

June 6th, 2023
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, June 6th, 2023, at 9:00 AM in the County Commissioner's Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairman Henery with the following board members responding to roll call: Heithoff, Williby, Jacob, and Henery. Krebs absent. Chairman Henery stated the open meeting laws are posted on the east wall of the Commissioner's Meeting Room with more copies available at the County Clerk's Office.

Notice of the meeting was given in advance thereof by publication in the three (3) county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk's office. The agenda for said meeting was sent to all members of the County Board of Commissioners. Meeting was available by Zoom.

Pledge of Allegiance was recited.

Agenda: Motion by Commissioner Heithoff, seconded by Commissioner Jacob to approve agenda as presented. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion carried.

(9:45 AM: Inmate Mowing Courthouse Grounds/Beacom-Mr. Beacom had a conflict-item was postponed till next week on his request.)

Minutes of the May 9th, 2023, Board of Commissioners Meeting: Motion by Commissioner Heithoff seconded by Commissioner Williby to approve minutes as submitted. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion carried.

Minutes of the May 9th, 2023, Board of Equalization Meeting: Motion by Commissioner Williby seconded by Commissioner Jacob to approve minutes as submitted. Voting aye: Heithoff, Williby, Jacob and Henery. Nays none. Krebs absent. Motion carried.

Correspondence was reviewed: NIS Group Long Term Disability Insurance Benefits; Group Life Insurance Benefit Flyer; NIS Employee Family Life Insurance Coverage; Certified Testing Services Reports 18-21 on the 2021 Pavement Projects; NACO Supplemental Life Insurance; Life and Long Term Disability renewal contract; Zelle Human Resources Consulting Proposal; National Opioid Official Settlement Correspondence/Email; Culvert bids from Metal Culverts, Inc., B's Enterprises, Inc., Midwest Service & Sales Co.; NIRMA annual billing; copy of resolution of Road Closing 853rd Road; copy of Clerk's Fee Resolution; FEMA extension letters; Contractors Application for Payment – 2021 Pavement Repair \$1,240,509.91 (to be approved next week); Pledge Collateral for Treasurer and Clerk's Imprest Account. TERC hearings are set for KKES, Orchard Young Men's Club, and Antelope County Shooters Club – all will take place July 10th & 11th, 2023; TERC letter stating the Assessor is within state compliance; NENEDD membership certificate.

The Clerk of the District Court fee report for May was reviewed and put on file.

The Treasurer's Revenue Report for May was reviewed and put on file.

The Treasurer's Fund Balance Report for May was reviewed and put on file.

Zoning Permit Report was reviewed and put on file.

Clerk's Fee Resolution: During the April Meeting a resolution was passed updating fees for the Clerk's Office. However, there were a couple of fees that were omitted. Motion by Commissioner Jacob, seconded by Commissioner Heithoff to approve current resolution as presented. Voting aye: Jacob, Heithoff, Williby and Henery. Nays none. Krebs absent. Motion passed.

ANTELOPE COUNTY
RESOLUTION NO. 2023-06-00001
CLERK, REGISTER OF DEEDS, ELECTION COMMISSIONER FEES

WHEREAS, the Antelope County Clerk, Register of Deeds and Election Office collects fees for filings, permits, requests, and sale of various instruments and services. And in order to conduct business in an orderly and lawful fashion.

WHEREAS, the Antelope County Clerk, Register of Deeds and Election Commissioner currently is a combined office. And it is not publicly set and adhere to the fees, and in accordance, need to have the fees set by county board resolution.

WHEREAS, the Antelope County Clerk has been made aware by the Nebraska State Auditor's Office that these fees should be established and maintained by a board resolution or policy.

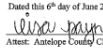

WHEREAS, the Antelope County Clerk needs to collect these fees to continue good will and maintain a solid fee schedule and recording basis.

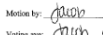
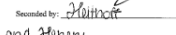
WHEREAS, the Antelope County Clerk has been and will continue to collect fees for various permits, requests, filings and sales. To continue and maintain a solid fee schedule recording basis the following fees will be set as per usual and customary actions:

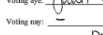
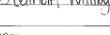
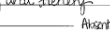
Instrument Filing-State Statute	\$ 18.00 first page \$ 6.00 each additional page
UCC Filing-State Statute	\$14.00 Flat Fee
DCC Termination	\$.00 each additional page
Copies	\$ 7.00 Fee
Certified Copies	\$ 8.25
Marriage License-State Statute	\$ 1.50 per page
Certified Copy Marriage License-State Statute	\$ 25.00
Plat Books	\$ 5.00
Maps	\$ 35.00
Fax/Email	\$ 1.00 per page
Permits (Underground)	\$ 20.00
Permits (Road Access)	\$ 75.00
Permit to Move Structure	\$100.00 – plus engineering fees if applicable
Nebraska Game & Park Permits/Issue Fee	\$ As set by State-Yearly
Liquor License Publication Fee as per State Statute 63-132(4)(b)	\$ 52.00
Review and Compilation of Requested Public Records – as needed	\$ 40.00/hour.
Due Stamp	\$ 2.25 – as set by Statute.

