

May 3, 2016
Antelope County Board
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular session on Tuesday, May 3, 2016 at 9:04 AM in the County Supervisor's Room, Antelope County Courthouse Annex, Neligh, Nebraska. Meeting was called to order by Chairman Schwager, with the following board members responding to roll call: Kerkman, Schindler, Koinzan, Henery, Bolling and Schwager. Williby absent. Chairman Schwager 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 Supervisors.

Correspondence was reviewed: NDOR Past Due Bridge Inspection Reminder; Department of Agriculture letter regarding the receipt of our Livestock Friendly County application; Nebraska Traveler – New Nebraska Traveling Guide looking for sponsorship and publishing dollars- no action; Nebraska Emergency Management Agency regarding State Homeland Security Grant Emergency Management Performance Grant Monitoring Visit – May 4, 2016; Letter from Nebraska Commission on Law Enforcement and Criminal Justice regarding Nebraska Jail Standard Board inspection on May 18, 2016; Letter from Nebraska Department of Roads regarding the STIP funds regarding future state road projects, and projects – no action; KARR Tuck-pointing Job Completion Agreement was shared-KARR Tuck-pointing was here a little over 6 days and completed the east side of old courthouse; NIRMA Safety Shorts; State of Nebraska Emergency Management Agency Closeout of FEMA disaster 1924 letter.

Also reviewed was correspondence not reviewed during the April 12th, 2016 meeting? These handouts were given; however, time was not allotted to review: NIRMA Safety Committee; Union Bank and Trust Antelope Memorial Hospital Bond Refund Reports; Invenergy Liability Letter; Elkhorn Valley LEPC Meeting Minutes; Email Bang for Buck on Property Taxes in Nebraska; Retirement News; April Safety Shorts; Ameritas Mutual Holding Company letter.

Correspondence also included: Letter from the EEOC with the dismissal of discrimination law suit from Diana Borer to the County Assessor; One and Six Year Plan Letter from Brian McDonald; Bond Continuation Prairie Breeze Wind Energy on Miscellaneous Contracts; State of Nebraska DEQ letter regarding Matthew D. Beckman feedlot.

Receipts reviewed: \$209.00 Mid-American Benefits Overpayment (premium decrease).

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

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

Treasurer's March Miscellaneous Fees was reviewed and put on file.

Clerk of the District Court March fee report was reviewed and put on file.

March Commissary Report was reviewed and put on file.

Ed Jensen, and William VanBrocklin from Antelope County Weed Authority Board met with the County Supervisors regarding a claim to Norfolk Lodge and Suites for 2 nights stay during the 2016 Annual Weed Board Conference. The claim was initially denied by the board during the April 12, 2016 meeting. Both men claimed they not like driving at night, because of Deer and other hazards on the highway. The Banquet they attended was formal and began at 6:00 PM and they had no place to change their attire, it was late and it was dark. Motion was made by Bolling, seconded by Henery to pay bill as submitted. Voting aye: Bolling, Henery, Schindler, Kerkman, and Schwager. Nays: Koinzan. Williby absent. Motion passed. Claim was submitted to pay during regular claims in May.

Brian McDonald, Antelope County Highway Superintendent appeared before the board to discuss issues. He was not on the agenda, but was in the area and wanted to update the supervisors on various projects.

Thiesen Construction is working on the Thiele Bridge in Clearwater. He believed if they had a week of good work, that project could be complete. County will take care of grading when project is complete. Old bridge

north of Clearwater (by Klabenes) is currently being worked on. The FEMA flood damage is still evident in two (2) bridges within one (1) mile.

Discussion with Brian McDonald regarding the County Road Agreement with Invenergy. It was proposed to release the contract mile by mile. Mr. McDonald agreed this would not be a bad idea. Supervisor Schwager is requesting the whole contract be released at the same time, so there is no question as to who maintains what. Brian McDonald knows there is some of those roads that need to be inspected for width and grade. On the new construction and rebuilt roads width, slope, and grade. There is approximately 73.5 miles of road in Invenergy road agreement. Currently, Casey Dittrich and Brian McDonald believe 45 miles of that could be done in a day, meaning grading and graveling then they would be ready to release back to the county. Casey said some of the roads are in bad repair; however he has not received many calls except for a Township Officer who wanted gravel to see if it would improve the situation. Invenergy has a good amount of work to get roads to releasing stages. If they would get the roads up to stuff, and release the county could continue maintenance. Brian will check specs on the rebuilt roads. Casey will sign off on the grade and gravel roads in the agreement area.

Discussion was had on releasing Mile by Mile of Road Agreement with Invenergy. No formal action was taken.

9:45 AM Board of Equalization. Motion was made by Schindler, seconded by Henery to go into Board of Equalization. Discussed tax roll corrections. 9:47 AM Back to regular meeting. Motion was made by Schindler, seconded by Henery to go out of Board of Equalization and convene as Board of Supervisors.

