

March 10th, 2020
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, March 10th, 2020 at 8:00 AM in the Commissioner Meeting Room, Antelope County Courthouse, Neligh, NE.

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.

Chairman Henery opened the meeting at 8:00 AM. Responding to Roll Call: Commissioners Smith, Jacob, Krebs, Pedersen and Henery. Chairman stated the Open Meetings poster is posted on the east wall of the Commissioner Meeting Room. Additional copies available in the County Clerk's Office.

Pledge of Allegiance was recited.

Agenda: Motion by Commissioner Krebs, seconded by Commissioner Jacob to approve agenda as presented. Voting aye: Smith, Krebs, Pedersen, Jacob, and Henery. Shane Oltjenbruns requested to be removed from the agenda regarding the Courthouse Security. Nays none. Motion carried. Courthouse security is not being dropped; the safety committee had in the past talked about action. He will wait to see if this moves further along.

Review of payroll claims. Review of vendor claims.

Ed Jensen, Weed Authority Board and Bruce Ofe, Weed Superintendent met with the Board regarding **surplus items in the Weed Department**, including two (2) pickup box beds (Dodge 2016 & Ford 2019), 1999 flatbed dodge (? Transmission), 1991 Ford with sprayer, water tank, and a number of other items. Lengthy discussion regarding the advertising and sale of items. It was discussed the Road and Bridge Department also has some items that will need to be sold in the coming months. Auction Time is the only auction company that allows us to hold a reserve. The R&B Department will be in contact with Big Iron Auction, Purple Wave Auction or Auction Time sometime this spring.

Met with Scott Wiese, representing **Purple Wave Auction** met with the Commissioners regarding Purple Wave Auction Service. No action taken.

Payroll Claims: Motion by Commissioner Krebs, seconded by Commissioner Jacob to approve and pay payroll claims. Voting aye: Krebs, Jacob, Pedersen, Smith and Henery nays none. Motion carried.

Correspondence was reviewed: NIRMA March Safety Shorts; Union Bank and Trust hospital bond refinancing papers; Department of Treasury IRS letter states they have decided to close the examination with no change; Northeast NACO District Meeting reminder; Delinquent Tax List and Return of public sales correspondence. March 3rd, 2020 minutes were missed on agenda, will be added to next agenda.

Ice Sling yesterday was reported to Sheriff's Office, by the time they reported to Invenergy, turbines had been shut down.

Pledge Collateral: \$250,000.00 FDIC Insured; with an additional \$1,000,000.00 pledged. (Total \$760,000.00)

No **Committee reports** were presented.

Receipts: \$15,411.13 – General - double payment on claims.

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

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

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

Sheriff February Fee Report was reviewed and put on file.

Zoning Administrators Report: No Report.

National Insurance Services – Life Insurance Agreement: This life insurance policy is sponsored by Antelope County/NACO and qualified full-time employees are covered with a \$5,000.00 policy. National Insurance Services is presenting to sponsor this coverage at the guaranteed same premium with no increase until July 1, 2023. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve and accept the NIS coverage for three (3) years until July 1, 2023. Voting aye: Krebs, Jacob, Pedersen, Smith and Henery nays none. Motion carried.

Road Superintendent Report: Bid opening/awarding

Culverts, Gravel, Armor Coating and Asphalt Bidding: bid letting for the following items were opened. Road superintendent and foreman made a spread sheet regarding all of the following bids. Motions were held until spreadsheet could be reviewed.

- The following **gravel bids** were opened at 10:00 AM.
 - Matteo Sand & Gravel, Norfolk, Nebraska
 - Mitteis Gravel, Orchard, Nebraska
 - Pollock Redi Mix, Ewing, Nebraska
 - Bazile Aggregate L.L.C., Plainview, Nebraska
 - Willow Creek Sand & Gravel, Orchard, Nebraska
 - Emme Sand & Gravel Inc. O'Neill, Nebraska
 - Spud Sand & Gravel, Ewing, Nebraska
- The **armor coating bids** were opened with the following vendors submitting bids.
 - Sta-bilt Construction Company, Harlan, Iowa – \$2,750.00 per mile
 - The Road Guy Construction Company, Yankton, South Dakota –\$2,650.00 per mile

Figgins Constructoin, Co, Inc., Red Cloud, Nebraska – 5808.15 per mile
 Topkote, Inc. Yankton, South Dakota - \$2,600.00 per mile

- The following **asphalt oil bid** was opened with the following vendor submitting bids:

Jebro, Inc., Sioux City, Iowa
 MC-3000 \$2.50/gallon
 MC-800 \$2.64/gallon
 MC-250 \$2.82/gallon
 RC-250 \$3.23/gallon
 CRS2 \$2.10/gallon
 CRS2P \$2.18/gallon

- Motion by Commissioner Smith seconded by Commissioner Henery to accept Jebro, Inc. bids for \$2.10 gallon and reject other prices product bids. Discussion. Motion is rescinded by Commissioner Smith, rescinded 2nd by Commissioner Henery. More discussion regarding reopening bidding, timelines, price protection with the prices of crude falling now. Discussion on options.
- Motion by Commissioner Jacob, seconded by Commissioner Pedersen to accept Jebros bid in its entirety. Voting aye: Krebs Jacob, Pedersen, and Borer. Nays Smith. Motion carried.

