

November 14, 2017  
Antelope County Board of Commissioners  
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, November 14, 2017 at 8:00 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, Schwager, and Kerkman. Chairman Kerkman stated that the open meeting laws are posted on the east wall of the Supervisors' 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 Vendor and Payroll Claims.**

**Zoning & Subdivision Regulations:** 9:03 AM: During the October 10, 2017 Commissioner Meeting a motion was made to accept the updated zoning regulations with the updated changes and deletions. After the meeting, while reviewing the resolution, it was determined there were some items omitted, including incomplete and inaccurate verbiage. And further review and discussion with the County Attorney. Since the motion to accept and pass the existing resolution, County Attorney Ablor had suggested the Commissioners rescind the motion made on the 10<sup>th</sup> of October, during the November 7<sup>th</sup>, 2017 meeting. However, County Attorney Ablor was not able to attend the meeting on the 7<sup>th</sup> of November, and the suggestion was met with some confusion. This item was tabled, and after getting confirmation of County Attorneys presence at todays meeting, moved to todays Board's Agenda. After a brief discussion and a review by County Attorney Ablor it was agreed to approve the resolution as it was presented for the motion during the meeting on the 10<sup>th</sup> of October, and then to pass a motion to amend said motion. The plan will include two (2) motions for the update to the Zoning Regulations. Motion by Commissioner Schwager, seconded by Commissioner Schindler to accept the resolution as written and presented. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman.

Planning and Zoning Regulation Update  
Antelope County, Nebraska  
RESOLUTION NO. 2017-10-000001

A resolution, consistent with the Comprehensive Development Plan, Adopted for the purpose of promoting health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of the county of Antelope, Nebraska, to regulate and restrict the location, height, bulk, number of stories, size of buildings and other structures, including tents, cabins, house trailers, and automobile trailers; the percentage of lot areas which may be occupied, building setback lines; size of yards, courts, and other open spaces; the density of population; the uses of buildings; and the uses of the land for agriculture, forestry, recreation, residence, industry, and trade, after considering factors relating to soil conservation, water supply conservation, surface water drainage and removal, or other uses; to divide the County into districts of such number, shape, and area as may be best suited to carry out the purposes of this resolution to regulate, restrict, or prohibit the erection, construction, reconstruction, alteration or use of non-farm buildings or structures, and the use, conditions of use or occupancy of land in the unincorporated areas of the County; to provide for the adoption of a zoning map; to provide for a board of adjustment, its members, powers, and duties; to provide for off-street parking and loading area requirements; to provide for conditional uses by conditional use permit; to provide for non-conforming uses, to provide for the administration and the enforcement of these provisions, and for the violations of its provisions and the prescribed penalties, and including among others such specific purposes as:

Developing both urban and non-urban areas;  
Lessening congestion in the streets or roads;  
Reducing the waste of excessive amounts of roads;  
Securing safety from fire and other dangers;  
Lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or run-off of storm or flood waters;  
Providing adequate light and air;  
Preventing excessive concentration of population and excessive and wasteful scattering of population or settlement;  
Promoting such distribution of population, such classification of land uses, and such distribution of land development as will assure adequate provisions for transportation, water flowage, water supply, drainage, sanitation, recreation, soil fertility, food supply, and other public requirements;  
Protecting the tax base;  
Protecting property against blight and depreciation;  
Securing economy in governmental expenditures;  
Fostering the County's agriculture, recreation, and other industries;  
Encouraging the most appropriate use of land in the County; and  
Preserving, protecting, and enhancing historic buildings, places, and districts, all in accordance with the comprehensive plan.

WHEREAS Nebraska Revised Reissued Statutes, 1943, Sections 23-114 through 23-114.05 and 23-164 through 23-174.06 as amended, empowers the County to adopt a zoning and subdivision resolution and to provide for its administration, enforcement, and amendment; and

WHEREAS, the County Board of Commissioners of the county of Antelope, Nebraska deem it in the interest of the public health, safety, morals, convenience, order, prosperity, and welfare of said County and its present and future residents; and

WHEREAS, the County Board of Commissioners of the county of Antelope, Nebraska has adopted a Comprehensive Development Plan pursuant to Neb. R. R. S. 1943, Sections 23-114 through 23-114.03, as amended, and known as Antelope County Comprehensive Plan, as amended; and

WHEREAS, the Planning Commission of the county of Antelope, Nebraska has recommended the division of the unincorporated areas of the County into districts and recommended regulations pertaining to such districts consistent with the adopted Comprehensive Plan based on a future land use plan designed to lessen congestion on roads and highways, to secure safety from fire, panic and other dangers, to provide adequate light and air, to prevent the overcrowding of land, to avoid undue concentration of population, to conserve agricultural land and values, to facilitate sewerage, schools, parks, and other public needs; and

WHEREAS, the Planning Commission of the county of Antelope, Nebraska has given reasonable consideration, among other things, to the prevailing agricultural and rural characteristics now predominant in the County, to the character of the districts and their peculiar suitability for the particular permitted uses, with a reasonable understanding of the objective to conserve the value of lands and improvements while encouraging the development of the most appropriate uses of land throughout the County; and

WHEREAS, the Planning Commission of the county of Antelope, Nebraska has made a preliminary report, held public hearings, submitted its recommended final report to the County Board of Commissioners; and the County Board of Commissioners have given due public notice of hearings relating to the Comprehensive Plan, to the zoning districts, regulations, subdivision regulations, and restrictions, and has held such public hearing; and

WHEREAS, The County Board of Commissioners of the county of Antelope, Nebraska have deemed it necessary to adopt the Comprehensive Plan, the zoning districts, regulations, subdivision regulations, and restrictions for the purpose of the conservation of the existing rural agricultural developments and land uses, of providing for the harmonious development and orderly expansion of urban areas radiating outwardly from existing rural communities, for the orderly extension and planned arrangements of county roads, utilities, for adequate sanitary facilities, for safe and health drinking water, and for reducing flood damage potentials; and

WHEREAS, the requirements of Neb. R.R.S. 1943, Sections 23-114 through 23-124.05, Sections 23-164 through 23-174, and Section 23-174.02, as amended, with regard to the recommendations of the Planning Commission, the Comprehensive Plan, the zoning districts, regulations, subdivision regulations and restrictions and the subsequent action of the County Board of Commissioners have been met;

The approved changes to the draft include, but are not limited to:

- Updating the Wind Turbine setbacks to 2400 feet from a non-participating land owner dwelling, with no more than two wind turbines in a 3500-foot radius.

