

October 4, 2016  
Antelope County Board  
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular extra session on Tuesday, October 4, 2016 at 9:00 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, 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.

Correspondence was reviewed: Email and Reports from Larry Legg of Nebraska Department of Roads; Contigo Communications letter regarding 450-460 MHz Wireless License holder notification regarding tower by Sioux City; Miller & Associates Consulting and Engineering regarding Transportation Innovation Act (LB960); State of Nebraska Emergency Management Agency Monitoring memorandum; Blue Cross Blue Shield tele health flyer; Delinquent Taxes from Treasurer; Livestock Friendly County Presentation date October 13, 2016 @ Thiele Dairy; Farmers Pride letter introducing new Energy Specialist; October 2016 NIRMA Safety Shorts; NDOR Past Due Bridge Inspection Reminder & Quarterly Bridge Inspection Reminder; Department of Health and Human Services letter denying payment for State office space. Other correspondence: Thank you from Faythe Petersen; JSMM Farms LLC DEQ letter General Permit for Operations Confining Cattle; Blue Cross/Blue Shield Access Health Care 24/7; Chris VanEgmond TERC Filing Letter 2016 Valuation; Great Plain Communications brochure regarding potential Fiber Optic phone line placement in area, Nebraska Pipeline Meetings.

Receipts: \$88.36 refund of check issued to wrong vendor (William Kruger-Aaron Kruger); \$9000.00 NIRMA check litigation payment; \$425.00 Billboard lease on Highway 275; \$178.50 Madison County Juvenile reimbursement; \$12.50 ½ reimbursement for one not attending NE NACO meeting; and intra-fund transfers General – Road and Bridge \$400,000.00 and General – Juvenile Diversion \$25.71.

NPERS/NACO information share agreement was discussed. Motion is needed. We will add to next week's meeting.

Brian McDonald met with the board regarding Schuhardts Corner. Currently, Antelope County has one section corner and is in need of obtaining the other three (3) corners. The will be needing dirt to fill in. Novak's have agreed to some dirt, in exchange for cleaning up the ditches in the area and access to the property.

Brian also mentioned the Bridge Inspections and he is willing to complete this as in the past. He thought the fees were the same as last year. However, he will be getting back to us with the fee amounts.

Brian McDonald discussed the federal funding/matching grants. The match is a 40/50 grant. Brian thought of Bridge #14705 which is a three (3) ton bridge in Eddies district; north of Orchard on Holt County Line we could eliminate structure and close road. It is a minimum maintenance road. These funds are up to \$150,000.00 being matched by the state. The 3 bridge structures damaged last spring. Site 3 is needing approximately 1350 yards of dirt. A & R is contracted to start this project at the end of November. Supervisor Bolling asked about the singing bridge by Clearwater. No action.

Board of Equalization met from 9:41 AM to 9:50 AM

Liz Doerr, Antelope County Zoning Administrator, met with the Supervisors to present her meeting report. Liz presented her monthly permit report. The current report shows a penalty for Grothe. Mr. Rand starting peer review on the noise studies. On the 18<sup>th</sup> of October there is a Planning Commission Meeting at 7:00 PM, wind tower regulations will be discussed.

Litigation settlement was discussed. Motion by Supervisor Henery, seconded by Supervisor Bolling to approve and pay litigation claims to Martinez and Willers. Voting aye: Henery, Bolling, Koinzan, Kerkman, Williby, Schindler, and Schwager. Nays none. Motion carried.

Nebraska payroll taxes. Because these claims were not in the claim mix for September, the Nebraska taxes did not get paid. Motion by Supervisor Williby, seconded by Supervisor Schindler to approve and paid claims. Voting aye: Williby, Schindler, Koinzan, Bolling, Kerkman, Henery and Schwager. Nays none. Motion carried.

Road Boss, Casey Dittrich report: Bridges damaged by crane in April 2016. Road closed signed posted until culvert is in place. Armor Coat went smoothly and looks good. Gravel is mostly off of the first 8 miles. All oil on roads south miles south of Brunswick, and north miles north of Tilden. Layed a windrow in Clearwater, by 14/20 Junction, and Oakdale. Plan is to lay this north of jail site. Next year want to fix strip south of Brunswick, focus on Copenhagen 8 mile road. Road north of Oakdale is on the grinding list for next spring. We will open bids for semi tractors next week. The request was left very broad. (Charile Henery reminded Casey lettering had to come off of Kenworth Truck.) Orchard street grinding is a no go at this time. Bridge out by Rakow lake is well worn and they are going to be working on it.

Interviewed 3 candidates for Road and Bridge Position in District 2: Randall Finch, Gary Mack and Walt Patras.

Supervisors signed 2016 Inventories that did not get signed during the September 13, 2016 meeting; a birthday card for Larry Dix (NACO President) wife, Ronda; and Invenergy Road Release from Prairie Breeze III as passed during the September 13, 2016 meeting.

Motion by Supervisor Williby, seconded by Supervisor Henery to hire Randy Fitch. Voting aye: Williby, Henery, Bolling, Koinzan, Kerkman, Schindler and Schwager. Nays none. Motion carried.

