

July 2nd, 2024
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, July 2nd, 2024, at 9:00 AM in the County Commissioner's Meeting Room, Antelope County Courthouse Annex, Neligh, Nebraska. The meeting was called to order by Board Chairperson, Charlie Henery with the following board members in attendance: Jacob, Dittrich, Williby and Henery. Krebs absent. Chairman stated that 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.

Pledge of Allegiance was recited.

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

Minutes: Minutes of the June 25th, 2024, Board of Commissioner Meeting: Motion by Commissioner Jacob seconded by Commissioner Williby to approve minutes of the June 25th, 2024, Board of Commissioner Meeting as presented. Voting aye: Jacob, Williby, Dittrich and Henery. Nays none. Krebs absent. Motion carried.

Minutes: Minutes of the June 25th, 2024, Board of Equalization Meeting: Motion by Commissioner Jacob seconded by Commissioner Dittrich to approve minutes of the June 25th, 2024, Board of Equalization Meeting as presented. Voting aye: Jacob, Williby, Dittrich and Henery. Nays none. Krebs absent. Motion carried.

Correspondence was Reviewed: copies of resolutions-Commissary & Sheriff; Long Term Care Flyer; letter & documentation on Extension Office wages; JEO 842nd Road Closing study; Protex Central Fire Alarm Inspection Report; NIRMA declaration pages; NACO Salary & Benefits Survey.

Receipts: \$1,313.29 National Opioid Payment – General
\$15,734.83 Orchard Northeast (bridge match program) – Road & Bridge

9:05 AM: Public Comment. Chairman called for public comment. Terry Brookhouser asked about the opioid dollars to purchase Narcan for the ambulance services in Antelope County. Discussion. Called again for public comment. No response.

Quarterly Jail Inspection: Commissioners Jacob and Henery will complete the quarterly jail inspection after meeting today.

Zoning Permit Report: Megan Wingate is out of town. No report today.

Resolution: **Commissary Account Fees-Prices:** Periodically the Law Enforcement Center reviews and updates pricing on Commissary items. To make the pricing coincide with current pricing and recommendations. Today, the Law Enforcement Center presents a current price list and a resolution to establish pricing as per the resolution. Motion by Commissioner Jacob, seconded by Commissioner Dittrich to approve commissary pricing resolution as presented. Voting aye: Jacob, Williby, Dittrich and Henery. Nays none. Krebs absent. Motion carried.

**ANTELOPE COUNTY
RESOLUTION NO. 2024-07-0002
COMMISSARY FEE SCHEDULE**

WHEREAS, the Antelope County Board of Commissioners finds that the Antelope County Sheriff has previously established and operated a commissary program at the Antelope County Law Enforcement Center for purchasing and providing the sale of additional personal care products, recreational products, and the like to the inmates at the Antelope County Law Enforcement Center. The Board further finds that the continued use of the Commissary Program and its proceeds would be beneficial for Antelope County and the well-being of the inmates, the facility, inmate programs and activities.

WHEREAS, the Antelope County Board of Commissioners approve and establish the attached "Commissary Fee Schedule", (marked as Exhibit A, and attached hereto) setting the price for all items sold through the Commissary Program at the Antelope County Law Enforcement Center. Said fee schedule shall be submitted by the Sheriff for review and approval by the County Board of Commissioners at one of their regularly scheduled public meetings each year during the month of July.

WHEREAS, the Antelope County Board of Commissioners hereby reserve the right to make revisions to the attached "Commissary Fee Schedule" in the event costs/prices of items sold increase significantly and/or in the event new items are added during the current fiscal year. Any and all revisions to the "Commissary Fee Schedule" shall be approved and made by the Antelope County Board of Commissioners during one of their regularly schedule public board meetings throughout the year.

THEREFORE, BE IT RESOLVED that the Antelope County Board of Commissioners approve and establish the attached "Commissary Fee Schedule", (marked as Exhibit A, and attached hereto) setting the price for all items sold through the Commissary Program at the Antelope County Law Enforcement Center for the fiscal year of June 2025. Periodic updates of these prices may be made as needed.