- There will be a 50-decibel noise level limit as measured with a 10-minute Leq. If there is a complaint, follow-up study and cost would be at the complainers' expense.
- Setbacks for ice braking regarding wind turbines will be 1.5 x length of the blade measured from center of the road (or section line).
- Setbacks for other right of ways would be 1.5 x blade length. Rail Road, State & County Roadway Right of Ways.
- Decommissioning plan will remain as current regulations, to include a 180-day timeline to remove the turbines after declaration of inactivity.
- Wind turbine shadow flicker will be removed.
- Add subdivision regulations as written.
- No regulations regarding pipelines.
- Approve and Implement Zoning Map.
- Remove sign regulations.
- Insert language for flood plain appurtenant structure language from the state.
- AGG (also AGT & AGR) Grain bins and Agriculture structures shall meet the setbacks unless there are existing non-conforming agricultural structures with a lesser setback in which case the new structure can go no closer to the property line than the existing structure or 50% of the required setback whichever is greater.

NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF ANTELOPE, NEBRASKA.

Passed and Approved this 10<sup>th</sup> day of October, 2017

COUNTY OF ANTELOPE, NEBRASKA

\_\_\_\_\_  
LeRoy Kerkman, Chairman  
Antelope County Board of Commissioners

ATTEST: \_\_\_\_\_

Lisa Payne, Antelope County Clerk

Motion by: Henery

Seconded by: Schwager

Voting: Aye: Henery, Schwager, Schindler, Jacob and Kerkman; Nay: none; Abstain: 0

As per the discussion above, a second motion was made by Commissioner Henery to amend prior adopted Zoning and Subdivision Regulations adopted on October 10, 2017 that we now amend the Zoning and Subdivision Regulations to confirm with what has been prepared and approved by the Board of Commissioners as provided in Exhibit A. Furthermore, Exhibit A makes the needed corrections to conform with what the Board of Commissioners intended to be passed with the prior resolution, included Section 8.08.03, 8.08.05, 08.03.06-13. Motion is seconded by Commissioner Schwager. Voting aye: Henery, Schwager, Jacob, Schindler and Kerkman. Nays none. Motion carried.

Planning and Zoning Regulation Update

Antelope County, Nebraska

RESOLUTION NO. 2017-11-00002

Amended Resolution

**This Resolution amends the previously adopted Zoning and Subdivision Regulations (adopted 10-10-2017), to conform with what has been prepared and approved by the County Board of Commissioners as provided in Exhibit A. Furthermore, Exhibit A makes and notes the needed corrections to conform with what the Board of Commissioners intended to pass with the prior resolutions. Referring to Sections 8.08.08, 8.08.05, and 8.08.06-13.**

A resolution, consistent with the Comprehensive Development Plan, Adopted for the purpose of promoting health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of the county of Antelope, Nebraska, to regulate and restrict the location, height, bulk, number of stories, size of buildings and other structures, including tents, cabins, house trailers, and automobile trailers; the percentage of lot areas which may be occupied, building setback lines; size of yards, courts, and other open spaces; the density of population; the uses of buildings; and the uses of the land for agriculture, forestry, recreation, residence, industry, and trade, after considering factors relating to soil conservation, water supply conservation, surface water drainage and removal, or other uses; to divide the County into districts of such number, shape, and area as may be best suited to carry out the purposes of this resolution to regulate, restrict, or prohibit the erection, construction, reconstruction, alteration or use of non-farm buildings or structures, and the use, conditions of use or occupancy of land in the unincorporated areas of the County; to provide for the adoption of a zoning map; to provide for a board of adjustment, its members, powers, and duties; to provide for off-street parking and loading area requirements; to provide for conditional uses by conditional use permit; to provide for non-conforming uses, to provide for the administration and the enforcement of these provisions, and for the violations of its provisions and the prescribed penalties, and including among others such specific purposes as:

Developing both urban and non-urban areas;

Lessening congestion in the streets or roads;

Reducing the waste of excessive amounts of roads;

Securing safety from fire and other dangers;

Lessening or avoiding the hazards to persons and damage to property resulting from the accumulation or run-off of storm or flood waters;

Providing adequate light and air;

Preventing excessive concentration of population and excessive and wasteful scattering of population or settlement;

Promoting such distribution of population, such classification of land uses, and such distribution of land development as will assure adequate provisions for transportation, water flowage, water supply, drainage, sanitation, recreation, soil fertility, food supply, and other public requirements;

Protecting the tax base;

Protecting property against blight and depreciation;

Securing economy in governmental expenditures;

Fostering the County's agriculture, recreation, and other industries;

Encouraging the most appropriate use of land in the County; and

Preserving, protecting, and enhancing historic buildings, places, and districts, all in accordance with the comprehensive plan.

