

June 14, 2016

Antelope County Board

Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular session on Tuesday, June 14, 2016 at 8:00 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, Bolling, Williby, Koinzan, Henery 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: Antelope County District Court, Grand Jury Fees 1671.96; Joseph Abler, mileage 190.08; Beverly Alderson, election training /working 178.38; Antelope County Court, county court costs 233.00; Antelope County District Court, court filing costs 70.00; Antelope Co Sheriff, sheriff fees transport order 404.70; Antelope Memorial Hospital, blood test-Sarah Schultz 160.00; Appera, cleaning towels/dust mops/dust mop frame 77.72; Applied Connective, remote labor clerk computers 325.00; Mikayla Armitage, election night work 27.00; DAS State Account, network service charges 448.00; DAS State Account, county clerk/district court clerk/treasurer data processing 134.60 Automated Systems, treasurer computer 904.99; Luann Bartos, mileage 2 extension board meeting in 2016 30.24; Mary Baum, election training and working 138.06; Beverly Bennett, election training/ working 136.44; Benita Beutler, election training/working 144.54; Nancy Bitney, election training/ working 143.91; Norma Black, election training/working 151.83; Bomgaars, hitch pin/grease/weed & feed/trimmer line/spot light bulbs 399.24; Eleanor Brady, prior service 25.00; Deb Branstiter, desk drawer organizer reimbursement 9.49; Lois Bright, election training/working 189.00; Dean Brown, prior service 25.00; Butch's Body, towing expense (Noah McWhorter vehicle) 82.50; Carhart Lumber, 5/8 2x4 fifth avenue ceiling tile 17.75; Gayle Carlson, election training/working 130.50; Ardith Carr, election training/working 135.95; Casey's, fuel 1184.53; Cash-Wa Dist, meat grinder 805.00; Centec Cast Metal Products, grave markers 826.26; Amy Chipps, eggs jail 80.00; Elgin City, monthly recycling fee 250.00; Neligh City, water/electricity/sewer/recycling 3393.91; Clearwater Record, publishing fees/public notices/proceedings 229.70; Mildred Clemens, election worker 103.50; Comfort Inn, hotel room for sheriff conference 199.90; KC Hall, election hall rent-primary 150.00; Creative Product, D.A.R.E. items 454.31; Cubby's, unleaded fuel 381.54; Mamas' & Nanas' juror meals 183.11; Dataspec, yearly fee for Veterans Service Vetraspec program 399.00; Dollar General, extension cords/cleaning supplies/binders/legal pads 86.05; Dugan Business, county treasurer real estate receipts 96.57; Constance Dvorak, election training/working 144.63; Judy Dyson, election training/working 152.19; Eakes Office, desk shell/return shell/combo cabinet x 2/chair/hanging rails/stapler/rubber bands/envelopes/binder/tape dispenser/envelope moistener/staple remover/letter opener/disinfection wipes/batteries/tissue/page protectors/safety pins 5431.06; Elgin One Stop, fuel 23.00; Elgin Review, publishing costs 289.26; Elite Court Report, Liermann Case transcription 305.65; Elite Office Prod, maintenance agreements/black toner 522.49; Elkhorn River Farms, potatoes for jail 36.00; Abby Evans, election training/working 152.46; Linda Evans, election training/working 157.95; Susan Fields, election working/training 158.31; Virginia Filsinger, election working/training 163.80; Harlan Frazier, election training/working 130.50; Frontier Communications, phone 2093.30; G & B Sprinkler, sprinkler heads/spray heads/spray nozzle 359.00; Ron Gilg, repair curtain assessor office 35.00; Darlene Good, election training/working 145.08; Great Plains, internet service 190.00; Susan Green, election training/working 163.26; Vicki Green, election training/working 137.25; Diane Grosserode, election training/working 151.56; Sharon Grubb, election training/working 184.86; Ernest Gundenschwager, election training/working 132.75; Shirley Gundenschwager, election training/working 159.75; Carol Hanlin, election working 123.75; Mike Hart, mileage to attend 2016 extension board meetings 25.30; Joann Hauptmann, election training/working 156.87; Heartland Fire Protection, annual fire extinguisher inspection/recertification 98.00; Lynne Heithoff, mileage to attend 2016 extension board meetings 85.20; Margaret Hensley, election training/working 152.46; Jean Herley, election training/working 162.72; Hughes Construction, HVAC Service Call x 3 438.30; Donna Hughes, election training/working 126.27; Nadene Hughes, prior service 14.00; Angi Janovec, election training/working 138.60; Carolyn Johnson, election training/working 139.50; Jonny Dodge, repair sheriff vehicle 204.80; Justice Data, JAMN jail management software 2100.00; Frank Kamphaus, prior service 16.00; Karin Kinney, election training/working 186.75; Ina Kittleson, election training/working 121.50; Kirk Knapp, mileage to attend 2016 extension board meetings 41.40; Knox Co Treasurer, Antelope County share of hazard mitigation plan 644.97; Jolene Larson, election training/working 192.60; Law Enforcement Coordination Unit, Conference Fee 130.00; Jeffrey Doerr Law, county court attorney fees 168.37; Karen Leiding, election training/working 186.75; Marjorie Lichty, election training/working 154.08; Norma Lundquist, election training/working 148.50; Alice Lyons, election training/working 140.58; Melvina Mack, election training/working 146.88; Anita Mackavicka, election training/working 147.15; Madison County Sheriff, sheriff service fees for case # CP16-01037 27.69; Darlene Mandl, election training/working 145.62; Rose Martin, election training/working 135.00; Marvin Planning Consulting, zoning assistance 1520.00; Mary Ann Mckillip, election training/working 141.75; Elma McClain, election training 11.25; Microfilm Imaging, monthly rent - scanning equipment 87.00; MIPS, barcode reader-elections/payroll ID cards/monthly charges for Nebraska ROD/budget/payroll/claims software 1527.07; Sandra Moser, mileage to attend 2016 extension board meetings 32.40; Moyers, 4 polos 168.00; Mr S's, gas/fuel 118.50; NACEB Nebraska Association Extension Board, Dues 100.00; NACO, County Board/County Clerk registration/dues 175.00; NACVSO, 2016 membership dues 40.00; National 4-H Council Supply Service, State Fair Stickers 16.85; NACO, first half of dues 2131.79; NE County Attorney Association, spring conference fee 25.00; NE Health & Human, institution costs 366.00; NE Supreme Court, Clerk of the Supreme Court 125.00; Neligh News and Leader, publishing costs 241.70; Netcom Inc., replacement radios sheriff office 4613.00; NIRMA, litigation deductible/dues 84,163.00; Lois North, election training/working 158.94; NE Nebraska Economic Development, 2017 membership fees 880.00; Northeast Research & Extension Center, hard drive/minicomputer 750.96; Vicki Ofe, election training/working 136.89; Office Depot, toner/pencils/paper/folders/envelopes/card protectors/toner 362.52; OK Tire, tire repair/antifreeze/fuel tank bracket/fuel filter/fuel hose/gas/shop supplies 557.35; Donna Payne, prior service 25.00; Joann Penne, election training/working 150.12; Petty Cash-Co Court, establishing 2 petty cash drawers of \$100.00 each 170.00; Petty Cash-District Court, reimbursement peel and stick name badges 3.93; Pinnacle Bank, hotel rooms for Jail Standards Conference/command hooks for evidence room/curtain rod for jail window 390.85; Pitney Bowes, red ink cartridge-postage machine 169.99; Pitzer Digital, printing/publishing 124.30; Glenice Pollock, election working 116.46; Greg Ptacek, mileage extension board 40.00; Judith Pulley, election training/working 154.62; Quill Corp, Lexmark 521 453.99; Eleanor Rakow, election training/working 157.95; Chris Redding, election training/working 153.18; Barbara

