

March 14th, 2023
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, March 14th, 2023, at 8:01 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, Jacob and Henery. Krebs 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 Jacob, seconded by Commissioner Heithoff to approve agenda as presented. Voting aye: Heithoff, Williby, Jacob and Henery. Nays none. Krebs absent. Motion carried.

8:02 AM Commissioner Krebs attends meeting.

Review of Payroll Claims.

Review of Vendor Claims.

Minutes: Minutes of the March 7th, 2023, Board of Commissioner Meeting: Motion by Commissioner Jacob, seconded by Commissioner Heithoff to approve minutes as presented. Voting aye: Jacob, Heithoff, Williby, Krebs and Henery. Nays none. Motion carried.

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

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

GENERAL: Ameritas Life Insurance Corporation Insurance, retirement 17,547.81; Antelope County Court, County Court Expenses 384.00; Appera, towel and cleaning supplies 34.70; Applied Connective Technologies, IT contract and services 7,795.69; Black Hills Energy, heating fuel 2,678.24; Blue Cross Blue Shield Insurance, major medical insurance 64,742.94; Oltjenbruns Inc, repair 2019 Ram Big Horn windshield, sensor pad, body and engine damage 4,610.43; Bomgaars water treatment chemical 35.96; Butch's Body Shop, towing fees 259.00; Carhart Lumber, shelving for storage room 45.99; Carney Law, public defender contract 6,123.00; City Of Neligh, electricity, water, sewer, garbage 3,190.29; City Of Neligh-Recycling, recycling 250.00; City Of Norfolk, Region 11 Agreement 23,127.00; Clearly Communications, telephone and internet 155.17; Clerk Of The District Court, District Court Expenses 252.00; Coldtype Publishing, board proceedings, notice of meetings, delinquent tax list, 295.55; Judith Cole, prior service 10.00; Colonial Life/Accident Insurance, supplemental insurance, supplemental insurance 100.88; Consolidated Management Company, meals for Shelby Keetle training 10.05; Corner Service/Tire, oil filter, air filter, wiper blades, oil change, oil 129.00; Cubbys, fuel 596.40; DAS State Accounting, network service charges 723.68; Dustys, fuel 155.60; Eakes Office Solutions, notepads, 20.29; Egly, Fullner, Montag, Morland & Easland, court order and attorney fees 692.82; Election Systems & Software, ballot formatting 5,541.27; Elgin One Stop, fuel 182.41; Elgin Review, meeting proceedings, meeting notices, delinquent tax 299.11; Elite Office Products, copier contracts/maintenance agreements, toner, micr toner, 1,691.95; Federal Withholding Tax, payroll 9,727.27; First Concord Benefits Insurance, healthcare reimbursement, deductible buydown 9,684.32; Four Points By Sheraton, hotel for zoning FEMA class, 231.00; Graham Tire, tire repair 621.76; Great Plains Communications, telephone and internet 369.61; Darrell Hamilton, prior service 11.00; Derek Henn, reprint of uncashed check form 2020, 58.00; Hi-Way Mart, fuel 96.59; Jack's Uniforms & Equipment, double pistol mag pouch, tourniquet, pistol and flashlight pouch, 135.85; Klein Law Office, court appointed attorney 571.00; Knox County Treasurer, tri-county mitigation plan 253.75; Liberty National Insurance, employee supplemental insurance 87.19; Madison County Judicial District Bar Association, reprint of uncashed check from 2019, 85.00; Madison National Life Insurance, employee supplemental insurance 139.24; Microfilm Imaging Systems, scanning equipment/rental 122.00; Duane Miller, prior service 12.00; MIPS, monthly contract for treasurer, assessor, register of deeds, clerk, payroll, time and attendance, budget, claims, Nebraska taxes and Deeds Online 2,985.31; NACO, meeting registrations 185.00; Nebraska Association Of County Clerks/Register of Deeds/Election Commissioners, annual dues 50.00; Nebraska Department of Revenue, payroll tax 5,146.95; Nebraska Health & Human Services, financial responsibility division 177.00; Nebraska Weed Control Association, Nebraska Weed Control Association spring workshop 150.00; VSP-NACO Vision Insurance, employee supplemental vision insurance 533.82; North Central Public Power District, electricity 34.64; Northeast Nebraska R C & D annual membership 1,500.00; Lisa Payne, matting and framing 70.00; Petty Cash (County Clerk) registration reprint 1.00; Petty Cash (County Sheriff) postage 10.05; Pinnacle Bank, cleaning supplies 27.00; Pitney Bowes Purchase Power, lease payment for mail machine 864.18; Pitzer Digital, Williby stamp, meeting proceedings, 176.91; Quill Corporation, batteries, colored copy paper, Febreze air, ink joy pens, snickers minis, 3 hole paper, Kleenex, toner cartridge, first aid to go kit, 331.41; Region 4 Behavioral Health System, quarterly dues 6,212.25; Janice Ridder, prior service 10.00; Caroline Siems, prior service 25.00; Wex Bank, fuel 768.00; Sirchie Acquisition Company, preprinted kraft evidence bag, 170.45; Social Security, payroll tax, 23,908.80; Stealth Broadband, telephone and internet 1,130.09; University Of Nebraska-Lincoln, Verizon wireless unlimited, Dell precision laptop bundle 2,591.00; University Of Nebraska-Lincoln, magnets and stickers, 51.00; UNL Extension Hall County, special garden project 5.50; US Cellular, cell telephone 679.69; Washington National Insurance Company, employee supplemental insurance 285.92; Lisa Welding, paper bags, card labels, stamp ink, casters, small heater, certificates, printable cards, surge protector, red ink stamp, HDMI card 160.56; Payroll 122,505.17