Dated this this 2nd day of July 2024 at Neligh, Antelope County, Nebraska

ANTELOPE COUNTY BOARD OF COMMISSIONERS

_____/s/ Charlie Henery_____
Charlie Henery, District #4, Chairman

Attest:

_____/s/ Lisa Payne_____
Lisa Payne, Antelope County Clerk

seal

Motion by Commissioner Jacob, seconded by Commissioner Dittrich to approve. Voting: 4 aye 0 nay 1 absent 0 abstain. Motion passed

Resolution: **Law Enforcement Center & Sheriff Office Fees:** Fee setting is completed by a resolution of the Board of Commissioners. In reviewing these fees it was determined to increase some fees and add fees. The Law Enforcement Center-Sheriff Office presented an update of fees and resolution. Motion by Commissioner Dittrich, seconded by Commissioner Williby to approve resolution as presented. Voting aye: Jacob, Williby, Dittrich and Henery. Nays none. Krebs absent. Motion carried.

**ANTELOPE COUNTY
RESOLUTION #2024-07-0001
LAW ENFORCMENT CENTER FEE RESOLUTION**

WHEREAS, the Antelope County Sheriff's Office is directed by the Jail Standards and the Nebraska Sheriff's Association, on recommendations of the Auditor of the State of Nebraska to establish a fee schedule for each office in the Antelope County System

WHEREAS, the Antelope County Sheriff sells and collects moneys for the various permits, license, copies etc. AND will collect a fee for Gun Permits as per State Statute 69-2404 and Title Inspections as per State Statute 60-158; and

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

WHEREAS, the Antelope County Sheriff 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;

GUN PERMITS	\$5.00
TITLE INSPECTIONS	\$10.00
REPORTS	\$10.00
FINGERPRINTS	\$15.00
VEHICLE IMPOUND	\$15.00/DAY
ANIMAL IMPOUND	\$5.00/DAY
WORK RELEASE	\$17.50/DAY
BOARDING	\$40.00/DAY
COPIES	\$0.25 BLACK & WHITE/COLOR
CHEMICAL TEST	\$10.00
WARRANT FEE	\$2.00 STATE STATUTE 33-117
PAPER SERVICE FEES	\$18, \$9, \$6 FEES & RETURN, APPROPRIATE MILEAGE STATE STATUTE 33-117

WHEREAS, the duly elected Sheriff of Antelope County, Nebraska, has updated and amended the Fee Schedule for Antelope County Sheriff's Office; and

WHEREAS the Antelope County Sheriff makes recommendation to the Antelope County Board of Commissioners for approval of said Fee Schedule;

THEREFORE, BE IT RESOLVED BY THE ANTELOPE COUNTY BOARD OF COMMISSIONERS, THAT THE FOLLOWING FEE SCHEDULE FOR ANTELOPE COUNTY SHERIFF OFFICE BE APPROVED AND ADOPTED:

Adopted this 2nd day of July 2024 at Neligh, Antelope County, Nebraska.

Commissioner: Dittrich moved to adopt and Commissioner: Williby 2nd to the Motion to adopt said Resolution
Roll Call: ___4_ Yea 0 Nay _1 Absent 0 Abstain--Resolution adopted, signed and billed as adopted.
ANTELOPE COUNTY BOARD OF COMMISSIONERS

Charlie Henery /s/

Charlie Henery, Chairman

ATTEST: Lisa Payne /s/

Lisa Payne, Antelope County Clerk

9:15 Public Hearing: Commissioner/Chairman Henery opened the public hearing to close an approximate one (1) mile of 842nd Road between 531st and 532nd Avenue. (Between Sections 22-27, Township 24, Range 5) A petition circulated by Terry Larson gathered approximately 20 signatures. Road study completed by Highway Superintendent, Brian McDonald's recommendation is to close and the right of way and return it to the adjacent landowners – returning the entire road to the north property at the curve. Mrs. Larson was in attendance today. She states the road is NOT travelable by vehicle, you would have to have a utility vehicle; and the road tends to draw a drinking crowd leaving cans and trash in and around the mile and bridge. Mr. McDonald states he does not believe the road is passable and probably has not been in quite a while. And the study recommendation was to close the road. Discussion. 9:18AM Commissioner Henery asks for people opposed to testify. Calls three (3) times. No response. 9:20 AM Commissioner Henery calls for testimony in favor of the road closure. Mrs. Larson acknowledges the desire to close the road. Commissioner Henery calls twice more for testimony in favor. Further discussion amongst the Commissioners. Commissioners asks for clarification from Highway Superintendent on issues. There is a bridge in the middle of this road, which if closed the ownership will be transferred to adjacent landowner. A call was made to that landowner to make sure they were aware of the transfer, and if transferred the County would no longer be responsible for maintenance of the road and/or bridge. The landowner acknowledges and agrees with same. **9:23 AM** motion by Commissioner Williby, seconded by Commissioner Dittrich to close public hearing. Voting aye: Jacob, Williby, Dittrich and Henery. Nays none. Krebs absent. Motion carried. Brian McDonald discusses further regarding closing of road, signage, and when it should be done. The Commissioners agreed to close the road. Discussion of traffic on the road – is accessed by ATV to check cattle and irrigation system. The plan is to sign it with road closed, double arrow. Motion by Commissioner Dittrich, seconded by Commissioner Williby to authorize Highway Superintendent to draw resolution to abandon road and return the land to adjacent landowners, including bridge. Voting aye: Dittrich, Jacob, Williby and Henery. Nays none. Krebs absent. Motion carried.