Ross, election training/working 191.07; Royal One, fuel 27.00; Kathleen Sauser, election training/working 226.80; Marlene Schindler, election working 36.00; Connie Seier, election training/working 152.10; Rita Shabram, election training/working 219.24; Shell Fleet, gas/fuel 554.86; Vana Shenshew, election training/working 152.55; Caroline Siems, prior service 25.00 election working 105.75; Sirchie Fingerprint Laboratory Inc, print kit/supplies/shipping&handling 473.63; Merry Snodgrass, election working/training 156.60; Source Gas, heating fuel-courthouse/museum/jail/weed 536.66; Vida Sprout, election training/working 143.10; Sharon Stamp, election training/working 152.46; Judy Stout, election training/working 154.62; Barbara Stuckwisch, election training/working 172.62; Chuck Thiemann, mowing weed district 60.00; Thriftway Market, dixie cups/cleaning supplies (weed)/groceries(jail) 803.49; Tilden Citizen, election publishing. 312.00; UNL ITS Comm, extension phone service 91.06; Urbanec's Furniture, Hoover vacuum/bags 237.99; US Cellular, sheriffs cellular phones 329.94; Van Diest Supply Co, 15 gallons Gardian/4 gallons Graslan L/15 pounds Overdrive 1022.75; Patty Van Ert, election training/working 140.04; Verizon Wireless, weed cellular phone 45.65; Clearwater Village, recycling fee 250.00; Janice Von Bonn, election training/working 170.73; Donald Weinman, election training/working 139.50; Kathleen Weinrich, election training/working 171.90; Bonita Welke, prior service 22.00; Dorothy Westrom, election training/working 154.35; Rod Wilke, mileage meeting and extension board interview with Extension Educator Applicant/mileage tree inspection Cedar Township 59.51; Woods & Aitken, general labor 300.00; Gail Wortman, mileage extension board meetings 93.24; Jessica Woslager, election training/working 151.56; Judith Zegers, election training/working 152.46; Derek Zuhlke, mileage to attend 2016 extension board meetings 89.20.

AT LARGE: ITM, trailer 49,895.98; B's Enterprises, culverts/corrugated/grader blades band 5722.84; Bomgaars, link quick/clamp hose/diesel fuel exhaust def/jack 158.29; Butch's Body, 2005 350 Pickup Back Glass 159.00; Bygland Dirt, crushed concrete fines stockpile 2502.08; Casey's, super-unleaded and unleaded fuel 104.57; Neligh City, ground concrete 3384.80; Creston Fertilizer, 2-4-D Amine/Tordon/NIS/Durango 1142.60; Cubby's, super unleaded fuel 143.82; Casey Dittrich, safety vests/24 large-6XXL 116.00; Elkhorn Rural Power, electricity usage 372.72; Farmer's Pride, AFD FM dyed 2864.72; Fastenal Company, bolts/nuts 14.40; Funk Construction, trees under bridge/culverts by Blairs/culverts on Knox County Line 3160.00; Hinrichsen Sand, sand and fill for windrow 4141.53; Hometown Station, super unleaded/diesel 448.16; Island Supply Weld, ACT/ACT WQ/ACT WS/C25S/C25T/OXY 170.50; JEBRO, CRS-2 17,219.56; JEO, engineering/design/construction service/permitting 8942.00; Jonny Dodge, equipment repairs 636.91; Kumm Gas, highway diesel 224.56; Matteo Sand, armor coat 650.76; Mitteis Gravel, road gravel/dirt 700.10; Mr S's, ethanol 779.99; Newman Traffic Signs, signs 2238.00, NIRMA, yearly contribution insurance 64,479.00; Northeast Glass, windshield 225.00; OK Auto Parts, top cog gold v-belts/v-belt top cog 70.73; OK Tire, flat tire stem leaking 20.00; Orval's Auto Service, oil/oil filter/washer fluid 59.00; Powerplan, o ring/elbow fitting/hose fitting/ bulk hose/hydraulic hose/hy gard TM/fuel filter/oil filter/3021.47; Quick Serve Oil Company, diesel 262.36; Royal One Stop, fuel 109.08; Shell Fleet Plus, gas 824.10; Spud Trucking, bank run from Hinrichsen to 14/20 junction 6079.03; Switzer Welding, one hour weld on cylinder/one hour jack replacement 140.00; Truck Center of Norfolk Inc, additive/clnt additive/universal 61.36; Verizon, road boss phone 145.86; Maddock Construction, Box of 50 Wirtgen Bit 1594.00; Theisen Construction, Clearwater southwest bridge repair 152,913.98.

Brunswick Area: Bazile Aggregate, sand 45.00; Bomgaars, gloves/brake fluid/tire guage/chain lube/lubricant/bathroom tissue/dish soap/shop towels 125.49; Frontier Communications, phone/internet 73.54; North Central Public Power District, electricity 141.22; K & S Door, clean up/lube up-down-stop button 86.25; Key Sanitation, monthly waste removal 18.00; Kumm Gas, non-highway diesel 2857.35; Largen Manufacturing, 140 washers/band saw cuts 551.30; Lichtenberg Tire, 14 ply tires on trailer 273.50; Mitteis Gravel, road gravel 1206.23; Precision Repair LLC, 10 pack BlueGuard 500 grease 101.60; Quality Iron, MillerMatic 252 Wire feed/3/16" x 4" strip for tube carrier 2412.10; Adams Electric, repair lights/outlet 837.43, Village of Brunswick, water/sewer/trash 83.00.

Orchard Area: Farmer's Pride, ruby field master diesel bulk tank 3563.74; Frontier Communications, phone/internet 73.47; Green Line Equipment, scraper bolt/hydraulic filter/oil filter 155.91; Lazy T Tire, truck tire repair/male ORB to NPTF FEMA/Miller Lock Pin 5/16" 42.11; Neligh Auto and Machine Inc, John Deere mud guard 65.98; North Central Public Power District, electricity 57.52; Source Gas, heating fuel 139.56.

