

December 13, 2016  
Antelope County Board  
Neligh, Nebraska

The Antelope County Board of Supervisors convened in regular extra session on Tuesday, December 13, 2016 at 8:01 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, Henery, Williby and Schwager. Koinzan appeared at 8:02 AM. 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.

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

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

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

Casey Ditrach, **Antelope County Road Boss**, met with the supervisors regarding Department of Transportation Motor Vehicle Reports. Following the accident on the 2<sup>nd</sup> of December, the driving history record of the employee/driver is being requested. At this time, Antelope County does not review driving records as required by DOT regulations. DOT Regulations require an annual review of CDL employed drivers. Casey discussed with the supervisors this policy/procedure will be put in place in the near future.

**Claims** were reviewed. Motion by Supervisor Schindler, seconded by Supervisor Williby to approve all claims. Voting aye: Schindler, Williby, Henery, Koinzan, Kerkman, and Schwager. Supervisor Bolling abstained because of a direct family connection to the claim written to Marie Trease. Nays none. Motion passed.

We, the Committee on Claims, report that we have examined and approved for payment the following claims:  
**General:** Melvin Ahlers, prior service 24.00; Antelope County Court, court costs 51.00; Antelope County Sheriff, transportation mileage 51.30; Appera, towel service 40.22; Applied Connective Tech, Clerk; remote IT Services, Sheriff; service order charge, IT Services 195.00; Brad Averill, mileage, membership dues, meals, NCEA dues 352.40; Gordon Baker, prior service 72.00; Bishop Equipment, labor, bronze brushing, O-rings, freight insurance 232.63; Black Hills Energy, Sheriff, Weed Control, Historical Society; heating fuel, 559.67; Bob Barker Co, pants 25.63; Bomgaars, Sheriff; fasteners, leash, bolt snap, chain, Janitorial; battery, battery cleaner spray 122.19; Eleanor Brady, prior service 25.00; Dean Brown, prior service 25.00; Bullseye Sprinkler, reset dry valve 301.63; Carney Law, attorney fees 3218.62; Ardith Carr, prior service 108.00; Casey's, fuel 547.50; Cash-Wa Distribution, soup, dressing, flour, sugar, oatmeal, gelatin, short food, biscuit dough, ground beef, turkey breast 784.34; Elgin City, recycling fees 250.00; Neligh City, Building & Ground, Sheriff, Weed Control, Historical Society, electricity, water, garbage, sewer, recycling fees 3514.24; Clearwater Record, public notices 171.00; Colfax County Court, certified copies 7.50; Cornhusker Hotel, room for Liz Doerr wind and solar conference 228.00; Council on Holding, KC Hall rental 2016 Election 165.00; Creighton News, public notices, sample ballot printing 956.25; Cubby, fuel 881.13; Das State, Sheriff; network services charges, Clerk, District Court Clerk, Treasurer; data processing charges 699.36; Dean's Market, corn, peas, green beans, orange juice, grape cocktail 574.56; Liz Doerr, recorder, labels, business cards 69.27; Dollar Store, Building & Ground; air freshener, carpet cleaner, all-purpose cleaner, bleach, Clorox, toilet bowl cleaner, dish soap, soap pads, Sheriff; dish cleaner, gain cleaner, window cleaner, Lysol, salt, freezer bags, wipes, air freshener, super eraser 176.65; Dugan Business, 2016 tax statements 382.24; Dusty's, fuel

