

January 10, 2017  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, January 10, 2017 at 8:09 AM in the County Commissioners room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting called to order by Chairman Schwager with the following board members responding to roll call: Kerkman, Jacob, Schindler, Henery and Schwager. Chairman Schwager stated that the open meeting laws are posted on the east wall of the Commissioners Room with more copies available at the County Clerk's Office.

Notice of the meeting was given in advance thereof by publication in the four county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk's office. Agenda for said meeting was sent to all members of the County Board of Commissioners.

9:08 AM We, the Committee on Claims, report that we have examined and approved for payment the following claims:

Antelope County Court, court costs 94.00; Antelope County Sheriff, Subpoenas 30.00; Antelope County Treasurer, fixing error from 2015 audit bond forfeiture paid to general fund 4365.00; Appeara, micro wipes, dust mop frame, dust mop, textile maintenance, service charge 45.43; Applied Connective Technologies, service charge, mileage, cables, Ethernet console extender, port switch, IT services 653.20; Black Hills Energy, Sheriff, Weed, Historical Society, heating fuel 1083.67; Bomgaars, Sheriff; hose clamp, coupling, batteries, nozzle, steel handle, light reel, Weed; motor craft oil, lamp bulbs, brooder hood, Building & Ground; light bulbs, key blank, flapper bullseye, replacement bulbs, 251.13; Eleanor Brady, prior service 25.00; Deb Branstiter, meals for Kearny NACO Convention 34.10; Dean Brown, prior service 25.00; Joanie Brugger, mileage State vs. Lierman 140.94; Butch's Body, mileage, hook up fee, towing 170.00; Candlewood Suites, accommodations for Mueller, Branstiter, Schindler, Cole, Kerkman, no show fee 1656.55; Carney Law, attorney fees 3227.62; Casey's General, fuel 62.49; Cash-Wa Distributing, tomato soup, assorted gelatin flavors, mop handle, mop bucket, cabbage slaw mix, tater tots, fries 509.80; Cham-Tex, self-protection blanket, freight 98.12; Elgin City, recycling fee 250.00; Neligh City, electricity, garbage, sewer 1922.73; Clearwater Record/Ewing News, meeting notices, public notices 47.60; Clerk of the District Court Association, yearly dues 50.00; Connecting Point, desktop computer 1114.63; Cubby's, fuel 221.70; Das State, Sheriff; network service charge, Clerk, District Court Clerk, Treasurer; data processing 573.68; Digital-Ally, wireless mic, holster 430.00; Casey Dittrich, meals, fuel, Kearny NACO Convention 120.42; Dusty's, fuel 73.00; Eakes Office, Clerk; appointment book, Treasurer; desktop calculators, ribbon, District Court; ink pens, County Court; checks, freight, Extension; Kleenex, Attorney; binders, binder slats, staples 1390.47; Electronic Systems, fire alarm inspection 70.00; Elgin One Stop, fuel 82.59; Elgin Review, meeting notices, public notices 79.05; Elite Office, toner cartridge 59.99; Elkhorn River Farms, potatoes 60.00; Farm & Home Publishers LTD, FHP Plat Books 130.00; Frontier Communications, telephone service 2169.93; Great Plains Communications, telephone service 190.00; Tessa Hain, meeting fee, supplies for 4-H Achievement Celebration 28.39; Lyle Hart, commodities 200.00; Herley's Repair, windshield, urethane kit, labor 227.99; Holiday Inn, accommodations for Dittrich Kearny Convention 99.95; Huffman-Levander Funeral Home, transportation for autopsy 418.05; Nadene Hughes, prior service 14.00; Jack's Uniforms, cuff case, belt keeper, flat glove pouch, radio holder, shirts, gold insignia 255.04; Jonny Dodge, 2016 Dodge Ram 10,000.00; Frank Kamphaus, prior service 16.00; Bob Krutz, mileage planning commission meetings 211.68; La Quinta Inns, accommodations for Payne Kearny Convention 127.00; Law Offices of Jeffrey Doerr, court costs 1751.32; Lichtenberg Tire, tire mount/dismount, balancing, disposal, tire fee, misc supplies 274.54; Madison County District Court, filing and maintenance fee 50.00; Madison County Court, copies 7.00; Madison County Sheriff, fees, mileage, service of notice of hearing, copy of petition, rights, professionals 33.69; Marvin Planning Consult, additional meeting for regulations update 750.00; Microfilm Imaging, monthly rent for scanning equipment, barcode wands 87.00; David Miller, mileage for planning commission meetings 75.60; MIPs, data processing, monthly dues Register of Deeds/Nebraska Taxes Online/Payroll/Claims 669.72; Morland, Easland & Lohrberg, attorney fees 722.04; Mr S's, fuel 266.48; National Sheriff's Association, membership dues 58.00; Nebraska Bean, beans 24.00; Nebraska State Bar Association, dues for County Attorney 240.00; Nebraska Supreme Court, legislature books 113.25; Nebraska Weed Control Association, registration for conference 360.00; Nebraska Weedettes, registration for ladies program 50.00; Neligh News, treasurers subscription, notice of meetings, public notices 135.70; Neligh Postmaster, postal service 138.00; Nielsen Insurance, notary renewals 140.00; Northeast Nebraska County Assessors Association, 2017 dues 25.00; Northeast Nebraska Clerk Association, 2017 dues 50.00; Office Depot, toner, electric pencil sharpener, card stock, envelopes, files, USB's 441.90; OK Tire, truck repair 156.23; One Office Solution, desk calendar 4.99; Orchard News, meetings notices, public notices 46.45; Donna Payne, prior service 25.00; Phyllis Perdew, mileage for planning commission meetings 64.80; District Court-Petty Cash, petty cash fund 42.00; Pinnacle Bank, assorted cereal flavors, Clorox wipes, batteries, rolls, cornbread stuffing, cool whip, file cabinet, assorted pie flavors 508.65; Quill, replacement ink pads, batteries, pens, binder covers, wireless mouse 235.21; R S Technologies, CAD support 1 year 300.00; Kurt Rakow, mileage for planning commission meetings 113.40; Region IV, services for the developmentally disabled 2808.00; Shell Fleet, fuel 720.19; Caroline Siems, prior service 25.00; Sirchie Fingerprint Lab, evidence bags and tags 226.80; Staybridge Suites, mileage, accommodations 87.99; Thomson Reuters, law library jury instructions 359.00; UNL Its Communications, telephone service 91.04; US Cellular, telephone service 324.70; Verizon Wireless, telephone service 57.76; Clearwater Village, recycling fee 250.00; Walt's Computer, install QuickBooks/DVD drive 280.98; Bonita Welke, prior service 22.00; Greg Wortman, mileage for planning commission meetings 194.40.

