

June 5, 2018
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, June 5, 2018 at 9:04 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 Commissioner's 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.

Correspondence was reviewed: June NIRMA Safety Shorts; NDOR Past Due Bridge Inspection; Email Correspondence from County Attorney and Damage Claim Services; Nebraska Emergency Management Performance Grant – On Site Inspection Visit Letter; Central Valley Ag letter regarding Elgin Store; NIRMA email from Craig Nelson regarding moving of offices; Emergency Management 2018-2019 proposed budget; Nameplate Capacity Tax for 2017 State of Nebraska; letter from Jewell & Collins, Attorney at Law regarding Eleanor Brady Estate; 2018 Newsletter From The Oakdale Cemetery Auxiliary; Thank-You from Orchard Historical Society, County Board Workshop Information.

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

Liz Doerr, **Zoning Administrator** gave her regular meeting report. Zoning permit was presented. Not much to report. She shared the **May Zoning Permit Report. Administrative Plat** for Don and Sherri Ahlers, in N½NE¼ of 21-26-8. The plan is to split off 1.034 Acres homesite. The current plan has chicken fence over the parcel splitting out. The Ahlers are deeding this property to their son. Mrs. Sherri Ahlers was present and stated it was not an issue. She stated her son, Shane is OK with the layout as is. Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve the Administrative Plat as presented. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried. **Administrative Plat** for Chad Huitgens on an irregular tract in NE¼ 28-28-6. The plan is to separate out a 1.00 plat ground for a house. At one time there was a house there, it has since been removed. Liz voiced no opposition to the plat. Chad was here and voiced no concerns. Motion by Henery, seconded by Schwager to accept the plat as submitted. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Zoning Permit Report for May was reviewed and put on file.

Antelope County Library Association: The Librarians of Antelope County met with the commissioners to request to further extend their interlocal agreements with Antelope County, and share what projects and improvements utilized and shared by the various libraries. During the discussion Jennifer Norton, Neligh Public Library; Cindy Lee Simeon, Tilden Public Library; Kate Ostenrude, Brunswick Public Library; Barb Bode, Elgin Public Library (Diane Gunderson was also in attendance); Donna Hamilton, Orchard Public Library all presented a verbal review of the year and shared library happenings for the year. All submitted written library histories and current programs. The Clearwater Public Library submitted a written report but was not in attendance. After completion of reports, a few questions continued. The librarians left. Discussion of the interlocal agreement and funding for the 2018-2019 fiscal year. Motion by Commissioner Henery, seconded by Commissioner Schindler to continue agreement and funding as previous fiscal year. Voting aye: Henery, Schindler, Schwager, Jacob and Schwager. Nays none. Motion carried.

County Car: The Extension Office will be utilizing an intern this summer. This intern is an 18-year-old male who will be attending college this fall and will be working with the extension office this summer. He will be working with the summer reading program at various libraries in Antelope County. Tessa, Extension Office Manager would like to utilize the county vehicle for his transportation. After checking with NIRMA, it was reported the "auto liability coverage follows the vehicle so coverage will apply to anyone the county allows use of or access to the county vehicle." The commissioners expressed no opposition to, or negative thought regarding same. No action needed. The utilization of the county car for the summer intern in the extension office is appropriate.

Marc Munford, with **Ameritas Investment Corp** met with the Commissioners regarding refinancing of the Jail Bonds. He presented various figures and scenarios. No action taken.

Promotional Grant Fund: City of Elgin Pool Committee had submitted a Promotional Fund request for \$300.00 to the Visitors Committee. The Visitor Improvement/Promotional Committee has recommended approval of the funds. Motion by Commissioner Schindler, seconded by Commissioner Henery to accept and pay the claim submitted by the City of Elgin. Voting aye: Schindler, Henery, Jacob, Schwager and Kerkman. Nays none. Motion carried.