- The following **culvert bids** were opened:

B's Enterprises, Inc., Norfolk, Nebraska, Tim Braithwait present bid prices good from July 1, 2020 – June 30, 2021;
 Midwest Service and Sales, Schuyler, Nebraska, July 1, 2020 – June 30, 2021

B's Enterprises

QUOTE ON CULVERTS FROM JULY 1, 2020 - JUNE 30, 2021

Size	Spiral Price/Ft	Riveted Price/FT
18" 16 GA	13.00	15.20
24" 16 GA	16.75	20.00
30" 14 GA	26.30	31.50
36" 14 GA	31.50	36.50
48" 12 GA	57.00	67.50
60" 10 GA	89.50	106.00

No minimum order-All Meet State Specs

Midwest Service & Sales Co

QUOTE ON CULVERTS FROM JULY 1, 2020 - JUNE 30, 2021

Size	Spiral Price/Ft	Riveted Price/FT
18" 16 GA	14.62	17.57
24" 16 GA	18.51	22.26
30" 14 GA	29.23	35.15
36" 14 GA	35.08	42.18
48" 12 GA	63.34	76.15
60" 10 GA	100.36	1120.67

Full or Half Truck Loads

Casey presented spreadsheet of all bids for comparison:

Road Gravel @ 2835				
Vendor	per Ton	per Yard	bid T	bid yd
Hinrichsen	\$ -	\$ -		
Emme	\$ -	\$ 12.26	\$ 8.65	
Mitteis	\$ -	\$ 10.49	\$ 7.40	
Pollock	\$ -	\$ 13.47	\$ 9.50	
Bazile	\$ -	\$ 15.59	\$ 11.00	
Willow	\$ -	\$ 12.40	\$ 8.75	
Matteo	\$ -	\$ 17.72	\$ 12.50	
Spud	\$ -	\$ 13.11	\$ 9.25	
Oversize				
Vendor	per Ton	per Yard		
Emme	\$ -	\$ 26.22	\$ 18.50	
Mitteis	\$ -	\$ -		
Pollock	\$ -	\$ 17.01	\$ 12.00	
Bazile	\$ -	\$ -		
	\$ -	\$ -		
Armor Coat Gravel				
Vendor	per Ton	per Yard		
Hinrichsen	\$ -	\$ -		
Mitteis	\$ -	\$ 10.49	\$ 7.40	
Pollock	\$ -	\$ 13.47	\$ 9.50	
Matteo	\$ -	\$ 17.72	\$ 12.50	
Spud	\$ -	\$ 13.11	\$ 9.25	

Culverts		
Size	Midwest	B's Ent
18	\$ 14.62	\$ 13.00
24	\$ 18.51	\$ 16.75
30	\$ 29.23	\$ 26.30
36	\$ 35.08	\$ 31.50
48	\$ 63.34	\$ 57.00
60	\$ 100.36	\$ 89.50
Armor Coat Application		
Sta-Bilt	\$ 2,750.00	
Road Guy	\$ 2,650.00	
TopKote	\$ 3,600.00	
Figgins	\$ 5,008.00	
Asphaltic Oil		
	Jebro	Flint Hills
MC3000	\$ 2.50	
MC800	\$ 2.64	
MC250	\$ 2.82	
CRS2	\$ 2.10	
CRS2P	\$ 2.18	
RC250	\$ 3.23	

Pollock mudrock 7.50
 Bazile mudrock 11.75
 Emme 1.5" Screened 24.50

Road Gravel @ 2700

Vendor	per Ton	per Yard
Hinrichsen	\$ 9.25	\$ 12.49
Emme	\$ 7.40	\$ 9.99
Mitteis	\$ 7.04	\$ 9.50
Pollock	\$ 9.07	\$ 12.24
Bazile	\$ 10.74	\$ 14.50
Willow	\$ 8.50	\$ 11.48
Matteo	\$ 12.00	\$ 16.20

Oversize

Vendor	per Ton	per Yard
Emme	\$ 17.50	\$ 23.63
Mitteis	\$ 10.37	\$ 14.00
Pollock	\$ 11.85	\$ 16.00
Bazile	\$ 11.10	\$ 14.99