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WHEREAS, the Planning Commission of the county of Antelope, Nebraska has given reasonable consideration, among other things, to the prevailing agricultural and rural characteristics now predominant in the County, to the character of the districts and their peculiar suitability for the particular permitted uses, with a reasonable understanding of the objective to conserve the value of lands and improvements while encouraging the development of the most appropriate uses of land throughout the County; and

WHEREAS, the Planning Commission of the county of Antelope, Nebraska has made a preliminary report, held public hearings, submitted its recommended final report to the County Board of Commissioners; and the County Board of Commissioners have given due public notice of hearings relating to the Comprehensive Plan, to the zoning districts, regulations, subdivision regulations, and restrictions, and has held such public hearing; and

WHEREAS, The County Board of Commissioners of the county of Antelope, Nebraska have deemed it necessary to adopt the Comprehensive Plan, the zoning districts, regulations, subdivision regulations, and restrictions for the purpose of the conservation of the existing rural agricultural developments and land uses, of providing for the harmonious development and orderly expansion of urban areas radiating outwardly from existing rural communities, for the orderly extension and planned arrangements of county roads, utilities, for adequate sanitary facilities, for safe and health drinking water, and for reducing flood damage potentials; and

WHEREAS, the requirements of Neb. R.R.S. 1943, Section s 23-114 through 23-124.05, Sections 23-164 through 23-174, and Section 23-174.02, as amended, with regard to the recommendations of the Planning Commission, the Comprehensive Plan, the zoning districts, regulations, subdivision regulations and restrictions and the subsequent action of the County Board of Commissioners have been met;

The approved changes to the draft include, but are not limited to:

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- Remove sign regulations.
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NOW THEREFORE BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF THE COUNTY OF ANTELOPE, NEBRASKA.

Passed and Approved this 14<sup>th</sup> day of November, 2017

COUNTY OF ANTELOPE, NEBRASKA

\_\_\_\_\_  
LeRoy Kerkman, Chairman  
Antelope County Board of Commissioners

ATTEST: \_\_\_\_\_  
Lisa Payne, Antelope County Clerk

Motion by: Henery

Seconded by: Schwager

Voting: Aye: Henery, Schwager, Schindler, Jacob and Kerkman; Nay: none; Abstain: none

Due to the passing of the above Zoning Regulation Update Adoption, Commissioner Schwager made a motion to lift the **moratorium** on accepting Conditional Use Permits on Wind Farms on or about December 12, 2017 (Commissioner Meeting), providing the Zoning Regulations are adopted and in place. Zoning Administer will report on update. Motion was seconded by Commissioner Schindler. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion carried.

**Nebraska Trails Settlements Joinder Lawsuit:** This is a class action lawsuit regarding the Rails to Trails Program, where land was actually taken from adjoining land owners. Because the land was released by the Rail Road Companies the property should have been released to the landowners, however, at the time the Government procured the land for the Rails to Trails Program. Discussion regarding the taxation value and dollars taken away from the county. The county owned various properties from Tilden, Neligh, Clearwater along the rail road property. Motion was made by Commissioner Schwager, seconded by Commissioner Henery to sign to join the class action law suit. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried. County Clerk will work with Kelly Mueller, Antelope County Assessor to correct and finalize legal addresses of the properties.

Philip Jensen, **Great Plains** Representative met with the Commissioners regarding **telephone service provider**. He believes he could help with cost effectiveness regarding current telephone services. He presented three (3) services that can be utilized. The first is an analog system which is similar to what we currently utilize. Mr. Jensen based this on a guesstimate of 30 lines utilized by the county. The second is a PRI – prime rate interface. This system combines some of the lines to make more of a bundled price, however to recognize the savings proposed we would have to comment to a 60-month contract. This is a 23 voice channels, the 24<sup>th</sup> channel would be used for data. We would need to add any additional lines after the fact. There is a one-time install fee. The third service would be the PRI Bundle. This plan is similar; however, it offers some benefits such as bulk caller ID and Direct-Inward-Dialing (DID). DID is additional numbers that would be for dialing specific desk/stations – these would not necessarily be public numbers – however would be available for direct dialing an official, or someone. If we go with Great Plains and here will be a penalty for early termination with any of the plans. Mr. Jensen requested a contract. Discussion continued the Commissioners wanted to hear from other carriers regarding same. Commissioners will revisit this at a future meeting. Per discussion, a decision does not have to be made until January.

**Road Boss Report:** Completion of the following items. No further report was made.

**NBCS Forms:** Brian McDonald, Antelope County Highway Superintendent completes the NBCS forms for Antelope County. These forms have to be completed in order for Antelope County to receive their State and Federal Funds. It is a yearly filing. Motion by Commissioner Henery, seconded by Commissioner Schwager to approve and have LeRoy Kerkman (Chairman) sign NBCS Certification and Road and Bridge Contract Reports as presented. Voting aye: Henery, Schwager, Jacob, Schindler, and Kerkman. Nays none. Motion carried.

**Royal North Bridge:** Because of the urgent nature of this project, bids were submitted by and opened at 10:00 AM on Monday, November 13<sup>th</sup>, 2017. Two (2) bids were received: Husker (\$84,583.00) and Klabenes (\$86,630.00). During verification it was discovered both of the bids were submitted with clerical error. Brian McDonald, Highway Superintendent and Joe Abler, County Attorney has discussed this and have come up with two (2) options to proceed: 1) Reject both bids, award the project with the negotiated fee with Husker for his intended bid price of \$84,583.00; or 2) Allow Husker to pull his bid of \$71,286.00 and award contract to Klabenes of \$120,000.00 with a condition of the award that a change order be issued that changes the unit price for “excavation for pipe, pipe arch culverts” from the \$100.00 bid to \$10.00 (per the bid price), bringing the contract price to \$86,630.00. Mr. Duane White, from Husker, cannot do the work for the bid price. Brian McDonald reached out to Husker, and he is not willing to take the low bid, so it is up to the commissioners. Motion by Commissioner Schwager to “Allow Husker to pull his bid of \$71,286.00 and award contract to Klabenes for \$120,020.00 with a condition for the award that a change order be issued that changes the unit price for ‘excavation for pipe, pipe arch culverts’ from the \$100.00 bid to \$10.00, bringing the contract price to \$86,630.00; and to allow Chairman Kerkman to sign the award to accept bid **and** change order. Motion was seconded by Commissioner Jacob. Voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried. The bid is to start by November 20<sup>th</sup>, 2017, however the culverts may not be here yet. Matt Klabenes, from Klabenes Construction was in attendance and confirmed he would be able to start.

