

May 9, 2016
Antelope County Board
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular session on Monday, May 9, 2016 at 8:03 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, Williby and Schwager. 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.

Claims were reviewed.

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

General: Mark Albin, court attorney 504.50; Antelope Dist Court, court fees 195.00; Antelope County Court, court fees 688.75; Appera, towel service 39.05; Applied Connective Tech, registration renewal 24.95; AS Central Finance, network service/sheriff 448.00; AS Central Finance, server/clerk/district court/treasurer 134.60; Benco Products, gloves/weed 26.12; Bomgaars Supply, oil/weed/fertilizer, lights, courthouse supplies/courthouse grounds 386.74; Eleanor Brady, prior service 25.00; Brogan & Gray, court attorney 372.00; Dean Brown, prior service 25.00; Cash-Wa Dist, groceries/paper supplies/sheriff 870.48; Amy Chipps, eggs 40.00; Elgin City, recycling fee 250.00; Neligh City, utilities/courthouse/sheriff/museum/weed/garbage, recycling fee 3707.73; Clearwater Record, publishing fees 1349.65; Judith Cole, paid back withholdings missed on check 280.93; Cubby's, sheriff/weed fuel 181.79; Dollar General, treasurer, office supplies/courthouse, janitor supplies/sheriff, food, cleaning supplies/310.87; Douglas County Sheriff, service paper 8.14; Dusty's, fuel/sheriff 100.50; Eakes Office, office supplies/treasurer/dist court/judge/sheriff/attorney 863.96; Elgin One Stop, fuel/sheriff 73.00; Elgin Review, publishing fees 1044.89; Elite Office, office supplies/sheriff/attorney 525.90; Fairfield Inn, motel room/veteran services 179.90; Floor Maintenance, janitor supplies 403.40; Frontier Communications, telephone/courthouse/jail/weed/attorney 2097.00; Daniel Fullner, mental health board member 96.60; Great Plains Communications, internet services 190.00; Great Western Gas, repairs/sheriff 91.79; Tessa Hain, motel room, mileage, meals, withholding pay back/extension 359.45; Lyle Hart, haul commodities 200.00; Heartland Fire, fire inspection, extinguisher/weed 108.75; Linda Hughes, mental health board member 50.00; Nadene Hughes, prior service 14.00; Nancy Schramm, copy of transcript 997.75; Jonny Dodge, repair, tow bill/sheriff/445.25; Frank Kamphaus, prior service 16.00; Lancaster County Sheriff, paper service 21.42; Lazy T Tire, repairs/sheriff 23.68; Willetta Lindsay, motel room school/sheriff 259.20; Madison County District Court, mental health board member 50.00; Ronald Marshall, mileage/meals/veterans service 163.70; Microfilm Imaging, equipment rental/district court/judge 87.00; MIPS, Nebraska deeds online/treasurer/monthly computer service/courthouse 669.72; Neligh News, publishing fee 1851.29; Neligh Postmaster, stamped envelope/attorney 270.30; Nielsen Ins, notary bond/sheriff 70.00; Norfolk Lodge, motel rooms/weed 332.00; NE Research & Extension, copier/extension 1167.47; Bruce Ofe, meal/weed 8.09; Office Depot, office supplies/sheriff 56.37; OK Auto, vehicle parts/weed 122.99; OK Tire, tire repair/courthouse 6.50; Valorie Olson, mental health board member fee 50.00; One Office Solution, copier contract/dist court/office supplies/county court 172.70; Orchard News, publishing fee 1154.55; Orval's Auto, repairs/sheriff 55.25; Donna Payne, prior service 25.00; Petty Cash-sheriff, postage 21.97; Pinnacle Bank, phone case, groceries, camera, cleaning supplies/ 237.17; Pitney Bowes, postage for machine 6000.00; Precision Glass, repairs/sheriff 42.35; Quill Corp, office supplies/treasurer 64.99; Ramada Inn, lodging/weed 140.00; Royal One Stop, fuel/sheriff 33.00; Shell Fleet, fuel/sheriff 528.41; Caroline Siems, prior service 25.00; Source Gas, heating fuel/sheriff/weed/museum 766.57; Michael Sullivan, mental health board member fee 50.00; Summerland Golf Course, overpayment of license 52.00; Thriftway Market, water/postage machine 1.14; UNL Its Communications, internet/extension 91.04; US Cellular, cell phone/sheriff 1005.66; Verizon Wireless; cell phone/weed 45.65; Clearwater Village, recycling fee 250.00; Bonita Welke, prior service 22.00.