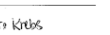
THEREFORE, BE IT RESOLVED BY THE ANTELOPE COUNTY BOARD OF COMMISSIONERS, that the Antelope County Clerk shall establish a fee schedule as above. The Clerk's Office personnel shall collect the fees as deemed necessary. This resolution shall supersede and null any previously established fees.

Dated this 6th day of June 2023.

 Lisa Payne, Clerk
 Charlie Henery, Chairman of County Board

Motion by:  Jacob Heithoff
Seconded by:  Charlie Henery

Voting aye:  Jacob Heithoff,  Williby and  Henery

Voting nay:  Absent Krebs

Motion passed/Failed: Passed

Road Closing Resolution: A Public Hearing was held on January 4th, 2022, at which time the Commissioners voted to close the road when and as long as the adjoining landowner(s) allow a gas pipeline to remain and maintenance and services to the adjoining parcels. The easement was signed, notarized and filed with Antelope County Register of Deeds on April 26th, 2023, in Book 79 of Miscellaneous at Page 16. After review of the information a motion was made by Commissioner Williby, seconded by Commissioner Heithoff to approve road closing resolution, and authorize the Board Chairman to sign. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion carried.

RESOLUTION 2023-06-00001
ANTELOPE COUNTY, NEBRASKA
Closing of One (1) Mile of 853rd Road

WHEREAS, the Antelope County Board of Commissioners considered the possible vacation or abandonment of 853rd Road between 528th and 529th Avenue. The road is located between Sections 30 and 31, Townships 26 North, Range 3 West of the 6th Principal Meridian, Antelope County Nebraska.

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

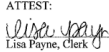

WHEREAS, it was found to be in the public interest that the County close the roadway to the traveling public.

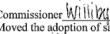
NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, said road be vacated and the right-of-way easement revert to the adjacent property owners.

NOW, THEREFORE, BE IT FURTHER RESOLVED that this closure resolution is not valid until easements are to be filed with the Antelope County Clerk that allows for maintaining the private gas line in the western half mile of roadway. Said easement was filed on April 26th, 2023 and filed in Book 79, Page 16 & 17. Copy is attached.

Adopted this 6th day of June 2023, at Neligh, Nebraska

BOARD OF COUNTY COMMISSIONERS
OF ANTELOPE COUNTY, NEBRASKA

ATTEST:
 Lisa Payne, Clerk
 Charlie Henery, Chairman

Commissioner  Williby
Moved the adoption of said Resolution
Roll Call: 4 Yea 0 Nay 1 Absent
Resolution adopted, signed and billed
as adopted.

9:15AM Antelope County Librarians met with the Commissioners regarding annual payment and review. Many thanks were shared for past Commissioner/County Support. They requested continued support from the Commissioners. The Librarians: Oakdale: Charlotte Tracy; Clearwater: Kathy Fuesse; Orchard: Donna Hamilton; Neligh: Amy Baker; Elgin: Barb Bode; and Tilden: Cindy Lee Simeon, each reported on the years library activities and programs. The Commissioners said they would continue to consider the libraries as they work through the budget. No further action.

NIS Long Term Disability and Life Insurance Renewal: NIS administers the Long-Term Disability and Life Insurance policies for NACO, and subsequently Antelope County. The rates have remained steady, and NIS has determined there will not be an increase this year and are guaranteeing the rates until July 1st, 2025. NIS is asking the Commissioners to acknowledge and sign the agreement. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve and authorize Chairman to sign Agreement for the Long-Term Disability and Life Insurance Policy for the two (2) year time frame – until July 1, 2025. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion carried.

NIS Client Focused Solution Driven

March 2023

Lisa Payne
County Clerk
Antelope County
Courthouse 501 Main
PO Box 26
Neligh, NE 68706-0227

RE: Insurance Renewal for Antelope County, Group # 020332
Life and Long-Term Disability, Madison National Life Insurance Company, Inc.
Carrier Policy # 4203, NIS Policy # 6278; Carrier Policy # 1232, NIS Policy # 7842

Dear Ms. Payne:

The Life Insurance renews July 1, 2023. I am pleased to inform you that Madison National Life Insurance Company, Inc. has determined that a rate adjustment is not needed. Your renewal rates are as follows:

Class Title	Current Rate Per \$1,000 of Coverage	Renewal Rate Per \$1,000 of Coverage	Impact
All Classes	\$9.20 / \$9.03	\$9.20 / \$9.03	Pass / Pass

