

December 6, 2016
Antelope County Board
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular extra session on Tuesday, December 6, 2016 at 9:01 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, and Schwager. Williby absent. Chairman Schwager stated that the open meeting laws are posted on the east wall of the Supervisors' room with more copies available at the County Clerk's Office.

Notice of the meeting was given in advance thereof by publication in the four county newspapers, legal newspapers printed and in general circulation in Antelope County, Nebraska as shown by proof of publication filed in the County Clerk's office. Agenda for said meeting was sent to all members of the County Board of Supervisors.

County Attorney: Antelope County Attorney, Joe Abler is on medical leave. In his absence, he has appointed, Madison County Attorney, Joe Smith as Deputy Antelope County Attorney. Motion by Supervisor Henery, seconded by Supervisor Schindler, to acknowledge the appointment of Joe Smith, Deputy County Attorney for an unspecified amount of time during the temporary medical leave of the duly elected county attorney, Joe Abler. Voting aye: Henery, Schindler, Kerkman, Bolling Koinzan and Schwager. Williby absent. Nays none. Motion carried.

Royal Road: Frank Morrison and Chuck Beckman met with the supervisors regarding snow removal on Royal Road. During the last snow storm, the Royal Road was not passable for their trucks. Mr. Morrison requested the priority schedule for snow removal. Casey Dittrich reiterated that oil roads and school routes are priority. There are a number of places on the road where the county could do some preventive maintenance to avoid some of the drifting. There are places along the road where embankments are higher than the road and other obstacles are visible, these areas could be lowered and changed to prevent drifting over the road. Various options, ideas were discussed. Casey Dittrich, Road Boss will meet with Frank Morrison this afternoon to discuss additional action.

Commissary Account Reports from July, August, September and October 2016 were reviewed and put on file.

Juvenile Diversion: Motion by Supervisor Schindler, seconded by Supervisor Henery, authorizing County Clerk to transfer \$1,514.67 from General to Juvenile Diversion (2330) in order to balance the fund for November month end. Voting aye Schindler, Henery, Bolling, Kerkman, Koinzan, and Schwager. Williby absent. Nays none. Motion passed.

Topkote: Mr. Dan Osborne and Mr. John Brockman met with the supervisors regarding the recently disputed Topkote bill. The bill in question was discussed during the November meetings. The discrepancy of approximately \$17,000.00 is in question. Mr. John Brockman, stated an error was made in his office with figures. They had adjusted the bill and wanted to present for payment. They admit billing mistakes were issued on the first billing, and are requesting payment of \$11,000.00 more at this time. Part of the original discrepancy resulted in Topkote, bringing in and supplying product not requested by the county. The original bid was for a service and not a product. It is impossible to tell if the product was used or not, variables including weather, heat, moisture and equipment settings would all play a factor in such. If Topkote was providing product the county should have been notified the product was provided. At no time was the county told of the product until the bill was presented. Discussion continued. Topkote had provided additional work during the first week of November. That claim was presented for payment, and will be submitted with next weeks claims (\$7,680.00). Motion by Supervisor Kerkman, seconded by Supervisor Henery to make no further payment on the original bill. Topkote had provided product

that they were not authorized to provide. Voting aye: Kerkman, Henery, Bolling, Koinzan, Schindler, and Schwager. Williby absent. Nays none. Motion carried.

