

September 13, 2016  
Antelope County Board  
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular session on Tuesday, September 13, 2016 at 8:05 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, Koinzan, Henery, 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.

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

**General:** Antelope County District Court, court costs 180.00; Antelope County Court, court filing fee 443.00; Antelope County Sheriff, paper service fees 272.99; Appeara, towel service courthouse 41.56; Applied Connective Technologies, setup clerk computer, install printer sheriff 1845.56; Megan Beckman, meals meeting 41.51; Blackburn Manufacturing, signs 148.00; Bomgaars Supply, oil, filter, roundup, tools, weed/ paint supplies, roundup, shop vacuum, cleaner, sheriff 306.57. Eleanor Brady, prior service 25.00; Deb Branstiter, 2 Honeywell scanners 276.78; Dean Brown, prior service 25.00; Carhart Lumber, paint, supplies, brushes, caulk gun 43.35; Cartridge World, laser cartridge 149.99; Casey's, fuel 1030.54; Cash-Wa, inmate groceries, cleaner, food bags, sheriff 605.40; Elgin City, recycling fee 250.00; Neligh City, courthouse, sheriff, weed, museum, water, electricity, garbage 5197.46; Clearwater Record, publishing fees 377.25; Madison County District Court, mental health board filing fee 50.00; Consolidated Management, meals for school sheriff 286.56; Creative Product Sourcing, shipping, sheriff 56.45; Cubby's, fuel 564.44; DAS State, network services sheriff, courthouse 699.36; Liz Doerr, office supplies 30.80; Dollar General, Lysol and glue sheriff 38.00; Dusty's, fuel sheriff 91.07; Eakes Office, office supplies, district court, extension, attorney 134.81; Elgin Body, repair windshield, sheriff 30.00; Elgin One Stop, fuel, sheriff 122.00; Elgin Review, publishing fee 350.40; Elite Office, monthly maintenance fee sheriff, assessor, 262.79; Frontier Communications, telephone services 2106.30; Great Plains Communication, internet services 190.00; Lyle Hart, haul commodities 200.00; Nadene Hughes, prior service 14.00; ICO Tech, warranty renewal video phones 1200.00; Jonny Dodge, repair, sheriff 504.34; Frank Kamphaus, prior service 16.00; Jeff Doerr Law, attorney fees 3445.40; Madison County Court, copies 7.00; Madison County Sheriff, paper service 27.69; Madison County Treasurer, probation and district yearly judge fees 11,444.94; Marvin Planning Consultants, contract 500.00; Microfilm Imaging, equipment rental, county and district court 87.00; MIPS, clerk, computer support, treasurer, Nebraska tax online 669.72; Morland, Easland & Lohrberg, attorney fees 1524.54; Kelly Mueller, meals meeting 38.57; National 4-H Ser, extension supplies 50.84; Nebraska Health & Human Service, 186.00; Nebraska Law Enforcement, training 400.00; Neligh News, publishing fees 782.75; Neligh Postmaster, box rental treasurer 138.00; NIRMA, legal expense 3610.54; Northeast Nebraska Association County, registration fees 250.00; Nebraska State Bar, directories 80.00; OK Tire, tire repair 63.00; Orchard News, publishing fees 178.32; Orval's Auto, service job, sheriff 240.00; Donna Payne, prior service 25.00; Lisa Payne, shipping 7.22; Petty Cash-clerk, titles 30.00; Pinnacle Bank, radios, sheriff 48.00; Pitney Bowes, postage machine bill 1131.90; Pitzer Digital, publishing fees 31.00; Platte County Detention, school tuition, sheriff 350.00; Precision Glass, glass desk top, sheriff 62.00; Quill Corporation, office supplies, assessor 134.99; Region IV, mental health quarterly fee 6230.25; Royal One Stop, fuel 44.50; Devon Schindler, cleaning 55.00; Schroeder Surveying, surveyor fees 1675.00; Shell Fleet, fuel 649.19; Caroline Siems, prior service 25.00; Simple Minds' PC, repair server, computer updates, assessor, treasurer 2575.00; Source Gas, heating fuel 294.40; Chuck Thiemann, mowing, weed 60.00; Thriftway Mkt, groceries, jail, janitorial, supplies, extension, courthouse, weed 332.54; Transit Works, office equipment, sheriff 372.06; Uline Shipping, shelving, sheriff 967.08; UNL Extension Center, registration fee, extension 75.00; UNL Its Comm, internet services 91.04; US Cellular, cell phone, sheriff 670.36; Verizon Wireless, cell phone, weed 45.68; Clearwater Village, recycling fee 250.00; Wayne County Treasurer, district court judge fees 3479.26; Bonita Welke, prior service 22.00; Willie's Service, repair, sheriff 51.97.

**Road & Bridge:** at Large: B's Enterprises, culverts and grader blades 1880.00; Bomgaars, chain saw parts 29.74; Butch's Body, repair bucket 70.20; Casey's, fuel 134.93; Caterpillar Service, equipment payment 49,938.00; Neligh City, crushed concrete 8948.00; Cubby's, fuel 42.74; Casey Dittrich, moisture tester 109.90; Elkhorn Rural Power, electricity, 403.21; Farmer's Pride, bulk fuel 1198.88; Hinrichsen Sand, gravel 10,422.68; Hometown Station, fuel 883.12; Island Supply, oxygen 257.06; JEBRO, asphaltic and armor coat 252,601.89; JEO Consulting, engineering fee 5313.00; Jimson Towing, repair 200.00; John Deere, equipment payment 69,837.17; Jonny Dodge, parts and repair 2163.31; Kumm Gas, bulk fuel 1191.82; Lichtenberg Tire, 3 new tires 1041.35; Madison

County Court, filing fee 124.00; Matteo Sand, armor coat 469.80; Mitteis Gravel, gravel 16,047.65; Neligh Auto, parts 18.70; Newman Traffic Signs, 20 signs 647.24; OK Auto, parts 60.04; Steve Olsen, dirt 3790.00; Orval's Auto, parts and repairs 64.75; Quick Serve, fuel and service call 811.60; Road Builders Machinery, parts and repair 570.85; Ross's Repair, part and repair 263.47; Royal One Stop, fuel 602.90; Ryan's Truck, parts and repair 141.82; Shell Fleet, fuel 2221.60; Spud Trucking, machine hire 14,112.08; Verizon Wireless, cell phone 115.87; West Hodson, equipment purchase 56,000.00; Sidump'r, equipment payment 47,500.00.

**Brunswick Area:** Bygland Dirt, crush concrete 828.00; Frontier Communications, phone service 76.76; Green Line Equipment, filters 293.54; Key Sanitation, garbage 18.00; Kumm Gas, fuel 1289.45; Midwest Service, culverts 3853.00; Mitteis Gravel, road gravel 971.93; North Central Public Power, electricity 114.32; Quality Iron, steel product 115.36; Road Builder Machinery, parts and repair 1685.12; Brunswick Village, water 41.50.

**Orchard Area:** Dusty's, fuel 42.74; Farmer's Pride, bulk fuel 943.92; Frontier Communications, phone service 72.83; Lazy T Tire, tire repair 60.92; Mitteis Gravel, road gravel 692.01; North Central Power, electricity 59.23; Powerplan, parts and repair 2421.17; Source Gas, heating fuel 38.89; Tinsley Grain, rock 8760.30; Titan Mach, filters and parts 251.52.

