

August 4th, 2026
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, August 4th, 2026, at 9:00 AM in the County Commissioner’s Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. The meeting was called to order by Board Chairperson, Charlie Henery, with the following board members in attendance: Jacob, Krebs, Dittrich, Williby and Henery. Chairman stated that the open meeting laws are posted on the east wall of the Commissioner’s Meeting Room, the clerk has a copy in the meeting and more copies available at the County Clerk’s Office by request.

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

Minutes: Minutes of July 7th, 2026 Board of Commissioner Meeting: Motion by Commissioner Dittrich, seconded by Commissioner Williby to approve minutes of July 7th, 2026 Board of Commissioner Meeting. Voting aye: Jacob, Williby, Krebs, Dittrich and Henery. Nays none. Motion carried.

Minutes: Minutes of July 9th, 2026 Board of Equalization Meeting: Motion by Commissioner Williby, seconded by Commissioner Krebs to approve minutes of July 9th, 2026 Board of Equalization Meeting. Voting aye: Williby, Krebs and Dittrich. Nays none. Henery and Jacob abstain. Motion carried.

Minutes: Minutes of July 14th, 2026 Board of Commissioner Meeting: Motion by Commissioner Williby, seconded by Commissioner Dittrich to approve minutes of July 14th, 2026 Board of Commissioner Meeting. Voting aye: Williby, Krebs and Dittrich. Henery and Jacob abstain. Nays none. Motion carried.

Correspondence was Reviewed: copy of resolutions for receiving inventories, obsolete property, resolution for subdivision levies; copy of interlocal agreement with City of Neligh Recycling; NE Nebraska Solid Waste Coalition monthly newsletter; copy of national opioid settlements; Lewis and Clark Lake Watershed update; certificate of liability insurance – Midwest Infrastructure; copy of LPA Annual Certification Form for buy back funds; Nebraska Department of Water, Energy, and Environment – Warren Wortman Livestock Concentrated Animal Feeding Operation; copy of Mitchell Quarry bid sheet for clay, sand, etc.; notice of Nebraska Supreme Court visit to Antelope County Courthouse; copy of Mutual of Omaha Termination of coverage email; Certificate of Liability coverage for CSI Acquisition Company, LLC dba Crane Service, Inc.; copy of the Treasurer’s certification of Personal Property Distress Warrants reports; Road Report for 852nd Road – for public hearing; copy of requested budget expenditures; copy of changes made with Statutes effective July 18, 2026.

Treasurer’s Sweep Account Statement for July was reviewed and put on file.

Treasurer’s Fund Balance Report for July was reviewed and put on file.

Treasurer’s Miscellaneous Revenue Report for July was reviewed and put on file.

Clerk of the District Court Report for July 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.

Zoning Administrator Report: Mrs. Wingate had no report.