ROAD/BRIDGE: AKRS, filter element, air filter, filter kit, hydraulic filter, oil filter, fuel filter, pre-cleaner, screw pin clevis, cool-gard tm, 1,342.21; Ameritas Life Insurance Corporation, retirement 10,944.24; Bar U Farms, freight - rock by ton 3,646.40; Bauer Built Tire, tire repair, 1,486.00; Beckman Lumber Inc., acetylene refill 190.00; Black Hills Energy, natural gas 3,352.45; Blackburn Manufacturing, Co, warning flags 342.86; Blackstrap, Inc, black slicer sand & gravel 390.50; Blue Cross Blue Shield, major medical insurance 33,983.90; Bomgaars, drinking water, wrench set, socket, shop towels, diesel supplement, windshield de-icer, diesel fuel condition, tarp strap, hitch pin clip, windshield wash, glass cleaner, area light, cable puller, drill bit, bulk bolts, square bucket, squeegee, shut off, hose filter washer, strap, bar & chain oil, brake fluid, power steering fluid, wrench combination, wrench combo ratchet, spray bottle, quick link, recovery strap, fuel filter, hitch pin, tow chain, utility box, pliers, hammer, blade, 410w power converter, howe's conditioner, wiper blade, sledge hammer, penetrating oil, quick link, nipple, adapter, ball valve, strainer, gasket, undercoating, pipe nipple, pipe union, pipe elbow, Teflon tape, inkzall marker, extension cord, premium floor dry, cork gasket material gasket material hole saw kit, filter canister, coupler, LED1 bulb, wrench grinder, wire rope clip, antifreeze, bathroom tissue, mail box, jack stands, WD-40, PB Blaster Pro Straw, drill press vise, thread cutting oil, LED corn bulb, trace mineral salt, rainsuit, drano dual force, drain auger, battery, multi tool, set-oscillating blades, saw blade, tractor lights, pry bar, cable ties, welding gloves, XHP 222 grease, parts washer solvent, vinyl gloves, filter fuel particular 3,066.49; Duaine Brandt, CDL physical, 158.00; Carquest, cotter pins, fat brown string, oil, split eyer needle die cast, CD electronic cleaner, convert oil, hydraulic coupler, lube spin on, side steps, valve CVR gasket set, seafoam, gear box, water outlet gasket, pitman arm puller, thread lock red, circuit breaker, lube, bulk cable, battery terminal, solder rosin, D2 Governor, Air brake antifreeze, spark plug, micro-v belt, HD aluminized elbow, air filter, oil, 20" latitude, halogen headlight, blu def, 1,789.80; City Of Neligh, garbage, 10.00; City Of Tilden, garbage, sewer, water, 70.56; Colonial Life & Accident Insurance, employee supplemental insurance 18.00; Colonial Research Chemical Corporation, RCC-245, RCC-246H 591.40; Constellation, heating fuel 1,890.24; Corner Hardware, clamps, miscellaneous hardware, light bulbs, 12.76; Cornhusker International Truck, air bag spring, bushing, remanalt, 458.77; Credit Management Services, garnishment 388.25; Cubbys, fuel, 660.91; D&M Machinery, rags, brake cleaner, JB weld 29.35; Dusty's, fuel 70.00; Elgin One Stop, fuel 194.76; Elkhorn Rural Public Power District, electricity 641.29; Emme Sand & Gravel, dirty rock, road gravel 9,359.68; Farmers Pride, bulk diesel 27,662.10; Federal Withholding Tax, payroll taxes 7,207.06; First Concord Benefits Insurance, healthcare reimbursement, deductible buydown 8,800.15; Frontier Communications, telephone, internet 325.20; G I Trailer, emergency valve assembly, 92.78; G Works, simple signs and maintenance 450.00; Great Plains Communications, telephone and internet 267.92; Terry Henenway, treated post and mailbox (in kind replacement) 98.75; Island Supply and Welding Company, oxygen, stargon, acetylene 206.08; JEO Consulting Group structural calculation for rail upgrade, review alternatives for crash protection, attend board meeting to discuss pavement additions, review aerials and ordered survey, reviewed project expansion environmental requirements, construction observations, calls with contractor, reviewed quantities for pay application, review FEMA reimbursement, review environmental requirements, review payroll records, NBIS bridge inspection of 43 bridges 11,147.50; Jonny Dodge, DOT inspections, replaced hose, sealed leaking fitting on air drier, replaced front steer brake shoes and drums, replaced light assembly, ABS sensors damage repaired, rear drive axle right side brake dust shield, right wiper blade replaced, 1,903.63; K&T