**Clearwater Area:** Elkhorn Public Power, electricity 109.24; Farmer's Pride, bulk fuel 2347.27; Green Line Equipment, exhaust fluid 45.48; Hinrichsen Sand, gravel 3499.27; Northeast Nebraska Telephone, telephone service 106.14; Orval's Auto, service job, oil and parts 124.00; Powerplan, parts 170.12; Shell Fleet, fuel 96.67; Source Gas, heating fuel 34.39; Clearwater Village, water and garbage 54.00.

**Neligh Area:** Cubby's, fuel 155.40; Farmer's Pride, bulk fuel 3181.94; Frontier Communications, telephone service 122.21; Hinrichsen Sand, gravel 3054.82; Lichtenberg Tire, new tire 1421.78; Neligh Auto, antifreeze and towels 60.29; Powerplan, repair 127.70; Road Builders Machinery, parts and repair 772.41.

**Tilden Area:** Black Hills Energy, heating fuel 27.47; Tilden City, water and garbage 104.82; Constellation Gas, heating fuel 9.30; Farmer's Pride, bulk fuel 1983.75; Frontier Communication, telephone service 71.26; Hinrichsen Sand, gravel 397.56; Matteo Sand, road gravel 3398.64; Nebraska Public Power, electricity 124.37; NMC Exchange, bolts 104.10; OK Tire, new tire 1134.45; Quick Serve, fuel 128.29; Road Builders Machinery, parts and repair 1592.63.

**Oakdale Area:** B's Enterprises, culverts 3439.40; Farmer's Pride, bulk fuel 1678.33; Great Plains Communications, internet service 132.56; Howard Construction, clean ditch out 326.25; Matteo Sand, road gravel 966.96; Greg Meyer, stump grinding 104.00; Nebraska Public Power, electricity 54.10; Neligh Auto, oil, antifreeze, towels 165.42; NMC Exchange, parts 60.40; Pollock Redi-Mix, gravel 411.13; Source Gas, heating fuel 34.40.

**Elgin Area:** Central Valley, shop supplies, wrench 26.80; Elkhorn Public Power, electricity 47.78; Great Plains Communications, telephone service 141.17; Hometown Station, fuel 244.99; Sapp Brothers, bulk fuel 1550.05; Source Gas, heating fuel 49.07.

**Visitors Promotion Fund:** Neligh Mills Festival, festival expense grant 300.00.

Reappraisal: ESRI, license fee 400.00; Holiday Inn, hotel rooms 509.70; Quill Corporation, labels 24.99.

**Register of Deeds:** MIPS, Nebraska Deeds Online 295.70.

**Inheritance Fund:** Antelope County Treasurer, inter fund transfer 178,775.17.

**Law Enforcement Center:** Dr. Terry Jensen, inmate dental visit 65.40; Pinnacle Bank, chips 188.41; Protocall, phone cards and e cigs 1612.13; Wanek Pharmacy, inmate prescriptions 17.80.

**Building Fund:** Carhart Lumber, rebar 100.50; Eakes Office, labor on furniture, extension 300.00; Rob Hoefer, repair concrete south parking lot 3620.00; Eddie Loupin, repair courthouse 6753.00.

**General:** Total Payroll, 91,945.96; Ameritas Life, retirement 13,891.54; Federal With Holding, 10,750.52; Garnishment, 544.00; Social Security, 18,599.54; American Family Life Assurance, insurance 142.35; Blue Cross/Blue Shield of Nebraska-health and dental insurance, 57,294.80; Colonial Life and Accident, insurance 58.25; First Concord Benefits Group- cafeteria plan fees & contributions 471.66; Madison National Life, insurance 411.29; Mid-American Benefits-buy down deductible 224.50; State Tax, 3566.67; Washington National Life, insurance 606.19; VSP-NACO Vision Insurance, eye insurance 467.92.

**Road & Bridge:** Total Payroll, 60,721.53; Ameritas Life, retirement 8844.24; Federal With Holding, 6706.21; Garnishment, 391.21; Social Security, 12,268.44; American Family Life Assurance, insurance 392.60; Blue Cross/Blue Shield of Nebraska-health and dental insurance 32728.96; Colonial Life and Accident, insurance 18.00; First Concord Benefits Group-cafeteria plan fees & contributions 262.50; Madison National Life, insurance 215.89; Mid-American Benefits-buy down deductible 110.00; State Tax, 2416.46; Washington National Life, insurance 133.40; VSP-NACO Vision Insurance, eye insurance 180.61.

**Juvenile Diversion:** Total Payroll, 140.89; Ameritas Life, retirement 20.08; Federal Withholding, 11.76; State Tax, 4.16; Social Security, 27.32.

Ed Schindler /s/9-13-2016

Jerald Schwager /s/9-13-2016

Neil Williby /s/ 9-13-2016

Pledge Collateral: Pledge Collateral is at \$510,000.00. \$250,000.00 in FDIC insured and \$260,000.00 in pledged funds.

Correspondence was reviewed: Letter from Larry L Cerney regarding NIRMA Board of Directors; letter from JEO regarding one-year warranty letter on the Oakdale South Culvert; State of Nebraska Annual Traffic Crash Facts; Union

Bank and Trust AMH Bond Report. Pam Bourne's will present to Antelope County Officials on Thursday, October 20<sup>th</sup>, 2016.

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

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

Sheriff August fee report was reviewed and put on file.

Clerk of the District Court Miscellaneous Fee Report for August was reviewed and put on file.

Receipt: Interfund transfer from General – Diversion, \$15.41.

Liz Doerr, Antelope County Zoning Administrator, met with the Supervisors regarding discussion of GEO Comm Services. This service would help with the coordination of E911 Address. The contract is about to expire, and they have offered their services to help with the coordination of the addresses and making sure they get shared with the proper channels. This will be a future topic for consideration, she will further research. Today, she will start preliminary site checks for Upstream Wind Energy. Planning Commission is meeting Tuesday, September 20. The agenda covers a wide variety of topics, including wind turbines, livestock feedlots, and solar energy. Keith Marvin will be in attendance.

2016 Inventories were presented for review. Motion by Supervisor Henery, seconded by Supervisor Williby to accept the 2016 Antelope County Inventories. Voting aye: Henery, Williby, Bolling, Koinzan, Kerkman, Schindler and Schwager. Nays none. Motion carried.

County constituent, Richard Stelling met with the Board of Supervisors regarding the currently Antelope County Law Enforcement Facility. He asked various questions to the board, that were answered by Sheriff Robert Moore. Mr. Moore reiterated the facility was not intended to make money, currently it is housing 19 inmates. The contract fee for inmates from other counties is \$40.00, which is an approximate \$30.00 gain for the county. (As meals currently cost approximately \$10.00 a day per inmate.) Because the extra beds were taken off of the original plans, the facility does not "make" revenue. Inmates from the state would pay approximately \$67.50 a day.

Casey Dittrich met with the supervisors for his regular meeting report. Discussion on the Backhoe, currently for sale from Titan Machinery. Gary Groteluschen with Titan was not able to get the Backhoe here from Colorado, as such we were not able to inspect equipment. In the meantime, West-Hodson Lumber in northern Antelope County has a backhoe which is the same year with approximately 450 more hours than the machine Titan has in Colorado. Mr. Dittrich stated this machine would be bought locally (Antelope County), we would not have a delivery fee (as Mr. Groteluschen proposed last week) and it would be available today if needed. The price is \$56,000.00 which is comparable to the previous equipment and we know the history on the local machine. Motion by Supervisor Henery, seconded by Supervisor Schindler to purchase the backhoe from West-Hodson for \$56,000.00. Voting aye: Henery, Schindler, Koinzan, Kerkman, Bolling and Schwager. Nays none. Williby out of room for vote. (9:26-9:28 AM Williby out of meeting for phone call.) Motion passed.