9:15 AM Public Hearing: Chairman Henery opened the public hearing with the following Commissioners responding to roll call: Jacob, Williby, Dittrich, Krebs and Henery. Commissioner Henery asked Highway Superintendent Brian McDonald to present and review findings. Chairman Henery asked for Brian McDonald, Highway Superintendent to present what he found. McDonald: Essentially, there is a complication with this one with DOT. When you start at the highway and go west, the first 1000 feet, the DOT went in and bought right of way. They bought the easement, whatever. The buy right of way. So, I think they might have ties to it. If we close that portion, which may or may not happen. I guess that is up to you guys. When you relinquish the ground it goes to the adjacent property. It would go to the DOT. Which in turn, would likely have to sell it at the auction. Where they would dispose of it. So, just because you think you got up to the road, you don’t. That piece of it is owned by the DOT. You also mentioned that there is some access issues. That people may be using something after. That is something to be determined. You have also mentioned the east, or the west end of the two (2) miles, that there may be some access issues there for that first quarter on the south and west. Other than that, it is primarily used farm access at the best. It is not completely passable. Portions of it are farmed over. Other than that, I don’t have any major comments. DOT, like I said, owns the first 1000 feet. Dittrich: And how wide? McDonald: Well, we’ve got a 66 foot right of way. They raised the highway and regraded our road. And it’s going to vary. So, I think it gets wider than that. Dittrich: Oh! It is wider? Ok. So, it is staked. They came out and staked what they needed/purchased? McDonald: So basically, there is road markers 1000 feet in. I have never seen before. Henery: There is road markers. McDonald: On top of the hill. I’ve got a picture of it. That is a new one for me. But they did it east of the highway as well. So, they must have raised the highway intersection quite a bit. Henery: They possibly wanted that for drainage or something. McDonald: Well, they actually raised the intersection up, the county road sat low. So, if you look at that, there is some pretty good graded piece where they raised it. You can tell. Henery: They did it years ago. Dittrich: We don’t have anything showing exactly what they own? McDonald: Um. I don’t have anything with me that would show it. Dittrich: Kelly, is that something you could help us with? This intersection? Could you print something just so we kind of know what we are dealing with? Mueller: What are the intersection numbers? McDonald: Highway and 852. Dittrich: 852 and – Henery: Highway 14 and 852nd Road. Dittrich: On the west side of the highway. There should be a NDOT tract of land in there somewhere. Mueller: Yeah, I will just go print it out. Dittrich: Thank you. McDonald: I had a DOT right of way map – which would have helped you. Does me no good right now. It’s sitting on my desk. Dittrich: I just think we should know what it looks like. McDonald: Like I said, you also mentioned that there might be an access issue on that portion being used. When I talked to Kevin (NDOT), he mentioned he would like to close the intersection, if that road was closed. Otherwise, it looks like a road. And it’s just a liability. It hasn’t been graded through. Anybody hear from Booth? Henery: No. I talked to Matt Booth last night. He is unable to make it. He needs access into his field. Of course, Alan is well aware of that. And he thought that 1000 feet would probably do it for him. If we didn’t close that 1000 foot. But then he mentioned something about that Smith’s farm a little piece of dryland west of his on yours, and they use that road to access that. Alan Bentley: Well, we access that from the other side. West. Henery: From the west? (Bentley affirms.) Then I had a conversation with Keith Borer too. McDonald: Is he on the west end? Henery: He’s on the east end. (Multiple conformations of east end.) He’s on the east end north side. Keith has that quarter section in there. And he said that, at best, he uses it a couple times a year if the system is giving him problems. Otherwise he doesn’t care that it is closed. But, Matt Booth was very concerned about....that is really the only way to get into that little piece of ground of his. And I don’t know where that ROW marker sets from where his driveway is. McDonald: (indistinct) We cannot do that here? Williby: No, because we don’t actually own it. McDonald: We still have our right of way, but they got beyond our right of way. Dittrich: Do you think this is the correct shape? (referring to map from Assessor.) McDonald: Yeah. Henery: When I talked with Matt, he said he noticed that the ROW marker and cement thing was up there someplace. I asked him if it was beyond his driveway or before – and he couldn’t remember. McDonald: I’ve got the DOT right of way map. When you go up there and see.... Williby: We actually have the right to close that 1,000 feet as a County, we don’t even own it though. McDonald: Well, we own the county road right-of-way. And they bought adjacent to it. Is what it amounts to. They had to widen the road beyond 66 feet. So they bought between 33 and some feet. It narrows, its pie shape if I remember correctly. Henery: So, they don’t own the actual road right of way. They just own on each side of it? McDonald: We still have the right of way. But we have our easement. And I think they’ve got beyond the easement. So they used our easement plus what they