**Bridge Matching:** The 2018 Bridge Matching request are due. Brian McDonald presented a map of the deficient bridges last week. It is up to the commissioners to decide which bridges can be submitted to the Bridge Matching Program. This program is a fund matching 55/45, with the state making the 55% payment/reimbursement. Road Boss, Casey Dittrich presented six (6) bridges he thought would be good matches. These are bridge #'s 14705 – 3 T North of Tilden; 06005P – High Wood Deck S of Schuchardts; 21130P – NE of Orchard (Weinrich); 10725 – N of Mitteis on Oil; 10305 – SW of Clearwater (Hemenway/Funk); 16025 – S of Tilden (Narrow Truss). After discussion of various pros and cons of all of these bridges. The Matching Funds programs paper work needs to be submitted by December 1, 2017. Motion by Commissioner Henery, seconded by Commissioner Schwager to authorize Road Boss, Casey Dittrich and Highway Superintendent, Brian McDonald to evaluate, decide, complete and submit the necessary forms. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

**Dan Waldow** met with the Commissioners regarding dust on 532<sup>nd</sup> Avenue, north of Highway 20 on Highway 13 (by Knox County line). Mr. Waldow lives across from a livestock Feedlot in northern Antelope County. He is wondering if there is something that can be done to cut the dust on the ¼ mile in front of his house. Discussion on various options to alleviate the dust. Various options were discussed including white rock, crushed concrete, red rock, even dirty 1” rock (mud rock) from Emme’s. There is different types of millings and they are will to try different options. In order to not get the county into a huge financial burden., it was discussed the county would be willing to haul and lay the product if the property owner is willing to purchase the product. Mr. Waldow said he would put some money into millings. Under no circumstance is a land owner supposed to put product on or

grade/maintain any county road at any time. No further action. Wortman's – owners of the feedlot were in attendance and did not think this is a problem, it is normal rural traffic around the feedlot. They were not opposed to putting millings down, or any product, but did not think this was an issue.

Liz Doerr, **Zoning Administrator** gave her regular meeting report. Review of the Permit report. Discussion of one of the permits that was not filed timely, no late fees assessed. The property owner filed themselves. Typically, if the property owner files themselves it is a lot more understanding. If there are complaints from the public it is easier to define penalties.

**Underground Permit:** Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve the application for underground permit submitted by Midstates Data Transport to place a permanent telephone line along 843<sup>rd</sup> Road for approximately 1100 feet along the NE¼ of Section 20, Township 24, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Midstates Data Transport – owner, electric line to be used for fiber optic cable, all work to be done according to State and County specifications. Boring under all structures, and below 48" minimum. Bauer Underground to do work. Those voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

**Underground Permit:** Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve the application for underground permit submitted by Midstates Data Transport to place a permanent telephone line along 524<sup>th</sup> Avenue for approximately 1 mile along the W½ of Section 16, Township 24, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Midstates Data Transport – owner, electric line to be used for fiber optic cable, all work to be done according to State and County specifications. Boring under all structures and below 48" minimum. Bauer Underground to do work. Those voting aye: Schwager, Jacob, Schindler, Henery and Kerkman. Nays none. Motion carried.

**Nebraska State Auditor** will be doing the 2017 audit for the county, as per the contract. A letter acknowledging the duties of the local offices, rights and responsibilities of the county was received, requesting a signature from the Chairman of the Board. Motion by Commissioner Schwager, seconded by Commissioner Henery to approve for signature the understanding of services letter. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried.

**Highway Superintendent:** The Certification of County Highway Superintendent was approved with a motion by Commissioner Schwager, seconded by Commissioner Henery to approve for signature the certificate of county Highway Superintendent. Brian McDonald currently serves as Antelope County's Highway Superintendent, currently he is on the payroll. Voting aye: Schwager, Henery, Jacob, Schindler and Kerkman. Nays none. Motion carried.

**NIS Insurance: National Insurance Services** works with NACO to present competitive benefits for employees. In order to ensure all employees are receiving the same benefits. Megan McKown, Benefits Manager with NIS met with the Clerk and inquired as to the intent of the Commissioners and their coverage of employees. These benefits are in conjunction with Blue Cross/Blue Shield and offer employees with the insurance coverage a life insurance policy and long-term disability. Currently, there are employees who had Blue Cross/Blue Shield coverage and for other one reason or another have lost their coverage. Some for the in-lieu payments, and others have coverage elsewhere. Discussion on the benefits. It was requested an employee comparison be made, and figure the cost of updating the benefits. A list will be prepared for comparison in December.

**IT Contracts:** tabled agenda item until December, 2017.

**Official Wage** discussion was tabled.

**October 10, 2017 Commissioner Minutes:** Motion by Commissioner Schwager, seconded by Commissioner Schindler to approve minutes for the Commissioner Minutes for October 10, 2017 Minutes as presented. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion passed.

**Township Claims:** Motion by Commissioner Jacob, seconded by Commissioner Schwager to approve payment of Township Claims to Gravel Vendors. Voting aye: Jacob, Schwager, Schindler, Henery, and Kerkman. Nays none. Motion carried.

