

October 9th, 2018
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, October 9th, 2018 at 8:30 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, Schwager, and Kerkman. 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.

Review of all claims.

9:14 AM Motion by Commissioner Schindler, seconded by Commissioner Schwager to approve and **pay payroll claims** except claims to Edmund Schindler and Marlene Schindler. Voting aye: Schwager, Schindler and Kerkman. Henery and Jacob abstained. Nays none. Motion carried.

Motion by Commissioner Schwager seconded by Commissioner Jacob to **pay payroll claims** for Edmund Schindler and Marlene Schindler. Voting aye: Henery, Jacob, Schwager and Kerkman. Schindler abstained. Nays none. Motion carried.

Correspondence was reviewed: NACO email letter regarding Livestock Siting Matrix; Retirement News; NIRMA Safety Shorts October; Maximus Countywide Cost Allocation Plan for FY 2016-2017; Nebraska DEQ letter Construction and Operating Permit 36-27-5; Thank You from Steadman with Family Heritage Insurance; JEO letter regarding Warranty deadline on the Clearwater North and Neligh Southwest Projects; BC/BS Nebraska letter regarding Creditable Coverage Pharmaceutical Benefits; two (2) DEQ letters regarding John Moser Feedlots in the SW¹/₄15-25-8.

Pledge Collateral was reviewed: \$250,000.00 FDIC insured and \$786,998.73 Pledged.

Receipts: \$500.00 Lamar Company's Sign Rental (General)

Clerk of the District Court September Fee Report was reviewed and put on file.

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

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

Sheriff's September Fee Report was reviewed and put on file.

Liz Doerr, **Zoning Administrator** gave a short report. She received a conditional use permit from Invenergy for a new project they are calling Thunderhead. The project is slated for southwest of Neligh. This is a possible 137 towers up to 300-megawatt power. She is working with Invenergy on this. The planning commissioner is scheduled to meet for a Public Hearing on the 23rd of October. A copy of the permit is available online, and in the County Clerk's Office. Part of this will extend into Wheeler County. RCI (Rural Commercial Industry) Zone and the Airport Zone have been avoided.

The Community Audit Visit (CAV) is still on for the 24th of October. This is a FEMA program to make sure files, and records are in order. Liz will plan on attending the NPZA conference meeting in Columbus this week (on the 11th).

Met as a **BOE** for Levies and hear Motor Vehicle Exemption request from 9:37 AM to 9:58 AM. Motion by Commissioner Henery seconded by Commissioner Schwager to open Board of Equalization. Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried Motion by Commissioner Schwager, seconded by Commissioner Jacob to close BOE and readjourn as a Board of Commissioners. Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried.

Motion by Commissioner Schindler, seconded by Commissioner Jacob to **pay Township Claims** as listed.

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|-----------------------|--------------------|-------------|
| Pollock Redi-Mix | Neligh Township | \$ 1,028.24 |
| Emme Sand & Gravel | Logan Township | \$ 1,346.72 |
| | Oakdale Township | \$ 582.07 |
| Mitteis Sand & Gravel | Ellsworth Township | \$ 271.61 |
| | Verdigris Township | \$ 5,405.22 |
| | Royal Township | \$ 2,945.76 |

Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried.

Juvenile Diversion: During recent correspondence with The Madison County Attorneys Office has requested participation of Antelope County the district Juvenile Diversion Program. Antelope County has participated in the past, and at present County Attorney, Joe Abler expresses Antelope County has no desire to continue participation, as there is no interest and the officers that had coordinated the program has lost interest and no authority from the varying offices. Currently, Sherry Petersen with the Madison County Attorneys office is reaching out to the schools to have a program in which a certified counselor in the Antelope County Schools. Currently, Sherry is exploring all options so as to not severe Antelope County's participation in the current program. It was discussed whether Madison County might be willing to supply an officer to help in the Antelope County Diversion Program. As a whole the Commissioners seemed to be in favor of continuing the agreement and program. It was requested of Antelope County Attorney to speak with Sherry Petersen regarding assistance via an officer to administer the Antelope County Diversion Program. Joe Abler will follow-up with the commissioners during the November 13th, 2018 meeting.