Road & Bridge: at Large: B's Enterprises, culverts & blades 7466.88; Bomgaars, supplies 469.98; Casey's, fuel 86.66; Central Valley, fuel 112.15; Neligh City, crushed concrete 555.60; Creston Fertilizer, chemicals 1395.15; Elkhorn Rural Power, electricity 367.32; Farmer's Pride, bulk fuel 3207.74; Funk Construction, replace culvert 7098.00; Green Line Equip, parts & labor 5958.97; Hinrichsen Sand, sand 306.18; Howard Construction, packer rental 540.00; Island Supply Welding, oxygen & supplies 194.71; JEO Consulting, engineer fees 17,878.00; Jonny Dodge, parts & labor 1953.67; Jonny Dodge, pickup District 4, 28,049.67; Kayton International, parts 42.22; Knife River, asphalt 1941.30; Kumm Gas, fuel 294.34; Matteo Sand, gravel 456.96; Medical Enterprises, drug testing 31.00; Midwest Service, culvert 659.15; Mr S's, fuel 682.42; Neligh Auto, parts

233.28; Newman Traffic Signs, signs & sign stand 678.11; NMC Exchange, parts & labor 503.91; OK Auto, parts 101.21; OK Tire, parts 20.50; Pollock Redi Mix, gravel 3461.47; Powerplan, parts 1070.18; Praxair Distribution, oxygen & wire 246.46; Quality Iron, metal & oxygen 50.55; Quick Serve, fuel & repair brakes 384.79; Reinke's Farm, parts 54.39; Ross's Repair, parts & repair 1340.54; Royal One Stop, fuel 143.30; Shell Fleet, fuel 582.92; Theisen Construction, repair work on Clearwater bridge 132,750.72; Three & Co, rolls for commodities day 36.00; Verizon Wireless, cell phone service 105.86.

Brunswick Area: Bomgaars, tools, parts, grease gun 301.41; Frontier Communication, telephone 73.54; Island Supply Welding, supplies 243.83; Key Sanitation, garbage service 18.00; Kumm Gas, heating fuel 2340.83; N & B Gas, heating fuel 179.89; Neligh Auto, parts & janitor supplies 452.88; NMC Exchange, 503.91; North Central Power District, electricity 180.93; Willow Creek Sand, gravel 243.98.

Orchard Area: Bomgaars, chains & parts 217.95; Dusty's, fuel 139.65; Farmer's Pride, bulk fuel 1675.04; Frontier Communications, phone service 76.41; Green Line Equipment, parts & tool box; Lazy T Tire, supplies, tire repair & parts 168.33; Mitteis Gravel, gravel 382.77; Neligh Auto, parts 79.99; North Central Power District, electricity 273.98; Northeast Glass, glass repair 565.00; Pollock Redi Mix, gravel 221.72; Powerplan, parts & labor 2456.41; Quality Iron, metal 6.18.

Clearwater Area: Bomgaars, gear lube 22.99; Elkhorn Rural Power, electricity 101.04; Farmer's Pride, bulk fuel 709.06; Green Line Equipment; parts & repair 709.06; Hinrichsen Sand, gravel 644.81; Neligh Auto, part 15.49; Northeast Nebraska Telephone, phone service 101.70; Pollock Redi Mix, gravel 3861.78; Sanne Service, labor 44.00; Shell Fleet, fuel 107.44; Source Gas, heating fuel 129.77; Clearwater Village, water & garbage 54.00.

