

September 17th, 2019
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, September 17th, 2019 at 9:01 AM in the Commissioner Meeting Room, Antelope County Courthouse, Neligh, NE. The meeting was to hold the budget public hearings.

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. The Public Hearing was publicized in the two (2) legal newspapers circulated in Antelope County on Wednesday, September 11th, 2019 – see proof of publication.

Chairman Borer opened the meeting at 9:01 AM. Responding to Roll Call: Commissioners Henery, Smith, Jacob, and Borer. Commissioner Bentley is absent. Open Meetings poster is posted on the east wall of the Commissioner Meeting Room. Additional copies are 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 presented. Voting aye: Jacob, Henery, Smith and Borer. Bentley absent. Nays none. Motion carried.

Correspondence: There was no correspondence.

Public Hearing:

In attendance:

From the county - Kelly Mueller, Deb Branstiter, Casey Dittrich, Joe Abler, Judy Cole, Liz Doerr, Edward Jensen, Bruce Ofe.

Members of the public in attendance included: Terry Brookhouser, Jenny Smith, Robert Johnston, Doug Hall, Lester Anson. Later Doug Hall.

Members of the press include: Carrie Pitzer, Antelope County News and Sandy Schroth Summerland Advocate.

9:05 AM Motion by Commissioner Henery, seconded by Commissioner Jacob to open the public hearing to discuss budget and the tax asking. Voting aye: Henery, Jacob, Smith, and Borer. Bentley absent. Nays none. Motion carried.

9:06 AM Commissioner Borer asked if there were any public comments for approval of the budget. If anybody wants to speak this would be the time.

Kelly Mueller, Antelope County Assessor: there has been a lot of focus on 'just' the levy. She wanted to clarify the budget picture. The levy has to adjust to create the same amount of dollars if the value goes down. In addition, there was not a 20% increase in taxes. Most of the rural ground taxes has decreased in the last three (3) years. She wanted to make it clear the counties taxes had increased over the last couple of years.

9:10 AM: Commissioner Borer asked if there was any opposition.

Robert Johnston stated he had gone to a couple of hearings and he was asking for a no vote. He believes we need a vote no referendum all across the state. He would like to see some no votes. He was not saying not to pass the budget, he just wants to hear a no vote.

Commissioner Borer states it was a three to two vote last week during the discussion.

Commissioner Borer asked for comments from the Board.

Commissioner Henery stated that it seems to be the Ag Community that takes the blunt of the increase, and they all feel the same way, they don't want the taxes raised, but want the roads maintained. A tax increase to get products to market and people around safely is not a problem. Commissioner Smith agreed he heard the same comments, and they general consensus was they would like to see it go away next year. He continues to attribute a fair amount of the increase to the storm damage. He believes Antelope County could be in the lead in getting the FEMA projects rolling. Best case scenario is the storm damage we still owe 12.5% of the costs.

Commissioner Smith and Henery agreed that the current road and bridge projects should alleviate some future maintaining expenses.

Commissioner Borer stated in his district he has not heard from anybody who wants a tax increase.

Deb Branstiter, Treasurer, talked about a cash flow problems County's face in the months in which taxes are not collected. Based on last year we will have less than \$1,000,000.00 to pay for all other expenses, short of the fixed expenses (payroll, insurance, utilities).

Clerk mentions there has been discussion of bonding road projects. So, if you bond these projects it is still a tax for the tax payers for future taxing years. If a bond is placed it has to be paid back.

Commissioner Smith stated he has asked about bonding because of the way the reserves and inheritance funds have been drained. It may have to be an option. It has not been a Board discussion.

It was asked by a member of the public, Ed Jensen, when this levy is set, when will we see this bill. It was confirmed it would be with the 2019 taxes billed in December 2019.

9:21 AM Motion by Commissioner Henery, seconded by Commissioner Smith to close the public hearing. Voting aye: Henery, Jacob, Smith, and Borer. Bentley absent. Nays none. Motion carried.

