

October 2, 2018
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, October 2nd, 2018 at 9:00 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, and Kerkman. Commissioner Schwager was absent due to family illness. 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.

Correspondence was reviewed: NDOR Past Due Bridge Inspection Reminder; NDOR Upcoming Bridge Inspection Reminder; Northeast RC&D 25th Anniversary Celebration reminder; three (3) letters from various county officials regarding candidacy for the NIRMA Board of Directors; Pipeline Awareness publication; DEQ letter regarding Modified Construction and Operating Permit Issued (SW¼ 15-25-8 Settje Agri-Services & Engineering, Inc.; Union Bank and Trust August and September monthly financial report; Antelope County Hazard Mitigation Plan report approved 11-21-2017 was presented (Liz Doer received complete report last week). Reminder of County Government Day on October 4, 2018. Reminder of Levy Setting Board of Equalization Meeting for October 9th, 2018. JEO letter regarding the one-year warranty on the Tilden West Project

Receipts: \$105.00 General Fund - Refund from the Assessor Workshop (deputy not attending); \$362,500.00 to Road and Bridge (\$200,000.00 transfer from General and \$162,500.00 from Bank of Elgin loan for maintainer.

Insuring Success, Sharon Steadman presented for the Commissioners regarding supplemental insurance. This is a Family Heritage Company and is not connected through payroll. They collect premiums from the bank account. Leaving no extra work for payroll and or human resources. She requested the Commissioners allow her to visit with individual employees. She presented and the commissioners agreed to consider. No payroll withdrawal, all premiums are returned if no claims are made (25 years). At the end of the meeting it was discussed. The Commissioners, along with officials attending agreed to forego the visit by the agent at this time. There has been a number of agents meeting with employees and have been distracting to the employees. No further action.

It was discussed to establish a policy regarding the future of agents visiting with employees during work hours. The commissioners requested the officials get together and establish a policy regarding visits from agents. No further action.

Grove Lake Road: Rahn Olson met with the Commissioners regarding the condition of Grove Lake Road (866th Road). He believes the grading on these roads has been lacking. He voiced complaints about the road conditions and maintenance. He asked about the minimum width of gravel (rural) roads. Brian McDonald was in attendance and confirmed that the roads when rebuilt or restructured is a minimum width of 26 feet. If roads are existing, and no improvements are made, the road shall remain the same. Mr. Olson is concerned with damage to his equipment. He chooses not to submit the documentation to Antelope County to be sent to the insurance company. The road in question currently is 21 feet wide, which is good in Antelope County roads. Mr. Olson asked about culverts under roadway and whose responsibility of cleaning them out. The county will clean out the culverts, but diggers hotline is called before such cleanout takes place. Land owners can report the culvert blockage to the county. No further discussion, or action.


Road Boss Report:

Access Permit: Motion by Commissioner Henery seconded by Commissioner Schindler to approve the application for permit submitted by **Frank Morrison** of Nebraska Popcorn to place a permanent access along 519th Avenue in the SE¼ 34-27-7 West of the 6th P.M., Antelope County, Nebraska. Access will be used for truck turnaround (north side for truck bypass) access. This will be 50 feet north of the main access. The max width of the driveway is a 76 ft apron. The access in the SE¼ of Section 34, Township 27, Range 7 West of the 6th P.M., Antelope County, Nebraska. Frank Morrison – owner and tenant, all work to be done according to County and State specs. Voting aye: Henery, Schindler, Jacob and Kerkman. Schwager absent. Nays none. Motion carried.

Access Permit: Motion by Commissioner Schindler seconded by Commissioner Jacob to approve the application for permit submitted by **Gene A. Schacht** to place a permanent access to field entrance along 855th Road in the SE¼ 14-26-7 West of the 6th P.M., Antelope County, Nebraska. Access is currently used for wind tower access and will be used for field access. The max width of the driveway is a 76 ft apron. The access in the SE¼ of Section 14, Township 26, Range 7 West of the 6th P.M., Antelope County, Nebraska. Gene and Corl Schacht – owner and tenant. All work to be done according to County and State specs. Voting aye: Henery, Schindler, Jacob and Kerkman. Schwager absent. Nays none. Motion carried.

Access Permit: Motion by Commissioner Henery seconded by Commissioner Schindler to approve the application for permit submitted by **Menno Miller** to place a permanent access to field entrance along 514th Avenue in the NW¼ 35-28-8 West of the 6th P.M., Antelope County, Nebraska. Access will be used for field access. The max width of the driveway is a 76 ft apron. The access in the NW¼ of Section 35, Township 28, Range 7 West of the 6th P.M., Antelope County, Nebraska. Menno Miller owner and tenant. All work to be done according to County and State specs. Voting aye: Henery, Schindler, Jacob and Kerkman. Schwager absent. Nays none. Motion carried.

