

October 1<sup>st</sup>, 2024  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, October 1<sup>st</sup>, 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, Williby, Dittrich, 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. Nays none. Krebs absent. Motion carried.

**Minutes: Minutes of the September 3<sup>rd</sup>, 2024, Board of Commissioner Meeting:** Motion by Commissioner Jacob seconded by Commissioner Williby to approve minutes of the September 3<sup>rd</sup>, 2024, Board of Commissioner Meeting as presented. Voting aye: Jacob, Williby, Dittrich and Henery. Krebs absent. Nays none. Motion carried.

**Minutes: Minutes of the September 10<sup>th</sup>, 2024, Board of Commissioner Meeting:** Motion by Commissioner Williby seconded by Commissioner Jacob to approve minutes of the September 10<sup>th</sup>, 2024, Board of Commissioner Meeting as presented. Voting aye: Jacob, Dittrich, Williby and Henery. Krebs absent. Nays none. Motion carried.

**Minutes: Minutes of the September 17<sup>th</sup>, 2024, Board of Commissioner Meeting:** Motion by Commissioner Jacob seconded by Commissioner Dittrich to approve minutes of the September 17<sup>th</sup>, 2024, Board of Commissioner Meeting as presented. Voting aye: Jacob, Dittrich, Williby and Henery. Krebs absent. Nays none. Motion carried.

**Correspondence was Reviewed:** Email from Tom Nelson – VA Representative regarding County Government Day-Thursdays, October 3<sup>rd</sup>, 2024; Copy of Correspondence sent to departments with 2024 budget; Annual Certification Form for Buyback Dollars; Thank you from Clearwater Legion regarding Clearwater Veterans Park; American Legion open house Saturday October 12<sup>th</sup>, 2024; pictures of damaged culvert in NE¼ of Section 7, Blaine Township; Sunken Garden dirt work bids from Spud Trucking and Rutjens Construction; Equipment Lease Agreement – Marx Repair; NMC Quote for refurbishing motor grader; Murphy quote for refurbishing motor grader; picture of fence post in right of way on Airport Road by Black Strap; Road Project completed list; Equipment status report;

**Receipt:** \$500.00 to general – Sign Rental – Lamar Company.

**9:05 AM: Public Comment.** Chairman called for public comment. Called again for public comment. No response.

**Quarterly Jail Inspection:** Commissioners Henery and Jacob will complete jail inspection after today's meeting.

**9:08 AM** Commissioner Krebs attends meeting.

**Mandatory Drug Testing for Law Enforcement Employees** will be held until the Sheriff is able to attend. He was called away on a protected person call.

**Antelope County Extension:** Amy Topp, Extension Board and Regional Coordinator met with the Board to introduce the new UNL Extension Agent hired for the Food Nutrition and Health agent for Knox, Boone, Nance and Antelope Counties. Pamela Slaymaker started her position in Antelope County on September 16<sup>th</sup>, 2024. Pamela stated she was out and about introducing herself around Neligh and Antelope County and trying to orient and familiarize herself with the community(ies). Amy discussed the UNL 4-H education position. They are reviewing applications and will report back to the Board with any developments.

**Antelope County Library Association:** during the June meeting the Antelope County Library Association Directors met with the Board of Commissioners reviewing recent happenings, current events and future endeavors of the libraries. All expressed gratitude and thankfulness for the support of the Board in previous year and requested continued support. The budget this year 2024-2025 for the libraries remains the same as last year. The villages and towns were sent the library agreement, and all have approved said agreement. Discussion. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve and authorized signing of same. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried.

INTERLOCAL AGREEMENT FOR ANTELOPE COUNTY  
AND  
ANTELOPE COUNTY LIBRARY ASSOCIATION

THIS AGREEMENT IS MADE AND ENTERED INTO BY AND BETWEEN Antelope County, Nebraska, a Political Subdivision, by and through its Antelope County Board of Commissioners, (hereinafter referred to as "County") and the Antelope County Library Association consisting of the public libraries of the Cities of Neligh, Elgin and Tilden, and the Villages of Orchard, Clearwater, and Oakdale, each being Municipal Corporations, by their respective Mayors, Chairpersons, and Trustees, respectively.

