

May 9, 2017  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular extra session on Tuesday, May 9, 2017 at 8:00 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, Schwager, and Kerkman. Henery absent. 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.

Bruce Ofe, Weed Superintendent met with the commissioners regarding the appointment of a Weed Authority Board Member. With the passing of Bob Hofacker of Elgin in 2016 the Weed Authority Board has been short a member. The need to fulfill the position with a member in the urban community was troublesome. On the recommendation of the Weed Authority Board and Bruce Ofe, Weed Superintendent, motion by Commissioner Schwager, seconded by Commissioner Jacob to appoint Rachel Shrader to the Weed Authority Board. Rachel has worked for the city of Neligh for a number of years. Voting aye: Schwager, Jacob, Henery, Schindler and Kerkman. Nays none. Motion carried.

Motion by Commissioner Schwager, seconded by Commissioner Jacob to authorize paying **vendor claims** as listed. Voting aye: Schwager, Jacob, Schindler and Kerman. Henery absent. Nays none. Motion carried. We, the Committee on Claims, report that we have examined and approved for payment the following claims:

**General:** Antelope County Court, court costs 306.00; Antelope County District Court, court costs 144.00; Antelope County Sheriff, subpoenas, mileage & service 50.24; Appera, micro swipes, dust mops, service charge 40.22; Applied Connective Technologies, renewal services, set up Page My Cell, service order charge, remote IT services, flash drive, outlet, wire, gigabits 828.19; Black Hills Energy, heating fuel 956.28; Bob Barker Company, pants, freight 133.48; Bomgaars, glue, batteries, glass cleaner, battery protector, U-bolt, shop towels, air filter cartridge, crabgrass max lawn, J-Bend, aerator 269.94; Boyd's Network, reprogram front door timer 75.00; Eleanor Brady, prior service 25.00; Dean Brown, prior service 25.00; Butch's Body, vehicle tow, miles, hook up fee 118.00; Carney Law, attorney fees 3218.62; Casey's, fuel 698.12; Elgin City, monthly recycling fee 250.00; Neligh City, electricity, water, garbage, sewer 3997.87; Clearwater Record, assessor's notice personal property & homestead, notice of bids, board of equalization, meeting notices, proceedings, road closing hearing 540.60; District Court Association, summer workshop registration 75.00; Consolidated Management, meals at training center 147.97; Consolidated Plastics, chair mats 289.80; Creative Product Sourcing, dare supplies, shirts, graduation certificates, pin, pencils, stickers, awareness bracelets, drawstring bags, bumper stickers, magnets, shipping & handling 522.65; Cubby's, fuel 514.77; Das State, data processing, network service charges 573.68; Dietz Electric, ballast replacement 58.50 Liz Doerr, mileage, Microsoft office online subscription 74.54; Dollar General, dish soap, toilet bowl cleaner, disinfectant wipes, Clorox wipes, storage bags, bleach, freezer bags, creamy peanut butter, syrup, powdered sugar, cough drops, feminine hygiene products, hot dogs, magic eraser, laundry detergent, 195.25; Eakes Office, marriage license seals, pens 6.22; Elgin One Stop, fuel 89.06; Elgin Review, public notices, road closing hearing, proceedings, board of equalization, notice to bidders 218.63; Elite Office, monthly maintenance agreements, drum unit, dump boxes, developer, color toner, toner, hard drive, LTR white generation 1146.49; Floor Maintenance, urinal screens, griddle screens, toilet paper, white rolls, buff liners, hand soap 284.74; Frontier Communications, telephone service 2174.07; Bryon Gloe, witness fees 54.24; Great Plains Communications, telephone service 190.00; Hall Co Court, copies 8.00; Lyle Hart, mileage for commodities 200.00; Nadene Hughes, prior service 14.00; Jack's Uniforms, shirts, patches for vests, freight 109.84; Jonny Dodge, seat belt replacement, service engine, 16 point inspection, rotate tires, labor 377.42; Frank Kamphaus, prior service 16.00; Jeff Doerr Law, attorney fees 1780.47; Lynn Peavey Co, BLD/ACL kit 107.00; Ronald Marshall, registration and dues for Thomas Nelson for service officer school 63.75; Marvin Planning Consultants, additional meeting for regulation update 750.00; Microfilm Imaging, scanning equipment monthly rent 87.00; MIPS, data processing 669.17; Moyers Store, shirts with logos 92.00; NACO, county board workshop registrations 495.00; Roger Napton, witness fees 39.26; Nebraska Health & Human Services, institutions, Norfolk Regional, Beatrice State Hospital 186.00; Nebraska Weed Association, tag sheets 24.00; Neligh News, noxious weed spraying notice, assessor's notice personal property tax & homestead, notice to bidders, board of equalization, proceedings, road closing hearing, treasurer's notice taxes due 750.15; Thomas Nelson, mileage, motel expense, dues for Veteran Service Officer Association 874.96; Nirma, workshop registration 50.00; Northeast Nebraska Economic Development, 2018 membership fees 885.00; Northeast Nebraska Area Agency, county's share of area agency 4331.00; O'Neill Pest, pest control 235.00; Office Depot, DVD, paper, shredder, ink, binder, tape cartridge 529.82; One Office Solution, quarterly contract, excess copies 160.13; Orchard News, real estate & personal property tax notice 42.00; Donna Payne, prior service 25.00; Richard Penne, mileage for board of adjustment meeting 13.91; Physicians Laboratory Services, autopsy comprehensive drug panel 235.00; Pinnacle Bank, LECC conference registration, coconut oil, bandanas, assorted cereals 349.31; Pitney Bowes, postage 7000.00; Sanne Repair, light repair shipping, labor/parts to fix mirror and light 441.63; Schindler Elevator, yearly contract pressure test at State's request 773.76; Schroeder Land, surveyor fees 300.00; Caroline Siems, prior service 25.00; Wex Bank (Sinclair), fuel 546.97; Snider Memorial, coroner costs 790.00; Stratton Delay Doele, attorney fees 2506.61; Thomson Reuters, subscription product charges 153.00; Uline Supply, re-closeable bags for meds, freight 62.03; US Cellular, telephone service 331.26; Verizon, telephone service 28.69; Clearwater Village, monthly recycling fee 250.00; Vision Factoring, evidence bags, freight 526.60; Bonita Welke, prior service 22.00; Willie's Service, oil change, shop supplies, oil, washer fluid, 40.62; Alden Zuhlke, mileage for board of adjustment meeting 19.26.