NMC Maintenance Contract. With the purchase of the new grader the maintenance contract is offered to make sure the machine is operating properly. The plan in consideration is the middle of the road plan. This provides the filters and checklist for every change, they will perform the 1000- and 2000-hour check. In the current machines the contract is working well. NMC has a tracking device and they send the filters and supplies and Antelope County does the 250, 500 and 750 checks. Motion by Commissioner Schindler, seconded by Commissioner Jacob to accept the contract. Voting aye: Henery, Schindler, Jacob and Kerkman. Schwager absent. Nays none. Motion carried.

Standard CSA									
Customer Support Agreement									
Quote # 0001807510		Form Version 11.1				Quoted Date: 8/9/2018			
CSA Level: Standard		Payment Terms: Flat Rate				Sales Rep: E. Bomar			
Customer: Antelope County		Model: 12M3 AWD		Serial #: N9800668		Acct #: 0233000		PSSR: D. Praeuner	
Term (Yrs): 2		Start Date: 8/25/2018		End Date: 8/24/2020		NMC Store: Norfolk		Other:	
Term (Hrs): 2,000		Start Hours: 0		End Hours: 2,000					
Additional details available in the NMC Customer Support Agreement brochure									
Price valid if form is signed, then submitted within 30 days of the above start date									
Number of Services Included:	PM1 (250hr intervals)		PM2 (500hr intervals)		PM3 (1000hr intervals)		PM4 (2000hr intervals)		
	Labor	Parts	Labor	Parts	Labor	Parts	Labor	Parts	
Engine Oil	Customer	Customer	Customer	Customer	NMC	Customer	NMC	Customer	
Engine Oil Filter	Customer	NMC	Customer	NMC	NMC	NMC	NMC	NMC	
Transmission Oil					NMC	NMC	NMC	NMC	
Trans. Oil Filter			Customer	NMC	NMC	NMC	NMC	NMC	
Hydraulic Oil Filter			Customer	NMC	NMC	NMC	NMC	NMC	
Fuel Filters	Customer	NMC	Customer	NMC	NMC	NMC	NMC	NMC	
Differential Oil							NMC	NMC	
Final Drive Oil							NMC	NMC	
Swing Drive Oil									
Outer Air Filter									
Inner Air Filter									
Cab Air Filters									
Adjust Valves									
Machine Inspection							NMC	NMC	
Fluid Sampling	Customer	NMC	Customer	NMC	NMC	NMC	NMC	NMC	
Hydraulic Oil	#1		#2		#3		#4		
Product Link and VisionLink: N/A (Pre-Installed)									
Notes:									
Travel Time Included Per Service 2 hours (round trip)									
Starting PM: PM1-250		Cost per Service: \$738.63		Payment Terms: Flat Rate		Total Cost: \$5,909.00		Status: New	
* If service is requested before 7:00am on weekdays, after 6:00pm on weekdays, on Sundays, or on holidays, additional charges may apply.									
Additional Customer Responsibilities:									
- Customer performs all 10, 50, and 100 hour PM services as outlined in the machine's OMM.									
- If not active with Product Link, hours should be reported to NMC every 2 weeks by phone (402-861-2994), or by email (csa@nmccat.com).									
Transferability: This agreement is not transferable to another party or another machine.									
Expiration: Agreement expires either (1) when All Included Services have been completed, (2) the End Date has been reached, or (3) the End Hours have been reached. The End Date and/or End Hours may be extended with a price adjustment if All Included Services have not been completed.									
Machine Data Visibility: Customer authorizes NMC, Caterpillar, and their respective affiliates to access and monitor any on-line VisionLink data and to utilize any such data in accordance with their respective Privacy Policies.									
Customer Acceptance of Agreement:									
Print: <u>LeRoy Kerkman</u>									
Sign: <u>LeRoy Kerkman</u>									
Date: <u>2 Oct 2018</u> NMC Rep: D. Praeuner									
For PMs not performed by NMC: PSSR will deliver the kits.									
Form may not be altered without permission from the NMC Service Operations Department									
 csa@nmccat.com 800.628.6025 nmccat.com NMC Customer Support Agreements									

Richard Hoefler submitted a petition for **road closure for a half (1/2) mile of 835th Road** in Logan Township. The 1/2 mile north of the NE 1/4 32-23-7 between Sections 29 and 32, lying west of 518th Avenue. He submitted a total of 17 signatures, of which 13 were confirmed as valid signatures. Casey Ditrach went out a looked at it. The road is not even a road. There is no interest in keeping the road open. There is a power line running down it. This road is 3 miles south of Elgin. It is pasture ground. Motion by Commissioner Henery seconded by Commissioner Jacob to have Brian McDonald study road for closure. Voting aye: Jacob, Henery, Schindler and Kerkman. Schwager absent. Nays none. Motion carried.

Discussing repairs with Royal Road with Mr. Morrison he has offered some assistance. He would like to see a complete job. Brian McDonald will look at the area by Bob Snodgrass. Casey will report later on a plan and the assistance he is willing to offer. No action.