Neligh Area: Bomgaars, cleaner & water 17.45; Farmer's Pride, bulk fuel 3207.74; Frontier Communications, phone service 344.12; Mitteis Gravel, gravel 2786.99; Neligh Auto, antifreeze 26.98; Pollock Redi Mix, gravel 1283.78.

Tilden Area: Tilden City, water & garbage 104.82; D & M Machinery, parts 15.04; Frontier Communications, phone service 72.36; Mr S's, fuel 47.94; Neligh Auto, parts 33.96; Quick Serve, fuel & parts 109.49; Road Builders Machinery, parts & labor 1651.98; T-J's Corner Hardware, parts 18.60.

Oakdale Area: Bomgaars, parts & supplies 83.97; Farmer's Pride, bulk fuel 3207.74; Great Plains Communications, phone service 140.28; Green Line Equipment, parts 139.99; Kayton International, part 201.93; Mr S's, fuel 119.04; Nebraska Power Dist, electricity 44.19; Neligh Auto, parts 137.78; Pollock Redi Mix, gravel 1250.54; Powerplan, parts 463.74; Quality Iron, metal 51.75; Source Gas, heating fuel 221.06.

Elgin Area: Central Valley, wrench, parts 34.96; Elkhorn Rural Power, electricity 50.18; Great Plains Communications, phone service 131.65; Precision Repair, part 90.17; Road Builders Machine, parts & labor 3283.13; Rueter's Red Power, parts & labor 991.54; Sapp Bro, bulk fuel 1395.68.

Register of Deeds: MIPS, Nebraska deeds online 285.33.

Law Enforcement Center: AMH Family, prisoner medical visit 117.00; Bob Barker Co, prisoner hygiene supplies 246.62; Cash-Wa Distributing, commissary candy 112.95; Dollar General, prisoner medical supplies 23.85; Jonny Dodge, Durango down payment 8840.00; Norfolk Daily, 1 year subscription 153.00; Pinnacle Bank, visa card, prisoner commissary, food, hygiene & books 105.64; Protocall, commissary phone cards 175.00; Zee Medical Service, medical 28.50.

Building Fund: Elgin Appliance, repairs 192.00; Evergreen, lawn maintenance 450.59; Hughes Constructions, service at judges 103.00; Karr Tuckpointing, tuck-point east side old courthouse 16,176.00; Schindler Elevator, inspection 720.48.

General: Total Payroll, 84,410.38; Ameritas, retirement 13,043.93; Withholding, 9557.76; Garnishment, 594.00; SS, 16,961.36; AFLAC, insurance 149.76; Ameritas, insurance 544.60; BC/BS, 49,626.46; Colonial, insurance 58.25; 1st Concord, insurance 395.00; Madison National, insurance 416.59; Mid-American Benefits, insurance deductible 10,000.00; Mid-American Benefits 209.00, administration fee 209.00; Nebraska Department of Revenue, withholding, 3234.90; Washington National, insurance 399.30.

Road & Bridge: Total Payroll, 54,126.50; Ameritas, retirement 8072.63; Federal Holdings, 6165.83; Credit Bureau Services, payroll garnishment 550.50; Social Security, 10,991.22; AFLAC, insurance 189.77; Ameritas, eye & dental insurance 233.20; Blue Cross/Blue Shield, 31,293.58; Colonial, insurance 64.80; 1st Concord, insurance 238.33; Madison National, insurance 225.48; Mid-American Benefits, insurance deductible 7000.00; Mid-American Benefits monthly fee 132.00; Nebraska Department of Revenue, 2124.73; Washington National, insurance 24.90.

Ed Schindler /s/5-09-2016

Jerald Schwager /s/5-09-2016

Neil Williby /s/ 5-09-2016

Motion was made by Supervisor Williby, seconded by Supervisor Henery to approve claims as presented. Voting aye: Bolling, Koinzan, Kerkman, Schindler, Williby, Henery and Schwager. Nays none. Motion carried. Five (5) warrants were signed.

