

June 6th, 2017
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular extra session on Tuesday, June 6th, 2017 at 9:05 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.

Motion by Commissioner Henery, seconded by Commissioner Jacob to **approve Board of Commissioner** meeting minutes from May 2nd, 2017 and May 9th, 2017 as written. Voting aye: Schwager, Henery, Jacob, Schindler, and Kerkman. Nays none. Motion carried.

Motion by Commissioner Schwager, seconded by Commissioner Jacob to **approve Board of Equalization** meeting minutes from May 2nd 2017 meeting. Voting aye: Schwager, Henery, Jacob, Schindler, and Kerkman. Nays none. Motion carried.

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

Treasurer's May Fund Report was reviewed and put on file

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

Sheriffs May Fee Report was reviewed and put on file.

Reviewed and approved **NIRMA Premium Billing**: Motion by Commissioner Schwager, seconded by Commissioner Jacob to pay. Voting aye: Schwager, Henery, Jacob, Schindler, and Kerkman. Nays none. Motion carried.

Receipts reviewed: \$1,000.00 NIRMA insurance check; \$1,150.00 Royal Township – refund of Bond Premium; Behavioral Health System refund of overpayment \$6,230.25.

Correspondence was reviewed: Northeast Nebraska Economic Development District annual meeting and dinner; Oakdale Cemetery Newsletter; NIRMA letter and 2017/2018 Billing Statement; Pollinator's Picnic Tour (Northeast Nebraska RC &D); NDOR past due bridge inspection reminder; Antelope County Planning Commission March 27th, 2017 and April 11, 2017 meeting minutes; Northeast Nebraska Economic Development District thank you and 2017/2018 membership certificate; BCBS NE Extended Supply Network expansion; BCBS NE EpiPin contract limitations; NIRMA's Safety Shorts; One Room School House news/information from Antelope County Historical Society; NIRMA Interchange Magazine highlighting Antelope County Law Enforcement Facility.

Motion by Commissioner Schwager, seconded by Commissioner Henery to pay **Township Claim** for Emme Sand and Gravel, Tinsley Grain, Mitteis Gravel LLC, and Hinrichsen Sand & Gravel for the indicated amount for the following townships:

Emme Sand and Gravel:	Crawford Township	\$ 178.83	Logan
Township \$ 901.77			
	Royal Township	\$ 38.07	Sherman
Township \$ 180.75			
	Garfield Township	\$ 526.75 (Claim was for \$1,425.93 not enough in Garfield Fund) (pay out of R & B)	
Tinsley Grain:	Elgin Township	\$ 813.00	
Mitteis Gravel:	Royal Township	\$284.31	

Hinrichsen Sand & Gravel: Township: \$ 228.81	Royal Township	\$ 1,351.39	Garfield
Township: \$ 429.69	Clearwater Township	\$ 860.78	Ord
Township: \$2,604.67	Frenchtown Township:	\$ 1,452.92	Neligh
Township: \$644.50	Cedar Township	\$ 1,931.86	Cedar
	Oakdale Township	\$ 649.39	

Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Motion by Commissioner Schwager, seconded by Commissioner Jacob to pay **Township Maintenance Claims** to Antelope County: Bazile Township: \$875.00; Ellsworth Township: \$4,200.00; and Royal Township: \$ 1,890.00; Crawford Township \$19,855.82. Crawford Township current fund balance is not able to cover the entire balance (short approximately \$6,200.00). Motion to include paying claim to expend fund balance. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried. Commissioners requested clerk to figure the process on collecting additional tax dollars to cover Crawford Township overage.

Motion by Commissioner Schindler, seconded by Commissioner Jacob to approve payment of **jury claim of \$1,376.65**. Jury members were paid for services rendered in late April and early May. The claim was not available in May to get on the agenda. Voting aye: Schindler, Jacob, Henery, Schwager and Kerkman. Nays none. Motion carried.

9:30AM **Antelope County Library Association** gave an annual review of the years projects. Cindy Simeon, Director, Tilden Public Library, president of Antelope County Library Association offered thanks and introduced the librarians. Cindy, Director, Tilden Public Library, Jennifer Norton, Director, Neligh Public Library, Kate Ostenrude, Director, Brunswick Public Library and Barb Bode & Diane Gunderson, Co-Directors, Elgin Public Library each gave a quick review of various services, activities, articles and items they provided. All of the county libraries provided a written report for Commissioner review, including Clearwater and Orchard Public Library who did not have representatives present. Each requested an increase in the annual county donation. No action.

Public Hearings

#52 Public Hearing 856th Road – Between 522nd and 523rd Avenue Rice/Sausser Sections 7 & 18-26-6 - 9:45AM

Motion by Schwager, seconded by Schindler to proceed with public hearing. Commissioner Kerkman opened public hearing, took roll call and read notice: **Road Closing Hearing BE IT RESOLVED**, by the Board of Commissioners of Antelope County, Nebraska, that a public hearing be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county road right of way (856th Road) located between Sections 7 and 18, Township 26 North, Range 6 West of the 6th P.M., Antelope County, Nebraska. Adopted this 2nd day of May, 2017, at Neligh, Nebraska. Antelope County Board of Supervisors signed: LeRoy Kerkman, Chairman of County Board. Please publish May 17th, 2017, May 24th, 2017 and May 31st, 2017. Kerkman requested comments from Highway Superintendent. BRIAN MCDONALD: it shows up open as a right-of-way, I don't know if it has ever been opened as a right-of-way, or been constructed. Much of the ground, is being farmed at this time, I guess I really don't have any comments beyond that. This is a public hearing, for input to the Board to give your feelings on whatever you want the right-of-way to remain open. Beyond that, do you guys have questions? I guess I have got some photos there. SCHINDLER: This one? MCDONALD: Yeah. SCHINDLER: Is there any blocked access? Is there still access for all? MCDONALD: I think everybody has access from an adjacent road way. SCHINDLER: They don't use this at all? HENERY: Where does this road end? MCDONALD: It is mostly farmed. AARON RICE: It is completely farmed. CLERK: NW1/4 12-25-6. RICE: There are trees older than I am. MCDONALD: Yeah, like I say, it is overgrown. KERKMAN: Just a second. RICE: It hasn't been used for 20 years. KERKMAN: Ok. Just a second. We will ask for your opinion here in just a minute. SCHINDLER: Yeah, we will have public comment. (Low conversation) CLERK: It is 12-25-6 it is the NW1/4 is where the turbines are going. It is the north strip along 12-25-6. (More low conversation) MCDONALD: I guess this is for testimony. KEKMAN: Ok, I am going to open it to the public. People

