

October 7th, 2025
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, October 7th, 2025, at 9:00 AM in the County Commissioners Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. The meeting was called to order by the Chairperson, Charlie Henery, with the following board members in attendance: Dittrich, Krebs, Williby, Jacob and Henery. The Chairperson 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.

The Pledge of Allegiance was recited.

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

Minutes: Minutes of September 9th, 2025, Board of Commissioner Meeting, Motion by Commissioner Williby, seconded by Commissioner Jacob to approve minutes as submitted. Voting aye: Dittrich, Krebs, Williby, Jacob and Henery. Nays none. Motion carried.

Minutes: Minutes of September 16th, 2025, Board of Commissioner Meeting, Motion by Commissioner Jacob, seconded by Commissioner Dittrich to approve minutes as submitted. Voting aye: Dittrich, Krebs, Williby, Jacob and Henery. Nays none. Motion carried.

Correspondence was Reviewed: copy of resolution setting the Property Tax Request; Change Order, Certificate of Substantial Completion and Application for payment for Asphalt Surfacing Company; Resolution/Agreement Village of Clearwater – milling; copy of Library interlocal agreement; copy of law enforcement-town/village contracts-agreements; copy of road closing report; Platte Valley Communications coverage maps; copy of obsolete property resolution; copy of correspondence for State regarding HHS office space; correspondence regarding salary legislative session; 2025 Audit Engagement Letter; Imprest Pledge Collateral; promissory note pay off – Bank of Elgin (2021 Mack Truck); salary resolution – and current salaries; Northeast Nebraska Solid Waste Coalition; copy of promotional grant applications Parade of Lights and November-fest; copy of improvement grant application Veterans Park – Orchard; NACO Salary Study Overview webinar October 22nd, @ 2:00 PM; Center for Rural Affairs – renewable energy mailing; full compliance letter from Jail Standards regarding Law Enforcement Center; copies of Certificates of Liability- Hoofin-it Trucking LLC & Spike Diamond Ranch Trucking LLC; Pickup Box Bid Advertising.

Receipts: \$168.00 Bronze Niche Reimbursement-General; \$500.00 Sign rental Lamar Company-General; \$6,120.69 overpayment to Truck Center-Road and Bridge.

Clerk of the District Court Miscellaneous Report for September was reviewed and put on file.

Treasurer's Fund Balance Report for September was reviewed and put on file.

Treasurer's Miscellaneous Fee Report for September was reviewed and put on file.

Treasurer's Sweep Account Statement for September was reviewed and put on file.

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

Quarterly Jail Inspection: Commissioners Henery and Jacob will complete jail inspection after meeting.

9:10 AM – Weed Department Mr. Cornett met with the Commissioners regarding September's duties. 85 miles of road was sprayed, 19 inspections, bridge railings were started. He will be working with Sheryl on the bridges as the workload is heavy, and it will be much more maintainable working with two (2). Reviewing the 'suggested' monthly duties – the plan is dated and needs updated. Brian was asked to provide a more reliable checklist, for accountability sake.

Road Conditions: Mr. Mark Smith met and discussed with the Commissioners a few roads that currently present issues with the crown and or soft material on the roads. Mr. Smith's family owns and operates a small feedlot northeast of Neligh (in the area of 852nd Road and 526th Avenue). He brought multiple concerns:

852nd Road – Location of a small feedlot. Feed trucks are not able to travel – gravel is needed (presented picture after a 3/10 rain).

853rd Road – West of Highway 14 last spring the tract tractor broke axle twice.

525th Avenue south of 852nd – is this an actual road – has not been maintained in the last 15 years +/- . Culvert is rusted off.

851st Road east of 523rd Avenue

852nd Road west of Highway 14 – rest of the mile

522nd Avenue north of 855th Road

528th Avenue north of 850th Road

Additionally, he was wondering about getting an access into Section 3, Township 23, Range 7, west of the 6th P.M. – off of 519th Avenue – a driveway request was denied 5 years +/- or so.

The Commissioners promised the Road Department would be looking into these areas. Hopefully, he will see improvement. No further action today.

9:53 AM: One- and Six-Year Road Plan Hearing: motion by Commissioner Williby, seconded by Commissioner Jacob to open public hearing to hear discussion on various road and bridge projects. The list provided has been reviewed and discussed multiple times during the previous three (3) months. Brian McDonald, Highway Superintendent, presented a map and list of projects proposed for the plan. Mr. McDonald mentioned that the projects listed on the plan are not a guarantee and a 'have to' type plan. Going forward, this is an evolving, changing document, and it is never set in stone.

