

October 6, 2020
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, October 6, 2020 at 9:05 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 (2) 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 meeting was open to the public and was available by ZOOM.

Chairman Henery opened the meeting at 9:05 AM. Responding to Roll Call: Commissioners Jacob, Pedersen, Krebs and Henery. Smith was absent. Chairman stated 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 Jacob, seconded by Commissioner Pedersen to approve **agenda** as presented. Voting aye: Pedersen, Jacob, Krebs and Henery. Smith absent. Nays none. Motion carried.

Motion by Commissioner Pedersen, seconded by Commissioner Jacob to approve **Board of Commissioner Minutes for September 8th, 2020**. Voting aye: Pedersen, Jacob, Krebs and Henery. Smith absent. Nays none. Motion carried.

9:07 AM Judd Allen with NACO doing a follow up on Health Insurance to see if you had any questions or concerns. There was no action taken.

Correspondence was reviewed: Resolution for Engine Breaking. Federal Disaster Sub-grant application. Kalil & Co tower discussion. Aura Naturale on personal protective equipment. Thank you from Reinke's Farm and City Service for the purchase of the riding lawn mower. Letter from the Commission on Law Enforcement stating that the jail was visited and it was all under compliance. Thank you from Elgin for the donation towards the lighting. Letter from Maximus showing the Countywide Cost Allocation Plan. Letter from the Dept. of Natural Resources stating new flood rates for Cedar and Dixon Counties. Brochure from the Northeast Nebraska Economic Development District. Got the Preliminary Engineering reports back.

Zoning Administrator Report: Liz Doerr presented today with two (2) Administrative Plats;

- **Administrative Plat:** Bob Bennett NW1/4 Section 33, Township 26, Range 6. This split is a corner 7.62 acres. Motion by Commissioner Krebs, seconded by Commissioner Jacobs to approve lot split as submitted. Voting aye: Pedersen, Jacob, Krebs, and Henery. Smith absent. Nays none. Motion carried.
- **Board of Adjustments Minutes:** Two sets of minutes because when they met the last time they didn't have a quorum so they wanted to wait to approve the 06/27/17. They no longer have a quorum so she was told to just put them on file. Pam Rudloff would like to have someone to replace her and then LeRoy Kerkman passed away so they will have to replace both.
- **Administrative Plat:** Dennis McKillip 1.054 Acres in the SE1/4 Section 29, Township 25, Range 7. State doesn't require approval because it's not new development. Motion by Commissioner Jacob, seconded by Commissioner Pedersen to approve. Voting aye: Pedersen, Jacob, Krebs and Henery. Smith absent. Nays none. Motion carried.

9:30 AM Board of Equalization: Motion made to go into Board of Equalization by Commissioner Pedersen and seconded by Commissioner Jacob.

Deb Branstiter: Asking for a motion to start foreclosure process on our County tax sales. This is the first time that we have had county tax sales that will expire, so to foreclose on them we have 9 months from the date that the county tax sales certificate expires. Deb is looking to Joe for direction to authorize him to start those foreclosure proceeding on the 9 county tax sales per state statue at expiration date. She also included a list of 6 parcels that he is foreclosing on that were already presented to him and he is working on those. They are filed in court and are pending. The big list is everything that is delinquent 2018 and prior. A motion was made by commissioner Pedersen to go ahead and direct the Antelope County Attorney to begin foreclosure proceedings per state statutes on the nine (9) county tax properties that Deb has submitted to us at the expiration date which will be May 8, 2021. The motion was seconded by Commissioner Jacob. Voting aye: Krebs, Jacobs, Pedersen and Henery. Smith absent. Nays none. Motion carried.

Approve RDO Truck claim: Motion was made by Commissioner Jacob to pay the RDO truck claim for \$130,776.98 and seconded by Commissioner Pedersen. Voting aye: Krebs, Jacob, Pedersen and Henery. Smith absent. Nays none. Motion carried

Road Use Agreement with Invenergy: Brian McDonald talks about the road closure study that was requested. He has concerns with closing the road. The center of the north section is land locked. Brian suggests the only way that we should consider closing is if we have an agreement that gets wind towers dealt with and then to have an easement to the northeast properties. Set hearing date for closure of this 841 Road between 510 to 511 for November 2, 2020 at 10:00 A.M. Commissioner Jacob made a motion to adopt the resolution and set the hearing date for November 2, 2020 and Commissioner Pedersen seconded. Voting aye: Pedersen, Jacobs, Krebs and Henery. Smith absent. Nays none. Motion carried.

RESOLUTION 2020-10-00001
ANTELOPE COUNTY, NEBRASKA

WHEREAS, the Antelope County Board of Commissioners received a petition to consider the vacation or abandonment of 841 Road between 510 and 511 Avenue. The road is located between Sections 30 and 31, Townships 24 North, Range 8 West of the 6th Principal Meridian, Antelope County Nebraska.

WHEREAS, a written report of the use of the road has been completed by the Highway Superintendent and is filed with the County Clerk

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Antelope County, Nebraska, that a public hearing date be set for 10:00 A.M. the 2nd day of November, 2020 to consider whether or not to vacate or abandon said road. The County Clerk is hereby directed to send copies of this resolution by registered or certified mail to the abutting and adjacent landowners and Wheeler County.