#### Budget Public Hearing

JERRY SCHWAGER: "It is 9:34. and I will state that the Open Meetings poster is on the east wall, and there are additional copies in the clerk's office. I will take roll call. Bolling, Koinzan, Kerkman, Schindler, Williby, Henery, and I am her. (All respond: Here.) The reason is to discuss budget. Is there any discussion from the board on the budget have you looked at it or? Any questions? (12 seconds) Any questions? Does the public have any comments? Go ahead." ALAN BENTLEY:

"Alan Bentley. Speaking on behalf of all tax payers. But, I have some questions when you guys are looking through this budget, and some of the mistakes that have been made. Um, I don't know if... who made mistakes from the past, but we are looking at taxes. I think I looked and mine us up 497% in eight (8) years. Some of these issues you guys deal with on a daily basis including wages, um I would like to ask everybody here on this board, if there is a conflict of interest. You know if you are working for the county I questions whether you should be partaking in part of the issues dealing with the pay increases. As you are almost giving yourself a pay increase. That is my thought, I don't know if that is improper or not. But I would like you guys to at least ask yourself that if it looks improper. According to the paper last week or the week before; just our payroll in the county has gone up twenty-five percent in two (2) years. Some of these mistakes that were made and I don't know who did that, I don't think I even did find out you know with the issues. I really would like you guys to look at finding ways to save us money from the other parts of the budget to pay for those. Which the money we owe. But, I would really like you guys to look at some of this in detail. Especially for us taxpayers – that are kind of – we at least feel we are truly at our wits end on some of this. That's kind of all I have." JERRY SCHWAGER: "Thank you." LISA PAYNE: "What errors?" JERRY SCHWAGER: "What is that?" LISA PAYNE: "What errors are we talking about?" JERRY SCHWAGER: "I don't know. He didn't give us any. What errors are you talking about Alan?" ALAN BENTLEY: "The error that we have to make up in the budget with jail funding. Not saying- how we funded it, or whatever that account of increase in the levy." LISA PAYNE: "I am going to own that error straight out. But whether we paid it last year with two cents or one cent last year and three cents this year. It all has to be paid. It was an error. It was an oversight on my part, new to the budget and so forth. But it is not necessarily an error, like one taxpayer said to me, so I got to keep my money for an extra year, I said, oh that is a good way to look at it." GREG KOINZAN: "I think Lisa... I think you are seeing some true leadership here. And I am going to be the first one to commend Lisa. Because she told me exactly when this came up- and she has owned it every step of the way, Alan. And I couldn't agree more with her- it is not a mistake, because there is no harm, no foul. I mean it is just right back to basketball. No harm, no foul. I don't feel it was a mistake. It was an accounting error. But, I don't think anyone needs to hold Lisa accountable, because there was no mistake- there was no harm done. Instead of paying it last year you are going to pay it this year. It is that simple. I have to commend her, because that is what true leadership is. Standing up and saying this is what happened. I am sure it was not easy." CHARLIE HENERY: "And you have to understand that next year it will be back to where it was." GREG KOINZAN: "Right." CHARLIE HENERY: "We have to take this correction year of having three cents, instead of the two cents." GREG KOINZAN: "Right." CHARLIE HENERY: "Next year we will go back to the two cents." JERRY SCHWAGER: "You will go back to the two cents?" CHARLIE HENERY: "We go back to the two cents. And like Lisa said it's the fact that we kept our money, our one cent for a year and now we are having to pay it... I feel the same way Greg does, Lisa does a good job and it is just one of those things that..." LISA PAYNE: "I feel bad- I honestly feel horrible." JERRY SCHWAGER: "I just don't think some people quite understand it." LISA PAYNE: "I didn't understand it. Or I wouldn't." JERRY SCHWAGER: "Well, I mean your budget." GREG KOINZAN: "And the board didn't understand it either. And if that... Any mistake that happens is ultimately the Board's responsibility. That is why it says Supervisor. We are Supervisors. Anything that happens underneath us, we are in some aspects responsible for. The clerk does not do the budget; the Supervisors do the budget. And it's important that the Supervisors understand the budget. And I will be honest with you- I understand it better this year than I did last year." JERRY SCHWAGER: "But some people, Greg, thought maybe it was going to be another one (1) percent over the rest of the bond- but it is not." CHARLIE HENERY: "No, it is a correction year this year at the three (3) cents. Next year it will be back at two (2) cents." JERRY SCHWAGER: "Any other public comments or questions right now? Any supervisors want to ask any questions?" GREG KOINZAN: "Are we going to address the other comment made here?" JERRY SCHWAGER: "Which one is it?" GREG KOINZAN: "I think he was referring to Eddie, I do not know that." ALAN BENTLEY: "And Eddie, I like you. You know." EDDIE SCHINDLER: "Well it doesn't bother me." GREG KOINZAN: "Right, but I think it was addressed we need to go over it." ALAN BENTLEY: "It was questioned last month with Eli Jacob gets on here how you guys are going to handle that issue with him." JERRY SCHWAGER: "Well, he won't be able to vote on wages or anything like that if he stays as a worker." ALAN BENTLEY: "What I am saying..." EDDIE SCHINDLER: "You vote on claims that pay you." JERRY SCHWAGER: "Yeah, yeah." EDDIE SCHINDLER: "But it doesn't say, don't bother me." GREG KOINZAN: "Yeah I don't know there." JERRY SCHWAGER: "Joe you got anything to comment on that part?" JOE ABLER: "As far as what Eddie..." JERRY SCHWAGER: "As Eddie working for custodian and being a supervisor, and when we talk about wages/raises and stuff like that. Will he be able to vote on anything like that? If Eli gets to be a road employee and a commissioner- he is not going to be able to vote on any wages in the county that I know of." JOE ABLER: "No, no. I would think that he would not be able to vote, at least for his own wages and everything else." JERRY SCHWAGER: "And as for Eddie, his wife working here- he shouldn't vote on that either." JOE ABLER: "No, we should probably actually... I was not around when Eddie and Marlene started and