City of Neligh Dispatch Agreement was discussed. The prior monthly contracted amount was \$425.00. Sheriff Moore was in negotiations with City of Neligh as the work load has increased and they were in agreement to increase the monthly contract amount. The new negotiated monthly contract amount was \$900.00. Motion was made by Supervisor Henery, seconded by Supervisor Williby. Voting aye: Henery, Williby, Schindler, Kerkman, Koinzan, Bolling and Schwager. Nays none. Motion carried.

CITY OF NELIGH – COUNTY OF ANTELOPE  
AGREEMENT FOR DISPATCH SERVICES

This agreement is made and entered into by and between the City of Neligh, a Nebraska municipal corporation, hereafter referred to as "County". This agreement is entered into pursuant to the Nebraska Interlocal Cooperation Act, Neb. Rev. Stat. §13-801 et seq.

WITNESS:

1. County presently provides 24-hour police dispatch services through the Antelope County Sheriff's Department and has agreed to provide such service to the City for the sum of \$900.00 per month. City has agreed to contract with County for such service and hereby agrees to pay said monthly amount.

2. It is agreed that County will provide said dispatch service at the above charges for a period of three years. Payment will be made on a monthly basis from the 1<sup>st</sup> day of September, 2016, and continuing to and through 31<sup>st</sup> day of August, 2019.

3. City will provide an administrator to oversee the terms of this agreement and to administer and coordinate dispatch services.

4. For and in consideration of the payment by City as above stated, County will provide police dispatch services for all incoming calls to the City Police Department and all outgoing call requested by the City Police Department on a 24-hour basis on each day of the year.

5. In providing such service, County assumes no responsibility or liability in regard to any incoming or outgoing calls and agrees only to faithfully relay any messages received by the Sheriff's Department and to transmit any, messages requested by the City Police Department.

6. This agreement shall continue until terminated by either party upon 30 days' written notice.

7. It is agreed and understood by the parties hereto that this agreement does not create a joint agency between City and County and the sole and only purpose of this agreement is to provide dispatching services to the City of Neligh.

DATED this 13<sup>th</sup> day of September, 2016

CITY OF NELIGH

\_\_\_\_\_/s/ V. Joseph Hartz \_\_\_\_\_

Mayor

end

ANTELOPE COUNTY

\_\_\_\_\_/s/ Jerald Schwager \_\_\_\_\_

Board Chairman

State auditor sent a letter of understanding regarding 2015-2016 audit procedures. The audit will be conducted the week of October 24<sup>th</sup>. Discussion held. Motion by Supervisor Williby, seconded by Supervisor Bolling to sign letter. Voting aye: Williby, Bolling, Koinzan, Kerkman, Schindler, Henery and Schwager. Nays none. Motion carried. Chairman Schwager signed letter from Nebraska State Auditor regarding Audit procedures for fiscal year 2015-2016.

Replacement valve for Fire Sprinkler Dry System was tabled, because no quote was sent. Will discuss October 11, 2016.

Motion by Kerkman, seconded by Schindler to approve the application for permit submitted by Elkhorn Rural Public Power District to place a permanent electric line beneath 525<sup>th</sup> Avenue and 836<sup>th</sup> Road crossing at the SW1/4 of Section 22, Township 23 North, Range 6 West and NW1/4 of Section 28, Township 23 North, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska, Matt Beckman – owner. Said electric line to power hog shed; all work to be done according to County and State specs. Those voting aye: Kerkman, Schindler, Henery, Williby, Bolling, Koinzan and Schwager. Nays none. Motion carried.

Motion by Kerkman, seconded by Henery to approve the nine (9) applications for permit submitted by Black Hills Energy to place a permanent gas line beneath 524<sup>th</sup> Avenue, 525<sup>th</sup> Avenue, 526<sup>th</sup> Avenue and 836<sup>th</sup> Road crossing at the SE1/4 of

Section 20, Township 23 North, Range 6 West, and SW1/4 of Section 21, Township 23 North, Range 6 West and SW1/4 of Section 22, Township 23 North, Range 6 West, and SE1/4 of Section 22, Township 23 North, Range 6 West, and SW1/4 of Section 23, Township 23 North, Range 6 West of the 6<sup>th</sup> P.M., Antelope County, Nebraska. Mark & Brenda Schrage, Thomas Hoefer, Leo Starman, Matthew D. Beckman, Schulte Family Farms, HMP Farms – owner. Said gas line to connect a hog farm operatoin; all work to be done according to County and State specs. Those voting aye: Kerkman, Henery, Williby, Bolling, Schindler, Koinzan and Schwager. Nays none. Motion carried.

Three (3) bridges damaged during last spring Invenergy road work were discussed. The insurance company has offered to pay \$127,000.00. This is still being negotiated. Invenergy has agreed to pay up to \$168,000.00 of repairs not covered by liability insurance from company whose crane actually caused the damage. Letter presented as same. This amount is approximately \$15,000.00 less than Mr. Dittrich estimated the total repair.