purchased. Williby: A short quarter of a mile. McDonald: I think it is dead on 1000 feet. I think that is right where that thing is at. Always got to be something. Henery: Yeah. McDonald: Like I said this is your public hearing. It's for public input. Henery: Yeah. Have you got any more? Rick Werner: Why does the road want to be closed? Who wants to close the road? Henery: There was a petition circulated of people that signed to close that road. Those 2 miles from the mile north of your house – while not quite a mile north of your place. Werner: The north boundary? Henery: Yeah, the north boundary. Going east. Werner: So why do they want it closed? Henery: It's not passable, according. Is that right? Werner: Well, it should be passable because it's a county road. The county ought to maintain it. It used to be the county would grade a minimum maintenance road once a year. I haven't seen a maintainer out there in 20 some years. Hell, I don't see a maintainer on my gravel road. Henery: Brian, do you want to address that? McDonald: There are a lot of roads that don't get maintained. Should they be maintained twice a year, yes. Werner: While we pay to have them done. McDonald: I guess the question is: Are we keeping the road that is not being maintained opened or not? If you want to open the road, that is another discussion for the Board. It is your chance to give them testimony if you want the road to remain open and improved. Here is your chance. But what they got is they've got a petition to close the road. We studied the use of the road, which is primarily farm access, part of its farmed, uh— Werner: Which it shouldn't be. McDonald: I am just telling you what the use of the road is. Werner: I know. Dittrich: We could probably clear a lot of this stuff by following the steps of the public hearing. Let's reign it in. Henery: We need to hold this up...and go with the proper steps and go with the proper steps – as Casey pointed out. McDonald: We have studied the use of the road. We've got a public hearing after that. If you want to give input of what you want of the road this is your chance, Once the petition is filed – we go through the process. Henery: First, we need the applicant's reason for wanting the road closed. Alan, you are the one that.... Would you want to present that? Bentley: This...giving a timeline of things. This was a township Road until 2018, so the county really had nothing to do with it. I think Rick's right – it was supposed to be graded. We use it mostly, predominately. But it has the unfortunate distinction of being the road that is between Neligh Township and Custer Township. The Dividing Line. I remember my Dad in the 70's arguing with both Townships. I was like Ricky wanting it graded. Neither one had any money. You guys remember that. Neither one. Custer said it was Neligh's responsibility. Neligh's Township said it was Custer's responsibility. They made a deal with Dad in the 70's that we would take care of it. They said you guys use it, you are the only one so you guys take care of it. So we did. We took care of it up until 1999. In 99 a culvert washed out. And the county was really good about teaching me. I pulled the culvert back in place and packed it – and the county told me how to do that. So, I did that. That was in 1999. In 2007, I know that year for sure – a young man from Elgin tipped his pickup over on its side. And the second culvert been washed out. And it's still washed out. And there is no way to get through unless you go through our field. And so, my lawyer actually, at the time, advised me then, he said this is not. You are opening yourself up for a liability. I don't want you ever grading or taking care of that road ever again. So, nothing's ever been done since 2007. So, 19 years. So, in 19 years nothing has ever been done. That is when the trees started. And the culvert is still washed out. And it's unpassable. And I have no problem if you guys want to build it into a road again. But it doesn't affect me one way or the other. Except we need to do something. What has happened is it has turned into a place for people to dump their trash. I have called numerous times. Basically, last time I was informed, actually it was Brandon Jonasen that found it. A young man dumped his trash out from Royal. And they said it was a civil matter. To elevate a lot of the problems I think it would be best to close it. I don't see any issues. Umm. To answer you guys' questions: I have no problem up to Matt booths, I know exactly where you are talking. And that is @ 1000 feet, that marker – going into his filed. If you want to keep that end open and close it there, I have no problem with that. If Matt wants it. Personally, if I was Matt, I would want to take care of it myself. But that is up to him. Henery: Well, with the Department of Road thing, that may cause an issue. McDonald: Yeah. The DOT will rip the intersection out. Williby: They'll rip it out. I guarantee they will. Bentley: Then you might want to inform Matt. McDonald: They want to own the access. So, if we close the road, they will eliminate the access. Bentley: Then that's fine. That will help Matt with this problem. The next of it...I talked to Keith. Henery: So, another thing I wanted to ask you, and I talked to Dane Nielsen about a month ago or whatever. Does he need access from the west? Bentley: No. And I talked to Dane. Before. Henery: He signed the petition. His name is on there. Bentley: I had...Keith Borer should be on there. The only one we didn't get I couldn't get ahold of is Matt. And then I got to think he might not want to close. So, I have no problem with that. That don't affect our end at all. It's the other end where they are dumping the tires and trash. And now, actually with the culvert that has been washed out since 2007, you cannot get through without going through our cornfield. It's moved to the north and south. You know how ruts are in there and cow trail roads. And then they'll move it to the south, and then they'll move it to the north. That gives you a timeline. It was never a county problem. You guys just inherited access in 2018 I think when they did away with the townships. Williby: 17 or 18? Bentley: 17 or 18? I don't know. Clerk: (confirmed) 17. Bentley: 17. So, you guys had nothing to do with this. I mean nothing. The County actually has been kind of helpful with me over the years. Otherwise, Rick's right. I don't think a grader. I don't think it's been properly graded ever in my life. Ever. Dittrich: Are the two (2) tubes right here in the west half mile? Bentley: No. The tubes are over here. One's here. That one is fixed. I fixed that one and it's holding. It's about.... Dittrich: So, this is where it is not passable? Bentley: Yeah. No. McDonald: The one you replaced if you keep going west – there is rough terrain over there as well. Bentley: Yeah. That is rough. But it's east of the one I replaced. It's east of there. It is a quarter mile off of 523rd Avenue. Williby: That first mile coming off of the highway. You drive through the first mile? Bentley: No. You can't get through. You cannot get through the first mile at all. At all. You can't get through it on a 4-wheeler. Nothing. The second mile you can get through but you have to go through my field to get around the culvert that is washed out. And then, that is with a 4-wheeler. Trees are growing up through the other end. Towards Dane's end. Williby: Somebody said they could drive the first mile. Bentley: No. Henery: Anything else Alan? Bentley: No. I'll be here.