**8 Road & Bridge: at Large,** A & J Towing, towing, mileage 1087.00; A & R Construction, Elgin site 1 & 2 construction 69,101.91; Barco Municipal Prod, bomber jacket, lime class vest, shipping 95.07; Bomgaars, key blank, pry bar 60.97; Casey's, fuel 51.48; Cornhusker Truck, hose rad, hose clamps 119.88; Casey Dittrich, MVR records, DOT online training, doughnuts, 140.08; Elkhorn Public Power, electricity 85.17; Farmer's Pride, equipment fuel 366.34; Green Line Equip, O-rings, bulk hose, elbow fittings, washers, gasket, seals 2542.36; Jerry Hales, easement deed purchase 249.90; Island Welding, CYL rental 170.50; Eli Jacob, assorted rolls 20.00; Jebro, MC250, freight 11,279.64; JEO Consulting, engineering/construction for Elgin sites 1 and 2 10,640.50; Jonny Dodge, brake adjustment, clutch brake, coolant filter, fuel filter, water sep filter, plug 110.93; Kayton International, male and female couplings 157.72; Kumm Gas, fuel 118.28; Lichtenberg Tire, Michelin snoplus 4779.12; Mr S's, equipment fuel 656.02; Nebraska Department of Revenue, diesel fuel 869.00; Neligh City, garbage fee 26.00; Neligh Auto, halogen, switch, screw, oil filter 34.97; Newman Signs, LED lights, roll-up, work ahead sign 659.88; OK Tire, Firestone TransForce A/T OWL, stem, shop supplies 317.02; Quality Iron, oxygen, act 42.40; Quick Serve, fuel 89.04; Reinke's Service, chainsaw oil, chop saw case 1284.93; Duane Ritter, easement deed purchase 525.30; Fredrick Ritter, easement deed purchase 2356.20; Royal One Stop, fuel 100.30; Sanne Service, labor for servicing vehicle, silicone hose 81.32; Marie Trease, pull type disc cylinder 250.00; Verizon Wireless, telephone service 218.22; Shell Fleet, fuel 891.60; Hoffman Construction, load/haul clay, backhoe, side dumper, tree work, trees, asphalt hauling 23,618.50.

**1 Brunswick Area:** Bomgaars, shovel, blaster spray, brake fluid, power steering fluid, conditioner, windshield wash, grab hook, trash bags, gloves, toilet paper, 129.80; Bygland Dirt, gravel stock pile 791.20; Frontier Communications, telephone service 73.32; Kumm Gas, fuel 1972.01; Neligh Auto, tarp fasteners, wiper blades, oil filter, gasoline additive, tubing, adhesive, WD switch 339.64; North Central Power, electricity 212.37; Road Builders, freight, mileage, disconnect, cable assembly, seal kit, dryer, hose assembly 1487.21; Larry Schroth, CDL license 57.50.

**2 Orchard Area:** Black Hills Energy, heating fuel 321.72; Dusty's, fuel 31.30; Frontier Communications, telephone service 75.15; Lazy T Tire, battery cable end, interstate battery 114.60; North Central Power, electricity 144.34; Royal One Stop, fuel 109.65; Orchard Village, water 30.50.

**3 Clearwater Area:** Black Hills Energy, heating fuel 159.04; Bomgaars, degreaser, 409 cleaner, shop towels, fuel supplement, windshield wash, hand cleaner, impact socket, signs, tarp straps, transport chain, grab hook, adapter 222.33; Bygland Dirt, gravel stock pile 854.88; Elkhorn Rural Power, electricity 149.88; Farmer's Pride, equipment fuel 1043.28; Jonny Dodge, filter assembly, oil, 41.68; Kayton International, fittings 43.89; Neligh Auto, elbow 3.69; NMC Exchange, adapters, belts, element A 166.48; Northeast Nebraska Telephone Company, telephone service 104.33; Royal One Stop, fuel 183.94; Shell Fleet, fuel 93.39; Town & Country Hardware, nuts 10.40; Clearwater Village, water 108.00.

**4 Neligh Area:** Bomgaars, roller chain, connector link, off-set link, roller chain tool, mouse bait, battery, glove, WD-40 spring water grease, barrel pump 199.78; Farmer's Pride, equipment fuel 447.67; Frontier Communications, telephone service 123.32; H & K Fertilizer, grease, oil 109.09; Neligh Auto, oil filter wrench, brake hose, fitting, towel, 137.32; Netcom, coax cable, base, connector, wiring, bracket 215.00; Road Builders, freight, mileage, cap screw, bearing, seal tip, seals, cage, pulley, washer, gasket, oil cap, vee belt set, kit, indicator, air dryer installation, vehicle repair/maintenance 3780.53.

**5 Tilden Area:** AG & Industrial, filter, level switch, 244.96; B's Enterprises, spiro culvert 2355.00; Bazile Aggregate, gravel 435.00; Black Hill Energy, heating fuel 72.13; Bomgaars, conditioner 20.98; Carhart Lumber, mogul bulbs, fuse plugs 16.98; Tilden City, garbage, sewer, water 104.82; Constellation Energy, heating fuel 169.91; Farmer's Pride, equipment fuel 1053.35; Frontier Communications, telephone service 73.59; Kayton International, bobcat rental 2,486.00; Lichtenberg Tire, service call, Bridgestone VUT, tire mount, Nebraska tire fee 2146.00; Kayton International, female coupling 30.86; Matteo Sand, road gravel 1912.56; Mr S's, equipment fuel 155.92; Nebraska Public Power District, electricity 260.54; Neligh Auto, multiset 19.49; Quick Serve, fuel 183.78; Road Builders, freight, mileage, back up alarm, air dryer kit 937.66.

**6 Oakdale Area:** Black Hills Energy, heating fuel 284.25; Bomgaars, shop towels, plier, conditioner 81.96; D & M Machinery, ball valves, hose, nipples 82.40; Great Plains Communications, telephone service 134.14; Farmer's Pride, equipment fuel 581.56; Green Line Equip, filter ele, air filter, lamp assembly 181.22; H & K Fertilizer, grease, oil 109.09; Lichtenberg Tire, service call, flat repair, O-ring, valve stem, misc supplies 212.50; Kayton International, grease tubes 112.60; Matteo Sand, road gravel 2112.24; Mr. S's, equipment fuel 53.96; Neligh Auto, hydraulic filter, oil filter, cabin air filter, 170.04; Northeast Glass, tinted safety glass, 618.00; Road Builders, 4D battery, mileage, lip seal, yoke, wheel loader, seals, gaskets, washer thrust, tube assembly, 7127.22.

**7 Elgin Area:** Beckman Lumber, door lock bolt 5.00; Black Hills Energy, heating fuel 143.49; Bomgaars, stop leak, chains, weather strip, de-icer, starting fluid, spray bottle 86.89; Bygland Dirt, gravel stock pile 1308.80; Central Valley, screws 1.00; Elgin City, garbage fee 56.25; Elkhorn Rural Public, electricity 84.32; Great Plains Communications, telephone service 140.27; Green Line Equip, ball joint, mileage svc call 456.72; Hinrichsen Sand, road gravel 453.96; Lichtenberg Tire, service call, Bridgestone VUT, tire mount, O-ring, Nebraska tire fee, misc shop supplies 2801.50; Kayton International, skid loader rental 1100.00.