Payroll claims were reviewed. Motion was made by Henery, seconded by Kerkman to pay wages as presented. Voting aye: Henery, Kerkman, Schindler, Koinzan, Bolling and Schwager. Nays none. Williby absent. Motion passed. 2 warrants signed by Chairman.

Motion by Bolling, seconded by Kerkman to approve the application for permit submitted by Richard Stelling to place a permanent electric line beneath gravel road, 861st Road crossing at the NE1/4 of Section 15, Township 27 North, Range 8 West of the 6th P.M., Antelope County, Nebraska, to NW¼ Section 22, Township 27, Range 8. Richard Stelling – owner, the purpose to bury power to stock well; all work to be done according to State and County specs. Ewing Electric will be doing the work. Those voting aye: Bolling, Koinzan, Kerkman, Schindler and Schwager. Henery out of room. Nays none. Williby absent. Motion carried.

Motion by Henery, seconded by Bolling to approve the application for permit submitted by Source Gas to place a permanent electric line beneath hard surface road 516th Avenue crossing at the E¼ access road to Clearwater, Antelope County, Nebraska, Source Gas had worked on this project and placed the gas line. Because there is not a clear cut owner to the road, Clearwater had given permission. Antelope County had requested a permit to protect right of way. Purpose of the line placement is to provide natural gas for new home. All work done according to State and County specs. Those voting aye: Bolling, Henery, Koinzan, Kerkman, Schindler and Schwager. Nays none. Williby absent. Motion carried.

Keith Marvin, Planning Commission Consultant discussed with the supervisors various issues. The three (3) to ten (10) mile airport clear zone was discussed. The current wind tower application has had issues with towers in the zone. It is in the counties best interest to place nothing in the airport approach. He recommends playing it safe. Because the towers on the hill north of Neligh have been there, they would be/are grandfathered in. They also would be a city responsibility not a county deficit. He has reviewed some of the application for a Conditional Use Permit submitted for the Upstream project and Liz Doerr, Zoning Administrator is doing her due diligence to ensure the report is as complete as it needs to be. Clustering of the towers is subject to the acoustical analysis as presented in studies, and research. There are changes that need to be made to Antelope County zoning regulations, and we are in the process of completing the same. The process goes as follows, Keith Marvin prepares the updates, presents them to the Planning and Zoning Board, they approve and then they are presented to Board of Supervisors and a public hearing is held. He has had great contact with Liz Doerr in the review of the Upstream conditional use permit. Overall he believes the permit submitted by Upstream Project is adequate to go to a Public Hearing. Discussion to set date and time for public hearing. The board requested Mr. Marvin's presence at hearing. May 24, 2016, at 9:00 AM. He advised the board there are four (4) options: accept as is; accept with additional recommendations, return to Planning and Zoning Board, or to deny outright. Liz Doerr had compiled a response into the permit application. It was requested by, and agreed upon to make the report public. Motion by Supervisor Koinzan,

seconded by Supervisor Henery to set public hearing for 9:00 AM for the 3 to 1 acre lot size, on Tuesday, May 24, 2016 and to follow with Public Hearing on Upstream Wind Towers at approximately 9:15 AM. And to hold public hearing at the American Legion in Neligh in order to accommodate any and all public who would like to attend. Voting aye: Bolling, Henery, Koinzan, Kerkman, Schindler and Schwager. Nays none. Williby absent. Motion carried.

Mr. Marvin commented briefly on the Lot size and sees no absolutes one way or another.

Liz Doerr, Antelope County Zoning Administrator gave a brief report to supervisors. She released a copy of her Upstream Conditional Use Permit response. She shared the Monthly Permit Report. She asked about a temporary permit to pump affluent across a road. Typically a permit is filed with the County Clerk. 911 Administrator. Liz has been asked on a number of occasions about assigning 911 addresses, she was looking for direction from the Supervisors. The discussion was if she assigned the address she needed to inform the Sheriff's Office and the Post Office, and make record of such. No other action. Liz will work with the county clerk and place notices in paper for public hearing.

Mark Hunzecker, a lawyer representing the Protect Antelope County Future met with the board regarding the Upstream conditional use permit. He would like to see the CUP returned to the Planning Commission. He stated the report was not complete when presented to the Planning Commission. Mr. Keith Marvin informed Mr. Hunzecker and the Supervisors the Public Hearing must happen because Zoning said there was enough to send to Supervisors for a public hearing. Mr. Hunzecker was asked to present his information during the public hearing scheduled for May 24, 2016.

Dean Smith met with the supervisors regarding the LB140 airport regulations. He requested the board send the conditional use permit back to zoning. Mr. Smith also asked for the Zoning Regulations regarding Wind Energy be reviewed. The zoning regulations are all in the process of being reviewed, and rewritten.

