

July 8, 2014
Antelope County Board
Neligh, Nebraska

The Antelope County Board of Supervisor's convened in regular session on Tuesday, July 8, 2014 at 8:00 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: Bolling, Kerkman, Baker, Williby, Henery and Schwager. Brandt appeared later. 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 Supervisor's.

Motion by Brandt, seconded by Kerkman to approve the following claims for payment. Those voting aye: Bolling, Brandt, Kerkman, Baker, Williby, Henery and Schwager. Nays none. Motion carried. We, the Committee on Claims, report that we have examined and approved for payment the following claims:
GENERAL FUND: Antelope County Court-county court costs-99.00; Antelope County Sheriff-district court costs-201.00; Apperaa-towel service-40.80; Applied Connective Technologies-sheriff/internet hookup/parts/labor-183.08; AS Central Finance-sheriff/teletype-448.00; Larry Baker-mileage-125.00; Todd Baker-building & grounds/labor for installing doors-140.00; Bob Barker Company-sheriff/uniform pants-48.72; Merlin Bolling-mileage-44.24; Bomgaars-weed control/pipe fittings/thread compound/blade fuses/sheriff/fluorescent bulbs/power flex bandages/extension agent/rain guage-102.13; Eleanor Brady-prior service-25.00; Harlan Brandt-mileage-40.00; Braun Pest Control-sheriff/pest control-25.00; Brogan & Gray-county court/court appointed representation-377.46; Dean Brown-prior service-25.00; Carhart Lumber-weed control/lumber/screws-32.27; Carney Law-attorney fees/mileage-3256.98; Charlayne Carpenter-planning/zoning/mileage-123.20; City of Neligh-electricity/water/sewer/garbage/-3117.15; City of Neligh-recycling fees-250.00; Colonial Research-building & grounds/hand soap-173.94; Dollar General-sheriff/inmate beverage/chalk-11.30; Dusty's-sheriff/fuel/unleaded-50.50; Eakes Office Plus-treasurer/office supplies/post-it notes & tabs/calendar refill-16.36; Elgin One Stop-sheriff/fuel/ethanol-502.20; Elgin Review-publishing costs-234.30; Elkhorn River Farms-sheriff/inmate food/potatoes-16.00; Flenniken Plumbing & Heating-building & grounds/service air conditioner/Freon/labor-240.00; Frontier Communications-telephone service-2563.59; Tessa Hain-extension agent/mileage-22.40; Charles Henery-mileage-75.60; Hilltop Drug-sheriff/inmate medication-15.27; Nadene Hughes-prior service-14.00; Frank Kamphaus-prior service-16.00; LeRoy Kerkman-mileage-13.44; Darci Lindgren-extension agent/mileage-33.60; Willetta Lindsay-sheriff/fuel reimbursement-53.01; Microfilm Imaging Systems-district court clerk/county clerk/scanning equipment monthly rent-87.00; David Miller-planning/zoning/mileage-11.20; MIPS-county clerk/data processing costs-405.56; Mr S's-sheriff/fuel/ethanol-222.62; National 4-H Council-extension agent/sketchbook-10.45; Nebraska Association of County Officials-first half 2014/2015 membership dues-1762.00; Northeast Nebraska Economic Development-2014/2015 membership dues-875.00; Bruce Ofe-weed control/superintendent workshop registration fee-10.00, OK Tire-weed control/2013 F150/computer tire alignment-71.95; Orchard News-publishing costs-214.07; Donna Payne-prior service-25.00; Plainview News-publishing costs-57.50; Precision Repair-sheriff/service vehicle/oil/filter-38.54; Kurt Rakow-planning/zoning/mileage-16.80; Region IV Behavioral Health-Mental Health & Substance Abuse Services/1st quarter FY15 contribution-4315.00; Region IV Developmentally Disabled-Developmentally Disables Services/1st quarter FY15 contribution-2808.00; Reliable Office Supplies-sheriff/filing cabinet/envelopes/printer ink-298.42; Royal One Stop-sheriff/fuel-32.00; Jerald Schwager-mileage-30.24; Shell Fleet Plus-sheriff/fuel/unleaded-745.66; County Sheriff-petty cash monies-150.00; Caroline Siems-prior service-25.00; The Station-sheriff/inmate food/paper supplies-319.79; Chuck Thieman-weed control/mowing-30.00; Thriftway Market-building & grounds/janitorial supplies/sheriff/inmate food-526.28; Tilden Citizen-publishing costs-24.09; US Cellular-sheriff/cell phone service-363.53; Version Wireless-weed control/cell phone service-45.05; Visa-sheriff/trail cameras-463.90; Wanek Pharmacy-sheriff/inmate medications-181.54; Bonita Welke-prior service-22.00; Rod Wilke-extension agent/mileage-24.64; David Willats-weed control/superintendent workshop registration fee-10.00; Neil Williby-mileage-58.24; Zee Medical-

