

May 2, 2017  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular extra session on Tuesday, May 2, 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.

Pledge of Allegiance was recited.

A request was received for funding from the **Promotional Fund** for the Bargain Buyway for advertising of their event "for treasure hunting, bargain finding and sightseeing" along 360 miles covering eight (8) NE Nebraska counties and 32 towns event to be held April 28<sup>th</sup>, 29<sup>th</sup> and 30<sup>th</sup>, 2017. Motion by Commissioner Henery, seconded by Commissioner Jacob to accept the Antelope County Visitors Committee recommendation and grant approval of the request for \$300.00 for advertising for Bargain Buyway. Those voting aye: Schwager, Henery, Jacob, Schindler and Kerkman.

Motion by Commissioner Schindler seconded by Commissioner Jacob to **approve Commissioner Meeting Minutes** from April 4<sup>th</sup>, 2017 and April 11, 2017 as presented. Voting aye: Schindler, Schwager, Jacob, Henery and Kerkman. Nays none. Motion passed.

Motion by Commissioner Henery, seconded by Commissioner Schwager to **approve Board of Equalization Meeting Minutes** from April 4<sup>th</sup>, 2017 as presented. Voting aye: Schindler, Schwager, Jacob, Henery and Kerkman. Nays none. Motion passed.

Board of Adjustment minutes from March 29, 2016 were reviewed and put on file. Board of Adjustment does not meet often and the date of the meeting is correct as listed.

**Masonry Construction Inc.**, claim was presented during the April 11<sup>th</sup>, 2017 meeting. This claim from Berggren Architect was for retainage fees charge during work completed in 2013 and 2014. The commissioners requested county attorney to review claim and make recommendation. Joe Abler reviewed claim and recommended for payment as per the agreement. Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve payment. Voting aye: Jacob, Henery, Schwager, Schindler and Kerkman. Nays none. Motion carried. Claim will be included in for payment next week.

**Zoning Administrator Report.** Liz Doerr presented her regular meeting report. She is working with the Upstream project regarding permits. She is working with the individual permits and has been discussing with Casey Dittrich and Invenergy personnel regarding the road access permits. They are aware these have to be filed, and will be filing the access permits when it is a little more finalized as to where exactly the towers will be built. Final location of towers and cabling will result in final road access and road crossing permits. Most driveways will be permanent, however, initially they may be wider for temporary turnaround. All driveways will be narrowed and shaped according to specs. Both Liz and Casey discussed and conveyed a confidence this will be completed in an agreeable and timely fashion. The building permit report has not been compiled yet, as it is the first working day of the month for Zoning.

Sophia Cornfield with **Washington National Life** met with the Commissioners regarding a yearly review of the county employee participation. She will be around the courthouse on Tuesday and Wednesday (5/2<sup>nd</sup> & 3<sup>rd</sup>) to answer questions and talk to prospective individuals regarding coverage.

Bruce Ofe, Antelope County Weed Superintendent met with the Commissioners for his **quarterly report**. Things have been slow at the weed department because of the wet weather. His summer help started a couple of weeks ago. Yellow Flag Iris spraying will be started towards the middle or end of the month. Currently, they are mapping the river, and flying will happen later this month. Leafy Spurge will be sprayed from the road side. Currently, they are using a chemical called Perspective, which is a road side label, and applied in the sprint. Method, is the knock off of the Perspective. No further report.

**Permit to move structure.** Del Hornbacker of Hornbacker House Moving has presented a permit to move garage and house structures approximately 10 miles from Section 6-23-7 to 19-24-6. The plan is to move a house and garage from one location to another. Addresses involve from 52046 836<sup>th</sup> Road and to: 52276 843<sup>rd</sup> Road. Structure to be moved at the request of Ron and Liane Bode. On Thursday (April 27<sup>th</sup>) because the weather was cooperating a rushed approval was made to move the garage structure. Motion by Commissioner Henery, seconded by Commissioner Schwager to approve the application. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

**Correspondence** was reviewed: Nebraska Jail Standards Annual Inspection date notice; Constellation Natural Gas Billing Delay; NACO letter regarding 2017/2018 renewal rates; Nebraska State Homeland Security Grant; JEO Client Appreciation Golf Scramble; Nebraska Public Service Commission (TransCanada Keystone Pipeline LP); Antelope County Board of Adjustments March 29<sup>th</sup>, 2016 meeting minutes; NPERS 'Retirement News'; NIRMA Safety Shorts; The Nebraska Tax Equalization and Review Commission annual Findings and Orders Report; 2017 Nationwide 14 Fact Sheet from Department of the Army; Fillmore County Supervisor Retirement notice of Jerry Galusha; Election Systems Advisory Task Force Report; Norfolk Works letter regarding drug screening (copy to Road Boss).

Casey Dittrich, Antelope County Road Boss, presented **Acquisition Contracts** to the **Schuchardt** project for approval. Casey met with the Commissioners regarding the signed contracts and Easement Deeds for this project. He has obtained all necessary signatures and is requesting acceptance and payment for the deeds. Antelope County has agreed to repair any damage to personal property and real estate associated with construction. Antelope County will have an easement of +/- 0.856 acres from the Novak property and 0.855 acres from the Johnson/Anderson property. Motion by Commissioner Henery, seconded by Commissioner Schwager to accept the contracts as presented, and proceed with project as per plans. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

**9:40 AM Public Hearing: Closing of 515<sup>th</sup> Avenue:** Ended 10:23AM  
Public Hearing: Road Closing of 515<sup>th</sup> Avenue between Sections 23/24 and 13/14

Board Chairman opened public hearing. 9:40AM KERKMAN: I will open the public hearing; roll call Schwager? Henery? Schindler? Jacob? (All state that they are here.) Start time: it is 9:40AM. Give reason for hearing; for road closure. Do we have a copy of advertisement? (LeRoy reads the Public Notice.) **Road Closing Hearing** BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that a public hearing date be set for 9:40 AM the 2<sup>nd</sup> day of May, 2017 to consider whether or not to vacate or abandon the county road located between Section 23 and 24, Township 24 North, Range 8 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Adopted this 4<sup>th</sup> day of April, 2017, at Neligh, Nebraska. Antelope County Board of Supervisors, LeRoy Kerkman, Chairman of County Board. Attest: Lisa Payne, Antelope County Clerk. Please publish April 12<sup>th</sup>, 2017, April 19<sup>th</sup>, 2017 and April 26<sup>th</sup>, 2017.