Clearwater Area: Elkhorn Public Power, electricity usage 100.11; Farmer's Pride, ruby field master diesel bulk tank 1501.33; Green Line Equipment, v-belt/pulley/bulk hose/hose fitting/PIO Male tip 1 366.31; Hinrichsen Sand, gravel 784.78; Jo's Market, distilled water/toilet paper 11.68; Mitteis Gravel, road gravel 619.99; Neligh Auto and Machine Inc, elbow 38.49; NMC Exchange LLC, seal oring/element/gasket/30 w TDTO Drum 759.92; Northeast Nebraska Telephone Company, telephone/internet 103.82; Pollock Redi Mix Inc., 3 loads road gravel/1 load OS 714.02; Shell Fleet Plus, gas 93.48; Source Gas, heating fuel 72.82; Zee Medical, face mask/ 275.64; Clearwater Village, water/sewer 54.00.

Neligh Area: Bomgaars, self-drill screws/tool box 306.48; Cubby's, super unleaded fuel 53.96; Farmer's Pride, AFD FM Dyed1468.53; Green Line Equipment, bolt 10.60; Frontier Comm, phone/internet 121.96; Hinrichsen Sand, gravel 1115.09; Lichtenberg Tire, labor/valve x2/oring 89.00; Road Builders, motor grader repairs/gasket/orings/seals 695.20.

Tilden Area: Black Hills Energy, natural gas heating fuel 178.74; Bomgaars, bathroom tissue 11.98; Carhart Lumber, sharon fastener 6.00; Tilden City, trash/sewer/water fees 104.82; Constellation Gas, heating fuel costs 218.52; Farmer's Pride, AFD field master #1/AFD dyed 2211.80; Frontier Communications, phone/internet 72.15; Mr S's, ethanol/unleaded/diesel 208.00; Nebraska Public Power District, electricitiy 292.17; Quick Serve, pickup repair/diesel 80.80.

Oakdale Area: Bomgaars, wrench set/hitch pin clip/ronex MP grease 69.51; Great Plains Communications, phone/internet 131.75; Mid-West Repair, wiper mount/washer switch 300.90; Mr S's, ethanol 57.00; Nebraska Public Power District, electricity 377.85; Neligh Auto, hose/fitting/road packer sheeps foot 277.02; Road Builders, wheel loader repairs/clean threads/seals/filter/gaskets/pulley/nut/tube assembly/element/filter kit 6527.83; Source Gas, heating fuel 63.99.

Elgin Area: Bomgaars, shop towels/glass cleaner 25.47; NMC Exchange, hose a/seal o ring 180.47; Central Valley, 2 oil mix 5.18; Elkhorn Rural Power, electricity usage 48.04; Great Plains Communications, phone and internet 134.57; Hinrichsen Sand, gravel 773.32; Hometown Station, unleaded/super unleaded 311.92; Pollock Redi Mix, 1 load road gravel 208.07; SAPP Brothers Petroleum, fuel 1471.56.

REAPPRAISAL: Co Assessors Association of Nebraska, 2017 Dues - Membership 50.00; Eakes Office, envelopes/stamper 383.58; Kelly Mueller, mileage to commercial listing seminar/lunch 185.55; NACO, reappraisal workshop 520.00; NE Department of Property Assessment, residential data collection class registration 150.00.

REGISTER OF DEEDS: MIPS, data processing 285.33;

JUVENILE DIVERSION: Total Payroll: 70.44; State Tax, 1.29; Ameritas Life, retirement 9.57; Federal Withholding 2.46; Social Security, 13.48; .

LAW ENFORCEMENT FUND: Hunt Insurance Group, Catastrophic Medical Insurance-jail 2589.00; AMH Family, prisoner expense 585.00; Antelope Memorial Hospital, prisoner expense 4491.00; Pinnacle Bank, commissary items/pizza/toothpaste/Hawaiian punch/mens body wash 150.63; Protocall, commissary e-cigs/phone cards 1612.95; 319 Graphics, crewneck sweatshirt/jerzees with print 355.00.

BUILDING FUND: Flenniken Plumbing, bad ballast repair treasurer's office 101.14; O'Neill Pest Control, spraying for insects @ jail 80.00.

GENERAL: Total Payroll, 85,622.15: AFLAC, accident/cancer/hear/stroke employee policies 142.35; Ameritas, eye insurance 13,141.93; Federal Withholding, 9624.79; Garnishment, 594.00; Social Security, 17,155.02; AFLAC, accident/cancer/hear/stroke employee policies 149.76; Ameritas, eye insurance 555.80; BC/BS, health insurance 55,635.96; Colonial, accident/cancer/hear/stroke employee policies 58.25; 1st Concord, 125 cafeteria plan 395.00; Madison National, accident/cancer/hear/stroke employee policies 710.27; Mid-American Benefits, deductible buy down 209.00; State Taxes, 3134.33; Washington National, accident/cancer/hear/stroke employee policies 133.40.

ROAD AND BRIDGE: Total Payroll: 51,232.83; Ameritas, retirement 7490.24; Ameritas, eye insurance 222.00; BC/BS, employee health insurance 31,271.14; Federal Withholding, 4770.84; Social Security, 10,174.14; Garnishments, 575.51; AFLAC, accident/cancer/hear/stroke employee policies 142.35; Colonial, heart/cancer/stroke/accident insurance 18.00; 1st Concord Benefits, 125 cafeteria plan 238.33; Madison National, insurance 329.39; Mid-American Benefits, deductible buy down insurance 121.00; State Tax, 1737.46; Washington National, employee heart/cancer/stroke/accident 133.40.

Ed Schindler /s/6-14-2016

Jerald Schwager /s/6-14-2016

Neil Williby /s/ 6-14-2016

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

Correspondence was reviewed. Certificate of Liability Insurance regarding Prairie Breeze Wind Energy II LLC; Estimate from Boyd's Network Solutions; State of Nebraska Region 11 Emergency Management Performance Grant; Wellness Partners Annual review summary; Northeast Nebraska Economic Development Annual Meeting Invitation (no interest); Letter from National Insurance regarding late payments – payments will be made up this month; Union Bank and Trust Antelope Memorial Hospital Revenue Refunding Bonds.

Pledge collateral was reviewed. Currently, we have \$560,000.00. 250,000.00 FDIC, and 260,000.00 pledged.

Motion by Williby, seconded by Bolling to approve the application for permit submitted by Reg Green and O'Neill Electric, O'Neill, Nebraska to place a permit electric line along 525th Avenue in Section 4, Township 28 North, Range 6 West of the 6th P.M., Antelope County, Nebraska, the use of the line is to provide electric power to a corral site; all work to be done according to county and state specs. Those voting aye: Schindler, Williby, Henery, Bolling, Koinzan, Kerkman and Schwager. Nays none. Motion carried.

Motion by Henery, seconded by Kerkman to approve the application for permit submitted by Frontier Communications, Kearney, Nebraska to place a permit fiber optic cable along 853rd Road Section 34, Township 26 North, Range 6 West of the 6th P.M., Antelope County, Nebraska, the use of the line is to improve the communications circuit; all work to be done according to County and State specs. Those voting aye: Williby, Henery, Bolling, Schindler, Koinzan, Kerkman and Schwager. Nays none. Motion carried.

