

June 26, 2018  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, June 26<sup>th</sup>, 2018 at 9:01 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.

**Claims Reviewed:** Motion by Commissioner Henery, seconded by Commissioner Schwager to accept and pay the claims as presented.

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

We, the Committee on Claims, report that we have examined and approved for payment the following claims:

**General:** ACN, paper for kids fingerprint cards 9.32; Ant Co Sheriff, mileage and service fee to serve subpoenas 103.50; Ant Co Treas, transfer to inheritance fund 600,000.00; Ant Memorial Hospital, blood draw 210.00; Applied Connective Technologies, 8GB memory for server 400.00; Luann Bartos, mileage for board meetings 45.22; Beckman Lumber, lumber for garage door 2700.00; Bomgaars, drill bits, screws, repair kit, terminals, adhesive, grounding plug, trimmer line, tape dispenser, miracle grow, potting soil, digital incubator, brooder clamp, heat lamp, flush lever, sprinkler spray heads, street elbow, cut-off riser extender, weed killer 522.20; Black Hills Energy, heating fuel 35.70; Boyd's Electrical Service, labor and parts for electrical work underground to cabin 1351.34; Casey's, fuel 870.70; Cash-Wa Distributing, garlic salt, onion powder, flour, instant yeast, dry milk, granulated sugar, catsup, BBQ sauce, pasta sauce, gravy mix, oatmeal, applesauce, pear slices, diced peaches, tomato juice, mayo, vegetable shortening, mandarin oranges, pineapple chunks, milk, cabbage slaw mix, ham, oven fries, chicken breast patties, home-style breading, pork loins, gravy, paper cup portion, disposable lids, toilet paper, paper towels, food disher, grill screens 4959.25; Neligh City, monthly recycling fee, electricity, water, garbage 2715.30; Consolidated Management, meals for employee at training center 21.17; Cornhusker Hotel, lodging expense 99.00; DAS State Accounting, teletype, network service charges 448.00; Liz Doerr, trimmer, binder clips, folders 30.97; Eakes, vacuum, vacuum bags, tape, calendar book, wall calendar, hi-liters, correction tape, pens, labels, adding tape, staples, address labels, 3-hole punch paper, note book, monthly calendar, calendar holder, checks, freight, toner cartridges, planner, Clorox wipes, facial tissues, safety pins, rubber bands, safety pins, card stock, easel pad, desk calendar, legal pads, office furniture for Assessor's Office 4889.28; Andy Elder, mileage for board meetings 20.00; ES&S, ballot printing 1309.50; Elite, monthly copier maintenance agreements, color copier 5326.96; Farm & Home Publishers, plat books 750.00; Tessa Hain, glue sticks, foam, postage 25.32; Lyle Hart, commodity hauling 200.00; Herley's Collision Repair, windshield, urethane, labor 423.50; Holiday Inn Express, lodging expenses 238.00; Holiday Inn, lodging expense 209.90; Howard's Gunsmithing, MagTech 180, American Eagle, Federal Lake City, Hurnady 1800.00; J&A Tree Service, cut down tree 425.00; Jack's Uniforms & Equipment, deputy shirts, eagle insignia 123.39; Jonny Dodge, 2018 Dodge Ram for weed control 25,874.00; Justice Data, integration of Web Jamin with state system 1000.00; Caitlin Lane, kazoos, shipping 15.42; Lynn Peavey Co, evidence bags, urine collection kits 141.50; Menards, air filters, lithium hand vacs, air purifiers, pine tapered shims, wipes 148.55; NACO, County Board Workshop registration fee 200.00; NPZA Northeast District, workshop fee 20.00; Sandra Moser, mileage to board meetings 21.60; Neligh News, envelopes, envelopes with mailing address 206.90; Office Depot, tape cartridges, sharpie markers, DVD's, sheet protectors, money receipts, markers, manila folders, highlighters, pens, file folders, envelopes, notes, toner, binders, pocket binder 1563.94; Office Systems Company, excess copy fee, copier contracts 2280.24; Old Mill Repair, tow for Polaris Ranger 472.50; Operations of MPD, ranger EZ dual-antenna radars, shipping fee 4640.00; Lisa Payne, reimbursement for parking fee at clerk's workshop 16.25; Petty Cash (Sheriff), postage 100.41; Pinnacle Bank, funeral flowers for Wayne County 87.74; Plainview News, sample ballots 614.25; Precision Glass, glass, plexi glass for counters 364.00; Quill, pens, binder clips, paper clips, push pins, pencil cup, organizer, cleaner wipes 83.18; Rixstine Recognition, t-shirts, cardigan jacket, sweatshirt, zip sweatshirts 199.60; Chuck Thiemann, mowing 30.00; Thriftway Market, grapefruit, rice 23.75; Uline, pneumatic wheel cart, wipe refills, side press bucket wringer, shipping 553.39; University of Nebraska, Windows laptop 1275.00; UNL ITS Communication, internet for iPad 91.04; Valentine's Niobrara Lodge, lodging expense 180.00; Van Diest, chemicals (Freelexx, Method, Premier, Brewer, Garlon) 3705.60; Gail Wortman, mileage for board meetings 51.84; Zee Medical, clean & safe towelettes, shipping 66.13; Derek Zuhlke, mileage for board meetings 64.20.