Long-Term Disability

Class Title	Current Rate Per \$100 of Covered Payroll	Renewal Rate Per \$100 of Covered Payroll	Impact
All Classes	\$9.26	\$9.26	Pass

These rates are guaranteed for 2 Years until July 1, 2025, assuming no changes to the current benefit structure. We believe our level of commitment to you is most evident in our ongoing efforts to secure both competitive pricing and extended rate guarantees. We truly appreciate your business and the opportunity to continue negotiating on your behalf. In return for your commitment to National Insurance Services (NIS), NIS agrees to provide the following:

- Annual Best Practices Service Visit or Call
- Dedicated Account Representative
- Dedicated Client Relations Representative
- Dedicated Billing Representative
- Free Gap Analysis (When requested)
- Compliance with State Bill Laws
- Monitoring Market Conditions

Corporate Headquarters: 250 South Executive Drive, Suite 300, Brookfield, WI 53005-4273 | Office: Nationalwide: 800.627.3660 | www.NIS.com

By signing the below, you are acknowledging your reciprocal 2 Year commitment to NIS. In pricing the renewal, the claims risk and administrative expenses are spread over the rate guarantee. In exchange for our rate guarantee, you must remain directly contracted with NIS for the duration of the rate guarantee. In the event you cancel prior to the end of the rate guarantee a risk charge in the amount of 1% of annual premium will be assessed for each month remaining on the rate guarantee.

Please complete the bottom portion and return a copy to National Insurance Services as indication of your acceptance of the renewal. Thank you for your continued business. Please do not hesitate to call me if you have any questions.

Sincerely,
G. Dan O'Byrne
Account Representative, Insured Products

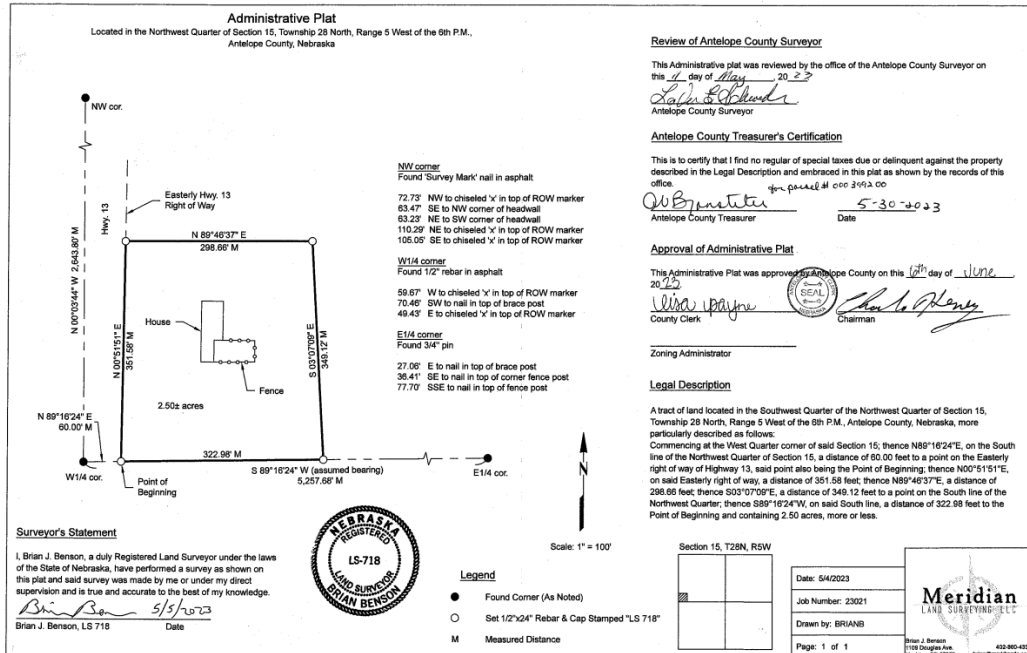
The July 1, 2023 renewal of Group Life and LTD Insurance as outlined above is accepted.

Chad Henery 6-6-23
Chairman, Antelope County Board of Commissioners
Insurance Renewal for Antelope County, Group # 020332
Life and Long-Term Disability, Madison National Life Insurance Company, Inc.
Carrier Policy # 4203, NIS Policy # 6278; Carrier Policy # 1232, NIS Policy # 7842

Life Insurance Coverage for Employee Families: During the 2022 open enrollment period, NIS opened up the life insurance coverage to include employee spouses and family members. This benefit was not included in last years benefits package and NIS representatives wondered if Antelope County would want to consider offering life insurance benefits to employee families/spouses. The premium cost would be out of employee pocket and included as a payroll deduction. The County would not owe any additional membership or premium fees for the offering of the spouse/family benefit. The Clerk reported she has had a couple of employees inquire if there was life insurance coverage for family members. Motion by Commissioner Heithoff, seconded by Commissioner Jacob to approve the extension of life insurance benefits 'piggy backing' off employee current benefits. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion carried.