WHEREAS, Nebraska Revised Statute Section 13-801 Et. Seq., R.R.S. 1943 (reissued 1997), the "Nebraska Interlocal Cooperation Act" authorizes the parties hereto to unite their efforts and resources to accomplish the intent of this agreement; and

WHEREAS, the Antelope County Library Association, by and through their respective community libraries does agree to provide all services and materials to the residents of Antelope County, Nebraska, whom are not residents of the respective Municipal Corporations, under the same terms and conditions as provided to the residents of such Municipal Corporations;

WHEREAS, the Antelope County Library Association's mission statement is to serve the communities of Neligh, Elgin, Tilden, Orchard, Clearwater, and Oakdale as well as all residents of rural Antelope County, Nebraska, as a resource for information, entertainment, cultural opportunity, and educational development, thereby enhancing and enriching the lives of the users. That the libraries within said communities shall be active and progressive institutions providing materials that reflect the needs and interests of its patrons. That said Library Association shall seek equitable funding, share materials and solutions to problems, provide access to resources beyond each of their individual facilities by cooperative agreements with library organizations at the local, regional and state levels and to strive to make use of all possible resources and ideas to meet the needs of the patrons of each of the communities and of the residents of the entire county.

WHEREAS, Nebraska Revised Statute Section 77-3442 R.R.S. 1943 (reissue 1996) provides that \$.05 per \$100.00 of taxable valuation of property subject to the county levy may only be levied to provide financing for the county's share of revenue required under an agreement executed pursuant to the Interlocal Cooperation Act.

NOW THEREFORE, in consideration of the foregoing recitals and their mutual covenants here and after expressed, the parties agree as follows:

Each of the communities, Orchard, Clearwater, Neligh, Elgin, Oakdale, and Tilden by and through their public libraries commonly referred to as the Antelope County Library Association shall provide all services and materials currently available through the public libraries, to non-residents of their community so long as such residents are residents of the county, under the same terms and conditions as such services and materials are provided to the resident of their respective communities.

That the County agrees to contribute financially to the Antelope County Library Association and agrees to implement a levy not to exceed \$.05 per \$100.00 of taxable valuation of property on an annual basis to the Antelope County Library Association, by paying to the respective libraries of the Cities of Neligh, Elgin and Tilden, and the Villages of Orchard, Clearwater, and Oakdale the applicable amount as provided by this agreement. That a like amount shall be included in the County's budget, reviewable, on an annual basis. This funding to be supplemental funding and not replace other funding.

That this agreement shall have an effective date of September 1, 2024, and shall continue in full force and effect for a period of one year.

This agreement shall not be construed as to form an additional political subdivision. The parties hereto agree to comply with any and all laws, rules and regulations, whether same be local, state or federal, required in the administration and execution of the terms and provisions of this agreement. Further, that no party will assign any rights granted under this agreement.

This agreement shall be administered by the Antelope County Clerk, as directed by the respective board of the parties hereto. IN WITNESS WHEREOF, the parties have executed the agreement on the dates appearing directly below their signatures.

Dated: \_\_\_\_\_, 2024.  
 VILLAGE OF CLEARWATER, a Municipal Corporation  
 VILLAGE OF ORCHARD, a Municipal Corporation  
 VILLAGE OF OAKDALE, a Municipal Corporation  
 CITY OF TILDEN, a Municipal Corporation  
 CITY OF NEIGH, a Municipal Corporation  
 CITY OF ELGIN, a Municipal Corporation  
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BY: Kelly Kerkman, Village Board Chairman  
 BY: Stephanie Cleveland, Village Board Chairman  
 BY: \_\_\_\_\_, Village Board Chairman  
 BY: Thomas E Nelson, City Board Chairman  
 BY: V. Joseph Hartz, Mayor  
 BY: Micheal Schmitt, Mayor