Road Boss Report: Casey Dittrich started Road Boss Report: Upstream Roads - A ride along with Casey, Marlin Conry, Matt Klabenes, and two (2) guys from IEA (general sub-contractor working on the roads). Currently, the roads look great. Very light traffic. There were 5 truckloads of cement to each site. No truck track on the roads so. North of Sauser's was maintained and graveled. Standing agreement if there are any issues they will have a good chance in the spring to make up for that. It is a 12 mile stretch, it is a minor deal. Signing off on these roads will be presented next week. **Invenergy:** Emily Kobylarczyk added a brief construction update regarding time lines. She works with the contractors/subcontractors, landowners and end product purchases. Currently, she is working with land owners – turning radiuses, and how to get deliveries in. Components for the towers will be delivered mid-summer next year. In the spring foundation work, will begin again. With the timeline, we are working with all entities to make sure all are in order to continue. Starting in spring with foundations. They will start working with Brian McDonald on getting videos of the roads they need for the road agreement after the new year. Prepare a new map of roads. Next phase will be bigger and more in depth. **Site 2-Elgin:** Bridges being replaced. Site 1 is done and open, it went great – it took them about 3 weeks. They finished the 29th and went straight to Site 2. Site 2 is about a half mile away from Site 1. They have worked some long days. They have the base poured and are working on the side walls. – When they are finished, we will open up the east-west road. Then they will move to Site 3. There should be some dirt left over from Site 2 to use on Site 3. Packing dirt around Site 3 may have to wait until after frost is gone. There is not as much traffic now as during the harvest, which is helpful. **Closing Road:** There is a “road” behind the newly constructed Two Rivers Irrigation in Neligh. The person farming (Vince Sauser) has asked to purchase the road. After contacting Brian McDonald, it is the best interest of the county to study and move forward. Motion by Supervisor Henery, seconded by Supervisor Koinzan to authorize Highway Superintendent, Brian McDonald to complete a study on a short section of road connecting 525th Avenue with Highway 275, lying in NE¼ of 28-25-6, City of Neligh. Voting aye: Henery, Koinzan, Kerkman, Bolling Schindler, and Schwager. Williby absent. Nays none. Motion passed.

RESOLUTION
ANTELOPE COUNTY, NEBRASKA
2016-12-0001

WHEREAS, the Antelope County Board of Supervisors wishes to consider the vacation or abandonment of a short segment of roadway that connects 525 Ave with Highway 275. The road intersects Highway 275 approximately 1365 feet northwest of the intersection of Highway 275 and 525th Avenue. The road extends northeast approximately 300 feet and then extends due east to its intersection with 525th Avenue. The entire roadway is located within the Northeast Quarter of Section 28, Township 25 North, Range 6 West of the 6th Principal Meridian, Antelope County Nebraska.

WHEREAS, Nebraska State Statute 39-1722 requires that the Antelope County Board direct the Highway Superintendent to study the use of the road and submit a written report to the county board within thirty days.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Supervisors of Antelope County, Nebraska, that the Highway Superintendent is directed to complete a study of the use of the county road described above. A written report of the study findings and recommendations is to be submitted to the County Board within thirty days.

Adopted this 6th day of December 2016, at Neligh, Nebraska

ATTEST:
_____/s/ Lisa Payne _____
Lisa Payne, Clerk

BOARD OF COUNTY SUPERVISORS OF ANTELOPE COUNTY, NEBRASKA
_____/s/ Jerry Schwager _____
Jerry Schwager, Chairman

Supervisor _Henery _ Moved the adoption of said
Resolution Roll Call: _6_ Yea
_____ Nay Resolution adopted, signed and billed as adopted.

**It was later discussed and proved to be a road annexed by the City of Neligh during 2015 annexation.
Brian McDonald will comment on process next week. ****

10:07 AM **Acoustics Study:** Emails from the Clerk and Zoning Administrator were shared. Rebuttals from Hankard Environmental and Rand Acoustics were shared with the supervisors and the public. Liz introduced the Acoustics Study chain of custody. Hankard Environmental did the original Acoustics Study, Rand Acoustics did a peer review of the original study and submitted his review. At which time Invenergy asked to have a rebuttal and submitted another report supporting his original study and results. Rand Acoustics supplied another rebuttal to the rebuttal. Michael Hankard, and Invenergy were in attendance to support the study and the supporting reports. County Attorney, Joe Smith, explained the issue today is down to the interpretation of the zoning regulation as it is written. The Zoning Regulations do not have a definitive to decipher the noise level or metric to use as a unit of measure. Antelope County regulations said that it is not to exceed 50 decibels. What is not clear in the ordinance is if it meant 50 decibels the Acoustics Sound Study is measured. The issue at hand is the method in which Antelope County wanted. It was determined the sound study being not monitored is a non-factor in the study. The peer review and rebuttals are based on varying ways to measure the noise. The wind regulations, state they had to supply an acoustical analysis, it does not specify in there what method they should use. Per Attorney Joe Smith, today we can interpret the ordinance, or have zoning administrator/planning commission look into this and to see industry standards, what is used, what you based it on, how other "counties" handled it. The supervisors need to make a determination as to what the Zoning Ordinance means and how to enforce it.