Emme Gravel:	Stanton Township	\$ 939.88	Hinrichsen	Elgin Township	\$ 756.01
	Custer Township	\$ 767.57			\$ 511.62
	Elgin Township	\$ 946.92		Logan Township	\$ 512.36
	Lincoln Township	\$ 191.57			\$ 522.26
	Oakdale Township	\$ 374.81			
Mitteis Sand and Gravel			Pollock Redi-Mix		
	Blaine Township	\$ 368.62		Stanton Township	\$ 242.66
	Eden Township	\$ 692.37		Neligh Township	\$ 718.43
	Royal Township	\$1046.97		Elgin Township	\$ 130.39
	Garfield Township	\$ 6.42			\$ 233.89
	Verdigris Township	\$2360.58		Blaine Township	\$ 487.46
	Sherman Township	\$9409.86			\$ 982.01
					\$ 892.69
				Custer Township	\$ 480.15
				Clearwater Township	\$1041.28
					\$ 786.40
					\$ 337.44
					\$ 222.70

**Pledge Collateral:** Total insured funds for the Imprest Account is at \$505,000.00

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

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

**General:** Antelope County Court, county court costs (claim #208) 556.75; Antelope County District Court, district court costs (claim #270) 72.00; Antelope County Sheriff, fees to serve/mileage subpoenas 175.80; Appera, micro swipes, dust mops, textile maintenance, service charge 41.23; Applied Connective Technologies, APC backup, service order charge, onsite IT services 130.00; Black Hills Energy, heating fuel 523.31; Bob Barker Company, tactical pants, nylon cuffs 93.19; Bomgaars, winter guard weed/feed, air freshener, tail light, blade fuses, furnace filter, rope 487.68; Eleanor Brady, prior service 25.00; Dean Brown, prior service 25.00; Carhart Lumber, plywood 26.33; Carney Law, attorney fees, justice searches 3222.62; Casey's General, fuel 754.50; Cedar County Court, copies CR15-165 5.50; Centec Products, grave marker stakes, bronze markers 523.80; Elgin City, monthly recycling fee 250.00; Neligh City, electricity, water, garbage, sewer, recycling 3619.75; Norfolk City, civil defense snare billing 1500.00; Clearly Communications, telephone services 163.41; Clearwater Record, legal display, noxious weeds notice, meeting proceedings/bills, board of equalization 149.20; Consolidated Management, meals at training center 29.30; Cubby's, fuel 1372.53; Danko Equip, safety wands 51.36; Das Finance, teletype, data processing 699.36; Dollar General, freezer bags, bleach 28.80; Eakes Office, typewriter, heavy duty staples, sheet protectors, envelopes, freight 858.35; Echo Electric, fluorescent lights 27.70; James Egly, mental health costs 75.00; Elgin One Stop, fuel 37.66; Elgin Review, proceedings, notice of meetings, noxious weeds notice 110.43; Elite Office Products, monthly maintenance copier agreement, copier toner, toner cartridges, paper reams 1502.81; Fairfield Inn, 3 night room stay for sheriff's convention 284.85; Farmer's Pride, fuel 512.96; Ann Flood, mental health costs 50.00; Frontier Communications, telephone service 2207.34; G & B Sprinklers, service call, riser, repair costs 61.50; Great Plains Communications, telephone service 190.00; Lyle Hart, mileage to haul one load of commodities 200.00; Nadene Hughes, prior service 14.00; Iowa Prison, reflective sheriff stars 86.90; Frank Kamphaus, prior service 16.00; Koinzan Enter, irrigation

pro-spray, pro-spray nozzle, labor for lawn irrigation system 44.85; Jeff Doerr Law, court appointed attorney fees 3688.37; Lichtenberg Tire, tire repair, mount/dismount, tire balancing, miscellaneous shop supplies 40.00; Madison County District Court, mental health costs 50.00; Madison County Sheriff, mental health costs 27.61; Microfilm Imaging, scanning equipment monthly rent 87.00; MIPS, data processing, Nebraska taxes online services, payroll services 684.59; N & B Gas, tank rental 60.00; Lisa Payne, electronic signature pad 203.65; NACO, annual NACO conference registration for officials 875.00; NE Health & Human Services, mental health institutions, Norfolk Regional/Beatrice State Hospital 366.00; Nebraska Law Enforcement, NCIC portion of Tele-communicator lodging/tuition 110.00; Neligh News, noxious weeds notice, envelopes, proceedings/bills, notice of meetings, board of equalization proceedings 176.19; O'Neill Pest Control, pest control 235.00; Bruce Ofe, registration for Region III meeting 15.00; Office Depot, DVD sleeve, toner, folders, tabs, stapler, binders, dividers, fasteners 420.42; Valorie Olson, mental health costs 50.00; One Office Solution, copier contract, excess copies 147.53; Orchard News, meeting notices 43.25; Donna Payne, prior service 25.00; Petty Cash- sheriff petty cash, postage 9.10; Pinnacle Bank, phone case, bed bug spray, pill card patient divider, cabinet, bins, glove box, late fees, freezer bags, fuel, bleach, Lysol, Mr. Clean, disinfectant wipes, AJAX, inspection mirrors 825.05; Police Officers' Association, 2017 handbooks for officers 43.75; Ramada Inn, hotel stay 79.00; Sanne Repair, battery for rechargeable Maglite flash light, camera repairs, freight, labor to look at system/diagnose issue, rear view mirror kit for attachment for camera, window regulator assembly, power switch assembly, shop supplies/materials, rivets, labor to take door apart and install new assembly and new master window switch assembly, oil filter, oil, labor to change oil and check fluids 1008.23; Schroeder Surveying, surveyor fees 140.00; Secretary Of State, 177 NAC 1, reproduction, certification of material 20.00; Caroline Siems, prior service 25.00; Simple Minds, technical support package 1488.00; Wex Bank, fuel 662.33; Michael Sullivan, mental health costs 50.00; Thriftway Market, candy for trunk or treats, comet, furniture polish, cleaner, toilet paper, tissue 44.67; UNL Its Communication, telephone service 91.04; US Cellular, telephone service 343.41; US Identification, subscription renewal through December 2018 US identification manual update 82.50; William Van Brocklin, registration for Region III meeting 15.00; Van Diest Supply, chemicals method, milestone, pathway 2465.10; Verizon Wireless, telephone service 81.32; Clearwater Village, monthly recycling fee 250.00; Bonita Welke, prior service 22.00; Woods & Aitken, attorney fees 1148.00; Zee Medical, bandages, elastic strips, hydrocortisone cream 42.75; 319 Graphics & T's employee shirts, 141.92.

