

March 2<sup>nd</sup>, 2021  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, March 2<sup>nd</sup>, 2021 at 9:00 AM in the County Commissioner's Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairman Henery, with the following board members responding to roll call: Jacob, Henery, Pedersen, Krebs and Smith. Chairman Henery 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. Agenda for said meeting was sent to all members of the County Board of Commissioners. Meeting was available by ZOOM.

Pledge of Allegiance was recited.

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

**Minutes of the February 9<sup>th</sup>, 2021 Board of Commissioner Meeting:** Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve minutes as presented. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

**Minutes of the February 9<sup>th</sup>, 2021 Board of Equalization Meeting:** Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve minutes as presented. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

**Electronic LEOP Update:** Bobbi Risor, Region 11, met with the Commissioners with an update on the LEOP. This manual needs to be updated every five (5) years. Antelope County is due to update this year. The State has a grant for helping with the cost and implementing an electronic LEOP. The update started a couple of weeks ago, and the plan is to have them completed by August. They may need information from the County to facilitate the update and implementation. This update is for the County and the Cities and Villages are under the jurisdiction. The goal of going electronically is so updates may be done in real time.

**Annex F:** Bobbi Risor, Region 11 updated on Annex F. This is the Hazard Materials portion of the LEOP update. They are updated ALL materials for all of the entities involved.'

**IPAWS-Integrated Public Alert Warning System:** Bobbi Risor, Region 11 met with the Commissioners regarding the status of IPAWS. This was first introduced in 2019, at which time Bobbi met with the Commissioners to introduce same. This system is funded by FEMA. This is provided at no cost to local entities or communities. This system is used to notify the general public if there is a situation in the area, an alert is sent out and all electronic devices will ping or notify the whole area of the immediate situation. It is integrated in Antelope County at this time.

**Correspondence was reviewed:** NIRMA letter regarding personnel changes at NIRMA; NIRMA Safety Shorts; NE NACO District Meeting Flyer; Local Project Monthly Status Update regarding Orchard NE, and Local Project Monthly Status Update regarding Tilden North; NDOR Past Due Bridge Inspection Report; Voiced concern on 513<sup>th</sup> Avenue between 846<sup>th</sup> & 848<sup>th</sup> Road – Road Department had worked on; Letters (2) to Board regarding Law Enforcement Center and treatment of Inmates; Demand for Notice on February County burial expenses; NIRMA 2020 Annual Report; Promotional and Improvement Grant guidelines and application proposed updates; The Best of NE Nebraska Back Roads Tour information.

**Receipts:** \$2,185.72 Cost Reimbursement on Road Builders Claim from FEMA – claim less \$1,000.00 deductible to R&B Fund; \$65,304.88 COVID recovery for first responder pays to General Fund; \$4,793.31 COVID recovery for extra election expenses to General Fund; \$16.00 recoup of filing fees on bad check for Register of Deeds to General Fund.

**Cameras-**Applied Connective Technologies has inquired about cameras and support of same via email. The Commissioners requested more information. Ed Knott will be contacted for additional information.

**Larry Dix Day Resolution:** Discussion by the Board. It was mentioned it wouldn't hurt anything to do it. Commissioner Smith stated 'it is a gentleman retiring from his position, people retire every day, I guess I don't see ... I don't know what this means. Declaring a day. Is it a state wide proclamation? ... Like I said it is just a person retiring. I guess I don't understand designating a day ... that is my feeling.' Discussion of how many Counties were participating. It was requested to add to the next meeting agenda.

**The Best of NE Nebraska Back Roads Tour:** Rick Schuchardt and Laurie Larsen met with the Commissioners regarding the Best of the NE Nebraska Back Roads Tour. This 'Back Roads Tour' is trying to highlight small rural businesses in the 10-county area. (Boyd, Rock, Boyd, Boone, Pierce, Dixon, Holt, Cedar, Knox, Wayne). A map will be developed that has all of the businesses on it. Tourist visit these businesses and get punches or stamps for visiting, purchases, stays, etc. The participating businesses will donate two (2) \$25.00 gift cards for 'prizes' at the end of the summer – October-ish. To participate they are asking the County to support the idea with a \$200.00 participation fee. Businesses would be responsible to apply for participation. The businesses are asked to pay a \$375.00 participation fee, which buys their spot on the map and gives them ample air/tv time. Motion by Commissioner Krebs, seconded by Commissioner Pedersen to approve sponsorship Antelope County (\$200.00) in The Best of NE Nebraska Back Roads Tour. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried. More discussion on the possibility of the County helping to defray the individual business cost to participate. Motion by Commissioner Krebs, seconded by Commissioner Pedersen to approve sponsorship of \$100.00 for the first 25 businesses to join the tour, total of \$2,500.00. Each business should complete a Promotional Grant Application and file with the County Clerk, by next Tuesday (3.9.2021). Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