Central Plains, 4" 45, 4" cap, 4" pipe, 4" hub (at clearwater barn), labor 953.74; Leigh Kluthe, drug and alcohol clearing house query plan 12.50; Lazy T Tire & Implement, interstate battery, 529.29; Liberty National Insurance, employee supplemental insurance 235.77; Lichtenberg Tire Service, flat repair, o-ring, miscellaneous shop supplies, miscellaneous tires and snow plus retread, tire mount and dismount, tire disposal fee, Nebraska tire fee, flat repair commercial/heavy truck, Titan agra-edge r-1W TL, valve stem 3,788.09; Madison National Life Insurance, supplemental life insurance, basic premium 61.81; Matteo Sand/Gravel small rock, road gravel 4,909.35; MBFS USA LLC (Daimler Truck Financing) freightliner truck payment 27,938.04; Midwest Services & Sales Co. stop signs, 'T' Intersection signs, right curve symbol signs, left curve symbol signs, left turn symbol signs, right turn symbol signs, yellow intersection symbol signs 4,800.00; Murphy Tractor-Power Plan, seal kit, wiper blade, tires, tie rod, labor, freight, oil filter, filter kit, seal, filter element, fuel filter, fluid 6,658.27; N&B Gas Co, natural gas 1,370.78; NACO, district meeting expense 60.00; Nebraska Child Support Payment Center, payroll child support 153.00; Nebraska Department of Revenue Tax, payroll tax 3,492.01; Nebraska Public Power District electricity 276.97; Neligh Auto & Machine Inc. oil filter, stud plug, grind oil, brake cylinder, oil can, fuel filter, windshield wash, premium wiper blade, cap screw, wiper, round mirror, tubing male connector, gorilla tape 452.71; VSP-NACO Vision Insurance, employee supplemental insurance 315.45; NMC Exchange, strip-wear, link AS cable, cap valve Ex 1,581.71; North Central Public Power District, electricity 290.15; Northeast Glass, tinted safety glass – CAT equipment left door 610.00; Northeast Nebraska Telephone Company, internet and telephone 78.12; Orchard Lumber, hitch pins 7.75; Quality Iron & Metal, hot rolled square shaft, bushing stakes, 1½x1½x14 Gauge square tube, 1½x1½x 3/16" square tubes, hot rolled round, 3/4" sch 40 pipe size tube, angle pipe 1,074.15; Quick Serve Oil, service call 5101 tire, fuel 257.00; Razor Tracking, tracking devise on 38 units 950.00; RDO Truck Center SK purge valve, AD SK coal, 180.85; Road Builders Machinery/Supply blower motor, replaced blower fan, labor 1,689.63; Roy Rodgers, commercial driver's license, 64.00; Rose Equipment, LeeBoy Tack Trailer-600 gallon capacity, diesel burner with auto ignition, electric start, 12' spray bar with in cab controls, overnight heater, connector pipe 4,744.42; Royal One Stop, fuel, 4-def, bolt, nut, flat washer, lock washer, 387.37; Sapp Brother Petroleum, bulk diesel fuel 5,811.92; Robert Schleusener, commercial driver's license, 60.00; Shur-Co, arm tarp black mesh 167.31; Wex Bank, gasoline and diesel 901.34; Social Security 15,557.54; Spencer Quarries, Inc ¾" rock 2,695.67; Stealth Broadband, telephone and internet 94.79; Switzer Welding – Brian, Orchard belly dump, v-plow shoes for grader, 8" cutting edge, plate, 1,354.00; Titan Machinery, wiper motor, freight 414.00; Village Of Brunswick, water, sewer, garbage 54.50; Village Of Clearwater, water, sewer, garbage 75.75; Village Of Orchard, water, sewer, garbage 55.64; Washington National Insurance, employee supplemental insurance 277.90; Weldon Parts, valve, male elbow, hex nipple 39.37; Payroll: 78,156.28;

