the problems this hill creates when icy. Chairman Schwager stated that he would discuss this issue further with Mr. Morrison. No action taken.

Recessed as a County Board at 9:30 AM to convene as a County Board of Equalization; recessed as a County Board of Equalization at 9:30 AM to discuss other issues.

Antelope County Highway Superintendent Brian McDonald conducted a sign study of the county road intersection located at the intersection of 533<sup>rd</sup> Avenue and 870<sup>th</sup> Road as per the request of Supervisor Schwager. After visiting the intersection the county highway superintendent suggested that a stop sign be installed to control northbound traffic at this intersection. Motion by Henery, seconded by Kerkman authorizing Chairman Schwager to sign the Resolution authorizing the installation of a stop sign to control the northbound traffic at the intersection of 533<sup>rd</sup> Avenue and 870<sup>th</sup> Road, Antelope County, Nebraska. Those voting aye: Brandt, Kerkman, Baker, Williby, Henery and Schwager. Nays none. Bolling absent. Motion carried.

**RESOLUTION 2015-01-0001**  
**ANTELOPE COUNTY, NEBRASKA**

WHEREAS, a study of the intersection of the south leg of 533<sup>rd</sup> Avenue and 870<sup>th</sup> Road, in Antelope County, Nebraska, was completed by Brian McDonald, PE. In that study it was determined that northbound traffic must turn right or left because the north leg of 533 is located approximately 850 feet to the west and that visibility to the west is obscured by trees.

WHEREAS, it was found to be in the public interest to stop northbound traffic at the intersection of 533<sup>rd</sup> Avenue and 870<sup>th</sup> Road, Antelope County, Nebraska to improve public safety.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that a stop sign be installed to control northbound traffic at the intersection of County 533<sup>rd</sup> Avenue and 870<sup>th</sup> Road, Antelope County, Nebraska.

Adopted this 6<sup>th</sup> day of January, 2015, Neligh, Nebraska.

ATTEST:  
Carolyn Pedersen /s/  
County Clerk

(SEAL)

BOARD OF COUNTY SUPERVISORS  
Jerry Schwager /s/  
Chairman

Antelope County Highway Superintendent Brian McDonald presented the revised 2015 One and Six Year Road Program and asked that the county board review the projects and set the hearing date for February 3<sup>rd</sup>, 2015. Motion by Williby, seconded by Brandt to set the One and Six Year Road Program hearing for February 3<sup>rd</sup>, 2015 beginning at 10:00 AM in the Supervisors room of the courthouse annex. Those voting aye: Kerkman, Baker, Williby, Henery, Brandt and Schwager. Nays none. Bolling absent. Motion carried.

Antelope County Sheriff Robert E. Moore met with the county board and informed them that when the State Auditor's office conducted the 2013/2014 audit of his office there was an overage in the County Sheriff's checking account in the amount of \$2,500.00. This overage cannot be accounted for but is thought to be due to checks written for services which were never cashed. There is no way to go back to determine which checks may not have been cashed so the State Auditor's office asked that Sheriff Moore wait until January 1, 2015 to turn this money over to the county treasurer's office to be placed in the general fund. The auditor's office suggested the January 1, 2015 date to allow time for any outstanding checks to be cashed. Sheriff Moore stated that the auditor's office said that he could place this money in the general fund and then ask the county board for permission to use this money to purchase equipment for his office. Moore asked that the county board allow him to use part of this money to purchase two new walkie-talkies in the amount of \$2,064.00 to replace the two outdated radios that his deputies are currently using. Motion by Henery, seconded by Brandt to allow Sheriff Moore to purchase two new walkie-talkies for the sheriff's department in the amount of \$2,064.00; said amount is to be coded out of the miscellaneous general fund. Those voting aye: Baker, Williby, Henery, Brandt, Kerkman and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Henery, seconded by Williby authorizing Chairman Schwager to sign Amendment #1 to National Insurance Services Trust Joinder Agreement for Group Term Life Insurance. Those voting aye: Williby, Henery, Brandt, Kerkman, Baker and Schwager. Nays none. Bolling absent. Motion carried.