sheriff/first aid supplies-16.20; Nebraska Unemployment Fund-2nd quarter contribution-3488.00; Cubby's-building & grounds/fuel/midgrade/unleaded/county car/fuel/unleaded-196.58

ROAD & BRIDGE: (Brunswick Area) Bazile Aggregate-road gravel/fuel service charge-3525.00; Frontier Communications-telephone service-75.33; Key Sanitation-garbage-18.00; Kumm Gas-equipment fuel/unleaded/gasohol/#2 diesel-7801.49; Lichtenberg Tire-tire repair/service call/parts-127.00; Mitteis Sand & Gravel-road gravel/47b concrete-2622.10; North Central Public Power District-electricity-131.04; 2M Auto Repair-equipment water pump repair #1206/parts/labor/freight-867.38 **(Orchard Area)** Dusty's-fuel/unleaded-88.81; Farmer's Pride-bulk fuel/ruby diesel-4057.36; Frontier Communications-telephone service-62.52; Green Line Equipment-equipment parts/filter elements-576.25; Lazy T Tire-tire repair #0212-25.00; Mitteis Sand & Gravel-road gravel/47b concrete/mud rock-1960.41; North Central Public Power District-electricity-52.06; Pollock Redi Mix-oversize rock-1090.55; Murphy Tractor-equipment repair #2103/replaced alternator belt/idler/parts/labor/mileage-469.15; Royal One Stop-fuel/gasoline-77.00; Village of Orchard-water-30.50; Willie Service-equipment air conditioner repair/parts/labor-84.44 **(Clearwater Area)** Elkhorn Rural Public Power District-electricity-81.33; Farmer's Pride-bulk fuel/ruby diesel-3050.40; Lichtenberg Tire Service-tire repair/mount/dismount/service call/parts-127.00; Mitteis Sand & Gravel-road gravel/-1173.23; Northeast Nebraska Telephone-telephone service-46.31; Pollock Redi Mix-oversize rock/road gravel-2153.74; Murphy Tractor-equipment front wheel drive repair/parts/labor-324.88; Shell Fleet-fuel/plus gasoline-158.29; Village of Clearwater-water/garbage-53.50 **(Neligh Area)** City of Neligh-garbage-16.00; Farmer's Pride-bulk fuel/lp gas/diesel-7965.00; Frontier Communication-telephone service-62.96; Jonny Dodge-equipment engine light repair/parts/labor-170.49; Mitteis Sand & Gravel-road gravel/armor coat-1011.61; OK Tire-tire/tube/shop supplies-121.01; Pollock Redi Mix-over size rock-293.77; Cubby's-fuel/unleaded/super-272.53 **(Tilden Area)** Constellation Energy-heating fuel-33.44; Darren's Service-fuel/gasoline/regular/tire repair-322.20; Frontier Communications-telephone service-259.78; Mr S's-fuel/ethanol-70.52; Pollock Redi Mix-road gravel-190.23; Road Builders-#5101 equipment repair/repair fan motors/parts/labor/mileage-744.57; Sapp Brother Petroleum-bulk fuel/diesel-1619.85 **(Oakdale Area)** Farmer's Pride-bulk fuel/diesel-4438.84; Great Plains Communications-telephone service-69.27; Jonny Dodge-1995 Dodge 1500 repair/tire rotation/ball joint replacement/parts/labor-260.64; Lichtenberg