9:55 AM Commissioner Henery asked for public comments. Roger Synovec commented he would like to see 532nd Avenue (Plainview Country Club Road) moved up to the one (1) year plan. He met with the Commissioners in 2023, and the project was added to the Six (6) Year Plan at that time. The Commissioners discussed there is a 'good' road to the Plainview Country Club, and they did not know if it was fiscally responsible for the County to prioritize another road at this time at a \$400,000.00 price tag. No other public comment. More discussion. 10:06 AM Motion by Commissioner Williby, seconded by Commissioner Jacob to close the public hearing. Voting aye: Dittrich, Krebs, Williby, Jacob and Henery. Nays none. Motion carried.

Discussion. It was confirmed there were no further additions, changes or deletions. Motion by Commissioner Krebs seconded by Commissioner Jacob to approve the One-and Six- Year Road Plan as presented. Voting aye: Dittrich, Krebs, Williby, Jacob and Henery. Nays none. Motion carried.

ANTELOPE COUNTY
ONE- AND SIX-YEAR ROAD
RESOLUTION 2025-10-000__

Be it resolved by the Board of Commissioners for Antelope County, Nebraska, that the One- and Six-Year County Road Program as prepared by Brian E. McDonald of Norfolk, Nebraska, and attached hereto, be adopted.
Dated this 7th day of October, 2025.

BOARD OF COMMISSIONERS FOR
ANTELOPE COUNTY, NEBRASKA
/s/ Charlie Henery

Charlie Henery, Chairman

ATTEST: /s/ Lisa Payne
Lisa Payne, County Clerk

Passed and approved this 7th day of October 2025.

Motion by Commissioner Krebs
Second by Commissioner Jacob

That the above Resolution be approved, the Chairman stated the motion and called the roll. Roll call resulted as follows:

Commissioners voting:
Yea: Jacob, Williby, Krebs, Dittrich, Henery
Nay: none
The result of the vote being 5 Yea and 0 Nays. The Chairman declared the motion carried.

2026 Micro-surfacing discussion: Brian McDonald, Highway Superintendent discussed with the Commissioners the possibility of having Boone, Pierce and Antelope County advertise for micro-surfacing miles at the same time to possibly capitalize on aggressive bidding – making the location of the micro-surfacing a proximity so as to avoid the moving of equipment in and out multiple times. Contractors could utilize a huge circle type area and move from one to the next – all in the three (3) County area. Mr. McDonald works with all three Counties and will try to coordinate the bid advertising. He will bring it to the Board when he gets the bidding plans ready for advertising. No further action today.

Highway Superintendent Road Study-Set date time of public hearing. A petition to close a one (1) mile stretch of 512th Avenue between 846th and 847th Road was submitted by Kevin Henn. During the August meeting the Commissioners requested the Highway Superintendent to study the one (1) mile tract of 512th Avenue between Sections 32 and 33, Township 25, Range 8 West of the 6th P.M. Antelope County, Nebraska. Today Mr. McDonald presented his road study and asked the Commissioners to set a hearing date. Motion by Commissioner Williby, seconded by Commissioner Dittrich to set hearing date for November 4th, 2025, at 9:30 AM. Voting aye: Dittrich, Krebs, Jacob, Williby and Henery. Nays none. Motion carried. The Clerk was directed to advertise and send notices to adjoining landowners.

RESOLUTION 2025-10-00
Setting Hearing for Closing of 512th Avenue between 846th & 847th Road
ANTELOPE COUNTY, NEBRASKA

WHEREAS, the Antelope County Board of Commissioners received a petition to consider the vacation or abandonment of an approximate one (1) mile of 512th Avenue, between 846th and 847th Road. The road is located between Sections 32 and 33, Townships 25 North, Range 8 West of the 6th Principal Meridian, Antelope County Nebraska.

WHEREAS, a written report of the use of the road has been completed by the Highway Superintendent and is filed with the County Clerk NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that a public hearing date be set for 9:30 A.M. the 4th day of November 2025 to consider whether or not to vacate or abandon said road. The County Clerk is hereby directed to send copies of this resolution by registered or certified mail to the abutting and adjacent landowners.

Adopted this 7th day of October, 2025, at Neligh, Nebraska.

BOARD OF COUNTY COMMISSIONERS
OF ANTELOPE COUNTY, NEBRASKA

Attest
/s/ Lisa Payne
Lisa Payne, Clerk
Motion by Commissioner Williby, seconded by Commissioner Dittrich

Roll Call: 5 Yea 0 Nay
Resolution adopted, signed and billed as adopted.

Royal North Bridge – Mr. McDonald reported this project is completed. They should be starting on the County Line Project next month. After the completion we will submit for reimbursement. Randy Finch will be shaping this to finish the Royal North Project. No action.