**Road & Bridge: At Large:** ATCO International, quickies 157.50; B's Enterprises, culverts, flared end section, grader blades 24,875.00; Bazile Aggregate, road gravel 290.00; Black Hills Energy, heating fuel 61.82; Bomgaars, sockets, extension cords, t-post, electric wire fence, insulator t-post, power steering fluid, liquid wrench, hydraulic booster, trash bags, toilet paper, leaf bags, windshield solvent, shop towels, oil bar, cycle lube, console, threaded rod, mud flaps, nylon proties, spray paint, letters/numbers, fasteners, safety vests, key blank, gloves, hammer, pliers, curved jaw, cut/crimp tool, connector, sprinkler, ratchet, nozzles, deep impact socket, thread locker, wrench, wheel grinder, wheel cut off, tap, safety eyewear 925.59; Casey Dittrich, Verizon phone payment 106.91; Farmer's Pride, fuel 7249.98; GIS Workshop, SimpleCulverts subscription 400.00; Island Supply, twin line hose 42.71; JEO, general engineering fees 13,337.50; JE Meuret Grain Co, steering sector, labor 1278.79; Klabenes Construction, 100ft approaches on Neligh Southwest bridge project 44,779.40; Lazy T Tire, D6200 DRIVE, shop fee 2584.00; Matteo Sand, armor coat, road gravel 4569.24; Mitteis Gravel, armor coat, road gravel 19,338.51; NMC, maintainer per meeting motion 70,000.00; Reinke's Farm & City Service, oil, woodsman, 20" chain, chainsaw, rim, chains 264.77; Road Builder's, parts, labor & shop supplies to install drive belt, waste disposal 1417.10; Spud Trucking, gravel hauled for armor coating from Mitteis pit, hauled load of sand from Hinrichsen, hauled five loads of dirt 16,268.00; Sta-Bilt Construction, single sealcoat 36550.00; Titan Machinery, parts and labor to replace damaged rollover protection structure on Case 580SN 26,759.20; Three & Co, rolls 20.00.

**Brunswick Area:** Frontier, telephone service 79.20

**Orchard Area:** Black Hills Energy, heating fuel 34.85; Farmer's Pride, fuel 3033.76; Frontier, telephone service 79.90; Lazy T Tire, hose ends, hydraulic hose 27.04; Mitteis Gravel, road gravel 687.83.

**Clearwater Area:** Black Hills Energy, heating fuel 36.53.

**Neligh Area:** Frontier, telephone service 129.93; NMC Exchange, motor grader fender 4095.00.

**Tilden Area:** Black Hills Energy, heating fuel 75.30; Bomgaars, toilet paper, Roundup weed killer, paper towels 70.96; Frontier, telephone service 79.41.

**Oakdale Area:** Black Hills Energy, heating fuel 39.06; Lichtenberg Tire, bolt on spare, miscellaneous shop supplies, service call, flat repair, O-ring, tire disposal fee 174.50; Nebraska Public Power District, electricity 52.84.

**Visitor Fund:** Elgin City, improvement grant for shade structure outside pool/park 1500.00.

**Reappraisal Fund:** Elite Office Products, monthly copier maintenance agreements, fax kit 775.26; NACO, Assessor Workshop registration 250.00; NE Department of Property Assessment, continuing education courses 900.00; Quill, stamp, envelopes, labels, pens, batteries, Clorox wipes, portable tablet case, chairs, paper pads, pencils, open reel fractions, tape, envelopes, shutter copy, staples, organizer, legal pads, cards 1034.89.

