

March 7, 2017  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular extra session on Tuesday, March 7, 2017 at 9:00 AM in the County Commissioner's Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairman Kerkman, with the following board members responding to roll call: Schindler, Jacob, Henery, Schwager, and Kerkman. Chairman Kerkman stated that the open meeting laws are posted on the east wall of the Supervisors' 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.

**Road Boss Report:** Casey Ditrach requested the board go into **executive session** to discuss various personnel matters. 9:01 AM Motion by Commissioner Henery, seconded by Commissioner Schwager to go into executive session. Voting aye: Henery, Schwager, Jacob, Schindler, and Kerkman. Nays none. Motion carried. 9:59 AM Motion by Commissioner Schwager, seconded by Commissioner Henery to go out of executive session. Voting aye: Schwager, Henery, Jacob, Schindler and Kerkman. Nays none. Motion carried. Motion by Commissioner Henery, seconded by Commissioner Schwager to return the Road and Bridge hours to four (4) – 10 hour days starting Monday, March 20, 2017. In addition, another summer change will be the creation of a four (4) man oil repair crew. These four (4) men will be out of the current road employees. Casey is at liberty to change these job responsibilities and reassign the current job responsibilities. This oil repair crew will run in conjunction with the summer hours. This will be implemented on March 20, and Casey is at liberty to make adjustments as necessary. Voting aye: Henery, Schwager, Jacob, Schindler and Kerkman. Nays none. Motion carried.

Casey also presented a number of truck for purchase. Cornhusker International got a fleet of seven (7) Penske Rental Trucks, short wheel based, they are stretching them putting new pushers, wheels and caps. 412,000.00 miles, Cummins ISX motor, 500 Horse, 10 speed. They quoted as a 230-inch wheel base - \$54,000.00. Clean trucks, 2012, DOT inspected. Freightliner – white day cab, 220-inch wheel base, no pusher, 2009 it has dual 110 gallon tanks – which we could eliminate one and put a pusher and wet kit. It is a Detroit dd15, 500 horse power truck, 10 speed with 358 gears, 643,000 miles price \$32,000.00. RDO - Mack, 2012, MP 8, 18-speed, 436,000 miles. Casey expressed concern with the mechanical issues regarding a Mack engine as there are not mechanics that have worked with these engines in the area. There is a dealership in Norfolk that services these engines. Because we are going into gravel hauling season, and those trucks need to be rolling. All of these meet our bid criteria – and Casey said he is not sure the need is there for a pusher. He feels the truck from Cornhusker International would be the most ideal. It is exactly what we want except for the wet kit. We can add that later. Penske runs box trailers, it was not a heavy puller, and they keep their trucks in top running condition, clean, and are DOT inspected, etc. The Freightliners are ready to go, the Mack is in our possession, but the international is 10-days out. Motion by Commissioner Henery, seconded by Commissioner Schwager to authorize Casey to make a purchase of the International with 412,000 miles, stretch, put a tag on it, and a wet kit on it, new tires – and give Casey the authorization to deal the best options/price. Voting aye: Henery, Schwager, Jacob, Schindler and Kerkman. Nays none. Motion carried. Today, the Commissioners will authorize the advertisement for bid letting today for gravel, culverts, armor coat and asphalt. Casey recommended not to advertise for grader blades. Motion by Commissioner Schwager, seconded by Commissioner Henery to advertise for bid letting. Voting aye: Schwager, Henery, Jacob, Schindler and Kerkman. Nays none. Motion carried.