6900 Loads of Clay: Commissioner Dittrich reported Elkhorn Valley School is working on their new football fields and track on the northern side of Tilden. In talking with various people in the Tilden area he was told approximately 6900 loads of clay were being taken from a site about 2 ¾ miles north of Tilden, and in doing so the road is taken a beating. This is a shared road with Madison County, and he was giving a heads up as to an improvement project after the product has all been moved. The road is not in good shape now, and with continued hauls it will be in worse shape. Brian McDonald said he would try to inspect it today. He mentioned there is a recouping damages statute that we may possibly have to reference. Nobody thought it should have to go that far – Commissioner Dittrich wanted to make everyone aware of the road usage. No further action.

Change Order #2 – Asphalt Surfacing Company – 2025 Micro-Surfacing: Today the change order is presented to adjust the quantity. This is a \$34,930.59 change order to the final project. Motion by Commissioner Dittrich, seconded by Commissioner Williby to approve the change order as presented. Voting aye: Dittrich, Krebs, Jacob, Williby and Henery. Nays none. Motion carried.

Certificate of Substantial Completion - Asphalt Surfacing Company – 2025 Micro-Surfacing: Today the certificate of substantial completion is presented. All work was completed as of July 1st, 2025. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve the Certificate of Substantial Completion and authorize Chairman to sign certificate. Voting aye: Dittrich, Krebs, Jacob, Williby and Henery. Nays none. Motion carried.

Contractors Application for Payment – Asphalt Surfacing Company – 2025 Micro-surfacing \$121,951.88: A pay application for \$121,951.88 is presented today. Mr. McDonald has forwarded the application to the Commissioners. Motion by Commissioner Krebs, seconded by Commissioner Williby, to approve and authorize the claim to be coded for payment next week. Voting aye: Dittrich, Williby, Jacob, Krebs and Henery. Nays none. Motion passed.

CHANGE ORDER NO. 2
Owner: Antelope County, Nebraska
Engineer: JED Consulting Group, Inc.
Contractor: Asphalt Surfacing Company
Project: 2025 Microsurfacing
Contract Name: 2025 Microsurfacing
Date Issued: 8/7/2025
Effective Date of Change Order: 8/7/2025
Description: Final quantity adjustment
Attachments:

Change in Contract Price	Change in Contract Time
Original Contract Price: \$ 388,018.37	Original Contract Time: 30 Days
Net Change from previously approved Change Orders 1 to 1 to No. 2: \$ 34,930.59	Substantial Completion: July 1, 2025
Contract Price prior to this Change Order: \$ 404,328.37	Ready for final payment: 7/7/2025
Contract Price incorporating this Change Order: \$ 439,248.96	Substantial Completion: July 2, 2025
	Ready for final payment: 7/7/2025

Recommended by Engineer (if required):
By: Dave Hedrick
Title: Construction Inspector
Date: 8/6/2025

Accepted by Contractor:
By: President
Date: 8-6-25

CERTIFICATE OF SUBSTANTIAL COMPLETION
Owner: Antelope County, Nebraska
Engineer: JED Consulting Group, Inc.
Contractor: Asphalt Surfacing Company
Project: 2025 Microsurfacing
Contract Name: 2025 Microsurfacing
Owner's Project No.: 250780.00
Engineer's Project No.: 250780.00
Contractor's Project No.:

This is a Preliminary Final Certificate of Substantial Completion applies to:
2025 Microsurfacing
Date of Substantial Completion: 07/01/2025

The Work to which this Certificate applies has been inspected by authorized representatives of Owner, Contractor, and Engineer, and found to be substantially complete. The Date of Substantial Completion of the Work or portion thereof designated herein is hereby established, subject to the provisions of the Contract pertaining to Substantial Completion. The date of Substantial Completion in this Certificate of Substantial Completion marks the commencement of the contractual correction period and applicable warranties required by the Contract.

A punch list of items to be completed or corrected is attached to this Certificate. This list may not be all-inclusive, and the failure to include any items on such list does not alter the responsibility of the Contractor to complete all Work in accordance with the Contract Documents.

Amendments to Owner's Responsibilities recorded in this Certificate should be the product of mutual agreement of Owner and Contractor; see Paragraph 15.03.D of the General Conditions.

The responsibilities between Owner and Contractor for security, operation, safety, maintenance, theft, utilities, insurance, and warranties upon Owner's use or occupancy of the Work must be as provided in the Contract, except as amended as follows:

Amendments to Owner's Responsibilities: None As follows:

(List amendments to Contractor's Responsibilities): None As follows:

(List amendments to Contractor's Responsibilities):

The following documents are attached to and made a part of this Certificate:

(List attachments such as punch list, other documents)

This Certificate does not constitute an acceptance of Work not in accordance with the Contract Documents, nor is it a release of Contractor's obligation to complete the Work in accordance with the Contract Documents.