97.00; Eakes Office, County Attorney; fluid correction, note pads, Treasurer; moistener, clips, highlighters, Extension; HDMI cable 83.22; James Egley, attendance mental health hearing 75.00; Elgin One Stop, fuel, oil 84.00; Elgin Review, public notices, legals, invitations to bid 116.54; Elite Office, Clerk; paper, Sheriff, Assessor; maintenance agreements 959.74; Elkhorn River Farms, potatoes 48.00; Fitzgerald, Vetter, attorney fees 2266.07; Ann Flood, attendance mental health hearing 50.00; Frontier Communications, telephone service 2102.64; G & B Sprinklers, fall service; 150.00; Ruth Gibbs, prior service 36.00; Graham Tire, vehicle repair 687.32; Great Plains Communication, telephone service 190.00; Tessa Hain, mileage, training registration fees 120.00; Max Hieter, prior service 36.00; Nadene Hughes, prior service 14.00; Intone Imaging, toner 269.99; Jefferson County Court, certified copies 2.25; Reynold Johnson, prior service 48.00; Jonny Dodge, battery in charger, replacement battery, repairs 304.55; Frank Kamphaus, prior service 16.00; Lichtenberg Tire, tire repair 38.00; Lincoln County Sheriff, court fees 18.00; Love Signs, magnets, tweezers, clippers 251.86; Madison County District Court, filing and maintenance fees 50.00; Madison County Sheriff, court fees, mileage 68.55; Marvin Planning Consult, contract 250.00; Matthew Bender, crime and traffic law books, freight 128.53; Microfilm Imaging, equipment rental 87.00; Midwest Radar, certification for unit radios 280.00; MIPS, Treasurer; Nebraska Taxes Online Services, Clerk; data processing 700.82; N & B Gas, tank rental 9.99; NACO, membership dues 2131.80; NE Assn County Official, registration fees 750.00; Nebraska Health & Human Services, behavioral health fees 186.00; Nebraska Planning & Zoning, conference registration 70.00; Nebraska Weed Control, dues 210.00; Neligh Auto, socket set 94.99; Neligh News, public notices, proceedings, notice of bids, warning books 505.52; Neligh Postmaster, postage 47.00; Nebraska Research, envelopes 328.00; Office Depot, protectors, pens, toner, envelopes, moistener, sponge, dvd spindle 174.06; Valorie Olson, attendance mental health hearing 50.00; Orchard News, public notices, legals, invitations to bid, meeting notices 63.23; Donna Payne, prior service 25.00; Pierce County Court, certified copies 1.75; Pinnacle Bank, fuel, baskets, milk 82.35; Pitney Bowes, postage 6131.90; Plainview News, advertising, sample ballots 585.00; Donald Poulsen, prior service 72.00; Protex Central, fire alarm test 203.50; Quill Corp, toner 179.98; Ramada Inn, Weed Control; room charge 140.00; Shell Fleet Plus, fuel 370.49; Caroline Siems, prior service 25.00; Stanton County Sheriff, transportation, mileage 69.00; Michael Sullivan, attendance mental health hearing 50.00; Thriftway Market, milk, brownie mix, butter, margarine, eggs, chips, pasta sauce, stuffing, wheat thins, cornbread, honey, corn starch, baking powder, brown sugar, cheese, peanut butter, gravy, pepper, chili packets, tomatoes, mustard, saltine crackers, coleslaw, potatoes, baking cups, tomato soup, vegetable oil, cranberry cocktail, miracle whip, grape jelly, carrots, chicken soup, mushroom soup, hot dogs, bananas, sugar, olive oil, flour 1850.30; Tilden Citizen, Sheriff; help wanted ads, Election Commissioner; sample ballots 552.00; Uline Supply, bags, white laser bulbs, 83.87; UNL Its Communications, iPad internet 91.04; US Cellular, telephone service 324.70; US ID Manual, subscription renewal 82.50; Verizon, telephone service 28.69; Clearwater Village, recycling fee 250.00; Bonita Welke, prior service 22.00; James Wilcox, prior service 72.00; David Willats, prior service 12.00; Woods & Aitken, mileage, presentation in Antelope County 2652.38.

**At Large:** B's Enterprises, grader blades, flat drag blades, spiral culvert, corrugated band 8376.60; Beckman Lumber, acetylene refill 72.25; Bomgaars, crimper kit, pliers, PTO pins, terminal kit, circuit tester, wire, diesel fluid exhaust, creosote post, barbed wire, bolts, top link pin, lynch pin, jean 110.99; Bygland Dirt, crushed concrete fines 1256.96; Carhart Lumber, SYP treated, Sharon fastener 21.56; Carquest, V-Belts, circuit breaker 76.45; Casey's, fuel 140.56; Creighton Plumbing, clean sewer lines, no-seep wax bowl, connectors 158.22; Cubby's fuel 194.34; Elkhorn Rural Power, electricity 78.71; Farmer's Pride, fuel 2076.55; Herley's Repair, master window switch, window regulator & motor, labor 679.93; Hinrichsen Sand, road gravel, bank run 1931.27; Hometown Station, fuel 522.59; Island Supply Weld, CYL Rental 165.00; Jebro, MC3000, demurrage 23,163.63; JEO Consulting Group, general engineering, final design, construction services, transportation 12,854.50; Jonny Dodge, replaced toggle switch, replaced switch & blower motor, check fluid levels, replaced bushing, greased trailer 1406.09; Kumm Gas, fuel 754.88; L Bar B Steakhouse, meals for safety meeting (24) 270.60; Lichtenberg Tire, dynatrac, tire disposal fee, NE tire fee, miscellaneous shop fees, flat tire repair 373.68; Maddock Construction, Wirtgen bits (200), Wirtgen bit holders (20) 1895.07; Mitteis Gravel, armor coating 4556.48; Mr. S's, fuel 1357.42; Nebraska Safety Center, continuing education registration fees 255.00; Neligh Auto, wiper blade, hose fitting, nitrile gloves, cleaner, nose pie 205.68; North American Truck, tractor rental 3689.96; OK Tire, tire repair, miscellaneous supplies, firestone TransForce 358.02; Orval's Auto, axel U-Joint, tube seal, vacuum seal, tie rod end, drag link end, oil filter, oil, washer fluid 771.75; Quality Iron, oxygen 19.75; Quick Serve, grease, oil, fuel, tire repair 1099.48; Reinke's Farm,