CLERK: We also sent notice to all land owners in sections 23/24 and 13/14. KERKMAN: Ok. Information from Zoning Administrator or Casey? Either one of you have any information? DITTRICH: Before I turn it over to Mr. McDonald, we conducted a study together. We went and drove the road. I videoed it and took pictures. There are three (3) structures on there. A power pole. Brian, do you have anything else that you observed during the study? MCDONALD: Essentially, the center roads of the two (2) square miles are fairly lower roads. They are essentially used for field access. There is, like he said, there is some power poles from the south end. At the half mile of the road we are looking at closing, the right-of-way is fenced off halfway. Everything we can see is the road appears to be open. I do not know why that is the case. The concern I had is if this road is just used by the two (2) adjacent properties, you know there is no large pressure to keep the road open; then I got no problem with it. But knowing how those four miles of road are, around or in the middle of these sections, there is some concern, I am not sure how some of the property may be accessed. If they use these roads, in good condition, I am not sure how some of the property may be accessed. If they use these roads in good or bad weather, or whatever. Essentially, this is a public hearing to take input from the public about this road closing.

KERKMAN: Ok. HENERY: And they are wanting to close the whole mile or just the north half a mile? MCDONALD: Whole mile. HENERY: Whole mile. MCDONALD: Is what the resolution says. DITTRICH: The south half mile, the setbacks and right-of-way is fenced off correctly, it is 66ft wide. The fences are maintained, there is no trees, the grass is kept mowed. It is a nice road. I wish all of our two (2) track roads are in the quality/condition this road is in. The north half mile, as Brian mentioned on the east side, the land owner at some time has fenced off the center of the section line. So, 33 feet of our right of way has been fenced off. It appears to have been for years. And so, the road has 66 feet right-of-way, at the half mile line you kind of have to jog over a little so you are just going on the west half of the right-of-way. So, there is no fence there, now. There was and essentially there was 33 feet that, so you kind of united on what you can take down. There is tree cover on the north. It ended up that the road had to go off center line to kind of had to weave around it. It appears to have been that way for 100 years. KERKMAN: At this time, I will ask for a presentation by the applicant. Do you want to come up here so they can hear? Pull a chair up here, Charlie. CHARLIE MEIS: A little background on how I got here. KERKMAN: Do you want to state your name? MEIS: Charles Meis. This is something that has been in the family for a long time. Recently, the pasture has been down to 80 acres. The wind mill is in bad condition and needs repair about every year. The well needs new leathers about every year. In addition to that, the 42-year-old irrigation well is down to 550 gallons a minute. So, none of that was working. So, I went to O'Neill and applied for irrigated acres, and was blessed with irrigated acres, never dreamt that I would get them. The farm is short east to west. So, I made a lot of considerations. Terry Mueller has been gracious enough to let me run an overhang over his relatively new pivot. I have installed a tall tower on the old pivot, so it can go over the top of the new pivot. So, I have done about everything I can to use the irrigated acres and shorten up everything as much as I can and still keep basically full-length center pivots. After I found out that I may not be able to close this half of the road. I only want to close the north half mile. I don't care about the south half mile. I went back to O'Neill and had them show what kind of acreage I could get if I reversed around the road one with the overhang and everything, and the other with the wheel tracks. So that depicts what I would get. The road is described as a half a road, well it is actually about 20 feet in a lot of places, and not what it may be should have been. That is the south end of what I am looking at. That is the north end of the half mile. There currently are four actual roads serving that south intersection. I was not aware the six-mile road is in as good of shape as it is, until the seven-mile road has really been a mess last month, and I have been using the six-mile road. The intent is not to actually close the road. What I want to do is be able to run the last tower of the pivot down the road to save shortening the pivot. The acres granted by the NRD is this circle plus the addition over here. Because that machine has always been a short machine. By sliding it over and adding the overhang I can attach additional acres there. So, the intent is not for Jake to farm/plant corn down the road, it is basically to leave the road passable for himself and others – but to be able to run the pivot tower down it. HENERY: On the south end or north end? MEIS: North end. HENERY: South end first half mile would stay as it is? MEIS: Yeah. I have no interest over there. KERKMAN: Board have any more questions or interest? HENERY: This pivot of Terry Mueller's, is that on the west side of yours? It would be over on... MEIS: Yes, yes it was what would be the main 80. Well, it is off this picture... actually it is clear over here. HENERY: Oh ok. And this is Dennis Blair's His cows in this 80? MEIS: Yes. HENERY: And this quarter will be Ron Sanne? MEIS: Ron Sanne. HENERY: So, is there a pivot on this? MEIS: Yes, there is a new pivot. HENERY: Oh, these have been removed? MEIS: Yes, and this has been shortened. HENERY: So, this really doesn't affect that road? MEIS: No, but what I was indicating is I have taken advantage as much as I can of technology, to keep the pivots bunched together so I can make that short farm work. HENERY: Ok. SCHINDLER: Brian is there two (2) options to close a road? MCDONALD: You can close the road and deed back- basically eliminate the easement that we have on the property. The other way to close the road to the traveling public and maintain the right-of-way for a future date. SCHINDLER: If we ever want to claim it back. MCDONALD: The concern I- if I am getting this right, you are looking at just running the pivot down the right-of-way? MEIS: Yes, the last tower. MCDONALD: So, essentially, I recommend you close the road to traffic one way or the other the way if that is what your intent is, because we cannot have that overhanging a public roadway, if we intend it for public traveling. HENERY: But we keep access? MCDONALD: You can maintain the right-of-way as a well... Like we said it is going to be a fenced off parcel – there will be no traffic on it. HENERY: Basically, like we did east of town here? MCDONALD: That is a possibility. SCHINDLER: But we still have, if we wanted to. MCDONALD: There you closed the right-of-way; you do not have any ownership out there. SCHINDLER: We gave up whole possession of it, but we can still keep it and close the... MCDONALD: Yes. SCHWAGER: Which if you put this tower goes across this- you want to close this clean off then because you are the one with the liability is someone runs into a tower. DITTRICH: So, then Brian, if we are going to close it, does it need to have a barricade? (Inaudible) HENERY: But you can close it and keep the access of it. MCDONALD: If you are going to close it permanently yeah. You are supposed to have three red diamonds. DITTRICH: Do you recommend to keep traveling public from using it – even as signed to put a rail across it – a bridge rail? MEIS: I would say that Jake wants to use the road to reach the pivot. He would not like that to happen. SCHINDLER: He needs access? SCHWAGER: Otherwise the county closes it. HENERY: From the half mile here. MCDONALD: If the county closes it – it is closed. MEIS: About halfway into this road we are talking about, turn west to go to the pivot. SCHWAGER: But you still want to use the road closed to drive through it right? MEIS: Yes. KERKMAN: Ok. MEIS: Any other questions? KERKMAN: No. At this time, I am going to open it up to the public. I am going to ask for people in favor of doing this. Anybody in favor? Do you want to come up, and state your name – bring a chair. JAKE SCHINDLER: I am Jake Schindler, I am the tenant. The whole – biggest reason for me wanting to do this – and I understand we have to keep the irrigated acres – but if I would have to whip this pivot in a windshield wipe all the way around – with a 500 gallon well – it would be next to impossible to farm that 80 acres, and have it grow anything. And I want access from the west. This road that we are supposedly trying to close here but, if a pivot would break down on that side, I want to be able to get it from that direction. So, I want that to be passable. My initial plan was to leave the road as it is – and for a half hour every week it is going to be sitting on that trail where it is impassable. And in that case, I wanted to make a loop around to where you could get down that road at any given time if you wanted to. And, as far as having the ability to shut off the end span, all the sprinklers and the end gun – it would stay fairly dry. It was never dry before. Because I was getting gravel in the end gun shut offs. It won't work. It was never a dry great road the way it was. I guess those are