Tire-tires/mount/dismount/shop supplies/disposal fee-216.42; Mitteis Sand & Gravel-road gravel-1288.24; Mr S's-equipment fuel/ethanol/oil-177.64; Pollock Redi Mix-road gravel-2915.33; Village of Oakdale-garbage-13.50 **(Elgin Area)** Central Valley Ag-fuel/unleaded/no parking signs/air chuck-36.14; Elkhorn Rural Public Power District-electricity-52.06; Great Plains Communications-telephone service-51.93; Lichtenberg Tire-tire repair/service call-156.00; Mitteis Sand & Gravel-armor coat/47b concrete-395.15; Pollock Redi Mix-road gravel-559.48; Sapp Bros-bulk fuel/diesel-2124.53; The Station-equipment fuel/super unleaded/diesel-291.38 **(At Large)** Appera-towel service-175.27; B's Enterprises-grader blades-8352.50; Beckman Lumber-machine hire/truck for hauling gravel/rock-896.00; Bolling Excavating-machine hire/push up millings-655.00; Casey's General-equipment fuel/unleaded/super unleaded-251.27; Central Valley Ag-equipment fuel/ethanol-65.47; Central Valley Ag-1st installment road improvements/516 Ave Royal-59,610.74; Elkhorn Rural Public Power District-electricity-468.07; Farmer's Pride-bulk fuel/diesel/LP-17,170.51; Island Supply Welding-cylinder rental165.00; Jebro-patching oil/MC800-45,989.19; Jonny Dodge Chrysler-1997 Ford L-900 repair /wheel seal & service/parts/labor/1991 IHC 9400/air conditioner repair & service/parts/labor/1988 Ford L8000/clutch adjustment/labor/shop supplies/1996 Ford L-900/repair hood hinge/parts/labor/service/1997 IHC 9400/brake repair/service/parts/labor-3464.23; Kumm Gas-diesel/gasohol/carb cleaner/marker-565.70; Lichtenberg Tire-tire repair/patch-58.00; Martin Marietta Materials-gravel/1" clean-924.92; Matteo Sand & Gravel-armor coat-305.42; Midwest Service & Sales-grader blades/culverts-8856.17; Mitteis Sand & Gravel-mudrock-130.26; Mr S's-equipment fuel/ethanol/diesel-764.24; Nebraska Department of Revenue-2nd quarter fuel report-1947.00; Newman Traffic Signs-road signs/shipping/surcharge-707.87; Nebraska Machinery-equipment parts/spring-27.26; OK Auto Parts-equipment parts/hose fittings/oil filter/fuel filter/battery terminal-138.41; OK Tire Store-tire repair/mount/dismount/labor/shop supplies-879.74; Orval's Auto-equipment #0216 repair/fuel pump assembly/parts/labor/oil/filter/washer fluid-768.75; Pollock Redi Mix-oversize rock/sand-1055.80; Royal One Stop-equipment fuel/diesel/gasoline-606.21; Rueter's Red Power-equipment rear axle repair/parts/labor/shipping-9787.06; Shell Fleet-equipment fuel/diesel/unleaded/guper-368.67; The Station-equipment fuel/super unleaded-93.89; Tinsley Grain-crushed rock/white rock/screened rock-4342.86; 2M Auto Repair-battery-114.95; Wirtgen America-equipment parts/recycle teeth/shipping-3322.20; Cubby's-fuel/super unleaded-61.50