**AMENDMENT #1 TO NATIONAL INSURANCE SERVICES TRUST**  
**JOINDER AGREEMENT FOR GROUP TERM LIFE INSURANCE**

Employer plan No: 4203 Carrier: MNL State: NE Employer: Antelope County

Employee Class: 02 all eligible Employees Enrolled in Medical Coverage

This Amendment, made part of the National Insurance Services Trust Joinder Agreement (the "Agreement") by and between the Administrator of the National Insurance Services Trust and Antelope County, (the "Employer"), amends certain provisions of the Agreement effective October 1, 2014 as specified below. Provisions under this Amendment are subject to all the terms and conditions, limitations and exclusions of the entire contract, unless otherwise stated herein.

Benefit Change(s):

- Under "**Insurance and Benefit Information**", under "**A. Administrative**", the item entitled "9. Minimum Hourly Work Requirement:" is hereby deleted in its entirety and replaced with the following:  
"9. Minimum Hourly Work Requirement:  
**Class 01:** 17.5 hours per week; unless otherwise stated in agreement with the County, Elected Officials will not be required to complete a minimum number of hours.  
**Class 02:** 30 hours per week"

Rates: The premium rates will remain unchanged.

The above rates are guaranteed until the next plan renewal date. This rate guarantee will not pertain to adjustments in premium rate due to amendments requested by the Employer.

This Amendment becomes a part of the entire contract. It shall continue in force under the same provisions that govern the entire contract. All other terms, provisions and conditions of the entire contract remain unchanged except as stated above.

Accepted this 6<sup>th</sup> day of January, 2015, for the above-named Employer.

By: Jerald Schwager /s/  
Chairman of County Board

Accepted for National Insurance Services Trust by Administrator, National Insurance Services of Wisconsin, Inc.  
Signature not legible  
Date: December 1, 2014

Motion by Williby, seconded by Henery to deny the claim in the amount of \$400.00 submitted by Bobby Johnston for 2 years of grading and snow removal. Those voting aye: Henery, Brandt, Kerkman, Baker, Williby and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Henery, seconded by Kerkman to go into executive session for the purpose of discussing Ms. Mueller's request to rehire Mr. Dennis and Sheriff Moore's request to rehire Mr. Wilkinson both former county employees, a closed session should be had to present needless injury to the reputation of either individuals due to the nature of the boards discussions of prior work ethic, practices and the like, to determine whether or not to grant or deny the requests for hiring pursuant to the county's re-employment policy. Those voting aye: Brandt, Kerkman, Baker, Williby, Henery and Schwager. Nays none. Bolling absent. Motion carried. Chairman Schwager stated that the executive session is being held to discuss the re-hire of former county employees Matthew Wilkinson and Doug Dennis and that the doors were closed at 10:07 AM. Antelope County Attorney Joe Abler and Antelope County Clerk Carolyn Pedersen were also present in executive session. Doors shut at 10:07 AM. Issue discussed. The doors were opened at 10:27 AM. Motion by Williby, seconded by Henery to go out of executive session. Those voting aye: Kerkman, Baker, Williby, Henery, Brandt and Schwager. Nays none. Bolling absent. Motion carried. Chairman Schwager stated that the executive session ended at 10:27 AM and that no formal action was taken during executive session. Chairman Schwager asked if there was any formal action the board would like to take.

Motion by Henery, seconded by Brandt to allow the rehire of Matthew Wilkinson as an employee of the Antelope County Sheriff's department. Those voting aye: Baker, Williby, Henery, Brandt, Kerkman and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Henery, seconded by Kerkman to deny the rehire of Doug Dennis as an employee of the Antelope County Assessor's office. Those voting aye: Williby, Henery, Kerkman, Baker and Schwager. Nays: Brandt. Bolling absent. Motion carried.

Joshua Gray with Hammer Insurance met with the county board regarding the county's health insurance through CoOpportunity Health. Mr. Gray stated that the Iowa Insurance Commissioner submitted a petition for an Order of Rehabilitation of CoOpportunity Health and based on this action the Nebraska Department of Insurance suspended the Certificate of Authority for CoOpportunity Health. Mr. Gray said that claim payments to providers are being processed and pharmacy prescriptions will be filled for 31 day periods going forward. Mr. Gray suggested that the county look at changing to another health insurance provider such as Blue Cross Blue Shield, Coventry or United Health Care. Mr. Gray said that he could get a quote from these companies as soon as possible and present them to the county board. Discussion was held regarding asking NACO to allow the county back on the NACO health insurance. Motion by Henery, seconded by Kerkman to ask NACO to allow the county back on the NACO health insurance and the county requests that Blue Cross Blue Shield be the provider for the county employee's health insurance. Those voting aye: Henery, Brandt, Kerkman, Baker, Williby and Schwager. Nays none. Bolling absent. Motion carried.