Correspondence was reviewed: Copy of Jail building Costs; NDOR Local Public Agency Customer Satisfaction Survey; Wellhead Protection Planning Workshop; Blue Cross Blue Shield Meeting on May 20, 2016; KARR Tuckpointing – letter of completion; NE Nebraska Economic Development District 2016-17 Membership

statement; Union Bank & Trust – Antelope Hospital Revenue Bonds; Berggren Architects letter regarding County Board Workshop Luncheon;

Pledge collateral was reviewed. Antelope County currently has \$250,000.00 FDIC insured funds and \$260,000.00 pledge collateral. No action taken.

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

Casey Dittrich, Road Boss gave report. Semi-tractor that Roy drives is down. It currently has 850,000 miles and he is questioning if there is enough value to fix. He wonders if there is salvage value, or if the supervisors have ideas to replace or repair. Discussion held. The specs or features that would be useful in the purchase of a new tractor. Specs such as wet KH, less than 300,000 mileage, tag on it, up to 500 horsepower engine. The engine type was discussed. Cummins verses cat was also discussed, no preference was determined. Motion was made by Supervisor Kerkman, seconded by Supervisor Henery to have Casey check in to purchase or leasing a semi-tractor. Voting aye: Kerkman, Henery, Williby, Koinzan, Boling, Schindler and Schwager. Nays none. Motion carried. Discussion held on purchase through auction. No true advisement was available about auction purchases. Supervisor Koinzan made a motion to have Casey check with the County Attorney regarding auction purchase, motion was seconded by Supervisor Schindler. Voting aye: Koinzan, Schindler, Kerkman, Williby, Henery, Bolling and Schwager. Nays none. Motion carried.

Casey also discussed the recent rains and the bridges on Clearwater Creek. The bridges have scoured out. The bridges will be to fixed-one will be easy to fix and the other one not so easy. The current fix is to dig it out and see what is there. Casey has talked with Cornhusker Steel and Pat Gubbels about replacing the culvert. They employees have started the project.

Zoning Administrator report was heard. She shared the current Permit Report with the supervisors. 2 building permits are currently in place. Emily from Invenergy had reported the wetland map had been included with the original report, Liz had originally thought it was not included – she did find it. She has had discussion with some individuals in the county regarding the “Road Agreement” and them requesting it be part of the application process.

Members of the Weed Authority Board, William Van Brocklin, Ed Jensen, Bruce Ofe, and Robert Willats met with the supervisors to discuss leafy spurge and their obligation to control its spread in Antelope County. This is at a cost, and per 2014-2015 audit, these fees have to be set by the county board. It is the counties responsibility to control the infestation of all noxious weeds. If there are noxious weeds in the roadway or ditches it can be sprayed by the county weed authority board. Typically, they try to apply a weed killer twice a year, spring and fall. However, on private property it is the land owner’s responsibility to control the noxious weed. Bruce Ofe, Weed Superintendent tries to make personal contact by phone or face to face with the land owner who has noxious weed located on their ground. The land owner by statute is to attack the weed with a weed killer that is certified with the Department of Ag. Spraying can be done in a variety of ways. One has to be conscience of weather conditions and of violating trespassing rights. Any ditch or roadway noxious weed can be sprayed and hopefully irradiated by current weed spraying. Leafy Spurge goes to seed in June so spraying at the right time is necessary. Bruce currently keeps a log of where, when and what is sprayed so individual sites can be and are visited again. Bruce reiterated to the board he has a limited amount of chemical because of his budget. He is willing to spray, and even to have the Road Employees locate and report, however, he feels confident he know where the leafy spurge is within the county. If the noxious weed is on the property of an absentee land owner he or she is contacted by letter. There are statutes that regulate how to spray, and assessing the cost as an assessment to the taxes to be paid. There is a mean to collecting the cost of spraying being reimbursed as a separate assessment to the taxes in the Treasurer’s Office. It was discussed and agreed the County Treasurer, Weed

Authority, and Supervisors will look into the legal aspect of assessing the cost and recommendations of placing these on the tax rolls. Mr. Ofe reiterated the need to keep noxious weed abated.