REAPPRAISAL FUND: Reliable Office-assessor/miscellaneous office supplies-383.42

REGISTER OF DEEDS PRESERVATION FUND: MIPS-register of deeds/data processing-259.21

BUILDING FUND: Certified Testing Service-sheriff/new law enforcement center costs-3806.80
GENERAL FUND PAYROLL Total Wages-72,948.24; Federal Withholding-6909.85; Social Security/Medicare-14,336.64; State Withholding-2268.75; Ameritas Life Insurance Corporation-retirement-10491.62; Ameritas Life Insurance Corporation-vision insurance-508.72; American Family Life Assurance Corporation-insurance-98.54; Blue Cross Blue Shield of Nebraska-health insurance-54,124.42; Colonial Life & Accident Insurance-insurance-90.92; 1st Concord Benefits-cafeteria plan payroll deductions-283.33; Nebraska Child Support Payment Center-garnishment-50.00; Madison National Life-insurance-157.25; Antelope County Mid-American Benefits Trust-employees' health insurance buyback deductible & administration fee-1747.50; Washington National-insurance-524.70

ROAD & BRIDGE PAYROLL Total Wages-43,682.78; Federal Withholding-4498.98; Social Security/Medicare-8840.98; State Withholding-1563.20; Ameritas Life Insurance Corporation-retirement-6361.73; Ameritas Life Insurance Corporation-vision insurance-190.64; American Family Life Assurance Corporation-insurance-337.49; Blue Cross Blue Shield of Nebraska-health insurance-27,998.84; Colonial Life & Accident Insurance-insurance-64.80; 1st Concord Benefits-cafeteria plan payroll deductions-208.33; Credit Bureau Services-garnishment-296.88; Nebraska Child Support Payment Center-garnishment-636.00; Madison National Life-insurance-93.82; Antelope County Mid-American Benefits Trust-employee health insurance buyback deductible & administration fee-2385.00; Washington National-insurance-24.90

Larry Baker /s/ 7-8-2014

Jerald Schwager /s/ 7-8-2014

Neil Williby /s/ 7-8-2014

SALARIES: July 2014

The following salaries are to be published each year between July 15 and August 15, according to Nebraska State Statute 23-122, revised by LB299 in 1996. Antelope County employees are paid on a monthly payroll. The salaries vary in each department, due to job titles and the number of years of employment. The following are payroll figures: **GENERAL FUND:** Supervisors(6) \$11,330.00; (1) \$12,338.00 – annual; Officials (4) \$46,119.42 – annual; Deputies (2) \$33,205.98 – annual; Clerical hourly - (1) \$13.50; (4) \$12.40; (1) \$11.00; (1) \$10.25; (1) \$10.00; Janitor (1) \$11.90; part-time Janitor (1) \$11.00; Custodian (1) \$12.00; Sheriff (1) \$49,114.51-annual; Deputies (1) \$32,893.56; (1) \$30,267.00; (1) \$28,728.00 – annual; part-time Deputies (1) \$14.75 (6) \$13.00; (1) \$10.00 – hourly; Dispatchers (1) \$14.50; (1) \$12.90; (1) \$12.02; (1) \$12.00; (1) \$11.00; (2) \$10.50; (2) \$10.00; Attorney (1) \$46,919.99 – annual; Veterans Service Officer (1) \$29,210.76 – part-time – annual; Zoning (1) \$12.15 –part-time - hourly; Diversion Officer (1) – part-time \$15.00 – hourly; Weed Board Members (5) \$40.00 per meeting; Weed Superintendent (1) \$37,718.64 – annual; part-time Sprayers (1) \$11.00 – hourly; part-time Clerical (1) \$12.27 **ROAD & BRIDGE FUND:** Road Workers (18) \$13.15; (2) \$12.65 – hourly; part-time road workers (3) \$11.50 – hourly; Highway Superintendent (1) \$1,200.00 – annual.