(9:31 AM) Henery: Anybody else in favor of closing this road? Who would like to speak?....Is there anybody who would like to speak in favor of closing this road?...I will ask one (1) more time. Anybody else in favor of closing this road want to make a comment or testify? (9:32 AM) Henery: Anybody opposed want to testify about the closure of the road?... Rick did you have something you want to say? Werner: No. I just basically showed up to find out what was going on. Henery: Ok. Werner: I guess I don't have a problem with it being closed. If the county isn't going to maintain it. Which they are not. Henery: Right. Ok. Anybody else against closing road? Werner: I am not for it or against it. I guess. McDonald: With that. I think you guys need to have a conversation of where it could be or couldn't be. Because, from the west going in...where is your property at? Werner: It's on the west end of the two (2) miles. McDonald: Ok. On the south? Werner: Yea. It be on the south side on the west side of the road. Henery: His is across the road? McDonald: Do you have..... Werner: I am across the road. McDonald: You the extension of these miles? I got you. Werner: I guess....the only thing I have to say if you are going to close the road coming of the highway. Is that, I don't know how many times I have had people coming to my place using Google Maps – it wants to take them across that. Henery: We will direct with 'no outlet' signs. If we do decide to close it. Werner: But I think you would have to post it at the highway that the road is closed. Henery & McDonald: Yeah. Right. Henery: If we do decide to close it, there will be signs posted so people know. It's not accessible. McDonald: I don't think you can close the first thousand feet easily. And get what you want out of it., It takes the DOT having to question out things. Henery: The question I have without looking at it. The question I have is – If we leave the first 1000 feet open and Matt Booth's gate access is at 1200 feet? McDonald: I think you need to go and look at it, as putting it at the crest of that hill – even if it's past the DOT right of way. Henery: Yea. Yea. That's what I'm thinking. Like a quarter of a mile. Possibly? Alan, would the first quarter of a mile from the east, is that accessible for like Matt and stuff? Bentley: Yea. Henery: Yea. So, if a guy went, leave the first quarter of a mile from the east open, and put no outlet signs up, whatever, then close the other portion of it. That would be my thought. McDonald: To me, this needs 'no outlet' from the end and at the very beginning of it. And I highly recommend that if we close this, we require them to gate it. Ideally, what I would like to see is the three (3) diamonds either offset, in the main driving lane westbound at the closure, and past, that have gates or something. That's the complication of having a dead end. Dittrich: Matt's driveway is 915 feet from the center of the highway. Williby: How far is his whole land? Henery: He said he has got 79 acres. And I think Alan's got what, 40 something, on that quarter? Or? Bentley: I own the rest of that past it. Henery: Yea! The rest of it past that. Williby: Judging by the looks of it, it looks like a little over a quarter of a mile. What Matt owns on the south side right through. Bentley: What's that? Williby: It looks like it's a little bit more than a quarter of a mile. Bentley: It don't lay straight. Williby: It kind of runs crooked. Bentley: I don't know what the measure is. Williby: It looks like a little over half the way across that. Bentley: If it's easier, I would go with a quarter of a mile. Williby: Well, I was just going to say if we went to his land line it gives what he owns on that side you know. It would be like 1400, something like that you know. Bentley: I've got no problem with that. It's mainly to keep...guys to keep the trash from getting dumped. The trash is unbelievable. McDonald: I would look to closing to the top of that hill. If he's got access, he can do whatever he wants. As the owner. Dittrich: Alan, does the trash ever come in from the east side? Or always from the west? Bentley: What's that? Dittrich: Does the trash always coming in from the west mile? Bentley: Usually the west. Dittrich: They are not going to come off of Highway 14 and dump? Bentley: No. Dittrich: So, if we did the quarter mile, that should fix the problem. Bentley: I should say one thing. I did this. This might be interesting. My wife's from California. And when you Google Map our house to get there, that is the road it sends you down. And so, Nebraska is kind of interesting. I got ahold of Google Maps. They were great about it and I closed that road on Google Maps. They had to do a study. I did that because on the Matt Booth side it does look like a decent road. There, then they drop off into a valley and I've got to pull them out. I got ahold of Google Maps and they closed it. So, now they take you a more useful route. McDonald: Ok. Google Maps is a discussion for later, as far as when/if we close. What about access from the west end that other property, Charlie? I thought you said they had some concerns. Henery: Well, when I talked with Dane, he wasn't. I told him about coming to the hearing. He says naw, I don't need to. I am not concerned about the access coming in. I thought he had to come across his to get into the east alfalfa field he has. But he apparently said no, that wasn't how it was. McDonald: So the only concern we really have is the very east end? Henery: Yea. The very east end. But, I cannot picture in my mind how Dane gets

