

July 9th, 2019
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, June 9th, 2019 at 8:02 AM in the Commissioner Meeting Room, Antelope County Courthouse, Neligh, NE.

Notice of the meeting was given in advance thereof by publication in the two 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.

Chairman Borer opened the meeting at 8:02 AM. Responding to Roll Call: Commissioners Henery, Smith, Jacob, and Borer. Commissioner Bentley was absent. Open Meetings poster is posted on the east wall of the Commissioner Meeting Room. Additional copies available in the County Clerk's Office.

Pledge of Allegiance was recited.

Agenda: Motion by Commissioner Henery, seconded by Commissioner Jacob to approve agenda as submitted. Voting aye: Smith, Jacob, Henery and Borer. Bentley absent. Nays none. Motion carried.

Review of **Payroll Claims**.

Review of **Vendor Claims**.

Payroll Claims: Motion by Commissioner Smith, seconded by Commissioner Jacob to **approve payroll claims** as presented. Voting aye: Smith, Jacob, Henery, and Borer. Bentley absent. Nays none. Motion passed.

Vendor Claims: Motion by Commissioner Jacob, seconded by Commissioner Henery to **approve vendor claims** as submitted. Voting aye: Henery, Smith, Jacob, and Borer. Nays none. Bentley absent. Motion carried.

General: Ant County Court, county court costs 401.54; Antelope County District Court, district court costs 72.00; Antelope County Sheriff, service and mileage fees to serve subpoenas 229.20; Appera, micro-swipes, dust mops, textile maintenance, service charge 40.15; Applied Connective Technologies, 2019 IT services (Block Time), anti-virus/spyware, remote management/monitoring services, exchanged email services, Office 365, converter cables, cleaned/updated computers 4748.92; Black Hills Energy, heating fuel 356.28; Bomgaars, proties, twist ties, clothes hooks, dog food, foam seal, kwik-weld, pipe nipple, ramp, coupling 125.05; Deb Branstiter, meal at conference 18.58; Dean Brown, prior service 25.00; Casey's, fuel 729.49; Elgin City, monthly recycling fee 250.00; Neligh City, electricity, water, garbage, recycling 4311.66; Clearly Communications, telephone service 163.97; Creston Fertilizer, chemicals 840.72; Cubby's, fuel 660.63; DAS Financial, data processing 448.00; Dollar General, Mr. Clean/Gain 68.75; Dusty's, fuel 36.00; Eakes Office, printer cartridge 450.75; Elgin One Stop, fuel 230.62; Elgin Review, meeting proceedings, board of equalization, notice of meetings, notice to landowners, notice to irrigators, notice to mow weeds 96.26; Elite Office, monthly maintenance copier agreements 139.38; First Concord Benefits, participation fee 10.00; Frontier Communication, telephone service 2299.91; Great Plains Communication, telephone service 457.18; Green Line Equipment, housing, labor and materials to repair courthouse lawnmower, mower blade 782.71; Darrell Hamilton, prior service 11.00; Hi-Way Mart, meals for deputies at rodeo 102.91; Holiday Inn, lodging expense 94.00; Nadene Hughes, prior service 14.00; Iowa Prison Industries, unit decals, freight 296.18; Jack's Uniforms, uniform pants, vest carrier/holder 545.86; JD Printing – Neligh, public notices 35.80; JD Printing – Clearwater, public notice 6.40; Jonny Dodge, parts and labor for oil change, program second key 262.70; Lazy T Tire, fuse holder, flat iron, battery 202.48; Lichtenberg Tire, tires, miscellaneous shop supplies, labor for tire replacement 665.76; Madison National Life, county matching 43.02; Microfilm Imaging, monthly rent for scanning equipment 87.00; MIPS, data processing, microfilming 3675.55; Kelly Mueller, meal at conference 31.07; Nebraska Unemployment, unemployment 1103.00; O'Neill Pest Control, pest control 150.00; Office Depot, paper shredder 174.11; Donna Payne, prior service 25.00; Petty Cash (Clerk), titling fee for weed pick-ups 30.00; Quick Serve, oil & air filter, fuel 146.75; Quill Corp, pencils, toner 155.48; Region IV, quarterly billing for the developmentally disabled 2808.00; Janice Ridder, prior service 10.00; Caroline Siems, prior service 25.00; Wex Bank, fuel 504.18; Stealth Broadband, labor to install fiber lines 261.50; Chuck Thiemann, mowing 90.00; Thriftway, Cheetos, cake decorating bags, plastic wrap, paper bowls, mason jar lids, toilet paper 56.36; Top Quality Gloves, gloves 292.34; US Cellular, telephone service 350.70; Verizon Wireless, telephone service 78.51; Clearwater Village, monthly recycling fee 250.00; Bonita Welke, prior service 22.00; Woods & Aitken, professional services rendered through May 31st 4947.51.