NEW LAW ENFORCEMENT BOND: BOKF, National, law enforcement center bond payment 35,782.50;
COUNTY VISITOR PROMOTION: Neligh Chamber of Commerce, Antelope County Ag& Home Expo 350.00;

REGISTER OF DEEDS: MIPS, monthly program fees, 342.80;

DISASTER 2019 FLOOD: JEO Consulting Group, finalized NPPDES Permit, initial NPRES permit inspection, prepare change order for winter conditions 1,446.25; John Prouty Construction, Koinzan Road Mitigation application for payment 173,533.93;

LAW ENFORCEMENT: Blood Pharmacy, inmate medical expense, Alprazolam, Buspirone HCL, 151.59; Bomgaars, tap, fasteners, power strip, command hooks, outdoor hooks, outdoor slate medium, bulb heat lamp 83.86; Cash-Wa Distributing, chili powder, pineapple chunks, mandarin oranges, black beans, spaghetti, shell pasta, soft serve vanilla ice cream mix, soft serve chocolate ice cream mix, pork sausage patties, biscuit dough, diced peaches, applesauce, sliced pears, salad dressing for sandwiches, hot oatmeal cereal, chicken breast, Baker potatoes, fresh poblano peppers, broccoli florets, potato gems, fries, cherry juice, fruit punch juice, vegetable blend, cranberry juice, egg pasta noodles, triple cheddar powder cheese, spaghetti pasta, cabbage dry slaw mix, fruit cocktail, BBQ sauce, grape jelly, pollock breaded rectangle, pork frozen rib patty, pork frozen boneless loin, cinnamon rolls, chicken breaded patty, garlic toast, 4,120.71; City of Neligh, electricity, sewer, water, garbage 2,464.76; Culligan, water filtering service, 9-5 gallon water tanks, transport fees 78.25; April Curtiss, eggs 48.00; Elgin Appliance & More, mileage, labor it install commercial dishwasher drain valve diverter, dryer element, wire end, mileage, 310.64; Hiland Dairy, milk 502.47; Hilltop Drug, sharp collection boxes, Trazodone 123.30; Menards bleach, Mr. clean, Lime out, 10.14; Merit Mechanical Inc, labor tools, materials (backflow preventer repairs), mileage, 3,366.50; MPH Industries, INC, tuning forks, Python 3 FS version radar with two K-band antennas, basic kit with remote control, mounting hardware, cables 1,394.00; Neligh Family Dentistry, erupted tooth extraction, intraoral, limited oral evaluation, surgical removal of erupted tooth x 2 902.00; Northland Business Systems, voice recording device for inmate visits with quad port intel and audio log 6000 platform standard 3,602.56; ODP Business Solutions, LLC, toner, stapler, x-acto teacher stapler, organizer, 222.75; Pinnacle Bank, Halls relief variety packs cough drops, Doculax laxative, flexible band aid, 62.83; Thriftway Market, hamburger buns, white bread, bottled water, tortilla chips, powder sugar, onions, instant pudding, applesauce, snack pack pudding, classic tomato sauce, wheat bread, green bell peppers, stuffing mix, saltines, carrots, grape jelly, celery, ketchup 263.23;