**Register of Deeds:** MIPs, data processing 295.70.

**Law Enforcement Center:** AMH Family Practice, prisoner doctor visit 322.00; Antelope Memorial Hospital, ER visit, lab work 1276.41; Cornhusker State Industries, mattresses, pillows, laundry detergent, liquid auto wash 1500.40; Custom Technologies, e-Cigarettes 506.95; Terry Jensen, dentist visit, tooth extraction 650.00; Jonny Dodge, 2016 Dodge Ram 22,600.00; Pinnacle Bank, Spectre 24" TV, Klondike bars, assorted soda pop, lip balm, shampoo, conditioner, soap, Vic's, toothpaste, drink mix assorted flavors, word searches, colored pencils, sugar, postage, coffee, needles, erasers, moisturizer, racquet balls, body wash, lotion, floss, 971.62; Walkenhorsts, radios, radio adapters 291.99; Wanek Pharmacy, medication for inmates 379.28.

**Building Fund:** Overhead Door, slide lock, T-Core white, weather strip, posi tension drum, Perimeter Seal, door removal, reconnect chain hoist, wood jams 3889.00; Kinnan Construction, ceiling tile, grid, angle, wire, hangers, labor 10,725.10; O'Neill Pest Control, sprayed for pests 85.00; Warren Garage Door, labor and materials to service door, install jamb seal, receiver, remote programming, trolley operator, 1831.25.

**General:** Total Payroll, 84,125.84; Ameritas, retirement 12,924.90; Garnishment, 774.60; Federal Withholdings, 9935.58; Social Security, 17,038.08; American Family Life Assurance Company, insurance 1021.80; BlueCross/BlueShield, 55,062.44; Colonial Life and Accident Insurance, insurance 58.25; First Concord Benefits, insurance 1048.32; Madison National Life, insurance 329.26; Mid-American Benefits, insurance 198.00; Nebraska U C Fund, unemployment cost 1409.00; NACO Vision, insurance 412.76; Nebraska Department of Revenue, state tax 3265.85; Washington National, insurance 339.24.

**Road & Bridge:** Total Payroll, 52,794.75; Ameritas, retirement 8014.28; Garnishment, 742.78; Federal Withholdings, 5531.45; Social Security, 10,701.86; America Family Life Assurance Company, insurance 284.70; BlueCross/BlueShield, insurance 35,747.84; Colonial, insurance 18.00; First Concord Benefits, insurance 540.27; Madison National Life, insurance 181.05; Mid-American Benefits, insurance 126.50; NACO Vision, insurance 199.80; Nebraska Department of Revenue, state tax 2023.13; Washington National, insurance 133.40.

Ed Schindler /s/1-10-2017  
Jerald Schwager/s/1-10-2017  
Charles Henery /s/ 1-10-2017

Motion by Commissioner Henery seconded by Commissioner Schindler to pay claims as presented including claim from Building to include Overhead Door for fixing garage doors at the Brunswick Barn, and the claims on Copenhagen Road from work completed in June 2016- not authorized by County Road Boss. Those voting aye: Kerkman, Schindler, Jacob, Henery and Schwager. Nays none. Motion carried.

Supervisor Schwager signed warrant.

There being no old business to discuss. Motion was made by Commissioner Schindler, seconded by Commissioner Kerkman to close as a County Board for 2016. Those voting aye: Schindler, Kerkman, Jacob, Henery, and Schwager. Nays none. Motion carried.

Meeting closed at 9:16 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Jerald Schwager, Chairman of the Board

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

January 10, 2017  
Antelope County Board of Commissioners  
Neligh, Nebraska

Meeting reopened at 9:16 AM with the following board members responding to roll call: Kerkman, Schindler, Jacob, Henery, and Schwager. Commissioner Schwager opened the meeting with a roll call and stated the open meeting laws was posted on the east wall.

Motion was made by Commissioner Henery, seconded by Commissioner Schindler to appoint Supervisor Kerkman as temporary Chairman. Those voting aye: Schindler, Henery, Jacob and Schwager. Kerkman abstained. Motion passed.

Acting Chairman Kerkman asked for nominations from the floor for **Chairman** of the County Board for 2017. Commissioner Schwager nominated Commissioner Schindler. Commissioner Henery nominated Commissioner Schwager. Acting Chairman Kerkman asked for nominations for Chairman of the Board. Commissioner Schindler nominated Commissioner Kerkman. Acting Chairman Kerkman asked for nominations from the floor a third time; no nominations. Commissioner Schwager suggested a secret ballot be cast. Ballots were distributed. During count Commissioner Kerkman received three (3) nominations, and Commissioners Schindler and Schwager receiving one (1) each. Commissioner Kerkman is elected 2017 Chairman.

Chairman Kerkman asked for nomination from the floor for **Vice Chairman** of the County Board for 2017. Commissioner Jacob nominates Commissioner Schwager, and Commissioner Schwager nominate Commissioner Schindler as Vice Chairman of the County Board. Chairman Kerkman asked for nominations from the board for Vice Chairman. Chairman, Commissioner Kerkman calls for nominations for a third time. No response given. Motion by was made by Commissioner Schindler to cease nominations. Commissioner Schwager suggested a secret ballot be cast. Ballots were distributed. Commissioner Schindler received three (3) votes, and Commissioner Schwager received two (2) votes. Commissioner Schindler is elected 2017 Vice-chairman.

Holidays were reviewed. Discussion held. Motion by Commissioner Henery made a motion to set holidays as listed. Motion was seconded by Commissioner Schindler. Voting aye: Henery, Schindler, Schwager, Jacob and Kerkman. Nays none. Motion carried.

#### HOLIDAYS FOR 2017

January 16, 2017 – Martin Luther King Day	February 20, 2017 – President's Day
April 14, 2017 – Good Friday – closing at 1:00 PM	April 28, 2017 – Arbor Day
May 29, 2017 – Memorial Day	July 4, 2017 – Independence Day
September 4, 2017 – Labor Day	October 9, 2017 – Columbus Day
November 10, 2017 – Veteran's Day (Friday Before)	November 23 and 24, 2017 – Thanksgiving Day & Day After
December 22, 2017 – Closing at noon (Christmas Eve)	December 25, 2017 – Christmas
January 1, 2017 – New Year's Day	

Motion was made by Commissioner Henery, seconded by Commissioner Schwager to appoint the following individuals to the various **committees** for 2017. Those voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

#### The following Committees were designated by Chairman Schwager for the year 2016:

Bond Committee .....	Henery, Schwager and Schindler
Claims Committee .....	Schwager, Henery and Schindler with Schindler as Chairman
Finance and Revenue, Road and Bridge, Printing and Supplies, School and University Lands, Licenses and Permits, Rules and Regulations, Illegal Taxes, Relief, Mentally Ill and Purchasing Committee .....	County At Large
Building and Grounds Committee .....	Henery, Schwager, and Schindler