STIHL tools, freight 1269.98; Ross's Repair, PTO Seal, oil, clutch brake, labor 427.07; Royal One Stop, fuel 1603.04; Shell Fleet, fuel 467.29; Spud Trucking, install wet kit, parts, oil 4000.00; Topkote, armor coat 7680.00; Verizon, telephone service 115.84.

**Brunswick Area:** B's Enterprises, spiral culvert arched, freight 5750.00; Bazile Aggregate, sand, road gravel, 435.00; Bomgaars, brome seed 190.00; Frontier Communications, telephone service 73.32; Funk Construction, 8 hours hoe 1440.00; Kumm Gas, fuel 4693.73; Mitteis Gravel, road gravel 1076.05; Neligh Auto, fittings, fuel filter, battery spring clamp 29.12; NMC Exchange, filter, mailer 431.78; North Central Public Power, electricity 153.31; Precision Repair, BlueGaurd 500 Grease 101.60; Sobotka Trucking, rock 786.50; Brunswick Village, water, sewer, trash 83.00; Warren Garage Door, labor and materials to service door 1685.75.

**Orchard Area:** B's Enterprises, culverts, band 722.40; Bomgaars, grease, oil 41.94; Black Hills Energy, heating fuel 127.95; Dusty's, fuel 51.00; Farmer's Pride, fuel 3177.29; Frontier Communications, telephone service 72.27; Kayton International, bobcat rental 1500.00; Lazy T Tire, tire repair 233.34; Mitteis Gravel, mudrock, dirt 1763.18; Neligh Auto, towels 95.70; North Central Public Power, electricity 59.77; Sierra Trucking, rock 1560.00; Source Gas, heating fuel 77.32; T-J's Corner, key, oil, power steering fluid, mouse bait 28.95. Zee Medical, elastic strips, first aid pocket guide, gloves 36.60.

**Clearwater Area:** Black Hills Energy, heating fuel 45.90; Bomgaars, combo kit, socket adapter 155.57; Elkhorn Rural Power, electricity 93.15; Farmer's Pride, fuel 799.98; Hinrichsen Sand, road gravel 1349.28; Green Line Equip, diesel exhaust fluid, filters, washer 170.36; Lichtenberg Tire, service call, tire mount and dismount, O-ring, 146.00; Mitteis Gravel, road gravel 587.82; Northeast Nebraska Telephone Co, telephone service 201.58; Neligh Auto, towels 89.96; NMC Exchange, belt sets, air filters, battery, bolts, nuts, repair/refill kits, element 1629.08; Northeast Nebraska Telephone Company, telephone service 201.58; Orval's Auto, repair air conditioner 54.00; Pollock Redi Mix, 9 oversize loads 1661.48; Powerplan, tractor parts, wheel ring, O-ring, tire valve, wheel ring 1085.42; Road Builders, seals, ring kits, bolts, hose assembly, 274.48; Sanne Service, air governor, tow hook, freight, 737.66; Shell Fleet, fuel 92.00; Town & Country Hardware, nuts 10.40.; Clearwater Village, water, sewer, business 54.00; Zee Medical, towels, eye wash, ibuprofen, emergency first aid pocket guide 63.75.