EXECUTED BY ENGINEER: RECEIVED: RECEIVED:
By: Dave Hedrick By: [Signature] By: [Signature]
(Authorized signature) (Owner (Authorized Signature)) (Contractor (Authorized Signature))
Title: Construction Inspector Title: Chairman, Board of Commissioners Title: President
Date: 08/06/2025 Date: 10-1-2025 Date: 8/6/25

Contractor's Application for Payment
Owner: Antelope County, Nebraska
Engineer: JED Consulting Group, Inc.
Contractor: Asphalt Surfacing Company
Project: 2025 Microsurfacing
Contract: 2025 Microsurfacing
Application No.: 2 Final
Application Date: 8/5/2025
Application Period: From 6/24/2025 to 8/5/2025

1. Original Contract Price	\$ 388,018.37
2. Ret Change by Change Orders	\$ 51,230.59
3. Current Contract Price (Line 1 + Line 2)	\$ 439,248.96
4. Total Work completed and materials stored to date (Sum of Column G Lump Sum Total and Column J Unit Price Total)	\$ 439,248.96
5. Retainage	
a. <input type="checkbox"/> X \$ 439,248.96. Work Completed = \$	
b. <input type="checkbox"/> X \$ Stored Materials = \$	
c. Total Retainage (Line 5a + Line 5b)	\$ 439,248.96
6. Amount eligible to date (Line 4 - Line 5.c)	\$ 0.00
7. Less previous payments (Line 6 from prior application)	\$ 317,297.08
8. Amount due this application	\$ 121,951.88
9. Balance to finish, including retainage (Line 3 - Line 4 + Line 5.c)	\$ 0.00

Contractor's Certification
The undersigned Contractor certifies, to the best of its knowledge, the following:
(1) All previous progress payments received from Owner as security of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner, indemnifying Owner against any such liens, security interest, or encumbrances); and
(3) the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

Contractor: Asphalt Surfacing Company
Signature: [Signature] Date: 8-6-25

Recommended by Engineer (if required):
By: Dave Hedrick
Title: Field Construction Inspector
Date: 7/27/2025

Approved by Owner:
By: [Signature]
Title: Board of Commissioners
Date: 10-1-2025

Approved by Funding Agency (if applicable):
By:
Title:
Date:

Pickup Boxes: The Weed Department is in possession of two (2) pickup boxes and bumpers. They are both 2019 boxes, Ram & Ford. The Commissioners want to move them out of inventory, as there is no reason to store them. Both boxes were advertised separately. Today sealed bids were to be opened. The winning bid will be responsible for removing boxes within five (5) business days. Only one bid per box was received. Old Mill Sales bid on both boxes/bumpers and offered \$527.00 per box. As this was the only bid, motion by Commissioner Krebs, seconded by Commissioner Dittrich to accept and award bid to Old Mill Sales. Voting aye: Dittrich, Krebs, Jacob, Williby and Henery. Nays none. Motion carried.

Antelope County Library Association: during the June meeting the Antelope County Library Association Directors met with the Board of Commissioners reviewing recent happenings, current events and future endeavors of the libraries. All expressed gratitude and thankfulness for the support of the Board in previous year and requested continued support. The budget this year 2025-2026 for the libraries remains the same as last year. The villages and towns were sent the library agreement, and all have approved said agreement. Discussion. Motion by Commissioner Williby, seconded by Commissioner Krebs to approve and authorized signing of same. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried.

INTERLOCAL AGREEMENT FOR ANTELOPE COUNTY
AND

ANTELOPE COUNTY LIBRARY ASSOCIATION

THIS AGREEMENT IS MADE AND ENTERED INTO BY AND BETWEEN Antelope County, Nebraska, a Political Subdivision, by and through its Antelope County Board of Commissioners, (hereinafter referred to as "County") and the Antelope County Library Association consisting of the public libraries of the Cities of Neligh, Elgin and Tilden, and the Villages of Orchard, Clearwater, and Oakdale, each being Municipal Corporations, by their respective Mayors, Chairpersons, and Trustees, respectively.

WHEREAS, Nebraska Revised Statute Section 13-801 Et. Seq., R.R.S. 1943 (reissued 1997), the "Nebraska Interlocal Cooperation Act" authorizes the parties hereto to unite their efforts and resources to accomplish the intent of this agreement; and

WHEREAS, the Antelope County Library Association, by and through their respective community libraries does agree to provide all services and materials to the residents of Antelope County, Nebraska, whom are not residents of the respective Municipal Corporations, under the same terms and conditions as provided to the residents of such Municipal Corporations;

WHEREAS, the Antelope County Library Association's mission statement is to serve the communities of Neligh, Elgin, Tilden, Orchard, Clearwater, and Oakdale as well as all residents of rural Antelope County, Nebraska, as a resource for information, entertainment, cultural opportunity, and educational development, thereby enhancing and enriching the lives of the users. That the libraries within said communities shall be active and progressive institutions providing materials that reflect the needs and interests of its patrons. That said Library Association shall seek equitable funding, share materials and solutions to problems, provide access to resources beyond each of their individual facilities by cooperative agreements with library organizations at the local, regional and state levels and to strive to make use of all possible resources and ideas to meet the needs of the patrons of each of the communities and of the residents of the entire county.