into all his. He must enter it from... Bentley: He tore a bunch of trees out over there. I assume that’s what he’s done. Henery: Yea. Because he said something about if the road was closed, he would like that because he could clear out more trees and get his fence line down the middle of the road and stuff to clear it out, and it would be clear for his fence in. So, he was not opposed to closing. Henery: Do I have any neutral comments? Vince Sauser: Did everyone in the county get a letter? Why did I get a letter? McDonald: Neighbor. Henery: You are a mile south, so within one mile. Any neutral comments? Any additional comments? Commissioners? Brian? Dittrich: Holt – Antelope 345kv line – may go right across these. McDonald: NPPD will get easements. Henery: Motion to close. Williby: Motion to close. Dittrich: I will 2nd that motion.

9:41 AM Closing Public Hearing: Motion by Commissioner Williby, seconded by Commissioner Dittrich to close the public hearing and go back to regular session. Voting aye: Jacob, Williby, Krebs, Dittrich and Henery. Nays none. Motion carried. Discussion continues regarding what portion of 852nd Road is needed to continue access for Booth Feedlots to their property. That parcel of ground lies at an angle, and the exact location of the existing access was unknown. Discussion of signage on both ends of the closing. With direction from Highway Superintendent a motion is made by Commissioner Dittrich, seconded by Commissioner Krebs to authorize Highway Superintendent to write resolution to close the two (2) miles of 852nd Road except the portion with right of way owned by the State of Nebraska DOT. Voting aye: Jacob, Williby, Dittrich, Krebs and Henery. Nays none. Motion carried. Mr. Bentley agreed. No further action. Highway Superintendent wishes the landowners gate, the County place the three (3) diamond signs, and mark no outlet and road closed as needed.

Highway Superintendent: Brian McDonald met with the Commissioners regarding various project updates and projects for the One- and Six- Year Road Plan.

- Elgin north right of way - Bridge Project: Road Superintendent, Leigh Kluthe is working with the landowners around the ‘Starman’ bridge located on 840.5th Road. Currently, we are trying to acquire portions of three (3) landowner’s property. Selting, Drucke, and Dinslage. All seem to be agreeable, but payments and paperwork is still being reviewed.
- One- and Six- Year Road Projects review – Mr. McDonald discussed projects to be included in the Road Project Plan. He will try to finalize a plan to present next month, so a public hearing date can be set in September/October. No further action today.
- Federal Funds Buy Back – Annual Certificate has been completed and will be an action item next week.
- Bridge Inspections heavy crane load. Mr. McDonald continues to work with Boone and Antelope County regarding an unpermitted heavy haul that utilized bridges beyond the weight limit. Both County Attorneys have been informed and is working towards a settlement. He will follow up regarding this situation. Those invoices will be coming soon, and we believe we should be able to collect the inspection fees from the non-permitted hauls.