During the recent audit, it was revealed the **weed authority** did not have a current fee policy, or they were charging differently for items then the policy noted. Bruce Ofe, Weed Superintendent met with the Commissioners to discuss fees. He requested the Commissioners approve a resolution increasing the fee for hay inspection tags at \$0.14 a tag. Motion by Commissioner Jacob, seconded by Commissioner Henery to approve the **fee schedule policy** as presented. Voting aye: Henery, Jacob, Schindler and Kerkman. Schwager absent. Nays none. Motion carried.

RESOLUTION NUMBER 2018-10-0001

Authorizing ANTELOPE COUNTY WEED CONTROL AUTHORITY to

Spray, Bill and Collect Fees for Maintaining Noxious Weeds in Antelope County

WHEREAS, the Weed Control Authority is controlling the spread of noxious weeds in Antelope County, and
 WHEREAS, the Antelope County Board of Commissioners along with the Antelope County Weed Control Authority board need to allow the Antelope County Weed Control Authority to spray public lands and control noxious and uncontrolled weed growth not being maintained by property owners as part of the Antelope County Weed Prevention Program, and

WHEREAS, the Antelope County Weed Control Authority has received revenue during the previous fiscal year, for such acts, all revenue has been turned over to the Antelope County Treasurer as required by State Statute.

WHEREAS, and to further assist Antelope County in complying with Nebraska Noxious Weed Act, the Antelope County Board of Commissioners finds under certain circumstances, it is necessary for the Antelope County Weed Control Authority to spray privately owned parcels for the control of noxious weeds and the costs of such spray applications shall be paid by owner of record for said parcels of ground at such rates as established by the Board of Commissioners. The rate of \$75.00 an hour for applicant, and the amount of chemical with a 15% markup;

FURTHERMORE, hay inspections will be tagged at \$.14 a tag.

BE IT FURTHER RESOLVED that the Antelope County Weed Authority has the right to collect such fees and turn them into the Antelope County Treasurer as revenue to the General Fund.

Dated this 2nd day of October, 2018.

Antelope County Board of Commissioners

 /s/ LeRoy Kerkman _____

LeRoy Kerkman, Chairman

Attest:

 /s/ Lisa Payne _____

Antelope County Clerk

Motion by: Jacob Seconded by: Henery

Ayes: 4

Nays: 0

Motion Passed/Failed Passed (one absent)

Liz Doerr, **Zoning Administrator** shared the September 2018 Monthly Permit Report (reviewed and put on file). There was one permit not reported/collected but that has been paid including penalty. On October 24th, 2018 FEMA will be conducting a Community Assistance Visit (CAV) During this visit they will inspect certain properties to make sure all of the correct paper work is in place and not in the flood plain. Last week Liz received a copy of the **Hazard Mitigation Plan**. This was completed and approved by FEMA almost a year ago. This is required by FEMA should a disaster arise and federal monies are requested and/or allocated. Liz is expecting a **Conditional Use Permit Application** from Invenergy today. She will be scheduling a Planning Commission meeting and public hearing in the near future.

Personal Property Stricken from Tax List: Deb Branstiter, Antelope County Treasurer met with the Commissioners regarding a single 2014 tax that remains unpaid by Daphne Hansen. This meets all three of the recommendation required for stricken unpaid personal property. Motion by Commissioner Schindler, seconded by Commissioner Henery to strike the 2014 unpaid tax debt of \$9.90 from the tax list. Discussion of this action not canceling the debt however, it remains uncollected and will not need further action. Voting aye: Schindler, Henery, Jacob and Kerkman. Schwager absent. Nays none. Motion carried.

Motion by Commissioner Henery, seconded by Commissioner Jacob to approve the **minutes of the September 11, 2018 Board of Commissioners and Board of Equalization** as presented. Voting aye: Henery, Jacob, Schindler and Kerkman. Schwager absent. Nays none. Motion carried.

Quarterly Jail Inspection is due. Commissioners Kerkman and Jacob will complete after today's meeting.

Jerad Reimers from Senator Adrian Smith's Office met with the Commissioners regarding current action of Senator Smith's Office. General discussion of various topics discussed. No action taken/needed.

Appeara supplies Antelope County with janitorial supplies and reusable cleaning supplies. Currently, we are utilizing a single contract through the Building and Grounds Department at the Courthouse. Annual renewal is requested. Motion by Commissioner Schindler, seconded by Commissioner Henery to approve the contract with Appeara. Voting aye: Schindler, Henery, Jacob and Kerkman. Schwager absent. Nays none. Motion carried.

The Supreme Court is offering a **Nebraska Court Interpreter Orientation Class** in October 13th -14th, 2018 in Omaha. The court recommended the County have a representative take the course. Maria Ortiz, dispatcher with the Antelope County Sheriff's Office is requesting to take the class. Because the registration fee needs to be received by the 6th of October, funds are requested today. Motion by Commissioner Henery, seconded by Commissioner Jacob to approve the claim of \$150.00 class fee. Voting aye: Henery, Jacob, Schindler, and Kerkman. Schwager absent. Nays none. Motion passed. Warrant signed. See Claim #18100001.

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

Meeting adjourned at 10:20 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, LeRoy Kerkman

Attest: _____
County Clerk, Lisa Payne