**Road and Bridge - At Large:** B's Enterprises, grader blades, lath bundles, culvert band bolts, flat drag blades 7109.00; Bomgaars, hose clamps 4.98; Carquest of Neligh, tire valve core, s-pack valve, gear oil 12.97; Casey's, fuel 48.45; Cornhusker International, mud flap, hangers, bracket mud flaps, labor to install new hangers/mud flaps 396.56; Cubby's, fuel 25.25; Elkhorn Rural Public Power District, electricity 218.71; Farmer's Pride, fuel 4054.31; Green Line Equipment, tractor rental 625.00; Hometown Station, fuel 1091.60; Island Welding, oxygen 218.19; JEO Consulting, engineering fees 15,729.00; Jonny Dodge, fuel filter, water filter, relay direction 91.74; Kayton Intl, brushes, freight 445.78; Klabenes Construction, machine hire to load millings w/excavator 1500.00; Kumm Gas, fuel 237.37; Lichtenberg Tire, flat tire repair, miscellaneous shop supplies, wheel alignment, labor, track bar, steering stabilizer, gas magnum, freight, tire balancing 927.85; Matteo Sand, road gravel 2060.76; NACO, registration for annual NACO conference, C11737 Cobra premium, Cobra administration fee 2823.05; Neligh Auto, fitting, hose, male connector, sleeve, wet wipes, valve, sealant, cable ties, hand cleaner, wire, shrink butt connector, butt connector 142.92; Newman Traffic Signs, "AHEAD" signs 262.90; Quality Iron, tubing 5.18; Quick Serve, fuel 192.85; Reinke's Farm, ELITE STIHL part, freight 314.49; Road Builders, labor to fix machine, mileage, temp sender, solenoid valve, shop supplies, waste disposal 1469.37; Rutjens Construction, round bales of hay, fertilizer, seed, seeding/mulching 2585.00; Ryan's Truck, brakes, ECM hookup, sensor, u-joint, yoke, seal, nut, harness, bolts, hose clamps, shop supplies, freight, labor 2073.91; Wex Bank, fuel 118.08; Switzer Welding, pipe trailer, 3" channel 573.00; Theisen Construction, final payment for Tilden West bridge project 102,415.03; Three & Co, rolls 20.00; Titan Machinery, wheel, inspect machine damage, labor, shop supplies 1051.10; Verizon Wireless, telephone service 202.52.

**Brunswick Area:** Bomgaars, plastic sprayer, vegetation killer, container 140.87; Dinkel Implement, equipment rental 1090.00; Emme Sand, dirty rock 616.88; Farmer's Pride, fuel 165.00; Frontier Communications, telephone service 78.90; Kaup Forage & Turf, ditch mix 580.00; Kumm Gas, fuel 3459.55; Mitteis Gravel, road gravel 3341.52; NMC Exchange, equipment rental 782.25; North Central Public Power District, electricity 129.59; Pollock Redi Mix, crushed concrete 979.06; Quality Iron, backpack torch kits 370.00; Tinsley Grain, clean rock 2717.70; Brunswick Village, water, sewer, trash 46.50.

**Orchard Area:** Black Hills Energy, heating fuel 92.64; Bomgaars, oil 47.88; Farmer's Pride, fuel 1979.64; Frontier Communications, telephone service 80.34; Mitteis Gravel, road gravel 94.74; North Central Public Power District, electricity 69.26; Pollock Redi Mix, rock 609.60; Powerplan, vehicle controller, freight/shipping, miscellaneous parts, labor 2309.25; Royal One Stop, fuel 56.62; Orchard Village, water 30.50.

**Clearwater Area:** Black Hills Energy, heating fuel 38.54; Bomgaars, diesel fuel supplement, premium floor dry, spring water 82.90; Bygland Dirt, crushed concrete fines 3162.24; Elkhorn Rural Public Power District, electricity 79.85; Emme Sand, dirty rock, road gravel 5975.83; Farmer's Pride, fuel, diesel exhaust fluid 3865.49; Green Line Equip, tractor rental, HY-Guard TM 691.66; Hinrichsen Sand, sand/fill mix, bank run 850.20; Mitteis Gravel, stockpile 96.21; Northeast Nebraska Telephone, telephone service 101.23; Pollock Redi Mix, gravel, rock 3255.08; Quality Iron, backpack torch kits 370.00; Wex Bank, fuel 52.22.

**Neligh Area:** Cubby's, fuel 121.79; Emme Sand, gravel, dirty rock 1424.77; Farmer's Pride, fuel 722.84; Frontier Communications, telephone service 129.19; Hinrichsen Sand, gravel 235.58; Tinsley Grain, white rock 654.00.