Casey Dittrich, Antelope County Road Boss met with the supervisors for his meeting report. He had a short report: he mentioned the JEBRO samples on the thin oil. The N-S Bridge north of Supervisor Kerkman's house needs a box culvert. Crane damage on road is currently being repaired. He would like to purchase high visibility vests for all road employees. Discussion held on employees wearing safety vests while in and out of equipment. Respirator – should employees be wearing respirators on the oiling machine? All agreed yes. Items placed on agenda for May 9, 2016. Distributing truck – what action do the supervisors want to take? Short discussion – no action.

Road and Bridge employees comp time was discussed. The comp time works as if the employee is banking hours to take off at a later time. They are never working hours they will not be paid for. Supervisor Schwager brought in some documentation regarding payment of hours and comp time. Call was placed to Pam Bourne regarding various issues and legality of it all. She was very in favor as it saves budgets and gives the employees the time off if they would like to pursue other issues. Discussion lasted approximately an hour. The final consensus was to give the Comp time (4-10 hour days) time to work before we terminate it, and let the Road Boss supervise the employees' and their issues. If need to give it six (6) months, to give it an opportunity to really work. No action taken.

Motion was made by Henery, seconded by Bolling to approve April 5, 2016 and April 12, 2016 minutes as presented. Voting aye: Henery, Bolling, Koinzan, Kerkman, Schindler and Schwager. Nays none. Williby absent. Motion carried.

Motion was made by Kerkman, seconded by Henery to accept the April 5, 2016 Board of Equalization Minutes as written. Voting aye: Henery, Bolling, Koinzan, Kerkman, Schindler and Schwager. Nays none. Williby absent. Motion carried.

Discussion was held on Antelope County Insurance benefits. Currently, we have Blue Cross Blue Shield of Nebraska through NACO. This coverage was the plight of some cost saving measures in 2014, when the county decided to explore and accept options from a private insurance salesman. At this time the county is not interested in exploring changing of options and voted to stay on the same course. Blue Cross and Blue Shield has been negotiating with NACO to establish fair and honest prices for insurance premiums. We have received multiple media of the increase in these premiums from last year. The major medical premium has gone up about 6%, however, dental premiums have remained the same. A letter from Larry Dix, NACO president was shared, correspondence from BC/BS Nebraska was shared regarding informational meetings regarding coverage and premium increases, an email from Sue Warner (BC-BS NACO representative) regarding our premiums, and the Nebraska Association of County Officials (NACO) standard rate sheet was shared.

Supervisor Henery, seconded by Supervisor Schindler made a motion to accept the Blue Cross Blue Shield with the \$1,500.00 deductible at \$ 772.27 a single rate; \$1550.29 employee and spouse and employee and children, and \$1773.68 employee and family. Premiums are approximate figures at this time. Antelope County will continue to pay the buyback of the second half of the deductibles as approved in April Meeting. Voting aye: Henery, Schindler, Kerkman, Koinzan, Bolling, and Schwager. Nays none. Williby absent. Motion passed.

Blue Cross and Blue Shield in conjunction with NACO will hold informational meetings in May. All board members are invited to attend. County Clerk will be attending meeting in Norfolk, Life Long Learning Center on Friday, May 19, 2016.

Discussion of Catastrophic Inmate Medical Insurance Quote. Due to rising costs of health care costs, Antelope County in the past has contracted with a carrier to provide a catastrophic insurance coverage to inmates in case of a major medical claim. Currently, the county was given to option from United Health Care-Optum Health thru Hunt Insurance Group LLC. Both options have a limit of coverage per inmate of \$250,000.00, Current inmate population of 25, Option One (1) has a Deductible of \$35,000.00 a rate per inmate per month of \$9.59, and a total estimated annual premium of \$2877.00. Option Two (2) has \$40,000.00 specific deductible per Inmate, a rate per inmate per month \$8.63, and total estimated Annual premium of \$2,859.00. Discussion with Sheriff Moore and the Supervisors led to a consideration of Option Two (2). This year Sheriff Moore has established the Law Enforcement Fund and plans to pay premiums and small medical bills out of this fund. Motion was made by Supervisor Henery, seconded by Supervisor Schindler. Voting aye: Henery, Schindler, Koinzan, Kerkman, Bolling and Schwager. Nays none. Williby absent. Motion passed.

Edmund Schindler, Antelope County Maintenance reported various damage around the courthouse. These consisted of: motor on wells, fire system leak - lost tile in law library; leak in District Court office – lost ceiling tile, north east entrance of courthouse annex lost tile, heat pump in County Clerk’s office. Kevin Hild has been contacted about ceiling tiles in entry way. Denny Hughes was called on Sunday regarding heat pump. No action. Board agrees all has to be maintained/fixed.

Motion by Henery, seconded by Schindler to adjourn. Voting aye: Henery, Kerkman, Koinzan Schindler, Bolling, and Schwager. Nays none. Motion passed. Williby absent.

Meeting adjourned at 12:21 PM.
OF SUPERVISORS

Jerald Schwager

ANTELOPE COUNTY BOARD

By: _____

Chairman of the Board,

Attest: _____

County Clerk, Lisa
Payne