**Neligh Area:** Cubby's, fuel 55.20; Farmer's Pride, fuel, liquid ice melt 1513.78; Frontier Communications, telephone service 122.04; Jonny Dodge, lube, oil, filter, service 43.10; Kayton International, blade nuts, miscellaneous parts, bobcat rental 1920.27; Lichtenberg Tire, tire repair, O-ring, miscellaneous supplies 127.00; Mitteis Gravel, road gravel 167.06; Mr. S's, fuel 56.00; Neligh Auto, coupler, valve U-bolt, adapter, nipple, cable, battery cable, shrink tube, switch 144.67; NE Glass, tinted safety glass 302.00; NMC Exchange, oil 1391.07; Powerplan, labor, miscellaneous parts 415.60.

**Tilden Area:** Bomgaars, paper towels, toilet paper, furnace filter, floor dry 56.88; Black Hills Energy, heating fuel 37.81; Carhart Lumber, ball valve, hole saw, sawzall packs, duct tape, hex bolt 89.13; Tilden City, trash, sewer, water 104.82; Constellation Gas, fuel 45.48; Corner Service, tire repair, tube 44.05; Farmer's Pride, fuel 1245.96; Frontier Communications, telephone service 71.01; Matteo Sand, road gravel 2576.40; Mitteis Gravel, road gravel 159.64; Mr. S's, fuel 154.93; Nebraska Public Power, electricity 170.75; Pollock Redi Mix, road gravel 289.97; Quick Serve, fuel 618.63.

**Oakdale Area:** Bomgaars, contractor bag, duct tape, replacement chains, oil 128.02; Black Hills Energy, heating fuel 48.23; Farmer's Pride, fuel 783.67; Great Plains Communications, telephone service 130.45; Green Line Equip, hand cleaner, oil 95.22; Kayton International, ball bearings, towels, grease 277.54; Matteo Sand, road gravel 3752.16; Mr. S's, fuel 119.97; Nebraska Public Power District, electricity 46.26; Neligh Auto, spark plug, antifreeze, batteries, oil filter 107.10; OK Tire, labor, tube, miscellaneous supplies 36.95; Quick Serve, fuel, tire repair 175.95; Zee Medical, extra strength pain medication 11.95.

**Elgin Area:** Bomgaars, smith cutting tip 15.49; Black Hills Energy, heating fuel 63.10; Central Valley, nuts, bolts, cord, air hose tips, batteries, strike plate 27.84; Elkhorn Rural Power, electricity 59.19; Great Plains Communications telephone service 139.96; Hometown Station, fuel 272.83; Precision Repair, interstate battery 229.90; Sapp Bros, fuel, oil 5110.24.

**Visitor Improvement Fund:** Neligh Baseball Booster, Agriline Legion Field 1500.00.

**Register of Deeds:** MIPS, data processing 295.70.

**Law Center Fund:** AMH Family Practice, prisoner expense, doctor visit, stitches 594.00; Cash-Wa Distributing, toilet paper, towels, pork loins, ham, pork ribs, tater tots, beef stir-fry, pork patties, chicken breast patties, peaches,

pears, applesauce, oranges, mustard, catsup, lid dinex turnbury, pasta, saltine crackers, saltine crackers, bologna, diced turkey, peanut butter cups, Kit-Kat, M&M's, Twix, Hershey bars, Starbursts, Snickers, Skittles, Butterfinger 2704.14; Pinnacle Bank, blankets, dvd, assorted pop brands (24pks & 8pks) Klondike bars, Uno, Phase 10, Skip-Bo, dominoes, CD's, Chesskritt, Scrabble, moisturizer, composition books, drawing pads, drink mix, colored pencils, Casey's Pizza 541.09; Protocall, phone cards 1124.44; Thriftway Market, M&M's, granola bars 6.96; Uline Supply, tote boxes, service cart, Clorox wipes, Purell dispensers, Purell foam refills, freight 728.36; Wanek Pharmacy, prisoner medications 829.38; Zee Medical, extra strength aspirin 11.95.

**Building Fund:** Pollock Redi Mix, materials to repair museum sidewalk 116.50, Sweeper Metal Fabric, paracentric keys, shipping & handling 304.95; Western Roof, labor, materials to fix holes on North small roof 339.54.