The clerk of the district court June fee report was reviewed and placed on file.

Motion by Henery, seconded by Williby to approve the June 3, 2014, June 10, 2014 and June 24, 2014 county board minutes. Those voting aye: Brandt, Kerkman, Baker, Williby, Henery, Bolling and Schwager. Nays none. Motion carried.

The State of Nebraska Department of Roads sent a certification form requesting that Antelope County inform them how the county had spent the Highway Street Buyback and the Highway Bridge Buyback money that was sent to the county by the state in March 2014. Antelope County received a total of \$183,805.55 which was disbursed between the two funds; at this time the county has not spent any of these funds. Motion by Williby, seconded by Brandt authorizing Chairman Schwager to sign the Annual Certification for the Highway Street and Bridge Buyback Program; the county received \$122,100.55 for the Highway Street Buyback Program and \$61,705.00 for the Highway Bridge Buyback Program and have spent none of these funds as of this date. Those voting aye: Kerkman, Baker, Williby, Henery, Bolling, Brandt and Schwager. Nays none. Motion carried.

The following correspondence was reviewed and placed on file: email from Donny Christiansen with NEMA stating that the FEMA extension request was denied; and letter from Nebraska Department of Roads quarterly bridge inspection reminder bridges C000221307 and C000226810 inspections are due.

Antelope County Veteran Service Office Ron Marshall met with the county board to present the following 2nd quarter office report.

July 8, 2014

Quarterly Report to the Board of Supervisors
Activity for the 2nd Quarter of calendar year 2014

	April	May	June	Total
Phone calls received	85	70	51	206
Phone calls made	48	56	52	156
Office visits	29	33	40	102
Home visits	0	5	0	5
Compensation & Pension Applications	7	5	10	22
Other claims/forms	13	25	17	55
Letters written	8	1	2	11
E-mails sent/received	30	23	18	71
Letters written	8	2	6	16
Meetings	1	0	0	1

April – June 2014 Compensation and Pension History Results

	Filed	Granted	Pending
2010	19	13	
2011	11	5	
2012	14	10	
2013	11	6	1
2014	22		

Note – Claim pending from Jan-March 2012 was a denial.

Note – in addition to the above activity for the 2nd Quarter, I mailed a letter to all of the veterans with service in Viet Nam that I am aware of in my files. (67 total with actual service in Viet Nam that exposed them to Agent Orange chemicals) I made them aware of the diseases that their exposure to Agent Orange is presumed by law to lead to a higher than normal rate. By law if a veteran with service in Viet Nam can file a compensation claim for any of the listed diseases. To date I have about 12 phone calls, and have assisted 6 veterans with their compensation claims.

2013 results of Compensation and Pension Claims for the 2nd Quarter Activity.

Monthly cash benefits to veterans/dependents – \$ 6,471.00

Annual cash benefits to veterans/dependents – \$ 77,652.00

Activity for 2nd quarter was up sharply from last quarter and from last year. This is in part due to the Agent Orange claims that resulted from my mail out. This is going to be an on-going issue as the Viet Nam veteran's age. The average age now is about 70 for our Viet Nam veterans. The Agent Orange medical conditions are serious health concerns, and will ultimately lead to an increase in claims from their widows for DIC benefits. The national uproar over phony waiting lists has not seemed to surface in Nebraska. With a smaller veteran population, and probably better work ethics, veterans have had better success getting appointments at the Omaha VA Medical center and the VA Clinics. In addition to the VA Clinics in Norfolk and O'Neill, they have VA Clinics in Grand Island, North Platte, Holdrege, Sioux City and Bellevue. The old Lincoln VA Hospital is also operated as a VA Clinic. All veterans needing hospitalization are sent to Omaha, or to some other VA Medical Center that specializes in the care needed. Veterans in western Nebraska utilize the Rapid City, SD, Cheyenne, WY and Denver, CO VA Medical Centers.