(188) Commissioner Jacob discussed the merits of his **dual role as commissioner/road employee** and discussion of agenda items, and motion/voting of items related to same. He stated he had talked to Pam Bourne and a gentleman from Nebraska Accountability and Disclosure Commission regarding these actions. Mr. Jacob informed the Commissioners that the person at NADC stated he should have no restrictions on these issues as long as it does not affect monies paid directly to Commissioner Jacob. Discussion regarding previous guidelines we had on this issue were discussed. The previous guidelines included the idea of actions as a commissioner to help make the employees work life easier, and actions to benefit duties owned and completed by said commissioner as a day to day road employee. It was agreed that this was not an issue. A short opposition was voiced by Commissioner Kerkman. Commissioner Kerkman stated he thought things should continue as they are when it was going to affect Mr. Jacob's day to day employment, Mr. Jacob should abstain from voting. It was discussed by the other commissioners they saw no ill effects either way. They wanted to proceed with restrictions limited to financial gain. No motion made, no further action.

Motion by Commissioner Henery, seconded by Commissioner Schwager to **approve the May 1st, 2018 and May 8th, 2018 Board of Commissioner** Minutes as presented. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Motion by Commissioner Henery, seconded by Commissioner Schwager to approve the **May 1st, 2018 and May 29th, 2018 Board of Equalization** Minutes as presented. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Road Boss Report:

Hinrichsen Sand and Gravel does not have bank run. He thought he was going to have some, but currently is not able to supply it. He will call when it is available. What is available is not quality we need. We are shouldering roads right now and trying to fix oil. We are back to millings. We have some milling and hope to start hauling next week. It is a perfect time to be grinding. There is a section of the Brunswick Road that is almost beyond repair, 527th Avenue right north of the Neligh-Pierce Road.

Casey plans on doing 21 miles of Armor Coating before fiscal year end. (June 18th-22nd) – Approximately \$100,000.00

New patching truck will be here on Thursday, June 7th, 2018. Original delivery date was later July.

Armor Coat Gravel is being stock piled. Mitties Gravel – started hauling on Wednesday. Casey believes he has a stock pile spot near all of the armor coating should be done.

Joe Sinclair still plans on being here in June for the two (2) miles south of CVA road – the red dirt.

Requested Maintainer be put on June 26th agenda. Some quotes from banks regarding financing.

Old equipment is on the auction. So far some of the equipment looks to be selling ok.

The packing machine is scheduled to be in June 22nd. (Original date was July.)

Currently the patching crew is humping the holes that are patching. We will let them settle for a couple of weeks, and then go out a shave off the top layer.

Underground Permit: Motion by Commissioner Henery, seconded by Commissioner Schwager to approve the application for permit submitted by Two Rivers Irrigation to place a permanent electric line beneath 861st Road crossing from the SW¹/₄ of Section 29 to the SE¹/₄ Section 28 Township 26, Range 7 West of the 6th P.M., Antelope County, Nebraska. Caroline Jaeke – owner, and Klabenes Land & Cattle, tenant. Line to be used for center pivot irrigation. Minimum of 48 inches. All work to be done according to County and State specs. Those voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Marlin Conry, Invenergy, discussed **528th Avenue Right of Way**. This avenue is being upgraded per the Road Use Agreement. During the plan phase, it was documented the right of way has delineated, and currently goes right in front of Dick Shraders house. 528th first half mile south of 852nd Road. The road actually is outside of the right of way. Richard Shrader owns both sides of the road. To alleviate the need to take a lot of unnecessary trees and other things out, they are planning to move the right of way, and vacate the current right of way on the east side of the road and add more property to the west side of the road. In essence adding 0.98 acres to right of way and vacating 0.23 acres. So, about ³/₄ of an acre is being added to the right of way is being added because of the change. We are vacating 15 feet of our right of way. Basically, we are updating the legal description. The existing right of way at the intersection, does not cause an interruption in travel. Brian McDonald has given his blessing. The intersection is in the correct fashion going north and south. Mr. Shrader was in agreement with current plans, as it is as good as it can be. Minimal damage to all environmental components. The ERPPD utility poles, are currently in the right of way. They are working up a legal document to make the position of the utility poles legal. Mr. Shrader's west fence will need to be moved. Invenergy will be replacing (moving) the fence. Motion by Commissioner Schwager, seconded by Commissioner Schindler to approve the right of way change, and vacation on 528th Avenue. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion carried.

Marlin Conry, Invenergy requested Drawings for Road Upgrades to be placed on agenda for June 12, 2018.

Colonial Life Insurance was a no show for meeting today.

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

Meeting adjourned at 10:47 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, LeRoy Kerkman

Attest: _____
County Clerk, Lisa Payne