**Additional Committees:**

Antelope County Goldenrod Hills Community Service .....	Kerkman
Northeast Nebraska Area Agency for Aging .....	Kerkman with Schindler alternate
Region IV Mental Health .....	Jacob with Schwager alternate
Antelope County Mental Health Board .....	Schindler
Goldenrod Joint Housing Agency .....	Jacob
North Star Service .....	Schwager with Henery alternate
North Central District Health Department.....	Schwager (Jack Green is also on this Board)
Region 11 Emergency Management .....	Henery with Schindler alternate
Antelope County Resource Board .....	Not for 2017
Personnel Policy Committee .....	Branstiter, Schwager, Mueller, Dittrich, Payne & Kerkman
Antelope County Commodities Committee .....	Jacob
Elkhorn Valley Local Emergency Planning Committee (LEPC)	Kerkman with Henery alternate

**Safety Committee:**

Safety Committee Chairman .....	Casey Dittrich
Administrative member .....	Eli Jacob
Elected official member .....	Kelly Mueller
Clerical employees .....	Tessa Hain and Terri Schade
Buildings and Grounds member .....	Eddie Schindler and Marlene Schindler
Road Department member .....	Larry Schroth and Ray Schlecht
Law Enforcement member .....	Antelope County Sheriff Robert Moore
Weed Control Authority member .....	Bruce Ofe
Early Response team member .....	Schindler with Casey Dittrich

**Road District for year 2014 are as follows:**

Brunswick Area: Eden, Bazile, Ellsworth and Crawford Townships and the east half of Royal Township .....	At Large
Orchard Area: Sherman, Verdigris and Garfield Townships and the west half of Royal Township and Royal Road .....	At Large
Clearwater Area: Blaine, Frenchtown, Clearwater and Ord Townships .....	At Large
Neligh Area: Neligh, Custer and Willow Townships .....	At Large
Tilden Area: Elm and Burnett Townships .....	At Large
Oakdale Area: Grant, Cedar and Oakdale Townships .....	At Large
Elgin Area: Logan, Elgin, Lincoln and Stanton Townships.....	At Large
County at Large .....	All Commissioners

Motion was made by Commissioner Henery change the **road districts** to at large. Motion was seconded by Commissioner Schwager. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Motion by Commissioner Schwager, seconded by Commissioner Henery authorizing the county treasurer to **invest county funds** for 2017. Institutions to include: The Tilden Bank, The Bank of Elgin, The Orchard Bank, Brunswick State Bank, Pinnacle Bank, and Heritage Bank. Those voting aye: Schwager, Henery, Jacob, Schindler and Kerkman. Nays none. Motion carried.

**Approving 2017 Depositories** moved to February 7, 2017 meeting, because they were not back from banks at this time. No action.

**Correspondence** was reviewed and filed: Neligh Ball Board thank you (\$1500.00); Invenergy Construction Summary; NIRMA Safety Shorts; Retirement Newsletter; Antelope County Treasurer’s Semi-Annual Report; Health Assessment Summary BC/BS Nebraska & NACO; Blue

**Pledge Collateral** was reviewed. \$510,000.00 – 250,000.00 FDIC insured. \$260,000.00 Pledged.

Discussion of 2001 Company letter for **Warranted Roof Maintenance on the Historical Museum Site**. This letter was sent to the County Clerk by the Historical Society. Commissioners asked Clerk to find out more information. No action today.

Commissioners signed Secretary of State **yearly signature** page.

December Antelope County **Treasurers Fund Report** was reviewed and put on file.

December Antelope County **Treasurer Miscellaneous Fee Report** was reviewed and put on file.

December Antelope County **Sheriff Fee Report** was reviewed and put on file.

December Antelope County **Clerk of the District Court Fee Report** was reviewed and put on file.

Antelope County **Planning Commission** December 6, 2016 **Meeting Minutes** were reviewed and put on file.

**Veterans Service Officer** gave Quarterly report: He is requesting a meeting with some of the Commissioners and Veterans Service Board to discuss a benefit package and a salary.

January 10, 2017

Quarterly Report to the Antelope County Commissioners  
Activity for 4<sup>th</sup> Quarter of CY 2016

	October	Nov	December	Quarter
Phone Call Received	46	26	35	107
Phone Calls Made	44	34	30	108
Office Visits	20	25	18	63
Home Visits	1	1	0	2
Compensation & Pension Claims	4	2	0	6
Other Claims and Forms Completed	15	19	19	53
Letters Written	6	0	0	6
E-mails	44	29	32	105
Meetings	3	2	0	5

4<sup>th</sup> Quarter Compensation & Pension History Results

	Filed	Granted	Pending
2012	17	12	
2013	7	3	
2014	9	6	
2015	9	5	
2016	6		6

Monthly Cash Benefits to Veterans/Dependents \$ 6,947.55 (from 2015 claims)

Six months to retirement date. I will meet with my Veterans Service Committee later this month for our Semi-Annual Meeting. I will bring the results of the report to the February meeting. At that time, I would suggest that a couple of the Commissioners meet with a couple of the Veteran Service Committee and work out salary offers for the new County Veterans Service Officer. Before the County Veteran Service Committee meeting, I will call around to the surrounding counties, and some other counties of the approximate size of antelope County to from comparable wages of other County Veteran Service Officers. Then after a meeting of the minds, maybe a starting wage can be presented at the March Commissioners Meeting. Then we can advertise the position in late March or early April, and start considering applicants. As I understood your comments from the November meeting, we will be advertising the position as Full-Time 30 hours per week, with all County Benefits currently in effect.

The centralized method of the VA working claims has slowed down the process, and has resulted in delays of getting decisions on compensation and pension claims. We were much better off under the old system of the Lincoln VA Regionals Office working claims from Nebraska veterans, but those days are gone, and the veterans and those of us that help them will just have to adjust to the new system.

There is still a year plus waiting list to get into the Nebraska Veterans Home system. It makes planning by the veteran very difficult. They usually have to go into a private nursing home first and then move on to the Nebraska Veteran's Home when offered a bed. For the most part, once they are settled into a private nursing home they opt to stay there.

A year ago, when I made my decision to retire on July 1, 2017, it seemed a long way down the road. Now it is only 6 months, and July 1 will be here before we know it. I would like to take this opportunity to thank the County Board for their support over the past 30 years. I have really enjoyed my work with the veterans, and with my fellow Antelope County employees.

Ronald J. Marshall  
Antelope County VSO

**Courthouse Vehicle.** The courthouse vehicle was in use during the last week. It was not available for inspection. Item is tabled until further action is needed.

**Drivers Drug Policy** – During last week's meeting Road Boss, Casey Dittrich gave the Supervisors/Commissioners a copy of a drug policy he had prepared with the help of Tim Baxter, and Chad Engel from NIRMA. The policy regarding Alcohol and Drug Testing for MVR purposes. They were to review and be ready to approve policy. Little discussion today. Motion by Commissioner Schwager, seconded by Commissioner Schindler to adopt the "Antelope County Guide to Alcohol and Drug Testing. Voting aye: Schwager, Schindler, Henery, Jacob, and Kerkman. Nays none. Motion passed.