WHEREAS, Nebraska Revised Statute Section 77-3442 R.R.S. 1943 (reissue 1996) provides that \$.05 per \$100.00 of taxable valuation of property subject to the county levy may only be levied to provide financing for the county's share of revenue required under an agreement executed pursuant to the Interlocal Cooperation Act.

NOW THEREFORE, in consideration of the foregoing recitals and their mutual covenants here and after expressed, the parties agree as follows:

Each of the communities, Orchard, Clearwater, Neligh, Elgin, Oakdale, and Tilden by and through their public libraries commonly referred to as the Antelope County Library Association shall provide all services and materials currently available through the public libraries, to non-residents of their community so long as such residents are residents of the county, under the same terms and conditions as such services and materials are provided to the resident of their respective communities.

That the County agrees to contribute financially to the Antelope County Library Association and agrees to implement a levy not to exceed \$.05 per \$100.00 of taxable valuation of property on an annual basis to the Antelope County Library Association, by paying to the respective libraries of the Cities of Neligh, Elgin and Tilden, and the Villages of Orchard, Clearwater, and Oakdale the applicable amount as provided by this agreement. That a like amount shall be included in the County's budget, reviewable, on an annual basis. This funding to be supplemental funding and not replace other funding.

That this agreement shall have an effective date of September 1, 2025, and shall continue in full force and effect for a period of one year.

This agreement shall not be construed as to form an additional political subdivision. The parties hereto agree to comply with any and all laws, rules and regulations, whether same be local, state or federal, required in the administration and execution of the terms and provisions of this agreement. Further, that no party will assign any rights granted under this agreement.

This agreement shall be administered by the Antelope County Clerk, as directed by the respective board of the parties hereto.

IN WITNESS WHEREOF, the parties have executed the agreement on the dates appearing directly below their signatures.

Dated: _____, 2025.

VILLAGE OF CLEARWATER, a Municipal Corporation

VILLAGE OF ORCHARD, a Municipal Corporation

VILLAGE OF OAKDALE, a Municipal Corporation

CITY OF TILDEN, a Municipal Corporation

CITY OF NELIGH, a Municipal Corporation

CITY OF ELGIN, a Municipal Corporation

Dated: October 7th, 2025.

ANTELOPE COUNTY NEBRASKA BOARD OF COMMISSIONERS

By: Charlie Henery, Chairman of County Board, District 4

Neil Williby, District 1

Eli Jacob, District 2

Regina Krebs, District 3

Casey Dittrich, District 4

ATTEST: /s/Lisa Payne, Antelope County Clerk

By: Kelly Kerkman, Village Board Chairman

By: Stephanie Cleveland, Village Board Chairman

By: Bryan Cornett, Village Board Chairman

By: Thomas E Nelson, City Board Chairman

By: V. Joseph Hartz, Mayor

By: Micheal Schmitt, Mayor

Attest: Angie Hupp, Village Clerk

Attest: Mandi Weiner, Village Clerk

Attest: Vicky Carstens, Village Clerk

Attest: Shawna Moore, City Clerk

Attest: Danielle Klabenes, City Clerk

Attest: Kristen Childers, City Clerk

Platte Valley Communications: Sheriff Moore has been working with a Ten West in southwestern Antelope County to place a radio repeater on a grain leg. Multiple discussions on this over the last couple of months. Today, Platte Valley Communications has sent maps reflecting the connectivity of the radios to be cast from this location and another in Northern Antelope County – Willowdale Tower Site. Discussion. After reviewing the coverage maps a motion was made by Commissioner Dittrich, seconded by Commissioner Williby to accept the proposed bid for installation of the equipment from Platte Valley Communications of \$15,841.40, and to agree to continue to work on the north tower. Voting aye: Dittrich, Williby, Jacob, Krebs and Henery. Nays none. Motion passed.

City/Village Law Enforcement Agreements-Contracts: Sheriff Moore reported the town/village contracts are up for renewal. He has visited with the Council or The City of Elgin, Village of Orchard, Village of Clearwater and Village of Oakdale. All have agreed to a \$50.00 per month increase and to continue with the same agreement for two (2) years. Motion by Commissioner Dittrich, seconded by Commissioner Jacob to approve renewals for the 2025-2027 years. Voting aye: Dittrich, Williby, Jacob and Henery. Krebs was absent. Nays none. Motion passed.