**Antelope County Visitor Committee** presented today regarding updates of guidelines and application. Within the previous 12 months Antelope County Visitor Committee has had a majority of its members turn over. With this turnover, as the new members familiarized themselves with the committee and its guidelines. Discussion of the history and need to share some updates was needed. During recent Committee discussion a number of guideline and application changes have been introduced. Rick Schuchardt presented today with the proposed changes. Motion by Commissioner Pedersen, seconded by Commissioner Smith to approve changes and updates to the Antelope County Visitor Application and Guidelines. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

### Antelope County Visitors Committee Grants Application

(Check one)

☐ Promotion Grant      Name of Organization \_\_\_\_\_ Date \_\_\_\_\_

☐ Improvement Grant      Grant Contact Person \_\_\_\_\_

   Mailing Address \_\_\_\_\_

How used      Mobile Phone ( ) \_\_\_\_\_ Business Phone ( ) \_\_\_\_\_

☐ 501(c)(3) entity      Email address \_\_\_\_\_

☐ Non-profit      Please provide 501(c)(3) or non-profit status for committee records. (See time sheet notes.)

☐ Public use      Please describe public use or for-profit organization: \_\_\_\_\_

☐ For profit \_\_\_\_\_

Name of Event / improvement \_\_\_\_\_ Date(s) \_\_\_\_\_

Location of Event \_\_\_\_\_

Describe Event / improvement \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

List other agencies and/or groups co-sponsoring this event or project. If none, please check (none ☐) \_\_\_\_\_

\_\_\_\_\_

Grant Amount Requested or \$ \_\_\_\_\_ Promotion funding cap is \$350. Improvement funding cap is \$1,750.

Total Estimated Budget or Cost: \$ \_\_\_\_\_ Application must include bids / budget for event or improvement.

- Organizations may apply for multiple grants/projects for sponsoring multiple events during the calendar year. Not more than \$1,000 per event. Organizations may submit the same improvement over multiple years, but no more than three per calendar year.
- Materials and funding for the same improvement will be closely monitored, tracked, and reviewed by the committee and will not be distributed for funding future years.
- Receipts are not required but all improvements will be closely monitored, tracked, and reviewed by the committee upon request.
- Acknowledgment must be received 30 days prior to the event.
- Refer to grant guidelines for more details.

Describe how the implementation of the grant "Funded in part by the Antelope County Visitors Promotion Fund" will appear in the events promotion. (detail your example) \_\_\_\_\_

\_\_\_\_\_

Applicant's signature: \_\_\_\_\_

Send application package to: Antelope County Visitors Committee, ATT: Rick Schuchardt, Chairman,  
84515 513<sup>th</sup> Ave., Elgin, NE 68536

Print contact address

Approved / Denied by Visitors Committee \_\_\_\_\_ Date \_\_\_\_\_

Approved / Denied by Board of Commissioners \_\_\_\_\_ Date \_\_\_\_\_

Form 10/2016 Antelope 10/2021

## Antelope County Promotion and Improvement Grants Guidelines

### Overview of Categories and Criteria

Grants are made available in two different funding categories.

- **Promotion grants** provide funding for the use of promotions and marketing materials that encourages and draws tourists and visitors to tourism and travel events, festivals, and attractions in Antelope County. Any non-profit, for-profit, or public use organizations actively involved with tourism events and attractions (including co-sponsored tourism events) are eligible. This grant is not for construction of attractions or other tourism facilities.
- **Capital improvement grants** differ from promotional grants. It provides funding to existing local attractions and recreational facilities in Antelope County that are owned by the public and are in need of restoration for historic preservation, historic preservation, historic preservation, historical, architectural, engineering, and preservation purposes. Attractions must be for attractions that are open to the public and are of educational, cultural, historical, artistic, or recreational significance. Significance implies quality and importance. It is a value judgement by the committee and/or Commissioners of its own worth or importance to the community and/or county. Funds can also be used for acquiring or expanding exhibits for an existing attraction.

Revenues from both the promotion and improvement funds can be used for printing brochures and cards, erecting signs, mass media advertising, and other tourism promotion and marketing. Revenues in the improvement fund can be used for capital construction and improvements that are owned by the public. Funds can also be used for acquiring or expanding exhibits for an existing attraction.


Funding has been made available from the lodging tax revenues collected from rental of sleeping accommodations in Antelope County at both for-profit and non-profit hotels, motels, campgrounds, B&B's, and similar lodging facilities.

### Additional Criteria for Grant Assistance

Non-profit, for-profit businesses and services, and other public organizations located within Antelope County may apply for either direct marketing and/or promotional grants or capital improvement grants.

