

March 4, 2025  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, March 4<sup>th</sup>, 2025, at 9:00 AM in the County Commissioner’s Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. The meeting was called to order by the Board Chairperson, Charlie Henery, with the following board members in attendance: Jacob, Krebs, Williby and Henery. Dittrich was absent. Chairman 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. The agenda for said meeting was sent to all members of the County Board of Commissioners.

Pledge of Allegiance was recited.

**Agenda:** Motion by Commissioner Williby, seconded by Commissioner Jacob to approve agenda as presented. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion carried.

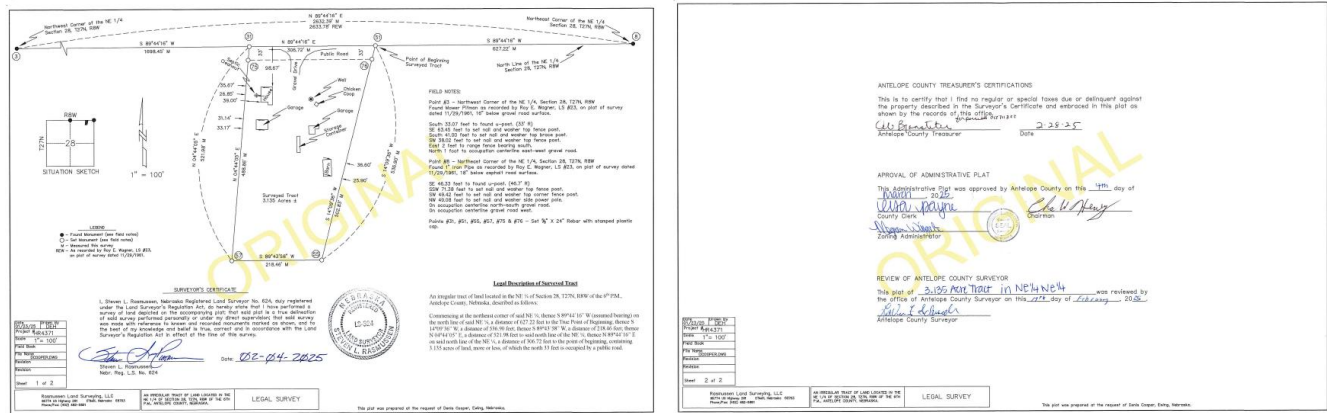
**Minutes: Minutes of the February 4<sup>th</sup>, 2025, Board of Commissioner Meeting; Minutes: Minutes of the February 11<sup>th</sup>, 2025, Board of Commissioner Meeting; Minutes: Minutes of the February 11<sup>th</sup>, 2025, Board of Equalization Meeting;** items were postponed because members attending did not make a majority vote for either meeting. No action today. It will be on next week’s agenda.

**9:05 AM: Public Comment:** Chairman Henery called for any public comments three (3) times. No comments were voiced.

**Correspondence was Reviewed:** email from City of Neligh, and response letter regarding recycling grant; statement for paining St. Peters Church; Lawns-R-Us proposal for 2025 season; RC&D Board member recruitment; copy of resolution regarding opposition to mandatory electronic identification livestock tags; Elgin East Culvert bid document; Nebraska Judicial Branch letter regarding the Clerk of the District Court Office; NIRMA letter regarding Denise Hardison retirement; Figgins Construction letter regarding work for the 2025 season; Catastrophic Inmate Medical Insurance proposal and agreement; three (3) like bids for 2007 Mack used truck from Sargent Irrigation.

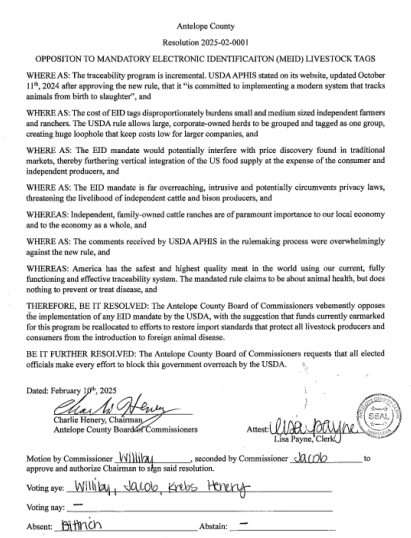
**Receipts:** Invoice and payment-NIRMA payment to The Body Works - \$16,287.86  
Payment from Linda Mitchell – \$5.00 – General (office chair)  
Payment – Road Runner Iron & Metal - \$445.20 – Road and Bridge  
Payment – Pinnacle Bank - \$100.00 – General (sign space rental)