in favor of closing the road right-of-way testify. JOSH FRAMEL: Good morning my name is Josh Framel with Invenergy. Basically, I am sponsoring the requests. With the permission of our land owners on closing some of these road right-of-ways. What we were... as explained in the last meeting as we were going through our after survey and title searches we discovered there were some right-of-ways that were never opened. Working with Casey (Dittrich) on understanding what history here – according to use. Then I provided to the county, last time, our plans to access some turbines as well as where these right-of-ways are in coordinating with the folks who own that property. And it really looks like it makes the most kind of sense to close these right-of-ways at the section as indicated so we minimize where our roads would be into pivots. And not have open the right-of-way, which I don't think Casey wants to do. And ah property owners who have been using this can continue to do so... I think we are starting with. I mean I think those comments will carry for each one. I am happy to address it each time. And with that said I am happy to answer questions. KERKMAN: Anybody else want to testify in favor of closing it. (Someone stands) Will you come forward and state your name? AARON RICE: I am Aaron Rice, we farm and own the south quarter that borders the one, I do not know if they want to go. Ok, so we would be the NW1/4. Right here. KERKMAN: Uh huh. RICE: Yeah, you know we have farmed it forever. It's like I said there are trees that are older than I am in the middle of it. I mean, it has never been a passable road. There is only a trail road on the east end that is not very highly traveled at all. I think Sauser's use it to get to about this driveway from the south. As far as I know that is about all the traffic it gets. Like I said, 851 road is also sand trail. There is nothing going through the next one. That is another quarter we farm. It is extra-large; it is not split by a road. I have no problem closing it at all. HENERY: Aaron, will you bring that over here and explain to me where that is at? I cannot get my mind where it is? RICE: Craig Smith's? HENERY: Yes. RICE: Ok, it will be two (2) miles north... This corner. This is that trail road that goes back over to where we used to live. HENERY: Oh, ok. I got it now. SCHINDLER: Where did you say Sauser's? CLERK: Your maps are easy to read. I can find... RICE: It is up there but, he comes in from the south. There is a road back here that goes to Kathy's house. He comes up and he goes east. HENERY: Oh, you are talking about the north side of your...? RICE: Hausworth. HENERY: Hausworth. RICE: Yep. HENERY: That road has not existed for years. RICE: I mean, I don't, there's, when we fix the fence – it looks like there may be used to be a little bit of a road. CLERK: These are not roads Charlie. These are just right-of-ways we are hoping to release back to land owners. HENERY: And this is Dave's Bin Site. RICE: There is no road. HENERY: There is not. CLERK: They're not roads. HENERY: And you don't have any problems with closing it? RICE: Absolutely not. KERKMAN: Anybody else want to testify?... Ok, then I want to ask the people who want to testify opposed to it? Kathy, come on up? KATHY SAUSER: There is always two sides to every story. KERKMAN: Do you want to come up here and state your name, and that. SAUSER: He just stood over there. KERKMAN: He talks louder. SAUSER: You think? I am Kathy Sauser. Our land is adjacent to the requested proposal to close the road. The road has been, we have lived there for more than 30 years, and you really do not know it is a road. It is part of what we do. The petition to close the road, I understand, was supposed to be signed by ten (10) people. CLERK: No, because it is not a road, it is a right-of-way... MCDONALD: There is two (2) ways to start this process. One is the petition started by local land owners. The Board can skip that process if they choose too, and go directly to the study of the road, and then the hearing. So they can bypass it. SAUSER: Ok, that was my first question was who signed it? Because any one of the folks living along, that I spoke to, had not been approached. The other thing, a couple of things is – in all fairness to have wind towers, or who do not have wind towers, the right-of-way, the land owners line – the property line, should be where the setback begins. Otherwise, you have your neighbor telling you what you can do with you land. In all fairness, it should be at the property line. And, I understand the other, for us it will increase taxes. Not phenomenally, but taxes are taxes. So, for myself and possibly some of the other land owners, leave it the way it is. Thank you! KERKMAN: Anybody else want to testify in opposition to it. JOHN KERKMAN: I have got a question. L. KERKMAN: John, come up here. J. KERKMAN: I am John Kerkman. What benefits will it do if we close the road? What advantages are we going to have? L. KERKMAN: That is what we are discussing today John. HENERY: Well we are not closing a road, we are closing the right-of-way. CLERK: We are relinquishing the right-of-way. Correct. J. KERKMAN: Who will it help? AARON RICE: May I speak? (Leroy nods) AARON RICE: I have got a question... is the purpose of this is to close the right-of-way so we can grant private easements to create a road. Correct? ... As far as I know, the purpose of this is because it is a right-of-way, yet you do not maintain a road. We need access in there. And since you are not going to pay to build a road we want to close it so we can build a private road that people aren't going to drive up there and drink beer and throw stuff out in the middle of the section. Because that happens out there. L. KERKMAN: I am going to have to call on you to answer that question. MCDONALD: As far as, essentially you guys own the property to the center line of the section. And there is deeded, I think eight (8) acres per mile back to – I should not say deeded, but there is an easement granted. This is basically to eliminate the easement. The county is not using the right-of-way, and doesn't – I am assuming, intend to. SCHINDLER: Does the land owner pay taxes, no matter what? HENERY/SCHWAGER: No, we don't. MCDONALD: If you guys are farming this, I cannot tell you if they have been farmed. KELLY MUELLER: If it is a road, that's not, those acres aren't taxed. MCDONALD: Yeah, so like I said, you would have to. HENERY/SCHWAGER/KERKMAN: It is not a road. It is a right-of-way. There is no road there. MUELLER: Yeah, well I mean there is an easement there for a road. MCDONALD: It is a right-of-way for the county. MUELLER: So then they would not be taxed on those acres. SCHWAGER: That is right, but who is responsible if somebody get hurt on it? If we close the right-of-way on the road and somebody goes down there? MCDONALD: We have been recommended by your insurance company, if we close the road... SCHWAGER: The right-of-way? MCDONALD: The county can maintain the right-of-way and maintain the corridor if they so choose. Your insurance has recommended that you eliminate the easement and turn it back to landowners. And eliminate the liability on that. Did