Attest: Angie Hupp, Village Clerk  
 Attest: Brenda Harrison, Village Clerk  
 Attest: Vicky Carstens, Village Clerk  
 Attest: Shawna Moore, City Clerk  
 Attest: Danielle Klabenes, City Clerk  
 Attest: Kristen Childers, City Clerk

Dated: October 1<sup>st</sup>, 2024. ANTELOPE COUNTY NEBRASKA BOARD OF COMMISSIONERS  
 BY: Charlie Henery, Chairman of County Board, District 4  
 Neil Williby, District 1  
 Eli Jacob, District 2  
 Regina Krebs, District 3  
 Casey Dittrich, District 4

ATTEST: /s/Lisa Payne, Antelope County Clerk

**Zoning Administrator Report:** Ms. Wingate has no report today.

**Road Superintendent Report:**

- **Access Permit – 526<sup>th</sup> Avenue in SE¼ Section 15, Township 25, Range 6** – Aaron Rice with Rainbow Farms submitted an access permit for entrance to a bin site. The County will provide an 18” culvert. Discussion. Mr. Kluthe voices no opposition. Motion by Commissioner Williby, seconded by Commissioner Dittrich to approve access permit on Road Superintendent recommendation. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried.
- **Access Permit-862<sup>nd</sup> Road in SE¼SE¼ Section 7, Township 27, Range 8 (Sherman Township)** Mr. Matt Wood submitted an access permit for entrance into a farm site. There is no culvert needed and the County will work with landowner to install access, utilizing dirt from fence lines in the area. Road Superintendent voiced no opposition. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve access on recommendation of Road Superintendent. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried.
- **Access Permit-529<sup>th</sup> Avenue in SE¼SW¼ Section 29, Township 28, Range 5** – Matt Fischer submitted a request for access into a land. site. The County will provide an 18” culvert is needed. Road Superintendent voices no issues. Motion by Commissioner Williby, seconded by Commissioner Jacob to approve access as requested. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried.
- **Underground Permit-518<sup>th</sup> Avenue SW¼ Section 4, Township 26, Range 7** – Paul and Pam Rudloff submitted an underground permit to place a permanent electric pipe to run electricity for a pivot. Contractor is Boyd’s Electric. Discussion. Motion by Commissioner Dittrich, seconded by Commissioner Dittrich, seconded by Commissioner Williby to approve underground permit as presented. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried.
- Mr. Kluthe presented pictures of **damaged culvert extension** by 857<sup>th</sup> Road and 517<sup>th</sup> Avenue (1 mile east of Orchard School Road). The Commissioners referred Mr. Kluthe to get a police report on the incident. It was probably damaged by a mower; however, it appears to be excessive. Does the County just replace such a thing? So, it can be taken care of through those channels. Mr. Kluthe will talk with County Sheriff. No further action.
- **9:30 AM One and Six Year Road Plan Hearing: Public Hearing** was opened by Board Chairman, Charlie Henery. All members of the Board of Commissioners were in attendance. Public in attendance: Carol and William Eischeid; Marc Schrage; Joe Beckman; Scott Arens, Hertz Farm Management; Duane Kerkman; Jeff Kerkman; Charlie Meis; Jerry Heithoff. This public hearing is to determine the road projects to be worked on and completed with in Antelope County over the six (6) year period. Discussion of projects and costs have been on going since August. Brian McDonald, Highway Superintendent opened up the comment section by reviewing with the Commissioners the various projects listed. Discussed openly with the public the various projects and costs. During the public hearing special attention was on the Sunken Garden Bridge. This bridge is located 838<sup>th</sup> Road west of 525<sup>th</sup> Avenue. General consensus of the public in attendance is the road passage should be repaired. Highway Superintendent restated the placing of the tubes should be a very healthy fix, and the road in the area will meet standards, etc. Everyone believes the road will be more traveled if it is passable. There should not be much of a difference in the water flow, between the bridge and culverts. The public was assured, water should not back up in the area. There may be some settling and dirt movement, but unless there is a ‘serious flood’ the culverts should be sufficient. We will not raise the road. There was no opposition voiced for any of the projects on the One- and Six- Year Road Plan. Antelope County has the tubes at the Oakdale Barn and has two (2) like bids for contractors in the area. Spud Construction bid \$8,000.00, and Rutjens Constructoin has a bid for \$20,606.00. Continued discussion of various projects and timelines. In August during Brian McDonald initial meeting with the Board and Road Superintendent projects for the Road Plan were updated and priorities discussed. Public comments were read from Carol and William Eischeid. Today, an updated plan, and is presented. Discussion of projects. Testimony for and against is called for. Discussion. Motion by Commissioner Williby, seconded by Commissioner Dittrich to close the One and Six Year Road hearing at 10:00 AM. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried. Discussion continues. Motion by Commissioner Williby, seconded by Commissioner Dittrich to **approve the One- and Six- Year Road Plan** as presented. Voting aye: Williby, Krebs, Dittrich, Jacob, and Henery. Nays none. Motion carried.
- **Sunken Garden Bridge:** Motion by Commissioner Dittrich, seconded by Commissioner Krebs to authorize Mr. Kluthe was instructed to proceed with Spud Construction to get the bridge replaced with culverts in the Sunken Garden area. The Sunken Garden Bridge project should be completed by the end of next week. More discussion. Voting aye: Williby, Krebs, Dittrich, and Henery. Nays none. Jacob abstains Motion carried.