Adopted this 6th day of October 2020, at Neligh, Nebraska

ATTEST: BOARD OF COUNTY COMMISSIONERS
OF ANTELOPE COUNTY, NEBRASKA

/s/ Charlie Henery

Charlie Henery, Chairman

/s/ Denise Kurgoweit

Denise Kurgoweit, Clerk Deputy

Commissioner _Jacob

Moved the adoption of said Resolution

Roll Call: _4_ Yea _0_ Nay Smith Absent

Resolution adopted, signed and billed

as adopted.

David with Invenergy: Discussed Road Use Agreement. Additional agreements are the asphalt roads going South out of Clearwater 516/848 Sargent road and 513 black top. Invenergy has

agreed to grind 511 from 837 to 838 and lay back down. They will donate \$30,000 to cover their portion of the gravel.

Pay Application: Ten Point Construction- (got sheet from Aaron) A motion was made to approve the payout of \$356,037.41 to Ten Point by Commissioner Pedersen and seconded by Commissioner Jacob. Voting Aye: Krebs, Jacobs, Pedersen and Henery. Smith Absent. Nays none. Motion carried.

Quarterly Jail Inspection: Commissioner Henery and Commissioner Jacobs said they would do it.

Orchard Library Agreement: Motion made to approve the Orchard Library Agreement by Commissioner Jacob and seconded by Commissioner Krebs. Voting Ayes: Pedersen, Jacob, Krebs and Henery. Smith absent. Nays none. Motion carried.

Promotional Grant: Neligh Chamber of Commerce \$300.00 for the Novemberfest. Commissioner Krebs made a motion to approve and Commissioner Pedersen seconded. Voting aye: Pedersen, Jacob, Krebs and Henery. Smith absent. Nays none. Motion carried.

Promotional Grant: Elgin United Methodist Church \$167.98. Commissioner Jacobs made a motion to approve and Commissioner Pedersen seconded. Voting Aye: Pederson, Jacob, Krebs and Henery. Smith absent. Nays none. Motion carried.

Northeast Community Action Partnership: They are asking for someone to fill LeRoy Kerkman's position.

PayClaim: X-tra Productions was hired for District Court for jury purposes for a down payment. Motion was made by Commissioner Jacob and seconded by Commissioner Pedersen to approve the pay of this claim of \$4,000.00. Voting aye: Krebs, Jacob, Pedersen and Henery. Smith Absent. Nays none. Motion carried.

Road Superintendent Report

- **Underground Permit: Frontier Communications** – 849 Rd – 850 Rd Table these.
- **Solar Array** approved by Aaron. Motion made by Commissioner Pedersen and seconded by Commissioner Jacob. Voting aye: Krebs, Jacobs, Pedersen and Henery. Smith Absent. Nays none.
- **853- 854 Frontier** underground permit. Aaron approved. Motion made to approve 853 by Commissioner Pedersen and seconded by Commissioner Jacob. Voting aye: Jacob, Pedersen, Krebs and Henery. Smith Absent. Nays none
- Motion was made to approve 854 by Commissioner Jacob and seconded by Commissioner Pedersen. Voting aye: Krebs, Jacobs, Pedersen and Henery. Smith Absent. Nays none.
- **Underground Permit-Neiwohner** 842 Rd. Aaron approved. Motion was made to approve permit by Commissioner Jacob and seconded by Commissioner Pedersen. Voting aye: Pedersen, Jacobs, Krebs and Henery. Smith Absent. Nays none
- **Access for Frey 534th Rd-** Aaron approved. Motion was made to approve by Commissioner Pedersen and seconded by Commissioner Jacob. Voting Aye: Jacob, Pedersen, Krebs and Henery. Smith Absent. Nays none
- **Jake Johnston 521st Ave Access Permit** Aaron approved. Motion was made to approve this by Commissioner Jacob and seconded by Commissioner Pedersen. Voting aye: Krebs, Pedersen, Jacob and Henery. Smith Absent. Nays none.

- **Lambright Access Permit:** Aaron approved. Motion was made to approve by Commissioner Jacob and seconded by Commissioner Pedersen. Voting aye: Pedersen, Jacob, Krebs and Henery. Smith Absent. Nays none.
- **Wood Access Permit:** Aaron approved. Motion was made by Commissioner Jacob and seconded by Commissioner Pedersen to approve. Voting aye: Krebs, Pedersen, Jacob and Henery. Smith Absent. Nays none.

Aaron discussed the historic bridge that is out at the Neligh Barn. Commissioner Henery said it has to stay a historic bridge and needs to remain on county property. It can be moved but cannot be made into anything else.

The courthouse parking lot was discussed and needs to be added to the agenda for October 13, 2020.

Knife River is doing a project on 519th. They are going to grind it and Knife River will overlay it. Aaron is wondering if the Commissioners would be interested in doing the same thing East of Elgin.

Add to the Agenda for next week (October 13, 2020) Oversize permit for ProCrane.

Discussion for a new grader was discussed. Aaron was told to get a bid and specs on the grader set up. Discussion about an excavator on whether to purchase or lease and this will be added to the agenda for October 13,2020 for further discussion.

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

Meeting was adjourned at 10:57 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, Charlie Henery

Attest: _____
County Clerk Deputy, Denise Kurpgeweit