my pro for comments. EDDIE SCHINDLER: So, in other words, you want to leave the road there, but if we close it, people could still drive on it, but technically they would be driving on private property. JAKE SCHINDLER: Right. EDDIE SCHINDLER: But the road would stay? JAKE SCHINDLER: I mean like I said, I am not even going to plan on planting corn. And if a neighbor had to run over a couple of rows to get around a pivot that's totally understandable to me. I just don't want to close off total access to that road. So, I just want that pivot to be able to walk on it. Because if I have to reverse it, I just as well not plant it. KERKMAN: Ok. HENERY: So, let me get this straight in my head. This quarter you are wanting to close this road on the east side of it? JAKE SCHINDLER: Yes. EDDIE SCHINDLER: You are irrigating how many acres? JAKE SCHINDLER: That, if I could do it, that pivot would do a windshield wipe of a half circle- 60-70 acres with the overhangs. EDDIE SCHINDLER: Is the permit for half the road, or is it for the whole mile? KERKMAN: Whole mile. MCDONALD: It is for the whole mile - you guys consider how you want it. KERKMAN: Anything else? JAKE SCHINDLER: No. KERKMAN: Ok. Anybody else want to testify in favor? RON SANNE: I would be opposed. KERKMAN: Ok, do you want to come up and state your name? (Ron is asked to pull a chair up to recorder - which he does.) KERKMAN: You want to state your name? RON SANNE: Ron Sanne. I guess what I would be opposed to closing this road. There are times- that is not the main way we go in there - we try to come in from the west. But there are times when we have had to come down that road. - Because we can't. I would invite any of you guys to go travel the south road past my quarter. And I think some of you have. And it is impossible. It has been impossible at times coming from the west. So we use that road from the north, occasionally. If you close a road, it is forever. As far as somebody saying maybe we can reopen it down the road or whatever. You do not leave that for another board to do - not knowing what went on. I've had that ground for a long time also. It was the first quarter irrigated out there forever. And I have had some issues how with water from the south, that has been done to me on the south. Then that road gets torn up going from the west, also it gets impossible to go down that road. Today - or I mean, as of now, my sons farm that ground - and they come down there occasionally because they come from other pivots. So, I know what I do when I do not have enough water - I drill a new hole. This is mainly what this is more often is just more acres. Are you guys going to set a precedent for the future? I guess I would request it, that is not something you guys are going to come up a lot if this happens just to get more acres. And that is really what this is about. I know where my boundaries are when I have a farm. I stay within those boundaries. And, the first I knew about this which is a shame is when I got my letter from the clerk about the hearing. I never seen the petition, I am an adjoining land owner, the road affects me. I would have appreciated if I would have known, because I was very opposed to this from the get go. EDDIE SCHINDLER: I thought there was a petition? KERKMAN: He didn't get a letter then. CLERK: No, he said he got our letter. That was the first he heard of it. KERKMAN: Ok. SANNE: There was a petition. I seen it after the fact. I was never approached. EDDIE SCHINDLER: I thought all land owners adjoining. SANNE: No, no you just have to be within 10 miles. It doesn't affect people that are in the area. The petition doesn't as that far as that petition - I never seen it until I got it from here. KERKMAN: That is why we have the public hearing. SANNE: Exactly. But, I am just saying we do have to come in from that way. If you close a road - that is forever. Do you guys need a letter also? KERKMAN: If you have one. SANNE: Here you go. I wanted to show you what was done to me on the south side. That is a ditch across the road, from the land on the south. This road here is much worse than this. But this is the road to the west. Those are all pictures that were all taken, some from 2007. When they put a ditch across the road to the south of me. I will say that we have got a little better base in there now, but there are times when there is water clear across the that road, it will be 2-foot-deep across that road. EDDIE SCHINDLER: That is your access? SANNE: That is not my primary access - my primary access is from the west. But we have to come in from both ways. When we check other pivots, we come from that way. There is really no reason for us to go around two to three miles out of road. KERKMAN: Ok. Thank you, Ron. Anybody else want to testify in opposition? HENERY: There is a culvert on the east road? SANNE: There is a culvert, but when Niewohner's changed that land - there has never been a drop of water that goes through that culvert. That flow comes from the west and goes through me and Dennis Blair. HENERY: Yeah - I was on there with a semi, and this is the road to the west? SANNE: Well this is from the west, but I have other pictures, where it is completely washed out. HENERY: And this is where they put the millings and stuff now and built it up. SANNE: Right. KERKMAN: Yeah. SANNE: It is a better base - but it still gets water over it. JOSH SCHINDLER: I am Josh Schindler. KERKMAN: Ok - go ahead. JOSH SCHINDLER: My brothers and I farm the next quarter north of the 80 they want to close the road down on. My concern is the same as Ron's. That is not our primary access road but during the summer I travel that road daily to get my dad's next quarter south, two (2) miles south to check that well. During the winter, we drive cows up that trail quite often, maybe three to four times. You know if they decide to close it and he wants to pull a fence across the road, he can do that right? KERKMAN: Yep. JOSH SCHINDLER: So, the roads closed. You know that is my biggest concern. KERKMAN: Ok. EDDIE SCHINDLER: What is your name? JOSH SCHINDLER: Josh Schindler. KERKMAN: One of Glen's boys. JOSH SCHINDLER: Yeah. EDDIE SCHINDLER: You guys aren't brothers? JOSH SCHINDLER: No. EDDIE SCHINDLER: Cousins? JOSH SCHINDLER/KERKMAN: Yes. JOSH SCHINDLER: I agree with Ron- you are setting a precedent for the future to close roads down to walk pivots across. That is not right - it should not be that way. That is all I got to say. KERKMAN: Ok, anybody else is opposition? DOUG SANNE: Doug Sanne. I am the same way. I travel down the road on occasion. I actually, the one quarter that is on the SW $\frac{1}{4}$  of 14-24-8 that is a trail that goes east and west. That is an end control tower speed. There is times when I am south and want to check that speed and I just go down and check the wells - with that wells that are there to the south. So, on occasion I do go down it. I know that talked about just walking the tower over it. But, they have access if you let the tower go and it happens to get wet, how are you supposed to get down there? You can't get down there. It will be wet and you know the original trail is not there anyway. Yeah there has been traffic up and down - so yeah it has been tracked back down, but it has already been disked. So, I am not in favor of closing that road because it is access once in a while. KERKMAN: Ok. ELI JACOB: They want to see the permit. Do we have the permit? CLERK: Permit? Oh, the petition. JACOB: Yes, the petition. RON SANNE: Can I add a little something on the deal with the fence that is out there in the middle of the road. KERKMAN: Yes, come up and state your name. RON SANNE: Ron Sanne. The deal on that fence. I was not on the township board at that time. That has been quite a few years ago. And I know what was done there. That was fenced by a tenant when Legate's owned that. He ran it down the road because it was easy. Now, my suggestion would be, and I have talked to Dennis Blair about that. And, I just hate this whole thing going on. I want to get along with people, but I told Dennis, you may have to move that fence when this all gets washed out. Because, that is actually what should be done. That fence should be put where it belongs. Now, the other I knew personally. They said he is going to move that fence - he is going to be forced to move that fence. It never happened. Then Dennis Blair purchased that after that. So that is how that fence... So it has not been there for 100 years. That fence has been there for probably about thirty, maybe thirty years, twenty-five or thirty. I have owned that ground since '74. So, that is quite a while. So, it was shortly after that - so it was probably forty years ago that fence was put down that possibly. But not over that. It used to be on \_\_(inaudible)\_\_. HENERY: So is that fence Ron, does that fence go all the way along? RON SANNE: Yes, well this is Dennis'. This rough 80, the fence. Right here is my ground of course. HENERY: Sure. Yeah. RON SANNE: And that fence jogs over and it is for sure probably at least half way if not more into the road. I mean it is... HENERY: This picture here is taken at this end, right? Where this Chevy pickup is sitting? RON SANNE: Yeah, there are the plum bushes, right, that is right there, yeah. And it is a trail. This is our primary way in here over here. We come... Doug farms this one right here. HENERY: Ok. RON SANNE: So that fence is not where it belongs at all. But. HENERY: That is not the only one in the county. But it is the only one on this road. RON SANNE: It is an easy way to the fence, so that is how that fence happened. And I, of course right after I knew that was going on - I was opposed to that at the time. They said it was going to be moved. But there was not enough teeth in that deal or something. CASEY DITTRICH: If the Board is interested I do not have a short few minute video of driving through it. If you want to see the conditions. KERKMAN: Just hold up with that here, just a little bit. Is anybody else in opposition? MIKE SANNE: Good morning. Mike Sanne. Part of the ground we are talking about I farm since Dad retired. And, they have already mentioned the road to the south at times is not passable. If you come from the east after a big