County Line Bridge Match: The bridge project on the Knox-Antelope County line was completed recently. To settle the billing and receive the funding, Brian McDonald presented a resolution to approve stating the project was completed satisfactorily and properly. The resolution formally notifies the State of Nebraska of the project completion and requests for funding re-imbursements. Mr. McDonald is working with Knox County and the State of Nebraska on the reimbursement funds – due to the Counties joint bridge match application. Motion by Commissioner Dittrich, seconded by Commissioner Williby to approve resolution. Voting aye: Jacob, Williby, Krebs and Henery. Nays none. Dittrich abstains Motion carried.

RESOLUTION CERTIFYING PROPER COMPLETION OF PROJECT

ANTELOPE COUNTY

Antelope County
Resolution No. 2026-06-0006

WHEREAS, Antelope County and State entered into an agreement entitled "County Bridge Matching Program Agreement" for Structure Numbers C00202020 and C00201100 (The Project, Program Agreement Number 950290 signed by State on the 22nd day of July 2024, and

WHEREAS, Antelope County has now completed the construction of the Project that was identified in the Program Agreement, and

WHEREAS, this Resolution is to formally notify State of the proper completion of the Project according to the terms of the Program Agreement.

Be it Resolved, by the Board of Commissioners of Antelope County:

(1) The Project for Structure No. C00202020 and C00201100, has been properly completed by County and is complete in accordance with the terms of the Program Agreement.

(2) The bridge was constructed to meet compliance with (a) the plans and specifications including any State approved change orders, (b) all applicable design standards, and (c) the conditions and requirements of the Program Agreement.

(3) The undersigned hereby certifies that it is the owner of the bridge, and that it is solely responsible for the design, construction, maintenance, repair, and operation of the bridge and roadway and is responsible for meeting any environmental or other post-construction permit or legal requirements applicable to the project.

(4) The project costs were fair, reasonable and necessary for the proper construction of the project.

NDOT Project Number: STWD-CBMP05
NDOT Control Number: 008740
NDOT LPA Control Number: 00974001
NDOT Project Name: County Bridge Match Program

Adopted this 1st day of August, 2026, at Neligh, Nebraska.
(Seal)

The Board of Commissioners of Antelope County

Charles Selting

Leigh Kluthe

Williby

Henery

Krebs

Dittrich

Board/Council Member: Dittrich

Moved the adoption of said resolution

Member: Williby

Seconded the Motion

Roll Call: Yes _____ No _____ Absent _____

Resolution adopted, signed and filed as adopted?

Attest:

Lisa Payne, Clerk

SEAL

City of Neligh Recycling Agreement: Antelope County has supported the Recycling Center for approximately 21 years. Today, Mr. Dan Donaldson, City Superintendent, met with the Commissioners regarding the agreement and requested a 3.5% increase in monthly support. Joe Smith, County Attorney, has reviewed the agreement. Discussion. Motion by Commissioner Krebs, seconded by Commissioner Jacob to approve and authorized the Chairman to sign the agreement as presented. Voting aye: Jacob, Williby, Krebs and Henery. Nays none. Dittrich abstains Motion carried.

ANTELOPE COUNTY

INTERLOCAL RECYCLING SERVICE AGREEMENT

RESOLUTION # 2026-04-0004

THIS AGREEMENT IS MADE AND ENTERED INTO by and between Antelope County, a political subdivision organized and existing by virtue of Nebraska law, and the City of Neligh, a municipal corporation organized and existing pursuant to Nebraska law.

WHEREAS the City of Neligh presently operates a recycling center whereby recyclable material is collected, processed and sold as a municipal enterprise, and

WHEREAS Antelope County has an interest in reduction of waste materials generated within Antelope County and in recycling those waste materials which the City of Neligh accepts as recyclable materials, and

WHEREAS the City of Neligh has agreed to accept from citizens within Antelope County listed recyclable items and process and recycle the same in consideration of Antelope County participating in and defraying the expenses of such recycling operation.

IT IS THEREFORE AGREED AS FOLLOWS:

1. This agreement shall commence on the first day of October 2026 and shall continue until terminated pursuant to Section 5 hereafter.

2. During the term of this agreement, the City of Neligh will accept listed recyclable material from any Antelope County resident on the same terms and conditions as it receives recyclable materials from the residents of the City of Neligh. The City of Neligh will establish a list of materials which it will accept and make such list available to any Antelope County resident.