Motion was made by Henery, seconded by Schindler to approve the 12 permit applications for under underground permit submitted by RW Communication Services, LLC, Eldorado, Wisconsin to place a permanent fiber optic cable to improve existing telecommunications network. Lines will be placed along and across county roads in Orchard and surrounding areas.

- 865th Road in Section 29, Township 27 North, Range 8;
- 511th Avenue for 3 miles between Sections 7 & 8; 5 & 6 in Township 27, Range 8 and Sections 31 & 32, Township 28, Range 8;
- 862nd Road in Section 8, Township 27, Range 8;
- 861st Road in Section 15, Township 27, Range 8;
- 864th Road in Section 34, Township 28, Range 8;
- 513th Avenue between Sections 3 & 4; Sections 9 & 10; Sections 15 & 16 Township 27, Range 8;
- 514th Avenue in Sections 27 & 34, Township 28, Range 8;
- 866th Road in Sections 22 & 27, Township 28, Range 8;
- 516th Avenue in Sections 12, 13, Township 27, Range 7; and Sections 7, 18, Township 27, Range 8;
- 865th Road in Sections 29, 30, 31, 32, Township 28, Range 7;
- 517th Avenue in Sections 5 & 6, Township 27, Range 7 and Sections 31 & 32, Township 28, Range 7;
- 519th Avenue in Sections 21, 22; Sections 15, 16; Sections 9, 10, Township 27, Range 7.

The purpose of the line is to improve communication circuit. All work to be done according to County and States specs. Voting aye: Henery, Schindler, Koinzan, Bolling, Kerkman, Williby and Schwager. Nays none. Motion carried.

Motion was made by Supervisor Bolling, seconded by Supervisor Henery to accept the pay application from Theisen Construction in the amount of \$152,913.98, as per claims approved. Voting aye: Bolling, Henery, Koinzan, Williby, Kerkman, Schindler, and Schwager. Nays none. Motion carried.

Discussion was held regarding the Livestock Friendly Designation presentation. Kenny Reinke and Ed Pellatz from Antelope County Ag Society were in attendance of discussion. As per the email they were agreeable to include the presentation in the Antelope County Fair activities this year, on Saturday, August 6, 2016 at approximately 4:00 PM before the annual BBQ in conjunction with the tractor parade. All were in agreement and a motion was made by Supervisor Williby, seconded by Supervisor Kerkman to have the Ag Society coordinate with Steve Martin of Nebraska Ag Department for the presentation time. Voting aye: Williby, Kerkman, Schindler, Koinzan, Henery, Bolling and Schwager. Nays none. Motion carried.

Liz Doerr, Antelope County Zoning Administrator gave a brief synopsis of office activities. There is a Planning Commission meeting scheduled for Tuesday, June 21, 2016 at 1:00 PM. The agenda includes many items including: Public Hearing for Black Strap, Beef Feedlot Increase by Matt Klabenes. Also up for discussion are the airport hazard overlay, and the request from Mark Hunzeker, Attorney, for Protect Antelope County Future for change of zoning regulations. Liz stated the zoning regulations are still being reworked and revamped by the consultant, and they would take the recommendations submitted by Mr. Hunzeker under advisement during this revamping process.

Liz also discussed a moratorium on Wind Tower conditional use permit application, until such time the zoning regulations are updated and completed. In her discussions with Joe Abler, Antelope County Attorney, and the Planning Consultant, Keith Marvin, all thought this idea might be worth exploring. Mr. Marvin has been and is in contact with Dave Ptak, attorney regarding the current regulations and the new regulations that might be in the makings. Motion was made by Supervisor Henery to place a six (6) month moratorium on accepting CUP on wind turbine farms. Motion was seconded by Supervisor Schindler. After discussion and the fact that the current Upstream project may need to have zoning application updates to relocate towers that are in the airport approach zone if this affects that. At this time the board does not want to interfere with current project actions. Voting aye: none. Voting nay: Henery, Schindler, Williby, Koinzan, Bolling and Schwager. Kerkman abstained. Motion did not carry. Liz asked the supervisors to give it some thought and discuss it. Depending how today's interest; she will research and work on moratorium language and ideas from Mr. Marvin and Dave Ptak. Discussion with Joe Abler, County Attorney continued regarding moratorium and any legal input. It was discussed the current Upstream application has been accepted so changes that are made would be considered amendments, not new application, so it should not affect the current project. Attorney Abler reminded the board to act as a board, and to not act to eliminate an application and to be done reasonably and not arbitrarily and they could not change midstream. Supervisor Koinzan made a motion by have County Attorney Joe Abler draw up a resolution on a Moratorium on new wind tower CUP application for six months, while the Planning and Zoning is working through the review and update of the regulations, or until zoning regulations are approved and in place, Supervisor Henery seconded motion. Voting aye: Koinzan, Henery, Williby, Schindler, Bolling and Schwager. Nays none. Motion carried. Kerkman abstained.

The Upstream resolution was to be signed. Since the June 7, 2016 meeting Mike Degan, attorney for Invenergy Wind LLC, has been in contact with the county attorney regarding language used in condition number 20 on the resolution of Invenergy's conditional use permit. Condition number 20 dealt with the GE recommended setbacks regarding ice slinging. Discussion involved various tax payers, Invenergy Attorney, Emily Kobylarczyk, Business Developer from Invenergy, all seven supervisors, Liz Doerr, and County Attorney Joe Abler. It was stated by taxpayers the resolution was completed during the public hearing and it could not be changed just because we wanted to change it. County Attorney Abler stated the public hearing was closed at the time of the resolution discussion, and clarification is not the changing of the resolution. A lengthy discussion was held on the actual statement by Mr. Marvin and the true intentions of the board. A motion was made by Supervisor Williby, seconded by Supervisor Henery to amend the 20th condition on the approved resolution 2016-06-0005 to read as follows: "Upstream Energy shall comply with the GE manufacturer's recommended setbacks as stated in attached Exhibit A or the current applicable setbacks stated in Antelope County Zoning Regulations Section 1504.05, or whichever is greater. Upstream shall submit and identify any tower that cannot meet said setbacks and provide mitigation of ice shedding by shutdown." Voting aye: Henery, Schindler, Williby, Koinzan, Bolling and Schwager. Kerkman abstained. Nays: none. Motion carried. Resolution was signed. Motion was made by Supervisor Henery, seconded by Supervisor Schindler to have Jerry sign Upstream resolution. Voting aye: Henery, Schindler, Bolling, Koinzan, Williby and Schwager. Nays none. Kerkman abstained.