County constituents, Tom Borer and Barton Koinzan met with the Supervisors regarding water on the road, noxious weeds and other miscellaneous items. Historical Bridge on Royal Road going south, steel rail road bridge is damming the river and causing the channel of the river to change. The bank of the river needs stabilized, the Nebraska Game and Parks Bridge is causing problems along Elkhorn River. They are in support of all actions needed to eradicate the noxious weeds throughout the county. They support Bruce, and the Weed Authority actions and dedications.

Per the request of the Weed Authority, it was requested the resolution regarding fees be approved. The following resolution was motioned by Henery, seconded by Williby. Voting aye: Koinzan, Schindler, Kerkman, Williby, Henery, Bolling and Schwager. Nays none. Motion carried.

RESOLUTION NUMBER 2016-05-0001
Authorizing ANTELOPE COUNTY WEED CONTROL AUTHORITY to
Spray, Bill and Collect Fees for Maintaining Noxious Weeds
in Antelope County

WHEREAS, the Weed Control Authority is controlling the spread of noxious weeds in Antelope County, and

WHEREAS, the Antelope County Board of Supervisors along with the Antelope County Weed Control Authority board need to allow the Antelope County Weed Control Authority to spray public lands and control noxious and uncontrolled weed growth not being maintained by property owners as part of the Antelope County Weed Prevention Program, and

WHEREAS, the Antelope County Weed Control Authority has received revenue during the previous fiscal year, for such acts, all revenue has been turned over to the Antelope County Treasurer as required by State Statute.

WHEREAS, and to further assist Antelope County in complying with Nebraska Noxious Weed Act, the Antelope County Board of Supervisors finds under certain circumstances, it is necessary for the Antelope County Weed Control Authority to spray privately owned parcels for the control of noxious weeds and the costs of such spray applications shall be paid by owner of record for said parcels of ground at such rates as established by the Board of Supervisors. The rate of \$75.00 an hour for applicant, and the amount of chemical with a 15% markup;

FURTHERMORE, hay inspections will be tagged at \$.12 a tag.

BE IT FURTHER RESOLVED that the Antelope County Weed Authority has the right to collect such fees and turn them into the Antelope County Treasurer as revenue to the General Fund.

Dated this 9th day of May, 2016.

Antelope County Board of Supervisor's

/s/ Jerald Schwager

Jerald Schwager, Chairman

Attest:

/s/ Lisa Payne

Antelope County Clerk

Motion by: Henery Seconded by: Williby

Voting aye: Henery, Williby, Kerkman, Koinzan, Bolling, Schindler, Schwager

Nays: none

Motion Passed/Failed Passed

Kelly Mueller, Antelope County Assessor met with the Supervisors. She has recently improved the GIS Map with the sites of the proposed 168 Upstream Wind Towers. The towers are shown by a yellow star, and are placed by coordinates given to her by Invenergy personnel.

Pay claim was presented for Theisen Construction, Inc for \$132,750.72. It was a claim in the claims this month. Motion by Henery, seconded by Kerkman to have Chairman sign pay claim and to pay claim as requested.

Discussion of WI-FI throughout the courthouse was discussed. Currently, the county has WI-FI available in the meeting room in the southwest quarter of the old courthouse building. Currently, WI-FI is used on a wide variety of programs through many sectors of the public and professional sector. It is currently not available to the public. Because there has been inquiry by the public and private citizen for the WI-FI connection throughout the courthouse we would like to support throughout courthouse including the Courtroom, and UNL Extension TV in the hallway of the Courthouse annex. It was agreed to look into cost and feasibility. Motion was made by Supervisor Schindler, seconded by Supervisor Williby to have the clerk look into the feasibility of having WI-FI throughout courthouse complex. Voting aye: Schindler, Williby, Henery, Kerkman, Koinzan, Bolling and Schwager. Nays none. Motion carried.

