

February 14<sup>th</sup>, 2023  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, February 14<sup>th</sup>, 2023 at 8:00 AM in the County Commissioner's Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. The meeting was called to order Board Chairperson, Charlie Henery with the following board members in attendance: Williby, Heithoff, Krebs and Henery. Jacob absent. Chairman stated that the open meeting laws are posted on the east wall of the Commissioner's Meeting Room with more copies available at the County Clerk's Office.

Notice of the meeting was given in advance thereof by publication in the three (3) county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk's office. The agenda for said meeting was sent to all members of the County Board of Commissioners. Meetings are also available by ZOOM.

Pledge of Allegiance was recited.

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

#### **Review of Payroll Claims.**

Clerk, Lisa Payne relayed to the Commissioners she had received a second payment on the Opioid Settlement. Per Commissioner previous discussion she had researched some of the surrounding mental health therapists and clinics. Sheriff Moore has been working with Heartland Counseling Services and they reported they were recently appointed to the Antelope County Mental Health Crisis Response team. The Commissioners again discussed the payment. Commissioner Krebs asked to hold the payment until she researches and does some thinking on it. Claim #23020035, for \$2,894.29 to **Heartland Counseling Services** was deleted and not processed from the claim run.

**Executive Session:** 8:30 AM Motion by Commissioner Williby, seconded by Commissioner Heithoff to go into executive session for personnel issues. Voting aye: Williby, Heithoff, Krebs and Henery. Nays none. Jacob absent. Motion carried. Meeting in executive session, four (4) Commissioners, Angela Mortensen – Clerk of District Court, Joe Smith – County Attorney. Met for approximately 13 minutes. Motion by Commissioner Heithoff, seconded by Commissioner Williby to close executive session. Voting aye: Williby, Heithoff, Krebs and Henery. Nays none. Jacob absent. Motion carried. 8:43 AM Chairman Henery stated there will be an adjustment of two (2) hours on an employee pay claim. Back to regular session.

#### **Review of Vendor Claims.**

**Zoning Administrator Report:** Ms. Wingate did not have a report today. She is planning on a booth and the Antelope County Home and Garden Show to be held at the Ag Building in March. She asked the Board to authorize and sponsor the booth. She is planning on having a variety of County information presented/displayed. Motion by Commissioner Williby, seconded by Commissioner Krebs to sponsor the booth and allow Megan to show. Voting aye: Heithoff, Krebs, Williby, and Henery. Jacob absent. Nays none. Motion carried.

**Payroll Claims:** Motion by Commissioner Krebs, seconded by Commissioner Williby to approve **payroll claims** as presented. Voting aye: Williby, Heithoff, Krebs and Henery. Nays none. Jacob absent. Motion carried.

**Pledge Collateral** is at \$4,025,000.00, and \$250,000.00 FDIC insured.

**Vendor Claims:** Motion by Commissioner Krebs, seconded by Commissioner Heithoff to **approve and pay vendor claims**. Voting aye: Heithoff, Williby, Krebs and Henery. Jacob absent. Nays none. Motion carried.