**Law Enforcement:** Bob Barker Co, boots 719.90; Boyd's Electrical Service, parts and labor for dog pound 857.51; Cash-Wa Distributing, toilet paper, chicken legs, milk, Pollock burgers, home-style breading, chicken breast patties, dish rinse, salt, dish detergent, cabbage slaw mix, potatoes baker 985.72; Iowa Prison Industries, reflective decals for patrol vehicles 26.70; Midwest Special Services, inmate transportation 676.50; Netcom, radio repair 755.00; Wanek, inmate prescriptions 453.15.

**Commissary:** Bob Barker Co, shoes, underwear, sports bras, tampons, razors, toothpaste, playing cards 1146.87; Bomgaars, garden tiller 449.99; Cash-Wa Distributing, ice cream sandwiches/bars 195.45; Keefe Supply Co, coffee, chips 201.60; Pinnacle Bank, annual flowers, geranium seeds, accent plant, Wahl lit-ion trim kit, toaster pastries, antiperspirant, popcorn, granola bars, crackers, melatonin, postage, cola, water, pizzas, toothbrushes, toothpaste, floss picks, readers, body wash, puzzles, word finds, crossword books, coloring books, books, activity books, face scrub, colored pencils, feminine hygiene products, saline contact solution, ticket rolls, shampoo, conditioner, baby powder 786.80; Time Keeping Systems, GUARD1 jail system 13,127.18.

**Building:** O'Neill Pest Control, pest control 150.00; Protex Central, fire alarm inspection 162.50.

**Courthouse Sign Memorial:** Commissioner Eddie Schindler addressed the board about a sign for the yard. He has been contacted by Carolyn Pedersen regarding memorial money left by Eleanor Holm Estate. She wondered if the memorial money could be used to help erect a sign for the front yard on the west side of the old courthouse building to identify the courthouse. She also would like a plaque on the sign acknowledging the donation and Eleanor's years of service. Boyd's Electric Inc., will run the electricity to illuminate construct to the sign complimentary, if the county would help and pay for the signage. Mr. Schindler has contacted Don Zegers Construction to help erect the structure. Motion by Commissioner Schindler, seconded by Commissioner Schwager to proceed with sign construction. The funding for this project shall be expensed out of the building fund. Voting aye: Schindler, Schwager, Jacob, Henery and Kerkman. Nays none. Motion carried.

**Correspondence was reviewed:** Big Iron Auction Itemized Receipt; Northeast Nebraska Economic Development District Annual Meeting Invitation; Antelope County Historical Society Newsletter Summer 2018; Certificate of Liability Insurance; Jewell & Collins letter regarding Eleanor Brady Trust dated June 25, 2018; Modification of 5-Year Revision Deadlines for LEOP from Nebraska Emergency Management Agency; JEO letter regarding the Clearwater North and Neligh Southwest warranty period of one (1) year is half over; US Senator Deb Fischer representative Tiffany Settles visit on July 11<sup>th</sup>, 2018; Farmers Pride Propane Contract.

**Receipts:** \$88,782.86 Big Iron Auction; \$500,000.00 Fund Transfer – General to Road & Bridge.

**Pledge Collateral Reviewed:** \$250,000.00 FDIC Insured; \$505,000.00 Regular Pledge; \$800,000.00 Temporary Pledge.

**Board of Commissioner Meeting Minutes:** Motion by Commissioner Schindler, seconded by Commissioner Jacob to approve the minutes of June 12<sup>th</sup>, 2018 meeting with the inclusion of the paid claim list. (The list was omitted during submission and reviewed before meeting today.) Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried.

**Improvement Grant:** City of Elgin requested grant money for shade structure outside of pool in their park. This was approved by the Visitor Committee on the 13<sup>th</sup> of June, 2018. And sent to the commissioners for approval. Motion by Commissioner Henery, seconded by Commissioner Schwager to approve funds for the City of Elgin Shade Structure per their request. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion carried.