rain, some held a whole bunch of day on there; you can't make it up that hill from what used to be the feed yard. Or right north of the old feed yard from years ago. So to get there from that wat is pretty tough. I travel the road from the north, coming from Clearwater out that direction from time to time. Not every day by any means, but, I am on the road probably weekly. Probably as much as anybody I am guessing to check that pivot. Looking at that petition it said the whole mile is going to be closed. Then they are talking now they just doing a half mile. The problem is you close the half mile who is the next guy to close the south half of the mile. That is my primary way to get into that farm. There is power lines there. Our cattle well is right along that roadway. Our pivot road goes in that direction. Coming from the south, and all of the water we have to deal with now. Coming from the south is going to be very, very difficult. I do not know what more to say. But, like I was saying, once the road is closed if they are talking half mile, pretty soon the next south half mile is going to be closed too. Then there will be no access to that farm and that would be an injustice to say the least. KERKMAN: Ok. HENERY: These power lines go north and south down that road down that road? MIKE SANNE: They are north and south on the west side. They are up against Niewohner corner-quarter. HENERY: But on this one that we are – that is in consideration here? MCDONALD: All of it is under consideration – the whole mile. HENERY: Yes, but are there power lines along that whole miles? MIKE SANNE: No. MCDONALD: I think there are three or four poles quarter mile. MIKE SANNE: Just up to our power pole that runs our power that runs our well. HENERY: Ok. Well there has got to be access to the power lines. KERKMAN: Yeah, I know that. RON SANNE: Well regardless, if you close a half mile, you closed the whole mile. It doesn't make any difference. KERKMAN: Ok. HENERY: Thank you. HENERY: Thank you. RON SANNE: You closed the mile. KERKMAN: Is anybody else opposed here? ... Casey, did you have something you want to say at this time about it? DITTRICH: If the Board is interested, I do have a video of the mile. If you want to see, it includes the power poles, it kind of shows where the field entrances are. It is about a three-minute video. I can show everybody at once. KERKMAN: I suppose we better look at it. (CASEY PLAYS VIDEO) Explains. DITTRICH: This starts from the south. For it plays different power poles with transformers on it. If I stand back here – can everybody see it? (Commissioners acknowledge: yes.) HENERY: Anybody else want to look at it come around behind us if you want to view it. SCHINDLER: That coming what direction? DITTRICH: This is coming from the south gong north. Yeah, at the end of this. It will be two separate videos – we stopped at the half mile. This is where the line goes across the road. HENERY: That is about a quarter mile. DITTRICH: It is about a quarter mile. SCHINDLER: The petition is to close this part too, right? DITTRICH: Whole mile. SCHINDLER: The whole mile right? DITTRICH: This is where the road starts to stray from center line due to the way the traffic goes. SCHINDLER: Now, is this where the fence is out of whack? KERKMAN: Not quite yet. DITTRICH: Not quite yet. SCHINDLER: That ain't that bad of road really. DITTRICH: There is the corner post. This is where the fence goes off. (various comments.) HENERY: Yes, that is about 15-20 foot from the middle. DITTRICH: Yes, you can see from the second video. This is a fence on the left. KERKMAN: There is 80 rods of fence that is the... that should be taken out. DITTRICH: This is where the road used to be. It was disked the weekend before I drove it. This is the last quarter mile to the north. This is the condition of the road before it was disked. Pretty much the same, all the way. This is where it gets heavier with trees. It does stray again from center line. SCHWAGER: Is that the whole mile? DITTRICH: Yeah, when I get to the end of the mile I look east and then west. Facing north I look east, and then west. SCHWAGER: Thanks. KERKMAN: Ok. Nobody else opposed?.. Ok, I will ask the applicant to clear any issues that you might have heard today. Do you have anything else to say, Charlie? CHARLIE MEIS: No, I think the facts are pretty well on the table. KERKMAN: Ok. HENERY: Can I ask a couple questions? KERKMAN: Yes, well I was going to get to that here. Another testimony?... Ok, Supervisors? HENERY: On the... has this pivot point been set there for quite a number of years, or since you developed this pivot point? CHARLIE MEIS: The old pivot point is right here. I moved it 700 feet. HENERY: Ok. And if you put it back to where it reaches this road out on the outer edge. CHARLIE MEIS: Yes, but then the new one – won't go around. Even though right now I've got the new pivot going over the top of the new pivot point. But if I move it back here the new pivot won't go around. HENERY: The pivot goes clear around? CHARLIE MEIS: It can. HENERY: But as of now, there is two (2) pivots on that quarter? CHARLIE MEIS: There is a pivot over here on the new eighty, and this old one. SCHWAGER: The one crosses the other quarter. HENERY: And this is yours here too? CHARLIE MEIS: Yes... HENERY: And these trees have been removed? CHARLIE MEIS: Yes... the new pivots sits right here. HENERY: And you are saying if you move this pivot pint back it would hit this pivot point over here? CHARLIE MEIS: My tower on the new pivot would not move pass. SCHWAGER: It will hit his other pivot. CHARLIE MEIS: Yeah, they would not clear each other if I moved this back, the original back. HENERY: And if you move the pivot point back then you would be in Terry Mueller's? CHARLIE MEIS: Yeah, and I am already as far as I can get. The width is about four (4) foot from the fence. HENERY: A guy would have to shorten a span, to make it work. CHARLIE MEIS: Well, if I can't have an overhang on the road; technically I have got to shorten 100 feet to make that work. HENERY: Ok, that answers my questions. KERKMAN: Ok. DOUG SANNE: I have got a question for the Board. Are you guys going to take into consideration if there is opposition on this? Or are you looking at well he already had his pivot in? Now, he should have actually figured out where the pivots are before you put them in. That is what you normally do. You do not out a pivot in and then worry about if you have access to the roads or not. KERKMAN: Yeah, that is a point. JOSH SCHINDLER: I have the same comment Doug has. He has already poured a new pad east of where it has to be to make the pivot go around. I think he is kind of going about it the wrong way. He should make sure the road closes before you move your pivot point. Make sure your pivots go around. HENERY: It has been disked too. KERKMAN: Yeah. Any other questions for the supervisors? EDDIE SCHINDLER: I would like to know – Brian do you have any comments? MCDONALD: Um... as for as public hearing – probably not. I do not have some recommendations what you guys need to consider – as far as if you close it or don't close it. EDDIE SCHINDLER: Yeah that is what I want. MCDONALD: I can do that now if you want – it is up to you guys. KERKMAN: Yes. HENERY: Come up so we can get it on the recorder. KERKMAN: Yes, we can do that in public hearing. EDDIE SCHINDLER: I would like to have input from Brian. MCDONALD: My recommendation to the board to the board would be... like I said there is two (2) ways to look at this. You can close the road or you can leave it open. If a pivot is allowed to go across the road I highly recommend that we no longer maintain that right-of-way, or I would close... like I said the petition is for the whole mile. You can close the half mile whatever; the Board decides what stays open and what doesn't stay open. But if there is going to be a pivot on that piece of right-of-way, I recommend that the right-of-way be closed, and you deed back the right-of-way to the property owners to eliminate your liability. Otherwise, you maintain it as a road and there is no pivot on there. That is your two (2) options you have. EDDIE SCHINDLER: What is your recommendation when there is opposition like this? MCDONALD: It is Board decision. All I can give you guys is information. It is up to you guys to decide the need for the road. The Board decides what stays open and what doesn't stay open. EDDIE SCHINDLER: There is no legal stand with the opposition? MCDONALD: Just because there is opposition doesn't mean the Board can't change it. You guys decide what is in the best interest of the country. You guys decide if the road has a pivot on the road and the road is closed or whatever. Like I said it is your decision to decide. KERKMAN: Isn't the decision here whether to close it or not to close it? MCDONALD: That is the first decision. But like I said, as far as – can you put the conditions on that, as the Board? Yes, you can. KERKMAN: But if the decision is not to close it – doesn't it stay the same as it was? MCDONALD: Yes. And essentially, of it remains open as a public road; we are not going to authorize them to put a pivot down the road. SCHWAGER: That's correct. HENERY: What about the fence? Does the fence stay the same since it has been there for 40 years? MCDONALD: It is a whole different issue. You guys decide at will what happens with in the road right-of-way. SCHWAGER: Even a cow trail there has got to be 66 foot of the right-of-way. MCDONALD: If there is an open road way – there is 66 feet of road right-of-way. SCHWAGER: His own right-of-way is 33 feet from the middle. MCDONALD: From the section line. SCHWAGER: I am having the same problem in my part of the county. MCDONALD: There is a number of these problems in Antelope County. HENERY: That question is – is this something that should be surveyed so we know exactly where the center line is? MCDONALD: To decide if you want to close it or not close it? – No. You do not need a survey to do that. To decide where you want to put a fence, I would highly recommend when you put up a fence you have a survey. SCHWAGER: Fence post should be on the intersection