**General:** AMERICAN SCREENING drug testing 255.00; AMERITAS LIFE INSURANCE CORPORATION retirement 18,885.34; ANTELOPE COUNTY COURT county court fees 17.00; APPEARA micro wipes, linen towels, mop, floor care 35.77; APPLIED CONNECTIVE TECHNOLOGIES watchguard, monthly fee, Microsoft 365 apps, email & business services, cyber security, managed firewall, ninja rmm, vga switch w/audio 3,928.70; BLACK HILLS ENERGY heating fuel 4,407.66; BLUE CROSS BLUE SHIELD insurance 61,241.44; BOMGAARS key blank (2), gloves, bacteria treatment (2), humidifier, hat, wick (2), sign, letters/numbers (2), batteries (2) 305.15; BORDERS INN & SUITES clerk of district court stay at conference 288.00; CARNEY LAW court appointed attorney fees 36,000.20; CASEYS fuel 129.20; CITY OF NELIGH electricity, water, garbage 3,399.71; CITY OF NELIGH- RECYCLING recycling 250.00; CLEARFLY COMMUNICATIONS internet & phone 155.17; COLDTYPE PUBLISHING notice of meetings (dec, jan, feb), proceedings (dec 6, dec 13, jan 10), boe meeting notice, boe proceeding (jan 10), classified ad (help wanted maintenance (2), bids mow/snow(2)), liquor license renewal (grove lake, summerland golf, mr s's, plainview country club) 580.82; JUDITH COLE prior service 10.00; COLONIAL LIFE & ACCIDENT INSURANCE employee supplemental insurance 100.88; CONSOLIDATED MANAGEMENT CO deputy sheriff meals 38.00; CORNHUSKER STATE INDUSTRIES plaque 39.00; CUBBYS fuel 1,054.49; DAS STATE ACCOUNTING teletype, network service charge 1,160.36; JEFFREY DOERR court appointed attorney fees 1,672.04; DUSTYS fuel 404.25; EAKES OFFICE SOLUTIONS stamp (2), custom binders, shipping, box file folders, batteries, green paper, tape 495.01; EGLEY, FULLNER, MONTAG, MORLAND & EASLAND PC court appointed attorney fees 641.14; ELGIN ONE STOP fuel 192.69; ELGIN REVIEW notice of liquor license renewal (grove lake bait shop, mr s's, plainview county club, summerland golf club), help wanted (maintenance ¼, 1/11, 1/18), notice to bidders (1/4, 1/11), snow removal policies (1/11), boe proceedings (1/10), proceedings (1/10), notice of meetings (feb), treasurer's semi-annual report (7/1/22-12/31/22) 798.59; ELITE OFFICE PRODCUTS copier maintenance agreement, sharpies (12), ribbon (6), toner (6), freight (2) 1,277.76; FEDERAL WITHHOLDING tax 10,721.26; FIRST CONCORD BENEFITS GROUP, cafeteria/125 plan 3,360.90; FITZGERALD, VETTER & TEMPLE court appointed attorney fees 2,565.74; FLOOR MAINTENANCE damp mop (4), towels (18), bathroom tissue, black liners 347.21; GREAT PLAINS COMMUNICATIONS telephone & internet 362.27; DARRELL HAMILTON prior service 11.00; HI-WAY MART fuel 180.52; HOLIDAY INN EXPRESS treasurer's stay at conference 129.95; HOLT COUNTY SHERIFF subpoena service & mileage (2) 28.00; HOWARD'S GUNSMITHING ammo 1,509.00; MAKAYLA HUGHES witness fee 20.00; JACK'S UNIFORMS & EQUIPMENT brown embroidered stocking cap (2) 25.90; JONNY DODGE lube, oil & filter (3), washer fluid (3), labor (3), battery test, labor for eec test & recalibrate both doors 305.16; KNOX COUNTY TREASURER county share of tri-county Hazard Mitigation Plan 3,102.91; LIBERTY NATIONAL employee supplemental insurance 87.19; LICHTENBERG TIRE SERVICE flat repair, shop supplies 22.00; MADISON COUNTY DISTRICT COURT mental health case filing & maintenance fee 50.00; MADISON COUNTY TREASURER county share of district judge expense 98.17; MADISON COUNTY SHERIFF mental health: arrest fee, mileage, processing 43.29; MADISON NATIONAL LIFE INSURANCE, supplemental insurance 134.99; MICROFILM IMAGING SYSTEMS, scanning equipment monthly rent-court offices 122.00; MID-STATES ORGANIZED CRIME INFORMATION CENTER membership fee 100.00; DUANE MILLER prior service 12.00; MIPS INC payroll, time and attendance, budget programs, treasurer's package, assessors administrative package, CAMA package, Marshall & Swift cost tables 2,259.03; MR S'S fuel 628.72; NATIONAL SHERIFF'S ASSOCIATION membership dues 71.00; NEBRASKA ASSOCIATION OF COUNTY TREASURERS 2023 dues 50.00; NEBRASKA DEPARTMENT OF REVENUE payroll state tax 5,704.18; NEBRASKA EMERGENCY SERVICES COMMUNICATIONS ASSOCIATION Ollendick membersip 15.00; NEBRASKA HEALTH & HUMAN SERVICES mental health services 222.00; NEBRASKA LAW ENFORCEMENT TRAIN CENTER lawson: lodging (2), tuition for defensive tactics 266.00; NELIGH CHAMBER OF COMMERCE booth at ag & home expo 175.00; THOMAS