**Budget** was reviewed. After claim and payroll from the beginning of June was processed it was determined the Road and Bridge Fund had three (3) functions that had gone over budget. County Clerk Lisa and Road Boss Casey Dittrich reviewed these districts and determined the discrepancy was payroll and the functions the payroll was drawn from. During hiring over the last year, employees were paid through the functions that the employees who they replaced. As payroll administrators they were not informed of various plans to pay the employees at large, as Casey intended them to be paid out of District 8 budget. However, erroneously the payroll was run through the separate barns. It was determined these funds should be transferred and run through the At Lage (District 8). A journal entry was complete and all is currently balanced. Casey Dittrich reiterated the Road and Bridge Budget looks good as far as miscellaneous expenses and spending. He feels confident about the overall Road and Bridge budget. County Clerk expressed the rest of the budget is in fine shape. There are a very few claims that might have come in the mail today. Most all claims were processed for claim run today. The clerk is holding no claims to be processed through next year's budget. No action taken. There is a claim in the mix today to transfer \$600,000.00 from the General Fund to the Inheritance to repay some of the dollars used when cash on hand was sparse during the fiscal year. This claim is/was part of the claim process.

**Road Repair South of Brunswick-Asphalt Overlay Repair:** [193] Commissioner Schwager again discussed the problems of grinding the two (2) miles north of 854<sup>th</sup> Road on 527<sup>th</sup> Avenue. This has been the discussion during multiple board meetings. The plan was to grind these miles and return this area to gravel road using the milling obtained to mix with hot mix on the Copenhagen Road. During the past year the Commissioners have agreed that five (5) to ten (10) miles of asphalt needs to be grinded a year. Commissioner Schwager stated the ground was too soft and the gravel will not be beneficial to traffic. Gravel is getting hard to find. The Copenhagen Road is in huge disrepair at this time, it could be closed. The plan is to grind the two (2) miles and use the millings on Copenhagen Road. The two (2) miles can and will be graveled. To grind one mile without the other, will not be beneficial to traffic. The Commissioners agreed the grinding of the two (2) miles on 527<sup>th</sup> Avenue north of 854<sup>th</sup> Road and using the millings on Copenhagen. No further discussion/action.

**Township Claims:** Motion by Commissioner Schindler, seconded by Commissioner Jacob to approve payment of Township Claims. No discussion. Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried. Mitties Gravel: Sherman Township \$170.02 & Bazile Township \$207.57.

**Permit to Move Structures x 2:** Two (2) applications for moving transformers along county roads were submitted by Al DeKruif of VanDyke Company were submitted. They are a subcontractor for the wind farm. The plan is to move the 400,000-pound gross load transformers from Brunswick (863<sup>rd</sup> Road) to 852<sup>nd</sup> Road. Section 2 in Township 27, Range 6 to Section 31, Township 26, Range 5. They will be using 15 axles with eight (8) tires on them each. It is overweight and oversized; the impact to the road should be minimum. They are steel axis. It will come to Brunswick by rail. Road Boss Dittrich did not see any issues with the permit. Constituent Dean Smith asked about the route and if the county road can take the impact. Mr. Smith asked about taking the transformer north of Brunswick to Highway 20 and around to head south on Highway 14. The plan is to move this transformer in July. The plan of the board is to have Road Boss Casey Dittrich talk to the contractor moving the structure to see if they are willing (and able) to change the route. We will wait on this decision until more information is gathered. During the Road Boss Report this permit was discussed. Dean Smith had contacted the Village of Brunswick, and they are in agreement they would rather see it go north out of Brunswick. Marlin Conry, Invenergy Road Superintendent did not see any issues, as the highway permits had not been applied for or issued yet. Commissioner Schwager made a motion to approve the moving of the Transformer going north of Brunswick. Motion seconded by Commissioner Jacob. Discussion about the denial by the state, but the commissioners did not think it would be a problem. Road Boss Dittrich said he would change the map on the permit, before it is approved. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

**Met as a BOE 9:33 to 9:37 AM.** Motion by Commissioner Henery, seconded by Commissioner Schindler to meet as a board of Equalization. Voting aye Henery, Schindler, Schwager, Jacob and Kerkman. Nays none. Motion carried. Met for approximately four (4) minutes. Motion by Commissioner Schwager, seconded by Commissioner Schindler to go out of Board of Equalization and back to regular session. Voting aye Henery, Schindler, Schwager, Jacob and Kerkman. Nays none. Motion carried.