Culverts

Size	Midwest	B's Ent
18	\$ 13.34	\$ 12.50
24	\$ 16.89	\$ 16.25
30	\$ 26.68	\$ 25.10
36	\$ 32.01	\$ 29.80
48	\$ 57.80	\$ 54.00
60	\$ 91.59	\$ 85.00

Armor Coat Application

Sta-Bilt	\$ 2,750.00
Road Guy	\$ 2,650.00
TopKote	\$ 2,600.00

Asphaltic Oil

	Jebro	Flint Hills
MC3000	\$ 2.53	\$ 2.72

Northeast Glass, tinted safety glass, 352.40; Northeast Nebraska Telephone, telephone service 93.92; Powerplan, labor, mileage, fan driveshaft, gasket, injection, check injector, injector 3040.17; Quality Iron, tube, flat, round shaft, 180.36; Quick Serve, balance tires, oil, oil filter, air filter, fuel, 474.38; Razor Tracking, monthly data processing for fleet devices 750.00; Road Builders Machinery, seals, mileage, labor, shrink tubes, gaskets, breather, wire assembly, lamp, solder wire, o-rings, terminal, battery cable, starter lug, 3857.96; Royal One Stop, fuel 43.00; Rutjens Construction, hinges, pins, flat iron, batteries, labor 892.15; Ryan's Truck, fitting, drum, brake, red cap, seal, bearing sets, oil, turn signal switch, shop supplies, labor 1425.47; Sapp Bros, fuel hose, fuel 2045.85; Wex Bank, fuel 216.90; Sioux City Tarp, tarp kit, circuit breaker 1974.85; Stealth Broadband, telephone service 92.72; Tinsley Grain, rock 2311.36; Truck Center, oil seal, pinion nut, washer, end yoke, u-joint 304.24; Verizon, telephone service 329.37; Brunswick Village, water, sewer, trash 93.00; Clearwater Village, water, sewer, trash 64.40; Orchard Village, water, trash pickup 82.50; Vinyl Solutions, padding and recovered driver seat, replaced 3 panels on driver's seat back 210.00; Andrew Werner, CDL test, CDL license 329.50.

Inheritance Fund: Bok Financial, jail interest 51,782.50.

Reappraisal Fund: Elite Office, monthly copier service 70.00.

Register of Deeds: MIPS, register of deeds, data processing 319.60;

Disaster Fund: JEO Consulting, preliminary design, 5180.00.

Inheritance Fund: June Kerkman Estate, reimbursement of over-payment 351.01.

Law Center Fund: AMH Family Practice, Dr. visit per sick 646.00; AMH Hospital, Dr. visit per sick, xray of shoulder, Dr. visit per sick, injured shoulder 2419.00; Cash-Wa Distributing, corn starch, baking powder, baking soda, gelatin, flour, sugar, oatmeal, chicken legs, pork loins, cheese, potatoes, pork patty, frozen juice cups, ice cream cups, potato nuggets, chicken patty, toilet tissue, taco seasoning, ground beef, cinnamon, garlic salt, catsup, peaches, applesauce, pineapple tidbits, mandarin oranges, sliced pears, diced tomatoes, mayo, bbq sauce, peanut butter, gravy mix, turnbury lids, noodles, saltines, paper cups, bologna, cabbage dry slaw, biscuit dough, pork and beans, shortening spray, fries, potato spudbites, turkey diced, crabcakes 3446.81; Culligan, water service 81.75; Faith Regional Health Services, inmates patient services 3373.00; Hiland Dairy, milk 783.31; Kelly's, softener salt, trash bags 420.00; Merit Mechanical, leaking plumbing fixture: parts, labor 305.00; Midwest Services, inmate transport services 238.50; Northeast Medical Imaging, injured shoulder 55.00; Jessica Shaver, eggs 52.50; Thriftway Market, vanilla, hamburger buns, margarine, noodles, root beer, laundry detergent, chicken broth, Dr.Choice, grape, grocery, campbells chicken 186.32; Wanek Pharmacy, inmate prescriptions 1590.78.

Commissary Fund: Bob Barker Company, inmate shoes, playing cards, lotion, razor, deodorant, cotton swabs, toothbrush, toothpaste, tampons, All in One, shampoo, comb, jumpsuits, clippers, hairbrush, blade, 2072.63; Cash-Wa Distributing, peanut butter cups, twix, butterfingers, popcorn oil, nut n butters 515.76; Cornhusker State Industries, pillows, mattresses 1296.00; Keefe Supply, honey buns, coffee, snack mix, sandwich crackers, sugar, 1051.44; Thomson Reuters, Nebraska Rules of Court books 353.00.

General: Payroll: AFLAC, insurance 1856.82; Ameritas, retirement 14,050.28; BC/BS, 61,977.90; Colonial Life, insurance 3.25; Federal Withholding, 9287.08; First Concord, insurance 981.33; Garnishment, 871.35; Liberty National, insurance 64.20; State Tax, 3959.43; NACO Vision, insurance 515.61; Social Security, 19,375.84; Washington National, insurance 517.12.