NELSON reimbursement: dues for county veterans' service officers association of Nebraska 100.00; NIELSEN INSURANCE boschen's notary stamp & bond 75.00; VSP-NACO VISION employee vision insurance 533.82; NORTH CENTRAL PUBLIC POWR DISTRICT electricity 34.57; O'NEILL PEST CONTROL spray at sheriff's office 95.00; EMILY OGDEN witness fee 20.00; PAPER TIGER SHREDDING purge service 852.15; LISA PAYNE reimbursement: audio recorder 199.99; PETTY CASH (COUNTY CLERK) vehicle registration change 2.50; PINNACLE BANK annual billing for ach origination 363.00; PINNACLE BANK fuel, adobe acrobat pro, gps navigation, armorer's course (howard), bleach 842.85; PITZER DIGITAL help wanted (maintenance (3), grounds (2)), legal notice (grove lake bait shop, mr s's, summerland golf club, plainview country club), proceedings (1/10), board of equalization (1/3) 554.90; QUILL LLC 2" ring view binder (6), sharpie accent, scissors, correction tape, sheet protectors 113.43; RAMADA weed control stay at conference 192.00; JANICE RIDDER prior service 10.00; SANNE REPAIR new siren speaker, freight, labor, wire & wiring materials, battery, labor (4), shop supplies & materials (3), oil filter, oil 770.38; SCHROEDER LAND SURVEYING county surveyor fees 705.00; CAROLINE SIEMS prior service 25.00; WEX BANK fuel 588.84; SOCIAL SECURITY payroll tax 25,486.50; STANTON COUNTY SHERIFF service, copy, mileage 36.34; STEALTH BROADBAND telephone and internet 1,130.09; STRATTON DELAY DOELE CARLSON BUETTNER & STOVER PC LLO court appointed attorney fees 3,202.42; ULINE SHIPPING flat shelf cart 360.69; UNIVERSITY OF NEBRASKA-LINCOLN internet for ipad 45.02; US CELLULAR sheriff's cell phones 713.39; AMY WALDO witness fee, mileage 73.71; WASHINGTON NATIONAL INSURANCE COMPANY, supplemental insurance 285.92; WAYNE COUNTY TREASURER county share of district judge expense 4,866.42; DRIVERS LICENSE GUIDE COMPANY 2023 id checking guide, shipping 31.95; MADISON COUNTY SHERIFF processing, mileage 29.14; KNOX COUNTY TREASURER county share of jeo invoice for tri-county hazard mitigation plan 2,633.94; FIRST CONCORD BENEFITS GROUP LLC annual plan administration fee, nondiscrimination flex testing fee, initial HRA plan document fee 600.00; Payroll: 130736.60