**At Large:** AMH Family Practice, urine analysis routine 278.00; B's Enterprises, gas powered post driver, grader blades, spirol culverts, corruggated bands, riveted culverts 10,510.00; Bauer Built, tire mount/dismount, wheel balance parts, labor, shop supplies 74.50; Bomgaars, batteries, kwik weld, safety eyewear, hearing protectors, gas can, lube, funnel, key blank, 108.91; Duaine Brandt, CDL physical 148.00; Bygland Dirt, crushed concrete fines 2610.56; Carquest of Neligh, trailer cables, wire terminal, diesel exhaust fluid, Jeep LT, sockets, 157.04; Casey's, fuel 50.87; Creston Fertilizer, chemicals 1524.65; Cubby's, fuel 96.23; Dinkel Implement, sun gear, oil seal, V-Ring, bushing, seals, O-Rings, brake bands 1853.55; Casey Dittrich, Microsoft office software subscription 69.99; Elkhorn Rural Public Power, electricity 188.39; Farmer's Pride, fuel 3073.86; Green Line Equip, bearing, washers, ball bearing, sealant, oil additive, lubricant, equipment rental 2288.53; Hinrichsen Sand, sand/fill bank run, gravel, gravel test screens, gravel test shaker, test scale 8954.04; Hometown Station, fuel 597.81; Island Supply Company, cut master, shield cap, shield cup body, plasma air filter, unit 2104.27; Eli Jacob, assorted rolls, carburetor, throttle cable 57.09; Jebro, CRS-2, freight 9357.96; JEO Consul, general engineering 3802.50; Jonny

Dodge, check fluid levels, air leak check, repaired wire, battery replacement, cleaned cables, element, glass replacement 639.05; Kumm Gas, fuel 531.07; Lazy T Tire, tires, tire disposal fee, shop fee 534.00; Lichtenberg Tire, misc shop supplies, used tires, disposal fee 110.00; Matteo Sand, armor coat 497.16; Mr. S's, fuel 604.10; Neligh Auto, lamp, fuel filter, switches, plugs, socket 155.71; Netcom, radio repair 177.00; Newman Traffic Signs, assorted road signs 2382.30; NMC Exchange, filters 105.58; Orval's Auto, oil filter, oil, washer fluid 59.50; Quick Serve, fuel 622.60; Royal One Stop, fuel 233.20; Rutjens Construction, asphalt grinder 362.50; Sanne Repair, labor and misc parts to switch deputy's patrol units into new vehicle for road department 3717.57; Wex Bank (Sinclair), fuel 718.61; Verizon, telephone service 128.99.