that answer your question? DITTRICH: I can kind of answer Mr. Kerkman's question. The goal of the wind towers is to build a private road they can put a gate across without disturbing the landowners' irrigation system. As far as, the way it was said today, it almost sounded like they were doing us a favor by not making us build a road. That is not a decision made by the wind towers or anybody who lives in the county, except for these five (5) guys at the table. They cannot make us build a road because they need to get a wind tower. That is a decision for the commissioners to make. Their goal is to make a road with the least impact to the participating landowner that can be gated. Because right now, they cannot put a gate up across our right of way. If they do it has to be a resolution by the Board, and it has to have proper forms of ingress and egress. They would have to put... it couldn't be locked. Then you get into issues like what Mr. Rice said where you get people dumping stuff on roads that are not maintained. The county has no intent in maintaining these roads whether it is to a wind tower or we build a road. The four parcels that are up today – as we said before – there are big trees – we are not in the process of building roads out in the middle of nowhere. Like what these are doing. The whole goal of this, the whole benefit with this would be to the landowner of the wind tower, and wind tower company is to not have to make a 26-foot-wide road – which they have done in the past, south of Oakdale and Elgin, to go to a wind tower, which the county is now responsible to maintain. As an unbiased opinion, I cannot tell you the biggest benefactor here. I know there is positives and negatives for everyone involved. Including the county. That is why we go through to public hearing. But, the main goal here is to get a road that is not built to specs that services only a wind tower, that the public will not travel. I think is the best answer I can give you. J. KERKMAN: Ok. FRAMEL: I did not mean to imply the county was building us a road. What I was referring to is when I was working with Casey these aren't roads that look to be opened. They wouldn't want to maintain and keep this right right-of-way because we are going to want to put a road there. That is what I was implying. It looks like it has been farmed. Casey looked like he was ok with not planning in the future to put a road in. So, I did not want to imply we would make the county build a road. It is just not in a plan to put a road there. L. KERKMAN: John, did that answer your question? HENERY: So in Kathy's instance – she would be 33 foot closer to your wind tower? FRAMEL: Um, because the property line has not changed. AARON RICE: The property line between ours and Kathy's is east and west. You would be giving or granting us the ground back to the north, from our property. HENERY: That is right; you already have the property line to the center of the road – no matter what. Ok, I got it now. FRAMEL: Property line easement. And we cannot put a private road in a county right-of-way. So the map that I put together here. Here is where we would like to put the road – which avoids the pivot. AARON RICE: Without going further outside our ground – we always go further in under our pivot, and create a road outside your existing right-of-way. L. KERKMAN: Kathy, you still have an issue? SAUSER: From our end of the road, no one has ever traveled that land more than needed. It is fine just the way it is. It doesn't need anything changed. There is not enough room in there. Nobody has partied down there. Most of the folks don't even know that it is there because the road is not usually maintained. I still vote for leaving it the way it is. L. KERKMAN: But you know these people are farming it. They just as well be paying the taxes on it also. John did you have a... J. KERKMAN: You kind of answered my questions. Son it is in the fixin's to build a private road down that center line? FRAMEL: Just to reach our turbines. MCDONALD: A better term than road might be driveway. (Josh Framel, John Kerkman, Aaron Rice met in the back of the room. Discussion not audible.) CLERK: This is a public hearing, and I can't hear... Josh will you bring that up here so we can have it on the public hearing, please? HENERY: Everybody go forward so it is by the speaker, please. FRAMEL: Just clarifying, what we wanted to do is keep our private driveway out of the pivot as much as possible. As we did our research we found the right-of-way to the county. To avoid that right-of-way, we would have to push into the pivot more. So, since this road is not planning to be used by the county right-of-way – so there is no road – looking forward. (Discussion in audible) L. KERKMAN: We need to move this along, so if you have some issues here we need to hear them. And you are? Come on up. RON SNODGRASS: I would just like to ask... HENERY/KERKMAN: You need to come forward. State your name. CLERK: This is a public hearing. It all needs to be written down and documented. That is why we have to have you up here, so we can hear you. SNODGRASS: My name is Ron Snodgrass. I own part that property that they will go across. HENERY: Not on this one east of town. You are talking about a different one. This one we are talking about is east of Neligh. East and north of Neligh. SCHWAGER: We are talking about a different parcel. SNODGRASS: Well I just want to ask a question. If you are going to be running a road across are you guys going to be paying the taxes on the land that is taken out of production, rather than the land owner? FRAMEL: Taken out? SNODGRASS: From tower to tower. Your road that is cutting across the property? Are you guys going to be paying the taxes on that route? FRAMEL: If there is taxes that are assessed to the windfarm, then yes – we will pay any change in taxes. But if you are talking about the right-of-way that is not being taxed right now. SNODGRASS: No, I am not. FRAMEL: Ok, our road, yes if there are taxes being levied because of the wind farm then we cover those taxes for the landowner. SNODGRASS: Ok, thank you. L. KERKMAN: Ok, Is there and more comments, for or against? RICE: Can you close half of it? Is that possible? Could you only close the west half mile? MCDONALD: Yes. RICE: If they would be in favor of that. I don't know if they would be ok. I mean talking to Kathy – and that seems ok. FRAMEL: I think typically we suggest the whole mile because if you do just half, the right-of-way sort of goes nowhere. And so, when we were talking to Casey and Brian, it made sense to do the whole mile. L. KERKMAN: Ok. RICE: That might be an option to end the disagreement. MCDONALD: The Board chooses how they can close it. RICE: I know I'm just saying. DITTRICH: It is an option today because the public hearing was scheduled a month ago and written, and we had to go through the whole process. MCDONALD: The hearing is for the whole mile, the Board can choose to decide how to close the road right-of-way. KERKMAN: Is there any more comments? HENERY: So we can make that decision today, Brian? L. KERKMAN: For or against back there? You got everything settled. SCHINDLER: I've got a question for Kathy. Would that be more favorable to you? SAUSER: If you could only – or