**Tilden Area:** Black Hills Energy, fuel 70.01; Bomgaars, hydraulic cylinder, pipe bushing, hitch pin, ball mount, bathroom tissue, oil 176.91; Carhart Lumber, staples 3.49; Tilden City, garbage, sewer, water 104.82; Constellation Energy Gas, heating fuel 11.20; Emme Sand, gravel 1109.27; Farmer's Pride, fuel 1516.78; Frontier Communications, telephone service 78.96; Matteo Sand, gravel 1927.20; Neligh Auto, hand soap 34.50; Nebraska Public Power District, electricity 251.13; Pollock Redi Mix, gravel, mudrock 923.39; Quality Iron, torch gauge, cutting tip 51.95; Quick Serve, fuel 128.76.

**Oakdale Area:** Black Hills Energy, heating fuel 39.98; Bomgaars, hot water hose, windshield, glass cleaner, hammer, push broom 106.25; Emme Sand, gravel 1711.99; Farmer's Pride, fuel 1291.37; Great Plains Communication, telephone service 126.50; Green Line Equipment, filter elements 87.82; Hinrichsen Sand, gravel 258.17; Matteo Sand, gravel 1617.12; Nebraska Public Power District, electricity 104.69; NMC Exchange, filter elements/assembly, air filters 308.03; Pollock Redi Mix, gravel 2153.48; Quick Serve, tires, shop mat, labor 3151.14; Powerplan, labor/materials to repair fan hub, mileage 638.22; Road Builders, labor to fix leaky pinion, freight, seal, spaces, strap, stud, hose assembly, lip seal, gasket, lock nut, O-ring, nipple, insert, stick hose 5919.22.

**Elgin Area:** Black Hills Energy, heating fuel 65.24; Bomgaars, shop towel, glass cleaner, windshield de-icer 72.68; Bygland Dirt, crushed concrete fines 2001.28; Elkhorn Rural Public Power District, electricity 36.15; Emme Sand, road gravel, dirty rock 1356.94; Great Plains Communication, telephone service 139.38; Green Line Equipment, HY-Guard TM, hydraulic filter, oil filter 381.13; Hometown Station, fuel 148.04; NMC Exchange, lens, freight, element, halogen lamp 94.12; Pollock Redi Mix, gravel 895.06; Powerplan, service grader, idler, v-belt, tightener, fluid, freight, O-ring, hose fitting, hydraulic fluid, labor to replace hoses, labor to repair oil leak on transmission 3337.50; Road Builders, labor to repair leaky cylinder, freight, rod, mileage, cap screw, nut slotted, washer, pin, nut, knob, bearing, cotter pin, belt, lever, shaft, union, lever assembly 5631.18; Rueter's Red Power Inc., tension pie 35.06; Sapp Brother Petroleum, filter, fuel supplement, fuel 3502.35.

**Reappraisal Fund:** The Cornhusker Hotel, hotel stay 104.00.

**Register of Deeds:** MIPS, data processing 302.40.

**Law Enforcement:** Applied Connective Technologies, Dell PowerEdge appliance, internal hard drive, disaster recovery, annual renewal 1770.00; Bob Barker Company, razors, pillows, basketballs, mattress, janitor cart, sports bras, underwear 953.61; Cash-Wa Distributing, flat iron beef, peach slices, diced pears, applesauce, oranges, mayo, ground beef, chicken leg quarters, pork ribs, steak fries, chicken breast patties, banana pudding, hand soap, gravy sausage, biscuit dough, seasoning salt, spices, grill screens, towel terry, hot pad, oven mitt, peanut butter, vinegar, BBQ sauce, film wrap, instant yeast, medallion, sugar, can liners, foil wrap, Dinex, coffee, shortening, toilet paper, paper towels, food storage bag, dressing, flour 2868.11; Cornhusker State Industries, mail bin 212.00; Dean's Market, spread, mixed veggies, broccoli cuts 173.70; Faith Regional, medical visits for inmates, doctor visit for inmates 4059.68; Keefe Supply, potato chips, coffee, jolly ranchers, sugar 222.00; Madison County Sheriff, housing fees for inmate 27 days 2295.00; Nebraska Bean, pinto beans, great northern beans 48.00; Pinnacle Bank, punch, fruit juice, cheese crackers, shampoo/conditioner, colored pencils, toaster pastries, dust pan, wet floor sign, pizzas, body lotion, toothpaste, playing cards, face wash, soap, tooth brushes, Carmex, floss picks, DVD, envelopes, salt, body wash, granola bars, hair product 670.97; Protocall, commissary phone cards 350.00; Thriftway Market, cheese, powdered sugar, vegetable oil, spices, hamburger buns, brown sugar, syrup, salt, bread flour, onions, ketchup, milk, spread, eggs, liquid detergent, cookies, cake mix, raisins, jelly, jam, cucumbers, saltines, hefty bags, apple juice, flavored drink, shredded cheese, marshmallows, oyster crackers, cabbage, hydrocortisone cream, cough drops, ibuprofen, crayons, sour cream, dinner rolls, steak sauce, peppers 944.98; Uline Shipping Supply, folding tables, hairnet, cleaning wipes, wipe refills, replacement head, disposable plates, broom, mobile shelving 2347.58; Wanek Pharmacy, medications for inmates 243.45.

**Commissary Fund:** Cash-Wa Distributing, ice cream 68.80; Cornhusker State Industries, mattresses, pillows 948.00; Farner Co, assorted candy bars 217.55; Boyd's Electrical, repair for overhead door on sally port 137.50; Kinnan Construction, remove/replace south door, scrap some mortar joints with holes and reseal, fix seams on top of chimney and seal, materials/labor 2193.89; Merit Mechanical, September 2017 service contract work 2694.00; Warren Garage Door, labor to repair back door 177.00.