**General:** Total Payroll, 86,928.66; Ameritas, retirement 13,350.86; Garnishment, 820.96; Withholdings, 10,098.69; Social Security, 17,679.98; BlueCross/BlueShield, insurance 58,789.36; Colonial Life, insurance 58.25; First Concord Benefits, insurance 1048.32; Madison National Life, insurance 393.11; Mid-American Benefits, insurance 192.50; Nebraska Department of Revenue, state tax 3340.41; NACO Vision, insurance 412.76; Washington National Insurance Company, insurance 404.04.

**Road & Bridge:** Total Payroll, 50,505.34; Ameritas, retirement 7568.91; Garnishment, 693.82; Social Security, 10,093.84; Withholdings, 4686.53; BlueCross/BlueShield, 32,200.48; First Concord Benefits, insurance 540.27; Colonial Life, insurance 18.00; Madison National Life, insurance 213.56; Mid-American Benefits, administration fees 104.50; Nebraska Department of Revenue, state tax 1714.55; NACO Vision, insurance 199.80; Washington National Insurance Company, insurance 133.40.

Ed Schindler /s/12-13-2016

Jerald Schwager /s/12-13-

2016

Neil Williby /s/12-13-

2016

Correspondence was reviewed: Contryman Associates P.C.-NACO Conference Hospitality Suite; Christmas card from Berggren Architects; JEO letter regarding one (1) year warranty on the Clearwater Southwest Project;

Receipts: NNTC-Northeast Nebraska Telephone Company \$493.18.

**Pledge collateral** is at \$260,000.00. Bringing a total of Antelope County covered deposit to \$510,000.00.

**Gary Borer** met with the supervisors regarding **noise study action** taken by the Board of Supervisors during the December 6, 2016 meeting regarding the **acoustical** studies conducted by Hankard Environmental on the Prairie Breeze II Project noise complaints. He submitted a statement to the Supervisors, of which he read to the Board.

Good Morning,

I was disappointed in the decision this board reached last week concerning the wind noise reports.

The zoning regulation's state the noise level is not to exceed 50 decibels. It does not specify which metric is to be used. Mr. Rand clearly states that the noise study indicates that the noise levels are above the noise levels that Antelope County allows. You cannot change the rules after the fact. By using the metric that Hankard uses, we are violating an ordinance approved by this board. By allowing this to happen, you are putting Antelope County in a liability situation. Any damage or health issues that results from towers not in compliance becomes the responsibility of the county.

Also, it means that you are changing zoning regulations without a public hearing which may render this new decision null and void.

Almost 3 years ago I came before this board and expressed my concerns concerning the effect wind tower noise would have on my property – noise and property devaluation. I met with two of you before the meeting and the rest of you at the meeting. I was pretty much ignored. I have met with the is board several times in the last

three years and was again pretty much-ignored. Now the issue has been proven. I hope you will try to solve this issue before it comes to litigation. – But it most likely will. Another thing that bothers me is that this board should have taken more time to make that decision last week. But because Invenergy said they had to have a decision last week, this board rushed in to a very hasty decision. Why do they always get what they want? Who runs this county?

Thank you.

Supervisor Schwager thanked Gary.

The supervisors requested a copy of the “letter” be shared with the county attorney. In parting, Mr. Borer states “I think we made a mistake. I really do. You left the county a liability.” No further discussion.

Mr. Don Klabenes was present to discuss the **fence across 517<sup>th</sup> Avenue** in 6-25-7. Currently, the property in question has three (3) different landowners in violation of Antelope County right of way. Mr. Klabenes has mature trees and part of a garage on the Right of Way. He is willing to remove his “possessions” in the right of way so it is “right”. He believes all parties should do what is “right”. This is the property Tyler Kester discussed with the Supervisors during the November 1<sup>st</sup> Meeting. It seems all parties agree to make this all right. The county surveyor will be out to look and survey the property tomorrow (12-14-2016). Mr. Klabenes may own a separate piece separate from what he believes he owns. The county owns the right of way, and is not giving up that right of way. The item was tabled until Brian McDonald can offer an opinion on the situation, later today. There is a statute regarding adverse possession; where someone who has maintained the property may have a “right” to the property. There may be a trade between ground depending a review by a surveyor or abstractor is needed to decide ownership. The road right of way will be maintained by the county. It is questionable whether there is a road there, but the right of way is still current with Antelope County.