Liz Doerr, **Zoning Administrator** presented an **Administrative Plat/Lot Split**. The plat is at the request of Jeremy Borer. It is a 5.26 Acre tract in the NE¼NE¼ 4-23-7. Building split, there is driveway access. Parcel is west of ELgin This is a clear-cut parcel. There were no objections voiced. Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve plat. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

**Road Boss Report:**

**Moving of Structure:** Moving of transformer approved. (See above.)

**Underground Permit:** Motion by Commissioner Henery, seconded by Commissioner Jacob to approve the application for permit submitted by Charles Meis to place a permanent electric line beneath 515<sup>th</sup> Avenue south of 843<sup>rd</sup> Road in the NE¼ of Section 23, Township 24, Range 8 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. HMP Farms – owner, Jake Schindler tenant. Electric line to be used for electric wire to bin site. Conditions of burying line five (5) feet below road surface, must sign distance of line with red warning poles and maintain those poles, and plow down center of road. All work to be done according to County and State specs. Those voting aye: Schwager, Schindler, Jacob, Henery and Kerkman Nays none. Motion carried.

**SimpleCulverts Program – GIS Yearly Contract.** Short discussion. Road Boss Dittrich reported this is an annual maintenance agreement contract. No changes necessary. Motion by Commissioner Jacob, seconded by Commissioner Schindler to approve the contract. Voting aye: Jacob, Schindler, Schwager, Henery and Kerkman. Nays none. Motion carried.

**EXHIBIT A**

**MAINTENANCE AND SUPPORT SERVICES AGREEMENT**

Antelope County, NE GISW Client Number: 0243-019

This MAINTENANCE AND SUPPORT SERVICES AGREEMENT, entered into on the Support Commencement Date (as set forth below in "Section 3. Term") is by and between GIS Workshop, LLC ("GISW") and the Antelope County, NE 0243-019 ("CLIENT").

1. Governing Provisions.

(a) This contract is pursuant to and governed by that certain SimpleSigns and RoweMap End User License Agreements 0243-015 (the "EULA") dated December 13, 2016, by and between GISW and CLIENT. This Exhibit sets forth the scope of the Services and Deliverables, responsibilities for all parties, and fees. Any capitalized terms used, but not defined herein shall have the meaning ascribed to it in the EULA.

(b) This Contract may be terminated with respect to any Service or Deliverable by mutual agreement of the parties. Client shall pay GIS Workshop for all Services performed and Deliverables delivered up to and including the date of termination. Client will also be subject to an early termination fee which shall consist of the following: fifty percent (50%) of the annual subscription fees due for the remainder of the term. These post-termination obligations shall survive the termination of this Contract, to the extent applicable.

2. Obligation of CLIENT. CLIENT will provide documents, data, information and access to CLIENT servers as necessary for GISW to carry out its maintenance and support obligations to CLIENT.

3. Maintenance and Support Services Deliverables. Subject to the governing provisions set forth above, GISW shall provide the following GISW desktop software support services and maintenance: GISW support services:

- GISW desktop software maintenance:
- Technical support via telephone, online, or email
- GISW SimpleCulverts

4. Term. This Support Agreement will commence on the Support Commencement Date: July 1, 2018 and continue in full force and effect, unless earlier terminated pursuant to the terms and conditions herein, for a period of one (1) year.

5. Fees & Payment. Customer will pay to GISW the fee of \$400 for the services/licensing described above for the Term described above. Payment is due upon receipt of invoice. Agreed to and Accepted by:

**Client Contact Information:**

Name: Antelope County

Address: 501 M Street, PO Box 26  
Neligh NE 68756

Tel: 402-887-4410

Fax: 402-887-4719

Email: antelopeclerk@frontiernet.net

CLIENT authorized signature: /s/ LeRoy Kerkman

CLIENT authorized name (print): LeRoy Kerkman

Date: June 26, 2018

**GIS Workshop, LLC**

**Contact Information:**

Ms. Janelle Heuton

4949 NW 1st Street Suite 1

Lincoln, NE 68521

TEL: 402-436-2150

FAX: 402-436-2152

EMAIL: [Jbartels@gisworkshop.com](mailto:Jbartels@gisworkshop.com)

GISW authorized signature:

GISW authorized name (print): Janelle Heuton

June 23, 2018

Job # 0243-016

**Elgin Barn:** Discussion of improving the Elgin Barn. Discussion with the contractor about adding on to the current structure, or construction of a new stand-alone structure. With the current condition of the current barn. The contractor believes it to be costlier, and a shorter life expectancy by tying it in. Casey discussed with him. The current discussion is of a stand-alone 50 x 74 feet shed, 2 x 6-inch studs on 24-inch centers with a walk through, and four (4) 12 x 14 feet overhead doors and openers. Four-foot centers on the trusses, four-foot stem wall, and 10 feet on top of that. (14-foot height). No floor in shed. \$54,115.00 (it would cost approximately \$17,000.00 concrete.)

This had been discussed at budget time last year. We would work with the city regarding drainage issues that are there now. It was asked if there would be a better location to build. Motion by Commissioner Jacob to proceed with the leg and paperwork on the project as presented. Motion seconded by Commissioner Schindler. Voting aye: Jacob, Schindler, Schwager, Henery and Kerkman. Nays none. Motion carried.

**Gravel Shed:** Discussion on a hoop building. Beckman Lumber does not construct hoop buildings but said he would give a deal on a steal shed. Mr. Beckman quoted a 24 x 36 - foot building, 12inch steel walls on top of a 4-foot stem walls. Three-sided shed. It would be 16 feet inside. Discussion of the height. Shed and labor only was quoted at \$8,825.00. Concrete for stem wall would be \$5,700.00. We would need a floor on that, quoted at \$4,000.00. Total at \$18,525.00. Various options were discussed. It was voiced this is a necessary to keep the gravel clean and dry. Road Boss Dittrich will look into a hoop building cost, and various wall options. No action.

**\*\*Motor Grader:** The following bids were opened on May 8, 2018 for Motor Graders:

Titan Machinery: Case 885B AWD	\$ 278,950.00
Road Builders: 2018 Komatsu GD655-6	\$ 244,950.00
NMC: 12M3AWD Caterpillar EQN079367 N9B	\$ 302,500.00
Murphy Tractor: John Deere 772GP 6WD	\$ 271,100.00
Murphy Tractor: John Deere 672G 6WD	\$ 262,400.00

During the May 8<sup>th</sup> Meeting discussion of merits, delivery dates, specs, and options. Payment options were discussed. The item was tabled to further explore financial options and budget allocations. Four (4) Antelope County Banks submitted competitive bids and payment options. Discussion of Road and Bridge Budget, which is satisfactory for purchasing at this point. The above maintainer bids were discussed and reviewed. The commissioners discussed resale value, longevity and useful life of the county's current inventory.

Motion by Commissioner Schindler, seconded by Commissioner Henery to purchase a NMC – 6-Wheel Drive Caterpillar and to purchase a wing with parts credit, for \$302,500.00. Making a down-payment today of \$70,000.00 today, \$70,000.00 in September and two (2) or three (3) annual payments in 2019 and 2020, financed through the Bank of Elgin. The bid for the CAT was \$302,500.00 includes a \$23,000.00 parts credit which will pay for the \$17,000.00 wing and leave approximately \$6,000.00 parts credit. Antelope County currently owns two (2) CAT maintainers (Neligh and Brunswick), and we have six (6) John Deere. CAT, John Deere and Kamutsu all had a representative on hand. Discussion of resale comparing current value on used machine as evidenced by Big Iron sale of items. Voting aye: Schindler, Schwager, Henery, Jacob and Kerkman. Nays none. Motion carried.

\*\*\*Bank of Elgin was the best quoted terms (3.5% for 2 years) of the four local banks quoted. (Pinnacle, Heritage and The Tilden Bank)