Discussion on Upstream Road Agreement. The road agreement has been in discussion over the last couple of meetings. The original agreement, along with County Attorney recommendations and Invenergy’s fixes with County Attorney recommendations. County Attorney Joe Abler is out of town and has not seen the Invenergy fixes. The word subcontractors has been added to the road agreement to encompass last spring’s bridge incident. There are two (2) exhibits 1) Road 2016 Construction Map 21.5 miles-start as soon as passed; and 2) Entire project map. The proposition is to have the same terms on agreement - two construction periods, it is broken out to be able to release some during the project. Joe has not had the opportunity to review. Discussion amongst supervisors. Motion by Supervisor Henery, seconded by Supervisor Koinzan to approve road agreement pending approval of county attorney. Voting aye: Henery, Koinzan, Bolling, Schindler, Williby. Nay: Schwager. Supervisor Kerkman abstained. Motion passed.

Discussion on Decommissioning Plan. The proposed Decommissioning Plan has a bond placed during year 7. The plan states in 6½ years a plan to review current value and conditions to make sure all bonds cover the necessary expensed that may arise. The bond shall not be released until the entire project is deconstructed, somebody else operates, and/or a county resolution. If the current towers are repowered or refurbished is what these conditions cover. The Plan will be evaluated six (6) months before the 7 year, six (6) months before the 15<sup>th</sup> year and every five (5) years thereafter. There is currently a 50% bond before year seven (7). The bond has to be and is through a creditable firm. The performance bond language is to make sure there is no debris left – and is active throughout the project. A concern of the power lines was raised. There are not overhead power lines proposed in Upstream project, except above substation. There is little county liability. Currently, Invenergy locates their own lines. All future owners in the Upstream project will be bonded by same. Lenders to the Upstream Project have the right to substitute. Motion by Supervisor Williby, seconded by Supervisor Henery to approve road agreement pending approval of county attorney. Voting aye: Williby, Henery, Koinzan, Bolling, Schindler and Schwager. Nays none. Supervisor Kerkman abstained. Motion passed.

**Veteran Service Officer, Ron Marshall, shared the following report.**

October 4, 2016  
 Quarterly Report to Board of Supervisors  
 Activity for the 3<sup>rd</sup> Quarter of CY 2016

	July	August	September	Total
Phone Calls Received	54	59	35	148
Phone Calls Made	45	60	31	136
Office Visits	16	29	20	65
Home Visits	0	0	1	1
Compensation and Pension Claims	2	3	2	7
Other Claims/Forms Completed	25	25	19	69
Letters Written	8	38	1	45
E-mails	33	33	37	103
Meetings	1	0	1	2

	Compensation & Pension History Results		
	Filed	Granted	Pending
2012	16	9	
2013	15	5	
2014	10	7	
2015	10	8	
2016	7		

Monthly Cash Benefits to Veterans/Dependents \$5,403.68 (from 2015 claims)  
 Annual Cash Benefits to Veterans/Dependents \$64,844.16 (From 2015 claims)

Waiting list to get into the Norfolk Veterans Home is long. 11 out of the 12 applications taken during the past year for admission to the Norfolk Veterans Home are still waiting a call to be admitted. On the other side of this issue, most veterans actually decline their opportunity to be admitted when they do get a call. Mostly it is because they have chosen some other alternative for care, and are content with where they are.

Nine Months to my retirement date. I will be meeting with my Veteran Service Committee later this fall, and a report of that meeting will be made at the next Supervisor’s Meeting. A review of your options to consider when preparing to hire my replacement. 1. Find a qualified veteran to replace me as a full time employee. 2. Reduce the position to ½ time and advertise for ½ time Service Officer. 3. Contract with an adjoining county. I believe that Madison County is going to submit a bid. 4. Hire a Service Officer to service two counties. The Pierce County Veteran Service Officer is going to retire next year, so there may be an opportunity to hire a full time Service Officer and co-op or contract with Pierce County. If you do decide to pursue arrangements to share a Service Officer with Pierce County, I would highly recommend the Antelope County be the primary county, so that the employee is Antelope County’s, and that Pierce County compensates Antelope County for taking care of their veterans. The Antelope Veteran Service Committee will come to you with their recommendation after they meet later this fall. Each option has advantages and disadvantages. Money will be a consideration, but hopefully service to Veterans and their families will be the main factor as you consider the options available to you. At the meeting when the committee brings their recommendation to you, I will go over the pros and cons of each option.

This information is for you to think about. No action is asked for at this time. The Veteran Service Committee will come to you with their preferences and action at a later date. In the mean time you can be looking at the options, and talking with the Supervisors/Commissioners from the counties mentioned and be getting an idea of how you want to proceed.

Sincerely Yours, Ronald J. Marshall  
 Antelope CVSO

Payroll claims were reviewed. Motion was made by Supervisor Koinzan, seconded by Supervisor Williby to pay payroll claims. Voting aye: Koinzan, Williby, Bolling, Schindler, Kerkman, Henery, and Schwager. Nays none. Motion carried.

Discussion on Delinquent Tax List – will review all delinquent taxes greater than 3 years old during October 11, 2016 meeting. No further action.

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

Meeting adjourned at 11:39 AM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

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

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