Road & Bridge: Antelope Memorial Hospital, UA test 18.00; B's Enterprises, grader blades, sign posts, culverts, culvert elbow, band 13,012.75; Steven Bright, CDL physical 140.00; Carhart Lumber, marking paint 23.96; Elgin City, garbage 56.25; Tilden City, garbage, sewer, water 68.85; Constellation, heating fuel 84.59; D & M Machinery, belt, brake fluid, rags 126.49; Dusty's, fuel 131.37; Elkhorn Rural Public Power District, electricity 519.04; Emme Sand, patching gravel 908.63; Farmer's Pride, fuel 63.15; Ganskow Construction, hauled materials 7380.00; Great Plains Communication, telephone service 267.03; Green Line, window, window pane, urethane, freight, nuts, bolts, air filters, filter kit, parts and labor to repair transmission, hydraulic filter 1716.62; Hilltop Auto, IronStar Crossfire truck bed, installation 3000.00; Hinrichsen Sand, bank run 157.74; Island Supply, oxygen/acetylene 191.40; JEO Consulting, general engineering (Royal Road Paving) 3551.00; Jonny Dodge, parts and labor to repair brake calipers/rotors, replace brake pads, recharge A/C system, complete service, replace bulb 1349.62; Kyle Kester, hauled materials 750.00; Lawson Products, aerosol nut & bolt loosener, cutting foam, safety glasses 43.33; Lazy T Tire, tire, shop fee 605.77; Lichtenberg Tire, tires, tire retread, tire mount/dismount, tire disposal fee, miscellaneous shop supplies, O-Ring, flat repair, tire disposal fee, Nebraska tire fee 4968.59; Madison National Life, county matching 23.25; Midwest Service, grader blades 5192.10; Duane Miller, CDL physical 110.00; NACO, Cobra premium/administration fee 927.47; NE Dept of Revenue, fuel excise tax 3321.00; Neligh Auto, A/C belt, air filter, power inverter, belt alternator, concentrate, antifreeze, dip brush, floor dry, towel, jack 658.45; North Central Public Power District, electricity 183.10; Northeast Glass, labor to remove & install right side door and quarter glass 250.00; Northeast Nebraska Telephone Company, telephone service 100.26; Pelster Sand, machine hire 3475.00; RDO Truck, checked codes, replaced sensor, miscellaneous parts/labor 1070.99; Road Builders, part/labor equipment repair 4855.37; RVN Trucking, hauled materials 4800.00; Ryan's Truck & Tractor, engine 16,271.76; Sanne Service, drag link, tie rod, end assembly, wheel nuts, labor 1496.93; Simons Trucking, hauled materials 6900.00; Spud Construction, machine hire 36,308.80; Wex Bank, fuel 266.61; T-J's Corner, funnel, spade 19.98; Clearwater Village, water, sewer, trash 64.50; Orchard Village, water, trash pick-up 82.50; Verizon Wireless, telephone service 225.35.

Disaster Fund: Casey's, fuel 289.13; Emme Sand, rock, road gravel 17,818.98; Farmer's Pride, fuel 20902.78; Funk Construction, machine hire – install culverts 3500.00; G-Works, maintenance and technical support 420.00; Gene Heithoff Trucking, hauled materials 3893.84; Hinrichsen Sand, mix, bank run, gravel 2046.26; Hometown Station, fuel 3373.95; JEO Consulting, general engineering fees 16,788.75; Matteo Sand, road gravel, small rock, delivery charge 24,635.74; Mitteis Gravel, road gravel, dirt 42,231.03; Pollock Redi Mix, gravel, rock 28,862.09; Sapp Bros, fuel 2052.33; Thiele Dairy, dirt 108.00.

Reappraisal Fund: Holiday Inn, lodging expense 94.00.

Register of Deeds Fund: MIPS, data processing 319.60.

Building Fund: O'Neill Pest Control, pest control spraying 85.00.

Law Enforcement Fund: Applied Connective Technologies, install new computer and cisco switch 3340.04; Cash- Wa Distributing, flour, food storage containers, pepper, cabbage slaw, juice 417.30; Culligan, water cooler, water jugs 62.75; Dean's Market, ground beef 238.80; Neligh Family Dentistry, oral evaluation for inmate 67.00; Platte County Detention Facility, inmate housing 1550.00.

Commissary Fund: Bob Barker, deodorant, antiperspirant, playing cards, lotion, cotton swabs, triple antibiotic ointment 286.43; Bomgaars, plants, seeds, gardening supplies 112.04; Cornhusker State Industries, canteen bags 120.00; Dollar General, OTC medications for inmates 35.80; Keefe Supply, Doritos, Oreos, granulated sugar, Pop Tarts 276.56.