9:30 AM Sidewalks: Discussion of courthouse sidewalk conditions. During the June 11th meeting a discussion and a walk around were conducted by the Commissioners. At that time, it was approved to get bids on repairing various portions of the sidewalk north and west of the courthouse complex. Bids were advertised, no bids were submitted for opening. The Commissioners discussed to continue to look and feel for contractors. No action today.

9:35 AM Karter Otte, Insurance Agent from Lincoln Capital Solutions LLC met with the Commissioners today regarding Long Term Care. He would like to visit with employees regarding this, and the ability to have payroll deduction for the product(s). Discussion of products and services. The Commissioners agreed to let him talk with employees. No further action.

Discussion Extension Office Wages: a letter received by the Clerk's Office on Thursday last week indicated a \$2.00 – \$2.86 an hour pay increase. Today's discussion regarding the approximate 12+% increase to these wages. Tessa Hain, 4-H Coordinator, met with the Commissioners reporting she believes the increases keeps them consistent with other courthouse employees. However, it was pointed out the increase of \$2.86 takes that individual to over \$1.50 more than the County Officials deputy's highest wage. With recent budget developments the County is currently presented with it is in the best interest of the County to freeze on these wage increases until the budget is approved. Motion by Commissioner Williby, seconded by Commissioner Dittrich to hold on this pay increase until we see how the budget is working out, and approved. Voting aye: Dittrich, Jacob, Williby and Henery. Nays none. Krebs absent. Motion carried.

Road Superintendent Report:

- **Oversize Permits:** JMS Crane & Rigging requested five (5) oversize permits to move a crane to Thunderhead Tower #67 via Boone County Line at 516th Avenue to 836th Road east to 519th Avenue. Mr. Boggs worked with the crane operator to facilitate a good, safe route. The move was completed. Motion by Commissioner Jacob, seconded by Commissioner Dittrich to approve oversize permits (5) on Road Superintendent recommendation. Voting aye: Dittrich, Jacob, Williby and Henery. Nays none. Krebs absent. Motion carried. (CL0118 to CL0122)
- **Culver Project 839th Road:** Mr. Boggs stated the project was completed on Friday. There was weather coming in and they completed before the weather. It was seeded yesterday.
- **512th Avenue:** there are washouts. Mr. Boggs will be flagging.
- **Clarification on signage Road Closure:** Double Arrow Sign, Road Closed underneath it, and three (3) dot DOT sign. Mr. Boggs will discuss with landowners as to how they want it for traveling.

9:58 AM – Executive Session: Motion by Commissioner Dittrich, seconded by Commissioner Jacob to go into executive session for personnel matters. Voting aye: Dittrich, Jacob, Williby and Henery. Nays none. Krebs absent. Motion carried. The four (4) commissioners in attendance met in executive session in the County Clerk's Vault. 10:34 AM – Commissioners Dittrich and Henery left. 10:36 AM Commissioner Dittrich back. 10:37 AM Commissioner Henery and Aaron Boggs attend. (Mr. Boggs steps out.) 10:38 AM Mr. Boggs in. 11:38 AM Mr. Boggs leaves. 11:50 AM Aaron attends. 11:55 AM. Mr. Boggs out. **12:03 PM** Motion by Commissioner Williby, seconded by Commissioner Jacob to close executive session and go back to regular meeting. Voting aye: Jacob, Williby, Dittrich and Henery. Nays none. Krebs absent. Motion passed.

Chairman asks Mr. Boggs if he would like to step forward. Mr. Boggs states, "I would like to formally submit my resignation at this time." Chairman asks for a motion to accept his resignation at this time. Motion by Commissioner Williby, seconded by Commissioner Dittrich to accept resignation. Voting aye: Jacob, Williby, Dittrich and Henery. Nays none. Krebs absent. Motion passed. Clerk asks chairman for a timeline, to which he states immediately.

There being nothing more to discuss.

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

The meeting adjourned at 12:04 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Charlie Henery

Attest: _____
County Clerk, Lisa Payne