I would like to work at least another year as your County Veterans Service Officer. I may want to work longer than that, but will only commit to one year at a time, and will give you plenty of notice when I do decide to retire.

Respectively submitted,

Ronald J. Marshall /s/, Antelope County Veteran Service Officer

Several individuals met with the county board regarding placing the issue of discontinuance of township form of government and going to a 5 Commissioner form of government on the November 4, 2014 General ballot. Tom Borer was the groups' spokesperson, he asked the board to consider signing the resolution allowing this issue to be place on the ballot to let the voters of Antelope County decide which form of government they would like to

have. Motion by Henery, seconded by Kerkman authorizing Chairman Schwager to sign the resolution putting it to the vote of the people for a 5 commissioner form of government. Those voting aye: Baker, Williby, Henery, Bolling, Brandt, Kerkman and Schwager. Nays none. Motion carried.

RESOLUTION 2014-07-0001

WHEREAS, the Antelope County Board of Supervisors is a political subdivision operating under the township organization form of government;

WHEREAS, the Antelope County Board of Supervisors has determined the township form of government to be antiquated, inefficient, and cost prohibitive, and many times townships struggle to find directors to fill the vacant slots on the township boards; and

WHEREAS, the Antelope County Board of Supervisors has determined the question should be put to the voters pursuant to LB269 of the 2008 legislative session to determine whether or not the township form of government should be discontinued and that Antelope County should convert to a commissioner form of government with five (5) commissioners, with the commissioners' districts, including the boundaries, district numbers and territories, to be designated pursuant to and in accordance with Nebraska State Statute Section 23-151;

WHEREFORE, BE IT RESOLVED by the governing body of the County of Antelope, Nebraska, that the County Board of Antelope County hereby directs the County Election Commissioner to submit the question of discontinuance of township organization to the registered voters of Antelope County. Said question should be submitted in accordance with Section 23-293 at the next general election held not less than seventy (70) days after the filing of this resolution. The County Board further directs that said question be submitted specifying that the county board of commissioners to be formed pursuant to Section 23-151 shall have five (5) members and the reorganization as a county board of commissioners, with the commissioners' districts, including the boundaries, district numbers and territories, to be designated pursuant and according to Section 23-151, and will be effective at the expiration of the supervisors' terms of office in January of the third calendar year following the election to discontinue township organization. The language to be used by the Election Commissioner is the submission of the question on the ballot at the next general election to the registered voters of Antelope County shall be set forth in accordance with Section 23-294(1);

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed with the Antelope County Clerk; and

BE IF FURTHER RESOLVED that the Antelope County Clerk shall transmit this resolution to the Election Commissioners.

Passed and approved this 8th day of July, 2014

Jerald Schwager /s/
Antelope County Board Chairman

(SEAL)

Attest: Carolyn Pedersen /s/
Antelope County Clerk

Supervisor Henery left the meeting at 9:54 AM to attend a funeral.

The public hearing for vacating or abandoning 517th Avenue between Sections 31 and 32, Township 27 North, Range 7 West of the 6th P.M., Antelope County, Nebraska was opened at 10: 03 AM with the following board members responding to roll call: Bolling, Brandt, Kerkman, Baker, Williby, and Schwager. Henery absent. Antelope County Highway Superintendent Brian McDonald was also present. The resolution which was published in the Neligh News and Leader, Clearwater Record, Elgin Review and the Orchard News, said publication being June 18th, June 25th and July 2nd, 2014, was read which stated the reason for the hearing. Others present were Jack Allemang, Karen Allemang, Roger Bergman and Loren Haselhorst. Chairman Schwager asked Highway Superintendent Brian McDonald for his recommendation regarding closing the road. McDonald – basically it's the hog confinements south. There is a place in the middle of it – I guess – there's some utility lines along there. The property I believe is held by Allemang's – it's primarily serving as an access to him from the south. There is no issues to closing the road as long as we've got property access to everybody. Like I said I know there's utilities there but it's going to be servicing those people there anyway. Realistically this is a public hearing to decide or to give you guys' testimony on closing that road or not to close the road. Chairman Schwager asked for the individuals for their reasons for wanting the road closed. Jack Allemang – I would like to have it closed for the very simple reason that there is a mud hole there – north of our dairy barn – when that gets about so full the people from the hog barn up there was driving out around that onto our property and well it was to the point that we had a submersible well that was laying in the bottom of the hole – it was marked but it was laying in the bottom of the hole – they kept driving on us until I finally put a wagon across