COMMISSARY: Cash-Wa Distributing, milk duds, Mike & Ike, 80.19; Pinnacle Bank, suave antiperspirant, melatonin tablets, pain reliever-acetaminophen, band-aid, A&W Root Beer, Degree men's deodorant, strawberry-watermelon liquid drink enhancer, simply clear grape drink enhancer, fruit punch drink enhancer, Jergens hand and body lotion, Pepsi, Dr. Pepper, Mountain Dew, Austin Toast peanut butter sandwiches, fellowship prefilled communion cups 387.70;

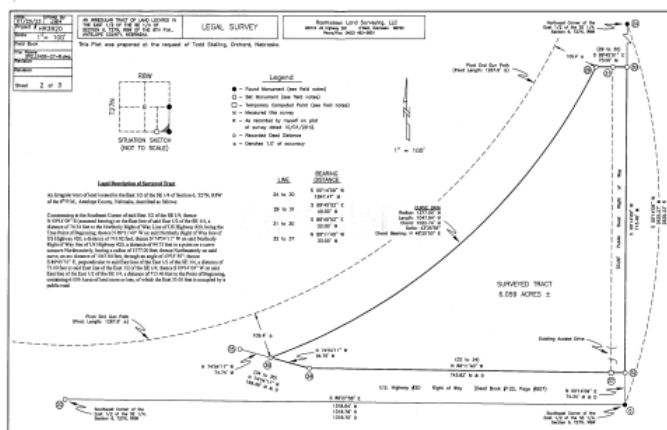
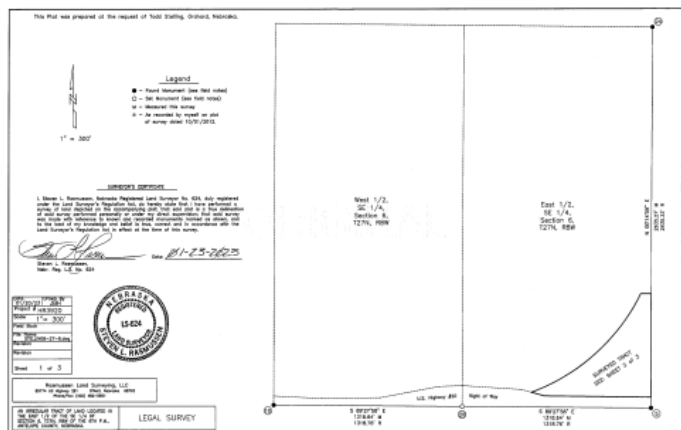
HIGHWAY ALLOCATION: BOKF, National, highway bond payment 13,372.50.

Correspondence was reviewed: Return of Public Sale letter and notice from Treasurer regarding unsold property after public tax sale; Region 11 Emergency Management Interlocal Agreement; Contractor's Pay Application for Koinzan Road from Prouty Construction; Sumit Carbon Solutions – review paperwork; Trane Scheduled proposed Service Agreement – Courthouse Plan; One year warranty letter from JEO on the Oakdale South Project (A&R Construction); Union Bank and Trust Antelope Memorial Hospital Bond Statement; FCC postcard regarding Battle Creek project.

Receipts: \$250.00 General for NACO meeting registrations.

Zoning Administrator Report:

- **Administrative Plat:** Lot Split H & T Seed and Technology, LLC (Austin Twibell)/Todd Stelling SW¼ Section 6, Township 27, Range 8, West of the 6th P.M. 6.059 Acres. This site contains no buildings. There is a conditional use permit in the works to run a seed business. Zoning Administrator reports it meets recommendation and voices no opposition. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve administrative plat as presented. Voting aye: Jacob, Heithoff, Williby, Krebs and Henery. Nays none. Motion carried. Planning commission meeting is scheduled for April 14th for hearing on CUP.



FIELD NOTES & ZONING APPROVALS

ANTelope COUNTY TREASURER'S CERTIFICATION

This is to certify that I find no report of special taxes due or delinquent against the property described in the Condon's Certificate and endorsed in the plat as shown to the records of this office.