- **Promotion grants** are limited to \$500 per grant. The funding request must be 25 percent or less of the advertising budget (or a fixed percentage, no more than 50 percent of the grant amount, whichever is the larger amount). Organizations may apply for multiple promotional grants in any calendar year, but only one grant per organization. Funds cannot be used for any permanent structures, maintaining or repair of a permanent structure.
- **Capital improvement grants** are limited to \$1,750 per grant a year. Funds must be used to construct, expand, improve, or preserve existing attractions that are open to the public and are of educational, cultural, historical, artistic, or recreational significance and that promote tourism and/or generate positive visibility for Antelope County. Organizations may apply for the same improvement over multiple years, but no more than one per calendar year.

**Complete the application form.** Applications are due 30 days prior to the event.

  
Antelope County, MO  
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## Antelope County Promotion and Improvement Grants Guidelines

**Funding is based on a calendar year from January 1 to December 31 and is discretionary, based upon availability of funds, other anticipated uses, appropriations, and effectiveness of the proposed use. Multiple year funding for the same improvement will be closely monitored, and funding is made at the committee's discretion. Additional personnel expenses, and any other items that do not conform with the intent of the grant.**

**Also not for/budget for promotional grants or improvement grants may be included in the grant's application package. Includes are operating, maintenance, additional personnel expenses, and any other items that do not conform with the intent of the grant.**

**Grant acknowledgement "funded in part by the Antelope County Visitors Promotion Fund" appear in the event's promotional materials.**

**Receipts are not required to be submitted but must be made available upon request. If receipts are not provided upon request, future grant applications will not be accepted for consideration.**

**Final costs of the promotion of the event or completion of the improvement project will not be required but must be made available to the committee upon request.**

### Antelope Visitors

The Antelope County Visitors Committee are volunteers who live in the county and volunteer the time, share their knowledge, and provide guidance. It is a five-person committee with at least one member representing the guiding industry who will serve a four-year term. The Committee elects a chairperson, vice chairperson, and a secretary.

Upon receipt of application for grant package, the Antelope County Visitors Committee will review the grant application and attachments for completeness of the package and understanding of the grant criteria used in its request for funding. Any previous grants that were approved or denied will also be reviewed at this time.

Generally, the Chairperson of the Visitors Committee will contact the grant's designated contact person notifying them that the committee has received the application's package and will also clarify or add any additional information at that time. If a grant package is distributed to the committee by email and discussion to approve or disapprove is expected to be completed by all committee members within several weeks. If a committee member has a conflict of interest, they will advise themselves from voting.

After the committee votes to approve or disapprove, the grant package is forwarded to the Office of the County Administrator. The County Administrator will then forward the grant package to the Board of Commissioners for their review and final vote on approval or disapproval of the grant. The Commissioners meetings are scheduled for the first and second Tuesdays of each month. Applicants may attend the meeting to provide additional input or clarification. The County Administrator will notify the grant's contact person and funds will be distributed using the information obtained from the application form.

March 2023

**Public Hearing - Closing of 841<sup>st</sup> Road between 510<sup>th</sup> & 511<sup>th</sup> Avenues:** On December 1<sup>st</sup>, 2020 a public hearing to close this stretch of road was held. At that time, it was motioned and approved to leave the road open. After further review and neighbor's discussion a second public hearing was requested. Today, we present for the second public hearing in follow-up of land owner discussions and easements. 10:00 AM Motion by Commissioner Jacob, seconded by Commissioner Krebs to open the public hearing. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

Brian McDonald opened the hearing: This is a repeat of the public hearing we did previously on 841<sup>st</sup> Road, starting at the Wheeler County line and going east approximately one (1) mile between 510<sup>th</sup> and 511<sup>th</sup> Avenue. There were issues regarding maintaining access to a couple of properties along there if this road is to be closed. Basically, with an easement across other properties to get to the Antelope County Road. Mr. McDonald asked if the Commissioners had any questions.

Commissioner Smith asked in follow up of Brian's comments there are going to be easements granted for that purpose?

Brian McDonald: If this road is to be closed there are two (2) properties that don't have continuous ownership to this road in Antelope County. They would have to be granted an easement across that as a condition to closure.

Smith: Yeah, are the people that are having to grant the easement, are they in agreement to this yet?

McDonald: The only way the road can be closed is if the condition of the closing is in effect. That is the only way you guys can close it.

Krystle Campa (via ZOOM): Yeah, Brian I emailed you the fully executed Easement Agreement, I think it was last week or maybe the week before. Um, it is executed by all owners of properties in the area, and they are all granting reciprocal access easements to each other.