AGREEMENT FOR LAW ENFORCEMENT SERVICES

BETWEEN THE COUNTY OF ANTELOPE

AND THE VILLAGE OF ORCHARD/VILLAGE OF OAKDALE/VILLAGE OF CLEARWATER/CITY OF ELGIN

WHEREAS, under the provisions of the Interlocal Cooperation Act, Neb. Rev. Stat. Sec. 13-801 et seq., and any amendments thereto, local political subdivisions can contract between themselves for certain services, further any City or Village may enter into a contract with the County Board of its county for police and law enforcement services to be provided by the County Sheriff of said county; and

WHEREAS the parties hereinafter listed are desirous of entering into such an Agreement for police and law enforcement services from the County of Antelope County, Nebraska, for a period of two (2) years; and

WHEREAS, for the term of the contract, the County of Antelope, Nebraska has determined that the undersigned Village shall pay the sum of \$1,242.25 (one thousand two hundred forty-two and 25/100), per month for the said two (2) year term of this Agreement, to the Antelope County Treasurer, to be credited to the Antelope County Sheriffs budget to be used to defray costs incurred by the County in providing police and law enforcement services to said undersigned Village; and

WHEREAS, the County Sheriff of Antelope County and his Deputies shall provide services to the Village of Orchard, Nebraska, hereinafter "Village", and shall have all the authority, powers and duties of Peace Officers duly appointed by said Village.

NOW THEREFORE, the County of Antelope, Nebraska, and the undersigned Village of said County agree as follows:

1. By the terms of this Agreement, the undersigned Village shall be deemed to have requested the County of Antelope, Nebraska to provide law enforcement and police services to them through the Antelope County Sheriff's Office and the County shall be deemed to have agreed to provide such services as hereinafter set forth.
2. The County Sheriff and his Deputies shall handle, in addition to all other powers and duties of that office, all the powers and duties of a duly appointed Peace Officer of the undersigned Village, even though there may be no Peace Officer presently appointed.
3. This agreement shall be for a term of two (2) years, beginning the 30th day of September 2025 and ending the 30th day of September 2027.
4. This agreement shall be for the term previously stated and may be renewed or subject to renegotiation every two (2) years if the undersigned requests to renew the Agreement by giving written notice to the Antelope County Board of Commissioners at least 60 days in advance.
5. The undersigned Village reserves the right to cancel this Agreement by giving written notice thereof, or by not requesting its renewal as provided for in the preceding paragraph and Antelope County reserves the right to renegotiate for the raise of lowering of the amount to be paid by the undersigned, as stated in the above paragraph.
6. The undersigned Village shall pay to the Antelope County Treasurer funds appropriated by the undersigned Village for law enforcement and police services herein referred to and that payment of \$1,242.25 (one thousand two hundred forty-two and 25/100) shall be made monthly, on or before the 1st day of every month, for an annual total of \$14,907.00 (fourteen thousand nine hundred seven and 00/100 dollars.).
7. The Antelope County Sheriff and his Deputies shall be responsible for enforcing all statutes of the State of Nebraska within the corporate limits of the undersigned Village. The Antelope County Sheriff and his Deputies shall also provide the following law enforcement and police services to-wit:
 - A. Provide and maintain a twenty-four-hour-dispatch radio communication center;
 - B. Maintain a jail in Antelope County, Nebraska with twenty-four-hour jailer/personnel;
 - C. Monitor all burglar alarm systems, when installed;

HHS Office Space for 07-01-2028: Recent legislation changes the language on the HHS using office space in the courthouse. The changes indicate the county no longer needs to 'provide' this space at no charge and/or can rent the space. The Department of Health and Human Services would like a response on what the County is proposing for after the July 1, 2028 deadline. An email was shared outlining the details and requesting information as to what the County was proposing planning. Discussion. The Commissioners all agreed the office space should be part of the Courthouse complex, and saw no reason why they couldn't remain in the space. The Commissioners wished to make no commitments at this time, as the better than 32-month timeline – leaves so much time for things to change. The Clerk was instructed to respond to the email with the information discussed. Willing to work with them, no contractual agreements until a little closer to July 1, 2028 timeline. No further action.

Audit Engagement Letter: Today the audit engagement letter was presented. Lengemann and Associates are currently contracted to complete the County Audit for the years 2024, 2025, and 2026. During audit of the 2024 fiscal year there seemed to be some inconsistencies especially with the timing with auditing of procedures. Discussion. A motion was not made today, as Commissioner Krebs would like to discuss the audit with the firm Lengemann and Associates PC. Item to be placed on next week's agenda. No action today.