**ANTELOPE COUNTY, NEBRASKA  
RESOLUTION #2017-01-0001  
DRUG/ALCOHOL TESTING**

**Whereas**, the United States Constitution guarantees all citizens the right to privacy, due process, freedom and unreasonable searches and seizures and from self-incrimination; and

**Whereas**, screening employees for the use of alcohol and drugs is becoming more common in the work place. The Department of Motor Vehicles requires all DOT drivers be tested and a drug policy adopted to ensure safety of Antelope County and its employees; and

**Whereas**, Drug and Alcohol testing is an unjustified attempt to extend control over workers beyond the worksite; and

**Whereas**, current screening methods are not fully reliable. Even a positive test that is confirmed by a reliable method cannot determine when a drug was taken or the level of intoxication, and cannot predict the effects on health or behavior; and

**Whereas**, it is The Department of Transportation requirement to have DOT Licensed employees randomly tested; and

**Whereas**, Antelope County wishes to and is required to establish a policy in the managing of testing results and various management of the DOT Licensed employee upon a positive test result; and

**Whereas**, it is Antelope County's right and desire to adopt a Guide to Alcohol and Drug Testing to continue to manage the current drug/alcohol procedures of DOT Licensed employees.

Approved and adopted this 10<sup>th</sup> day of January, 2017.

\_\_\_\_\_/s/ LeRoy Kerkman \_\_\_\_\_  
LeRoy Kerkman, Chairman  
Antelope County Board of Commissioners

Attest:

/s/ Lisa Payne \_\_\_\_\_  
Lisa Payne, County Clerk

Motion was made by Commissioner Schwager, seconded by Commissioner Schindler to approve and adopt the policy as written. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion passed.

\_\_\_5\_\_\_ Yays  
\_\_\_0\_\_\_ Nays

**SEE ATTACHED "ANTELOPE COUNTY GUIDE TO ALCOHOL AND DRUG TESTING" POLICY**

Antelope County Guide to Alcohol and Drug Testing of CDL Licensed Employees

**General Random Procedure**

The county program administrator will be informed of employees to be randomly tested by the third-party administrator. The employee(s) randomly selected are not to be advised prior to test. The employee(s) selected for the random test, upon being notified, will need to proceed directly to the collection site. The employee(s) is advised and provided with forms (these may also be available at the collection site) and then proceed to collection site.

**Alcohol**

.02 bac but lower than .04 bac: Relieved from duty, for minimum of one day; Retested prior to returning to duty.

.04 and above relieved from duty: Referred to a substance abuse professional (SAP); Subject to other county personnel policy; Not to drive until approved by SAP and successfully completes the SAP program; Retested prior to returning to duty.

**Drugs**

The county program administrator is informed of employee(s) to be randomly tested. The employee(s) who is selected for the random test, upon being notified, will need to proceed directly to the collection site. Employees proceed to collection site: Specimen collected and sent to lab. Lab results sent to Medical Review Officer (MRO).

**Negative Test**

Results forwarded to county.

**Positive Test**

MRO will contact employee requesting medical information: If employee can provide verifiable information concerning results, MRO may determine results are a false positive. If employee cannot provide verifiable information, results are ruled positive. County is advised in writing: County will refer employee to a substance abuse professional. Implement other county personnel action as deemed necessary and required.

**What is a Safety Sensitive Function?**

A CDL driver would be performing safety sensitive functions when: On duty and waiting to be sent out or performing other county duties; Servicing a vehicle or performing a pre-trip inspection; Driving a motor vehicle which requires a CDL license; In such a vehicle; but not when sleeping or resting; Loading or unloading such a vehicle or supervising; Performing duties and services at the scene of an accident; or, Repairing, getting help, or waiting with a disabled vehicle.

The U.S. Department of Transportation (DOT) regulations specify that an employee with a CDL must not perform safety sensitive functions within four (4) hours of using alcohol and must not use alcohol or drugs when performing safety sensitive functions.

**How Will This Affect County Employees**

DOT requires certain drivers, those required to have a CDL, to undergo drug and alcohol testing. A CDL is required when:

The gross combination weight rating of a vehicle is 26,001 or more pounds, inclusive of a towed unit with a gross vehicle weight rating of more than 10,000 pounds; or, the gross vehicle weight rating is 26,001 pounds or more; or,

The vehicle is designed to transport 16 or more passengers, including the driver; or, A vehicle of any size is used to transport hazardous materials which require the vehicle to be placarded. County vehicles are exempt from placarding requirements.

**How Will This Affect New County Employees?**

A new employee is defined as one who is applying for an employment opening. This could be a county employee with 15 months or 15 years in a county position not requiring a CDL but the position being applied for would require such licensing.

Or, it could be a new applicant to county government applying for a position which requires a CDL.

The county is required to verify past drug and alcohol testing records from previous employers for a period of three (3) years prior to the application for employment. The county will provide an authorization form releasing such information, which as a condition of employment, must be signed by the applicant.

This form, after being signed, will authorize previous employers to release the requested material.

**What Conduct is Prohibited?**

Federal and state law and county policy prohibits CDL operators from any of the following acts:

Reporting for duty, or on duty, with an alcohol concentration of .02 or greater; On duty, or operating a commercial vehicle, while in possession of alcohol, except if such is part of an authorized load; The term alcohol is not limited to beverage alcohol, it includes medications (including over-the counter types) or other products containing alcohol; Using alcohol when performing a safety sensitive

operation; Refusing to submit to a required drug or alcohol test; Reporting for duty or remaining on duty after using any drug, except when the use has been prescribed by a physician and does not adversely affect the operators ability to safely operate a commercial motor vehicle; Following an accident which requires a post-accident alcohol test, a CDL operator must not use alcohol for eight (8) hours or until after such tests have been conducted (whichever comes first.); Attempting to mask a test, or otherwise interfere with testing procedures.

#### **What Are the Testing Methods?**

##### **Alcohol**

The regulations require a CDL operator submit to a saliva or breath test to determine the blood alcohol concentration (BAC). Only trained individuals may perform such tests in order to meet the requirements of the regulations. An exception may apply in post-accident situations.

If a CDL operator tests .02 or higher on a saliva test, a confirmation test must be conducted within 20 minutes utilizing an evidential breath testing (EBT) device.

The exception in a post-accident situation is that if no suitable equipment is available, a law enforcement officer may request that a blood test be taken. You cannot use blood for DOT, if you cannot get an alcohol test performed then document the reason why you could not get that done.

The following sequences of events are typical of how the county's alcohol testing program will affect county CDL operators: 1. The County will gather and submit the CDL driver information to the third-party administrator. This information will include: CDL driver's name, social security number, date-of-hire, and CDL license number. 2. The third party administrator on a regular basis will provide the county program administrator with the list of employees randomly selected for testing. 3. Selected CDL operators will be notified by the program administrator they have been selected and must submit to an alcohol test. 4. The driver will proceed immediately to the testing site as directed.