Royal North Bridge Mr. Bob McLaughlin, Resident Claims Representative has emailed in County Attorney, Joe Abler. At present the two (2) have not gotten together to discuss the bridge and possible action to resolve this problem. This bridge was damaged in July of 2017, said bridge was damaged by an impaired driver. The damage that occurred damaged the integrity of the bridge and the county opted to fix the project by utilizing a different type of structure. The insurance company is trying to establish the bridge had depreciated out and was no longer as valuable. The offer presented did not correspond to action the Commissioners wanted. They have asked the county attorney to proceed with a more favorable negotiation. County Attorney, Joe Abler was in attendance today. He will try to contact the Insurance Adjuster, and will meet with the Commissioners in executive session in November.

Road Boss Report:

Under road Permit: Permit was submitted by Elkhorn Rural Public Power District to place a two (2) inch PVC pipe underneath 846th Road in the SE¼ Section 33, Township 25, Range 8 and the NE¼ Section 4, Township 24, Range 8. The county currently has a 48-inch minimum, it is mentioned on the permit of 42 inches. Owner and Tenant is Knievel Farms Inc. The purpose of the pipe is to run electricity to pivot. Motion by Commissioner Schindler, seconded by Commissioner Schwager to accept the permit with the 48-inch minimum. Voting aye: Schindler, Schwager, Henery and Kerkman. Jacob out of room for vote. Nays none. Motion carried.

Casey discussed with the commissioners regarding the **road access permits for Keystone XL Pipeline**. These permits have been at the Clerks Office since July. The permits numbering 72 total run along the proposed pipeline route. This route however is an easy direct path, in consideration of the topographical measures of the route. In the proposed line there is no consideration as to open roads and access currently in place. He has spent roughly 10-12 hours looking at these permits. Some are clearly marked, and others there is nothing concrete to start with. Everything NW of Highway 20 and East of Highway 14. The middle stretch is still left to do. The Road Use Agreement is more of a priority for Casey then the access permits. However, they have not updated the original RUA as requested in the beginning of the process. Casey plans to finish up the route today, so he will have a handle on the permits as is. The permit is not approved until after they are approved and Chairman has signed. Casey has written if the crossing is ok or not acceptable. The permits will be approved as Casey gives permission.

The **55/45 Bridge Matching Program** was discussed in a recent NACO meeting. It is believed there is a process open for application at this time. The process may be open until November 30, 2018. Casey was not aware of this current phase, and will check with Brian McDonald as to the availability and application.

The bridges that have been approved (bridges on the Knox County Line) have to be completed by December 31, 2019. We believe the cap to each payout is \$150,000.00.

Motion by Commissioner Schwager, seconded by Commissioner Henery to approve **vendor claims** as presented. Voting aye: Schwager, Henery, Jacob, Schindler and Kerkman. Nays none. Motion carried.

We, the Committee on Claims, report that we have examined and approved for payment the following claims:

General: Antelope County Clerk, reimbursing account for check order from April 2018; 20.30; Antelope County Court, county court costs 242.00; Antelope County District Court, district court costs 213.00; Antelope Memorial Hospital specipans 4.98; Appeara, micro swipes, dust mops, textile maintenance, service charge 41.23; Applied Connective Technologies, 2018 service agreement 2625.00; Arrowhead Scientific, swabs, freight charge 78.06; Black Hills Energy, heating fuel 344.51; Bob Barker Co, boots, drug test cups, pants 452.21; Bomgaars, gorilla glue, insect control, trimmer line, safe, weed killer, fertilizer, earplugs, flagging ribbon, hose mender, hose clamps, bathroom tissue, rotors, picture, hangers, cement contact, pipe strap 372.54; Das State, data processing, teletype 575.68; Dean Brown, prior service 25.00; Carney Law, court appointed attorney fees 3842.35; Casey's General, fuel 474.92; Elgin City, monthly recycling fee 250.00; Neligh City, electricity, water, garbage, recycling fee 5063.93; Clearly Communications, telephone service 164.57; Clearwater Record, meeting proceedings, meeting proceedings, bills, board of equalization, tax exempt list, budget hearing/summary, final tax request, notice of election 858.70; Commercial Lighting, light bulbs, shipping 271.67; Cubby's, fuel 1048.28; Danko Equipment, siren for police vehicle 258.70; Dataspec, yearly fee program purchase 449.00; Doerr & Klein, court appointed attorney fees 1316.75; Dollar General, cleaning supplies, freezer bags, headphones 75.60; Dusty's, fuel 170.79; James Egley, attendance at mental health hearings 100.00; Election Systems & Software, ballot printing 1376.96; Elgin Review, subscription, notice of election, budget hearing/summary, meeting proceedings, board of equalization, tax exempt property list 803.35; Elite Office, monthly maintenance copier agreements, networking equipment, toner 747.78; Faith Carriers, towing bills 127.00; First Concord Benefits, insurance 42.19; Frontier Comm, telephone service 2605.24; Glass Edge, repair push button & control box 821.00; Great Plains Communication, telephone service 563.45; Nadene Hughes, prior service 14.00; K & M Reporting, attendance at mental health hearing 50.00; Knox County Court, copies 2.00; Koinzan Enterprises, lawn irrigation equipment, labor 226.58; Love Signs, magnets 128.62; Madison County District Court, filing and maintenance fee 50.00; Madison County Sheriff, sheriff's fees, mileage, service of notice of hearing and copy of petition 55.56; Madison National Life, county matching 44.44; Microfilm Imaging, monthly scanning equipment 87.00; MIPS, data processing 701.02; Morland, Easland & Lohrberg, court appointed attorney fees 1704.90; Nebraska Emergency Service Commission, 2018 NESCA Fall conference registration fees 270.00; NE Health & Human Services, mental health financial responsibility 186.00; Nebraska Supreme Court, registration fees 150.00; Nebraska Weed Association, fall training registration 120.00; Neligh Auto, oil filter, windshield wash 30.47; Neligh News, carrier delivery, meeting proceedings, budget hearing/summary, final tax request, bills, notice of election, tax exempt list 914.70; Nebraska State Bar Association, 2019 NSBA Bar Directory 80.00; Office Depot, card protectors, flash drive, binder clips, toner drum, pens, ribbon, calculators, folders, post-it pads, notes, correction tape, stapler, envelopes, certificates, toner 806.86; Valorie Olson, attendance at mental health hearing 50.00; Orchard News, envelopes, budget hearing/summary 428.40; Donna Payne, prior service 25.00; Petty Cash-District Court, postage 71.00; Petty Cash-Sheriff, postage 77.23; Pinnacle Bank, cleaning supplies, brooms, oven mitts, picture hangers, radio mics, flowers for funeral 362.29; Pitney Bowes, postage 1131.90; Platte County Detention, jail training for employees 350.00; Platte Valley Communications, labor to repair IRR systems 140.00; Quality Inn, room & breakfast at NESCA conference 99.42; Quill Corp, folder, file frame 57.97; Region IV, services for the developmentally disabled of 2nd Quarter of FY 18/19 2808.00; Reinke's Farm & City Service, trimming parts 43.03; Rixstine Recognition, shipping expense 8.85; Caroline Siems, prior service 25.00; Wex Bank, fuel 686.40; Ryan Stover, attendance at mental health hearing 150.00; Michael Sullivan, attendance at mental health hearing 100.00; Chuck Thiemann, mowing service 60.00; Top Quality Gloves, gloves 274.50; Total Fire Protection, annual inspection, replaced tamper switch on Wet System in basement, labor 1416.26; UNL Its Communication, internet for iPad 91.04; US Cellular, telephone service 360.26; US ID Manual, 2019 subscription renewal 82.50; Verizon Wireless, telephone service 81.26; Clearwater Village, monthly recycling fee 250.00; Bonita Welke, prior service 22.00; Willie's Service, labor and parts for oil 42.82; 319 Graphics, polos for deputies 221.88; Centec Cast Metal Products, bronze markers, marker stakes, freight 509.18; Antelope Co Treasurer, inter-fund transfer to Road & Bridge 310,000.00.