**Road/Bridge:** AKRS EQUIPMENT screw, clamp, wiper blade (3), hydraulic filter (5), oil filter (4), cool-guard, fuel filter (4), filter kit, spring locking pin, element filter (2), retainer, air filter (3), starting fluid 1,421.47; AMERITAS LIFE INSURANCE CORPORATION retirement 14,396.69; ANTELOPE MEMORIAL HOSPITAL drug testing 299.00; AUTOMATED DAIRY SPECIALIST empty tote 10.00; B'S ENTERPRISES 7'grader blade, 6' flat drag blade 4,112.00; BARCO MUNICIPAL PRODUCTS strobe light (2), shipping 417.76; BAZILE AGGREGATE concrete gravel 986.88; BLACK HILLS ENERGY heating fuel 3,596.64; BLUE CROSS BLUE SHIELD insurance 29,843.74; AARON BOGGS reimbursement for safety meeting snacks: 2 liters soda (4), dozen donuts (5) 55.95; BOMGAARS bulk bolts, great stuff (3), howe's conditioner (6), rotella grease (10), de-icer windshield, gas can, extension cord, wrench set (2), poly scoop, glove, knife, drift punch, long nose pliers, pliers, plier set, fasteners (3), shop towel, digital thermostat, fuel filter (2), dish soap (2), bathroom tissue, screwdriver, gorilla tape (2), switch kit, hose barb, hose coupling, handgun hose, strainers, extension cord, demand pump, wire tie, hose clamp (3), synthetic oil, thermometer, deep impact socket (2), bushing (2), hitch pin, Valvoline oil, striker, tip cleaner kit, flint renewal, heat lamp bulb (2), clamp light, fitting, drill bit, magnetic tray, peg hook (3), recovery straps, clevis (2), diesel oil additive, diesel extreme, holder, vise grips (2), jaws (2), toughsystem tool box, padlock, shop towels, trash bags, threadlocker, tap, drill bit 1,185.25; CARHART LUMBER reciprocating saw blade (2) 53.98; CARQUEST grease fitting, thread cutting oil, large bore adapter (4), air chuck, punch set (2), 4x2 plug, street elbow, power steering fluid, stop leak, hand torch cylinder, windshield wipers (4), drill press, high performance off-road lights 1,371.81; CITY OF TILDEN sewer, water, garbage 70.80; COLONIAL LIFE & ACCIDNET INSURANCE employee supplemental insurance 18.00; COLONIAL RESEARCH CHEMICAL CORPORATION glass cleaner (12), de-icer (12) 330.20; CONSTELLATION heating fuel 583.74; CORNER HARDWARE batteries (2) 16.98; CORNHUSKER INTERNATIONAL TRUCKS INC bumper 400.00; CREDIT MANAGEMENT SERVICES garnishment 563.49; CUBBYS fuel 667.09; D&L TOWING load/hookup, towing (winch 2008 mack truck and trailer up hill northwest of Norfolk) 561.00; D&M MACHINERY (CANNOT READ INVOICE!) rings (6), filter, stirling fluid (2), box rags 52.15; ECHO ELECTRIC SUPPLY 80 watt adjustable led garage light (2) 75.70; ELGIN ONE STOP shop towel (3), quick link (5) 35.12; ELKHORN RURAL PUBLIC POWER DISTRICT electricity, yard light rental (5) 657.32; EMMIE SAND & GRAVEL INC road gravel 294.69; FARMER'S PRIDE diesel, propane, fuel filter 37,605.41; FEDERAL WITHOLDING tax 10,444.11; FIRST CONCORD BENEFITS GROUP, cafeteria/125 plan 3,216.24; FRONTIER COMMUNICATIONS telephone & internet 305.69; G WORKS annual subscription fee 3,675.00; GREAT PLAINS COMMUNICATIONS telephone, internet 270.17; HOLT COUNTY TIRE service call, repair, valve stem, o-ring, rotate 254.90; HOMETOWN STATION fuel 98.30; ISLAND SUPPLY WELDING welding gas (oxygen, c25, stargon, acetylene) 228.16; JEO CONSULTING GROUP general engineering 1,150.00; LEIGH KLUTHE reimbursement: commercial driver's license, lunch for msha training 480.00; LAWSON PRODS nylon cable ties (100), flap disc (4), glass cleaner (6) 51.28; LAZY T TIRE & IMPLEMENT metric nut (2) 1.48; LIBERTY NATIONAL, employee supplemental insurance 235.77; LICHTENBERG TIRE SERVICE commercial 16ply tires (2), tire disposal fee (6), Nebraska tire fee (8), misc shop supplies (12), labor (12), snoplus loader tires (2), retread loader tire (4), tire mount & dismount (6), o ring (10), flat repair (5), valve stem, plug patch, light truck 10ply tires (4), silver add on tire package (4), freight 9,527.32; MADISON NATIONAL LIFE INSURANCE, supplemental insurance 60.89; MEDICAL ENTERPRISES drug compliant testing panel (6) 210.00; MR S'S fuel 833.24; MURPHY TRACTOR-POWER PLAN windowpane, labor (5), intake manifold air temperature sensor, freight, fuel surcharge, service accessories (2), software update for beacon light 1,706.76; NEBRASKA CHILD SUPPORT PAYMENT CENTER child support 153.00; NEBRASKA DEPARTMENT OF REVENUE payroll tax 5,037.15; NEBRASKA PUBLIC POWER DISTRICT electricity, area light rental (3) 331.84; NELIGH AUTO & MACHINE INC mirror (2), battery 42.97; NETCOM INC labor to check radio 20.00; VSP-NACO VISION INSURANCE eye insurance 298.36; NORTH CENTRAL PUBLIC POWER DISTRICT electricity, lease fee (2) 341.01; NORTHEAST GLASS labor to remove & install right side door glass on grader, urethane kit 325.00; NORTHEAST NEBRASKA TELEPHONE COMPANY telephone and internet 76.01; QUALITY IRON & METAL welding gas (oxygen, acetylene), ¾"x6" flat metal (6), 1 ½"x ¼" bushing, 12" channel (4), ¼"x6" flat metal (10), 6"x ½" angle iron (4) 557.38; QUICK SERVE OIL fuel, tire tube, labor 164.66; RAZOR TRACKING INC monthly service fee – tracking vehicles/equipment 950.00; RDO TRUCK CENTER oil filter (4), fuel filter (3), fuel water separator filter, washer fluid (2), oil (20), grease (6), dca test (2), wiper blade, labor (12), hydraulic oil (2), air filter, sealing ring, dot inspection, remanufactured brake shoe kit (4), brake drums (2), scotseals (2), camshaft repair kit, gasket (2), freight, wheel bearing set (4), wheel speed sensor (2), piston seal (2), spindle, gear lubricant (34), electronic flasher fuse, shock absorber (4), freight, seal (2), gasket (2), fitting, nylon tie (15), nut, support bearing, bolt kit (2), drive shaft midship stub shaft, end yoke 13,838.51; ROAD BUILDERS MACHINERY & SUPPLY CO back-up alarm, freight (2), battery (2), mileage, labor, 20amp fuse, cylinder repair 954.10; ROSE EQUIPMENT leeboy l300t tack trailer 13,590.00; ROYAL ONE STOP box def (4), fuel 556.20; RYAN'S TRUCK & TRACTOR labor, flange, synthetic gear oil (19.5), governor, oil seal, nut, shop supplies, freight 924.92; SAPP BROTHER PETROLEUM fuel, brake cleaner (12), howe's diesel treatment (6) 5,544.21; DAVID SIMONS ¾ horsepower electric motor for bandsaw 100.00; WEX BANK fuel 774.27; SOCIAL SECURITY payroll tax 20,257.28; STEALTH BROADBAND telephone and internet 94.79; CHAD STEVENS drivers school for cdl 360.00; SWITZER WELDING ¾"x6" flat metal (6"), 1" cold rolled steel shaft (12"), labor 366.50; VILLAGE OF BRUNSWICK water, sewer, trash 54.50; VILLAGE OF CLEARWATER trash, sewer, water 67.75; VILLAGE OF ORCHARD trash, sewer, water 55.64; WASHINGTON NATIONAL INSURANCE employee supplemental insurance 277.90; DYLAN WILKINS reimbursement: commercial driver's license 64.00; FIRST CONCORD BENEFITS GROUP insurance buydown 233.33; Payroll: 100173.73