**General:** Total Payroll, 90,759.31; AFLAC, insurance 856.71; Ameritas, retirement 13,692.37; BC/BS, insurance 57,073.74; Colonial Life, insurance 58.25; Garnishment, 752.97; Federal Withholding, 10,816.57; 1st Concord, insurance 910.83; Madison National Life, insurance 375.38; Nebraska Department of Revenue, state tax 3532.42; NACO Vision, insurance 437.15; Social Security, 18,460.06; Washington National, insurance 307.65.

**Road & Bridge:** Total Payroll, 50,337.01; AFLAC, insurance 388.31; Ameritas, retirement 7505.41; BC/BS, 36,673.00; Colonial Life, insurance 18.00; Garnishment, 357.50; Federal Withholding, 4971.10; 1st Concord, insurance 312.50; Madison National Life, insurance 223.94; Nebraska Department of Revenue, state tax 1775.53; NACO Vision, insurance 199.80; Social Security, 10,084.64; Washington National, insurance 133.40.

Ed Schindler /s/11-14-2017

Jerald Schwager /s/11-14-2017

Charles Henery /s/ 11-14-2017

**Payroll Claims:** Motion by Commission Henery, seconded by Commissioner Schwager to pay payroll claims as submitted. Voting aye: Henery, Schwager and Kerkman. Nays: none. Commissioners Jacob and Schindler abstain. Motion carried. Warrant signed.

Signed NIRMA resolution and membership agreement.

Motion by Commissioner Jacob, seconded by Commissioner Schindler to authorize clerk to **transfer \$200,000.00** from Inheritance Fund into Road and Bridge Fund to cover November expenses. Voting aye: Jacob, Schindler, Schwager, Henery, and Kerkman. Nays none. Motion carried.

**Correspondence was reviewed:** Takata Airbag Inflation Chapter 11 Bankruptcy notice; Thank You from retired VSO Ronald Marshall; Union Bank and Trust financial statement on Antelope Memorial Hospital Bonds; AMH end of the year donation letter; Tobin Buchanan letter regarding bond refinancing (no action taken); Northeast Nebraska RC&D Annual Meeting Announcement; Antelope County Agricultural Society Annual Meeting invitation; Monthly Zoning Permit Report; NACO letter regarding County Official of the Year nominations; Message from the Director of US Census Bureau; County Board Members Conference Agenda.

**Receipts:** \$200,000.00 Transfer from General to Road and Bridge

**Veterans Service Officer Report:** Tom Nelson, Veterans Service Officer gave his regular quarterly report to the Commissioners. His report. He reviewed his budget. Shared a couple of graphs showing expenses and various office activities. (See report.) A short discussion regarding grave markers and how they are making them more permanent. Some of the markers are being stolen to be sold for the copper. The average monthly salary is on the high side. Office costs are good. He has purchased some grave markers. He has submitted a lot of claims in July, they are coming up for payment at this time. As per the CVA report he has been utilizing more of the Nebraska Veterans Fund.

**CVA QUARTERLY REPORT ENDING SEPTEMBER 30, 2017**

<b>CVA Balance as of 6/30/2017</b>		<b>\$24,403.35</b>
CVA Checking Account Balance as of 6/30/2017 –	\$1945.94	
Interest earned this quarter	.49	
	\$1946.39	
Disbursements this Quarter	.00	
CVA Checking Account Balance as of 9/30/2017	\$1946.42	

**CVA Balance as of 9/30/2017** **\$24,403.84**

Note: These figures do not include interest or other funds that may have been added by the County Treasurer. The CVA Fund balance on this report does include the \$3,000.00 kept in Cash Reserve by the County Treasurer.

**NVA FUNDS DISBURSED THE QUARTER ENDING SEPTEMBER 30, 2017**

<u>Name</u>	<u>Amount</u>	<u>Requested Date</u>	<u>Amount Received</u>	<u>Date</u>
██████████	\$571.28	08/01/2017	\$571.28	08/18/2017
██████████	\$3000.00	07/10/2017	\$3000.00	10/03/2017
<b>Totals for FY 2018</b>	<b>\$3571.28</b>		<b>\$3571.28</b>	

**Emergency Communications:** Sheriff Moore met with the Commissioners regarding the ‘complaint’ last week of the 9-1-1 notifications not transmitting to the Orchard Area. The Sheriff’s Office has utilized an updated transmittal relay that works with the smart phones. Mr. and Mrs. Risinger who voiced complaints about the relay of the messages refuse to update to the smart phone. It has been verified that other members are getting all of the messages and communications. He believes this is a technology failure. Technology demands the need to continually upgrade to stay up with current trends. There is not a communication error at this time. No further action.

Communication Tower: things seem to be going well. Boyd is working on the electrical entity, and Platte Valley is working on various installs.

**Executive Session:** Motion by Commissioner Schindler to go into Closed Session for the reason of annual review of Zoning Administrator work and job performance. Motion was seconded by Commissioner Jacob. Voting aye: Schindler, Jacob, Schwager, Henery and Kerkman. Nays none. Motion carried. Met in executive session for approximately 42 minutes. Motion by Commissioner Henery, seconded by Jacob to go out of executive session. Voting aye: Henery, Jacob, Schindler, Schwager and Kerkman. Nays none. Motion carried. Chairman Kerkman announced no decision was made/reached.

There being no further activity or items on the agenda. Motion was made by Commissioner Henery, seconded by Commissioner Jacob to **adjourn**. Voting aye: Schindler, Jacob, Henery, Schwager, and Kerkman. Nays none. Motion passed.

Meeting adjourned at 12:15 PM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: \_\_\_\_\_  
Chairman of the Board, LeRoy Kerkman

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