anyway. HENERY: I think you could go out to about any of these older roads and they are probably not exactly on the section line. MCDONALD: They are generally inside of them. HENERY: And who says the roads to the north and south are on section line. You have no idea of knowing where the section lines are without a survey. SCHWAGER: Usually there is a cement pillar in there. KERKMAN: Ok. I think we have discussed it enough. At this time, I would like to close the public portion of this hearing. EDDIE SCHINDLER: So moved. JACOB: I second. KERKMAN: Motion by Schindler, second by Eli to close public portion. At this time, we will have a roll call. Henery? Schindler? Schwager? Jacob? And I will vote yes. (All vote in favor.) Anymore discussion about the motion – at this time we will have a motion to close or not to close road. SCHWAGER: I make a motion not to close road. JACOB: I'll second. KERKMAN: I have got a motion and a second not to close the road. Henery? "Yes" Schwager? "Yes" Eli? "Yes" Schindler? "Yes" and I'll vote yes on it too. (Clerk verifies the motion was **not** close the road.) Yes, not close the road. Ok now do we want to address the issue with the fence? HENERY: Or the pivot? I think first we should address the issue of the pivot. KERKMAN: If we did not close the road it goes back to where it is at. EDDIE SCHINDLER: It is illegal. If it is going over the road. HENERY: That's true. MCDONALD: It would be a hazard. SCHWAGER: If you got an issue with a fence, you are going to have to know where the right-of-way is. But if he has got it down the middle of the road you know it is not in the right place. MCDONALD: We can have our county surveyor located those section corners. HENERY: Would that be the first step – to figure out? MCDONALD: I would say so. Yeah, I think so. KERKMAN: So that would be for another day? MCDONALD: That is guy's call. Like I said we need to request that he locate the section corner. As far as somebody putting up a fence, it is generally up to them to get the survey done for the location. HENERY: I would say – find the section corners – I don't think Ron or anybody in here would be opposed to the fence being there for a while. I mean look at the spring we got Dennis is not going to move that fence right now – he is busy doing other things. Just leave the road. RON SANNE: We have lived with it for a lot of years, it just should be... HENERY: It should be done. RON SANNE: I talked to Dennis just a few days ago. And I said you know whatever comes out of this you may have to be moving your fence. Because it is not where it needs to be and that is just the way it is. We all know where our boundaries are, and we have to stay within them. HENERY: Dennis is a very reasonable man. KERKMAN: As far as the irrigation goes that doesn't go across the road! HENERY/SCHWAGER/SCHINDLER: No! RON SANNE: What is that? KERKMAN: The irrigation does not go across the road! RON SANNE: Well, it will if left where it is at. I take it you are talking about Mel's quarter. KERKMAN: Uh huh. Because that has to be rectified. RON SANNE: I think there is some trees that are in the road. CHARLIE MEIS: If you are going to survey that road, the sooner the better. So, I know where to plant the barricades. DITTRICH: The road department will be willing to work with the surveyor. We have done it in the past, gone out with our tractor and backhoe and help located the stakes. We will be onsite when we do it. SCHWAGER: Why don't we just go ahead and let Casey take care of this. HENERY: Find the corners and take it from there. DITTRICH: I will reach out to the surveyor today. Mr. Meis, and let him know, try and get you a timeline when we can out there. I can tell you from part experience it has been at least a month before we can usually get him there. Maybe, if this is a smaller project it all depends. We have dug looking for a sand stone; we have dug looking for a 2x4. Sometimes we get lucky and somebody has been out there and staked it. More recently we had GPS coordinates. The county will be happy to take care of the surveying issues. As far as Mr. Blair, and the fence place placement. The fence was like that when he bought the land and I am sure planting season is not the best time for him to move fence. If the board is willing to give him six months, I will report back on its status.