**Brunswick Area:** Dinkel Implement, equipment rental 690.00; Emme Sand & Gravel, road gravel 1935.84; Frontier Communications, telephone service 74.07; Hinrichsen Sand, road gravel 451.24; Kumm Gas, fuel 1699.87; Meisinger Oil, oil 584.50; N & B Gas, heating fuel 330.11; Neligh Auto, blue diesel exhaust fluid 48.00; North Central Public Power, electricity 159.08; Spud Trucking, crushed concrete delivery 4359.40.

**Orchard Area:** B's Enterprises, spirol culverts, corraggated bands 681.60; Black Hills Energy, heating fuel 194.88; Bomgaars, chuck, reflector, 32.98; Dusty's, fuel 47.00; Frontier Communications, telephone service 75.40; Funk Construction, hoe four hours 800.00; Green Line Equipment, filter kit 51.38; Hinrichsen Sand, road gravel 374.30; Lazy T Tire, interstate commercial battery 687.80; North Central Public Power, electricity 64.77; Northeast Glass, windshield, labor to install 220.00; Powerplan Murphy Tractor, mileage charge, service accessories 421.86; Smith Construction, tree removal 250.00; Spud Trucking, crushed concrete delivery 5003.40; T-J's Corner Hard, hose, rods 9.87;

**Clearwater Area:** B's Enterprises, grader blades, spirol culvert, corraggated band 979.80; Black Hills Energy, heating fuel 151.17; Bomgaars, top link pin, bushing, lynch pin, bulk bolts, diagonal pliers 41.38 Elkhorn Rural Public Power, electricity 84.87; Farmers Pride, fuel 6348.63; Green Line Equipment, diesel exhaust fluid, equipment rental 658.39; Hinrichsen Sand, sand/fill bank run, rock, gravel 1963.94; Kayton International, bearings, seals 65.11; Lawson Products, hand wand marketing tools 182.09; Neligh Auto, ROS core, CIR test, mandrel, 1 hole saw 34.26; Northeast Nebraska Telephone, telephone service 106.87 Pollock Redi Mix, rock 369.28; Powerplan Murphy Tractor, mileage, service accessories, hose guard, O-Rings, elbow fitting, hose fitting, bulk hose, freight, clamps hoses, bulk hose 2236.21; Schlecht Trucking, rock 1706.58; Wex Bank (Sinclair), fuel 53.55; Spud Trucking, crushed concrete delivery 4834.40; Orchard Village, water 30.50.

**Neligh Area:** Bomgaars, san angelo bar, invisible glass, grab hook, fuse holder, toggle switch, extension cord, blade fuses, shop towels, mail box, recovery strap 149.98; Neligh City, garbage fees 26.00; Cubby's fuel 121.31; Emme Sand & Gravel, road gravel 1972.18; Farmer's Pride, fuel 1101.62; Frontier Communications, telephone service 125.09; Hinrichsen Sand, road gravel 2646.05; Kumm Gas, fuel 64.49; Neligh Auto, gloves 33.84.

**Tilden Area:** Carhart Lumber, blade hacksaw, saw hack 15.98; Tilden City, water, garbage, sewer 104.82; Constellation Gas, heating fuel 484.23; D & M Machinery, muffler clamps 7.90; Farmer's Pride, fuel 2829.60; Frontier Communications, telephone service 74.00; J & A Tree Service, tree cutting service 357.50; Kayton International, air filters, ENG O shop 378.02; Lichtenberg Tire, service call, tires, tire mount/dismount, O-Ring, misc shop supplies, tire fee 1379.28; Matteo Sand, road gravel 1921.56; Mr S's, fuel 111.80; Nebraska Public Power, electricity 184.83; NMC Exchange, O-rings, element, SOS mailer, TDTO jug 250.40; Quick Serve, tires, fuel, shop mat, oil filter 752.00; Road Builders, mileage, seal kit, bolt, seals, bearing 2103.45.

**Oakdale Area:** B's Enterprises, grader blades, riveted culvert, corraggated band 2346.50; Black Hills Energy, heating fuel 220.85; Bomgaars, brome seed, chain, utility light bulb, lamp holder, toggle switch, duplex receptacle 199.45; Farmer's Pride, fuel 1120.37; Great Plains Communications, telephone service 130.23; Matteo Sand, road gravel 3034.20; Mr S's, fuel 42.92; Nebraska Public Power, electricity 52.01; Quality Iron, metal rods 142.15; Quick Serve, fuel, tire repair, labor, balance bags, metal stem 622.60; Reinke's Farm, flange, chains, chisel 22.18;

**Elgin Area:** Black Hills Energy, heating fuel 163.27; Corner Service, oil filters 83.58; Elkhorn Rural Public Power, electricity 47.21; Great Plains Communications, telephone service 140.41; Green Line Equipment, strainer, filters 286.40; Hometown Station, fuel 193.90; OK Tire, sealant, O-Ring, misc shop supplies, ring lock flat, labor/service call 170.95; Road Builders, coolant, heater hose, mileage, radiator, hoses, shop supplies for motor grader 4368.01; Tinsley Grain, red rock 2186.40.