Casey Dittrich, Road Boss continued with his report. **GIS Signage Contract** NIRMA references a simple sign program, and has a grant to help cover up to 50% of the cost. Eli Jacob and Casey Dittrich met with Geneie Andrews regarding the program. Current mapping is with one (1) employee and very little is documented. Federal mandates require simple sign programs. The GIS Sign Program was developed with NIRMA and current Nebraska sign statutes. The GIS is currently being used by the Assessor’s Office and the development of the sign program compliments it. The program is able to provide an easy way to document county road maintenance issues. The program is relatively easy to use and provides great document for the simple sign program, culverts and asset maintenance program. Geneie quoted \$10,480.00 is the cost of the program. The program has the ability to document all gravel, overlay etc. placed on all county roads. However, Casey does not see that need at this time and would like to see signs and culverts only. And possibly developing something later to compliment the sign maintenance. Starting small with the documentation on current sign placements. With the purchase of this program, Antelope County will be able to map all sign placements/maintenance and retroreflectivity. The retroreflectivity reading can be done by borrowing a gun from Nebraska Department of Roads. At which time the location and sign will be documented and downloaded to the system. The initial set up will take some time. Casey is planning on working with Eli during the first part of 2017 to get the location and retroreflectivity documented. The simple culvert program runs in conjunction with the simple sign program. The cost of simple sign program is \$8,480.00 and the simple culverts is \$2,000.00, for a total of \$10,480.00. During the initial introduction, because it is digitalized on their program for the Assessor’s Office and because of what the state has and the bridge inspections Brian McDonald has done, every bridge in Antelope County is already on the program. In the future, our One and Six Year Plan can be on it. Motion by Henery, seconded by Williby to accept the Simple Sign and Culvert contract for \$10,480.00. Voting aye: Henery, Williby, Bolling, Koinzan, Kerkman, Schindler, and Schwager. Contracts were signed.

Bruce Ofe, **Antelope County Weed Superintendent**, met with the Supervisors regarding invasive noxious weeds including yellow flag iris the entire way across the county. It is in Holt and Madison County. They applied for and received a grant of \$10,000.00 with the NRD matching of \$5,000.00 Upper Elkhorn NRD in O'Neill has Total \$15,000.00. Because the 'Yellow Flag Iris' is not currently listed by the State as a noxious weed. It is very invasive. The plan is to hire a helicopter to spray this 'iris'; however, an approval from the landowner is needed. Mr. Ofe will be contacting as many land owners as he can this winter so they spray next spring. They have been noting various areas with other noxious weeds. This grant money has to be spent by the end of July.

**Brian McDonald**, Highway Superintendent met with the Board requesting they start thinking of changes to the **One and Six Year Program** that will need to be made during the 2017 year. We will probably meet in January, and have a public hearing in February.

**Bid opening for Elgin Northeast**, JEO Project #160023 (Schuchardt Corner). Bid opening for the project was at 10:00 AM. Brian McDonald was here for bid opening. Three (3) bids were received. A&R Construction Company \$ 282,650.17, start date 06-15-2017; Husker Engineering \$ 296,268.60, start date 06-17-2017; Myers Construction, \$ 423,781.90, start date 05-14-2017. Motion by Supervisor Bolling, seconded by Supervisor Henery to accept A & R Construction Company bid as apparent low bid, bending verification of numbers. Voting aye: Bolling, Henery, Williby, Kerkman, Koinzan, Schindler and Schwager. Nays none. Motion carried. Still negotiating ROW with Novaks.

**Road Annex** resolution: Road behind Two Rivers Irrigation was discussed in previous meetings, currently is owned by the county. The resolution passed last week needs to be rescinded. Motion by Supervisor Henery, seconded by Supervisor Williby to rescinded last week's resolution. 2016-12-0001 regarding the 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 525<sup>th</sup> Avenue. The road extends northeast approximately 300 feet and then extends due east to its intersection with 525<sup>th</sup> Avenue. The entire roadway is located within the Northeast Quarter of Section 28, Township 25 North, Range 6 West of the 6<sup>th</sup> Principal Meridian, Antelope County Nebraska. Because the county no longer owns the segment. Voting aye: Henery, Williby, Kerkman, Koinzan, Bolling, Schindler and Schwager. Nays none. Motion carried.

**Right of way for Tilden West** was completed for \$1,500.00 an Acre. All three land owners are signed up. We have copies of the signed easement deeds; Jerry and Sandy Hales \$ 249.90; Clara and Frederick Ridder \$ 2,356.20; Duane Ridder \$525.30.00 Supervisor Williby made a motion to accept the terms of the permanent easement deeds, including replacement of impacted fences 15 to 16 hundred feet. Seconded by Supervisor Henery. Voting aye: Henery, Williby, Kerkman, Koinzan, Bolling, Schindler and Schwager. Nays none. Motion carried.