if you do the one-half it would be awesome. Because if you close the whole thing – we are going to have more fun people on the road. And we have livestock up there. SCHINDLER: You would be more agreeable to that? Ok. I can understand. HENERY: Wait a second Kathy. If we close the whole road nobody is going to go up there at all. MCDONALD: Essentially, it would be private property. HENERY: It is private property. Cause the wind tower people are going to gate this at the west road, correct? FRAMEL: Uh huh. HENERY: So that nobody has access to that. If we leave your half mile open to the east – which I do not even know if there is an existing road there. The public would still have the right to come a half mile to your northwest corner. SAUSER: Right, do you remember when you were 18, that gate is not going to make any difference. HENERY: Well there would be a legal right to do something to them if they did something to the gate to get in there. But, if we closed half of that road, your east half is still open to the public and they have the right to go down there no matter what. But if it is gated and they do something to the gates then you have a legal right to stop them from going down there. SAUSER: I am just judging from the past. We have had... HENERY: But do you see my point? If we close the whole thing nobody can go. If we – (KATHY SAUSER: I do see it.) – close half – they still have the right to go up yours. And that is what you wasn't wanting is what I was thinking. But, I am just asking a question. SAUSER: Well, I would like it if you just close half of it. Thank you very much. HENERY: I just wanted to point that out. KERKMAN: Ok. Does the applicant have anything else they want to clarify? FRAMEL: No. SCHINDLER: Now, you are ok? I mean that will work? FRAMEL: The half mile is fine. Yep. KERKMAN: Any other testimony? ... Any other questions from the Supervisors? Do we close the public hearing? CLERK: I think we close this one and open the new one. Don't you think, Brian? KERKMAN: I suppose. MCDONALD: That is your guys' call. SCHWAGER: I make a motion to close the public hearing. KERKMAN: I got a motion to close the public hearing. HENERY: I'll second. KERKMAN: And a second. Motion by Schwager, second by Charlie. Schwager? Charlie? Eddie? Eli? (All respond yes) and I vote yes. Ok, now I need a motion to do whatever we are going to do. SCHWAGER: I make a motion to just close the half mile. HENERY: On the west end. SCHWAGER: Yeah, on the west end. KERKMAN: Motion to close the half mile on the west end. Do I have a second on that? SCHINDLER: Second. KERKMAN: I have got a second by Eddie. HENERY: Can we discuss that? KERKMAN: Yes, yes we can. HENERY: Ah, what is our responsibility on that east end? Do we have to put no outlet signs on the east end? Do we have to barricade halfway down from the east side, or what is the County's responsibility? MCDONALD: Ah, this is a public open road. I recommend you- HENERY: Because it is not an open road. MCDONALD: It has been discussed now. I recommend you put the triple diamond at the west end. To me, you are coming into the tax issue. It is being farmed now verses not being farmed. The right way has nothing to do with access. This is... essentially this has become private property. They have no right to go on to her property. Regardless, to me it is more tour insurance company probably recommending you close the whole thing. Essentially, giving them back their right-of-way. KERKMAN: We cannot close the whole thing? MCDONALD: You guys can close it however you choose to close it. KERKMAN: Well, we have got opposition and so forth for it. It has been the case in the past that we have not done that. So... and we have a motion on the floor to close the half mile. HENERY: Well, I guess... since this isn't really a road it is just an access that makes somewhat of a difference. SCHWAGER/KERKMAN: Yeah. SCHWAGER: You are just closing the right-of-way on the west half. HENERY: Right, you are just closing a right-of-way on, you're not really... SCHWAGER: You are not really closing a road. J. KERKMAN: Can I comment? I don't care if you hang signs on the east end. That will bring curious people to go in there. Don't do anything on the east end. HENERY: But, here is the whole thing. We have to follow what our insurance company, and what the law tells us to do. SCHINDLER: Don't you guys put a locked gate on that west end. FRAMEL: Yeah if we put a private road in, then it would have a gate. J. KERKMAN: I am talking the east end. HENERY: He is talking the east side – and I totally agree with you. Why is it this no outlet sign on here – let's go down and see? J. KERKMAN: Because I had no problems before and you guys put up – and it stirs it all up. L. KERKMAN: Ok, I got the motion and the second. Ok, Eddie? Schwager? Charlie? Eli? (All respond yes) and I will vote yes on that too. End 10:08 AM

RESOLUTION NO. 2017-06-0003
ANTELOPE COUNTY, NEBRASKA
856th Road ROW Abandonment

WHEREAS, Antelope County considered the possible vacation or abandonment of the right of way mile of located between Section 7 and 18, (Custer Township) Township 26 North, Range 6 West of the 6th P.M., Antelope County, Nebraska. (ROW located on what would be 856th Road between 522nd and 523rd Avenue.)

WHEREAS, Antelope County directed the Highway Superintendent to make a study of the use of the road and held a public hearing to discuss possible vacation or abandonment of the above described road.

WHEREAS, it was discussed at a public hearing, on June 6th, 2017, after proper notice and notification to the landowners.

WHEREAS, it was found to be in the public interest that the County close the mile of the road right of way to the public, and revert same to the adjoining land owner.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that relinquishment said road right of way be considered closed with the conditions stated above.

Adopted this 6th day of June 2017, at Neligh, Nebraska

BOARD OF COUNTY COMMISSIONERS
OF ANTELOPE COUNTY, NEBRASKA

ATTEST:

___/s/ Le Roy Kerkman _____

___/s/

Lisa Payne _____

LeRoy Kerkman, Chairman of County Board
Antelope County Clerk

10:10AM 520th Avenue Public Hearing #2 520th Avenue - Sections 22 & 23 – Between 855th & 854th