**Zoning Administrator Report:** Liz shared a copy of the **Monthly Zoning Report**. January 31, 2017 Planning Commission Meeting Minutes were shared. Josh Framel, from **Invenergy** reported they are planning on making a few changes. They are able to get a larger generator for their turbines, so they will not have as many. Since some of the permits were issued, they will be updating these permits. Also, an Antelope County Resident had inquired whether the **turbines** had Department of Defense Approval. She was referring to the Determination of no hazard. There is a condition that they have to notify the FAA within so many days of construction. After that comes a military advisory, since it says advisory – Liz did not think it was a condition. She has talked with Invenergy, and Department of Defense. The Defense Department gets a request for determination of no hazard from FAA to notify them there is construction with phases that could possibly change. The Department of Defense has to give their approval before FAA ever issues it. When the Determination of No Hazard is received, we know it has been approved by the Department of Defense. This is for a certain tower height. In the application, they have a spec sheet for GE 2.X platform. It gives the height, blade length etc. The 2.X = X and any variable single digit. Some of those GE has made changes-Invenergy is working on changing their permits. 2 Platform is at least a 2-megawatt tower, they have the height as 453 feet. If that changes, they will update that, and setbacks etc. She is working with Invenergy on that. Acoustical analysis will have to be reworked if changes to the wind turbines, prior to construction.

**Subdivision Approval Niewohner:** Liz presented a subdivision located partly in the City of Elgin and partly in rural Antelope County, this is an existing home site. The house currently is outside the city limits, but the front yard and driveway are in city limits. They are attempting to present these two (2) parcels as a single parcel. This structure has been in existence for 20 years, in order to get title insurance today, it has to be presented as a single parcel. Motion by Commissioner Schwager, seconded by Commissioner Schindler to accept the subdivision as presented. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion carried.

#### SUBDIVISION APPROVAL

The survey of 4.021 acres, described as:

An irregular tract of land located in Outlot A, Village of Elgin and in the NE ¼ of Section 12, T23N, R7W of the 6<sup>th</sup> P.M., all in Antelope County, Nebraska, described as follows:

Commencing at the northeast corner of Block 6, Whitehouse and Ballah's Subdivision in said Village of Elgin, being on the west line of said Outlot A; thence N 01°39'17" W (assumed bearing) on said west line of Outlot A, a distance of 406.20 feet to the northwest corner of a tract of land as recorded in Deed Book 92, Page 503, being the True point of beginning; thence N 71°29'25" E on the north line of said tract of land, a distance of 300.00 feet to the northeast corner of said tract of land; thence S 00°54'44" E on the east line of said tract of land, a distance of 163.00 feet to the southeast corner of said tract of land; thence N 88°20'43" E, a distance of 95.00 feet; thence N 28°57'48" E, a distance of 277.79 feet; thence N 01°00'35" W, a distance of 316.73 feet to the southeast corner of a tract of land as recorded in Deed Book 127, Page 645 as Tract #1; thence S 89°05'34" West on the south line of last said tract of land, a distance of 199.53 feet to the southwest corner of last said tract of land, being the southeast corner of a tract of land as recorded in Deed Book 127, Page 645 as Tract #2; thence S 88°59'06" West on the south line of last said tract of land, a distance of 151.92 feet to the southwest corner of last said tract of land; thence S 09°28'53" E, a distance of 108.01 feet to the northeast corner of a tract of land as recorded in Deed Book 116, Page 603; thence S 09°15'28" West on the east line of last said tract of land, a distance of 162.75 feet to the southeast corner of last said tract of land; thence S 01°50'55" E, a distance of 20.00 feet to the northeast corner of a tract of land as recorded in Deed Book 99, Page 234; thence S 06°02'00" West on the east line of last said tract of land, a distance of 26.28 feet; thence S 35°15'43" West on said east line of last said tract of land, a distance of 100.00 feet; thence S 68°24'37" West on said east line of last said tract of land, a distance of 100.00 feet to said west line of Outlot A; thence S 01°39'17" E on said west line of Outlot A, a distance of 57.17 feet to the point of beginning, containing 4.021 acres of land, more or less, subject to all roads of record.

was approved by the County Board on March 7, 2017.

The Road Access Resolution passed on the 14<sup>th</sup> of February 2017 was read. No changes requested.