**Register of Deeds:** MIPS register of deeds, Nebraska Deeds Online 342.80;

**Disaster Flood 2019:** DIXON CONSTRUCTION Ashfalls North 32,118.74; JEO CONSULTING GROUP engineering fees 2,292.50;

**Law Enforcement:** BLOOD PHARMACY inmate medical expense 489.07; CASH-WA DISTRIBUTING immersion blender, egg noodles (5), bbq sauce, ham (2), soft serve (5), pork rib patty (3), turkey breast (2), cinnamon roll dough, garlic toast, flour, sugar, pasta, sausage patty, pancake syrup, salad dressing, ground beef, biscuit dough, popcorn chicken (2), bag popcorn, potatoes, juice (7), spud bites, chicken patty, waffles, diced peaches, sliced pears, parchment liner, cups, margarine, pork loin 2,746.89; CHARM-TEX dial bar soap, gloves (15) 733.50; CITY OF NELIGH electricity, sewer, water 2,674.82; CORNHUSKER STATE INDUSTRIES laundry detergent (4), laundry softener (4) 500.00; CULLIGAN water 70.00; APRIL CURTISS eggs (15) 52.50; FAITH REGIONAL HEALTH SERVICES inmate medical expense 540.00; HILAND DAIRY milk 632.74; HILLTOP DRUG inmate medical expense 459.83; MODERN IMAGING SOLUTIONS gloves (6) 689.70; PINNACLE BANK pregnancy test strips 17.78; THRIFTWAY MARKET hamburger buns (71), brown sugar (2), frosting (2), tortilla chips (5), saltines (16), celery (2), green onions, white onion, wheat bread (2), koolaid (295), lettuce (2), tomatoes, cream cheese (3), sour cream (2), cool whip (6), chicken broth (4), pie filling (2), crush (2), jell-o (6), ham, turkey bag (2), fruit cocktail, fruit salad, jet puff mallo (2), Velveeta, honey bears, Worcester sauce, northern beans (3), carrots (4), yellow onion, chili mix (25), sweet onion, powdered sugar (3), coffee, butter spread (2), raisin, white vinegar, pizza (5), butter (2), milk, water (2), green beans (2), cheese, fried onions (4), cream of mushroom (2), pineapple juice, dash, turkey gravy (5), stove top (11) 727.61; ULINE SHIPPING trash liners (3), containers (8), portable blower, 12' ladder 1,780.53;

**Commissary:** CASH-WA DISTRIBUTING reese's peanut butter (72), skittles (144), milk duds (96), snickers (96), mike and ike (48), sweetarts (40), sour patch (72), hot tamales (48) 688.14; CHARM-TEX maxi-pads (4), bar soap (2), cotton swaps (4) 509.00; KEEFE SUPPLY freeze-dried coffee (6), Cheetos, potato chips (2) 357.12; PINNACLE BANK jolly rancher (38), dr pepper (2), drink enhancer (27), cosmic brownies (8), notebooks, resealable bags (3), coconut oil (12), devotional, shipping, poptarts (4), microwave 765.52; JUSTICE DATA SOLUTIONS opticon scanners (4) 555.00; THRIFTWAY MARKET soda, jalapeno cheese, salsa, juice, chips, water, celery (2) 195.39;

**Inheritance:** Jeffrey Doerr refund for overpayment of inheritance tax per court order 31.17.

**Minutes:** Minutes of the February 7<sup>th</sup>, 2023, Board of Commissioner Meeting: Motion by Commissioner Heithoff, seconded by Commissioner Williby to approve minutes as presented. Voting aye: Heithoff, Williby, Krebs and Henery. Jacob absent. Nays none. Motion carried.