Road - 10:10AM HENERY: I make a motion to open public hearing. **KERMAN:** Do I have a second on that? **SCHINDLER:** Second. **KERKMAN:** Second by Schindler. Charlie? Schwager? Schindler? Eli? (All respond yes) and I vote yes. What is the next one? **CLERK:** Let's do 520th. 520th? Is that ok? **KERKMAN:** Ok. 520th – I'll read notice: **Road Closing Hearing BE IT RESOLVED,** by the Board of Commissioners of Antelope County, Nebraska, that a public hearing be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county road right of way (520th Avenue) located between Sections 22 and 23, Township 26 North, Range 7 West of the 6th P.M., Antelope County, Nebraska. Adopted this 2nd day of May, 2017, at Neligh, Nebraska. Antelope County Board of Supervisors, Signed LeRoy Kerkman, Chairman of County Board. Please publish May 17th, 2017, May 24th, 2017 and May 31st, 2017. – Ok, I need a reason for the closing. **JOSH FRAMEL:** Ok, I will go ahead and introduce again. **SCHINDLER:** Is there a map on that one? **FRAMEL:** Yeah. Josh Framel, from Invenergy. This one I think is pretty obvious there is not a road. Again, there is no roads on any of these. These are to prevent cutting through the pivot. Our road would avoid it. And I wouldn't change it. We are never going to put a road in their pivot. But again we have to set back away from the right-of-way. Which is sorta complicated. As you can see our line crisscrosses the existing right-of-way. So closing that will clean up a lot of it, and I think to Schultz's as well. Um and you know because they got their pivot. **KERKMAN:** Ok. Any questions from the Supervisors on this? **SCHINDLER:** Who are the land owners on this? **FRAMEL:** Fred and Kathy Schultz and Mr. Bridge here. **KERKMAN:** Ok, I am going to open it to the public. Those in favor of closing it – do you want to testify? **MERLE BRIDGE:** My name is Merle Bridge. I own land on both side of that line. There is no road there. I am for closing it. **HENERY:** Do you want to look at this... it dead ends down... **KERKMAN:** Ok. Ok. That's all. Anybody else want to testify in favor of closing it? Anybody here that want to oppose closing that road. **GARY JONES:** My name is Gary Jones. What road are you talking about? **HENERY:** Do you know where Tim Mosel lives? **JONES:** You said... Yeah. **HENERY:** Over there. It would be if you went straight south of Tim's. If you go straight south a mile. Fred and Kathy Schultz place is there. And they own on both sides of that, and then you go down and Merle and Joann Bridge. **JACOB:** Ryan Koinzan owns land down there now. **HENERY:** Well, it is some ways. **JONES:** I guess I am lost. I didn't catch what you said. I ain't right I guess. **HENERY:** It is over by Tim Mosel's going straight south of Tim's. **JONES:** What section did you say? **HENERY:** Twenty-two and twenty-three. (Everyone appears to be looking for.) **JONES:** What sections did you say? **KERKMAN:** I said sections 22 and 23. Sections 22 and 23. **AUDIENCE MEMBER:** It is 26 and 27 ain't it? **CLERK:** Did I say it wrong? **KERKMAN:** Did you give me the wrong one? **CLERK:** I don't think so. **HENERY:** 520. **JONES:** What road? What section? **HENERY:** It is not a road. **FRAMEL:** It is just a right-of-way – there is no road here. **HENERY:** Sections 22, 23, 26, 27. **CLERK:** So it is between 22 and 23 correct? **HENERY:** That is what it says here in Brian's stuff. **MCDONALD:** It is 22 and 23. It is between 854th and 855th road. It is about a 4 square mile area where everything is a two mile road all the way around. **JONES:** These people are talking – they own that road are not... **HENERY:** The road is between 22 and 23 (confusion as to location) **CLERK:** This is in Blaine Township? **KERKMAN:** It doesn't look like there was ever a road there. **HENERY:** There isn't. **JONES:** I know nothing about that. **KERKMAN:** So I have no opposition to this? Ok. Anymore comments from the Board? Ok, then I am going to need a motion to do whatever. **SCHWAGER:** So moved. **KERKMAN:** A motion to do what? **SCHWAGER:** Close the public hearing. **KERKMAN:** Close that. No – no. Ok. **SCHWAGER:** Yep. **KERKMAN:** Yep, right. Ok and I need a second. **JACOB:** I second. **KERKMAN:** Second by Eli. Charlie? Schwager? Schindler? Eli? (All respond yes) And I'll vote yes. Ok, I need a motion to do whatever we are going to do with that right-of-way? **SCHWAGER:** I make a motion to close that right-of-way. **JACOB:** I second it. **KERKMAN:** I have a motion to close that right-of-way. **JACOB:** I second it. **KERKMAN:** I have a motion, and a second to close that right-of-way.

Any comment from the Board? Schwager? Henery? Schindler? Eli? (All respond yes) And I'll vote yes.
Ends 10:17 AM.

RESOLUTION NO. 2017-06-0001
ANTELOPE COUNTY, NEBRASKA
520th Avenue ROW Abandonment

WHEREAS, Antelope County considered the possible vacation or abandonment of the right of way mile of located between Section 22 and 23, (Blaine Township) Township 26 North, Range 7 West of the 6th P.M., Antelope County, Nebraska. (ROW located what would be 520th Avenue, between 855th and 854th Road.)

WHEREAS, Antelope County directed the Highway Superintendent to make a study of the use of the road and held a public hearing to discuss possible vacation or abandonment of the above described road.

WHEREAS, it was discussed at a public hearing, on June 6th, 2017, after proper notice and notification to the landowners.

WHEREAS, it was found to be in the public interest that the County close the road right of way to the public, and revert same to adjacent landowners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that relinquishment said road right of way be considered closed with the conditions stated above.

Adopted this 6th day of June 2017, at Neligh, Nebraska

BOARD OF COUNTY COMMISSIONERS
OF ANTELOPE COUNTY, NEBRASKA

ATTEST:

___/s/ Le Roy Kerkman _____

___/s/

Lisa Payne _____

LeRoy Kerkman, Chairman of County Board
Antelope County Clerk

Public Hearing #54 – 856th Road Right of Way Sections 10 & 15: 10:18 AM Motion made by Schwager, seconded by Schindler to open public hearing, KERKMAN: I have got a motion and a second to open the public hearing. Eli? Charlie? Eddie? Schwager? (All respond yes) and I am here. Notice of road closing hearing. **Road Closing Hearing** BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that a public hearing be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county road right of way (856th Road) located between Sections 10 and 15, Township 26 North, Range 7 West of the 6th P.M., Antelope County, Nebraska. Adopted this 2nd day of May, 2017, at Neligh, Nebraska. Antelope County Board of Supervisors, LeRoy Kerkman /s/, Chairman of County Board. Please publish May 17th, 2017, May 24th, 2017 and May 31st, 2017. This is in Custer Township. GARY JONES: Between which sections? MCDONALD: 519th and 520th Avenue. KERKMAN: Between sections 10 and 17. (Lisa corrects him.) Ten and fifteen. That is right here. (Commissioners look.) DITTRICH: It is Blaine Township. KERKMAN: It is Blain Township. GARY JONES: You people know where you're at? KERKMAN: I don't live in that part of the country, so I don't. My part of the country I do know where I am at. (Rumbles from Commissioners as to what map.) That is right here. JOSH FRAMEL: Yeah, I think I handed out the wrong one. I think we are on 856th road. Right? SCHWAGER: Handed me the wrong one. JONES: Yeah, you got the wrong one, this is the right one. HENERY: This is the same one. JACOB: This is right? Right? FRAMEL: Yes, 856th Road. KERKMAN: Land owners are Harlan Haake and Barbara Gaither, Ronald Snodgrass and Sanne and Krebs. Those are the land owners. BOB SNODGRASS: And me, Bob Snodgrass. KERKMAN: Yeah, Ron Snodgrass, I said that. HENERY: Bob. ROBERT SNODGRASS: That is Ron. KERKMAN: Oh. Ok. It didn't show up in the book. CLERK: I think it is a little parcel down there. KERKMAN: Oh, ok. Ok. Pardon me. I see that. 8 acres. Ok. FRAMEL: I can introduce this again. Josh Framel, Invenergy. Similar situation. We have a mile of right-of-way – we would like to come up with a road, if we need to push out of county (ROW) we will be pushing to the field more. We would like to close the right-of-way so our private road would be in gated. It is not an existing road, and is not planned to be built as a road. ROBERT SNODGRASS: You planning on building a road there? FRAMEL: We are planning a road, you can come look at this map if you like, to the turbine only. We are not planning to open up the whole road at all. Just a private access road that will go about a half mile. ROBERT SNODGRASS: Is it from the Royal Road? FRAMEL: Is it the Royal Road. KERKMAN: That is 519, is that the Royal Road? SCHWAGER/JACOB: Yeah. SCHWAGER: You are coming off the