Which covers that entire road. So, we have a fully executed easement agreement, ready to file. But we are waiting to file it until after the County considers this issue. If they were to approve it, then we would file it right after that.

McDonald: I don't remember seeing it. It could have gotten caught in the filter. I guess either, if you guys are deciding to proceed with the closure, we should have Joe review the easements. I guess it is a matter of who is in that access. Like I said are the granting everybody access to use the road and go across that property. And I believe there was some concern, Lisa got a call about the south half or the south half of Wheeler County road, it being school land. And I believe Lisa got a call from them.

Clerk: I spoke with both Kelly Sudbeck, at the Nebraska School Lands and Funds Department and with Krystle Campa yesterday, and they were both in agreement that they are working on an easement.

McDonald: So, they would be a party to that easement as well.

Clerk: Yes.

Kyrstle Campa (attorney with Invenergy): No, they were... So the Childers have executed the easement agreement that addresses Brian's concern in the letter. It grants reciprocal access to all of the parties that hold title around that right of way. And then separately, if you remember there were some individuals, and I do not know if they are present at the hearing today, but they had raised concerns that they might want to utilize the road, and so the Childers met with them, and separately granted them a private access agreement. Because, as Kyle mentioned they are trying to make sure, they are trying to make sure or they are wanting to be good neighbors. And so they have granted them a private access agreement, and that has already been signed as well. What Brian might be mentioning is that yesterday we received a note from Nebraska School Lands and Funds, requesting a similar access arrangement to them. And it is my understanding that Kyle spoke directly with Kelly and agreed to also provide that to them. So it is just a matter of me working with Jim Fehringer on that private agreement. But that is separate from the easement agreement that this required for access in terms of Brian's letter.

McDonald: And this is a public hearing, I said my piece as far as explaining it. If you have questions, ask. But I guess this is open as a public hearing.

Henery: If you are in favor of this request, would you like to step forward and explain that?

Campana: Sure, I can explain that further yeah. Brian had noted in his study that there were those parcels that had no access adjacent to that right of way. So, Jim Fehringer and I worked together on an easement, which grants reciprocal access rights for each of the properties that is adjacent to that right of way. And they have, all of those properties are owned by the Childers family, and they have all signed the easement agreement and it has been notarized and it is ready to be filed as soon as the preceding would be completed. And so that satisfies what Brian's referencing in his study. And then the separate, the agreement between the Childers, the separate agreements between the Childers and their neighbors is more of courtesy. The Childers want to be accommodating for those neighbors that had raised concerns in wanting to use the road, so they executed separate agreements that are not going to be in the record, they are just private agreement between the Childers and those neighbors. And so that is a similar type of agreement that we envision with the Nebraska School Lands and Funds. But ultimately what the main concern is in Brian's letter, is that those properties do not become land locked. So that is the easement that accomplishes that, and it will be filed of record once the proceedings are complete, if the County proceeds with the abandonment.

Henery: Any body else that would want to speak in favor of? Ok, if not I will ask people who are opposed to testify. Do we have anybody who is opposed to this agreement?

Kyle Childers: I guess going back to in favor. I guess it is not that it is one way or another, it doesn't affect me a whole lot. I just don't want to see that road built up, and you have to take out more trees, and everything else, and then it could possible effect getting into my bins there. Which has already been talked about, because you cannot have a driveway within so many feet of the intersection. We do have a drive, we drive around the bins, as far as access to augers and everything else. I am not saying the road, I do not want to see it shed water any differently than it already does. You start putting ditches in and then all of a sudden you have water standing in places that you don't want water. Which is why we decided it might be best to talk to our neighbors if we can do an easement with them and abandon the road. That is kind of where we went on this, I guess.

Henery: Ok. Go ahead Dean.

Dean Smith: Mr. Schrunk, are you alright with this?

Steve Schrunk: Well, we have to speak in favor. Because we have already signed the easement, with these guys, my Dad and I have. So, I am for closing it up.

McDonald: You have the Wheeler County side on the north?  
Schrunk: On the north side, yes.  
Smith: Well, I know, you had concerns the last one, that is why I wanted to make sure you were covered.  
Schrunk: Yes, like Kyle said, you get the water draining right is about the only way.  
Henery: Ask the applicant to clarify any concerns or issues that may have come up. Is there any other neutral comments? (no responses)  
McDonald: Close the hearing then.  
Henery: We will need a motion to close the public hearing.  
Pedersen: I make a motion to close the public hearing.  
Jacob: I second.  
Henery: Ok, I have a motion and a second to close the public hearing. (Roll Call) All yays.  
10:11 Motion by Commissioner Pedersen, seconded by Commissioner Jacob to close public hearing. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.  
Discussion continues on the purpose of the original hearing. If not closed, the road will have to be upgraded, and the other concern was landlocking property. The north side of the road in Wheeler County has been addressed. The Nebraska School Land and Funds is on track to be completed. The lessee has an easement at this time. To clarify the Wheeler County land is NOT land locked. Brian reviewed findings, and suggest to have County Attorney to review documents, and possibly table until next week, or until Nebraska School Lands and Fund easements is in place.  
Motion by Commissioner Pedersen, seconded by Commissioner Jacob to table decision and resolution until next week, allow time for County Attorney to review the easement. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

**Study of 510<sup>th</sup> Avenue Bridge was closed.** Brian will study when he can get up there and complete study. They are discussing how access to all property is obtained. Brian to follow-up.