General Payroll: Total Payroll: 96,330.49; AFLAC, insurance 1035.53; Ameritas, retirement 13,689.37; BC/BS, insurance 67,527.46; Colonial Life, insurance 3.25; Federal Withholding, 8701.13; First Concord, insurance 633.33; Garnishments, 1312.12; Liberty National, insurance 39.17; Madison National Life, insurance 48.22; State Tax, 3680.36; VSP, insurance 521.49; Social Security, 18,990.02; Washington National, insurance 722.72.

Road & Bridge Payroll: Total Payroll: 66,776.06; AFLAC, insurance 181.87; Ameritas, retirement 9093.39; BC/BS, insurance 28,697.38; Colonial Life, insurance 18.00; Federal Withholding, 6224.71; First Concord, insurance 345.83; Garnishment, 363.40; Liberty National, insurance 70.92; Madison National Life, insurance 28.67; State Tax, 2505.00; VSP, insurance 183.07; Social Security 13,185.12; Washington National, insurance 302.80.

Minutes of the June 25th, 2019 Board of Commissioner Minutes: Motion by Commissioner Henery, seconded by Commissioner Jacob to approve minutes as presented. Voting aye: Smith, Jacob, Henery and Borer. Bentley absent. Nays none. Motion carried.

Minutes of the July 2nd, 2019 Board of Commissioner Minutes: Motion by Commissioner Henery, seconded by Commissioner Jacob to approve minutes as presented. Voting aye: Smith, Jacob, Henery and Borer. Bentley absent. Nays none. Motion carried.

Minutes of the July 2nd, 2019 Board of Equalization Minutes: Motion by Commissioner Henery, seconded by Commissioner Jacob to approve minutes as presented. Voting aye: Smith, Jacob, Henery and Borer. Bentley absent. Nays none. Motion carried.

Correspondence was reviewed: Larry Dix email regarding Nebraska Officials Whitehouse Visit; resolution OT/Comp Time (will be on the agenda for the 23rd), NIRMA Safety Shorts – July; Miscellaneous office reports.

Receipts: \$.77 receipt from GI Trailer – Overpayment.

Treasurer's June Fund Balance Report was reviewed and put on file.

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

Sheriff June Fee Report was reviewed and put on file.

Clerk of the District June Miscellaneous Fee Report was reviewed and put on file.

Road Superintendent Report: Casey met with the Board, reporting on 866th Road, they have approximately 1½ mile has been overlaid with Sinclair dirt after it was ground. What is done looks great. There was rain, so can't run today. About 1 mile to 1¼ mile of millings on Copenhagen Road that came from 866th Road, we will have to fill in a little bit more to get everything we need to get done. The rain continues to hinder. Copenhagen Road: mix ratio is as good as it is going to get. There is more miles that is going to need mix and millings. We will be getting some of the millings from the State at Pierce. Spud has agreed to haul with side dumps.

- The four (4) miles south of Oakdale has been ground and relayed, mile south of Million Dollar Corner is ground and relayed. We started working on the two (2) miles south of Elgin – grinding. We will need milling for this project. Gale Shenshaw Road-box culvert-needs ground. (527.5 – 529th Avenue)
- Casey will meet with Dean Bly, City of Neligh Road Superintendent regarding the city line on Cemetery Road – they will hash out the logistics. The Neligh City Council meeting has been postponed until next week, because they did not have enough members able to make a quorum for schedule meeting. No decision on cost sharing yet.
- Knife River is starting work in Neligh on Wylie Drive. Casey will hopefully set them up for Ashfall Road next. Then start on the north edge of Cemetery Road.
- Two (2) gravel pits are completely out of gravel – the are pumping armor coat gravel. Mitties and Matteo. We have every truck rolling today to Chamber or O'Neill to get everything we can as it is needed.
- Our side dump is still at Sanne's getting worked on. ASAP we will get someone in it as well.
- Charlie Henery has agreed to come back part time-seasonal. No opposition voiced.
- Plainview Pit – West Hodson-Commissioner Jacob asked why we don't utilize it. They did not submit a bid. However, any and all bids were accepted, so we should be able to use it. Aaron Boggs, Safety Officer, is calling them today. Normally, this pit opens at 7AM, little waiting for the employees.
- Equipment. Road Builders accepted another month of rental. Casey is working on getting comparable bids – Cat Grader. Seems to be a good deal, and will be under the threshold when it is billed again.
- Klabenes Trailer – we have had since October 2018. Matt voiced a price of \$26,000.00 this morning.
- Items for sale: 140G-1108 Orchard - 9782 hours – used to push snow. (Comparison we sold 1991 CAT 140G with 15000 hours for \$40,000.00) Casey expects we could stand to see a decent profit. This has very little history for repairs.
 - Patching Truck – someone coming to look at oil distributor – they will document everything to make a solid offer. (The Sterling Patcher we got \$7400.00) The current machine is nicer – hoping to get \$19,000.00.
 - Grinder -
- Discussion of Auction Time and Machine Trader and the pros and cons.
- GPS Tracking is working well. The GEO Fencing is being built. Last five (5) units were installed last week.
- Casey asked if the Board is willing to consider purchasing 10-yard truck this year. Commissioner Smith asked about getting a plow on front – either a wing or a V-plow.
- Cemetery Road – North of Clearwater. Couple of the guys filled holes yesterday. Hot mix guys are here, Casey was not sure on their timeline. The roads through Clearwater have been maintained by the County. Casey will check with Jay & Tina Snider, Clearwater maintenance and Village Clerk. The Assessor will check it.