**Visitors Promotion Fund:** Bargain Buyway, promotional fees 300.00.

**Register of Deeds Fund:** MIPS, data processing 295.70.

**Law Enforcement Fund:** AMH Family Practice, prisoner expense for prisoner medical visits 782.00; Antelope Memorial Hospital, prisoner expense for prisoner medical visit 3259.00; Bob Barker Company, handcuffs, leg irons, transport belt 749.91; Cash-Wa Dist, dredge shaker, pear slices, applesauce, mandarin oranges, sugar, catsup, crackers, dry cabbage mix, tater tots, gravy, biscuit dough, turkey ends, hoagie buns 1178.19; Custom Tech, e-Cigs 507.40; Dollar General, antacids, ibuprofen, pain relievers 37.45; Hilltop Drug, inmate prescription 6.19; Jonny Dodge, transport van 6450.00; Madison Co Sheriff, prisoner boarding expense 900.00; Morrison Farms, commissary popcorn 129.60; Neligh Dentistry, tooth extraction, film 196.00; Page My Cell, one year service for emergency paging 3000.00; Pinnacle Bank, drink mixes, game add-ons, chesskritt, colored pencils, crackers, Klondike bars, shampoo, conditioner, Vic's, deodorant, toothpaste, ergonomic handles, feminine hygiene products, sugar, pumice bars, DVD player 987.26; Protocall, commissary phone cards 1050.00; Thomson Reuters, law books for library 271.00; Thriftway Market, butter spread, eggs, hamburger buns, ranch, dressing, bulk hamburger helper, milk, cookies, syrup, ketchup, salt, powdered sugar, peanut butter, IC pail, assorted soda pop flavors 1281.05;

**Building Fund:** Beckman Lumber, lean too, gutter clips 3821.25; Flenniken Electric, labor to hang two ceiling fans, fan boxes 98.12; Masonry Construction, retainage, truck-pointing old courthouse 3032.97; Merit Mechanical, maintenance to the HVAC system outside of the service contract, labor, tools, and parts 1454.00; NE Dol/Boiler Program, boiler inspections 144.00; Stearns Construction, add lean too on existing barn, remove steel on sidewall 3254.00.

**General:** Total Payroll, 83,329.85 Ameritas, retirement 13,054.08; Garnishment, NE child support payment center 544.00; Federal Withholding, 9,731.21; Social Security, 17,001.32; AFLAC, insurance 442.39; BlueCross/BlueShield, insurance 58,432.54; Colonial Life, insurance 58.25; 1st Concord Benefits, insurance 1043.32; Madison National Life, insurance 352.62; Mid-American Benefits, insurance 10,220.00; Nebraska Department of Revenue, state tax 3180.68; NACO Vision, ins 416.59; Washington National, insurance 339.24.

**Road & Bridge:** Total Payroll, 44,974.30; Ameritas, retirement 6478.71; Garnishment, credit bureau services 310.80; Federal Withholdings, 12,619.56; Social Security, 8834.12; AFLAC, insurance 142.35; BlueCross/BlueShield, insurance 34,752.18; Colonial Life, insurance 18.00; 1st Concord Benefits, insurance 262.50; Madison National Life, insurance 199.53; Mid-American Benefits, insurance 6104.50; Nebraska Department of Revenue, state tax 1355.61; NACO Vision, insurance 199.80; Washington National, insurance 133.40.

Ed Schindler /s/5-9-2017

Jerald Schwager /s/5-9-2017

Charles Henery /s/5-9-2017

**Payroll Claims:** Motion by Commissioner Schindler, seconded by Commissioner Schwager to authorize paying payroll claims, except Eli Jacob Road and Bridge Claim. Motion was rescinded by Commissioner Schindler, seconded by Commissioner Schwager. Voting aye: Schindler, Schwager and Kerkman. Motion by Commissioner Schwager, seconded by Commissioner Kerkman to approve payroll claims except for Eli Jacob's Claims. Voting aye: Schwager, Jacob, and Kerkman. Schindler abstain. Henery absent. Nays none. Motion carried. Motion by Commissioner Schwager, seconded by Commissioner Schindler to authorize paying payroll claims for Eli Jacob. Voting aye: Schwager, Schindler, and Kerkman. Jacob abstain. Henery absent. Nays none. Motion carried.