3. Antelope County, for and in consideration of the City of Neligh accepting such recyclable materials, hereby agrees to pay the City of Neligh the sum of \$1,035.00 per month during the term of this agreement to help defray the cost of such recycling for residents of Antelope County.

4. This agreement is made pursuant to the Nebraska Interlocal Agreement Act. It shall be controlled and governed by the provisions of such act.

5. This agreement may be terminated by either party upon 30 days' notice, in which event all further obligations by either party shall terminate and cease.

6. Antelope County assumes no liability or responsibility for operation of the recycling center, and all recycling material, once delivered to the recycling center, shall become the sole property of the City of Neligh to dispose of in whatever manner they determine best.

7. It is agreed that none of the monies received by the City of Neligh for the sale of recyclable materials shall inure to the benefit of Antelope County and that the City of Neligh will have sole and exclusive use of such monies received.

8. This agreement shall be binding upon the assigns and representatives of the parties hereto.

DATED this 4th day of August, 2026.

ANTELOPE COUNTY

CITY OF NELIGH

Charles Selting

Board Chairman, Charles Selting

Mayor, Joe Hartz

Attest:

Lisa Payne, Clerk

Approved: Joe Smith, County Attorney

NEBRASKA GOVERNMENT

Nebraska Public Power District Transmission Line: Holt County-Antelope 345kV Transmission Line Project: Citizens Barton Koinzan, Sandy Koinzan and Boyd Pedersen met with the Commissioners regarding the proposed route of this line. These individuals all live in line with the current preferred route. They shared concerns and believed one of the alternate routes would affect households and people a significant amount less. The Alternate Route (B) seems to include quite a few less turns and impactions. Discussion. The Commissioners do not believe there is much they can do – as NPPD is a subdivision of the State of Nebraska – and can declare imminent domain. It is believed a CUP and public hearing will not take place at the County level. If NPPD is meeting with the Commissioners in the future – the Commissioners will bring it forward for NPPD to take under consideration. No action taken.

Road Superintendent Report:

- **Oversize Permits:** two (2) permits were submitted for oversized transferring turbine parts. Discussion. Mr. Kluthe and Mr. Jones worked with the submitters regarding the transfer routes. Kevin Euser from CSI Acquisition LLC submitted the permits in and out to Tower 22, utilizing Highway 70 to 512th Avenue. No issues were voiced. Motion by Commissioner Dittrich, seconded by Commissioner Jacob to approve the permits as submitted. Voting aye: Williby, Krebs, Jacob, Dittrich and Henery. Nays none. Motion carried.

- **Access Permit:** 839th Road-SE¼ Section 3, Township 23, Range 26 – field entrance off of a hard surface road. Brian Selting submitted a permit application to install a driveway for a field entrance. Mr. Kluthe does not think a culvert is needed and recommends approval. Motion by Commissioner Dittrich, seconded by Commissioner Jacob to approve access. Voting aye: Jacob, Williby, Dittrich, Krebs and Henery. Nays none. Motion passed.
- **Access Permit:** 840th Road-SE¼ Section 31, Township 24, Range 6 – east of 522nd Avenue. He is requesting a field entrance off of a hard 840th Road. Gene Selting submitted a permit application to install a driveway for a field entrance. Mr. Kluthe does not think a culvert is needed and recommends approval. Motion by Commissioner Dittrich, seconded by Commissioner Jacob to approve access. Voting aye: Jacob, Williby, Dittrich, Krebs and Henery. Nays none. Motion passed.
- **Underground Permit:** Steve Beckman submitted an underground permit for an electric line under 524th Avenue in the NW¼ of Section 28, township 23, Range 6, west of the 6th P.M., Antelope County, NE. This will allow electricity to a grain bin on the site. Mr. Kluthe reports no issues. Motion by Commissioner Jacob, seconded by Commissioner Williby to approve permit as submitted. Voting aye: Jacob, Williby, Dittrich, Krebs and Henery. Nays none. Motion passed.
- **Mitchell Quarry:** Mitchell Quarry submitted a bid for aggregate products used by the County. Because of product availability they are submitting a bid for consideration today. Motion is made by Commissioner Williby, seconded by Commissioner Jacob to accept, approve and put on file the Mitchell Quarry bid. Voting aye: Jacob, Williby, Dittrich, Krebs and Henery. Nays none. Motion passed.
- **Trees along Old Highway 14** (south of Neligh): The State of Nebraska gave this ‘road’ to the County – at which time the right-of-way became County responsibility. Today there are multiple areas that are overgrown with trees and thick brush. Because of this the Road Superintendent contacted multiple tree trimmers in the area for bids on tree removal projects along Airport Road. MTS Tree Service LLC submitted a bid for \$5,000.00; Joe Funk Construction submitted a bid for \$18,900.00; Tip & Trim Tree Service, LLC submitted a bid for \$5000.00-6,000.00; and DJDS Outdoors submitted a bid of \$12,000.00. Discussion. The Commissioners agreed to honor the bid submitted by MTS Tree Service LLC – as they are the apparent low bid. No formal action.
- **519th Avenue** – work has been completed. Road by Jerry Schwagers is not in good repair.
- **839th Road** will be cored on Friday afternoon.
- **Auction Items:** to date all items have been picked up and are no longer in County possession.
- **Discussion of Armor Coating** projects for the 2026-2027 fiscal year. Plainview Golf Course Road, 5 miles of 843rd Road; Royal Road.