**519<sup>TH</sup> Road Damage:** During construction of the Upstream Wind Farm there has been multiple reports of the ‘Wind Farm Traffic’ on roads in rural Antelope County not on the Road Agreement. This has been happening repeatedly. On June 12<sup>th</sup>, shortly after the Commissioner Meeting, Marlin Conry reported to Casey there was a crane crossing on 519<sup>th</sup> Avenue (Royal Road) about two (2) miles north of Highway 275. He said there was some damage, and he was aware of it, and they were going to fix it. It is not on the Road Use Agreement. The RUA starts about two (2) miles south of there, running approximately ½ mile by James and Kathy Koenig. Casey did not go look at the area until after the crane had crossed and damaged the road. It was passable, but rough. At which time it was signed. On Wednesday, Casey drove out there and, on the way, he met an operator in a 966 M Payloader with a six (6) to seven (7) yard bucket full of clay (close to 20,000 pound). The operator was not on ride control, bouncing down the shoulder and about ran him off the road. Marlin was called right away. Casey drove a little way, turned around and met the same driver coming back empty. Both times Casey felt the exchanges were dangerous. Casey was upset/irate. He spoke with Marlin, they could noticeably see the marks and gages in the road. The foreman from IEA were called and the action was stopped. There was several (10-12) trips where they bounced down the road. For the crossing of the Top-Out Crane, which is over 1,000,000 pounds. On Tuesday, June 12<sup>th</sup>, 2018 the crane was supposed to cross the road. Seven hours later, the crane sat on the driving surface of the road for approximately two (2) hours. IEA had 18 inches of dirt down, they had 12’x12’ crane mats. At 8:00 PM the cranes tail end left the road. At 10:30 PM, Marlin called and reported the damage to the road left the road impassable, and he was closing the road. They got the counties rolling barricades and closed the road. The next day, the laser transit showed compaction marks 52 feet apart, 5 feet wide, and compacted the road 8 to 10 inches. We filled the tracts with cold mix asphalt, we laid steel plates 5 x 10 feet and laid four-inch overlay on top of it. We posted 25 MPH sign with barrels around it. It is a fairly smooth temporary fix. Traffic has been fairly fast and frequent on that road. Invenergy is responsible for that damage, it is outside the road use agreement. We do not have documentation of the condition of the road before the damage was done. We have documented fresh and old damage, we can document the shoulder breakup from the loader bouncing. The road use agreement avoided Antelope County’s asphalt roads for this reason. Invenergy has a history of repairing roads to better than previous. After compiling evidence, preparing a history, and talking with Marlin, he has agreed to repair this damage. Thinking this was an isolated incidence Casey believed this was a done deal. Casey asked for the boards direction on what should happen on this two (2) mile stretch. The commissioners agreed this is a subcontractor’s problem. Understanding these two (2) miles need to be fixed. This road is a well-traveled road all the time. Patching of this road is not going to last over the long term. The two (2) miles have continually been used by Invenergy, although it is not on the ‘road agreement’ the road should belong to the road agreement. The ‘Road Agreement’ was part of the Conditional Use Permit. The Conditional Use Permit is in violation if they are utilizing roads not on the use agreement. Zoning Administrator says she can file a violation letter with a date to have it fixed by. She will start the violation process today. Invenergy created the roads they were going to use, it was not Antelope County input. There have been amendments to the road use agreement. Invenergy has agreed to ‘fix’ areas pointed out that are on the road use agreement. It was suggested to Marlin Conry to ‘talk’ to Invenergy and come back to the board with a ‘fixit’ plan. No motion was made to allow time for Marlin to get a plan in place.

**849<sup>th</sup> Road & 529<sup>th</sup> Avenue Intersection:** East of Neligh - This intersection comes to a peak. 529<sup>th</sup> Avenue is on the Invenergy Road Use Agreement 849<sup>th</sup> Road is not. Asphalt road is flat topped. Invenergy is unable to get their components through it. In order to make it passable it will take taking the grade of the intersection down five (5) feet. In order to complete this they will be altering 1200-1500 feet of 849<sup>th</sup> Road – asphalt. Casey will be videoing this intersection before construction. Invenergy will start lowering the grade on the 5<sup>th</sup> of July for approximately one week. They will grind the asphalt temporarily. The plan will be to asphalt it when the project is complete. Signage of the area is in question. There will be a detour marked. The Commissioners agreed this needs to be amended into the road use agreement. It will be on the agenda for July 3, 2018.

**Hot Mix-Holt County:** Casey has talked to a couple of Commissioners regarding Holt County hot mix protocol. Currently, Holt County uses all of the Nameplate Capacity Tax the county collects and keeps towards the hot mix repairs. Casey contacted the road superintendent in Holt County and they are willing to work with Antelope County in setting up a hot mix plan so both counties can utilize it and hopefully a cost savings if they can set up a single work yard. The commissioners asked for it to be on the agenda.

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

Meeting adjourned at 12:21 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

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

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