

December 5, 2017
Antelope County Board of Commissioners
Neligh, Nebraska

The Antelope County Board of Commissioners convened in regular session on Tuesday, December 5, 2017 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, 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.

Retirement card for Barb Finn was passed and signed. LeRoy, Board Chairman signed title for dump truck; NIRMA will be receiving title and taking ownership.

Correspondence was reviewed: NIRMA Safety Shorts; Retirement Party Invitation for Barb Finn; Invenergy Letter regarding Zoning Regulations (held from the November 14th meeting-because of timing with passing of the Zoning Regulations); County Board Members Conference Agenda; NDOR Past Due Bridge Inspection; Tickets to Luncheon at conference; email from Tobin Buchanan regarding bond refinancing.

Receipts: Department of IRS \$1,743.57 (federal excise tax); Alter Metal Recycling (sale of scrap metal) \$877.55; NNTC (Clearwater Phone) \$708.73

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

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

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

Zoning Permit Report for November was reviewed and put on file.

IT Contracts: After reviewing the three (3) submitted bids for county wide IT Services, evaluations and discussion of various bids was conducted. Kidwell, Applied Technologies, and Connecting Point submitted bids. During the process representatives from Kidwell and Connecting Point came out and toured our facility to evaluate the needs. Applied Technologies was involved in pulling lines and setting up various programs for the Law Enforcement Facility and in the courthouse. Kidwell monthly contract bid was \$3000.00, which was high compared to the other two (2) bids. While evaluating the facilities, Connecting Point told Kathy Ollendick, Office Manager at the Sheriff Office there was not much they could provide or offer to their facility. They quoted between \$840.00 – \$1,100.00 for a monthly contracted price (which would not include Sheriff Office). Applied Technologies quote was for \$11,500.00 annually. Because they are familiar with the county's computer/electronic set up and needs it seemed to be a fair quote. Motion by Commissioner Henery, seconded by Commissioner Schwager to accept the Applied Technologies service agreement. Voting aye: Henery, Schwager, Jacob, Schindler, and Kerkman. Nays none. Motion carried. Contract will be signed next week.

National Insurance Services: During a recent visit by Megan McKown from National Insurance Services she had revealed there are some employees who are not covered by the current insurance coverage because of different reasons. Currently, an employee covered under the insurance policy has a \$15,000.00 life insurance policy with Blue Cross and Blue Shield and with that enrollment has a \$5,000.00 life insurance sponsored by Antelope County. In addition, Antelope County pays for basic disability to the employees utilizing the insurance benefits. It was the Commissioners belief the employees not participating gave up these benefits, and there is not much more than they could do. The Commissioners do not wish not to change benefits at this time.

Ron Schmidt, Madison County Commissioner, NIRMA Board Member, brought donuts to thank the Commissioners for their commitment to NIRMA for the next three (3) years.

Liz Doerr, **Zoning Administrator** gave her regular meeting **report**. She shared her current Zoning Permit Report. The **Hazard Mitigation Plan** has updated and needs to be reviewed and accepted. This is a Tri-County (Antelope, Holt and Knox). This ensures Antelope County has complied with and prepared for disasters. This has to be approved and in place to receive FEMA funds should a disaster strike Antelope County. It was a joint effort to complete this to save budget dollars. Olson and Associates updated and prepared this update. This is updated every five (5) years. NEMA is working on possibly extending the renewal period to seven (7) years. Motion by Commissioner Schwager, seconded by Commissioner Schindler to accept the Tri-County Hazard Mitigation resolution. Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays none. Motion carried.

Hazard Mitigation – Tri-County
Antelope County
RESOLUTION NUMBER 17-12-00001

WHEREAS, the Federal Disaster Mitigation Act of 2000 was signed in to law on October 30, 2000, placing new emphasis on state and local mitigation planning for natural hazards and requiring communities to adopt a hazard mitigation action plan to be eligible for pre-disaster and post-disaster federal funding for mitigation purposes; and

WHEREAS, a Multi-Jurisdictional Hazard Mitigation Plan was prepared by Olsson and Associates with assistance from "said contracting company" of Lincoln, NE. which includes the jurisdiction of Antelope County.