Zoning Administrator Report: Liz met with the Commissioners and had no report. She stated Commissioner Smith called her on Friday regarding the Wind Turbine that went down during the night Thursday night. She wanted to be part of the conversation regarding the wind tower that collapsed last week. Commissioner Borer agreed this would be a time to proceed with discussion. Liz reported she had been in contact last week with Invenergy, and as everywhere holiday weekends leave them with a short crew. Mr. Luke Hinkel, Invenergy Project Manager reported they do not have a complete report yet. He did report the tower collapsed at approximately 5:20 AM on Friday, July 5th, 2019, and it was more likely due to a weight failure. The blade actually broke away from tower. On Friday, they were not sure if the area was safe and wanted to make sure there was no danger to go out and inspect. On Saturday, a drone inspection of the entire area was completed. It is positive the tower was operating at full speed when it collapsed. Today, they know the blade that was faulty due to a GE Repair blade in 2018. The blade that liberated hit the ground at 279 feet, and actually landed 736 feet from the tower base. There are seven (7) more blades in the Upstream area that was damaged by severe Thunderstorms that rolled through the area in June and July of 2018 – all repaired by GE at the time. He believes none of the other seven (7) repaired blades were damaged to this severity. Those seven (7) towers

are continuing to operate because GE said repairs were not as extensive as the collapsed tower. When asked to identify number on the towers, Luke assured Liz Doerr, Zoning Administrator would have the list by later this afternoon, including the distance from county roads. The set back on the seven (7) towers was discussed. Commissioner Smith asked for the seven (7) remaining to be shut down until the report is back. Mr. Hinkel stated, he believed the tower would be replaced/restored after a complete investigation and decommissioning of tower.

Mention of Invenergy compensation to land owners in the Upstream Project. It was stated Invenergy is still gathering information regarding crop loss, field damage, etc. Some of the payments have been released. Others have not been able to make contacts to settle the payment amount.

Salvage costs was discussed for comparison of the decommissioning amount on current project. Mr. Hinkel stated they did not know what was salvageable and what would actually take place. If this is a warranty item, Invenergy will be making a suggestion as to the original road use agreement.

Pledge Collateral: \$3,010,000.00 Pledged; plus, FDIC insured of \$250,000.00.

Executive Session: 9:50 AM Commissioner Borer motioned to go into **executive session to follow up with legal counsel on a possible litigation to protect the county and to protect the public's interest County Attorney and the Board of Commissioners.** Motion seconded by Commissioner Henery. Voting aye: Smith, Jacob, Henery, and Borer. Bentley absent. Nays none. Motion passed.

10:15 AM Motion by Commissioner Henery, seconded by Commissioner Smith to go out of **Executive Session.** Voting aye: Smith, Jacob, Henery, and Borer. Bentley absent. Nays none. Motion passed.

Commissioner Borer stated there was no action taken while in executive session.

Board Quarterly Information Mailer: Commissioner Bentley asked this to be put on the agenda. In his absence the agenda item was moved to the 23rd of July, 2019.

Special Designated Liquor License. The Elgin Chamber of Commerce again scheduled their annual Beer Garden Fund Raiser for August 17th – 18th, 2019 at Kerkman's Kove, 84238 524th Avenue, Elgin. Motion by Commissioner Henery, seconded by Commissioner Jacob to **approve the Special Designated Liquor License.** Voting aye: Smith, Jacob, Henery, and Borer. Bentley absent. Nays none. Motion passed.

No other issues to discuss.

Motion was made by Commissioner Henery, seconded by Commissioner Jacob to **adjourn.** Voting aye: Smith, Jacob, Henery, and Borer. Bentley absent. Nays none. Motion passed.

Meeting adjourned at 10:16 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Tom Borer

Attest: _____
County Clerk, Lisa Payne