Road & Bridge, Payroll: AFLAC, insurance 181.87; Ameritas, retirement 8702.22; BC/BS, insurance 28,070.62; Colonial Life, insurance 18.00; Garnishment, 242.32; Federal Withholding, 5650.02; First Concord Benefits, insurance 373.11; Liberty National, insurance 70.92; State Tax, 2267.76; NACO Vision, insurance 239.55; Social Security, 12,383.26; Washington National, insurance 302.80.

Executive Session: 10:58 AM Motion by Commissioner Jacob, seconded by Commissioner Smith to enter into Executive Session to discuss personnel issues. Voting aye: Jacob, Smith, Krebs, Pedersen and Henery. Nays none. Motion carried. Met in Executive session for approximately 72 minutes. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to go out of executive session. Voting aye: Pedersen, Jacob, Smith, Krebs and Henery. Nays none. Motion carried.

12:10 PM Out of executive Session. Committee reviewed applications for Road Superintendent and Road Foreman.

Road Superintendent: Motion to hire Aaron Boggs at \$53,500.00/yearly Salary Basis, 45-hour week, and after training for Highway Superintendent obtained (not necessarily certified) salary to increase to \$55,000.00. Motion by Commissioner Smith, seconded by Commissioner Jacob. Voting aye: Smith, Jacob, Pedersen, Krebs and Henery. Nays none. Motion carried.

Road Foreman: Motion to hire Leigh Kluthe at \$50,000.00 yearly on a 45-hour week. Motion by Commissioner Smith, seconded by Commissioner Jacob. Voting aye: Smith, Jacob, Pedersen, Krebs and Henery. Nays none. Motion carried.

On Call Road Foreman: Casey Dittrich to continue as a on call Road Foreman at \$50.00/hour as needed. Aaron to determine the hours as needed. Motion by Commissioner Jacob, seconded by Commissioner Smith. Voting aye: Smith, Jacob, Pedersen, Krebs and Henery. Nays none. Motion carried.

12:16 PM: Commissioner Henery leaves meeting after turning it over to Regina Krebs, Vice-Chairman.

Road Use Agreement & Haul Route Maps/TransCanada: Dan Forbes and Rob Latimer met with the Commissioners regarding updates of proposals introduced by the Commissioners last month. In follow-up of that discussion, Dan Forbes reports they have added 10 or 12 miles that aren't field roads. The Haul Route Agreement/Road Use Agreement: the three (3) changes requested during the last meeting with the Commissioners

- 1) remove part of the paragraph for Item #35; strike the last part regarding the condition of the road being repair;
- 2) \$150,000,000.00 bond in Paragraph 32;
- 3) dust control in Paragraph 42 was added. Trucks on site for dust control

Mr. Latimer reported they are governed by Federal Regulations regarding emergency response plan. Before the Keystone XL Pipeline goes into service, the Response Plan has to be in place. The existing pipeline does have an Emergency Response Plan. Reporting on previous experience – within 72 hours of the reported spill in Marshall County, South Dakota a haul route agreement was in place. The RUA was adhered to through the completion of the cleanup, TransCanada also paid approximately \$350,000.00 to conduct rehabilitation of the roads used.

Section 23: lays out a little about future obligations or work related to the pipeline and our need to come back and work with the Commissioners at that time.

TransCanada is working with Holt County regarding RUA and Haul Map. TransCanada is working with a number of counties at this time. Casey stated TransCanada had submitted road access and underground permits a number of months ago, at that time the crossings have not been chosen. There are a lot of miles that need to be added – and our engineer needs to review. #42 The dust control issue needs to be updated. Proposed new verbiage: Special dust control **action** will be taken in areas where residential homes, farm, and livestock dwellings are present and close to the county roadways. Dust control will be used as a means to reduce visual and health hazards for construction traffic and the general public. Water trucks will be on-site during construction and remain on-site to apply water as necessary to control dust. Watering schedules may be done in cooperation with County representatives. Where agreed upon by County representatives, magnesium chloride **shall be used** when the application of water is not effective as a means of dust control. **If proper dust control is not achieved, as determined by the County Road Superintendent, the Developer will be notified in writing, pursuant to paragraph 27. A proper probationary period will be given by the County, not to exceed 30 days, in which each subsequent failure to control dust at said location will result in a special assessment of _____ dollars per instance.**

Discussion of acknowledgement and fines for dust offenses. Lengthy discussion held regarding options and reasons to ensure public safety. Magnesium Chloride for dust control was discussed including price and project length. **First offence: notice - probation; 2nd offence: \$2,500.00; 3rd offence: \$7,500.00 within 30-day timeline.** It was expressed the County Road Superintendent will have the ability to declare that the area is unsafe and/or a hazard.