WHEREAS, the purpose of the mitigation plan was to lessen the effects of disasters by increasing the disaster resistance of the county and participating jurisdictions located within the planning boundary by identifying the hazards that affect the Tri-County Area (Antelope, Holt and Knox) prioritize mitigation strategies to reduce potential loss of life and property damage from those hazards, and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of Antelope County in the form of a resolution and further requesting approval of the plan at the Federal Level; and

NOW, THEREFORE, the governing body of Antelope County, does herewith adopt the Tri-County Multi-Jurisdictional Hazard Mitigation Plan in its entirety; and
PASSED AND APPROVED this 5th day of December, 2017.

_____/s/ LeRoy Kerkman
LeRoy Kerkman, Board Chairman

ATTEST:
_____/s/ Lisa Payne
Lisa Payne, County Clerk

Motion by: Commissioner Schwager, seconded by: Commissioner Schindler to approve the Hazard Mitigation Plan as presented.
Voting aye: Schwager, Schindler, Jacob, Henery and Kerkman. Nays: none. Abstain:none.

- There are two (2) terms up for reappointment for the **Board of Adjustments**. Pam Rudloff has agreed to serve another term. Mark Smith's term is up and he would like to step down. By statute someone from the Planning Commission needs to be on the board. There have been no meetings to check interest for someone to serve. Liz will continue to search for a possible candidate. Motion by Commissioner Schwager, seconded by Commissioner Schindler to re-appoint Pam Rudloff to a 3-year term to the Board of Adjustments. Voting aye: Schwager, Schindler, Henery, Jacob and Kerkman. Nays none. Motion carried.
- There are three (3) terms expiring on the **Planning Commission**. Ron Rice and Bob Krutz have both committed to an additional term. Liz has not been able to Motion by Commissioner Schwager, seconded by Commissioner Henery to re-appoint Bob Krutz and Ronald Rice to another 3-year term on the Planning Commission Board. Voting aye: Schwager, Schindler, Henery, Jacob and Kerkman. Nays none. Motion carried.
- Issued seven (7) more wind turbine permits.
- The Commissioners commended Liz on her 2017 Ag-ceptional Woman of the Year award she received in November.

Road Boss Report: Casey reviewed the following permits, and Railway Car (see below). No further report. Assisted in review of the One and Six Year Plan.

- **Brian Brodersen** was on the agenda regarding his **road access**. He reported the county had not completed their work on his road access permit approved early this fall. Yesterday, Casey had Roy Rodgers go out and complete work as requested. He thought this work had been completed before and it was a miscommunication in the Road Department, and he took care of it. No action.
- Brian McDonald met with the Board to discuss the **One and Six Year Plan** changes, additions and deletions. He requested the Board to review and will look for a final report next week.
- Casey requested the board review the current list: There are a good number of projects from the One Year Plan that were tackled and completed this year. After review of the Six Year Plan there are a good handful that can be moved to the One Year Plan for 2018. Review of all of the projects brought light and attention to various projects, and moved some to the One Year Plan, and others off of the list completely. Casey will continue to review the list and get a better educated/studied list to Brian McDonald. Mr. McDonald will be sending publication notice so we can complete the One and Six Year Public Hearing during the January 2, 2018 meeting.
- Mr. Jack Allemang was on the agenda to discuss Commissioner issues. Due to time constraints, he was not able to stay. He will be on next weeks agenda. No action.
- **Discussion on** road east of Elgin going north by substation 524th Avenue was discussed. Brian McDonald conducted a study on the whole mile/mile and a half. He recommends closing the stretch and deeding it back to the land owner. The next quarter mile (starting at the drive to the wind tower) south recommends we close that as well. The current land owner has obscured the road and has not meet standards. Knowing the road has been altered we need to make the necessary corrections to protect the road and surrounding area. The current land owner installed a culvert, other people are using the road now, and may object to loosing it. The road starts out as a great road, and quickly turns into an narrow road, almost impassable. It is a complete convenience road at this point. It was decided to put this up for public hearing. Brian McDonald will prepare paper work and schedule a public hearing.