Royal Road going to? FRAMEL/KERKMAN: No. JACOB: No, you are coming off of 520 aren't you? FRAMEL: No, this is the Royal Road here. Right, here is Bob Snodgrass. JACOB/HENERY: 520. You are coming off 520. FRAMEL: Yeah. Not off Royal Road. I am sorry. KERKMAN: Ok. MCDONALD: Right there on the west end. Right on the Royal Road. HENERY: That is Bob Snodgrass'. MCDONALD: Ok. HENERY: And I think Ron, you are part owner there too? MCDONALD: Bob Snodgrass is in the NW1/4 of this section, on the south side of tis road. KERKMAN: Yes. MCDONALD: On the north side of that place, there is a farm access about 1000 feet of road – I think it was about 950ft where they are accessing the field to the south and east of Bob's place. Or directly east of his place. I guess that is the one unknown piece on this one. If they need that right-of-way if they want to maintain that as farm access. Because if it is closed it will become part of Bob Snodgrass' property – and it would eliminate the field access that the guy is using. SCHWAGER: Are you coming in from the east of the west? HENERY: West. KERKMAN: West. MCDONALD: West. HENERY: Right here. Along see this road right here. It is just right along the north line. FRAMEL: If you guys are open to the half mile, if there is any issues there. This is a similar situation where it up to the county but a half mile is really where we are working. HENERY: And it is the east half mile, of that mile? FRMAEL: Yes. KERKMAN: Ok, anybody else in favor of closing this one?... Ok, I will go to the opposition. HENERY: I will speak for Harlan Hoake. He asked me to speak for him. He is not in favor of that half mile past his which borders Snodgrass'. KERKMAN: Yeah, I see that. HENERY: He is not in favor of that at all. He said he has kind of maintained that for wildlife and stuff going down through there. FRAMEL: You mean, are you talking about? HENERY: About the west half. FRAMEL: The west half we are not proposing. HENERY: That is what he told me to say, so that is what I did. FRAMEL: Just to clarify, we are closing the right-of-way for those folks that own that property – they are getting their unrestricted access back to do what they want. KERKMAN: Right. SCHINDLER: You probably won't even go into that, will you? FRAMEL: I don't even think we have it under lease. We cannot do anything. SCHINDLER: So there is no reason for you to go any further than half way. FRAMEL: Right. SCHINDLER: You probably wouldn't, even is the road is closed, you probably wouldn't even. FRAMEL: Certainly, it doesn't really matter. What is does for us, is it – where are lease is how and where we put our roads in. But it makes sense to avoid impact. SCHINDLER: Yeah, to do the whole thing. Yeah, I understand what your idea is. KERKMN: Ok. JACOB: We don't need a closing for the rest of the mile. KERKMAN: I am sure you... SNODGRASS: Six of you know me and Jerry does too. I am not in favor of the west half being closed. SCHINDLER: Along with Harlan, the one that Harlan is talking about. KERKMAN: Ok. SNODGRASS: I don't care or know about the east half. I already caught your subcontractor on my ground, and I didn't sign an agreement. Ok. FRAMEL: Yep, they told me about that, and I apologized that they were in the wrong place. SNODGRASS: Well they can come out and do some more dirt work too. HENERY: That is between them, not us. KERKMAN: Yeah, that is not our issue. That is your issue. Ok. Anybody else opposed? ... Applicant, you got anything else to say? ... (Josh nods no.) Ok. Any other testimony? Any questions from Commissioners? HENERY: I make a motion to go out of public hearing. SCHWAGER: I second. KERKMAN: Motions by Henery seconded by Schwager. Eli? Henery? Schwager? Schindler? (All respond yes) And I will vote yes. Oh, a motion. HENERY: I'll make a motion to close the east half mile of this and leave the west half as it is. SCHWAGER: I will second that. KERKMAN: Any other comments? Eli? Schindler? Schwager? Charlie? (All respond yes) And I will vote yes. Ended 10:24AM.

RESOLUTION NO. 2017-06-0004
ANTELOPE COUNTY, NEBRASKA
856th Road ROW Abandonment

WHEREAS, Antelope County considered the possible vacation or abandonment of the right of way mile of located between Section 10 and 15, (Blaine Township) Township 26 North, Range 7 West of the 6th P.M., Antelope County, Nebraska. (ROW located on what would by 856th Road between 519th and 520th Avenue.)

WHEREAS, Antelope County directed the Highway Superintendent to make a study of the use of the road and held a public hearing to discuss possible vacation or abandonment of the above described road.

WHEREAS, it was discussed at a public hearing, and was found to be the best interest of the County to close the road right of way to the traveling public.

WHEREAS, it was found to be in the public interest that the County close the east half of the road right of way to the public and revert same to adjoining land owners.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that relinquishment said road right of way be considered closed with the conditions stated above.

Adopted this 6th day of June 2017, at Neligh, Nebraska

BOARD OF COUNTY COMMISSIONERS
OF ANTELOPE COUNTY, NEBRASKA

ATTEST:

___/s/ Le Roy Kerkman _____

___/s/

Lisa Payne _____

LeRoy Kerkman, Chairman of County Board

Antelope County Clerk

10:25AM 851st Road **Public Hearing #55 851st Road ROW Between 527th and 528th Avenue**
SCHWAGER: I make a motion to open the public hearing. SCHINDLER: I'll second. KERKMAN: Motion by Schwager, second by Schindler to open Public hearing. Voting aye: Henery, Schindler, Schwager, Jacob, and I will vote yes – **Road Closing Hearing**, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that a public hearing be set for 9:45 AM the 6th day of June, 2017 to consider whether or not to vacate or abandon the county road right of way (851st Road) located between Sections 1 and 12, Township 25 North, Range 6 West of the 6th P.M., Antelope County, Nebraska. Adopted this 2nd day of May, 2017, at Neligh, Nebraska, Antelope County Board of Supervisors, Signed LeRoy Kerkman, Chairman of County Board, Please publish May 17th, 2017, May 24th, 2017 and May 31st, 2017. – And this is located in... CLERK: 26-6. Custer. (Indistinct conversation while commissioners locate area map) MCDONALD: It is in Blaine. KERKMAN: It looks like an open road. JACOB: It does. SCHWAGER: You want the whole full mile. FRAMEL: Yeah, again I think it is just half for our facilities. SCHWAGER: Which way are you going to come into here? HENERY/FRAMEL: East. (Indistinct Conversation) FRAMEL: The issue is to do a mile because the half mile ends abruptly. KERKMAN: Is that Janet Bentley, David Kallhoff, MoDay Farms and Leonard Miller – they are the land owners along this mile. CLERK: Right. KERKMAN: Ok. Is this open – the first mile of the highway? HENERY: I know where it is at, I was just checking to make sure he- JACOB: Well, most of the time it is washed out. It is clay. It is there, it can be drove. HENERY: On his map the wind tower is drawn. KERKMAN: Looks like to me like nothing but a bunch of trees. Holy, in my country they would have farmed through it. JACOB: 3½ north of Neligh, and west. KERKMAN: Does anybody want to testify in favor of closing that road? KENNY KALLHOFF: I am Kenny Kallhoff. My mom owns property that goes between me and Leonard Miller. My mom has no issue with it. I guess we have no issue with it. It hasn't been open for probably four years. It doesn't go anywhere anyway, so we don't have a problem with it. KERKMAN: Ok. Anybody else want to testify in favor of it. LEONARD MILLER: I'll testify in favor of it. I don't see any reason for not relinquishing the right-of-way. KERKMAN: And you are? MILLER: I am Leonard Miller. I don't know, Randy Mosel was on the Township Board and he was in favor of closing it 30 years ago. And he thought it was closed. So he is not opposed to it. KERKMAN: Ok. MILLER: And I do not know about Bentley's. KALLHOFF: I talked to Allan about it a little bit. And he said I can't – and I can't speak for him, but he didn't act like he had a problem with it either. KERKMAN: Ok, you got any issues there, you got anything? FRAMEL: No, just a quick review... Josh Framel from Invenergy. Similar issues as before. With our road, we would like to stay out of the pivot. We would not be able to if the right-of-way is there. There is no road. It has, the right-of-way has been on the books for a while. And, it would just free things up if it were closed. KERKMAN: Ok. Do I have any opposition against closing this road? Anybody opposed to closing this road? FRAMEL: Right-of-way. Right-of-way. KERKMAN: Right-of-way I mean. FRAMEL: Thank you. CLERK: Can Gary Jones hear this? (To Gary) Gary – can you hear this at all? HENERY: This is the one that is in Custer. GARY JONES: Which sections? CLERK: 7 and 18. JONES: You know what I am talking about, Charlie. HENERY: No, I don't. We are talking about this one. The one west of the hog buildings on what I call the seven (7) mile road. It would be a mile west of the highway. JONES: It doesn't bother me any. HENERY: Ok. KERKMAN: Ok. Alright, any other testimony? Commissioners? Anything? Ask for a motion to close the public hearing. SCHINDLER: So moved. SCHWAGER: I second. KERKMAN: Motion by Schindler, seconded by Schwager to close the public hearing. Charlie? Schwager? Schindler? Eli? (All respond yes) and I will vote yes. HENERY: I make a motion to close the whole mile of that. SCHWAGER: I'll second it. KERKMAN: I have a motion and a second to close the whole mile. Any other discussion? Schindler? Eli? Schwager? Charlie? (All respond yes) and I will vote yes. Ok, we are through. Ends at 10:33 AM.

RESOLUTION NO. 2017-06-0002
ANTELOPE COUNTY, NEBRASKA
851st Road ROW Abandonment

WHEREAS, Antelope County considered the possible vacation or abandonment of the right of way mile of located between Section 1 and 12, (Neligh Township) Township 25 North, Range 6 West of the 6th P.M., Antelope County, Nebraska. (ROW located on what would be 851st Road between 527th and 528th Avenue.)

WHEREAS, Antelope County directed the Highway Superintendent to make a study of the use of the road and held a public hearing to discuss possible vacation or abandonment of the above described road.

WHEREAS, it was discussed at a public hearing, on June 6th, 2017, after proper notice and notification to the landowners.

WHEREAS, it was found to be in the public interest that the County close the west half of the road right of way to the public, and revert same to adjoining land owner.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that relinquishment said road right of way be considered closed with the conditions stated above.

Adopted this 6th day of June 2017, at Neligh, Nebraska

BOARD OF COUNTY COMMISSIONERS
OF ANTELOPE COUNTY, NEBRASKA

ATTEST:

_____/s/ Le Roy Kerkman _____
Lisa Payne _____
LeRoy Kerkman, Chairman of County Board
Antelope County Clerk

County Constituent, **Gary Jones** was in attendance for the public hearing regarding Custer Township. During the public hearings he asked various questions, and never was on the same page as the hearing. Further discussion revealed Mr. Jones to be upset with the "closing" of 526th Avenue. Commissioner Henery and Road Boss, Casey Dittich affirmed the "temporary closing of a little over a mile of 526th Avenue between 854th and 856th Road" was in fact due to road work began last fall by Custer Township, without county approval, and against county advise not to. The work started by Custer Township did not meet state standards and the project they "started" was not complete, and appropriate studies had not been completed. Since that time, Antelope County has been working to get and assure all conditions and standards of rebuilding/structuring a road is being met. Mr. Jones disagreed with the information shared by the county. 526th Avenue is "temporarily closed" during the structuring and rebuilding of the road, as opposed to the actual closing of the above approved road right of ways. This project was initiated as a 'township' project, and Antelope County is working to rectify damage and contain various loose ends. Mr. Dittich nor Commissioner Henery gave an expected completion date. No action taken.

Zoning Administer Report: Liz Doerr met with the commission with the following report. Minutes of the March 27, 2017 and April 11, 2017 Planning Commission Meetings were presented for review. The draft of the updated zoning regs are ready and the Planning Commission is ready to take to a public hearing. The public hearing is scheduled for 7:00 PM on July 11th, 2017 at the American Legion Post 172 building in Neligh. There are three (3) possible options A) they can approve as is B) they can approve with changes, or C) they can deny out right. If they are approved at that hearing it will be sent to the Commissioners for public hearing. The Variance Board will be meeting regarding grain bins in southern Antelope County. Mr. Napton was involved with a Conditional Use Permit in 2016. Various pictures and reports indicate that the conditions of the CUP are not being met. There will be a meeting regarding same in the near future, after the public hearing. Currently, they have processed approximately 80 Invenenergy permits. There are about 23 more on her desk. Monthly **Zoning Permit** was reviewed and put on file.