NE Nebraska Economic Development correspondence. No action.

Eddie Schindler and Merlin Bolling, representing Antelope County Safety Committee discussed the wearing of bright safety vests for all road and bridge employees. The Safety Committee requested vests to be worn the entire work day. Whether the employee is using equipment, or working around the shop. They will be worn from beginning to end of every shift. This will ensure visibility. Supervisor Bolling made a motion to purchase and have available as an issued item. Motion did not have a second, and was not acted on. Discussion continued. Safety vests would be issued to each road and bridge employee, and they will be responsible for keeping available every day. Motion was made by Schindler, seconded by Bolling to "Buy safety vests for all road and bridge employees. These vests must be worn while on clock. Normal disciplinary action will be taken if not worn. Approved shirts/sweatshirts can be worn for comfort- if the employee so chooses – at his/her expense. The safety vest must be visible at all times while employee is on the clock. Voting aye: Schindler, Bolling, Koinzan, Kerkman, Williby, Henery and Schwager. Nays none. Motion passed.

Discussion on the Public Hearing proposed for Upstream Wind Project. This item is a very popular item in Antelope County. This issue has been talked about and hyped for a number of months. Because of the public interest and predicted attendance the public hearing has been set for Tuesday, May 24, 2016 at 9:15 AM, at the American Legion, Neligh, NE. Because of the nature of the situation Lisa Payne, Antelope County Clerk requested the use of a court reporter to transcribe the public hearing. Discussion followed. Motion was made by Supervisor Henery, seconded by Supervisor Koinzan to hire a court reporter to transcribe the Upstream Public Hearing. Voting aye: Henery, Koinzan, Kerkman, Schindler, Williby, Bolling and Schwager. Nays none. Motion carried. Supervisors requested a signup sheet for speakers; set up Legion on Tuesday morning.

10:30 AM Road Employee, Ray Schlecht, representing a majority of the road and bridge employees, addressed the Supervisor's regarding various time, hours and reporting issues employees are having with recent changes to their schedules, and work environment. They have opposed different comments in the local media regarding various comments on employees from a number of different sources of media printed in the last couple of weeks. With the work time changes and the implementation of the fingerprint time clocks the employees are feeling a little threatened, and a lot underappreciated. Discussion held with supervisors wanting to "go back the way it was." Many times it has been discussed the way it "was" is not legal, and **CANNOT** be continued. Road Boss, Casey Dittrich, addressed the board, 16 fulltime and 1 part-time road employees that were there, and the public. He is disappointing in the lack of direction the employees have been displaying. To blind side the supervisor in the public sector like that is not a favorable way to work out kinks. Most of the opposition could be worked out in a private one on one matter. Comp time was initiated nearly four (4) weeks prior and it has been discussed and discussed in as many meetings. If everyone, including the supervisors, would give the comp time a chance, as was agreed upon by the supervisors in last weeks meeting, to give it a six month chance to see if the kinks or discrepancies would not right themselves. Discussion included the use of the agreement at the hiring of the Road Boss. Employees are to answer to the

road boss, the supervisors will answer to the public. The road boss will coordinate between the supervisors and the road employees. Everything, including but not limited to duties, vacation approval, road work, etc. should be coordinated by the road boss. Up and down the ladder makes everything work smoothly. The road boss will coordinate road employee schedules. County road employee Duane Miller addressed the supervisors regarding wage and hours for road employees. No action.

Fulltime employees attending meeting without prior supervisory approval include: Ray Schlecht, Robert Schleusener, Robert Michael, Tim Baker, Roy Rodgers, Dave Simons, Larry Schroth, John Hruby, Dwaine Brandt, Duane Miller, Ken Schindler, Marlin Matson, Eli Jacob, Monte Shabram, Steve Bright, Lucas Nelson. Part-time employees attending meeting included: Lynn Wilkinson.

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

Meeting adjourned at 11:48 AM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: _____

Chairman of the Board, Jerald Schwager

Attest: _____

County Clerk, Lisa Payne