**Correspondence was reviewed:** copy of the proposed County Attorney agreement; Northeast Nebraska Area Agency on Aging Nutrition State Report; Zelle Intel Human Resource Solutions; Copy of Road Access Permit cost increase resolution; Antelope County Ag & Home Expo Flyer; NIRMA 2022 Annual Report; Union Bank and Trust Antelope Memorial Hospital Bond Statement;

**Receipts:**       **\$100.00 Pinnacle Bank – Sign rental - General**  
                      **\$1,497.39 Wilmington Trust – Opioid Settlement - General**

**The Sheriff's January Miscellaneous Fee Report** was reviewed and put on file.

**Invenergy Bond Release Letter:** on December 6<sup>th</sup>, 2022 the Board of Commissioners motioned and approved releasing of the Road Use Agreement for Thunderhead Road Project. At that time a resolution was presented and approved. Today, the Bonding Company is asking for a letter from the Board affirming the release. Motion by Commissioner Williby, seconded by Commissioner Heithoff authorizing the letter be signed by Antelope County Board Chairman. Voting aye: Heithoff, Williby, Krebs and Henery. Jacob absent. Nays none. Motion carried.

February 14, 2023

Attn: Joseph A. Gaskill, IV  
Assistant Vice President – Commercial Surety  
Philadelphia Insurance Companies  
263 Shuman Blvd., Suite 200  
Naperville, IL 60563

Bond:                   PB00264800224  
Obligee:   Antelope City  
Principal:   Thunderhead Wind Energy LLC  
Surety:      Philadelphia  
Amount:     \$3,000,000.00

Joseph A. Gaskill, IV,

Reference is made to the above referenced bond in favor of Antelope City issued on behalf of Thunderhead Wind Energy LLC. We consider the bond, PB00264800224, to be null and void and hereby release Philadelphia Insurance Companies from all past, present, and future liabilities of any kind arising under or in connection with this bond as of January 16<sup>th</sup>, 2023.

I further represent to Philadelphia Insurance Companies that I have the authority to bind the Obligee to the terms of this letter.

Sincerely,  
/s/ Charlie Henery  
Charlie Henery, Chairman  
Antelope County Board of Commissioners

**Road Access Permit Fee:** Recent meeting discussions regarding the fees on Access Permits needed to be increased for the amount of time and work the Road Superintendent and Road Foreman are putting into the layout of the access was not covered in the current \$20.00 fee. During the meeting on February 7<sup>th</sup>, 2023 the Commissioners increased the fees to \$75.00 per access. Today the following resolution was presented. Motion by Commissioner Williby, seconded by Commissioner Heithoff to approve and authorize the Chairman to sign resolution. Voting aye: Heithoff, Williby, Krebs, and Henery. Jacob absent. Nays none. Motion carried.

ANTELOPE COUNTY  
ROAD ACCESS PERMIT  
RESOLUTION 2023-02-0000\_\_

WHEREAS the Antelope County Board of Commissioner acknowledges that the public access of Antelope County Residents is needed to accommodate new or existing permanent or temporary rural locations in Antelope County, Nebraska; and

WHEREAS these accesses can be hazardous, and not in the best interest of the county, or its population, and may provide a danger to motorists if not site specific and may cause hazards that endanger motorists, County employees, County equipment, and interfere with the proper maintenance of the roadway, especially during snow removal operations if not properly sited.

NOW, THEREFORE, BE IT RESOLVED that Antelope County shall, exercise its right to locate, map, verify and permit these right of way accesses to site specific locations; and

BE IT FURTHER RESOLVED that Antelope County Commissioners established a written policy and permit application for the formation and dedication of site right of way access as deemed necessary by the Antelope County Road Superintendent, Highway Superintendent, County Commissioners and Zoning Administrator,

AND, these applications for permits shall be on file at the clerk's office, the proper fee collected and recorded by the County Clerk's Office. After the permit application is filed, and before it is discussed during open session, the assigned Antelope County Personnel will inspect and sign off the site-specific address; a copy of aforementioned permit is attached;

BE IT FURTHER RESOLVED that Antelope County Clerk shall collect a fee of \$75.00 for each permit application. This permit application fee must be paid and the permit application shall be filed with the Antelope County Clerk's Office no less than 48 hours prior to the regularly scheduled Commissioner Meeting, in order for it to be placed on the agenda.