everything. It is a similar thing when Bob wanted to hire his son, he had to come and ask.” JERRY SCHWAGER: “That is correct.” JOE ABLER: “The thing is though- to make everything proper so there are no improprieties or even the appearance of improprieties. Eddie should not be approving claims for Marlene’s payroll, or even his own payroll- and stuff like that. I think he have been doing that- have we not?” JERRY SCHWAGER: “Yeah, I think we have.” CHARLIE HENERY: “I have ever since I have been on here- I’ve been approving of...” EDDIE SCHINDLER: “We approve our own claims.” JOE ABLER: “You don’t sign your own paycheck? You don’t approve your own payroll claim.” EDDIE SCHINDLER: “Yes, yes, yeah!” CHARLIE HENERY: “No.” JERRY SCHWAGER: “No.” CHARLIE HENERY: “No, I hand it to somebody else. But still I am approving it when I say yes.” NEIL WILLIBY: “You vote for it when you say do you accept the claim motion.” JERRY SCHWAGER: “When you make the final vote- he does actually approve it.” MERLIN BOLLING: “They are all in one claim.” JOE ABLER: “You are all the board. You to do it approve.” JERRY SCHWAGER: “That is correct.” JOE ABLER: “What I am saying is Eddie is not signing his own paycheck. Eddie is not signing his own budget--- saying hey, the custodian budget is this and I am going to raise it to this, and give myself a \$5,000 raise. That is not happening.” JERRY SCHWAGER: “No.” CHARLIE HENERY: “No.” JOE ABLER: “Is that kind of what you were commenting on Mr. Bentley- I guess I didn’t the- I didn’t get the...” ALAN BENTLEY: “Well, I am just kind of correlating it to what you guys talked about with Eli Jacob. With that conversation on his transition to him being a supervisor and continue the road. And if I remember right, there was. and I agree just the appearance- I do not want the appearance of improprieties. And if there could be any questions down the road. I find it interesting- that you voted for your own wage increases dealing with not only the 3½ percent pay increase- but the 6½ or whatever for the healthcare service. I mean there is some of that there. I just thought- maybe you would know the answer. I don’t. I just thought.” JOE ABLER: “Well, certainly right now I do not know the exact answer. But what I am saying is that the board has been doing a good job of basically- not doing exactly that. We do not have people giving themselves raises. Just like my salary, when I was elected four years ago it was already set. I mean there is no negotiating, it is already set. (Indistinct) I think the board is doing a good job... in basically not doing that. I was not here the last meeting... I do not know what they even discussed as far as Eli- becoming a commissioner. But certainly, I would advise he cannot- if he is going to stay working on the road fulltime, certainly he cannot be involved in discussion/motions.” CHARLIE HENERY: “We had a conference call with Pam on that.” JOE ABLER: “Did you? Ok.” JERRY SCHWAGER: “Yes.” CHARLIE HENERY: “Yes.” CASEY DITTRICH: “She put all the responsibility on him.” CHARLIE HENERY: “He has got all of the responsibility of basically on the disclosure to the state. On the...everything.” NEIL WILLIBY: “He has got to remove himself from voting for road worker wagers- because it concerns him.” JERRY SCHWAGER: “There will be other certain things he won’t be able to vote on ... like a maintainer machine for his area- he won’t be able to vote on that.” JOE ABLER: “And that’s a possible conflict.” JERRY SCHWAGER: “That is correct. And I think Pam gave a good perspective on that part.” CHARLIE HENERY: “I guess the other thing is, you know and I understand what Alan is saying about Ed. You know- doing the double thing here. I guess the other thing I look at too, if we give the employees an increase, it wasn’t like Ed’s vote was hinging that. If I remember right, we all voted on it- and it was all ‘yes’ votes. I mean if it comes down to Ed making the decision on, and I don’t know if it was morally or legally. You see what I am saying is- Ed voted yes- just like I did; and everybody else on the board.” GREG KOINZAN: “We haven’t voted yet... We are going to vote shortly.” CHARLIE HENERY: “Well, I am talking in the past. And it is not like it was a hinging vote to give himself a raise.” EDDIE SCHINDLER: “I am not included in the road votes anyway.” CHARLIE HENERY: “You are not, are you, it’s janitorial.” EDDIE SCHINDLER: “No.” NEIL WILLIBY: “It’s janitorial.” CHARLIE HENERY: “It’s a separate deal. Yeah that’s right too Ed.” JERRY SCHWAGER: “What’s that? Yeah just a minute. You’ve got a question go ahead.” BARTON KOINZAN: “You kind of answered my question, Bart Koinzan here. But you have already contacted NIRMA about this, how it works, who can vote. It has already been done- I mean you’ve got the stuff- you done that quite a while ago.” JERRY SCHWAGER: “She explained to us, and what we got to do and Eli has been told, I think Casey has talked to him.” BARTON KOINZAN: “Eli or anybody else who works for the county- it is not just Eli or the Road Department, right.” JERRY SCHWAGER: “Yeah. You are right. That is correct. You are correct.” GREG KOINZAN: “I mean I think the real other point that we haven’t talked about here is there has been some real leadership here with LeRoy. When it got right down to it about the Wind Energy, LeRoy probably could have voted, if he felt comfortable voting. He chose not to. He stood up at the public hearing and said I choose not to. I do not want it to look like it was impropriety- or like we were doing something wrong- so he chose not to. I guess I would like to commend him for that.” CHARLIE HENERY: “And I think we should all follow his (lead).” GREG KOINZAN: “It was a board member discussion.” LEROY KERKMAN: “I felt it was a conflict of interest.” JERRY SCHWAGER: “Let’s go on then. Ok, I will open this portion up to the public hearing. Anybody can make comment.” LISA PAYNE: “Do you want to discuss this one percent thing?” JERRY SCHWAGER: “Discussion on the one percent restricted fund increase. Go ahead, you want to make a comment on that or...” LISA PAYNE: “We are allowed to increase the budget by 2½ percent by statute. And with a majority vote- 75%