Pay Application and Certificate of Substantial Completion: Motion by Commissioner Schwager, seconded by Commissioner Jacob to approve the Pay Application and Acceptance Agreement and Substantial Completion Certificate for Klabenes Construction on the Koinzan Decking (Neligh Southwest) project. Voting aye: Schwager, Jacob, Schindler, Henery, and Kerkman. Nays none. Motion carried.

Underground Permit: Marlin Conry, Road Engineer from Invenergy submitted 22 underground permits in various ranges. [25-6 (4); 26-5 (5); 26-7 (10)] For the electrical collection system for the Upstream Wind Farm. Road Boss Casey Dittich has worked with Marlin in locating, discussing, and studying these various under-road permits. Mr. Conry will be trenching and boring at a minimum of six (6) foot, they mark these well with the PVC pipe and the red cap, during these permits we will be going under one small culvert. Casey voiced no concerns and recommended approval of the following permits: 529th Avenue - Section 19 & 20-26-5 county right of way, Antelope County owner; 855th Road, Section 17 & 20-26-5, county right of way, Antelope County owner; 855th Road, NE¹/₄ 19-26-5 county right of way, Antelope County owner; 530th Avenue W¹/₂NW¹/₄ 16-26-5 & NE¹/₄ N¹/₂SE¹/₄ 17-26-5, Nebraska Board of Education and Young Family owners; 855th Road E¹/₂ 19-26-5, Rakow owner; 855th Road N¹/₂ 20-26-5 – E¹/₂SE¹/₄SW¹/₄ 17-26-5 Hild & Carpenter owner; 529th Avenue N¹/₂ 20-26-5 – E¹/₂ 19-26-5 Hild & Rakow owners; 530th Avenue W¹/₂NW¹/₄ 16-26-5 – NE¹/₄ N¹/₂SE¹/₄ 17-26-5, Nebraska Board of Education/Young Family; 526th Avenue S¹/₂SE¹/₄ 10-25-6 County right of way – east side of road, Beverly Land Co, owner; 526th Avenue N¹/₂NE¹/₄ 10-25-6 County Right of Way- east side of road, Baltic American Land, Co-owner; 526th Avenue S¹/₂SE¹/₄ 10-25-6 County Right of Way- east side of road, Beverly Land Co. owner; 526th Avenue N¹/₂NE¹/₄ 10-25-6, Baltic American Land Co owner; 856th Avenue SW¹/₄ 8-26-7 and NW¹/₄ 17-26-7, Schultz owner; 517th Avenue NW¹/₄ 17-26-7 – NE¹/₄NE¹/₄ 18-26-7, Schultz and Scott owner; 518th Avenue NW¹/₄ 16-26-7 – NE¹/₄ 17-26-7, Nebraska Board of Education and Schacht owners; 855th Road SE¹/₄ 16-26-7 and 21-26-7, Nebraska Board of Education and Koenig owners; 855th Road SE¹/₄NE¹/₄ 15-26-7 – W¹/₂NE¹/₄ 22-26-7, Good and Schultz owners; 518th Avenue, NW¹/₄ 16-26-7 and NE¹/₄ 17-26-7, Nebraska Board of Education and Schacht owners; 855th Road, SE¹/₄ 16-26-7 Nebraska Board of Education and Koenig, owners; 855th Road, SE¹/₄NE¹/₄ 15-26-7 – 22-26-7 W¹/₂NE¹/₄ 22-26-7, Good and Schultz owners; 856th Road, SW¹/₄ 8-26-7 – NW¹/₄ 17-26-7; Schultz owner; 517th Avenue, NW¹/₄ 17-26-7 – NE¹/₄NE¹/₄ 18-26-7, Schultz and Scott, owner. Motion by Commissioner Henery, seconded by Commissioner Schwager to approve the permits as submitted. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Underground Permit: Motion by Commissioner Schwager, seconded by Commissioner Schindler to approve the application for permit submitted Scott Beckman to place a permanent electric line beneath 520th Avenue, for the purpose of services to machine shed. Crossing from the SW corner of Section 14, Township 23, Range 7, West of the 6th PM, to the SE¹/₄ Section 15, Township 23, Range 7 West of the 6th P.M., Antelope County, Nebraska. Scott Beckman, owner and Kevin Reuss Electric to do the work. There will by two (2) set of PVC pipe one for irrigation pump and one for grain bin. All work to be done according to County and State specs. Those voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Underground Permit: Motion by Commissioner Schwager, seconded by Commissioner Henery to approve the application for underground permit submitted by Elkhorn Rural Public Power District to bury a line under 843rd Road in the SE¹/₄ of Section 13, Township 24, Range 7, West of the 6th PM, Antelope County, Nebraska. Raymond Payne, owner and Reuss Electric (Keven Reuss) to complete work. All work to be done according to state and county specs. Those voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Underground Permit: Motion by Commissioner Schwager, seconded by Commissioner Schindler to approve the application for underground permit submitted by Elkhorn Rural Public Power District to bury a line under 520th Road in the SE¹/₄ of Section 15, Township 23, Range 7, to SW¹/₄ of 14-23-7 West of the 6th PM, Antelope County, Nebraska. Scott Beckman, owner and Reuss Electric (Keven Reuss) to complete work. All work to be done according to state and county specs. Those voting aye: Henery, Schwager, Schindler, Jacob 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 James P. Meuret to bury a line under 534th Avenue in the SE¹/₄ of Section 25, Township 28, Range 5 and the NE¹/₄ of Section 36, Township 28, Range 5, West of the 6th PM, Antelope County, Nebraska. JAJO LLC, owner and Fox Trenching to complete work. All work to be done according to state and county specs. Those voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Access Permit: Motion by Commissioner Jacob, seconded by Commissioner Schindler to approve the application for access permit submitted by Dave Wright on 522nd Avenue. The access is to gain entrance to a field in the NE¹/₄ of Section 36, Township 26, Range 7, West of the 6th PM, Antelope County, Nebraska. Board of Educational Lands and Funds, owner, David Wright Tenant. All work to be done according to County and State specs. Those voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried.