Break 11:17 AM – 11:26 AM. Reconvened with all in attendance.

Maintenance Position: Commissioners requested to hold item again.

Budget: Property Tax Request: During the early weeks of September the budget was reviewed, and public hearings were held. Antelope County did attend the Joint Public Hearing (Pink Post Card) on September 18th. On the 16th of September the Board of Commissioners held the County Budget Hearing. Since this date was prior to the Joint Public Hearing – we could adopt the budget however, we could not set the property tax request. Today, a quick review of the budget was given. A resolution setting the property tax request was presented. Discussion. Motion by Commissioner Krebs, seconded by Commissioner Jacob to approve resolution and authorize chairman to sign same. Voting aye: Dittrich, Williby, Krebs, Jacob and Henery. Nays none. Motion passed. October 14th, 2025 Board of Equalization is scheduled to set County and Subdivision levies.

ANTELOPE COUNTY, NEBRASKA
RESOLUTION SETTING THE PROPERTY TAX REQUEST
2025-09-008

WHEREAS Nebraska Revised Statute 77-1632 and 77-1633 provides that the Governing Body of Antelope County passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS a special public hearing was held on September 16th, 2025 as required by law to hear and consider comments concerning the property tax request;

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

- The 2025-2026 property tax request be set at:

General Fund	\$ 9,202,038.00
Law Enforcement Fund	\$ 413,055.06
Coronavirus Aid	\$ 16,007.94
Building	\$ 44,853.79
Total	\$ 9,675,954.79
- The total assessed value of property differs from last year's total assessed value by 23.11 percent.
- The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0.214420 per \$100 of assessed value.
- Antelope County proposes adopting a property tax request that will cause its tax rate to be 0.260001 per \$100 of value.
- Based on the proposed property tax request and changes in other revenues, that total operating budget of Antelope County will decrease last year's budget by 13.23 percent.

Motion by Commissioner Williby _____
Seconded by Commissioner Jacob _____ to adopt said resolution.
Dated this 7th day of October, 2025

Charles A. Henery
Chairman, Antelope County

Voting Aye: Krebs, Jacob, Williby, Dittrich, Henery
Voting No: _____
Absent: _____
Abstain: _____

Promotional Grant: Neligh Chamber of Commerce submitted a grant application for the promotion of their Annual Parade of Lights. The parade of lights is scheduled on November 30th, 2025, and will take place in downtown Neligh. This application was approved on October 2nd, 2025 by the Antelope County Visitor Committee. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve grant application and authorize payment. Voting aye: Krebs, Williby, Jacob, Dittrich and Henery. Nays none. Motion passed.

Promotional Grant: Neligh Chamber of Commerce submitted a grant application for the promotion of their Annual November-fest. November-fest is scheduled on November 1st, 2025, and will take place at the Antelope County Ag Society Building. It is wine, beer and spirits tasting with music and food. No-one under 21 is allowed entry. This application was approved on October 2nd, 2025 by the Antelope County Visitor Committee. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve grant application and authorize payment. Voting aye: Krebs, Williby, Jacob, Dittrich and Henery. Nays none. Motion passed.

Improvement Grant: American Legion Post 136 in Orchard has a plan to establish a veteran's memorial in their Village Park. The Antelope County Visitors Committee approved this request on October 2nd, 2025. Total estimated cost is \$50,000.00. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve the grant and authorize payment of \$1,750.00. Voting aye: Krebs, Williby, Jacob, Dittrich and Henery. Nays none. Motion passed.

Road Superintendent Report:

- Oversize Permit** Oversize Permit: (257-262;264-267) (10). Ten (10) Oversize Permit submitted by Nomad Permits: Tower 77 516th Avenue south to 841st Road west to Tower 85. Road Superintendent voiced no concerns, and the move has been completed. No issues were encountered. Motion by Commissioner Dittrich, seconded by Commissioner Krebs to approve oversize permits. Voting aye: Krebs, Williby, Jacob, Dittrich and Henery. Nays none. Motion passed.
- Oversize Permit:** (254-256,263&268) Highway 70 west to 516th Avenue to Tower 77. Oversize Permit submitted by Nomad Permits. Road Superintendent voiced no concerns, and the move has been completed. No issues were encountered. Motion by Commissioner Dittrich, seconded by Commissioner Krebs to approve oversize permits. Voting aye: Krebs, Jacob, Williby, Dittrich and Henery. Nays none. Jacob and Williby were absent. Motion passed.
- Oversize Permit** Oversize Permit (269) US Hwy 275 - NE Hwy 14 - SB - NE HWY 70 - 511th Avenue - 841st Road. Oversize Permit submitted by Daily Express. Road Superintendent voiced no concerns, and the move has been completed. No issues were encountered. Motion by Commissioner Dittrich, seconded by Commissioner Krebs to approve oversize permits. Voting aye: Krebs, Dittrich, Jacob, Williby and Henery. Nays none. Motion passed.
- Underground Permit:** Permit submitted by Turnkey to place an underground line beneath 524th Avenue & 841st Road in Section 29, Township 24, Range 6, Antelope County, Nebraska. The purpose is for fiber optic cable to carry data. The contractor was instructed NOT to bore through the culvert. No other issues. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve permit as suggested. Voting aye: Krebs, Dittrich, Williby, Jacob and Henery. Nays none. Motion carried.
- Underground Permit:** Pete Funk submitted an underground permit to get electricity to a grain bin on 859th Road in Section 31, Township 27, Range 8, Antelope County, Nebraska. Road Superintendent voiced no opposition, and recommended approval and for applicant to acquire an access permit. Motion by Commissioner Williby, seconded by Commissioner Dittrich to approve as per recommendation. Voting aye: Krebs, Jacob, Williby, Dittrich and Henery. Nays none. Motion carried.
- Underground Permit:** Daniel Borer submitted an underground permit to get water to a building on 844th Road between Sections 12 and 13, Township 24, Range 7, Antelope County, Nebraska. Road Superintendent voiced no opposition, and recommended approval, providing they are 4' below ditch level. Motion by Commissioner Jacob, seconded by Commissioner Dittrich to approve as per recommendation. Voting aye: Krebs, Jacob, Williby, Dittrich and Henery. Nays none. Motion carried.
- Mixing Strip:** Commissioner Henery and Road Superintendent introduced the idea of establishing and making a mixing strip out by the airport south of Neligh. Discussion of the location and dimensions of same. Pros and cons were reviewed. The County currently has three (3) mixing strips that had limited use this summer. The Road Superintendent discussed that two (2) of those three (3) strips are regularly watered through irrigation. Which water does not lend itself well to mixing strips. Oakdale's mixing strip gets water when the pivot is on and there is a south wind. No further action today.
- Armor Coat Crew:** Armor Coat crew came in yesterday, hopefully be completed next week. Starting on Pierce-Neligh Road. County Line, 851st to Clearwater, south of Clearwater to Sargent Irrigation, then finish by Tilden. Cold mix is holding pretty good. Needs armor coating.
- New Employee:** a new employee is starting October 29th, 2025 employee has a class A CDL. We should be able to plug and play for some of the truck drivers who are retiring.

- **Five (5) Employee Evaluations:** Mr. Kluthe has five (5) employee evaluations due this month. He asked if one of the Commissioners would want to attend the evaluations. Commissioner Krebs stated she could possibly attend. Mr. Kluthe is to call her.
- **Service Truck:** the service truck was down. Is up and running. After discussions and reviews the County mechanic was able to repair the service truck for approximately \$2,500.00. Kudos to the mechanic.
- **212 International Tandem:** Turbo – cold air side blew.
- **Ganskow truck down:** fuel tank that was replaced this spring is leaking again. Found used one and will get it installed.
- **Snow Removal Operators:** we are in pretty good shape with the new hires. Some novice, but it will work.
- **Grader Blade Quotes:** (truck load - 380 blades) B's Enterprises: \$42,180.00; Midwest Sales & Service \$34,958.00 standard \$40,425.00 heated, and CAT \$29,890.80. Recommendation to purchase the grader blades through CAT.

Water Fountain: Discussion of installing a water bottle fountain in the hallway of the annex. Cost would be approximately \$1,500.00. The plan is to have a plug and play type situation. The County would order/purchase the fountain, and the plumber will install same. Northeast Nebraska Cooling and Heating would check the filters on their semiannual heating and cooling check. The Commissioners voiced no issues with purchase and install the water bottle filling water fountain. Clerk will proceed to order unit for installation.

Commissioner Meeting Room Chairs: Discussion of Chairs in the Commissioner meeting room. The current chairs are squeaky and unstable. Discussion of possibly purchasing chairs for the Commissioner Meeting Room table. The clerk will search online.

12:20 PM Executive Session: Motion by Commissioner Williby, seconded by Commissioner Jacob to go into **executive session** for personnel reasons. Voting aye: Krebs, Jacob, Williby, Dittrich and Henery. Nays none. Motion passed.

1:11 PM Motion by Commissioner Williby, seconded by Commissioner Dittrich to **go out of Executive Session** and back to regular meeting. Voting aye: Krebs, Jacob, Williby, Dittrich and Henery. Nays none. Motion passed. Chairman Henery stated there was no action taken during executive session.

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

The meeting was adjourned at 1:11 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Charlie Henery

Attest: _____
County Clerk, Lisa Payne