Subdivision Approval: Motion by Commissioner Schindler, seconded Commissioner Henery to accept the subdivision approval for a 6.36 Acre tract in the Northwest Quarter of the Southwest Quarter of Section 15, Township 24 North Range 5 West of the 6th P.M., Antelope County,

Nebraska. Driveway permit is on file. He was not obligated to pay as he started and was approved before the access permit was resolution. Voting aye: Schindler, Henery, Jacob, Schwager and Kerkman. Nays none. Motion carried.

SUBDIVISION APPROVAL

The survey of 6.36 acres, described as:

A tract of land lying wholly in the Northwest 1/4 of the Southwest 1/4 of Section 15, Township 24 North, Range 5 West of the sixth P.M., Antelope County, Nebraska, more particularly described as follows:

Beginning at the West ¼ corner of said Section 15;

thence South, on section line, on an assumed bearing of South 01 degrees 50 minutes 30 seconds East 811.93 feet;

thence North 31 degrees 30 minutes 45 seconds East 326.69 feet;

thence North 35 degrees 23 minutes East 145.33 feet;

thence North 41 degrees 20 minutes 50 seconds East 67.71 feet;

thence North 45 degrees 58 minutes 30 seconds East 122.25 feet;

thence North 48 degrees 27 minutes 10 seconds East 147.57 feet;

thence North 59 degrees 43 minutes 25 seconds East 110.82 feet;

thence North 60 degrees 37 minutes 05 seconds East 224.81 feet;

thence North 65 degrees 31 minutes 15 seconds East 105.26 feet to a point on the ¼ line;

thence South 88 degrees 10 minutes 55 seconds West, on the ¼ line, 911.93 feet to the point of beginning and containing 6.36 acres more or less.

was approved by the Antelope County Board on June 6, 2017.

___/s/ LeRoy Kerkman _____

___/s/ Lisa Payne _____

___/s/ Liz Doerr _____

Chairman

County Clerk

Zoning Administrator

County Assessor, Kelly Mueller asked about the subdivision approval and the need for them. It was reiterated they help establish the need for road access, and sewer and small parcel overload. In addition, some banks are requiring for financial reasons.

Road Boss Report Casey inquired regarding the maintainers and selling of unused maintainers. Currently he has one maintainer as a surplus, and is thinking about selling two (2) possible machines. The maintainer in Orchard which is 2002 John Deere with 10,000 hours is down. He has researched the value of some of these machines and they are in the \$60 – 70,000 range. The commissioners discussed the pros and cons including price, retail value, and maintenance of the different machines. Casey is authorized to figure out the best plan. If they can fix and make the machine sellable, that is the plan of attack. The road crew has oiled in Oakdale. We are in the process of shooting oil in Brunswick this afternoon, before rain comes. Next week, I will bring a list of options on where that is going. We will have all three (3) windrows ready to go, so we can discuss where they are going to go. The windrow in Clearwater looks great, we have borrowed 20 loads out of it. We are going to try not to mix on the road this year. Packer should be arriving sometime next week.

Motion by Commissioner Schwager seconded by Commissioner Henery to approve the **road access permit** for Mary Klein for the purpose of accessing field off of 846th Road in the NW¼ of Section 6, Township 24 North, Range 6 West of the 6th P.M., Antelope County, Nebraska. Purpose is to access field entrance. Owner is Mary Ellen Klein and tenant is Craig Seier. Road Boss, Casey Dittrich has reviewed the permit and area and voices no opposition. Voting aye: Henery, Schindler, Schwager, Jacob and Kerkman. Nays none. Motion carried.

Motion by Commissioner Henery seconded by Commissioner Schwager to approve the **road access permit** for Dale Nielsen for the purpose of accessing field off of 868th Road in the NE¼NE¼ of Section 17, Township 28 North, Range 6 West of the 6th P.M., Antelope County, Nebraska. Purpose is to access field entrance. Owner and tenant is Tim S. Nielsen. Road Boss, Casey Dittrich has reviewed the permit and area and voices no opposition. Voting aye: Henery, Schindler, Schwager, Jacob and Kerkman. Nays none. Motion carried.

BOE 11:06 to 11:16

Standard Appraisal: Antelope County Assessor, Kelly Mueller met with the commissioners regarding Standard Appraisal proposal to reevaluate Antelope Counties commercial files. Kelly compared six counties Assessor Budgets and Appraisal Costs. She has two (2) employees and does not use an appraisal firm. Other counties have more employees and use an appraisal. She stated she does not have enough man power to provide an appraisal for revaluating commercial properties. During the review of her State Report she concluded there is not enough information (NEI) to actually determine if the county is in compliance. Holt county had all of their parcels looked at for \$180,000.00. They are proposing to look at our 91 commercial properties for \$ 39,130.00. Kelly plans to pay this from her budget, but would have to increase her budget approximately \$9,000.00. The contract was presented to the commissioners. Commissioner Henery suggested Joe Abler review contract before a decision is made, and to add it to next week's agenda.

Veteran Service Officer, Ron Marshall has made a request to **appoint** Mr. Randall Robertson to the **Veterans Service Committee** to replace Mr. Curt Mitteis. Mr. Mitteis term will expire at the end of June 2017, and the appointment of Mr. Randall Robertson will be a five (5) year term, ending on June 30, 2022. Newly appointed VSO Tom Nelson was present for presentation. Motion by Commissioner Henery, seconded by Commissioner Schwager to appoint Randall Robertson to the Antelope County Veteran Service Committee for a five (5) year term. Voting yea: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

During the April Commissioner Meetings, it was voted to reimburse employees not on Antelope County Major Medical Policy with a cash in lieu payment. Although approved at that time an amount to be reimbursed was not set. After various employees have completed paperwork and figured amount of premiums and other fixed costs, discussion was previous reimbursement amount may not facilitate all expenses. And discussion of a \$400.00 cash in lieu for employee would be more inclusive. Motion by Commissioner Henery, seconded by Commissioner Schindler to reimburse employees not utilizing Antelope County Major Medical Insurance a **cash in lieu** of \$400.00 a month for the employee, and \$350.00 for employee spouse, providing proof of creditable coverage is provided. Voting aye: Henery, Schindler, Jacob and Kerkman. Nays: Schwager. Motion carried.

Again, pictures for the LEOP were not taken.

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

Meeting adjourned at 11:46 AM.
OF COMMISSIONERS

ANTELOPE COUNTY BOARD

By: _____

Chairman of the Board,

LeRoy Kerkman

Attest: _____

County Clerk, Lisa

Payne

/