RESOLUTION #2016-06-0005

WHEREAS, the duly appointed Planning Commission of Antelope County, Nebraska, has given public notice as required by the Nebraska State Statutes, of a hearing held on the 19th day of January, 2016, continued on February 9, 2016, and February 24, 2016 at the Antelope County Courthouse on the Conditional Use Permit application from Invenergy for their Upstream Wind Energy LLC project for up to 168 towers/wind turbines or up to 350 MW of total capacity in Blaine, Custer, Neligh, Elm, and Willow Township in Antelope County, Nebraska; and

WHEREAS, the public hearing has been held pursuant to said notice and all statements received at the hearing have been duly considered by the Planning Commission;

WHEREAS the Antelope County Planning Commission has reviewed the application and make recommendation to the Antelope County Board of Supervisors for approval with conditions;

AND WHEREAS the Antelope County Board of Supervisors has given public notice as required by the Nebraska State Statutes, of a hearing held on the 24th day of May, 2016, at the American Legion hall in Neligh, Nebraska;

THEREFORE, BE IT RESOLVED BY THE ANTELOPE COUNTY BOARD OF SUPERVISORS, THAT THE UPSTREAM WIND ENERGY LLC CONDITIONAL USE PERMIT BE APPROVED WITH THE FOLLOWING CONDITIONS:

1. Prior to erection of any individual tower/wind turbine, Upstream shall provide the Antelope County Zoning Administrator (the "Zoning Administrator) a Determination of No Hazard issued by the Federal Aviation Administration (FAA) for each individual Tower/Wind Turbine at its final turbine location. In addition, the Project will work with the County, including through its planning consultant Marvin Consultants, and the Nebraska Department of Aeronautics to ensure the Project complies with any standard or requirements for height structures as they may apply to any Project Tower/Wind Turbines proposed to be located within the flight instrument approach zone and the 3 mile turning zone, as contemplated by Section 3-301(5) (a) (i) of the Nebraska Airport Zoning Act. To the extent any of Tower/Wind Turbines does not comply with requirements set for the by the FAA or the Nebraska Airport Zoning Act, such Tower/Wind Turbine will not be constructed and will not be considered part of this proposed Wind Energy Conversion System.

2. Prior to commencement of construction of any individual Tower/Wind Turbine, Upstream shall provide exact final global positioning system locations to the Zoning Administrator, the Antelope County Planning Commission and the County Assessor per Assessor's requirements for each Tower/Turbine.

3. Upstream shall be allowed to cross or run parallel to any County Roads within the Project Area utilizing the Road Right-of-Way wherever necessary for the Project's ancillary facilities, including aerial construction or burial of components of the electrical collection and fiber-optic system (including overhang or line-sway of aerial lines located on adjacent private property), provided such crossing or use of Road Right-of-way shall be in compliance with Antelope County's Criteria for Permit to use Road Right-of-Way dated May 11, 1998. Except where necessary, equipment used for Project construction will be located outside of the County Road Right-of-Way so as not to present a public safety hazard. Where it is necessary for equipment to be located within the County Road Right-of-Way, it will only be for such minimal period of time as necessary, and the Project will remove such equipment and materials from the Road Right-of-Way as soon as the work within the Road Right-of-Way is complete.
4. This Conditional Use Permit applies only to the 168 Towers/Wind Turbines and other associated facilities which make up this Wind Energy Conversion System (including any Transmission Lines), at the specific locations for the proposed Tower/Wind Turbines in Exhibit C of this Application. Each Tower/Wind Turbine will be allowed to be located within 600 feet in any direction from the specific proposed location in Exhibit C to accommodate for physical surface and subsurface site conditions, landowner concerns, etc. after demonstrating that it will meet the appropriate setbacks. To the extent the Project needs to build any Tower/Wind Turbine as part of this Wind Energy Conversion System that is outside the 600 feet from any specific proposed Tower/Wind Turbine location set forth in Exhibit C, the Project will be required to seek separate authorization from the County in the form of a permit amendment for that Tower(s)/Wind Turbine(s), by following the notice requirements of Article 10 of the County's zoning regulations, as applicable.
5. Within 60 calendar days of completing construction of any phase of the Wind Energy Conversion System, the Project will provide the Zoning Administrator a final Project site layout, which will demonstrate that each Tower/Wind Turbine is located within 600 feet of the specific location for that Tower/Wind Turbine as set forth in Exhibit C. All turbines directed to be lit according to FAA rules and regulations and shall be indicated on the site layout.
6. Within 24 months of completion of any initial phase of the Wind Energy Conversion System, the Project will be required to perform a noise analysis demonstrating the Project is in compliance with Section 1504.06 (11) of the County's zoning regulations.
7. The applicant shall acquire environmental permits prior to construction. Copies of said environmental permits shall be given to the Zoning Administrator pre-construction.
8. It is specifically contemplated that the 168 Towers/Wind Turbines or 350 MW of generation and associated facilities which make up this Wind Energy Conversion System may be constructed and placed in service in phases, to accommodate necessary Project financing, obtaining any required power purchase agreements, and other business reasons. Consistent with Condition 4 above, however, to the extent Applicant (or any other party) wishes to construct Towers/Wind Turbines other than those proposed in this Application, even if such other Towers/ Wind turbines are combined with one or more of the Tower/Wind Turbines proposed in this Application, a new Conditional Use Permit will be required for the additional Towers/Wind Turbines (and associated facilities) beyond the approved 168 Towers/Wind Turbines or amended turbine per condition 4 above.
9. To the extent any non-participating landowner within the Project Area intends to build a new dwelling unit (ie residence) within the 2000 foot reciprocal setback required by Section 1504.04 of the zoning regulations, the Project agrees not to object to the landowner obtaining from the County the required waiver of such setback. To the extent that such dwelling unit is built within the reciprocal setback, the Project will be deemed in compliance with the Commercial/Utility WECS regulations.
10. Upstream Energy will maintain property damage and liability insurance for any damages to persons or property that may result from Upstream's ownership and/or operation of its proposed Wind Energy Conversion System.
11. Towers #63, 64, 65 in 28-26N-6W, 66 in 33-26N-6W, 67 in 21-26N-6W, 68 and 69 in 27-26N-6W, and 77 in 23-26N-6W in the 10 mile airport approach zone shall not be constructed. Applicant may move the location of the towers outside of the airport approach zone only if the Project seeks separate authorization from the County in the form of a permit amendment for that Tower(s)/Wind Turbine(s), by following the notice requirements of Article 10 of the County's zoning regulations, as applicable.
12. A \$500.00 zoning permit shall be issued prior to construction of individual towers and meteorological towers showing that said tower(s) complies with all applicable setbacks, an acoustical analysis showing that the noise regulations can be met, and FAA approval.
13. Underground Road Permits, a Roads Agreement, and Decommissioning Plan shall be approved by the County Board before zoning permits will be issued for construction.
14. Signs shall be posted at the Right-of-Ways giving the tower numbers, address, and Owner's name.
15. All towers shall adhere to the Special Safety and Design Standards in Section 1504-06.
16. The feeder lines for Towers 71, 77, 87, 90, 127, 133, 154, 157, 160, 165, and 169 shall be supplied before a Zoning permit is issued.
17. The height of the meteorological tower(s) shall be supplied and evidence that setbacks can be met.
18. Cemeteries shall be shown on the Parcel Summary map showing that setbacks can be met.
19. Any WECS/turbine, approved in this project, not constructed and receiving a Certificate of Zoning Compliance on or before June 7th, 2019 shall be reviewed by the County Board prior to receiving a Zoning (Building) permit and beginning construction.
20. Upstream shall increase the tower setbacks along the public right of ways and property lines to meet the GE manufacturer's recommended setback of 1.5 x the total height. If the tower cannot meet the separation distance, Upstream shall submit and identify the tower and show that they will mitigate ice sling by shutdown.