Access Permit: (4 Permits from the original filing in October) Motion by Commissioner Schindler, seconded by Commissioner Jacob to approve with changes the application for access permit submitted by Invenergy on 855th Road (Turbine 33). The access is to gain entrance to a wind turbine in the SE¹/₄NE¹/₄, SE¹/₄, NW¹/₄SE¹/₄ of Section 15, Township 26, Range 7, West of the 6th PM, Antelope County, Nebraska Harlan Good, owner, Invenergy Tenant; 526th Avenue (Turbine 70). The access is to gain entrance to a wind turbine in the NE ¹/₄ of Section 3, Township 25, Range 6, West of the 6th PM, Antelope County, Nebraska. Daniel Hoffman, owner, Invenergy Tenant; 528th Avenue (Turbine 102). The access is to gain entrance to a wind turbine in the S¹/₂ of Section 19, Township 25, Range 5, West of the 6th PM, Antelope County, Nebraska. Audrey Adams, owner, Invenergy tenant; 529th Avenue (Turbine 117). The access is to gain entrance to a wind turbine in the S¹/₂ of Section 31, Township 26, Range 5, West of the 6th PM, Antelope County, Nebraska. Richard Schrader, owner, Invenergy tenant. Voting aye: Schindler, Jacob, Henery, Schwager and Kerkman. Nays none. Motion carried.