APPROVAL OF ADMINISTRATIVE PLAT

This Administrative Plat was approved by Antelope County on this 11th day of November, 2023.

REVIEW OF ANTelope COUNTY SURVEYOR

This plat of 6.059 Acres in 27th T27N, R8W, E12th E was reviewed by me, office of the Antelope County Surveyor on this 23rd day of November, 2023.

- **Boundary Adjustment:** Scott Stuhr/Meis & Sons, LLC; NE¼ Section 8, Township 23, Range 6 West of the 6th P.M. 4.022 Acres Proposed – Taxes are not paid so no action was taken today.
- Ms. Wingate has no further report.

Region 11 Interlocal Agreement: During the March 7th, 2022, Bobbi Risor met with the Commissioners regarding update of the Region 11 agreement. After recent position and employee changes in the City of Norfolk the Direct Report chain of presented today is the exact agreement, however in two (2) places the direct report person has been updated. The Commissioners requested County Attorney, Joe Smith, review the contract. It is presented today for signing. Joe Smith, Antelope County Attorney expressed no changes/opposition. Motion by Commissioner Krebs, seconded by Commissioner Jacob to approve and authorize the Chairman to sign contract. Voting aye: Jacob, Heithoff, Williby, Krebs and Henery. Nays none. Motion carried.

INTERLOCAL AGREEMENT

THIS AGREEMENT is made and entered into this 6th day of March, 2023, by and between the following parties:

Antelope County, Nebraska, a Political Subdivision of the State of Nebraska;
Madison County, Nebraska, a Political Subdivision of the State of Nebraska;
Pierce County, Nebraska, a Political Subdivision of the State of Nebraska;
City of Norfolk, Nebraska, a Municipal Corporation;

WITNESSETH:

WHEREAS, the political subdivisions which are part of this Agreement for their common good are desirous of entering into an Agreement pursuant to the Nebraska Interlocal Cooperation Act, §13-801 to §13-827, R.S., 7043 as the same may from time to time be amended for the purpose of carrying out the provisions of the Emergency Management Act in a cost effective manner; and

WHEREAS, any actions authorized or taken pursuant to this Agreement shall be referred to having been undertaken as the Region 11 Emergency Management Agency; and

WHEREAS, the parties are desirous of addressing funding resources and the distribution of certain funds; and

NOW, THEREFORE, in consideration of the foregoing recitals, and the terms and conditions hereinafter set forth, the parties hereto agree as follows:

- The political subdivisions which are a party to this Agreement agree to cooperate by collectively referring to their collective efforts as the Region 11 Emergency Management Agency.
- This Agreement shall continue in effect for so long as two or more parties continue to be parties to the Agreement.
- Parties to this Agreement can terminate their participation in the agreement as of October 1 of any year upon giving notice ninety (90) days prior to their withdrawal.
- The cooperative undertaking described in this Agreement contemplates that all costs associated with this Agreement shall be financed by the member assessments or from other outside sources which may include but not be limited to state or federal aid or grants.
- Any property acquired pursuant to this Agreement will be acquired, held and disposed of by the City of Norfolk, Nebraska, if such property is acquired from funds derived solely from member assessments as provided herein; however, if the advisory board declares an exception to this provision prior to the acquisition of property funded by member assessments, then said property shall be disposed of by the members in the same percentages as the most recent member assessments made pursuant to paragraph 10 of this Agreement.
- Any property acquired pursuant to this Agreement will be acquired, held or disposed of by the member or by a political subdivision located within the geographical boundary of a member when such property has been acquired from any funds other than member assessments.
- The administrator required pursuant to Section 13-804(6)(a) of the Nebraska Revised Statutes shall be the City of Norfolk's Fire Chief.
- This Agreement contemplates that the emergency manager of the City of Norfolk, who is the City of Norfolk organizational structure reports to the fire chief, will provide the day-to-day activities contemplated by this Agreement and which person shall serve as the director for each of the members to this Agreement as contemplated by the Emergency Management Act (presently, N.E.S. Section 81-824). Said manager shall be a Nebraska certified emergency manager.
- Additional political subdivisions may become parties to this Agreement by (1) ascertaining the identity of all previous parties to this Agreement by contacting the administrator set forth herein, (2) obtaining the written consent of all previous parties to this Agreement, (3) determining whether an initial or start up fee shall be required, (4) executing a copy of this Agreement, including any addendum, amendment, or any modification thereto and paying any required initial or start up fee, and (5) returning the original signed Agreement to the administrator who shall in turn provide a copy of the new Agreement to all previous parties.
- The administrator, or his or her designee, shall submit an annual budget setting forth all anticipated agency expenditures. Said budget shall be prepared on or before May 30 of each year and shall be submitted to each party to this Agreement. It is agreed that said budget is for the fiscal year beginning on October 1 of each year. Said budget shall propose an assessment to each of the parties signing this Agreement. Unless subsequently changed by all the members to this Agreement or altered as a result of new parties entering into the Agreement, the parties hereto shall share the total assessment in the percentages as follows:

Antelope County	- Twenty percent (20%)
Madison County	- Twenty-three percent (23%)
Pierce County	- Seventeen percent (17%)
City of Norfolk	- Forty percent (40%)

 Each party shall, within thirty (30) days after receipt of a proposed budget, notify the administrator as to whether it accepts or rejects the proposed budget. Failure of any party to this Agreement to notify the administrator of a rejection in the budget shall be deemed an acceptance of the proposed budget. In the event that a party has objected to a proposed budget and such rejection is not withdrawn or budget modifications made by June 30 of any year, the party so objecting shall be deemed to have withdrawn from this Agreement. At such time, the administrator shall advise the remaining parties of their proportionate share of the assessments following a reappointment made necessary by the withdrawal of a party. Said reappointment shall occur as soon as possible after June 30 and any party advised of a reappointment shall within thirty (30) days advise the administrator as to whether or not they are agreeing to make the assessment due pursuant to the reappointment. All assessments provided for herein shall be paid to the City of Norfolk by October 1 of each year.
- In addition to the assessments set forth above, it is anticipated that revenue sources will be made available to the Region 11 Emergency Management from sources outside of the members themselves. These may include but are not limited to state and federal aid or grants from whatever source they may be derived. Any funds so acquired shall be expended or distributed as provided by the advisory board created by this Agreement. The decision of the advisory board as contained herein shall be the sole determinant in directing the City of Norfolk how to distribute any funds it holds for the Region 11 Emergency Management Agency.
- Each party to this Agreement shall appoint a representative from its respective governing body to an advisory board. The advisory board created hereunder shall be viewed as a board subject to the provisions of the Open Meetings Act and shall communicate their decisions regarding authorized expenditures or distributions to the City of Norfolk by way of a resolution adopted by the advisory board following a public meeting. Notice of such public meetings shall be provided by way of a public notice meeting the requirements of the Open Meetings Act which notice shall be published in the local newspaper commonly utilized by each of the political subdivisions.
- The parties hereto acknowledge that notwithstanding this Agreement each of them shall remain responsible for the movement of any of their equipment and personnel, including but not limited to emergency equipment and personnel outside the limits of each local government's jurisdiction. The presence of such personnel and liability for any resulting personal injuries or property damage shall be governed by the provisions of the Emergency Management Act (which presently includes N.E.S. Section 81-824(6)). Each party to this Agreement shall continue to remain responsible for the upkeep, maintenance and insurance related to any emergency management equipment or other equipment, including but not limited to, radio, civil defense warning sirens and similar equipment owned by them or utilized by their respective employees.
- The duties of the manager as provided herein shall include but not be limited to the following:
 - To respond to any emergency or disaster that would require a coordinated effort of local government, emergency response and the well being of the general public.
 - Improve, maintain or revise Local Emergency Operating Plans according to guidelines set by the Nebraska Emergency Management Agency and approved by the local county boards and city council.
 - Carry out requirements as set forth in the SLA (State and Local Assistance) funding guidelines for federal matching funds for Emergency Management including reports and required training.
 - Maintain or establish working relationships in all city/village governmental and emergency response jurisdictions with emergency management liaison personnel for the purpose of accomplishing a better recovery from an emergency or disaster.
 - Establish or maintain local city/village emergency management liaison personnel.
 - Arrange for exercising of local emergency operating plans.
- This Agreement shall be subject to amendment only upon the approval of all of the governing board of all of the political subdivisions which are signed to the Agreement at the time of any amendments.

IN WITNESS WHEREOF, the parties have executed the foregoing Agreement in quadruplicate the day and year first above written.