County Bridge Match – Madison County Road – Bridge north of Tilden. Joe has reviewed agreement. Brian is still working on.

**EWP-NRCS** working to complete/finish.

**Zoning Administrator Report:** Liz and Bobbi Risor met with the Commissioners regarding the Hazard Mitigation RFP decision. There were two proposals. JEO is local and Bold is from Tennessee, and in recent projects have not been very organized and complete. Pierce County has requested to continue with the JEO plan. The JEO plan is a little more expensive. It seems the balance owed by the three (3) Counties should be less than \$25,000.00, if the BRIC grant is awarded. There will be two (2) more opportunities to apply if the initial grant is denied. Knox County being the ‘bigger’ project will handle most of the coordinating. Motion by Commissioner Smith, seconded by Commissioner Pedersen to approve and award project to JEO. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

- Liz handed her February Permit Report. No other action. Report was reviewed and put-on file.

**Interlocal Agreement** -Interlocal Agreement between Madison County for Tilden North ER Project. Brian McDonald introduced this to continue the revenue flow on bridge matching. – Motion by Commissioner Krebs, seconded by Commissioner Jacob to approve and authorize Chairman to sign agreement. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion carried.

RESOLUTION  
INTERLOCAL AGREEMENT  
BETWEEN  
MADISON COUNTY, NEBRASKA  
AND  
ANTELOPE COUNTY, NEBRASKA  
TILDEN NORTH

WHEREAS: Madison County, Nebraska and Antelope County, Nebraska desire to repair the North bank of the Elkhorn River at Bridge C000204905 that was damaged in the March 2019 flooding. The site is located 1.5 miles north of Highway 275 on 534 Avenue.

WHEREAS: Antelope County, Nebraska has requested Federal Highway Administration Emergency Repair funding through the Nebraska Department of Transportation. The Nebraska Department of Transportation has named the project, Tilden North, Project Number ER-2580(3), and Control Number 32345.

WHEREAS: The Federal Highway Administration Funding covers 80% of the Project costs with the remaining 20% of the project costs being equally shared and the responsibilities of both Madison County, Nebraska and Antelope County, Nebraska.

BE IT RESOLVED: That Antelope County, Nebraska is hereby requested to act on behalf of Madison County, Nebraska and to plan and program for the construction and repair project for the north bank of the Elkhorn River that was damaged in the March 2019 Flooding, known as Tilden North, Project #ER-2580(3) and Control #32345,

which includes:

Preliminary Engineering, NEPA preparation, and construction engineering as well as the construction of a sheet pile hardpoint, embankment, and rip-rap on the north bank of the river,

and with the ESTIMATED costs of such improvement as follows:

Estimated Costs	\$	300,000.00
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BE IT FURTHER RESOLVED: That the Chairman of the Antelope County Board is authorized to sign any document in furtherance of this agreement on behalf of both Madison County, Nebraska, and Antelope County, Nebraska, and that both entities hereby approve the contemplated construction.

BE IT FURTHER RESOLVED: That sufficient funds of Madison County, Nebraska, and Antelope County, Nebraska are now, or will be, available and are hereby pledged in the amount and at the required time to proceed with a 2021 project construction.

BE IT FURTHER RESOLVED: That the 80% Federal Share of the project cost will be approximately \$240,000.00 and that Antelope County, Nebraska, and Madison County, Nebraska will equally share the remaining 20% of the project costs.

That Antelope County, Nebraska, will be responsible for approximately \$30,000.00 of the remaining 20% project costs.

That Madison County, Nebraska is responsible for approximately \$30,000.00 of the remaining 20% project costs.

Final actual costs for each county will be determined upon completion of construction

BE IT FURTHER RESOLVED: That Antelope County has previously entered into an Engineering Agreement with JEO Consulting Group, Inc. for preliminary engineering for preliminary design and with HDR Inc. for NEPA services.

BE IT FURTHER RESOLVED: Where possible each County will pay their share of the costs directly. Where not possible, Antelope County will pay the bill and be reimbursed by Madison County for Madison Counties share of the cost.