Adopted this 7th day of June, 2016 at Neligh, Antelope County, Nebraska.

Supervisor: Bolling _____ Supervisor: Henery _____
 Moved to adopt said Resolution 2nd to the Motion to adopt said Resolution

Roll Call: 5 Yea 1 (Schindler) Nay 1 (Kerkman) Abstain
 Resolution adopted, signed and billed as adopted.

ANTELOPE COUNTY BOARD OF SUPERVISORS

 /s/ Jerry Schwager _____ /s/ Neil Williby _____
 Jerald Schwager, Dist. #1, Chairman, Neil Williby, Dist. #2

 /s/ Merlin Bolling _____ /s/ Charlie Henery _____
 Merlin Bolling, Dist. #3 Charles Henery, Dist. #4

 /s/ Edmund Schindler _____ /s/ Greg Koinzan _____
 Ed Schindler, Dist. #5 Greg Koinzan, Dist. #6

ATTEST:

 /s/ LeRoy Kerkman _____ /s/ Lisa Payne _____ (seal)
 LeRoy Kerkman, Dist. #7 Lisa Payne, Antelope County Clerk

The Following is a clarification of Condition # 20 as amended and approved during the June 14, 2016 meeting.

20. Upstream Energy shall comply with the GE manufacturer’s recommended setbacks as stated in attached “Exhibit A” or the current applicable setbacks stated in Antelope County Zoning Regulations Section 1504.05, or whichever is greater. Upstream shall submit and identify any tower that cannot meet said setbacks and provide mitigation of ice shedding by shutdown

Motion was made by Supervisor Schindler, seconded by Supervisor Williby to accept and sign Zoning Office Fee resolution. Voting aye: Schindler, Williby, Koinzan, Kerkman, Henery, Bolling and Schwager. Nays none. Motion carried.

ANTELOPE COUNTY
RESOLUTION NO. 2016-06-0004
PLANNING & ZONING FEES

WHEREAS, the Antelope County Planning and Zoning Administrator and Office collects fees for the purpose of conducting business, in order to promoting health, safety, morals, or the general welfare of the County of Antelope and,

WHEREAS, the Antelope County Planning Commission has been made aware by the Nebraska’s State Auditor’s Office that these fees should be established and maintained by a board resolution or policy;

WHEREAS, the Antelope County Zoning Administrator and Planning Commission is in the process of updating the Planning and Zoning Regulations, and in accordance, need to have the fees set by board resolution.

WHEREAS, the Antelope County Zoning Administrator, has been and would like to continue to collect fees for various permits, requests and filings. To continue good will and maintain a solid fee schedule recording basis the following fees will be set as per usual and customary actions:

Zoning & Ag Use Permit	\$ 25.00
Class I	\$ 25.00
Class II	\$ 35.00
Class III	\$ 55.00
Class IV	\$ 75.00
Class V (intensive feeding use only)	\$100.00
Commercial Use	\$100.00
Variance	\$200.00
RCI District	\$ 50.00
Flood Plain Permit	\$100.00
Private Recommendation to Zoning Map or Regulation Change	\$200.00

Any permit applied for after the fact (ie: after the building is built or after pumping effluent thru pivot) is subject to 10x the original permit fee.

THEREFORE, BE IT RESOLVED BY THE ANTELOPE COUNTY BOARD OF SUPERVISORS that the Antelope County Zoning Administrator shall establish a fee schedule as above. The Zoning Administrator by and through the Antelope County Zoning Office shall collect the fees as deemed necessary.

Dated this 14th day of June 2016.

Attest: Antelope County Clerk

Jerald Schwager, Chairman of County Board

Motion by: ___ Schindler ___

Seconded by: ___ Williby ___

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

Voting nay: ___ none ___

Motion passed/failed ___passed ___

After advertising for auditor bids for fiscal year 2016-2017, and receiving no bids; discussion was to pursue the State Auditor’s Office to complete County Audit for 2016-2017, as approved in March meeting.

WI-FI discussion held. The proposal from Boyd’s Network Solutions was revisited. During the June 7th, 2016 meeting it was discussed to ask if the bidder would accept \$1500.00 for the current proposed work. After discussion with Mr. Rahder regarding the proposal, he reiterated he had estimated high and was planning on using wires he believes already exists in the building. However, he was not sure what was outlaid already. Motion was made by Supervisor Henery, seconded by Supervisor Williby to accept bid and have installed. Voting aye: Henery, Williby, Bolling, Koinzan, Kerkman, Schindler, and Schwager. Nays none. Motion carried.

Discussion on the Brunswick North Bridge. During the June 7th, 2016 meeting this bridge was slated to be fixed, and Brian McDonald, road superintendent relayed the material bid would have to be advertised and would be on the agenda today. Motion was made by Supervisor Williby, seconded by Supervisor Kerkman to allow clerk to advertise bids for the Brunswick North Project. Voting aye: Williby, Kerkman, Bolling, Schindler, Koinzan, Henery and Schwager. Nays none. Motion carried.

Casey Dittrich, Road Boss, met with the supervisors regarding various issues and projects throughout Antelope County. He shared ideas and questioned the budget for fiscal year 2016-2017; he inquired for a definitive on overlay, asphalt and a general long range plan. He was wondering how the road districts will be defined when they go from seven (7) Supervisors to five (5) Commissioners and how the budget needs to be prepared. He presented a map and requested the brain storming of all of the supervisors to think about this now, before and during the budget preparations. There

are roads that currently need repair and roads that without much play one way or the other could really fall in a downward spiral. The plan is to work on the first overlay project of the year this week in Clearwater. The plan to continue the bank run from Dave Shrader. Tilden north is a priority, and the road going east of Neligh from Rice's shop to Smith's. There was talk of equipment repair and purchase. Joe Abler reminded the Supervisors they hold the purse strings of the county, and they needed to make search and make sure it is the best, educated and wisest decision. If the price is justified – state bid- purchase is available through auction. They can instruct Casey, Road Boss, to search state bid-whichever make/model and see what kind of purchase is out there. Brunswick Road is going fast, 2.5 miles to four miles. Was looking for ideas on the plan of caretaking of road.