**Pay application for A & R Construction** was presented. **Elgin Southeast Sites 1 & 2** was completed. They are requesting final payment of \$133,308.95. Motion by Commissioner Schwager, seconded by Commissioner Jacob to pay claim for Elgin Southeast bridge sites 1 & 2. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

**Catastrophic Inmate Medical Insurance:** During February meeting Sheriff Moore met with the supervisors regarding continuation of the Catastrophic coverage of inmates. At that time a \$250,000.00 limit of coverage per incident was presented. During discussion, it was questioned if we could have a \$500,000.00 limit of coverage. Discussion was tabled until today. Hunt Insurance Group LLC, has sent two (2) quotes: option 1) \$2,718.00 a year for a \$500,000.00 Limit of Coverage with a \$40,000.00 deductible; the second option was \$2,442.00 a year for a \$500,000.00 Limit of Coverage and a \$45,000.00 deductible. After a short discussion, motion was made by Commissioner Schwager, seconded by Commissioner Henery to accept Option 2 with the \$45,000.00 deductible. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried.

The **Senior Care Option** was on the agenda. General discussion was in favor. It was discussed to table until the April 11, 2017 meeting. Mr. Judd Allen will be calling regarding different insurance option being offered by NACO, per memo from NACO Benefit Services on Monday, March 6, 2017. Discussion was tabled until April 11, 2017 meeting.

Discussion of the **2017 Audit**. It was motioned to accept the State Auditor's Office to complete the 2017 audit. The option today was either a one (1) year or three (3) year option. Motion by Commissioner Schwager, seconded by Commissioner Henery to approve contract for one (1) year. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Jerad Reimers, Senator Adrian Smith's Office gave an update of the current issues in the spotlight now. Various issues were discussed. No action.

A **road closing petition** was submitted by Charles Meis of Albion, Nebraska. Closing of 515<sup>th</sup> Avenue between Sections 23 and 24 in Township 24, Range 8. He obtained ten (10) valid Antelope County Voter signatures. Commissioner Henery made a motion to Authorize Highway Superintendent, Brian McDonald to study road. Motion was seconded by Commissioner Schwager. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Motion by Commissioner Schindler, seconded by Commissioner Jacob to **transfer \$15,000.00 from General to Building**. The fund ran low in February, and the transfer was made to help balance the fund. Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried.

Motion by Commissioner Henery, seconded by Commissioner Jacob to **approve the minutes** of the February 7<sup>th</sup> and February 14<sup>th</sup> Commissioner Meetings and the February 7<sup>th</sup>, 2017 Board of Equalization as presented. Voting aye Henery, Jacob, Schindler, Schwager and Kerkman. Nays none. Motion carried.

Motion by Commissioner Schwager, seconded by Commissioner Henery to accept and approve claim for Cedar Township from Matteo Sand and Gravel for \$161.28. Voting aye: Schwager, Henery, Jacob, Schindler, and Kerkman. Nays none. Motion carried.

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

Treasurer's February Fund Report was reviewed and put on file

Clerk of the District Court-February Fee Report was reviewed and put on file.

Correspondence was reviewed: Union Bank & Trust Monthly Report for Antelope Memorial Hospital Bonds; DEQ letter to Koinzan Ranch Concentrated Animal Feeding Operation; TransCanada Keystone XL Route Approval; Keystone XL Pipeline Route-McGrath-North, Northeast District Spring Meeting Flyer; NIRMA Safety Shorts; Nebraska Department of Roads Upcoming Bridge Inspection Reminder, Nebraska Department of Roads Past Due Bridge Inspections, City of Neligh letter regarding ACE gas supplier; Enrollment Wellness Partners; NBCS Forms were received and filed; A-1 Janitorial Correspondence; Great Plains-Great Connections Flyer; NIRMA 2016 Annual Report; MSHA 2016 Yearly Report; Bobcat Letter regarding recently purchased equipment.

Receipts reviewed: \$54,672.00 NIRMA insurance check; JEBRO refund of overpayment \$11,279.64.

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

Meeting adjourned at 11:08 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Chairman of the Board, LeRoy Kerkman

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