#### **Zoning Administrator Report: Subdivision Approval**

During the December 6, 2016 meeting a subdivision approval was approved for a 2.54 Acre tract, since that passing the owner (Wolske) has requested a subdivision on the same parcel with the driveway omitted. He is expecting to get an egress and ingress easement to the property driveway. Motion by Supervisor Kerkman to approve subdivision contingent on the easement for the driveway. Motion was seconded by Supervisor Henery. Voting aye: Kerkman, Henery, Williby, Koinzan, Bolling, Schindler and Schwager. Nays none. Motion carried.

#### **SUBDIVISION APPROVAL**

The survey of 2.26 acres, described as:

A Tract of land lying wholly in the Southeast  $\frac{1}{4}$  of the Southeast  $\frac{1}{4}$  of Section 12, Township 23 North, Range 5 West of the 6<sup>th</sup> 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; thence North 09 degrees 08 minutes 10 seconds West 432.66 feet to the point of beginning; thence South 84 degrees 56 minutes 35 seconds West 29.23 feet; thence South 84 degrees 03 minutes 50 seconds West 212.45 feet; thence North 01 degrees 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 to the point of beginning and containing 2.26 acres more or less.

Approved by the County Board on December 13, 2016.

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

\_\_\_/s/ Lisa Payne \_\_\_\_\_

\_\_\_/s/ Liz Doerr

\_\_\_\_\_  
Chairman

\_\_\_\_\_  
County Clerk

\_\_\_\_\_  
Zoning Administrator

There are 3 **Planning Commission** members who terms will expire in December. Liz Doerr has not had complaints on these members. Mark Smith, current Planning Commission President was in attendance and recommended re-appointment of all three (3) members to the board, in-light of the updating of the regulations. Sandy Koinzan, also in attendance voiced she would like a consideration for the board position, she gave a brief background and experience. It was also mentioned Kathy Koenig had also expressed an interest in the position. Mark Smith voiced he had no problems with any of the candidates. Discussion continued. Supervisor Kerkman made a motion to reappoint Dan Zwingman to the Planning commission for a three (3) year term, motion seconded by Supervisor Schindler. Voting aye: Kerkman, Schindler, Williby, Bolling, Koinzan, Henery and Schwager. Nays none. Motion carried. Supervisor Williby made a motion to reappoint Greg Wortman to the Planning commission for a three (3) year term, motion seconded by Supervisor Henery. Voting aye: Williby, Henery, Kerkman, Schindler, Bolling, Koinzan and Schwager. Nays none. Motion carried. Motion by Supervisor Bolling, seconded by Supervisor Williby to appoint Kathy Koenig to the Planning Commission for a three (3) year term. When asked for questions, comments Mark Smith asked for clarification on the nomination and not nominating Phyllis Perdew. Supervisors responded it is our choice. Bob Snodgrass gave another recommendation on Mrs. Perdew's past performance. Discussion ceased. Roll call vote. Voting aye: Bolling, Williby and Koinzan. Nays: Kerkman, Schindler, Henery and Schwager. Motion did not carry. Motion by Supervisor Schindler, seconded by Supervisor Kerkman to appoint Phyllis Perdew for a three (3) year term on the Planning Commission. Voting aye: Schindler, Kerkman, Henery, and Schwager. Nays: Koinzan, Williby, and Bolling. Motion passed. Motion by Supervisor Williby, seconded by Supervisor Schindler to have the terms run through December 31, 2019. Voting aye: Williby, Schindler, Kerkman, Koinzan, Bolling, Henery, and Schwager. Nays none. Motion carried.

The **Board of Adjustments** deals with variances/appeals etc. Randy Hughes a member of the Board of Adjustment's term is also expiring at the end of December 2016. Motion by Supervisor Schindler to reappoint Randy Hughes to the Board of Adjustments for a three (3) year term expiring December 31, 2019, motion seconded by Supervisor Henery. Voting aye: Kerkman, Schindler, Williby, Bolling, Koinzan, Henery and Schwager. Nays none. Motion carried.