Mr. Hankard, from Hankard Environmental, was available for questions. County Attorney, Joe Smith pointed out that the question at hand was the interpretation of Antelope County's Zoning Regulations. It is agreed there is not standard, whether it be LEQ, L-Max/fast or any other standard to be used to measure the noise level. There is no clear ANSI standard to use. It was not understood at the time of adopting the Zoning Regulations, so it is guaranteed there is no actual "chosen" method to measure it. Industry indicates the measure used by Hankard during the sound study, it is a 10 minute LEQ. Currently, Antelope County has 50 decibels, but there is no real basis for 50. Mr. Hankard reiterated the length is normally averaged. Sometimes on an hourly, and sometimes on a 24-hour basis. When the 50 decibels were adopted it was probably borrowed from other counties, who probably borrowed from other states, based on industry standards in the 1970's. The basis for the discrepancies of the report stems from the amount of time used in the method of study. Is it based on, did the face value of the 50 decibels mean straight out or on an average. Industry standards indicates it is normally measured at a set time release of at least 10 minutes. The ANSI standards, for a continuous source for example a fan. (Mr. Hankard compared the wind turbines to big fans.) When Mr. Hankard initially completed the study, he used a 10 second LEQ. When Mr. Rand completed his review, he narrowed it down to the split second in which a more intense noise is produced---the exact time the blade passed the tower. At which may be greater because of the exact timing. The study was completed on a 10 second intermittent study. Mr. Smith iterated again, the true question here is the interpretation of Antelope County Zoning Regulation. The plain words says "not to exceed 50 decibels." Today, an interpretation of the Zoning regulations is to be established. Was the "not to exceed decibels" on the original regulations an exact measurement or was it to be measured in LEQ

standards. The noise analysis presented to the County in the Sound Analysis prior to construction was measured in the variation in which Mr. Hankard presented the Acoustical study. In a ten-second variation of time, blades would have passed the tower approximately six (6) times. Zoning Administrator, thought Antelope County should be set using Industry Standards. If the sound analysis was submitted using a standard, measuring standards should and need to be the same.

Supervisor Henery made a motion that the Hankard Study stands, as it was done properly to industry standards. County Attorney said that does not correct the issue at hand. He agrees it was done to industry standards. At this time, Mr. Smith says we need to interpret the regulations as they are written. Is it measured instantaneous, never to exceed 50 dba, or LEQ ten (10) seconds. Supervisor Henery rescinded his motion. Supervisor Koinzan suggested not to do anything at this time, and let the people opposing this get a lawyer and settle in front of a judge.

Emily Kobylaczek, Invenergy requested something be set today to established if there is a violation, or not. Mr. Hankard suggested Antelope County pick a metric, so going forward they or any other industry/developer can have boundaries and know where they are for both pre- and post- construction phases. She is requesting something be standardized today so all can understand and use the standards. GE standards is a one (1) minute LEQ, not an L-Max fast; GE follows an international standard and that industry standard is at least a one (1) minute average, it can be more. Nowhere in industry is l-max factor used. If you go to long (24 hours), it presents a different set of questions in the world of measuring wind turbine noise, conditions change. Traffic, and mainly wind. It becomes problematic to determine compliance. The industry likes 10 minutes.

Supervisor Henery makes a motion "Since it is the industrial standards how Mr. Hankard completed the study, that we accept his study as being compliant." Questions are asked, as to if we need to set a LEQ standard. Supervisor Henery voiced to go further with his motion to include the LEQ.... Zoning industry to see what is standard there. Not to exceed – does it mean not to exceed. Do we need to decipher the acoustics? Should this be referred to Zoning Administrator and County Attorney to decipher an actual industry standards, and then give a recommendation.