9:22 AM Motion by Commissioner Smith, seconded by Commissioner Jacob to open the public hearing on the tax request. Voting aye: Henery, Jacob, Smith, and Borer. Bentley absent. Nays none. Motion carried.

9:22 AM Commissioner Borer asks for public comments.

Doug Hall comments on Option #4, 13%. One Commissioner is not here, he asked me to come down. How much has the tax gone up in the last six (6) years? Has the windfarm paid their tax, how much was it? There was a flood, he cannot see where it can be said, we really need this money. He asked about Commissioner Henery stating I think the people will understand if we utilize this levy. Commissioner Henery stated he said they understand the small increase to take care of some of this stuff. Doug Hall states he doesn't believe the people of Antelope County understands that we need to spend more money. There was three (3) new Commissioners elected this year. That was a message. Some of the people didn't like that. Pretty soon you won't have any money to spend. Mr. Hall stated he is a little bit irritated. When he and his family are being charged another \$20,000.00 (round figures) this year in real estate tax. We have an excuse the flood. Commissioner Borer asks for any other comments.

Commissioner Smith, asks Kelly to reiterate what she stated earlier.

Kelly stated that the last couple of years – 3 years taxes actually went down, if no changes were made to the parcel. Although the levy might have increased the value had gone down, so taxes went down. On a majority of the parcels the taxes actually went down. Just because the levy went up, does not mean the taxes went up. She did not say every parcel, but on most of them she spot checked.

Commissioner Borer stated, that it is a fair statement that the budget has increased a lot over the last six years. The mill levy hasn't maybe changed much, but the budget has gone up.

Kelly Mueller stated the mill levy is all of the levy's together. And to clarify we are talking county levy.

Doug Hall stated he did not think we needed to talk about mill levy. When he said the total amount of tax collected increased in the last six (6) years.

Commissioner Borer asks if there are any other comments.

Commissioner Smith stated he wanted to touch on the nameplate capacity tax. Deb Branstiter stated they are current. The total revenue is not known without researching – but it is current.

Les Anson stated he was with Terry, and it seems like the check he writes every year gets bigger.

It was reminded that is all of the taxes.

Commissioner Smith thanked everyone for the comments. He feels it has been great discussion. He admitted his thought process from February till now has changed, partly due to the flood. He was hoping things could get improved and was hoping to see the improvements before budget time. The flood changed that. By the end of the year, we will not be back to ground zero. It makes it tough. He appreciates the comments to day and throughout the last weeks.

With no more comments, Commissioner Borer asks for a motion to close the public hearing.

9:34 AM Motion by Commissioner Henery, seconded by Commissioner Borer to close public hearing. Voting aye: Henery, Jacob, Smith, and Borer. Bentley absent. Nays none. Motion carried.

Commissioner Borer asks if anybody had any discussion, or thoughts on the proposed budgets. Commissioner Smith stated he feels there was good discussion in the last couple of months – and they had been through each requesting fund and there was not a lot of adjustments to be made. There were only small increases.

No other comments made.

9:37 AM: Motion by Commissioner Henery to **approve and adopt the proposed budget and resolution**. Motion is seconded by Commissioner Jacob. Commissioner Borer voiced his opposition to the increase. He doesn't think it is needed; we can manage our way through it. Voting aye: Henery, Jacob, and Smith. Bentley absent. Nays Borer. Motion carried.

Motion by Commissioner Henery, seconded by Commissioner Jacob to **approve the 1% increase** in the proposed budget increase. This takes the increase to 3.5%. Voting aye: Henery, Jacob, and Smith. Nays Borer. Bentley absent. Motion carried.

RESOLUTION SETTING THE PROPERTY TAX REQUEST

ANTELOPE COUNTY 2019-2020

RESOLUTION NO. 2019-09-000__

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Antelope County Board of Commissioners passes by a majority vote a resolution or ordinance setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request;

NOW, THEREFORE, the Antelope County Board of Commissioners, resolves that:

1. The 2019-2020 property tax request be set at \$6,114,212.73.
2. The total assessed value of property differs from last year's total assessed value by 1%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$0.217190 per \$100 of assessed value.
4. Antelope County proposes to adopt a property tax request that will cause its tax rate to be ___ \$ 0.246195 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of Antelope County will exceed last year's by 13%.