**Correspondence** was reviewed: Northeast Nebraska Economic Development District, yearly update; Nebraska Department of Roads past due bridge inspections; FAA postcard regarding project in area; Renewal Information for Catastrophic Inmate Medical Insurance; Lower Elkhorn NRD budget amendment letter; Union Bank & Trust Monthly Report for Antelope Memorial Hospital Bonds; DEQ letter to Hoffman and Sons 12-27-6.

The clerk presented gravel bills being billed to Townships. The clerk received them too late to be on the agenda. Claims will be paid this month, and items to be placed on the June 6, 2017 agenda.

Jury claims were presented to the Clerk's Office yesterday. It was too late to include in this claim run. These claims will be paid.

**Pledge Collateral** was reviewed. Currently Antelope County is pledged to \$510,000.00

Receipts reviewed: 781.20 to Road & Bridge-Alter Metal Recycling.

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

**Treasurer's April Fund Report** was reviewed and put on file

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

**Sheriff's April Fee Report** was reviewed and put on file.

**April Zoning Permit** was reviewed and put on file.

**Zoning Administrator Report:** working on wind tower permits. Reviewed Permit Report.

**Road Boss Report:** added clay to windrow yesterday. Borrowed a meter and sifter from Hinrichsen Gravel, which showed they needed clay. Patching truck running. Hope to start construction on what is referred to Tilden west project, beginning with removing trees. Focusing on oil patching. Insulation spraying of Orchard Barn is being done today.

Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve the permit submitted by **Elkhorn Rural Public Power District** to place a permanent electric line beneath 843<sup>rd</sup> Road, crossing in Section 18, Township 24, Range 6 West to Section 19, Township 24, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska; said line to provide electricity for house and garage being moved to location (Bode). All work to be done according to State and County Specs, the depth of the line will be changed to 48 inches below road surface. Voting aye: Schwager, Jacob, Schindler, and Kerkman. Henery absent. Nays none. Motion carried.

Motion by Commissioner Schindler, seconded by Commissioner Jacob to approve the permit submitted by John Anderson to place a **permanent water** line beneath 514<sup>th</sup> Avenue, crossing in the SE¼ Section 27, Township 24, Range 8 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska; said line to provide water from well across to new building site. All work to be done according to State and County Specs. Voting aye: Schwager, Jacob, Schindler, and Kerkman. Henery absent. Nays none. Motion carried.

Motion by Commissioner Schwager, seconded by Commissioner Schindler to approve the permit submitted by Linda **Demerath for a second access** along 530<sup>th</sup> Avenue, crossing in NE¼ Section 5, Township 27, Range 5 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska; said access to be used for turnaround for trucks entering and exiting property. All work to be done according to State and County Specs, the width of the access will be changed from 120 feet to 40 feet. Voting aye: Schwager, Jacob, Schindler, and Kerkman. Henery absent. Nays none. Motion carried.

Claim from **Mitteis Gravel, LLC** to Sherman township was presented. Commissioner Schwager, seconded by Commissioner Schindler approved County Treasurer pay the bill as presented. Casey Dittrich, Antelope County Road Boss has confirmed the authenticity of the claim. Voting aye: Schwager, Jacob, Schindler, and Kerkman. Henery absent. Nays none. Motion carried.

Invenergy, Josh Framel, presented a map of the current roads to amend the current **Invenergy Road Use Agreement**. They have been working with Casey Dittrich regarding same. Motion by Commissioner Jacob, seconded by Commissioner Schindler to replace Invenergy's road map Exhibit A with the updated Exhibit A dated May 4, 2017. Voting aye: Jacob, Schindler, Schwager and Kerkman. Henery absent. Nays none. Motion carried.

Discussion continued on the Nebraska **Public Service Commission** letter regarding support of the TransCanada Keystone Pipeline L.P. Commissioners decided to write individual letters. No further action.

Road Boss, Casey Dittrich, had a **final comment** regarding a text message and picture he received on his cell phone during the meeting. The picture is of Roger Napton's truck repair shop area. The pictures shows equipment and parts in the county right of way. Liz Doerr, Antelope County Zoning Administrator reported the Planning Commission has not visited this situation since they have been working on updating Zoning Regulations. County Board requested Liz to have county attorney write a letter to Mr. Napton.

Pictures for ID Badges for Emergency Management was held until a future date.

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

Meeting adjourned at 9:39 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

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

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