**Zoning Administrator Report:**  
Mrs. Wingate presented an administrative plat for Denis Cooper. The plat separates 3.135 +/- Acre tract in the NE¼/NE¼. Basically, separating building portion off the parent parcel. Both parcels meet setbacks and have access. Mrs. Wingate states it meets all criteria. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve administrative plat as presented. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.



No further report.

**Opposition to Mandatory Electronic Identification Livestock Tags Resolution:** Mr. Dave Wright shared the following resolution with the Board in February with a short introduction. Since that time the Board has been discussing with the public for comments and input. It is presented today for authorization. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve and authorize signature of resolution. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.



**Authorize Advertisement for bids to paint St. Peters Church,** part of Antelope County Museum complex. A list of specs and tasks associated with the painting was shared. Motion by Commissioner Krebs, seconded by Commissioner Jacob to authorize advertisement of the painting job for the Museum Church. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**9:24 AM – 9:29 AM – Board of Equalization**

**Lawns R Us – Fertilization and Pre-emergent Application.** Lawns R Us completed the fertilization and spraying of the Courthouse Lawn during the 2024 season. Today, they present the same program as last year for the 2025 growing season, with an increase of \$21.00 per application. So, five (5) treatments at \$721.00 a time. The commissioners agreed to dethatch this spring. The Commissioners agreed the pest control was not needed at this time. Motion by

Commissioner Krebs, seconded by Commissioner Williby to approve and authorize the lawn treatment as per the agreement including de-thatching. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Courthouse Sidewalks:** Last summer it was advertised and awarded to replace some sidewalks around the courthouse. Today, the Commissioners revisited that the sidewalks have not been addressed. The Clerk will visit with the awarded bid and follow up. No further action today.

**Catastrophic Inmate Medical Insurance:** Annually, the Sheriff purchases a catastrophic medical insurance to insure against a catastrophic inmate medical issue. This year it is presented for the coverage with a cost of \$4,588.56. After reviewing the Commissioners discussed if the per-incident coverage could be increased to \$1,000,000.00 (currently it is \$500,000.00). The Commissioners requested a date update to include the whole year, and to possibly increase the pursuit (prior to custody) covered amount. A call was made to Hunt Insurance to discuss these issues. Hunt Insurance/King Insurance Partners will review and get back to us. No further action today. It will be on the agenda next week.

**District Court Office Update:** Angela Mortensen, Antelope County District Court Clerk met with the Commissioners regarding recent developments in the Legislature having to do with the continuation of the District Court Office. The proposal is to disband the office and consolidate the County and District Court Offices. Ms. Mortensen reported she has written an opposition letter to the Judicial Branch to LB 216. Discussion. No action taken.

**Fire Suppressant System:** In recent weeks the air compressor on the fire suppression system has acted up. Boyd Pedersen, from Boyd’s Electric Inc., has been working with the air compressor to get it back in line. He called Charlie Henery on Monday and stated there is water in the basement and the wall on the northeast corner of the basement is soggy. Mr. Pedersen believes there is a leak in the fire suppressant system, and it should be checked. The Commissioners will look at the basement during the meeting today.

**Elgin East Culverts:** Brian McDonald, Highway Superintendent opened bids for the Elgin East Culvert project. The project consists of removing a small culvert and replacing with two (2) larger culverts. In all seven (7) bids were received.

Spud Construction:	169,709.40	Start: Immediately
A&R Construction	144,145.71	Start: August 1 <sup>st</sup> , 2025
Rutjens Construction	146,399.50	Start: June 10, 2025
MC Wells Contracting	187,845.00	Start: TBD
Husker Engineering	134,213.00	Start: June 1, 2025
North Construction	105,509.90	Start: June 15, 2025
BW Excavating LLC	146,672.00	Start: June 9, 2025

Discussion of project and bids. Commissioner Williby motions to accept the apparent low bid from North Construction for \$105,509.90 pending verification of number by Highway Superintendent. Motion is seconded by Commissioner Krebs. Voting aye: Williby, Krebs and Henery. Nays none. Jacob abstains. Dittrich absent. Motion passed.