ONE & SIX YEAR ROAD IMPROVEMENT PLAN ANTELOPE COUNTY, NEBRASKA				SIX YEAR PROJECTS				PROJECTS COMPLETED DURING 2024 ANTELOPE COUNTY, NEBRASKA			
PRIORITY NO.	PROJECT NO.	IMPROVEMENTS	ESTIMATED COST					NO.	PROJECT NO.	IMPROVEMENTS	ESTIMATED COST
1	C-2(404)	2024-25 Remove and replace bridge C005416210 on Knox Antelope County Knox County	\$155,000 \$155,000 \$310,000	1	C-(420)	2025-26 Construct new pavement on 516 between Bridge No. 21315 and 854 Ave. Between Frenchtown and Blaine Twp	\$1,875,000	None			
2	C-2(425)	2024-25 Remove and replace Bridge No. 20220 on Knox CRMP Roads Antelope County Knox County	\$191,548 \$203,226 \$394,774	2	C-2(341)	2025-26 Remove and replace Bridge No. 36215 Suff. Rating 59.5 ND, Posted 13 Ton, Between 3/34, T23/24N, R5W, Grant/Burnett Twp.	\$250,000				
3	C-2(430)	2024-25 Remove and Replace Bridge No. 16610 on 838 Road west of 525 Ave	\$100,000	3	C-2(334)	2026-27 Remove and replace Bridge No 06005, Suff Rating 46.4 with a New structure. Posted 9 Ton, Between Sec. 2635, T24N, R7W, Roadway in Arterial, Elgin Twp.	\$175,000				
4	C-2(433)	2024-25 Remove and Replace Bridge No 11205 with a box culvert on 869 Road 1 mile east of 517 Ave. CRMP Roads Antelope County	\$106,452 \$143,548 \$250,000	4	C-2(324)	2026-27 Remove and replace Bridge No. 02905P Suff. Rating 20.5, Posted 6 Ton, In Southeast Quarter Sec. 21, T25N, R0W, Neigh Twp.	\$550,000				
5	C-2(395)	2024-25 Regrade intersection of 534 and 848. Remove and replace asphalt on 534 Ave. Elm Twp	\$30,000	5	C-2(282)	2026-27 Replace Bridge No. 10305 Suff. Rating 26.2, Posted 5 Ton, Between Sec 29/30, T23N, R4W. Was BR0-7002(7), Clearwater Twp.	\$550,000	C-2(421)	2023-24	Install 3.06x48" square culvert pipe on 524 Ave near 840 Road. Between Oakdale and Cedar TWP	\$65,000
6	C-2(392)	2024-25 Remove and replace Bridge No. 06005P, Sufficiency rating 55.0 Between Sections 31/32, T24N, R6W, Oakdale Twp	\$200,000	6	C-2(422)	2027-28 Construct new Roadway on section line west of Clearwater on 515 Rd between 551 Ave	\$250,000	C-(411)	2023-24	Reconstruct 519 Avenue between 847 and 848 Road. Old Twp	\$160,000
7	C-2(428)	2024-25 3R to widen 513 Avenue between Highway 275 and Highway 20	\$1,700,000	7	C-2(424)	2027-28 Replace Non-Bridge size structure on 522 Ave between 868 and 869 Rd with new Culvert Pipes	\$50,000				
8	C-2(429)	2024-25 3R to widen 857 Road between 510 Ave and 513 Ave.	\$550,000	8	C-2(296)	2027-28 Existing Bridge No. 21940 Suff. Rating 43.4 was replaced with a Temporary culvert on emergency basis. Culvert to be extended and become permanent replacement, Between Sec 15/16, T28N, R7W., Verdigris Twp	\$50,000				
9	C-2(426)	2024-25 Remove and replace Non-Bridge size structure with CRMP. Between Sec. 16/17, T23N, R0W, Cedar Twp.	\$150,000	9	C-2(431)	2028-2029 Construct new pavement on 532 Road between Highway 20 and 865 Ave.	\$400,000				
				10	C-2(432)	2028-2029 Construct new pavement on 866 Ave between Highway 14 and 522 Road.	\$800,000				