Road and Bridge Employees resolution was discussed. With recent road and bridge procedures and operation changes it was discussed if a resolution would be helpful in completing this discussion, and helping to inform the employees of the changes. Safety vests, employee hours, compensatory time, etc. It was suggested this information be sent with employee pay checks, thus insuring all employees received a copy. This was discussed during the June 7, 2016 meeting and was tabled until further discussion this week. A copy was given to all supervisors who requested a copy. Discussion continued regarding sending of letter informing road and bridge employees of recent policy changes as well as the compensatory time informing agreement. After much discussion, both this week and last meeting (on the 7th), as the supervisor's wanted to review the information before it was sent out; it was tabled last week and was an agenda item today. Further discussion today. Motion was made by Supervisor Kerkman, seconded by Supervisor Koinzan to send compensatory time notification and letter out with next pay check. Voting aye: Kerkman, Koinzan, Bolling, Henery, Schindler, Williby and Schwager. Nays none. Motion carried. County Clerk, asked about the signing of the resolution regarding employee policy changes. The action would take another motion to sign the resolution regarding road and bridge policy changes (again this was discussed June 7th, 2016 and a copy was given to all Supervisors). Motion was made by Supervisor Schindler, seconded by Supervisor Koinzan to approve and sign resolution as written, and to send with letter above regarding compensatory time and letter. Voting aye: Schindler, Koinzan, Kerkman, Williby, Henery, Bolling and Schwager. Nays none. Motion carried.

ROAD EMPLOYEE PERFORMANCE VERIFICATION
RESOLUTION
2016-06-0001

WHEREAS, Antelope County Board of Supervisors is authorized, pursuant to Neb. Rev. Statutes to perform all acts in relation to the concerns of the County necessary to exercise its corporate power, including the establishment of employee safety and wellbeing and the clarification of various compensation of employees of the County.

WHEREAS, the Antelope County Board of Supervisors has determined that it is in the best interest of the road and bridge employees of Antelope County to establish fair labor practices and ensure employee safety. All road and bridge employees will be issued a safety vest. Employees are required to wear them at all times while on duty or on the clock. Employees may purchase their own shirts/sweatshirts to wear as long as they meet the Class 2 standards.

WHEREAS, Antelope County Board of Supervisors has made recent changes to the road and bridge schedule, overtime and comp time to facilitate favorable project and work completion and times. As of April 11th, 2016, the road and bridge schedule is as follows: Monday-Thursday 7:00am-5:30pm. If it is appropriate for employees to forgo lunch break, as stated in the lunch policy, employee may leave at 5:00pm. Any work done outside of these normally scheduled times must be approved by the Road Boss. This schedule may return to 5 days a week in the fall at the discretion of the Supervisors/Commissioners.

WHEREAS Comp time was discussed and approved on April 5, 2016 the following are guidelines to ensure all employee hours are correctly compensated. Comp time will be tracked through the time clock system. Comp time will be accrued at 1.5 times the amount of hours worked over 40 hours per week. When the workload is light and/or the weather is inclement, employees may be discharged from the work assignment/project and required to clock-out until work load increases or inclement weather subsides. It is the employee's option to use their accrued comp time or vacation time to recover any lost wages from the respected pay period. If none is available, the employee will go without pay for those hours. If paid work hours fall below 30 hours for three (3) consecutive weeks benefits may be compromised.

WHEREAS in the interest of employee wellbeing, paid time off is allowed. However; the Antelope County Board of Supervisors wishes to verbalize and verify the vacation leave policy as written in the employee hand book. Vacation leave can be taken as it is earned, but application for vacation time should be made 30 days in advance, if possible, and is subject to supervisory approval. It is the employees' responsibility to contact the Road Boss for approval to take vacation time. The Road Boss will contact the Clerk's Office to confirm the vacation leave.

THEREFORE, THE ANTELOPE COUNTY BOARD OF SUPERVISORS RESOLVES that the Antelope County Road and Bridge Employees shall adopt the above employee practices and will here after enact the above policy be passed and accepted today, the 14th day of June, 2016, and such policies shall be placed into the Antelope County Employee Handbook.

DATED: June 14, 2016.

___/s/ Jerald Schwager _____

Chairman of County Board

___7___ Yays

_____ Nays

Motion by __Schindler __, seconded by ___ Koinzan __ to accept said resolution.

Voting aye: __ Williby, Kerkman, Bolling, Schindler, Koinzan, Henery and Schwager __.

Nays ___none ___.

Motion ___Passed Passed _____ Defeated

___/s/ Lisa Payne ___(seal) __

Antelope County Clerk

Budget discussion regarding the Road and Bridge budget and how it should work for the 2016-2017 budget year. Because Antelope County will be going to a five (5) commissioner government system in January 2017, and there will only be 5 Commissioners at that time thereafter, what is the answer to the budget. Currently, Antelope County operates with an eight (8) budget system. (There are seven (7) Barns and the at large account.) Discussion continues and no action was taken. Further discussion will be on June 28, 2016 meeting agenda.

Whereas the Nebraska State Court Administrator, on recommendation of the State Auditor is recommending separate cash drawers be established and maintained for each County Court Employee. Ms. Barbara Finn of the Antelope County Court Office has requested a resolution establishing a second petty cash drawer for the office, and to increase the first cash drawer to \$100.00. The results would be two (2) cash drawers for the office. Motion was made by Supervisor Kerkman, seconded by Supervisor Williby to accept resolution and provide Antelope County Court Office two (2) petty cash drawers of \$100.00 each.

RESOLUTION NO. 2016-06-000 _____
Antelope County

WHEREAS, the Antelope County Court is directed by the Nebraska State Court Administrator, on recommendations of the Auditor of the State of Nebraska to establish separate cash drawers for each employee of the Antelope County Court;

WHEREAS, the amount shall be no less than \$20.00 and no more than \$200.00 per cash drawer.

WHEREAS, said cash drawers are to be funded by petty cash funds through a claim filed by the Antelope County Court and approved by the Antelope County Board of Supervisors.

WHEREAS, each Antelope County Court employee shall use the petty cash funds for the limited purpose of making change for payments made by court users paying fines, fees and costs payable to the Antelope County Court.

WHEREAS, on the date, June 14, 2016, two persons are employed by the Supreme Court, State of Nebraska, in the Antelope County Court. The Antelope County Court shall fund \$70.00 to cash drawer #1 Barbara J. Finn and \$100 to cash drawer #2 Linda M. Mitchell. Cash drawer #1 at present has an already established \$30.00 fund.

THEREFORE, BE IT RESOLVED BY THE ANTELOPE COUNTY BOARD OF SUPERVISORS that the Antelope County Court is awarded an additional \$170.00 petty cash to be placed in the cash #1 (\$70) Barbara J. Finn, and cash drawer #2 (\$100) Linda M. Mitchell for the limited purpose of refunding overpayments of cash by court users paying fines, fees or costs.

Dated this 14th Day of June, 2016.

___/s/ Jerald Schwager ___

___/s/ Lisa Payne _____

Jerald Schwager

Antelope County Clerk

Chairman of County Board

Motion By: _____; Seconded by _____

Ayes: ___ 7 _____ Nays: ___ 0 _____

Passed/Failed ___passed _____

Road and Bridge Budget discussion will be moved to June 28, 2016 meeting agenda.