Road & Bridge: A & R Construction, milling on 858th RD 37,200.00; AMH Family Practice, drug testing 90.00; Antelope County Court, citation 149.00; B's Enterprises, corrugated bands 323.28; Bazile Aggregate, road gravel 9432.25; Beckman Lumber, trailer adapter, shaft 40.00; Black Hills Energy, heating fuel 209.15; Bomgaars, di-icer, stop-leak, power steering fluid, levers, pin, chisel, antifreeze, distance measurer, fan, cable ties, ruler, squeegee, bathroom tissue, hitch pin, shop towels, air hose 536.60; Bygland Dirt Construction, crushed concrete fines 824.00; Carquest, anti-seize compound, diesel exhaust fluid, battery clips, air filters, jumper cables, fluid pump, 20 latitude, couplings 539.18; Casey's General, fuel 161.67; Central Valley Ag, roundup 95.70; Tilden City, garbage, sewer, water 67.76; Constellations Gas, heating fuel 15.62; Cornhusker International Truck, strap fuel, lining 750.22; Cubby's, fuel 467.82; D & M Machinery, rags 27.40; Dusty's, fuel 67.01; Emme Sand, rock, gravel 17,956.22; Farmer's Pride, fuel 22,292.83; FedEx, freight 91.44; Frontier Communication, telephone service 374.83; Graham Tire, tires, Nebraska tire fee 599.56; Great Plains Communication, telephone service 264.32; Green Line Equip, tractor rental, equipment repair 2067.59; Herley's Repair, labor to install latch and weld cracks in door, labor to install tailgate handle 349.65; Hinrichsen Sand, gravel, bank run 2804.27; Hometown Station, fuel 2864.31; Jebro, asphaltic oil 93,850.59; JEO Consulting, engineering fees 8818.75; Jonny Dodge, oil changes, replace transmission filters, clean dirt out from EVAP filter, replace cabin air filter, replace air hose, DOT inspections, labor 1838.19; Kayton International, bobcat rentals/lease 7150.00; Lawson Products, hex nuts, hex cap screws 39.08; Lazy T Tire, labor to weld socket back together, bolts, lock nuts, snap ring, rim washer, flat, nipple, grommet, labor, flat iron, hot rolled round 579.68; Matteo Sand, road gravel 2455.68; Medical Enterprises, drug testing panels 175.00; Menards, dawn dish soap 20.88; Mitteis Gravel, road gravel 12,442.48; Mr. S's, fuel 523.05; NACO, cobra premium, cobra administration fee 926.34; Nebraska Department of Revenue, fuel tax 2084.00; Nebraska Public Power District, electricity 338.50; Neligh Auto, washers, shrink tubes, starter lug, battery terminal, cables, air filter 45.53; Newman Signs, flex posts, freight, fiberglass marker, post punch, speed reduction sign, black uppercase letters 3497.79; NMC Exchange, motor grader 162,500.00; North Central Power District, electricity 159.54; Northeast Glass, labor 100.00; Orval's Auto Service, turbo boost, install hose & sensor, antifreeze, labor 239.60; Pollock Redi Mix, gravel, rock, sand, mud rock 21,169.74; Powerplan, rear view mirror, freight 148.88; Quality Iron, tubing 85.50; Quick Serve Oil, fuel 271.11; Road Builders Machinery, BOMAG Roller, repair A/C, installed new cylinders inserts, transmission repair, replace clutch leak, repaired engine, 4D battery, expansion valve, labor 119,785.02; RDO Truck Center, hoses 43.04; Reinke's Farm & City Service, disk bearings, blades 97.31; Rose Equipment, check blower operation, labor 1084.69; Royal One Stop, fuel 193.00; Wex Bank, fuel 132.83; Titan Machinery, oil, window 2421.29; Brunswick Village, water, sewer, trash 46.50; Clearwater Village, water, sewer, trash 64.50; Verizon Wireless, telephone service 107.06; Elkhorn Rural Public Power, electricity 539.00.