ANTELOPE COUNTY, NEBRASKA, A Political Subdivision of the State of Nebraska
By: Charlie Henery, Chairman
Board of Commissioners
March 2023

MADISON COUNTY, NEBRASKA, A Political Subdivision of the State of Nebraska
By: Troy Ulric, Chairman
Board of Commissioners

PIERCE COUNTY, NEBRASKA, A Political Subdivision of the State of Nebraska
By: Ann M. Prais, County Clerk

CITY OF NORFOLK, NEBRASKA
By: Shannon Wingate, County Clerk

ATTEST: Joseph Smith, County Attorney

Public Records Request Fees: Recently, Antelope County has received public records request, which would include reviewing and redacting certain information from the request. Because this is extra, above standard processing the Clerk and County Attorney presented for establishment of a fee for the time and incidentals in compiling this information. Discussion regarding amount that should be charged, when, how often, etc. Motion by Commissioner Heithoff, seconded by Commissioner Williby to set the hourly rate at \$40.00 an hour for review, incidentals, and processing and \$0.25 a page. Voting aye: Jacob, Heithoff, Williby, Krebs and Henery. Nays none. Motion carried.

9:30 AM Summit Carbon Solutions: Rob Latimer, Turnkey Logistics, representing Summit Carbon Solutions gave an update on the project. Currently, 84% of the easement agreements, representing approximately 22.50 miles, for Antelope County has been obtained. They are still planning a fall 2023 start – build date. Discussion of pipe, fluid, safety, etc. The Commissioners requested regular updates and safety notices and training during and after construction. Mr. Latimer stated they will be back with regular updates. Chairman Henery reminded Mr. Latimer the road use agreement, will be in place prior to construction. No action today.

Road Superintendent Report:

- **Underground Permits – (54) Mid-States Data Transport – Turnkey; Neligh-Royal-Orchard:** Mr. Boggs has given tentative permission; however, he has some questions that have not been answered. He continues to work with Laurie Smaus from Turnkey. They are to call Mr. Boggs if they start digging. No action today.
- **Weight Limits:** Mr. Boggs asked for permission to place weight limit signs our for and during the spring thaw. This is a normal practice. Motion by Commissioner Williby, seconded by Commissioner Heithoff to approve placing of weight limit signs. Voting aye: Jacob, Heithoff, Williby, Krebs and Henery. Nays none. Motion carried.
- **Tree Trimming:** Mr. Boggs offered no information when asked about tree trimming guidelines. No action today.
- **524th Avenue Bridge/Culvert discussion:** Mr. Boggs presented a cost breakdown of placing a culvert on minimum maintenance road (524th) Avenue. The culverts are currently being stored in Oakdale. The cost estimate is approximately \$150,000.00 including the already purchased culverts. Commissioner Williby, being new to the Board is not familiar with the area, and it was requested to have him drive the area and to resume this discussion during the 4th of April 2023 meeting. No action today.

Pay Application: John Prouty Construction: Koinzan Road: \$173,533.95 was presented for payment today. Brian McDonald has forwarded the pay application for consideration. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve the pay application. Voting aye: Jacob, Heithoff, Williby, Krebs and Henery. Nays none. Motion carried.

Executive Session: 10:35 AM Motion by Commissioner Heithoff, seconded by Commissioner Williby to go into executive session for personnel and staffing issues. Voting aye: Williby, Heithoff, Krebs, Jacob and Henery. Nays none. Motion carried. Meeting in executive session, five (5) Commissioners, Rober Moore – County Sheriff, Joe Smith – County Attorney, Lisa Payne - Clerk. Met for approximately 45 minutes. At which time Sheriff More and Clerk Payne were dismissed. 11:18 AM Five Commissioners met with Aaron Boggs, Road Superintendent and Joe Smith, Antelope County Attorney for approximately 11 minutes. 11:31 Motion by Commissioner Heithoff, seconded by Commissioner Jacob to close executive session. Voting aye: Williby, Heithoff, Jacob, Krebs and Henery. Nays none. Motion carried. 11:31 AM Chairman Henery stated no action was taken. Back to regular session.

No other issues to discuss.

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

The meeting adjourned at 10:38 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Charlie Henery

Attest: _____
County Clerk, Lisa Payne