if the board voting favorably we can increase that by 1% that is the allowable growth. That has to be included as part of the motion and/or the resolution is we want to increase by three and a half percent.” GREG KOINZAN: “That has to be a two-thirds vote?” LISA PAYNE: “It is 75%. Three-fourths.” JERRY SCHWAGER: “Does anybody got any discussion on that or anything. This is what we usually did before.” CHARLIE HENERY: “Basically, if we vote on the budget as is on the paper, we will be including that three and a half percent.” JERRY SCHWAGER: “Yes, but you want to state that in your motion.” LISA PAYNE: “Yep, that is not in addition to anything else.” MERLIN BOLLING: “Is there any places on this budget we can cut? Wages? Whatever? Is there any pay increases in there?” LISA PAYNE: “Yes, there is pay increases in there. Correct.” JERRY SCHWAGER: “If you got a question, or where you want to cut. Which ones you want to cut- I mean it is all here.” MERLIN BOLLING: “I don’t know; I guess I feel the road employees... they are making the same amount of money they were when they were working 45 hours- then they are still getting their OT. When there was overtime to be got. Insurance has gone up. Like LeRoy said... it has been talked about to cutting the insurance too single. I think if we do that, we are going to have people quit. Like I said on the other hand they want to see relief. There is absolutely no money to be made no place this year. Nothing, we are going to go the other way.” LEROY KERKMAN: “Madison County just this last year they did some stuff with their health insurance and so forth. They did go to single insurance and some of the employees had to pay for it. Because like this last year it went up by six and a half percent increase. You know next year if this thing happens to be 10-15 percent. That is going to be hard for anybody to swallow.” JERRY SCHWAGER: “That is kind of what I’ve been reading.” NEIL WILLIBY: “I am wondering if we are going to have to look at a higher deductible. Maybe the county will have to save money on the premium. It is an option to look at. See if there is something out there.” LEROY KERKMAN: “That is possible.” JERRY SCHWAGER: “This is all set till July.” LISA PAYNE: “You can change- if it’s...” GREG KOINZAN: “I think there is some common sense solutions here- and Lisa- brought one forward the other night.” JERRY SCHWAGER: “Go ahead Greg; we didn’t hear what you said.” GREG KOINZAN: “Well, I am probably going to be in trouble here with Lisa- but I am going to say it anyway. We had a budget meeting here the other night, and Lisa told me off the record- that it may be possible that her and Joe- actually share an employee. Joe needs some more part-time help. Maybe they could do a little cooping here. I ran it by Joe today, and he was at least agreeable to talk to Lisa about that. Now, I am going to praise Lisa once again because that is real leadership. Because she understood that I meant business when I said no one is making it out there- and we got to find ways to get along here. And she brought that up. So I asked Joe- and Joe was agreeable to at least sit down and talked about it. And I think there is some common sense solutions here. I don’t know how to do both of your budgets- and I think this is a terrible time to do it- at the last day. But, the fact that two elected officials are at least willing to talk about cooping an employee is huge strides. I wish we could get everyone to sit down at the table here- because there are some common sense solutions we could do here. But if you guys... Everyone knows where I stand. I said what I thought we should do last month, or last meeting. Now it is time to vote, or work on it.” EDDIE SCHINDLER: “Keep in mind- we had 3 employees quit in the last month.” MERLIN BOLLING: “Yeah, and you take the insurance away you are going to have more of them.” GREG KOINZAN: “I agree with that Merlin- I think we can leave pay alone.” EDDIE SCHINDLER: “Three young employees.” CHARLIE HENERY: “Yeah. But I think there are things, like Neil said, that can be done as far as maybe raising the deductible and doing our pool thing different on our deductible. There are, like Greg said, some common sense things that we can do there. Just like if they are sharing an employee- these two (2) people- it’s in that budget- and they don’t use- each have another fulltime person, then that will come back into our budget for next year- so we don’t have to ask for next year, it will even itself out by not changing it.” GREG KOINZAN: “I know last meeting; I am probably going to get in trouble with Neil. The Road Department has been excellent- done a great job about this. Casey asked Neil last meeting is someone retired if someone retired if we couldn’t just hire part time for a while until we figured out whether we needed to replace a fulltime employee. Neil was all about yeah let’s try the part time. Let’s let Casey do his job. I mean. There has been people making strides, I mean there is real progress going on here. I would like to see it continue. I think it is my job to point out when someone is doing a good job, and someone is doing a bad job. I just decided three (3) elected officials that are doing an excellent job in my opinion trying to work to help those taxpayers I think most people would agree are in distress right now. And Merlin I couldn’t agree more with you, if we cut somebody’s benefits it is going to be a problem. But I think we may be able to leave their wages the same and raise their benefits because there is no getting around the insurance costs are going up. Plus, we have the best retirement plan.” NEIL WILLIBY: “I agree there. Like I said earlier you take the health away that would be the curtain.” GREG KOINZAN: “And I am not saying that at some point that has to happen. It probably doesn’t happen- it appears to me that some people are making a very good faith effort to work on this budget- and I just wish everyone would do the same thing.” EDDIE SCHINDLER: “I think we have got plenty of employees in the county road department.” CHARLIE HENERY: “I’ve got one.” EDDIE SCHINDLER: “Yeah, well.” CHARLIE HENERY: “That isn’t a good week to tell me that we got plenty,

because I got one that is out there working a windrow on Sunday by himself, Ed.” EDDIE SCHINDLER: “I had two (2) road employees. One retired and I dropped down to one. And I had a Supervisor tell me you are going to regret it. Well, I probably have, but we still got by. And I dropped down to one employee.” GREG KOINZAN: “And hiring Cornett part time has been a Godsend for you Eddie, and it is a good business decision for the county.” EDDIE SCHINDLER: “Yes, and we are getting by just fine.” And we don’t have the fulltime employee and benefits/insurance. It needs to be done more across the county.” JERRY SCHWAGER: “Ok, let’s go one. Dean, you had a question.” DEAN SMITH: “I don’t want to interrupt. You already had to public comments session.” JERRY SCHWAGER: “Yeah, you can go ahead and make a comment.” DEAN SMITH: “And I want to preface this before I say this- so everybody understands. I don’t understand the policies at all. But I would like to see the supervisors to designate two (2) or three (3) of you to research this for next year. By no means do I want to take away the bottom line- I want it to be apples to apples for the employees. But I have been told by two (2) different insurance agents- that is the county self-insures the health insurance there is quite a savings. The numbers I have heard out of Knox County- and they have been on a self-insured policy for several years. I don’t want to repeat it- because I haven’t got it factual- but it is a big number. But I want it to be understood. I am not wanting to- my intent would not be to take away. I want at the end of the year the employee would still realize the same kind of benefit from his health insurance. But if there is substantial savings, by self-insuring. Possibly it is a little more work for the Supervisors and clerk- that I do not know. And I don’t know anything; I do not know how it works. But they say that the people that have over 20 to 30 employees it is almost the only way to go for now. Is this self-insuring. That- the one thing I would like to see then if that savings- I do not know how dramatic it would be- but if there is a savings done that way- then that would be able to go back into employee salaries, possibly. If the economy is so that the levy can stay the same, you know if you are going to request the same amount of money. That is all the decision it would need. I think it needs to be looked at very open mindedly. I know of, besides Knox County, I know of one other private business that on that.” CHARLIE HENERY: “Can I ask you, do you know how they do that. Do they have a firm administrator then?” DEAN SMITH: “Yes, I believe there is. There has got to be some.” CHARLIE HENERY: “Because I do not know how we would administrate...?” DEAN SMITH: “Yes. There has got to be some.” LIZ DOERR: “I think Jeff Hammer in Creighton takes care of it.” CHARLIE HENERY: “They pay him to administrate their money to. Like if Neil goes to the doctor they take care of the claim thing, or does the clerk take care of it?” DEAN SMITH: “There is still some insurance bought. I’m sure they buy an insurance policy.” NEIL WILLIBY: “Like kind of a supplement card.” CHARLIE HENERY: “Your prescriptions and stuff like that.” NEIL WILLIBY: “I believe they issue a card. And I believe the county administrates something.” LIZ DOERR: “Yeah, I am not on the health insurance. But...” JERRY SCHWAGER: “I think you have to buy another policy- to insure yourself.” MERLIN BOLLING: “I think you have a real high deductible.” JERRY SCHWAGER: “A high deductible policy, because you just had one cancer policy. One heart attack and me one cancer would/could wipe you out.” MERLIN BOLLING: “And you have to have so much money sitting in your pool.” JERRY SCHWAGER: “We talked about this quite a few years ago.” MERLIN BOLLING: “Yeah, and then we talked about this several years ago and our employees were all up in there 60’s. Where they were having to go to the doctor all the time. It wasn’t beneficial for us to go down.” JERRY SCHWAGER: “We wouldn’t have that money available.” CHARLIE HENERY: “But it is something we should look into next year and see I mean I think it would be something that...” NEIL WILLIBY: “Well you’ve got to look across the whole county. As all the county employees. I mean let’s face it... the road workers- their average age is higher than it would be in the county offices.” CHARLIE HENERY: “Because they got some newer girls- some younger people in these offices here.” JERRY SCHWAGER: “I guess that is something we need to look into, again. We did quite a few years ago. But, we didn’t think the fees were for as much stuff as we were going through.” LEROY KERKMAN: “When we went through this last week this budget, you know one point one percent over and above you know what we had last year. Like you say the Jail Bond we had to make up. And the 1.1% is what probably \$275,000.00?” GREG KOINZAN: “That is about right.” LEROY KERKMAN: “That’s what we can...” GREG KOINZAN: “We are right down to the short rows, LeRoy. And I am not one of these person that just wants to get the short rows all the time. But at the same time, what we are doing is not sustainable. And with that combination, there is no return for farmers, ranchers and people who pay their property taxes. And my heart bleeds for them.” MERLIN BOLLING: “And they can’t get a good road to drive on.” GREG KOINZAN: “They cannot even get a good road to drive on. And Merlin said it the best. They are going down the ladder- instead of up this year.” CHARLIE HENERY: “But that is one of the reasons that the budget had gotten raised. Because we have made a pledge to have him make better roads for the farmers.” GREG KOINZAN: “Right, and I...” CHARLIE HENERY: “And if we want to take some out of there and leave the roads the same- I do not think that is what they want either.” GREG KOINZAN: “Right and I understand.” CHARLIE HENERY: “And that is one of the biggest jumps in there is to do work on the roads.” JERRY SCHWAGER: “Yeah, the road and bridge is the biggest jump.” CASEY DITTRICH: “I am willing to hash one of the columns if you want. In the corner I have my paper