10:23 AM Back to regular meeting.

**Proposed road west of Thiele Dairy to Highway:** Brian McDonald, Antelope County Highway Superintendent met with the commissioners regarding the **expansion of 515<sup>th</sup> Avenue** east of Thiele Dairy to highway 275. Commissioner Jacob had asked about this "project" and Brian wanted to give an update of the feasibility. Individual permits are timely and costly. Mitigation study, permits, environmental issues and limitations could be costly and conditions to the project could be very limiting. There is limited matching funds available for this project. Because of the safety issue with the current route through Clearwater. The environmental conditions have to be taken into considerations. We have to be aware of the wetlands, and the damaging of the natural habitats in the area. Mr. McDonald stated the feasibility study and initial workup could be upwards of \$100,000.00, -not including construction and they could still deny the entire project. There could also be a delay in the project of a year. No action taken.

**Heath Snodgrass** met with the commissioners regarding a **stop sign placement** at the corner of 858<sup>th</sup> Road and 518<sup>th</sup> Avenue. By removing trees and other debris Morrison recently opened the road ½ mile south of Heaths home. The traffic in the area has increased immensely and seems to be excessively fast and is concerned with safety of the traffic and the kids in the area. He is hoping to stop the north/south traffic. Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve Highway Superintendent to complete a Stop Sign Study on the intersection. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

**Opening Bids:** Road Boss requested to open all bids today before discussing and motioning for purchase. His plan was to discuss with the commissioner budget and need on the whole.

The following **Motor Grader** bids were opened at 10:30 AM, quote read wing ready: Road Builders of Norfolk, Nebraska – 2017 Komatsu GD655-6 Motor Grader \$ 255,950.00 – representative Mike Lueken present; Murphy Tractor –John Deere 670G -standard antler rack hydraulic controls-tandem drive \$ 211,900. – John Deere 672G standard antler rack hydraulic controls all-wheel drive \$241,600.00 -John Deere 670GP electro-hydraulic controls (joysticks) tandem drive \$266,900.00, John Deere 672GP-electro-hydraulic controls (joysticks) all-wheel drive \$256,600.00 ---all with 60 month or 5000 hour comprehensive warranty and 36 months or 3000 hours maintenance package, John Deere Horsepower, torque and weight on tandem 235 horsepower, 907ft pounds torque 42,340 pounds and the AWD 255 horsepower, 939 feet pounds-torque, 44,040 lbs.; TITAN CASE IH – 2017 Case 885B Motor Grader \$249,900.00 and 2017 Case 885B AWD Motor Grader \$279,900.00-Gary Groteluschen present; NMC Cat-Ed Bomar 12M3 5 year.5000 HR \$245,500.00 includes \$20,000 customer parts credit - Eddie Bomar present.

The following **Dump Truck** Bids were opened at 10:45 AM: 3 quotes were received from RDO Truck Center 1) 2006 Mack CV713 Stock # M028962 \$60,000.00, 2) 2016 Mack GU713 Stock # LM360029 @ \$102,515.00, 3) 2016 Mack GU713 Stock # LM360031 @124,320.00 and a single quote from Sahling Kenworth 1) 2018 W900B, \$ 109,550.00.

The following (sign) **Pickup** bid was opened: Jonny Dodge 2017 2500 Tradesman Crew Cab 4x4 \$27,725.00.

The following (dually) **Pickup** bids were opened: Jonny Dodge 2017 3500 Reg Tradesman 4 x 2 \$ 32,922.00; Michael Ingalls 2001 Ford F350 Dually 7.3 Diesel \$8,500.00; Ames Lincoln 2008 Ford F450 \$20,980.00.