there. Schwager – and there is a lot of trees in the road to isn't there? Allemang – there's a lot of trees there and there's a (can't make out on the tape what was said). Chairman Schwager asked if the Supervisors had any questions or comments. Bolling – last time I was up there, there was wagons and stuff parked in the roadway too. Allemang – well I was asked by Christiansen Farms that time to put a wagon across the road - which at the time we didn't know we shouldn't have done and it went across our driveway because I didn't want them driving across Lynn Gubbel's hose but I let Loren take care of that and I thought he had went down there and got permits – well he hadn't done that because he didn't know he needed one. So that was my fault. But the wagon has been removed out of the road. Has been ever since I was notified about it by Neil Williby and then the other wagon was left there because I was not going to let whoever – if that mud hole is full of water they got no business driving through our property. And it was our property so I left it until here a short time back. Chairman Schwager asked if there were any further questions or comments from the board members. None stated. Chairman Schwager asked for people in favor of the road closing to testify. None stated. Chairman Schwager asked for those opposed to the road closing to testify. Roger Bergman – I'd like to leave it open for access to be able to travel through it. I own property just to the north of Allemang's quarter it'd be west of that hog confinement. If I'm after parts or supplies or anything it does save six miles; three miles going back around or three miles coming back. I would like to have access being able to travel to save mileage. I do realize there are some mud holes and there are some trees but a little bit of time – put some dirt in the holes and trim some trees and you can at least travel up and down it. I'm kind of against the idea of completely closing it - completely. Chairman Schwager asked if there was anyone else who was opposed to testify; none stated. Chairman Schwager asked if the board or the highway superintendent had any further comments or questions. McDonald – I don't have any comments. You guys' have seen the road. It's really you guys' call what stays opened and what doesn't. Kerkman – how about the access to the hog units – does that limit them anyway? Loren Haselhorst – stated that they normally come in from the west to access the hog units. Discussion was held regarding what State Statutes says about closing the road if there is opposition to it. McDonald stated that the reason for the public hearing is to hear testimony so that the board could make an informed decision regarding the road but the board ultimately has the decision whether to close or not. Building the road up was discussed. Chairman Schwager asked if there were any further questions or comments. Williby – I guess I have always said that if I had one person protest against a road closure I wouldn't close it – I wouldn't want it closed. I realize it is going to take some money but I've always said that. Motion by Williby, seconded by Bolling that we will keep the road open, fixing it up, keeping people off the adjacent property. Those voting aye: Bolling, Brandt, Baker, and Williby. Nays: Kerkman and Schwager. Henery absent. Motion carried.