**Stop sign resolution** will be presented next week. 512<sup>th</sup> and 860<sup>th</sup> Road. Brian is working on that now.

**Orchard North Micro-Surfacing** Bid advertising. Motion by Commissioner Williby, seconded by Commissioner Jacob, to authorize the Clerk to advertise the bid opening for April 1<sup>st</sup>, 2025, at 9:30 AM. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Road Superintendent Report:**

**Underground Permit:** Turnkey Telecommunications submitted an underground permit to cross 838<sup>th</sup> Road for the purpose of improving fiber-optic cable to a carry data. This placement will be under 838<sup>th</sup> Road, located in the NW¼ Section 12, Township 23, Range 8, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Mid-states Data Transport is the owner and tenant. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Oversize Permit: (164)** JMS Crane & Rigging, LLC submitted an oversize permit for a crane to move to a tower, utilizing Highway 70 to 520<sup>th</sup> Avenue-south to 836<sup>th</sup> Road, west to 519<sup>th</sup> Avenue then south to tower access. Mr. Kluthe reported this has been carried out, he had no issues and no issues were encountered. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve the oversize permit as submitted. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Oversize Permit: (165)** Borsheim Crane Service submitted an oversize permit for a crane to move to a tower, going northbound to 525<sup>th</sup> Avenue to 835<sup>th</sup> Road, west to 524<sup>th</sup> Avenue to 837<sup>th</sup> Road to 528<sup>th</sup> Avenue to 835<sup>th</sup> Road to tower access. Mr. Kluthe reported this has been carried out, he had no issues and no issues were encountered. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve the oversize permit as submitted. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Oversize Permit: (166-167-168-169)** JMS Crane and Rigging, LLC submitted an oversize permit for a crane to move to a tower, utilizing Highway 70 to 520<sup>th</sup> Avenue to 863<sup>rd</sup> Road to 519<sup>th</sup> Avenue to tower access. Mr. Kluthe reported this has been carried out, he had no issues and no issues were encountered. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve the oversize permit as submitted. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Oversize Permit: (170)** JMS Crane and Rigging, LLC submitted an oversize permit for a crane to move to a tower, utilizing Highway 70 to 511<sup>th</sup> Avenue to 841<sup>st</sup> Road to 510<sup>th</sup> Avenue to tower access. Mr. Kluthe reported this has been carried out, he had no issues and no issues were encountered. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve the oversize permit as submitted. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 849<sup>th</sup> Road for the purpose of getting electricity to an irrigation system. This placement will be under 849<sup>th</sup> Road (527<sup>th</sup> Avenue), located between the SW¼ and the NW¼ Section 24, Township 25, Range 6, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Beverly Land Company is the owner, and the tenant is Chad Sauser. Mr. Kluthe reports no conflicts. Motion by Commissioner Williby seconded by Commissioner Jacob to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 859<sup>th</sup> Road for the purpose of getting electricity to an irrigation system. This placement will be under 859<sup>th</sup> Road, located between the SE¼ and the NE¼ Section 36, Township 27, Range 5, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Steinkraus Brothers are the owners and the tenants. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 528<sup>th</sup> Avenue for the purpose of getting electricity to an irrigation system. This placement will be under 528<sup>th</sup> Avenue (867<sup>th</sup> Road), located between the NW¼ and the NE¼ Section 24, Township 28, Range 6, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Kevin Blair is the owner and the tenant. Mr. Kluthe reports no conflicts. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 530<sup>th</sup> Avenue for the purpose of getting electricity to an irrigation system. This placement will be under 530<sup>th</sup> Avenue, located in the NE¼ of Section 32, Township 27, Range 5, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Melvin Allen is the owner, and the tenant is Joel Carpenter. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 530<sup>th</sup> Avenue for the purpose of getting electricity to an irrigation system. This placement will be under 530<sup>th</sup> Avenue, located in the SE¼ of Section 32, Township 27, Range 5, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Melvin Allen is the owner, and the tenant is Joel Carpenter. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 528<sup>th</sup> Avenue for the purpose of getting electricity to an irrigation system. This placement will be under 523<sup>rd</sup> Avenue, located in the SW¼ Section 29, Township 23, Range 6, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. John Beckman is the owner and the tenant. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 517<sup>th</sup> Avenue (866<sup>th</sup> Road) for the purpose of getting electricity to an irrigation system. This placement will be under 517<sup>th</sup> Avenue, located between the NW¼ and the NE¼ Section 29, Township 28, Range

7, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Wilgro Farms is the owner, and the tenant is Williby Farms. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve. Voting aye: Jacob, Krebs, and Henery. Nays none. Dittrich was absent. Williby abstains. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 852<sup>nd</sup> Road for the purpose of getting electricity to an irrigation system. This placement will be under 852<sup>nd</sup> Rpad, located in the SE¼ Section 35, Township 26, Range 6, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Tim Kallhoff is the owner and the tenant. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 525<sup>th</sup> Avenue for the purpose of getting electricity to an irrigation system. This placement will be under 525<sup>th</sup> Avenue, located in the NW¼ Section 10, Township 25, Range 6, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Smith Boys is the owner and the tenant. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Underground Permit:** Two Rivers Irrigation submitted an underground permit to cross 525<sup>th</sup> Avenue for the purpose of getting electricity to an irrigation system. This placement will be under 525<sup>th</sup> Avenue, located in the SW¼ Section 3, Township 25, Range 6, West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Tedd Adams is the owner, and the tenant is Smith Farms. Mr. Kluthe reports no conflicts. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Oversize Permit: (171-174) (4)** JMS Crane and Rigging, LLC submitted an oversize permit for a crane to move to a tower, utilizing 520<sup>th</sup> Avenue to Highway 70 to 511<sup>th</sup> Avenue to 842<sup>nd</sup> Road. Mr. Kluthe reported this has been carried out, he had no issues and no issues were encountered. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve the oversize permit as submitted. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**Clearwater Tractor:** Mr. Kluthe reports that the issue lies with the master clutch piston. This is great news, as the original thought was a complete engine. Hopefully, they can get this fixed and back to the County’s fleet sometime next week.

**Auction Time:** Mr. Kluthe has been working with Matt McKay regarding getting items on the auction in early April. They plan on staging most of the equipment at the Neligh Barn location, for ease of inspection. The plan is to take videos of the running equipment for inspection online, etc.

**2007 Mack Truck:** Sargent Irrigation is turning their fleet and privately selling a 2007 Mack truck. The Road and Bridge mechanic, personnel and some of the Commissioners have all inspected the truck. There is actual 77,000 miles. Sargent is asking \$45,000.00. Mr. Kluthe found items on-line for a little more money, and more miles. At this point we know the previous owner of the Sargent Truck. Discussion. A call was placed to Brian Whitesel at Sargent Irrigation to offer \$43,000.00. Offer was accepted. Motion by Commissioner Williby, seconded by Commissioner Krebs, to approve purchase and authorize Mr. Kluthe to proceed with purchase. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

**10:50 AM – 11:15 AM:** Commissioners Williby, Jacob and Henery went to the basement to look at damage.

Commissioners requested the Clerk call some water in **basement leak specialist** to see if they would come look – and possibly discuss repairs/fixes.

**Fire Suppression System:** The Commissioners requested the Clerk to call the fire suppression contractor to inspect and fix the leak in the system causing these issues.

**Schindler Lot – Elgin:** Antelope County was using an empty lot in Elgin owned by Kenny Schindler. They have since abandoned the use of the lot. The Commissioners requested Road Superintendent to smooth out the lot, dump a single load of red rock and utilize Mr. Schindler to carry this out.

**Adjournment:** Motion was made by Commissioner Jacob seconded by Commissioner Williby to **adjourn**. Voting aye: Jacob, Krebs, Williby and Henery. Nays none. Dittrich was absent. Motion passed.

The meeting was adjourned at 11:27 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Chairman of the Board, Charlie Henery

Attest: \_\_\_\_\_  
County Clerk, Lisa Payne