Now, Therefore, for and in consideration of the sum of \$75.00 paid by the Grantee to the County, the receipt of which is hereby acknowledges, the County hereby grants to the Grantee the right, under the supervision and direction of the County Highway Superintendent or Assistant, to construct and maintain said driveway entrance upon County right of way and described as follows; via permit, It is further understood and agreed that said Grantee will contact 'Diggers Hotline' prior to any construction activities and agrees to replace the surface of the roadways which were disturbed in construction of said driveway entrance, and to leave said roadway in as good as condition as existed immediately prior to the installation of said driveway/access entrance. Appropriate construction signing shall be utilized during the construction of said driveway to warn the motoring public of construction activities. Grantee is responsible for all expenses incurred for the construction and future maintenance of said driveway. Approval of the road to be given by the County Road Superintendent after the construction of the driveway be the County Road Superintendent.

The Grantee agrees to indemnify and hold harmless, protect and defend the County and its elected and appointed officials, employees, agents, and representatives against any and all claims, demands, suits, actions, payments and judgements, including any and all costs and expenses connected therewith, legal cost or otherwise, for any damages which may be asserted, claimed, or recovered against or from the County or its insurers, because of personal injury, including bodily injury or death, or on account of property damage, including loss of use thereof, sustained by any person or persons which arises out of, is in any way connected with, or results from any and all work or activity associated with this agreement.

The Grantee also agrees to build driveway entrance with the size and type of drainage culvert as specified by Antelope County and to provide a driveway location map via permit.

NOW, THEREFORE, BE IT RESOLVED that Antelope County shall exercise its right to locate, map, verify and permit these right of way accesses to site specific locations. In order to ensure these accesses are uniform and consistent, the County wishes to include the following conditions:

Maximum Width: Maximum width shall be 26 feet at the edge of Right of way; 25 feet radius allowing a maximum apron width of 76 feet;

The 'County' will provide one (1) access per each tract of land; where deemed applicable and feasible by the Antelope County Road Superintendent, Highway Superintendent, County Commissioners, and Zoning Administrator;

Materials, Culverts and Labor: the county will provide first access for a residence. A 40-foot culvert will be provided by County. Remaining or extra culvert cost is at landowner expense;

Distance from intersection: Accesses will be a minimum of 100 feet from the edge of right of way of intersecting road (133 feet from center of intersecting road).

WHEREAS, that Antelope County Commissioners established a written policy and permit application for the access formation and dedication of site right of way access as deemed necessary by the Antelope County Road Superintendent, Highway Superintendent, County Commissioners and Zoning Administrator, and these applications for permits shall be on file at the clerk's office, the proper fee collected and recorded by the County Clerk's Office. After the permit application is filed, and before it is discussed during open session, the assigned Antelope County Personnel will inspect and sign off the site-specific address; and that Antelope County Clerk shall collect a fee of \$75.00 for each permit application. This permit application fee must be paid and the permit application shall be filed with the Antelope County Clerk's Office no less than 48 hours prior to the regularly scheduled Commissioner Meeting, in order for it to be placed on the agenda. This is in effect beginning March 1, 2023. This resolution supersedes all previous passed resolutions and shall be deemed the primary resolution for all access permits.

NOW, BE IT FURTHER RESOLVED, Antelope County will continue all previous road access procedures and adopt the written width, material, access numbers, and distances as stated above. See attached drawing.

This resolution was proposed, discussed and passed this 14<sup>th</sup> day of February 2023.

Board of Commissioners of Antelope County, Nebraska

\_\_\_/s/ Charlie Henery \_\_\_\_\_

Charlie Henery, Chairman

Attest:

\_\_\_\_/s/ Lisa Payne\_\_\_\_\_

Lisa Payne, Clerk

Motion by Commissioner Williby seconded by Commissioner Heithoff to adopt resolution. Voting aye: \_Heithoff, Williby, Krebs, Henery \_Nays \_\_\_\_\_ Absent  
\_\_\_\_Jacob\_\_\_\_\_ Abstain \_\_\_\_\_none\_\_\_\_\_

**Liquor License:** Notices regarding the liquor licenses for Mr. S’s, Grove Lake Bait Shop, Summerland Golf Club and Plainview Country Club were published as required by State Statute. No written protest was received, and no opposition voiced regarding the liquor licenses for the above-mentioned license holders. Motion by Commissioner Krebs, seconded by Commissioner Heithoff to approve the Liquor License for 2022 for Mr. S’s, Grove Lake Bait Shop, Summerland Golf Club, Plainview Country Club. Voting aye: Heithoff, Williby, Krebs, and Henery. Jacob absent. Nays none. Motion carried.