County Attorney, Joe Smith again stated the idea right now is to set a standard for measuring the acoustics for Antelope County. The LEQ is ten (10) minutes on the pre-construction analysis. Zoning Administrator reiterated the adoption of standards should be based on the same metric as the preconstruction model. Supervisor Henery, rescinded his second motion. After further discussion on measuring acoustics. Supervisor Henery made a motion "to interpret the Zoning Ordinance to enforce use of a ten (10) minute LEQ standard." Motion is seconded by Supervisor Kerkman. Voting aye: Henery, Kerkman, Bolling, Schindler. Voting nay: Koinzan, and Schwager. Motion passed.

Bridge in Grant Township: Wayne Wingate met with the supervisors regarding a bridge in Burnett Township. Currently, the bridge is silted in and water backs up over 200 feet of his property. Wayne is willing to work with the county. The bridge on 840th Road, east of 531st Avenue. The bridge as low as it is acts more like a dam. The options would be to raise and replace the bridge, or placing a "Low Water Crossing." Water has backed up on his place for more than two (2) weeks. The water on the north side of the bridge needs to go somewhere. It will flow through the creek if the bridge was raised, or was not silted in. Bridge with a whole grade improvement. Water would not sit there or back up if there was not a "dam" holding it back. Brian McDonald and Casey Dittrich will look into this. Mr. Wingate is open to suggestions and would like to see it fixed. This has been a problem for a number of years.

Vehicle: County Sheriff, Robert Moore met with the supervisors regarding the purchase of a new pickup for his Sheriff Deputy. His plan is to purchase the pickup out of his budget, and is willing to give the pickup to the Courthouse for use by county employees for inspections and meeting travel. The Durango, currently owned for this purpose is in rough shape. Sheriff Moore offered the deputy pickup in exchange for a trade in of the Durango, and for decaling and equipping the “new” Sheriff Deputy Vehicle. Sheriff Moore believes the rebates and incentives for the “new” vehicle would be to the county’s advantage. Road Boss, Casey Dittrich stated the current Durango utilized by the courthouse employees in in “good enough” shape. And the Oakdale Barns pickup is not in good shape. He proposes to exchange the vehicle being offered by the Sheriff’s Office to him, giving Oakdale’s Barn his pickup, and selling Oakdale’s current pickup on Big Iron. The supervisors are in agreement to providing a vehicle for the Road Boss, and shuffling to the Oakdale Barn, if the Sheriff is agreeing, they will provide the necessary equipment and decals for the newly purchased Sheriff patrol vehicle. They will look for a “courthouse vehicle” on a private sale.

Road Boss Report: Schuchardt Corner – We are opening bids on the corner of 523rd Avenue and 841.5 Road next week. Brian McDonald will be here for bid opening, and Casey would like to get board approval to negotiate land contracts with adjacent land owners. Currently he believed approximately 7/10 of an acre will need to be obtained. Discussion continued. Motion by Supervisor Kerkman, seconded by Henery to authorize Casey to negotiate land purchase from land owners. Voting aye: Kerkman, Henery, Bolling, Koinzan, Schindler and Schwager. Williby absent. Motion carried. **Highway Superintendent:** Certification of Highway Superintendent for 2016 was presented. Motion by Supervisor Schindler, seconded by Supervisor Kerkman to accept and complete Highway Superintendent Certification, Brian McDonald. Voting aye: Schindler, Kerkman, Bolling, Koinzan, Henery and Schwager. Williby absent. Nays none. Motion carried. **Truck Accident:** The Kenworth Truck recently purchased by Antelope County was involved in a motor vehicle fatality accident on Friday. Investigation is still underway. Casey was on the scene within 15 minutes. Preliminary reports no liability on the county. The truck and trailer are both in Elgin. The new gravel trailer was involved in the accident. Casey is requesting replacement on both units. Insurance adjuster has not been out. **Tyler Kester:** The area is one mile east, going north of Clearwater. The surveyor has been out. There are three (3) land owners involved. All three (3) are in violation. First owner’s fence is on the ROW, Kester has a fence in the ROW as is his newly placed power pole, the third party’s garage is six (6) to eight (8) feet in the ROW and there are mature trees in this ROW. There is clear violation. Casey is looking for direction. Brian McDonald does not have a professional opinion on this issue. It is a county attorney, and long standing supervisor decision. If a gate is allowed to be built, all three (3) could have access. When the survey comes back, showing all three (3) owners the survey may end all of their discussions and/or feud.