Bond Fund: BOK Financial Services, interest payments, principal payment, acceptance fee, annual paying agent fee 382,667.63.

Reappraisal Fun: ESRI, computer data processing license 400.00; Holiday Inn, lodging expenses 186.00; Quill Corp, pocket folders, iPad case 75.55.

Register of Deeds: MIPS, data processing 309.90.

Law Enforcement: Buffalo Co Sheriff, boarding out of county prisoner 1406.01; Casey's General, milk 3.69; Cash-Wa Dist, biscuit dough, ice cream cups, turkey ends, juice, pork patties, chicken breast patties, garlic salt, pears, peaches, applesauce, mayo, oatmeal, dry milk, elbow macaroni, food storage, pepper, ground beef, chicken leg quarters, cabbage slaw, potatoes, oven ready fries, gravy, broccoli, garlic salt, cabbage slaw mix, cheese slices, over fries 2518.81; Nebraska Health & Human Services, medical aide civil penalty 1058.00; Faith Regional Health Services, medical charges for inmate 7566.50; Hiland Dairy, milk 322.13; Northeast Medical Imaging, medical charges for inmate 316.00; Platte Detention Facility, inmate boarding costs 1150.00; Thriftway Market, eggs, milk, bottled water, Gatorade,

margarine, juice, powdered sugar, brown sugar, ice, hamburger helper, flour, corn starch, Kool-Aid, vegetable oil, hamburger buns, baked beans, butter, mustard, rice, bologna, potato chips, cleaner 1433.46; Walkenhorsts, radios, power cords 1056.00; Wanek Pharmacy, inmate prescriptions 397.79.

Commissary Fund: Antelope Co Treasurer, refund from prior year – product returned 13,127.18; Bob Barker Co, cotton swabs, playing cards, all-in-one body cleanser, razors, lotion, toothpaste, toothbrushes, combs, antiperspirant 495.26; Cash-Wa Dist, assorted candy bars, ice cream 518.63; Combined Public Communication, phone cards 1050.00; Keefe Supply, candy 35.52; Pinnacle Bank, ticket rolls, deodorant, ear plugs, denture adhesive, hair ties, erasers, shampoo/conditioner, pencils, face wash, crackers, toaster pastries, granola bars, navigation device, composition book, floss picks, soap, popcorn 523.02.

Building Fund: Kinnan Construction, labor & parts to remove handle and install picnic hardware on west side exterior door annex, fuel 2195.81.

General: Total Payroll: \$93,665.94; AFLAC, insurance 1053.60; Ameritas, retirement 13,918.21; BC/BS, insurance 63,509.32; Colonial, insurance 58.25; Garnishment, 950.88; Federal Withholding, 8776.24; 1st Concord Benefits, insurance 1062.49; Liberty National, liberty national 39.17; Madison National, insurance 37.53; State Tax, 3579.70; NACO Vision, insurance 457.71; Social Security, 18,486.48; Washington National, insurance 886.28.

Road & Bridge: Total Payroll: \$49,577.80 AFLAC, insurance 214.63; Ameritas, retirement 6906.95; BC/BS, insurance 33,214.02; Colonial Life, insurance 18.00; Garnishment, 332.43; Federal Withholding, 4179.41, 1st Concord Benefits, insurance 345.83; Liberty National, insurance 70.92; Madison National Life, insurance 35.95; State Tax, 1621.49; NACO Vision, insurance 188.95; Social Security, 9707.14; Washington National Life, insurance 302.80.

Ed Schindler /s/10-9-2018

Jerald Schwager/s/10-9-2018

Charles Henery /s/10-9-2018

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

Meeting adjourned at 10:40 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, LeRoy Kerkman

Attest: _____
County Clerk, Lisa Payne