Budget: The Commissioners reviewed the budget requests/line items. Discussion of various expenses. During the preparation of today’s figures Commissioner Krebs worked with Assessor, Treasurer, County Court, District Court and County Attorney to identify miscellaneous general (0100-970) expenses that would be better identified in specific office budgets. Thus, today’s budget is presented with numbers that may look wanky compared to previous budgets. Overall, presentations look to be fair and reasonable. While working through the Road and Bridge portion of the budget various items were identified and adjusted to reflect proposed projects, bridge projects and maintenance concerns. Approximately, three (3) hours were taken to review and discuss. Working with the Clerk, changes were made to reflect adjustment and changes from today’s discussion. The budget balanced well today, however we do not have the certified value, as the State has not certified the centrally assessed number to the County – so the Assessor can present numbers forward. County Assessor said she would keep us informed when that number is ready. Commissioner Krebs will review numbers and changes presented today for inaccuracies and misnomers. Discussion will continue in early September, with a public hearing later in September. No further action today.

Subdivision Levy’s: After budget discussion today, it was determined these subdivisions can remain under the County levying authority. A resolution was presented. Motion by Commissioner Krebs, seconded by Commissioner Williby to approve resolution and authorize Clerk to notify the political subdivision. Voting aye: Krebs, Williby and Henery. Jacob and Dittrich were absent. Nays none. Motion carried.

2024-08-0801

ANTELOPE COUNTY, NEBRASKA

RESOLUTION - SUBDIVISION LEVY

Whereas, the Board of Commissioners of Antelope County, Nebraska, pursuant to Nebraska Statute, is vested with the authority of administering the affairs of Antelope County, Nebraska; and

Whereas, it has been determined that subdivisions within Antelope County have requested to remain under the Antelope County district for any authority; and

Whereas, the Board of Commissioners of Antelope County deems it to be in the best interest of Antelope County to approve and levy requests for 2026-2027 Budget Year; and

Whereas, the comparison of the preliminary tax dollar requests presented by subdivision governmental entities were reviewed and compared to previous years.

Antelope County Ag District Paid at \$100,000.00 for the 2024-2027 Fiscal Year

Rural Fire District of
Brewerick, Claremont, Elgin, Hedges, Orchard, Eldon
did not make \$0.00 levy for the 2026-2027 Fiscal Year.

Antelope County Airport Authority at \$1,614.18 General and \$0.00 Bond, for the 2026-2027 Fiscal Year

Now, therefore, be it resolved by the Board of Commissioners of Antelope County, Nebraska, that the Antelope County subdivision preliminary budgets be approved as presented and remain under the Antelope County levy limit authority.

Dated this 1st day of August 2024.


Charlie Henery
Board of Commissioners


Lisa Payne
County Clerk

Motion by: Williby Seconded by: Henery

Voting on: Williby, Jacob, Krebs, Dittrich, Henery

Yes: 5 No: 0

Absent: NONE Other: NONE

There being nothing more to discuss.

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

The meeting was adjourned at 3:23 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Charlie Henery

Attest: _____
County Clerk, Lisa Payne