The authorized tester, either a breath alcohol technician (BAT) or a screening test technician (STT) will: 1. Ask for a photo id to confirm the CDL operator's identification; 2. Provide step-by-step instructions of the test procedures; 3. Present the operator with an individually sealed mouth piece for breath testing or saliva screening unit for saliva testing; 4. The BAT will remove the mouthpiece from its packaging or give it to the operator to be unwrapped just prior to the test; 5. The technician will show the operator the test results prior to writing them down; 6. If an EBT is used and there is a discrepancy between the result or the sequential number displayed and the results the EBT prints, the test is invalid. No further testing is authorized under these circumstances. 7. If the saliva screening results indicates .02 BAC or above, the STT will direct the operator to a BAT who will conduct an EBT. The confirmation test must be done on an EBT and the operator must not eat, drink, smoke, or chew anything during the period between the two tests.

If the result of the screening test is lower than .02 BAC, the operator will complete one part of the form and the STT will provide one copy to the operator, who is then free to return-to-duty.

If the result of the screening test is .02 BAC or greater, the operator will be directed to take a confirmation test on an EBT.

If the EBT shows a confirmation result below .02 BAC, the operator will complete one part of the form and the BAT will provide one copy to the operator, who is then free to return-to-duty.

If the result of the confirmation test is .02 BAC but lower than .04 BAC, the BAT will notify the county program administrator of the results AND the CDL operator must not report for duty for at least 24 hours and other county personnel policies will be reviewed for action during that time.

Additionally, the employee will not drive a vehicle from the testing site. The county will make travel arrangements.

If the result of the confirmation test is .04 BAC or greater, the BAT will notify the county program administrator AND the CDL operator will be advised by a county official to report to a substance abuse professional (SAP) for an evaluation. Additionally, the employee will not drive a vehicle from the testing site. The county will make travel arrangements.

The CDL operator will also be informed that other county personnel policies will be reviewed for possible action.

In order for a CDL operator to drive a commercial motor vehicle after a confirmation test result of .04 BAC or greater, the operator must: Submit to an evaluation by a SAP; Successfully complete a SAP prescribed treatment program; Complete a return-to-duty alcohol test with a BAC of less than .02; and, be approved for returning to work by a county official.

#### **When Must I be Tested?**

##### **Pre-Employment**

After an individual, has been offered a position which requires a CDL and before being accepted for such a position, the individual must take a Pre-Employment Drug Test. (Alcohol testing is not required by the DOT regulations.)

There are certain exceptions such as if the individual has participated in a drug testing program within the previous thirty 30 days, has been drug tested within the past six (6) months, or has been in a random drug testing program for the previous twelve (12) months and has no record of a DOT drug violation during the previous six (6) months.

CDL applicants will be requested to sign an authorization to release information form as a condition of being considered for employment. This form, when signed, allows (a) previous employer(s) to release DOT testing results information.

The county is required to acquire from previous employers of the applicant the results of all DOT drug and alcohol tests for the three-year period prior to the application for employment.

##### **Random**

The county has a program which selects CDL operators at random for drug and alcohol testing as required by the DOT. No official in county government has any control over the random selection of CDL operators. Such operators may be selected once, several times, or not at all.

The annual selection rate is: Ten (.10) percent of CDL driver tested for alcohol. Fifty (.50) percent of CDL drivers tested for drugs.

On an annual basis the county must test a certain percentage of its CDL operators for drug use, and a small percentage for alcohol use. These percentages change at the discretion of the DOT. However, by participating in a pool composed of several counties, the numerical results of your county CDL operators may not meet the percentages stated (it could be higher or lower). Some counties are in a single employer pool and others are in a multiple employer pool. Pools are assigned at the discretion of the third party administrator.

##### **Post-Accident**

CDL operators involved in a fatality accident or receive a citation for a moving violation in an accident, must be tested for drug or alcohol use.

An accident is defined as one in which:

☐ A moving violation citation is issued to the CDL operator; or Anyone involved requires medical treatment away from the scene; or If any vehicle involved has disabling damage.

A vehicle that is towed or has damage which cannot be readily repaired at the scene is considered to have disabling damage; a flat tire would not be classified as disabling damage.

The county program administrator must be advised of accidents involving CDL drivers, when the vehicle requires a CDL license operator. The CDL driver is required to have an alcohol test completed within two (2) hours after the accident. If that is not possible, the driver must continue to try for up to eight (8) hours after the accident.

If the driver is unable to have both tests completed within the above time frames, the driver is to stop trying to have such tests taken. The county will document, in its records, the reasons for the tests not being completed.

If a driver is injured in an accident and hospitalized, the county may request that you sign a release so that the required tests can be taken. If, due to the injuries, the tests cannot be taken, the county will document the reason(s).

##### **Reasonable Suspicion**

Designated county officials or employees must ask you to submit to a test if either your conduct or appearance indicates you may be under the influence of alcohol or drugs. Individuals requesting you undergo such tests must be trained in the detection of alcohol or drug misuse. The county officials or employees must make the observation and decision to test just before, during or after such time as you are on duty for operations requiring the use of your CDL.

##### **Return-to-Duty**

Following any positive test, you will be evaluated by a substance abuse professional (SAP). The SAP may require you to undergo treatment or participate in other programs. Following such recommendations and prior to returning to duty, you must test negative for drugs and below .02 for alcohol.

##### **Follow-up Testing**

Employees returning to work after completing substance abuse treatment will be subject to unannounced testing, separate from random testing, which will consist of a minimum of six (6) tests the first year and may continue for an additional forty-eight (48) months. Testing may consist of an alcohol test, a drug test or both at the discretion of the substance abuse professional.

#### **What Are the Drug Testing Procedures?**

##### **Test Procedures – Drugs**

The following sequence of events are typical of how the county's drug testing program will affect county CDL operators and other county employees:

The county will gather and submit the CDL driver information to the consortium service provider; CDL driver's name, social security number, date-of-hire, and CDL license number; Selected CDL operators will be notified by the county confident they have been selected and must submit to a drug test. Once the employee has been advised he or she is subject to a drug test, the employee will immediately proceed to the testing site.

An authorized collector will:

Ask for a photo I.D. to confirm the CDL operator's identification; Provide step-by-step instructions of the test procedures; Ensure no water is available in the collection area. Handles or tapes of available faucets will be taped; A bluing agent will be added to water in the toilet bowl; Have the donor remove all unnecessary outer garments; The top portion of the chain-of-custody (COC) form should already be completed; If the lab has a peel-off specimen number on the form, this number should be placed on the specimen bottles; Ask the donor to wash and dry his or her hands prior to the collection, give one specimen container to the donor and let him or her provide the specimen in privacy. There must be 45 milliliters (ml) of urine for a primary specimen test. If there is not a sufficient amount, have the donor drink up to 48 ounces of water and after a period of up to three (3) hours, again try for a specimen using a fresh collection container. ii. If the donor cannot provide a sufficient amount of urine for a valid test, the collector must advise the county confident. iii. Record the temperature of the urine immediately and be sure to record in-range temperature on the COC form. iv. If the temperature is not in-range, the donor can volunteer to have his or her oral temperature taken to provide evidence of lower body temperature. v. If the donor refuses to have his or her oral temperature taken, immediately contact the county confident.