Highway Superintendent - Motion by Supervisor Schindler, seconded by Supervisor Kerkman to appoint Brian McDonald, Antelope County Highway Superintendent for 2017. Voting aye: Schindler, Kerkman, Bolling, Koinzan, Henery and Schwager. Williby absent. Nays none. Motion carried.

Zoning Administers Report: Keith Marvin: during the contract of revising the Zoning regulations, Mr. Marvin was contracted with so many meetings. It was discussed during last month’s meeting, and was requested to be on the agenda today. Liz Doerr reported the Land Use Map needs to be reviewed, Solar, Livestock, and Wind is in the work. She is in agreement of three (3) more meetings. Henery made a motion to accept three more meetings with Mr. Marvin. If more meetings are needed they can be approved as needed. Motion seconded by Supervisor Kerkman. Voting aye: Henery, Kerkman, Bolling, Koinzan, Schindler and Schwager. Williby absent. Nays none. Motion passed. **Planning commission.** The draft amendment presented by Cory Furstenu’s group was denied out right. The Planning Commission may use and incorporate some of those ideas. **Subdivision Approval** for an irregular 2.54-acre tract in Section 12, Township 23, Range 5 west of the 6th PM. The survey was filed on December 2, 2016 in Book 16, Page 229. Motion by Supervisor Kerkman, seconded by Supervisor Schindler to approve the 2.54 Acre Subdivision as presented. Voting aye: Kerkman, Schindler, Bolling, Koinzan, Kerkman and Schwager. Williby absent. Nays none. Motion carried. (Craig Wolske) Road access, driveway going in around an

existing building site. No state approvals are needed. It does not block anyone, it meets the minimum requirements. This is needed for title companies.

SUBDIVISION APPROVAL

The survey of 2.54 acres, described as:

A tract of land lying wholly in the Southeast ¼ of the Southeast ¼ of Section 12, Township 23 North, Range 5 West of the 6th P.M., Antelope County, Nebraska more particularly described as follows:

Commencing at the Southeast corner of said Section 12; thence West, on section line, on an assumed bearing of South 88 degrees 11 minutes West 653.75 feet to the point of beginning; thence continuing South 88 degrees 11 minutes West, on section line, 26.33 feet; thence North 08 degrees 32 minutes 10 seconds West 431.34 feet; thence South 84 degrees 03 minutes 50 seconds West 212.45 feet; thence North 01 degree 53 minutes 25 seconds West 275.12 feet; thence North 40 degrees 01 minutes 05 seconds West 134.29 feet; thence North 18 degrees 36 minutes 15 seconds West 22.31 feet; thence North 85 degrees 40 minutes 25 seconds East 294.04 feet; thence South 09 degrees 03 minutes 35 seconds East 360.75 feet; thence South 09 degrees 53 minutes 25 seconds West 40.95 feet; thence South 08 degrees 08 minutes 10 seconds East 432.66 feet to the point of beginning and containing 2.54 acres more or less.

Was approved by the County Board on December 6, 2016.

Chairman, Jerald Schwager

Zoning Administrator, Liz Doerr

County Clerk, Lisa Payne

Planning Commission meeting is tonight. The plan is to work on updates, on some of the other items. Not wind. Might work on the land use chart, or solar regs.

Motion by Supervisor Henery, seconded by Supervisor Kerkman, to pay all **payroll claims** as submitted. Voting aye: Henery, Kerkman, Koinzan, and Schwager. Williby absent. Merling Bolling out of room. Schindler abstained. Nays none. Motion passed.