The following bids for a **flatbed trailer** were opened: Felling Trailers submitted 2 bids (Gary Groteluschen-present) 1) 30-foot gooseneck 30,000-pound trailer \$ 21,044.00 2) 30,000 lbs. penal hitch \$18,938.00; 1 bid from Lazy T Tire and Implement 1) Deck over gooseneck 30,000 pound trailer \$14,975.00 and 1 bid from NMC Cat Trail King 30,000 pounds 30 foot deck length standard hitch \$32,200.00.

The following bids for a **packer/roller** were received: Rose Equipment – Sakai Model GW7551 Vibratory Rubber Tire Roller 9 ton \$159,662.00; 2006 Sakai GW 750 \$97,750.00; 2011 Sakai GW750-2 \$ 109,750.00; 2010 Sakai GW 750-2 \$117,250.00. Road Builders – 2017

Bomag BW11RH-5 Pneumatic Roller Kubota V3307 CR-T 4 Cylinder Diesel Engine \$69,250.00; Titan Machinery – used 2015 Case PT2440 Pneumatic Roller SN NENTN2751 \$72,400.00 and used 2015 Case PT240 Pneumatic Roller \$78,900.00; NMC Cat - CW16 Pneumatic Compactor DCA 1 \$93,000.00.

Discussion of various options and warranties on all equipment. No action taken until after the Road Boss Report.

**Road Boss Report:** There are two (2) projects that most likely will not be done in this fiscal year. The first being the Schuchardt corner, that is going to be about \$320,000.00 and the Tilden West bridge construction will start around June 1, 2017, which will be about \$460,000.00. Both projects will be done in the next couple of months-next fiscal year. I would like to have 3 miles of overlay material mixed up and on the ground, at an estimate of \$250,000.00. Expenditures for March were approximately \$200,000.00. Casey estimates the next three months expenditures at \$650,000.00, leaving approximately \$800,000.00 open in the budget. The intent setting up the budget was to purchase equipment. Now is the time to purchase with the winter being as forgiving as it was. Discussion of the packer, delivery date is out approximately 6-8 weeks. Motion by Commissioner Henery, seconded by Commissioner Schwager to outright **purchase a 2017 BoMeg BW11RH-05**, all five (5) wheel drive \$69,250.00, delivery is 6 to 8 weeks out. Voting aye: Henery, Schwager, Jacob, Schindler and Kerkman. Nays none. Motion carried.

**Trailer:** Gooseneck trailers were excepted. Motion by Schwager seconded by Henery to purchase a new 2017 - 30-foot-long x 102 wide, triple axle, 30,000 pound penal hitch with 3 five (5) foot ramps from Titan for 18,938.00, delivery eight (8) weeks, model FT-30-3LP. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried.

**Pickup:** only quote received was from Jonny Dodge. Because we are looking for a pickup for a flat-bed the bid does not seem to fit our needs. Decision was made to rebid at a later date.

**Dump Trucks:** Truck in Norfolk, and its sister from RDO – both are in Norfolk, set up and ready to go. Both are new. The only used truck bid quote was a 2006. It was unanimously agreed a tarp is a must with any purchase. All of the bids were considered and compared. The Kenworth quoted is two (2) years newer. Motion by Commissioner Schwager, seconded by Commissioner Henery to purchase from RDO a new Mack 2016 dump truck (red box) Stock # LM360031 with tarp, purchase price of \$124,320.00 + tarp (1700.00). Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried.

**Maintainer:** Discussion of various bids received. Comparing the various specs and machines. Debating and discussion of current need and usability. Prior experience and resale value of the CAT machines have proven more profitable. Currently, we have 13 machines running full time and the need is to keep them running. CAT have by far exceeded the maintenance and resale value in the past and last years CAT purchase has performed grandly. Although maintenance is a little more all-wheel drives are a necessity at this point. Motion by Commissioner Jacob, seconded by Commissioner Henery to purchase a CAT 12M3 AWD to add wing with \$20,000.00 parts credit listed on bid. Warranty will have to be purchased for \$276,500.00. Voting aye: Jacob, Schwager, Henery, Schindler and Kerkman. Nays none. Motion carried.

Discussion of the used equipment to continue at a later time.

Insurance benefits for Antelope County Employees was discussed. NACO rates for the 2017-2018 fiscal year was released last week. Various insurance avenues have been discussed this spring. It was voted to approve the in-lieu option for employees having coverage elsewhere. An in-lieu of amount has not been decided and will be discussed in a future meeting. Discussion of NACO BC/BS rates was discussed. Currently, Antelope County hires a company to manage the “deductible buy back” of the second half of the \$1,500.00 deductible (\$750.00) for Antelope County employees and families. Motion was made by Commissioner Schwager to approve and accept the **NACO Blue Cross Blue Shield of Nebraska** coverage for the 2017-2018 fiscal year at the \$1,500.00 deductible, and to eliminate the \$750.00 second half of the deductible buy back. Antelope County to continue to pay full premiums for the 2017-2018 fiscal year. Motion was seconded by Commissioner Schindler. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion carried.

It was requested to postpone the Cash in Lieu Agreement until June. Item was not discussed. No action.

Sheriff, Robert Moore met with the Commissioners regarding publishing a public notice in the County newspapers to remind Antelope County residents about the **road right of ways and setbacks**, and not to plant crop and place other obstructions in the county right of ways. His concern is the public safety on intersections in rural Antelope County. Motion by Commissioner Schwager, seconded by Commissioner Jacob to place notice in the four (4) county newspaper reminding residents about encroachment and irrigation on road ways. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

Joshua Framel, Manager of Business Development **Invenergy** met with the commissioners regarding the current **Road Use Agreement** and various roads involved. Working closer to the layout and placement of the various towers, they have some updates and changes that need to be made to the roads involved in the current Road Agreement. In talking with the Antelope County Road Boss, and driving the area roads involved, Invenergy has developed a few changes that will need to be updated, and some that will need to be deleted. He wanted to know how the commissioners would like this handled, via an amendment change to the current Road Agreement, or a repealing of the current Agreement and issuing of a new one. It was agreed an amendment would suffice. Mr. Framel also brought four (4) right of way issues currently. The county has right of ways on all of these properties, but no actual roads are developed in the areas. He was wondering how this should be handled, since the county does not have a “road” in the area, he was pretty sure they would not want to maintain it after, and thus it would be by a private road. Discussion continued. Casey Dittrich, Antelope County Road Boss agreed the county would probably not be using these areas, and if the Right of Ways were reverted back to the landowners, the landowner would be responsible for the acres currently occupied by the county owned right of way. The right of way areas discussed are: 1 mile between Sections 7 & 18, Township 26, Range 7 West of the 6<sup>th</sup> P.M. (Blaine Township), Antelope County, Nebraska, between 516<sup>th</sup> and 517<sup>th</sup> Avenue; 1 mile between 22 and 23, Township 26, Range 7 West of the 6<sup>th</sup> P.M. (Blaine Township), Antelope County, Nebraska, between 855<sup>th</sup> Road and ‘856<sup>th</sup> Road; 1 mile between Sections 10 & 15, Township 26, Range 7 West of the 6<sup>th</sup> P.M. (Blaine Township), Antelope County, Nebraska, between 519<sup>th</sup> and 520<sup>th</sup> Avenue; between Sections 1 & 12, Township 25, Range 6 West of the 6<sup>th</sup> P.M. (Neligh Township), Antelope County, Nebraska, between 527<sup>th</sup> and 528<sup>th</sup> Avenue. Motion by Commissioner Henery, seconded by Commissioner Schwager to have Brian McDonald, Antelope County Highway Superintendent to study all four (4) areas for relinquishment of right of way and to set a public hearing on the 6<sup>th</sup> of June 2017. Voting aye: Henery, Schwager, Jacob, Schindler and Kerkman. Nays none. Motion carried.