work. But, I planned on doing that since day one. I told Lisa that the day we went through the budget.” GREG KOINZAN: “I don’t think that is what the people want.” CASEY DITTRICH: “They want their roads right.” CHARLIE HENERY: “So then we got to increase the budget to do it. It is like you want something- but you don’t want to pay for it. And that’s how I am. I am the same thing. I want to buy something- but don’t want to pay.” GREG KOINZAN: “We can all agree on basic facts. Number one is two cents of the increase is because of elimination of the townships into commissioner. It is pay now, or pay me later. Number two is with the jail bond- which is- I don’t know what you call- we have talked about it until I am tired of talking about it. Number three the increase that we all agree on is that we need to spend more money on the roads. I think the people of Antelope County even can agree on that. The part where I disagree is I don’t agree with a pay raise and a benefit increase. And what that is the only part I do not agree with. Now, I am only one vote on this board- and we talked about it a lot. And that’s it.” CHARLIE HENERY: “Do we really have a benefit raise?” JERRY SCHWAGER: “Well, I think Casey is going down the right road with the roads. Because if we don’t put in kind of what he has got there- we are not going to have the roads- and I understand that is what people want.” GREG KOINZAN: “And I think we have them prioritized correctly.” JERRY SCHWAGER: “To get them fixed we got to have a little more money to fix them.” GREG KOINZAN: “Yes, I think we are in total agreement on that.” LISA PAYNE: “I know that is not going to fix this year’s budget, but I will put a promise to you as supervisors and to the tax payers to look at different insurance avenues. I don’t know what is out there. Maybe NACO has a plan that we can look at that is going to save us some money.” CHARLIE HENERY: “That we could do a self-insurance through them.” LISA PAYNE: “Right. We would still have the NACO name or NACO group behind us.” MERLIN BOLLING: “We have tried that with different insurance companies- and it backfired every time.” GREG KOINZAN: “It is a lot easier to control spending, than it is will be to control the benefits.” JERRY SCHWAGER: “We have already dealt with a couple of insurance companies- and it just costs us money.” GREG KOINZAN: “It is going to be a lot easier to control spending- than it is to deal with the benefits package. When you start dealing with benefits it is going to get really tough. And there is a lot of emotion involved there. And that is a lot of the reasons- I have said this many times- there are overqualified people working for the county- strictly because of the benefits package. When I looked at the payroll- I look on it as a combined total. That is why I don’t agree with the increase in wages plus increase in benefits. Also we are paying more retirement when you give someone an hourly increase in their wages- we are subsidizing their retirement too. So it gets you about three different times.” CASEY DITTRICH: “Well, before the Road Department takes a black eye for the budget increases. The Road budget increase is 1.3 or 1.4 mill \$400,000 of that is the township tax which is an increase, but it is not an increase to the road budget in tax asking dollars which is what everyone in this room is going to ask about. \$800,000 of that is coming out of our inheritance tax fund. Which has already been paid in, which is a disservice to not spend it. We have said that. It does not cost anyone another cent anywhere to use that money. \$300,000- I used as a balance from Regina in what the townships already have in their account between the Treasurer’s Office tax disbursements that will come out to them in what they have in their checking account. And \$300,000 of that is Invenergy’s check they gave us for improvement which is in my budget, but it is not tax asking dollars. That is over 1.8 million dollars. So the Road Department has asked for \$4-500,000 less of tax asking dollars. So before the shiner gets put on them I just want to explain that those numbers. I know we have gone through them- but we haven’t really grouped them together. So the tax increase is not going to the Road Department. We are just using dollars from other places. \$150,000 is the Federal Buyback Funds that is also in there. So the Road Department is reaching out to other avenues other than tax asking dollars. I just want to make sure that everyone realizes we are not raising taxes because the Road Department is trying to work. We are just using money from other places.” GREG KOINZAN: “And the equipment purchases are real similar to the jail bond. We are playing catch up right now for the fact that it should have been done a long time ago. Merlin says it repeatedly. It is a disservice if you don’t fix peoples roads. If you don’t spend your budget, if you don’t fix these peoples roads, if you don’t give them services. Because then all of a sudden you are playing catch up. The county business is different than a farm business because we have a steady form of income. We know what our proceeds are going to be every year. We control that. The farmer cannot control the price of grain or livestock. That is why, the county needs to be... I think it is a big deal of hiring Casey and getting this equipment that we purchase so many dollars every year. Instead of at the end of 20 years we’ve got 10 wore out trucks. You know we need to... I think the Board made huge strides in updating their equipment. But it is expensive to do it.” JERRY SCHWAGER: “I am going to open it up to the public- at a... we need more public comments. If you have any comments or questions... anybody... supervisors? Do I close it?” LISA PAYNE: “I think you need to state that you are increasing the tax asking from last year with the current budget. State that during the open hearing.” JERRY SCHWAGER: “You go ahead and give that, if you want to.” LISA PAYNE: “Basically, part of the public hearing today was the budget hearing and also we need to change the tax asking as you are all aware from last year’s tax asking to this year’s tax asking. And basically as compared and as we talked last week last year’s tax asking