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, at \_\_\_\_\_, Nebraska.

ATTEST:

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Chairman

BOARD MEMBER \_\_\_\_\_

Moved the adoption of said resolution.  
Roll Call: \_\_\_\_\_ yes \_\_\_\_\_ nay  
Resolution adopted, signed, and billed as adopted.

Adopted this 2nd day of March, 2021, at Neligh, Nebraska.

THE BOARD OF COUNTY COMMISSIONERS  
ANTELOPE COUNTY, NEBRASKA

ATTEST:

County Clerk

Chairman

BOARD MEMBER 412826

Moved the adoption of said resolution.  
Roll Call: 5 yes    nay  
Resolution adopted, signed, and billed as adopted.

1 of 3

2 of 3

3 of 3

**Promotional Fund Grant:** request from Young N Lively applied for a promotional grant for advertising of Treasure’s In the Park. Request is for \$205.35, event is on September 12, 2021 at the Elgin City Park. Funding was approved by Antelope County Visitor Committee on February 15<sup>th</sup>, 2021. Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve request for funds. Voting aye: Jacob, Henery, Pedersen, Krebs and Smith. Nays none. Motion passed.

**Improvement Fund Grant:** request from Neligh Area Community Fund applied for a improvement grant for replacement of banners with Old Mill District logo. Request is for \$1,500.00. Funding was approved by Antelope County Visitor Committee on February 10<sup>th</sup>, 2021. Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve request for funds. Voting aye: Jacob, Henery, Pedersen, Krebs and Smith. Nays none. Motion passed.

**Improvement Fund Grant:** request from Orchard Historical Society applied for a improvement grant for Digitizing Orchard Newspapers. Request is for \$1,500.00. Funding was approved by Antelope County Visitor Committee on February 10<sup>th</sup>, 2021. Motion by Commissioner Smith, seconded by Commissioner Pedersen to approve request for funds. Voting aye: Jacob, Henery, Pedersen, Krebs and Smith. Nays none. Motion passed.

**Depository Agreements:** Annually, it is reviewed with local banks regarding their fund amount insurability for County Investments. Responding to the request this year were: Pinnacle Bank (Neligh) \$20,000,000.00; Cornerstone Bank (Tilden & Clearwater)

\$25,000,000.00; Heritage Bank (Neligh) \$ Balance of Accounts less FDIC Coverage; Brunswick State Bank (Brunswick) \$ 250,000.00; Bank of Orchard (Orchard) \$ 250,000.00; all were approved in February. Today, Bank of Elgin requested approval for \$1,000,000.00. Motion by Commissioner Smith, seconded by Commissioner Krebs to approve and accept Bank of Elgin, Elgin, Nebraska. Voting aye: Pedersen, Krebs, Smith, Jacob and Henery. Nays none. Motion carried.

**Depository Resolution:** Motion by Commissioner Krebs, seconded by Commissioner Jacob to approve depository resolution. Voting aye: Krebs, Jacob, Smith, Pedersen and Henery. Nays none. Motion carried.

DEPOSITORY RESOLUTION 2021

ANTELOPE COUNTY BOARD OF COMMISSIONERS

2021-03-00001

Be it RESOLVED that application for designation as County depository by:

Pinnacle Bank (Neligh)	\$20,000,000.00
Cornerstone Bank (Tilden & Clearwater)	\$25,000,000.00
Bank of Elgin	\$ 1,000,000.00
Brunswick State Bank (Brunswick)	\$ 250,000.00
Bank of Orchard (Orchard)	\$ 250,000.00
Heritage Bank (Neligh)	\$ Balance of Accounts less FDIC Coverage

as a pledge to secure deposits of the public moneys of this County in said Banks be and the same hereby is approved as to said securities and the deposit thereof with said trustee, on condition that said trustee issue its trust receipt thereof, as provide by the Section 77-2316 R.S. Neb.

RESOLVED, further, that said trust receipt when issued by said trustee shall be deposited by said Bank with the County Clerk of this County in lieu of the deposit of said securities with said County Clerk as a pledge to secure the deposit of said moneys in said Bank.

RESOLVED, further, that such trust receipt shall contain the following provisions which shall constitute the terms and conditions of the escrow.

I.

When the interest coupons attached to said bonds become due, the proceeds of collection shall be applied to the credit of said bank.

II.

The above securities shall be delivered to said bank only: (1) upon the joint order of the County Clerk and County Board of Supervisors of said county with resolution approving substitution of other securities, or (2) upon receipt of certificate of said County Treasurer that all deposits secured thereby been repaid.

III.

On presentation by the bank to the trustee of a certificate from the County Treasurer under seal, stating the amount of the deposits in said bank, together with a certified copy of a resolution of the County Board approving such withdrawal, the trustee may deliver to said bank designated securities in excess of 110 per cent of the deposits based on the then market value of securities deposited.