Zoning Administrator Report: Mrs. Wingate asked if there were any questions on the permit report.

- **Administrative Plat:** with the passing of Mr. Wostrel, most of his real estate was willed to family members. However, the hired man was willed a two (2) and a half (1/2) acre tract with a house on it, along Highway 13. Located in the NW 1/4 of Section 15, Township 28, Range 5, West of the 6th P.M., Antelope County, Nebraska. Because of the number of acres, and the separation from the parent parcel an administrative plat was presented today. Megan reports no issues. Motion by Commissioner Heithoff, seconded by Commissioner Williby to accept plat and authorize Chairman to sign same. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion carried.



- **Junk Yard Ordinance** in the SE 1/4 SE 1/4 SE 1/4 Section 27, Township 28, Range 5, West of the 6th P.M., Antelope County, Nebraska; Bazile Township. The property is owned by Gregory and Julie Wells. Over the last 12 or so years have steadily increased the junk in their yard. Currently, the setbacks are not met to qualify as a Junk Yard. Antelope County Attorney and Zoning Administrator are working with owners to rectify and improve the situation. The owner currently sells 'parts' and things from this location. A conditional use permit may be necessitated to bring the property into compliance. No further action today.

Budget Authority: The historical society function in the General Fund is over the budget request. A general budget transfer can rectify the budget. Motion by Commissioner Heithoff, seconded by Commissioner Jacob to approve the budget adjustment between Miscellaneous General to Historical Society function. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion passed.

Road Superintendent Report: Mr. Boggs was unable to attend today's meeting.

- **Underground Permit** – SW 1/4 32-23-5, electric line 530th Avenue/Nielsen – tabled until June 13th, 2023
- **Access Permit** – 840th Road- NW 1/4 NE 1/4 Section 1, Township 23, Range 5/Rutjens – tabled until June 13th, 2023
- **Access Permit** – 511th Avenue – SE 1/4 Section 6, Township 28, Range 8/Mast – tabled until June 13th, 2023
- **Culvert Bids:** 3 bids submitted:
 - **B's Enterprises Inc.**

○ 18" Diam 16 GA Spiral Galvanized CMP (10 x 20')	200 LF	\$ 22.99/LF
○ 24" Diam 16 GA Spiral Galvanized CMP (14 x 20', 3 x 30')	370 LF	\$ 30.52/LF
○ 30" Diam 14 GA Spiral Galvanized CMP (6 x 20', 2 x 30')	180 LF	\$ 48.12/LF
○ 36" Diam 14 GA Spiral Galvanized CMP (4' x 20')	80 LF	\$ 57.44/LF

○ 48" Diam 12 GA Spiral Galvanized CMP (2 x 20', 2 x 30')	100 LF	\$ 106.49/LF
Total		\$39796.20
○ NMC CAT		
○ 18" Diam 16 GA Spiral Galvanized CMP (10 x 20')	200 LF	\$ 29.20/LF
○ 24" Diam 16 GA Spiral Galvanized CMP (14 x 20', 3 x 30')	370 LF	\$ 36.99/LF
○ 30" Diam 14 GA Spiral Galvanized CMP (6 x 20', 2 x 30')	180 LF	\$ 58.41/LF
○ 36" Diam 14 GA Spiral Galvanized CMP (4' x 20')	80 LF	\$ 70.08/LF
○ 48" Diam 12 GA Spiral Galvanized CMP (2 x 20', 2 x 30')	100 LF	\$126.54/LF
Total		\$48,300.50
○ Metal Culverts Inc.		
○ 18" Diam 16 GA Spiral Galvanized CMP (10 x 20')	200 LF	\$ 20.40/LF
○ 24" Diam 16 GA Spiral Galvanized CMP (14 x 20', 3 x 30')	370 LF	\$ 27.30/LF
○ 30" Diam 14 GA Spiral Galvanized CMP (6 x 20', 2 x 30')	180 LF	\$ 41.80/LF
○ 36" Diam 14 GA Spiral Galvanized CMP (4' x 20')	80 LF	\$ 49.85/LF
○ 48" Diam 12 GA Spiral Galvanized CMP (2 x 20', 2 x 30')	100 LF	\$ 92.40/LF
Total		\$34,933.00

- Motion by Commissioner Heithoff, seconded by Commissioner Jacob to accept all bids, as various projects and timing may call for different material and availability may be limited. Voting aye: Heithoff, Williby, Jacob and Henery. Krebs absent. Nays none. Motion passed.

Edward Jensen, weed board member passed away recently. We will add the advertising to next week's agenda.

No other issues to discuss.

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

The meeting adjourned at 10:03 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairperson of the Board, Charlie Henery
Attest: _____
County Clerk, Lisa Payne