Dated and passed this 17th day of September, 2019.

___/s/ Tom Borer _____
Tom Borer, Chairman
Antelope County Board of Commissioners

Attest: ___/s/ Lisa Payne _____
Lisa Payne, Clerk
Antelope County

Motion by Commissioner Henery, seconded by Commissioner Jacob to accept and approve resolution.

Aye: ___Henery, Jacob, Smith _____
Nay: ___Borer _____
Abstain: ___- _____
Absent: ___Bentley _____

Doug Hall asks about this increase being a one (1) year deal discussion earlier. This is being done because this is a one-year capture. Commissioner Borer stated we have a chance to capture our FEMA estimate losses. Doug Hall states he wants to make sure this is a one-time thing. Commissioner Smith states his hope is to do that. The 0.025 is an attempt to recoup the FEMA difference, and feels this is a half too. His hope is that this comes off next year. Not promising, but he will work hard. Mr. Hall said he wanted everybody on the Board understands that. The clerk reminded if a bond is done, taxes have to be spent to offset the expenditures.

Motion by Commissioner Henery, seconded by Commissioner Jacob to **approve the Adoption and Appropriations of the 2019-2020 budget**. Voting aye: Henery, Jacob, and Smith. Nays Borer. Bentley absent. Motion carried.

Resolution of ADOPTION & APPROPRIATIONS

ANTELOPE COUNTY 2019-2020

RESOLUTION NO. 2019-09-000__

WHEREAS, A proposed County Budget for the Fiscal Year July 1st, 2019 to June 30th, 2020, prepared by the Budget Making Authority, was transmitted to the County Board on the 17th Day of September.

Now, THEREFORE, BE IT RESOLVED, by the BOARD OF COMMISSIONERS of Antelope County, Nebraska as follows:

- 1) That the budget for the Fiscal Year July 1, 2019 to June 30th, 2020 as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Antelope County for said fiscal year.
- 2) That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1st, 2019 and ending June 30th, 2020.
- 3) That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Dated and passed this 17th day of September, 2019.

___/s/ Tom Borer _____

Tom Borer, Chairman
Antelope County Board of Commissioners

Attest: /s/ Lisa Payne
Lisa Payne, Clerk
Antelope County

Motion by Commissioner Henery seconded by Commissioner Jacob to accept and approve resolution.

Aye: Henery, Jacob, Smith
Nay: Borer
Abstain: -
Absent: Bentley

Commissioner Henery makes a motion to close, seconded by Commissioner Jacob. Voting aye: Henery and Jacob. Nays: Smith and Borer. Bentley absent. Motion does not carry.

Commissioner Smith stated there was a little bit of discussion about amendment of the minutes in last weeks meeting. The local newspaper reports a surveillance video had been viewed by the Sheriff and there was not action. He presented a 10 second video of the action. Commissioner Borer states if this type of action continues, we may have to consider to ban that person from the meetings. Commissioner Henery stated this seems to be a personal agenda between you and the public. This has nothing to do with roads, budget or anything. We need to get serious and conduct County Business in these meetings.

Commissioner Smith makes a motion to adjourn the meeting unless there is further discussion. Jenny Smith stated the distractions that are in this audience at times – Kelly Mueller gives her a point of order. Commissioner Smith states that is for the Chairman. Clerk states that the Board members had point of order before. Commissioner Henery seconds the motion for adjournment. Jenny Smith continues ‘that affects the way the Board does their business at times.’ Joe Abler reminds the Commissioners it is a public meeting and they need to be careful about banning people. Voting aye: Jacob, Henery, Smith and Borer. Bentley absent. Nays none. Motion carried.

There being nothing else to discuss.

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

Meeting adjourned at 10:02 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Tom Borer

Attest: _____
County Clerk, Lisa Payne