The public hearing for vacating or abandoning that portion of 842nd Road located between 521st Avenue and Highway 14 between Sections 24 and 25, Township 24 North, Range 7 West of the 6th P.M., Antelope County, Nebraska was opened at 10:16 AM with the following board members responding to roll call: Bolling, Brandt, Kerkman, Baker, Williby and Schwager. Henery absent. Antelope County Highway Superintendent Brian McDonald was also present. Others present were Ray Payne, Larry Borer and Ben Meis. The resolution which was published in the Neligh News and Leader, Clearwater Record, Elgin Review and the Orchard News, said publication being June 18th, June 25th and July 2nd, 2014, was read which stated the reason for the hearing. Chairman Schwager asked Antelope County Highway Superintendent Brian McDonald for his recommendation. McDonald – this one is a half mile between the existing county road and it extends to the Highway 14. It's primarily used at the ends as farm access. There's a bridge in the center of this thing that we're going to have to deal with one way or the other. Whether it becomes property of the two adjacent farmers or whether it gets removed if you do close this thing. I see no reason to keep this open. Like I said it's primarily being used by the adjacent property owners and they are the only ones having business on it. Schwager – so if you close the road what do you do with the bridge then – leave it like it is or take it out? McDonald – at this point if you decided to close it we have to offer it to the township and if they want to keep the road open they can keep the road opened. At that point when it comes back we can decide how it gets closed. It's really you guys decision and working with the property owner on what you do with that bridge. Chairman Schwager asked for the reason for the road closing. Larry Borer spoke regarding wanting the bridge to remain in place so that the land owners could use it to access their properties. Liability to the county if the bridge was left opened was discussed. McDonald stated that the county would give all the right away back to the landowners so it would become a private bridge. Ben Meis – wanted to be sure that if the road was closed that he would still be able to access his property from this road. Meis was informed that he would still have access to his property from this road if the road was closed. Chairman Schwager asked if there were any further comments or questions from the board. Kerkman – the reason probably for shutting the road is the bridge situation. As a county we want to get away

from the bridge - if somebody has an accident there or something. The road closing procedures were discussed. Chairman Schwager asked for those opposed to closing the road to testify; none stated. Chairman Schwager asked for further questions or comments from the Supervisors or Highway Superintendent; none stated. Motion by Kerkman, seconded Baker to close that portion of 842nd Road located between 521st Avenue and Highway 14 between Sections 24 and 25, Township 24 North, Range 7 West of the 6th P.M., Antelope County, Nebraska. Those voting aye: Brandt, Kerkman, Baker, Williby, Bolling and Schwager. Nays none. Henery absent. Motion carried. Motion by Williby, seconded by Baker to close the public hearing. Those voting aye: Baker, Williby, Bolling, Brandt, Kerkman and Schwager. Nays none. Henery absent. Motion carried. Hearing closed at 10:25 AM.

RESOLUTION 2014-07-0002
ANTELOPE COUNTY, NEBRASKA

WHEREAS, Antelope County considered the possible vacation or abandonment of county roadway located between Section 24 and 25, Township 24 North, Range 7 West of the 6th Principal Meridian, Antelope County, Nebraska that portion of 842nd Road between 521st Avenue and Highway 14.

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.

WHEREAS, Antelope County must first offer to relinquish the road to Elgin Township for a period of 4 months after sending written notification to the township. The road is offered to the township with the condition that the township assume all responsibility for improving and maintaining the road. If the County does not receive notice from the Township that they wish to assume the road with this condition within 4 months of being given written notice or the Township sends notice that they do not wish to assume the roadway, then the County may by resolution abandon or vacate the road.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that relinquishment said road be offered to Elgin Township with the conditions stated above.

Adopted this 8th day of July 2014, at Neligh, Nebraska

ATTEST:

Carolyn Pedersen /s/
Antelope County Clerk

(SEAL)

BOARD OF COUNTY SUPERVISORS
OF ANTELOPE COUNTY, NEBRASKA
Jerald Schwager /s/
Chairman of County Board

Motion by Williby, seconded by Bolling to approve the special designated liquor license request received from the Elgin Community Club for catering beverages at Kerkman's Cove located on the SW 1/4 of Section 21, Township 24 North, Range 6 West of the 6th P.M., Antelope County, Nebraska on August 8th, 2014 from 5:00 P.M. to 12:00 A.M. August 9th. Those voting aye: Williby, Bolling, Brandt, Kerkman, Baker and Schwager. Nays none. Henery absent. Motion carried.

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

Meeting adjourned at 10:50 AM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman of County Board

Attest: _____
Antelope County Clerk