IV.

The above securities shall be delivered to the County Clerk of said county upon his written demand, (without further responsibility on the part of the trustee) supported by certified copy of resolution of the County Board of Supervisors of said county and

(1) a certificate from the office of the Department of Banking under seal certifying that possession of said bank has been taken by said Department, or

(2) proof that a receiver of said bank has been applied for, with an affidavit signed by the County Clerk and attested by the County Treasurer under seal, or

(3) an affidavit of the Treasurer of said county that said bank has been unable to pay any check drawn by him on said bank.

Said county shall have the right to dispose of said securities and reimburse the county to the extent and for the amount of the deposit with interest in said bank.

V.

The trustee may at any time act in reliance upon the signature of any public officer, attested by his official seal, without liability to either the county or said bank.

VI.

Said securities shall be held by the trustee without cost to the county and the said bank shall pay all costs, expenses and charges for the safekeeping, transportation and handling of said securities. The county shall not be responsible for any loss of said securities or coupons thereon.

VII.

The trustee will give to said securities the same care it gives to its own property, but beyond that it will not and does not assume any responsibility.

VIII.

RESOLVED, further, that a copy of this resolution duly certified by the County Clerk of this County be transmitted to said trustee, and shall constitute the escrow agreement.

Passed and approved this 2<sup>nd</sup> day of February, 2021.

Resolution passed 2<sup>nd</sup> day of March, 2021.

Chairman

COUNTY BOARD OF COMMISSIONERS

ATTEST: 

County Clerk

Motion by Commissioner 

Krebs

, seconded by Commissioner 

Jacob

 to approve resolution.

Ayes: Krebs, Jacob, Smith, Pedersen, Henery

Nays: —

Absent: —

5-minute Break

Road Superintendent Report:

- Underground Permit:** NW¼ Section 22, Township 24, Range 5, West of the 6<sup>th</sup> PM, Antelope County, Nebraska. Anna Allen submitted this on behalf of Turnkey Telecom. This is to install data through fiber optic line to residence. Motion by Commissioner Krebs, seconded by Commissioner Smith to approve underground permit, on Road Superintendent recommendation. All State and County Specs to be met, including 48 inches below surface. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
- Underground Permit:** NW¼ Section 33, Township 24, Range 7, West of the 6<sup>th</sup> PM, Antelope County, Nebraska. Mike Kerkman submitted underground permit to get electricity to pivot. Two Rivers Irrigation is contractor. Motion by Commissioner Jacob, seconded by Commissioner Krebs to approve underground permit, with Road Superintendent recommendation. All State and County Specs to be met, including 48 inches below surface. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
- Underground Permit:** NE¼ Section 33, Township 28, Range 8, West of the 6<sup>th</sup> PM, Antelope County, Nebraska. Anson Electric submitted to provide electrical service to irrigation well. Motion by Commissioner Smith, seconded by Commissioner Jacob to approve underground permit. All State and County Specs to be met, including 48 inches below surface. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
- Borsheim Crane Service** -two (2) oversize permits- Road Superintendent voiced no concerns. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve oversize load permits. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
- Rocky Mountain Crane Service** -two (2) oversize permits- Road Superintendent voiced no concerns. Motion by Commissioner Jacob, seconded by Commissioner Smith to approve oversize load permits. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
- TransCanada Road Use Agreement:** with recent Administrative changes and orders, the TransCanada Project is at a standstill. They are no longer working locally. It was decided to leave road use agreement in place. Until further review. Aaron will try to capitalize on any product still in the laydown yard etc. TransCanada sponsored \$2.56 million of road improvement projects in addition to projects completed by contractors. Roughly, Aaron estimates approximately \$5.5 million in overall project value. The construction bond (\$15,000,000.00) is current. No action taken.
- 11:19 AM Executive Session**
  - Motion by Commissioner Smith, seconded by Commissioner Krebs to go into Executive Session to discuss possible litigation regarding a utility damage claim. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
  - In attendance: Commissioner Smith, Pedersen, Jacob, Krebs and Henery. County Attorney, Joe Abler, Road Superintendent, Aaron Boggs. Casey Dittrich. Met for approximately 32 minutes.
  - Motion by Commissioner Pedersen, seconded by Commissioner Jacob to go out of Executive Session. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried. Chairman Henery stated there was no action taken during Executive Session.
- Equipment Update:** Aaron discussed with the Commissioners regarding current dump truck situation. Currently the County has three (3) trucks that are approximately the same year make in model. Aaron is hoping to piece these trucks together to make a single workable truck. Discussion on all equipment. It was requested Aaron to do some research, figure out what we need, want, etc. and report to Commissioners.
- Culvert Bids:** Motion by Commissioner Smith, seconded by Commissioner Jacob to approve advertising of Culvert bids. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
- Seasonal Help:** Road Superintendent inquired about Season/Summer Help. No objection by Commissioners. Aaron to proceed as needed.
- Review of Road and Bridge Projects:** lengthy discussion on a number of projects completed, in the work, needing to be completed, future projects, etc.