2 Permits from Invenergy were overlooked during the meeting and will be heard next week.

Discussion on Ted Adams permit. It was not received until Monday afternoon. Not in time for the agenda, It is on the December 12th, 2017 agenda. The minimum bury of 48 inches for underground permits, otherwise Casey saw no problems with this project.

The Railroad Cart – a 40-footer is \$8800.00, a 50-footer \$11,000.00 and a 60-footer is \$16,200.00. The poundage is greater than the biggest crane in the county can set. Casey believes this would be more than the county can utilize. There are some of these set up by Highway 20, they have been there a number of years, there have been no issue, and they are sturdy structures.

Board of Commissioner Meeting Minutes: Motion by Commissioner Schindler, seconded by Commissioner Jacob to approve minutes for the November 7th, 2017 and November 14th, 2017 board meeting. Voting aye: Schindler, Jacob, Henery, Schwager and Kerkman. Nays none. Motion carried.

2018 Official Newspaper: General discussion about the cost effectiveness of having four (4) newspapers. Various Options were discussed, including designating two (2) different ones for a period of six (6) months and then switching to the other. The commissioners felt they wanted a little more time and requested item to be tabled today and put on the agenda for November 14th, 2017. No action.

Official wages are set by a resolution for the four years affected by the current election cycle, elections to be held in the 2018 calendar year. General discussion involving the commissioners, county sheriff, county assessor, county treasurer and county clerk. Budgets have been tight in the preceding couple of years, and minimal raises have been given to employees. Over the past three years officials have received a 4% raise, and most county budgets have been maxed. Motion by Commissioner Schwager, to approve no raise for 2019, a 1% raise for 2020, a 2% raise for 2021, and a 3% raise for 2022. Discussion continued. Motion died for lack of a second. Various avenues were discussed on this level. Including increasing the salaries by 1.5% every year, and ending up at approximately the same difference as the previous motion. Commission Henery spoke he felt the Commissioners salary was fair and reasonable. Especially after the addition of the Road Boss. He believes the Commissioners remain very involved but Casey has shouldered a lot of responsibility and the flow between them is going well. The Commissioners seemed to agree. He voiced he thought the Commissioner salary was fair and did not warrant a raise. Motion by Commissioner Schwager, seconded by Commissioner Henery to leave the Antelope County Commissioner wage the same as the 2018 wage of 15,748.10. Voting aye: Schwager, Henery, Schindler, Jacob and Kerkman. Nays none. Motion carried. More discussion on wages for the other officials including Sheriff, Attorney, Assessor, Treasurer, Clerk of the District Court and Clerk/ROD. When wages are set, the deputy wages are also affected. It was the opinion of the Clerk, Treasurer and Assessor, the deputy wage seems to be excessive especially when compared to the ‘other’ office staff. In 2017, because of the change to the hourly wage, and time accountability, some of the deputy wages got up to 74% of the officials’ salary. The state statutes reads the salary cannot be less than 65% of the Official wage. The three (3) office officials requested to be able to have some give and take with these wages. Discussion continued on the merits of all office and wages. Motion by Commissioner Henery, seconded by Commissioner Schwager to approve a 1.5% increase annually with the 2019 salary increasing from the base salary in 2018. The salary will increase 1.5% every year from the salary of the previous year for the following four (4) years – 2019, 2020, 2021, 2022. The Official will set the office deputy wage at no less than 65%, but not more than 72% of the officials’ wage. Voting aye: Henery, Schwager, Schindler, Jacob and Kerkman. Nays none. Motion carried. The Commissioner requested a resolution be written, to be approved during the December 12, 2017 Commissioner meeting.

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

Meeting adjourned at 11:11 AM.

ANTELOPE COUNTY BOARD OF COMMISSIONERS

By: _____
Chairman of the Board, LeRoy Kerkman

Attest: _____
County Clerk, Lisa Payne