If there is reason to believe the specimen has been altered or tampered with or substituted, immediately contact the county confident. A county official shall review the situation and agree with the collector in advance concerning any decision by a collector to obtain a specimen under direct supervision. A higher-level supervisor of the collector may also be consulted.

Samples will be split into portions of 30 ml and 15 ml. The donor must have the specimen in view at all times until the split sample is sealed and labeled. The donor will initial the labels. The donor will sign the COC form indicating that the sample is the donors. The donor will complete a block on the Medical Review Officer (MRO) portion with personal information so that the MRO could contact the donor. The samples will be expedited to the lab. The samples will be split and tested. The MRO will review the results of the test. i. If negative, the process is complete. ii. If positive, the MRO will contact the donor with questions about the test results. iii. The donor may request the split sample be tested at a second facility if the donor does not agree with the results. The donor is responsible for all related costs of testing the split sample. iv. For positive tests of illegal usage of drugs, the MRO will contact the county confident. For positive results, confirmed in writing by the MRO, the county will implement the applicable county policy; the County Drug and Alcohol Personnel Policy.

##### **What Are the Consequences of Testing Positive?**

The consequences of testing positive for either drugs or alcohol are described in the County Drug and Alcohol Personnel Policy. Your highway superintendent or other county personnel will provide you with information concerning the County Drug and Alcohol Personnel Policies, if requested.

##### **What is Considered a Refusal to Take a Test?**

An implied refusal is when all arrangements have been made by the county confident and the employee, after being advised where to report, does not report to take the test in the allocated time. A direct refusal is when the employee is advised to report for a required alcohol test and verbally refuses and after being advised of the consequences of not taking the required alcohol test does not report to take the test; or, A refusal to be tested is also when the employee fails to provide adequate breath or saliva for testing without a valid medical reason; or, A refusal to be tested is when the employee fails to provide adequate urine for testing without a valid medical reason; or, A refusal is when the employee refuses to complete step 2 of the breath testing form; or, The employee engages in conduct clearly obstructing the testing process, such as using a masking agent. A refusal to test will be treated the same as if the test was positive.

##### **What About Prescribed or Over-the-Counter (OTC) Medicines?**

It is your responsibility to inform the physician you are under drug and alcohol testing requirements; ask if the medication could result in a positive drug test. If the answer is yes, have the physician write a note to your highway superintendent or commissioner/supervisor stating what the effects of the medication are. It is not necessary to inform those individuals what medication you are on or the medical condition, but they do need to know if this could affect operating a vehicle or power tools. The same is true for OTC type medicines or other materials containing alcohol. Remember, you are not permitted to ingest alcohol four (4) hours prior to reporting for work.

##### **Medical Marijuana Use is Prohibited Under This Policy**

The federal government does not recognize medical marijuana prescriptions. Since federal law supersedes state law, the county is going to follow the federal government's stand on medical marijuana and will not allow its employees, individuals, drivers, operators and/or contractors to be employed or perform work at any of the county locations or operations.

##### **What Are the Effects of Alcohol or Drugs?**

County employees have been provided information on how the misuses or abuse of drugs or alcohol can have a negative impact on one's personal and employment way of living. It is not the intent of the county board or any county official to intrude into the personal life-style of any county employee.

However, county employees are reminded that actions off-duty can impact work performance and, therefore, may impact the operations of county government.

##### **What Can I Do if I Think I Have a Problem with Drugs or Alcohol?**

Any county employee who needs assistance with a drug or alcohol misuse or an abuse problem should contact one of the agencies which specialize in treatment for information and a confidential interview. Any Moving Violation Must be Reported

It is your responsibility to report any moving violation in any type of vehicle --this includes your personal vehicles -- to your supervisor/commissioner or highway superintendent. This is after you have been found guilty or have paid a fine after pleading no contest. You must report such an event within twenty-four (24) hours after reporting for duty.

Effective September 20, 2005, regardless of the type of vehicle being operated, if an employee possessing a CDL is convicted of a moving violation or for speeding at 15 mph or more, the Nebraska Department of Motor Vehicles (DMV) will, in accordance with federal and state law, administratively suspend the individual CDL license.

**RECEIPT OF CDL INFORMATION**

By my signature below, I certify that on \_\_\_\_\_, Antelope County, my present employer, did provide me with information that explained the Drug and Alcohol Testing requirements of the Department of Transportation.

I have also been informed of and understand the county's policies and procedures with regard to these testing requirements and that the excessive, abusive or illegal use of drugs or alcohol could result in corrective action in accordance with the county personnel policy.

Employee Name (PRINTED): \_\_\_\_\_  
Employee Signature: \_\_\_\_\_  
Witness: \_\_\_\_\_  
Date: \_\_\_\_\_

Liz Doerr gave the **Zoning Administrator** report. Planning Commission meeting is scheduled for January 17, 2016 at 12:30 PM. Liz reflected back to the meetings contract with Keith Marvin. Mr. Marvin is willing to work remotely through a Skype type situation. Using this utility, he would not have to charge the \$750.00 because he would not have the travel expense associated with this meeting. He may still include a smaller fee, but nothing so hefty.

**Subdivision Approval:** Subdivision of 3.486 Acres for a house is requested by Jeremy and Nicole Sanne. This is a 3.486 Acre irregular tract in the NE¼ 30-25-7. Commissioners expressed no concerns with this. However, Casey Dittrich, suggested to have the sights physically inspected to make sure there is enough viable frontage for driveway, and driveway safety. They all were in agreement, for future Subdivision Approval, Casey could be contacted when they are placed on the agenda, so the area can be inspected to insure proper visibility. Some of the subdivisions can be one (1) acre – which could possibly be a potential hard ship to gain road access. Existing home sites are grandfathered in. However, new subdivisions are subject to access availability. Motion by Commissioner Schwager, seconded by Commissioner Henery to approve the 3.486 Acre subdivision. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried. It was suggested and agreed Road Boss is notified when a subdivision is put on the agenda, so he can have a clear picture of driveway access.

Judd Allen, **NACO Insurance** Representative met with the commissioners with health insurance update. When asked about insurance cost for the renewal period in July 2017, Mr. Allen said the reports stating the gigantic increase basically reflects the private sector. As in the past they may be experiencing an increase of smaller proportions. Typically, a 6%-year increase. Antelope county's medical policy is currently BC/BS Nebraska, NACO also sponsors a vision policy VSP, of which Antelope County participates. We discussed the 65-year-old who is available for Medicare, or the individual who has coverage through a spouse – utilizing a in-lieu of system. We discussed various options including self-insurance, in-lieu, and higher deductible coverage. Mr. Allen suggested he could put together some various insurance scenarios to present at a meeting early this spring. In the meantime, we can converse with other counties for ideas and various cost saving information.