Payroll procedures were again discussed. It was brought to our attention during the 2016 audit the lack of flow in the approving of payroll claims, before these claims are figured and ready to pay. Ultimately, when a claim is approved there should be an exact dollar amount attached. Currently, claims are approved sometimes without being figured. Because the supervisors hold the purse in the county they are responsible for any claims paid, if there is an error made in a blanket pay authorization they hold the responsibility. In the past, we have discussed various options to changing board meeting days, to postponing payroll an additional week or so. County clerk stated on some occasions 9 or 10 of twelve payrolls cannot be figured before the first meeting. Motion by Supervisor Koinzan, seconded by Supervisor Schindler to change payroll date to the Wednesday immediately following the second Tuesday (2nd Board Meeting). In most instances this will be three days later than the previous approval of the first Friday, after the first Monday. This procedure to be effective February 2017. Requesting the clerk notify all employees. Voting aye: Koinzan, Schindler, Bolling, Henery, Kerkman and Schwager. Williby absent. Nays none. Motion carried.

Dry Valve on the Fire Sprinkler was fixed, for a minimal cost of previous quotes (\$301.63). Mr. Schindler requested to add to December 13th, 2016 meeting to sign contract for continued inspections, and maintenance.

In light of reviewing and updating the employee handbook, the agenda read **Vacation/Sick Leave Policy** Discussion. No discussion or action today because of time restraints. No action.

Federal Labor Laws: On the 22nd day of November the Federal Appeals Court overturned the ruling from the Federal Government regarding salary verses hourly employees. During Novembers Supervisor Meetings three (3) of Antelope County Employees, salaries were increased and or changed to hourly to appease the federal guidelines. Casey Dittrich, Antelope County Road Boss, salary had been raised after a positive review of his job performance. Two (2) other employees, Bruce Ofe and Ron Marshall were changed to hourly. Both employees wished not to change from the salary level they were at. During multiple telephone conversations and webinars held from Woods & Aitken LLP, (Pam Bourne) discussing how this stay affected the counties. Effective either way did not matter, as long as all parties are in agreement. Bruce, Antelope County Weed Superintendent and Ronald Marshall, Veterans Service Officer, both are requesting to return to the salary as paid before the ruling was effective. Motion by Supervisor Koinzan, seconded by Supervisor Kerkman to change Bruce Ofe, and Ronald Marshall to wages as to prior to November Board changes. Voting aye: Koinzan, Kerkman, Henery, Bolling, Schindler and Schwager. Williby absent. Nays none. Motion carried.

The **Memorandum of Understanding** which is an agreement between Madison and Antelope County to utilize grant funds to fund our **Juvenile Diversion** Funds. This MOU appoints Madison County as Lead County in the funds agreement. This memorandum is already signed by County Attorney Joe Abler. Motion by Supervisor Henery, seconded by Supervisor Schindler to agree, accept and sign the Memorandum of Understanding. Voting aye: Henery, Schindler, Kerkman, Koinzan, Bolling and Schwager. Williby absent. Nays none. Motion carried.

Madison County Attorney

Joseph M. Smith

Madison County Attorney

This Memorandum of Understanding (MOU) is among and between the following entities:

Madison County Attorney – Joseph M. Smith

Antelope County Attorney – Joseph E.W. Abler

The purpose of this MOU is to designate the Madison County Attorney's Office as the official applicant and "lead county" for the Nebraska Crime Commission's 2017 Community-Based Juvenile Services Grant application for Madison and Antelope Counties. As such, the Madison County Attorney's Office will serve as the fiscal agent for the grant application program. Community-Based Juvenile Service Funds allocation to Madison County and Antelope County will be pooled together for the purposes described in the grant application. Each county is responsible for documenting the required matching funds as stated in the grant application.

Effective dates for the MOU will be from July 1, 2017 to June 30, 2018 or when the final report is completed, whichever date is earlier. Funds not used by Antelope County will be used for other services in the Northeast Nebraska Juvenile Justice Partnership Plan. All services will be preapproved for funding by the State of Nebraska Crime Commission.