- **Micro surfacing** – Missouri Petroleum (bid winner): moved into Antelope County yesterday.

A) North of Neligh; B) South of Brunswick; C) Grove Lake Road; D) North of Brunswick – Stopping project around the \$1.2 million, but not stopping if there is a half mile or a small amount left – finish the project. This is at the discretion of the Road Superintendent.

- **Motor Grader Repairs:** The Commissioners requested contacting Tim Grubb for the repairs necessary. Mr. Grubb has completed repair projects for the County and has always been competitive and fair. No further action.
- **Service Pickup/Sign Pickup:** Mr. Kluthe continues to look for viable vehicle purchases for the Road Department. He will keep in touch with the Commissioners. He will probably travel to a couple of available pickup trucks.
- **ROW – Fence Posts:** going south out of Neligh, along airport road the landowners on the south side of this road removed trees early this fall and has re-placed fence posts in the right of way. A picture was presented as a visual. Discussion. The Commissioners requested Leigh Kluthe Road Superintendent met with and discuss with him to and for the County Attorney to right a letter to have them move the entire fence line off the highway right of way. We believe there was a fence along this stretch, however it was overgrown with bushes, trees, and brush. However it is very evident they currently are on County right of way. County Attorney will write a letter to landowner.
- **Bids for Striping Summerland School Road:** Mr. Kluthe has been working with companies regarding striping of the Summerland School Road. There is approximately 11-13 miles to be marked. However, a couple of the miles are marked to be armor coated next summer. Discussion of striping the outer edge, middle, marking passing lanes, etc. Discussion. Mr. Kluthe has tried to find a vender for striping. The only vendor he can find is from Central City, Nebraska. Guestimating costs is about \$1,500.00 to \$1,800.00 a mile. Call is placed to Brian McDonald to discuss obligations of the county. It was decided striping school road would be the safest route. Highway Superintendent did not think signs had to be placed at this time if striping is completed.
- **Marx Repair Equipment Lease Agreement:** Antelope County had two (2) payloaders down, to continue work on the roads, Road Superintendent was looking at finding equipment for work progression.

There being nothing more to discuss.

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

The meeting adjourned at 10:41 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Chairman of the Board, Charlie Henery

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