- Motion by Commissioner Smith, seconded by Commissioner Jacob to advertise for Golter Bridge Project, after Brian has plans drawn. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.
- Motion by Commissioner Smith, seconded by Commissioner Jacob to let bids on Crumly Project. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.

**LPA Tilden North Project Agreement and Resolution:** Motion by Commissioner Pedersen, seconded by Commissioner Krebs to approve LPA Agreements and authorize Chairman to sign. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.

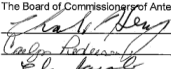
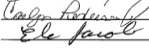
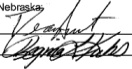
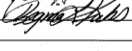
RESOLUTION  
ENVIRONMENTAL SERVICES AGREEMENT – BK2035  
SUPPLEMENTAL AGREEMENT NO. 1

ANTELOPE COUNTY  
Resolution No. 2021-03-0002

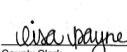
Whereas: Antelope County and HDR Engineering, Inc. have previously executed an Environmental Services agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds.  
Whereas: Antelope County understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and  
Whereas: Antelope County and HDR Engineering, Inc. wish to enter into a supplemental Environmental Services agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.  
Be It Resolved: by the Board of Commissioners of Antelope County, Nebraska that: Charles Henery, Chair of the Antelope County Board of Commissioners, is hereby authorized to sign the attached Environmental Services Supplemental Agreement No. 1 between Antelope County and HDR Engineering, Inc.  
Antelope County is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Agreements.

NDOT Project Number: ER-2580(3)  
NDOT Control Number: 32345  
NDOT Project Description: Tilden North

Adopted this 2nd day of March, 2021 at Neligh Nebraska.

The Board of Commissioners of Antelope County, Nebraska:  
  
  
  


Board/Council Member Pedersen  
Moved the adoption of said resolution  
Member Krebs Seconded the Motion  
Roll Call: Yes No Abstained Absent  
Resolution adopted, signed and billed as adopted

Attest:  
  
County Clerk




Exhibit "B"

**LPA Orchard Northeast Agreement and Resolution:** Motion by Commissioner Pedersen, seconded by Commissioner Krebs to approve LPA Agreements and authorize Chairman to sign. Voting aye: Jacob, Krebs, Smith, Pedersen and Henery. Nays none. Motion carried.

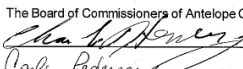
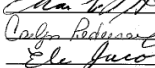
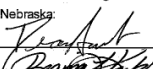
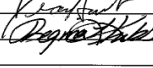
RESOLUTION  
ENVIRONMENTAL SERVICES AGREEMENT – BK2033  
SUPPLEMENTAL AGREEMENT NO. 1

ANTELOPE COUNTY  
Resolution No. 2021-03-0003


Whereas: Antelope County and HDR Engineering, Inc. have previously executed an Environmental Services agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;  
Whereas: Antelope County understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of this Federal-aid project; and  
Whereas: Antelope County and HDR Engineering, Inc. wish to enter into a supplemental Environmental Services agreement setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.  
Be It Resolved: by the Board of Commissioners of Antelope County, Nebraska that: Charles Henery, Chair of the Antelope County Board of Commissioners, is hereby authorized to sign the attached Environmental Services Supplemental Agreement No. 1 between Antelope County and HDR Engineering, Inc.  
Antelope County is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Agreements.

NDOT Project Number: ER-2605(5)  
NDOT Control Number: 32344  
NDOT Project Description: Orchard Northeast

Adopted this 2nd day of MARCH, 2021 at Neligh Nebraska.

The Board of Commissioners of Antelope County, Nebraska:  
  
  
  


Board/Council Member Pedersen  
Moved the adoption of said resolution  
Member Krebs Seconded the Motion  
Roll Call: 5 Yes No Abstained Absent  
Resolution adopted, signed and billed as adopted

Attest:  
  
County Clerk




Exhibit "B"

**Zoning Administrator** position tabled until next week. Allowing the Committee to meet again this week.

No other issues to discuss. **Adjourn:** Motion was made by Commissioner Jacob seconded by Commissioner Smith to **adjourn**. Voting aye: Jacob, Smith, Pedersen, Krebs and Henery. Nays none. Motion passed.

Meeting adjourned at 1:59 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

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

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