was .143279 cents this year we are raising it to .194738 cents. With the jail bond, that will probably go down a cent next year.” CHARLIE HENERY: “No, it will go down.” JERRY SCHWAGER: It won’t be that extra 1 cent. LISA PAYNE: “I am not making that promise. That is your deal to promise. I promised to look into insurance/benefits packages. I am informing the public the tax asking will go up as compared to last year. It will change from last year.” JERRY SCHWAGER: “Anybody got any questions? ... I don’t have any. Now I just need to close the public hearing. What time is it? 10:08 we are going to close public hearing. I need a motion to it and second.” LEROY KERKMAN: “So moved to close public hearing- and back to regular meeting.” GREG KOINZAN: “I’ll second.” JERRY SCHWAGER: “I got a motion and second to close the public hearing. Kerkman? I will take roll call. Bolling? Koinzan? Williby? Henery? Schindler? And I will vote yes. (All respond yes.) And, we need to go back to regular meeting. OK. We can go to the regular meeting. I need a motion to go ahead and accept the budget as is. And, if anybody has any comments you can make them if you want to. (34:42) OK, I don’t have any so, what do you guys want to do? LEROY KERKMAN: I am going to make a motion that we accept this budget as is, because the insurance was all decided earlier. And I don’t know whether there was a lot of wage increase in this budget for the employees. The road employees never got an increase. JERRY SCHWAGER: There was some increase in the offices and stuff like that. CHARLIE HENERY: I will second that motion. (35:08) But, I want to make a comment that we are moving up 5 cents. And if you take in account the 2 cents for townships, and the one cent increase in the error: that’s three cents; so we are actually moving 2 and a half cents. JERRY SCHWAGER: Yeah, but that error will be brought back. GREG KOINZAN: It is really two, two, and one. CHARLIE HENERY: OK. So we are looking four off of five. So we are not making, if you put it that direction, we are not making that big of an increase. I understand it is still an increase, I still pay taxes on the increase. But what I am saying is if you take that into perspective. GREG KOINZAN: Yeah it is really two, two and one. CHARLIE HENERY: Yeah. EDDIE SCHINDLER: I’ll tell you, I was on this board one time and we had a real increase, and we paid for it for 10 years. JERRY SCHWAGER: Wait a minute, Joe has got a comment. (36:00) JOE ABLER: Does it have to be in your motion that they are increasing the – to exceed the 2 and a half percent? SUPERVISORS: Yes, Yeah. JERRY SCHWAGER: Yes, it does. JOE ALBER: So it has to be in your motion before you put it to vote. LISA PAYNE: Ok, so what you are telling me is that I need 3 different motions, correct? JERRY SCHWAGER: No, just go on. JOE ABLER: Actually you need one to have a motion to accept the budget as it is now, and with the motion we are exceeding the 2 and a half-percent increase and by voting and, well... LISA PAYNE: I think it should be separate motions on the one percent increase. JERRY SCHWAGER: We have never done that before. LISA PAYNE: Yes you have. It is published as two separate public hearings. JERRY SCHWAGER: OK, alright, we can do that. JOE ABLER: The reason I say that is if they are accepting the budget as is, they are going to have to do that. LISA PAYNE: Right. And it probably should be made in that order. You are exactly right. It probably should be made by the one percent. Then accept the budget. Then to increase the tax asking from last year. JOE ABLER: Just as long as you have the voting on the motions, is why I wanted to make sure you had it in the motion. LEROY KERKMAN: Put that all in that motion, and read it to back to me. LISA PAYNE: Ok, so basically, Mr. Kerkman made a motion to approve the budget, and to approve the one (1) percent increase.... You know what, no they all have to be different. Let’s make them all separate motions. Because I have to have 75% of the Board approval, to increase the 1% increase. And then we have to approve the budget. (37:42) Supervisors agree. CHARLIE HENERY: So the first motion is going to be to accept the budget? LISA PAYNE: Why don’t we rescind the motion, and make a new motion. JERRY SCHWAGER: Just go ahead and rescind the motion. LEROY KERKMAN: I don’t know if I recall all that?... JERRY SCHWAGER: Just say you want to rescind it. LEROY KERKMAN: I do rescind the motion. CHARLIE HENERY: I second his rescindment. JERRY SCHWAGER: Do I need to take roll call? LISA PAYNE: It wasn’t roll called. JERRY SCHWAGER: Go ahead and make a motion on that. LEROYKERKMAN: On what? LISA PAYNE: This is a sample of what other counties use. LEROY KERKMAN: I make a motion to increase the restricted funds by 1 percent. JERRY SCHWAGER: I need a second on that please. EDDIE SCHINDLER: I’ll second. JERRY SCHWAGER: I got a second. I will do roll call. Bolling? Koinzan? Kerkman? Schindler? Williby? Henery, and I will vote yes. (All respond “Yes”, except Koinzan) GREG KOINZAN: NO. LEROY KERKMAN: I make a motion to approve the budget as presented. JERRY SCHWAGER: I need a second. CHARLIE HENERY: I’ll second. JERRY SCHWAGER: I got a second. I will do roll call. Bolling? Koinzan? Kerkman? Schindler? Williby? Henery, and I will vote yes. (All respond “Yes”, except Koinzan) GREG KOINZAN: NO. LEROY KERKMAN: I make a motion to increase the tax asking from last year. And to increase the levy to .194738. To set the final tax dollar request. JERRY SCHWAGER: I need a second, please. CHARLIE HENERY: I’ll second. JERRY SCHWAGER: Charlie second that, do I have any questions? I will do roll call. Bolling? Koinzan? Kerkman? Schindler? Williby? Henery, and I will vote yes. (All respond “Yes”, except Koinzan) GREG KOINZAN: NO. JERRY SCHWAGER: I need a motion to go back to regular session. NEIL WILLIBY: I make a motion to go back to regular session. LEROY KERKMAN: I will second it. JERRY SCHWAGER: I will take roll call. Bolling? Koinzan? Kerkman? Schindler? Williby? Henery, and I will vote yes. (All respond “Yes.”) TIME: 10:15 AM

ANTELOPE COUNTY  
RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2016, to June 30, 2017, prepared by the budget making authority, was transmitted to the County Board on the 13<sup>th</sup> day of September, 2016.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska as follows:

SECTION 1. That the budget for the fiscal Year July 1, 2016 to June 30, 2017 as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Antelope County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2016, and ending June 30, 2015.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Dated and passed this 13<sup>th</sup> day of September, 2016.

/s/ Jerald Schwager

/s/ Charles F. Henery

/s/ Neil Williby

/s/ LeRoy Kerkman

/s/ Edmund Schindler

/s/ Merlin Bolling

/s/ Greg Koinzan

Attest: /s/ Lisa Payne, Antelope County Clerk

Motion by Supervisor Williby, seconded by Supervisor Kerkman to go back to regular meeting session. Voting aye: Williby, Kerkman, Koinzan, Bolling, Henery, Schindler and Schwager. Nays none. Motion carried.

Dean Smith met with the Supervisors regarding the Draft of the Road Agreement submitted by Invenergy for the Upstream Project. He shared a number of different articles, and requested the board be more diligent on the final phase of the road agreement. Emily Kobylarczyk, Invenergy requested the board not discuss this with a public entity as not all representation was available. Mr. Smith spoke on TerraForm Power and Sun Edison, and the financial stability of both. The Nameplate Capacity Tax paid by Invenergy which holds a 10% interest in Prairie Breeze I, while TerraForm Power holds the controlling 90% interest. (gave handouts) Sun Edison paid the tax and not the penalty. He compared the number of wind towers in all of Nebraska – and numbers in some counties. Treasurer Deb Branstiter confirmed the State has sent a payment. Mr. Smith reports however, Sun-Edison's check to the state has not cleared the bank. He is checking with the state on a daily basis. No further action.

Alan Bentley met with the Supervisors regarding a letter sent by Antelope County Assessor to rural Antelope County Homeowners inquiring about current household furnishings. He felt this letter was very confusing and wanted to make the Supervisors and the Public aware of this letter, and responding to the letter is purely voluntary. This letter requested land owners to update all furnishings in the rural homes. The reason for the letter is to verify information currently filed in the Assessor's Office is correct. No further action taken.

11:07 AM Motion by Supervisor Schindler, seconded by Supervisor Henery to go into executive session regarding pending litigation per the request of NIRMA Attorney, Pam Bourne. Voting aye: Kerkman, Schindler, Bolling, Koinzan, Henery, Williby and Schwager. Nays none. Motion carried. The seven supervisors were in attendance as was Joe Abler, Kelly Mueller, and Lisa Payne.

12:00 PM Motion was made by Supervisor Henery, seconded by Supervisor Schindler to go out of executive session. Voting aye: Schindler, Bolling, Williby, Koinzan, Kerkman, Henery and Schwager. Nays none. Motion carried.