Mrs. Doerr reported the **MET towers** erected in Grant Township are temporary. They were not Conditional Use Permitted. She has discussed with County Attorney, who instructed her to send a letter, and let Invenergy know any and all future building/towers etc. needs to be permitted separately. Invenergy assured Mrs. Doerr no more will go up without a permit. They are temporary in will be up for five (5) to (6) months. Emiy Koblyczark, Invenergy reported the following; The current towers were requested by GE to compile a production test. All future work will have permits in place. Equipment is Invenergy's.

Liz Doerr shared the November **Permit Report**. The next **zoning meeting** is in January 3, 2016. They will be discussing **Land Use Chart** and various other issues for updates.

**Insulation of the Orchard Barn.** Supervisor Williby requested insulation of the Orchard Barn. Road Boss, Casey Dittrich has researched the cost for insulation of the barn and obtained two (2) quotes. Spray-on insulation of the north wall of the east half of the shop the east wall to the south Roof north east and south wall. Measures (40 x 41 x 14 feet tall.). Wisninski – only 2 inches @\$ 9,500.00; Brian Swanson 1½ inch insulation \$5,600.00 and 2-inch insulation at \$7,500.00. Discussion as to merits and benefits continued. Motion by Supervisor Henery, seconded

by Supervisor Williby to accept Swanson's bid for 2-inch insulation @ \$7,500.00. Voting aye: Henery, Williby, Koinzan, Kerkman, Schindler, Bolling and Schwager. Nays none. Motion passed. There was no timeline agreed.

After **county vehicle** discussion, last week. Supervisor Henery requested Jonny Dodge send bid quotes on vehicles for the county vehicle. Andy Beyer, salesman, sent a litter listing four (4) used vehicles. The vehicles listed are not useful for the current county needs. Discussion continued. It was requested for supervisors and personnel to keep avenues for "other" vehicle options. No formal action was taken.

Designation of **official papers for the 2017** year. Motion by Supervisor Henery, seconded by Supervisor Williby to accept the four (4) county papers as official papers. The Neligh News; The Elgin Review; The Orchard News, and the Clearwater Record. Voting aye: Henery, Williby, Bolling, Koinzan, Kerkman, Schindler, and Schwager. Nays none. Motion carried.

**Bullseye Fire Sprinkler Inc.** Due to recent dry valve problems with the current fire sprinkler, Antelope County had to repair the dry valve. Total Fire Protection had a fixit quote of approximately \$5,000.00; when in fact it was done for \$301.68 by Bullseye. During recent board discussion, it was requested to have other Fire Sprinkler experts look at the sprinklers. Bullseye examined and fixed the dry valve system for less than a quarter of the money quoted by Total Fire. During the course of inspecting and fixing Mr. Les Swanson requested Mr. Schindler to entertain a contract with his company to continue the inspection and maintenance. Mr. Schindler shared the proposals as submitted and requested the board to take action. Bullseye will complete annual inspections and testing for \$400.00 Jail and \$450.00 for courthouse. Eddie was impressed with the efficiency, and the economical way the "broken" Dry Sprinkler Valve was handled. Motion by Supervisor Koinzan, seconded by Supervisor Kerkman to accept Bullseye Maintenance Bid for the Fire Sprinkler. Voting aye: Koinzan, Kerkman, Williby, Henery, Bolling, and Schwager. Schindler abstained. Nays none. Motion passed.

Transfer of Funds from General to Road and Bridge. No action at this time. Funds are OK at this time.

Motion was made by Supervisor Williby seconded by Supervisor Schindler to **adjourn**. Voting aye: Williby, Schindler, Kerkman, Henery, Bolling, , Koinzan and Schwager. Nays none. Motion passed. (11:10 AM)

Motion by Supervisor Williby, seconded by Supervisor Schindler to **rescind adjournment** motion. Voting aye: Williby, Schindler, Kerkman, Henery, Bolling, , Koinzan and Schwager. Nays none. Motion passed. (11:11 AM)

**Election worker's claims** were reviewed and signed. Motion to approve and pay claims for election workers made by Supervisor Henery, seconded by Supervisor Schindler. Voting aye: Henery, Schindler, Williby, Kerkman, Koinzan, Bolling and Schwager. Nays none. Motion carried.

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

Meeting adjourned at 11:25 AM.  
BOARD OF SUPERVISORS

ANTELOPE COUNTY

By: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Chairman of the Board,

Jerald Schwager



Attest: \_\_\_\_\_

\_\_\_\_\_

County  
Clerk, Lisa Payne