Antelope County Sheriff Robert E. Moore along with Boyd Pedersen owner of Boyd's Electrical Service, Inc. met with the board to discuss the upgrades to the internet services for the New Law Enforcement Facility. Sheriff Moore stated that he would like to update the internet service to the New Law Enforcement Facility to the faster fiber optic which Great Plains Communications currently offers. Sheriff Moore said that he spoke with Frontier Communications who currently provides internet services to the county and they do not intend to upgrade their internet services anytime in the near future. Boyd Pedersen stated that with the newer technologies required by the sheriff's office to use, the high speed fiber optic line is a must. If the county would allow for the higher speed fiber optic line now, during the new construction, it would save the county money because eventually this line will need to be installed. The construction cost to the county would be \$10,000.00 which would get the fiber optic cable to the new law enforcement facility and the cost would be \$80.00 per month thereafter. If email is needed, ten e-mail addresses are provided at no additional charge. Beginning with the eleventh address, each additional address will be billed at \$.50 per month. The internet speeds would be 20 Megabit download and 20 Megabit Upload which should be sufficient for many years. Also, the customer will receive one static IP address charged at \$10.00 monthly with additional IP addresses charged at \$10.00 per month. Discussion as held regarding allowing the county courthouse offices to upgrade their internet services also. Motion by Henery, seconded by Brandt to approve the Great Plains Communications Construction fee in the amount of \$10,000.00 for the high speed fiber optic circuit to be installed at the new Antelope County Law Enforcement Facility. Those voting aye: Brandt, Kerkman, Baker, Williby, Henery and Schwager. Nays none. Bolling absent. Motion carried.

Recessed as a county board to re-convene as a County Board of Equalization at 11:09 AM; adjourned at 11:15 AM as a County Board of Equalization and reconvened as a regular board.

The following correspondence was reviewed and placed on file: NACO emailing regarding "The Alarming Condition of Nebraska's Rural Bridges"; email from the State Auditor's office stating that the mileage rate as of 1-1-2015 is 57.5 cents per mile and 60.5 cents per mile for sheriff's for serving papers; Nebraska Department of Roads quarterly bridge inspection reminder; and miscellaneous receipts for the sale of used culverts, scrap metal surplus sale District 6 and NE Nebraska Telephone dividend.

The following townships are behind on paying their township billings: Burnett Township \$2,100.00; Bazile Township \$5,005.00; Elgin Township \$1,295.00; Oakdale Township \$3,170.00 and Crawford Township \$11,025.00. No action taken.

Supervisors Kerkman, Williby and Schwager conducted the 1<sup>st</sup> quarter jail inspection.

Informed the county board that Madison County is refusing to pay their share of the Responsible Charge fees related to the Tilden North Bridge Project because they do not have a contract with Antelope County for this project.

The Old County Museum is no longer being used by the Antelope County Historical Society and the contents of the building have been move to the new museum. NIRMA suggested that the county board carry \$50,000.00 liability insurance on the Old Museum building which could be used for debris removal if the county decides to demolish the building. No formal motion made.

Motion by Kerkman, seconded by Baker to accept the Antelope County Visitor Committees recommendation to approve the request received from the Antelope County Historical Society for \$1,500.00 from the Antelope County Visitors Improvement fund to place a sign on the new museum building. Those voting aye: Kerkman, Baker, Williby, Henery, Brandt and Schwager. Nays none. Bolling absent. Motion carried.

Motion by Williby, seconded by Brandt to adjourn. Those voting aye: Baker, Williby, Henery, Brandt, Kerkman and Schwager. Nays none. Bolling absent. Motion carried.

Meeting adjourned at 11:30 AM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman of County Board

Attest: \_\_\_\_\_  
Antelope County Clerk