**Resolution**  
**2017-05-0000\_\_**  
**Road Closing Hearing**

BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that a public hearing date be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county right of way located between Section 22 and 23, (Blaine Township) Township 26 North, Range 7 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. (ROW located what would be 520<sup>th</sup> Avenue, between 855<sup>th</sup> and 854<sup>th</sup> Road.)

Adopted this 2<sup>nd</sup> day of May, 2017, at Neligh, Nebraska.

Antelope County Board of Supervisors

/s/ LeRoy Kerkman

LeRoy Kerkman

Chairman of County Board

/s/ Lisa Payne (seal)

Attest: Lisa Payne

Antelope County Clerk

**Resolution  
2017-05-0000\_\_  
Road Closing Hearing**

BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that a public hearing date be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county right of way located between Section 1 and 12, (Neligh Township) Township 25 North, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. (ROW located on what would be by 851<sup>st</sup> Road between 527<sup>th</sup> and 528<sup>th</sup> Avenue.)

Adopted this 2<sup>nd</sup> day of May, 2017, at Neligh, Nebraska.

Antelope County Board of Supervisors

/s/ LeRoy Kerkman  
LeRoy Kerkman  
Chairman of County Board

/s/Lisa Payne (seal)  
Attest: Lisa Payne  
Antelope County Clerk

**Resolution  
2017-05-0000\_\_  
Road Closing Hearing**

BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that a public hearing date be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county right of way located between Section 7 and 18, (Custer Township) Township 26 North, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. (ROW located on what would be by 856<sup>th</sup> Road between 522<sup>nd</sup> and 523<sup>rd</sup> Avenue.)

Adopted this 2<sup>nd</sup> day of May, 2017, at Neligh, Nebraska.

Antelope County Board of Supervisors

/s/ LeRoy Kerkman  
LeRoy Kerkman  
Chairman of County Board

/s/Lisa Payne (seal)  
Attest: Lisa Payne  
Antelope County Clerk

**Resolution  
2017-05-0000\_\_  
Road Closing Hearing**

BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that a public hearing date be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county right of way located between Section 10 and 15, (Blaine Township) Township 26 North, Range 7 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. (ROW located on what would be by 856<sup>th</sup> Road between 519<sup>th</sup> and 520<sup>th</sup> Avenue.)

Adopted this 2<sup>nd</sup> day of May, 2017, at Neligh, Nebraska.

Antelope County Board of Supervisors

/s/ LeRoy Kerkman  
LeRoy Kerkman  
Chairman of County Board

/s/Lisa Payne (seal)  
Attest: Lisa Payne  
Antelope County Clerk

**Wage Differential Resolution:** It was discussed and decided during the April 4, 2017 meeting to instate a resolution on wage differentials for Road and Bridge Employees to help with incentive and merit raises. Resolution was prepared, but had not been proofed by the county attorney prior to the April 11, 2017 meeting. After proofing by county attorney, it was presented today for approval. Motion by Commissioner Henery, seconded by Commissioner Schwager to approve the wage differential policy. Voting aye: Schindler, Henery, Schwager, Jacob and Kerkman. Nays none. Motion carried.

**Antelope County, Nebraska  
Road & Bridge Wage  
RESOLUTION NO. 2017-05-000**

WHEREAS, the Antelope County Supervisors have enacted a Compensatory Time policy for Antelope County Road and Bridge Employees; and WHEREAS, the Antelope County Commissioners have hired a Road Boss to accept responsibility and management of Road and Bridge employees and the overall management of the Road and Bridge Department;

WHEREAS, Road and Bridge Employees currently working for Antelope County have been hired at a predefined wage and predefined wage increases; and, WHEREAS, Antelope County Road Department has recently enacted a annual review of job and employee performance; WHEREAS, Antelope County may have the intention to hire employees on a limited, temporary, and part-time basis, and in consideration of budget limitations, it is the desire to establish a wage compensation that is flexible for the use of various job responsibility, descriptions and hiring for available positions;

WHEREAS, it has been discussed, a motion made and unanimously passed to establish a policy to have the starting wage and pay increase at liberty, to compliment an annual merit and performance evaluation of all Road and Bridge Employees. As set by the Antelope County Commissioners this will be policed and guided by the Antelope County Road Boss;

THEREFORE, BE IT RESOLVED BY THE ANTELOPE COUNTY BOARD OF COMMISSIONERS that Antelope County will introduce a wage based on current abilities, performance and merit. Employees will be hired on an individual agreed upon wage, and increases will be mandated by performance and merit.

Dated this 2<sup>nd</sup>, day of May, 2017.

/s/ LeRoy Kerkman  
LeRoy Kerkman  
Chairman of County Board

Motion By: \_\_\_\_\_; Seconded by \_\_\_\_\_

Ayes: \_\_\_ Nays: \_\_\_ Abstained \_\_\_ Absent \_\_\_\_\_

Passed/Failed \_\_\_\_\_

Attest: /s/ Lisa Payne  
Antelope County Clerk

1:35 PM Motion by Commissioner Schwager, seconded by Commissioner Jacob to meet as a **Board of Equalization**. Voting aye: Schwager, Jacob, Henery, Schindler and Kerkman. Nays none. Motion carried. Antelope County Board of Commissioners met as a Board of Equalization for approximately 4 minutes. Motion by Commissioner Schwager, seconded by Commissioner Henery to go out of Board of Equalization. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried. 1:38 PM

With no further issues to discuss, motion was made by Commissioner Schwager, seconded by Commissioner Jacob to adjourn meeting. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

Meeting adjourned at 1:40 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

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

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