Responsibilities of the "Lead County" (Madison County)

- Serve as Fiscal Officer for the 2017 Community-Based Juvenile Services Grant program.
- Provide the required official signatures of authorization for the 2017 Community-Based Juvenile Services Grant Application.
- Provide the required official signatures of authorization to the 2017 Community -Based Juvenile Services Grant quarterly reports, which are prepared by the Project Director and other designated employees.
- Comply with all other grant requirements as needed.

Responsibilities of the county not serving as the Official Applicant (Antelope County) or Lead County for the 2017 Community Based Services Grant:

- Each county is responsible for submitting all time sheets and claims to the Madison County Administrative Assistant by the last day of each quarter (September 30th, December 31st, April 30th, and June 30th) in order to be reimbursed prior to the quarterly report being submitted to the State of Nebraska Crime Commission.
- Each county is responsible for completing the necessary quarterly reports to the Crime Commission by the required due date in order to continue to receive the Community Based Juvenile Aids funds.
- Provide written documentation for 10% "matching funds". (Each county is required to provide a 10% match directly toward the program described in this application, OR the match can be documented new of existing county expenditures for community based programs or services for juveniles. This can include detention costs, out-of-home placement costs, law enforcement costs for transportation, etc.)

Dated this _8th _ day of December, 2016.

Joseph M. Smith, Madison County Attorney

/s/ Joseph E.W. Abler

Joseph E.W. Abler, Antelope County Attorney

/s/ Jerald Schwager
Antelope County Board Chairman

James Prauner, Madison County Board Chairman

Motion by Supervisor Kerkman, seconded by Supervisor Schindler to approve the Board of **Supervisor Minutes** from November 1, 2016 and November 7, 2016 as written. Voting aye: Kerkman, Schindler, Bolling, Koinzan, Henery and Schwager. Williby absent. Nays none. Motion carried.

Motion by Supervisor Kerkman, seconded by Supervisor Schindler to approve the Board of Supervisor Board of **Equalization Minutes** from November 1, 2016 as written. Voting aye: Kerkman, Schindler, Bolling, Koinzan, Henery and Schwager. Williby absent. Nays none. Motion carried.

Neligh Ball Board submitted an **Improvement grant** request to improve the Legion Ball Field by placing Agri-Lime on the Legion Field. The request for \$1500.00 as approved by the Visitors Committee was presented. Motion by Supervisor Henery, seconded by Supervisor Schindler to approve the claim as submitted. Voting aye: Henery, Schindler, Koinzan, Kerkman, Bolling and Schwager. Williby absent. Nays none. Motion carried.

Insulation of the **Orchard Barn** is on the agenda. Supervisor Williby is not here to discuss. The supervisors in attendance requested Road Boss, Casey Dittrich to compile cost analysis and report back to the board.

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

Correspondence was reviewed: NDOR Past Due Bridge Inspections; NIRMA Safety Shorts; 2016 Audit Report was reviewed; Berggren Architects NACO Annual Convention Thursday luncheon; Union Bank and Trust AMH Bond Monthly statement; Charles Meis beginning process on closing 515th Avenue between Sections 23 and 24; Certificate of Training for Eli Jacob and Casey Dittrich regarding "Signage Engineering Study Training"; State of Nebraska DEQ letter on Demerath Farms 4-27-5; BC/BS Nebraska regarding precertification on admission; BC/BS Nebraska regarding Patient Protection and Affordable Care Act;

Receipts: Madison County Clerk-Diversion \$1,678.56; Invenergy \$4,250.00 reimbursement for Rand Acoustics Sound Study; Transfer from General to Diversion \$1,514.67 as approved; \$127,319.26 Payment from Insurance on bridges south of Elgin; \$40,680.74 payment from Invenergy difference from the total damage and insurance payout;

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

Meeting adjourned at 12:25 PM.

ANTELOPE COUNTY BOARD OF SUPERVISORS

By: _____
Chairman of the Board, Jerald Schwager

Attest: _____
County Clerk, Lisa Payne