Motion was made by Supervisor Henery, seconded by Supervisor Williby to agree to accept Settlement Agreement and General Release with the following Non-Admission Disclaimer, "This Agreement will not in any way be construed as an admission by the County of any wrongful or unlawful act or omission against Willers and/or Martinez or any other person. The County specifically disclaims any liability to, or wrongful or unlawful act or omission against, Willers and/or Martinez or any other person." And for Chairman to sign when

updated Agreement is received. Voting aye: Henery, Williby, Kerkman, Koinzan, Schindler and Schwager. Bolling nay. Motion carried.

Road Agreement and Decommissioning Plan for the Upstream Project was discussed. The Road Agreement was shared with the supervisors and county attorney last week so it can be reviewed and discussed. In the past the agreement has worked well. However, during the final leg work of the Prairie Breeze III project there was some outside contracting completed, and heavy equipment utilized by this contracted company damaged bridges in Antelope County. It is recommended that all "project" traffic utilize the road agreement in place. Thus keeping the road agreement active through the final phases. Warranty work, item # 22 in the draft of the road agreement was discussed. It is Antelope Counties intention to turn these projected roads over to Invenergy – and they will continue all maintenance, thus in turn being liable for damages.

The Decommissioning Plan was discussed. In Prairie Breeze I and II the decommissioning bond does not have to be in place until year 15. The Power Review Board recommends year 10 for the decommissioning bond to be in place. At this time, it is up to the Supervisor to decide, when, how much, etc. The board requested time to review, and asked the Decommissioning Plan be on the Agenda for October 4, 2016.

Emily Kobylarczyk, Invenergy met with the board regarding the Road Agreement and Decommissioning Plan. Both items need to be in place before construction begins, and Invenergy is very much interested in construction within the next month. Due diligence needs to be exercised in the next couple of weeks, so an agreement on both accounts can be made. Their plan is to have sites for 88 towers to be erected between October through December. And the rest of the construction to be completed in early 2017.

Invenergy is requesting the Road Agreement for Prairie Breeze III be released. Supervisor Koinzan, and Road Boss Casey Dittrich has reviewed the roads and has designated the roads are in good repair at this time. Motion was made by Supervisor Koinzan to accept resolution and release Prairie Breeze III road agreement. Motion was seconded by Supervisor Bolling. Voting aye: Koinzan, Bolling, Schindler, Williby, Henery and Schwager. Nays none. Kerkman abstained. Motion carried

ANTELOPE COUNTY  
RESOLUTION- ROAD RELEASE

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.

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

Bridges utilized for construction of the Wind Farm Facility and included in the road use 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 and passed this 13<sup>th</sup> day of September, 2016.

/s/ Jerald Schwager

/s/ LeRoy Kerkman

/s/ Greg Koinzan

Attest: /s/ Lisa Payne, Antelope County Clerk

/s/ Charles F. Henery

/s/ Edmund Schindler

/s/ Neil Williby

/s/ Merlin Bolling

**Road from to Status Miles - TOTAL 14**

526th Ave 839th Rd 840th Rd Ready to Accept 1  
837th Rd 530th Ave 529.5 Ave Ready to Accept 0.5  
841st Rd 529th Ave 528th Ave Ready to Accept 1  
524th Ave 839th Rd 839.5 Rd Ready to Accept 0.5  
525th Ave 840th Rd 841st Rd Ready to Accept 0.5  
525th Ave 840th Rd 841st Rd Ready to Accept 0.5  
527th Ave 837th Rd 838th Rd Ready to Accept 1  
528th Ave 841st Rd 841.5 Rd Ready to Accept 0.5  
529th Ave 837th Rd 837.5 Rd Ready to Accept 0.5  
530th Ave 836.5 Rd 837th Rd Ready to Accept 1  
532nd Ave 836.5 Rd 837th Rd Ready to Accept 0.5  
533rd Ave 837.5 Rd 838th Rd Ready to Accept 0.5  
837th Rd 529.5 Ave 529th Ave Ready to Accept 0.5  
838th Rd 527.5 Ave 527th Ave Ready to Accept 0.5  
838th Rd 528th Ave 527.5 Ave Ready to Accept 0.5  
838th Rd 530th Ave 529th Ave Ready to Accept 1  
838th Rd 533.5 Ave 533rd Ave Ready to Accept 0.5  
838th Rd 533rd Ave 532nd Ave Ready to Accept 1  
840.5 Rd 525th Ave 524th Ave Ready to Accept 1  
840th Rd 526th Ave 525th Ave Ready to Accept 1

Casey Dittrich reported the truck taken to Bar ZZ Truck Ranch is currently in pieces, and they are not sure if all of the pieces are there or not. Mr. Napton recently had his employee leave and now is missing parts and his employee is under investigation by local officers. Antelope County's truck was delivered there in July, and has not been repaired yet. On Wednesday, Casey and Eli Jacob retrieved the truck and pieces and delivered them to Ross' Repair in Neligh. Mr. Napton of ZZ Truck Ranch also delivered a truck for "parts". The county is in need of purchasing a semi-tractor and Casey was wondering what the Supervisors thoughts were on the current state on the semi. If the semi was repaired with the parts, would it be in good enough shape to be used by the county, would it be worth the repair bills. Discussion continued. Motion by Koinzan, seconded by Williby to advertise for two (2) used Semi-Tractors. Voting aye: Koinzan, Williby, Bolling, Kerkman, Schindler, Henery and Schwager. Nays none. Motion carried.

Motion by Koinzan, seconded by Schindler to purchase SidDumper trailer in the amount of \$47,500.00 from SidDumper. Voting aye: Koinzan, Schindler, Williby, Kerkman, Bolling and Schwager. Henery nay. Motion carried.

Road Boss, Casey Dittrich, presented two (2) claims. The first to ZZ Truck Ranch for repairs (never completed) on the Purple Semi. The second to Kevin Elwood for loads of dirt hauled for the Copenhagen Road shoulder project. The claims were presented without justification and is being denied until justification is available with claim.

Motion by Supervisor Henery, seconded by Supervisor Williby to pay claims as presented with the addition of the SidDumper (for SidDumper Trailer) \$47,500.00 and West Hodson (for excavator) \$56,000.00. The claims for ZZ Truck Ranch and Kevin Elwood, will not be paid. Voting aye: Henery, Williby, Koinzan, Bolling, Kerkman, Schindler, and Schwager. Nays none. Motion carried.

Casey Dittrich met with the Supervisors regarding a discussion of the Orchard Village Trustees. Orchard is looking at grinding an approximate four (4) blocks of cement street. They were wondering if Antelope County would be interested in grinding the cement, and owning the finished product. Discussion was favorable, more information will be gathered. This project will probably not happen before spring.

Discussion on Courtroom ceiling. Motion made by Supervisor Henery, seconded by Supervisor Williby to accept the bid from Kinnan Construction for repairing and replacing courtroom ceiling, and the bid from Flenniken Electric for replacing light fixtures in courtroom. Total bid is \$17,150.00. Cost is NOT to exceed that amount. Kinnan Constructions bid \$15,600.00 and Flenniken Electric \$1500.00. Voting aye: Henery, Williby, Koinzan, Kerkman, Bolling, Schindler and Schwager. Nays none. Motion carried.

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

Meeting adjourned at 1:14 PM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: \_\_\_\_\_  
Chairman of the Board, Jerald Schwager

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