Prairie Breeze road agreement was discussed. It has been discussed numerous times regarding the releasing of roads currently in Invenergy's road agreement. Various roads throughout the project are in good shape for Antelope County to resume maintenance. The County Road Boss, Highway Superintendent and Supervisor Koinzan met with Invenergy Road engineers and have reviewed all of the roads and their current conditions. It was agreed by the five member committee there are a fair number of roads ready to be released to county care. There are a number of roads still in need of attention from Invenergy and their road maintenance team. Road Boss, Casey Dittrich has reviewed the list and studied the map and is in agreement with the current list. Motion was made by Supervisor Henery, seconded by Supervisor Williby to accept the road release agreement as agreed. Voting aye: Henery, Williby, Bolling, Koinzan, Schindler, Kerkman and Schwager. Nays none. Motion carried.

RESOLUTION

In accordance with paragraph 4 of the County Roads Agreement, as amended by the First Amendment and Joinder to County Roads Agreement, and by the Second Amendment to County Roads Agreement (collectively the "Amended County Roads Agreement"), between Antelope County and the Developer, as defined therein, Developer has maintained and restored County roads to the as-found condition or better for the County roads identified on the attached Exhibit A. The County roads listed on Exhibit A were reviewed jointly with representatives of Developer and the County and were confirmed to meet or exceed the as-found condition. Accordingly, upon approval of this Resolution by the County Board, the responsibility for maintenance of these roads will revert to and shall become the responsibility of Antelope County, and except for the conditions stated herein, all obligations of the Developer pursuant to the Amended County Roads Agreement will terminate for County roads listed on Exhibit A. County roads which are not yet complete will continue be the responsibility of Developer until such time as they meet all requirements for the design of roads being upgraded and/or road condition meets or exceeds the as-found condition of the roads.

IT IS HEREBY RESOLVED, that Antelope County accepts responsibility for road maintenance as shown on the attached Exhibit A with the following conditions:

Bridges utilized for construction of the Wind Farm Facility and included in the Amended County Roads Agreement will be inspected by the County Engineer. Any damage noted and attributed to wind farm construction activities will continue to be the responsibility of the Developer.

Re-vegetation of road ditches and County right of way property remain the responsibility of Developer until such time as greater than 70% coverage is achieved with a seed mix acceptable to the County.

IT IS FURTHER RESOLVED that except for the conditions stated above, all obligations of the Developer pursuant to the Amended County Roads Agreement are hereby terminated for County roads listed on "Exhibit A."

Dated: June 14, 2016

___/s/ Jerald Schwager _____

Chairman of the Board

Motion by: ___ Henery _____

Seconded by: ___ Williby _____

___7___ Yays

_____ Nays

_____ Abstained

Motion: _7-0_ Passed _____ Failed

Attest:

___/s/ Lisa Payne _____

Antelope County Clerk

Road From To Status Miles

523rd Ave 837th Rd 838th Rd Ready to Accept 1
523rd Ave 839th Rd 840th Rd Ready to Accept 1
523rd Ave 840th Rd 840.5 Rd Ready to Accept 0.5
524th Ave 836th Rd 837th Rd Ready to Accept 1
524th Ave 838th Rd 839th Rd Ready to Accept 1
526th Ave 840th Rd 841st Rd Ready to Accept 1
527th Ave 835th Rd 836th Rd Ready to Accept 1
528th Ave 837th Rd 838th Rd Ready to Accept 1
529th Ave 837.5 Rd 838th Rd Ready to Accept 0.5
529th Ave 839th Rd 840th Rd Ready to Accept 1
530th Ave 835th Rd 836th Rd Ready to Accept 1
531st Ave 835th Rd 836th Rd Ready to Accept 1
531st Ave 838th Rd 839th Rd Ready to Accept 1
835th Rd 522nd Ave Hwy 14 Ready to Accept 1
835th Rd 530th Ave 529th Ave Ready to Accept 1
836th Rd 526th Ave 525th Ave Ready to Accept 1
836th Rd 528th Ave 527th Ave Ready to Accept 1
836th Rd 530th Ave 529th Ave Ready to Accept 1
837th Rd 524th Ave 523rd Ave Ready to Accept 1
837th Rd 531st Ave 530th Ave Ready to Accept 1
837th Rd 533rd Ave 532nd Ave Ready to Accept 1
838th Rd 522nd Ave Hwy 14 Ready to Accept 1
838th Rd 524th Ave 523rd Ave Ready to Accept 1
838th Rd 531st Ave 530th Ave Ready to Accept 1
839th Rd 531st Ave 530th Ave Ready to Accept 1
840th Rd 528th Ave 527th Ave Ready to Accept 1
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841st Rd 527th Ave 526th Ave Ready to Accept 1

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524th Ave 840.5 Rd 841.5 Rd Ready to Accept 1
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527th Ave 836th Rd 837th Rd Ready to Accept 1
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529th Ave 840th Rd 841st Rd Ready to Accept 1
531st Ave 834th Rd 835th Rd Ready to Accept 1
531st Ave 836th Rd 837th Rd Ready to Accept 1
532nd Ave 837th Rd 838th Rd Ready to Accept 1
835th Rd 523rd Ave 522nd Ave Ready to Accept 1
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836th Rd 531st Ave 531.5 Ave Ready to Accept 0.5
837th Rd 528th Ave 527rd Ave Ready to Accept 1
837th Rd 532nd Ave 531st Ave Ready to Accept 1
837th Rd Hwy 45 533rd Ave Ready to Accept 1
838th Rd 523rd Ave 522nd Ave Ready to Accept 1
838th Rd 529th Ave 528th Ave Ready to Accept 1
839th Rd 530th Ave 529th Ave Ready to Accept 1
840.5 Rd 524th Ave 523rd Ave Ready to Accept 1
840th Rd 529th Ave 528th Ave Ready to Accept 1
841st Rd 522nd Ave Hwy 14 Ready to Accept 1
841st Rd 526th Ave 525th Ave Ready to Accept 1
841st Rd 528th Ave 527th Ave Ready to Accept 1

Total 55.5

Sheriff Moore met with the supervisors regarding a couple issues. He first gave a shout out to Casey Dittrich, Antelope County Road Boss referring to his actions during a recent traffic incident that happened. The road crew under Casey’s direction did all of the right things by placing signs, helping to control traffic, etc. and things went very smoothly. Again, Sheriff Moore reiterated the need to establish the 9-1-1 tower. The study has been completed and they are recommending a 120-foot tower. At that height on the hill it would need a light for the FAA. He has checked various bids and they range from approximately \$98,000 to \$101,601.00 to erect the tower. The low bid being Platte Valley at \$98,963.00. He reports the current tower probably holds little to no value. Mid-States may use it for an additional year, and then they would own it and they would take it down. Once the new tower is constructed, the equipment has already been purchased and will be installed by NEMA. There is not a grant available for the erection of the tower. Platte Valley Communications has been in contact with Sheriff Moore, and worked with the new tower in Boone County.

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

Jacob Hurla, from 360 Engineering was on the agenda for 10:15 AM. He walked out before he was able to met with the Supervisors, and told the Clerk’s office he would reschedule.

Meeting adjourned at 12:20 PM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: _____

Chairman of the Board, Jerald Schwager

Attest: _____

County Clerk, Lisa Payne