**AED Unit:** Mr. Boggs presented today regarding equipping the Courthouse with an AED Unit. This unit is an emergency temporary defibrillator used in a medical emergency situation. Discussion of cost, which is upwards of \$1,800.00. Bobbi Risor, Region 11 Emergency Manager, who was visiting the meeting today said she may be able to find a grant to obtain the defibrillator for the County. The County could also utilize the Assist program through NIRMA. No action today.

**Road Superintendent Report:**

- Mr. Boggs has no items on the agenda.
- Update on the 525<sup>th</sup> Avenue Bridge Railing. There is no way to upgrade the railing on the bridge without completely re-decking the bridge. Cost being approximately \$100,000.00. It was asked how the follow up on the big safety barrels was coming. Mr. Boggs will check with Brian McDonald.
- On the March 7<sup>th</sup> agenda we will authorize bidding for gravel, asphalt, and armor coating, for bid opening in April.
- Mr. Boggs reports Megan Wingate the Zoning Administrator had approached him about tree road setbacks. Holt County had recently put in place a 200 foot setback of newly planted trees. The Zoning Administrator said it is under the Road and Bridge Department in Holt County. The Commissioners requested Aaron gather more information. No action today.
- Mr. Boggs was asked to get rid of the excess equipment in the County Barns. He stated he was working with the County Sheriff. No action today.

**Extension Board Annual Report:** Brittany Spieker, UNL Extension Educator met with the Board regarding the 2022 Extension Annual Report. She stated everything seems to be going well and they are still seeing an increase in numbers and participation. She is working with her Engagement Zone Coordinator from UNL to update the Interlocal Agreement. This will have to be reviewed and approved by the Extension Board and then will be presented to the Commissioner.

**TRANE Equipment Contract HVAC @ Law Enforcement Center:** Sheriff Moore presented today. He reports the current contract is with Merit Mechanical, however due to employee shortage and expertise he does not have the employees to honor the contract, and has refunded the contract payment to the Law Enforcement Center. The sheriff is requesting to set up a contract with the TRANE dealer out of Omaha to maintain the HVAC System installed in the Law Enforcement Center. The Commissioners agreed the system needs to be maintained and updated for longevity and usefulness. The Commissioners discussed the need for the contract and wondered if there would be a price break if the contract was extended for multiple years. Motion by Commissioner Heithoff, to sign the Contract for the year now, to get something in place and allow the Sheriff to negotiate a longer-term contract. Motion is seconded by Commissioner Krebs. Voting aye: Heithoff, Krebs, Williby and Henery. Nays none. Motion carried.

**County Attorney Contract:** Motion by Commissioner Heithoff, seconded by Commissioner Williby to approve and authorize Chairman to sign County Attorney Contract. Voting aye: Heithoff, Williby, Krebs, and Henery. Jacob absent. Nays none. Motion carried.

County Attorney Agreement  
2023-02-000\_\_

Antelope County Nebraska

Whereas there has occurred a vacancy in the Office of County Attorney in Antelope County Nebraska; and  
Whereas, the Board of Commissioners have appointed Joseph Smith , a qualified Attorney, to fill that vacancy pursuant to Section 32-1201.01 (2); and  
Whereas that provision of law require a contract be entered into.

IT IS HEREBY AGREED THAT:

1. Mr. Smith agrees to fulfill all duties required by law and custom for County Attorneys in the State of Nebraska for and on behalf of Antelope County;
2. Antelope County agrees that Mr. Smith shall receive as compensation the salary and benefits previously decided upon by the Board for the position of County Attorney in Antelope County for the current term.

Dated this 14<sup>th</sup> day of February 2023.

\_\_\_\_/s/ Joe Smith\_\_\_\_  
Joe M. Smith

Antelope County Board of Commissioners  
By: \_\_\_\_/s/ Charlie Henery \_\_\_\_  
Chairman

Commissioner Krebs reviewed with the Commissioners the proposed LB79. This is the introduced bill that would eliminate property, income and corporate tax. They would place a consumption tax. She wants to make sure the Board is aware of this issue, as it builds it will change how budgets will be authorized. If it is a ballot issue in 2024 the budgets in 2025-2026 will be established now in the building of this bill. There is an information meeting on Monday, February 20<sup>th</sup> at the Antelope County Ag Building from 4-6 PM. All are welcome.

No other issues to discuss.

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

The meeting adjourned at 10:38 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Vice-Chairman of the Board, Keith Heithoff

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