**Telephone System:** January 10, 2017 - - Mr. Bill Rahder met with the Commissioners regarding a new telephone system. Over the last 12 months or longer the current Antelope County Phone systems has had multiple problems and complaints. The current Nortel system was implemented at the county approximately 12 years ago. At the time, Frontier, supplied and supported the system. Since then, the phone outdated and is no longer supported by a supplier. Mr. Rahder has been instrumental in continuing the use of the system as it is today. He has been talking with the clerk regarding placing a system in the courthouse to upgrade and expansion of service into the future. In recent months, there have been issues in the Treasurer's Office, the County Court Office, District Court Office, and Clerk's Office. Issues such as phones continuously ringing, not ringing, display issues, and mornings when the whole system is down, and not able to work. Mr. Rahder is familiar with the wiring in the courthouse building and the Law Enforcement Center and the system he is presenting is what is installed in the Law Enforcement Center currently. Mr. Rahder presented three (3) options in the update of the phone system. All quotes are regarding and Avaya system utilizing a siptrunk module.

The first option, is a complete system, license and 42 desktop digital phones. The cost, including labor is \$16,063.00. This system would be a complete upgrade/replacement, licenses, parts and labor, installation and expenses. The second option, \$7,313.50 replaces the system, and not desk top phones. Licenses and systems updates. He presented an option in which the interior support is replaced and the licenses bought, but the actual existing phones are used. He would not guarantee the phones working with or without replacing the current desktop units. The units are failing and showing signs of wear. Option 3, at \$ 4,500.00 is replacing a limited portion of the system, no desk top units and options to expand in the future. Mr. Rahder will be installing all options, and future servicing will go through him.

After much discussion, and testimony from various office regarding individual problems with the current phone system. Motion was made by Commissioner Henery, seconded by Commissioner Schwager to accept the proposal to replace the whole system for a quoted price of \$16,063.00. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Tessa Hain, UNL **Extension Office**, Antelope County met with the commissioners to give an annual report on the Extension Office and update. Brad Averil is in the Antelope County Office is a food and nutrition expert. Tessa highlights the 4-H Program. She shared a flyer with 4-H highlights. With the addition of the office assistant, Caitlin Lane, Tessa has been able to increase the participation amounts in the 4-H clubs. She shared a Growing magazine the University of Nebraska -Lincoln published for Extension. There are six (6) UNL Educators that are shared by northeast Nebraska counties. **Brad Averill** – Food and Nutrition; **Wayne Ohnesorgg** is the cropping and water system specialist; **Jim Jansen**, Madison County beef specialist; Tessa is the 4-H Youth Development Coordinator Specialist; **Kelly Feehan**-Community Environment; **Steve Pritchard**, 4-H and youth development; The Learning Child subject (0-5-year-old) child care/daycare **Ruth Vonderohe** Knox County.

**Casey Dittrich**, Antelope County **Road Boss** met with the Commissioners for a regular report. Insurance settlement for the 2007 Kenworth truck involved in the MVA on December 2, 2016 is in negotiation. The first quote presented for reimbursement was \$45,866.65, after discussion and proving the Truck was purchased in May for \$59,000.00 NIRMA agreed to increase the payoff to \$55,672.00. They are requesting the board give a verbal approval on the settlement. The plan for the trailer is to complete assessment of damages and repair. Casey talked with County Attorney, Joe Smith regarding purchasing equipment through auction. Auction purchase is not recommended because you cannot have a board approval, it does not allow for discussion of options, etc. If it is on an emergency nature, it could possibly be an option. Invenergy is requesting release of the first road project – it inadvertently was missed and did not get on the agenda. The roads are ready for release. Road release will be on the agenda in February. Commissioner Schwager made a motion to advertise bids for semi-truck. Motion was seconded by Commissioner Henery. Voting aye: Schwager, Henery, Jacob, Schindler and Kerkman. Nays none. Motion passed. A verbal agreement to accept insurance settlement, and release truck to the Insurance: Commissioners all voiced an agreement.

**Custer Township Road – 526<sup>th</sup> Avenue – It was put on the One and Six, on June 7<sup>th</sup>, when Brian McDonald was here, Charlie brought it to the boards attention that Custer Township wanted to fix it.** This road is a two (2) track road, the ditches were higher than the road. We discussed the standards it would have to be brought to. It would need to be surveyed and studied for approximately \$8,000.00. Charlie also suggested the road department could pick up the surveying costs, and the Township could fix the road up before the first of the year. We discussed the cost of it and it was dropped there. In mid-November Char Carpenter wanted the road department to close the road. It was confirmed the survey was not completed, and nothing could be done. She was informed of the proper process. It is a county responsibility for the safety of the public. Two weeks later, she was asked if she wanted it on the agenda, Casey had heard inklings they had a plan to work on 526<sup>th</sup> Avenue. She said no, they were not going to do it, just forget it. Tuesday, after last week's meeting, hearing they had already started on it, Casey went out and looked at it. There are tree roots in the road, it is only 18 foot wide. It is passable in a four-wheel drive, but not by a two-wheel vehicle. It is marked with two (2) very small 'road closed' signs. It is not properly signed, and not on center line. Both were blown over-probably in December 25<sup>th</sup> storm. It is on our One and Six Year Plan, we have to sign off on this project – engineer is already involved – we have to make sure all construction standards are met. This is not a 'brush it under the rug'; if there is an accident on this road, the county is 100% liable. There is a scraper and a dozer in the ditch – there is not much they can do in this weather. Antelope County is liable if they put up their own road closed signs – it is up to the contractor to set up their own road closed signs. At present, Antelope County has barricaded the road shut. The contractor hired for this project is not bonded. Standards are this road has to be passable at a 50-mph rate. The road will remain closed until after it meets standards. Commissioner Schwager stated the contractor has been paid, however, he is not

done with the project. Antelope County is not aware of the terms, or the bids. This road has the potential of costing taxpayers greater than \$100,000.00. If this was done correctly – it would be GPS and on center line. As is some of this road needs to be lowered, and part needs to be built up. We are going to have to have Brian McDonald survey/study the road, at the cost of approximately \$4,000.00 before any action can be taken. All of the commissioners are in agreement the road needed to be done. However, backing into this road issue has placed the county in a huge liability case. There were three (3) statutes presented to try to explain why this was done – however, none of them supported the actions completed. The plan is to close the road, sign it and handle this appropriately. Discussion with the county attorney. He is interested in the “bid” or “contract” to see what the specifics are. At this time, county attorney requests the county close the road for safety reasons. Casey Dittrich will request a survey for the road. No further action today.

Motion by Commissioner Henery, seconded by Commissioner Schindler to approve Board of Supervisors Minutes from December 6, 2016 and December 13, 2016. No discussion. Voting aye: Henery, Schindler, Jacob, Schwager and Kerkman. Nays none. Motion carried.

Discussion on Wellness Partners annual visit. This is the third year in the three (3) year contract. They would like to schedule a date. It was a general concession to work a date out for later in March. It was requested for the clerk check for dates and set up. They were looking at the week of March 20<sup>th</sup>, 2017.

Motion by Commissioner Schwager, seconded by Commissioner Schindler to adjourn. Voting aye: Schwager, Schindler, Henery, Jacob and Kerkman. Nays none. Motion carried.

Meeting adjourned at 12:09 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Leroy Kerkman, Chairman of County Board

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