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BOARD OF EQUALIZATION PROCEEDINGS – December 16, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on December 16, 2013 at 8:00 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on December 4, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:02 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of November 18, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The County Assessor presented and explained the correction sheets for the month.

Motion made by Kment, seconded by Gutshall to approve and authorize the chairman to sign the correction sheets numbered 3974 – 4026 and place them on file.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Discussion was held on the real estate tax notices, property values and real estate sales. No action necessary.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for Tuesday, January 21, 2014 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

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COMMISSIONER’S PROCEEDINGS – December 16, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on December 16, 2013 at 8:15 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on December 4, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:25 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the minutes of November 18, 2013 meeting.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file:

- FoxFire Pressure Washer, Columbus – product brochure
- Candi Sanders, NPAIT – appl appointment county depository
- First Nebraska Bank – appl appointment county depository
- Kirk Bowers, Wellness Partners – health fair
- Historical Society of Stanton County – December 2013 newsletter
- Martin Marietta Aggregates – price listing
- NE Economic Dev – meeting notices

The County Clerk advised the board that a compressor on the courthouse heating unit burned out and had to be replaced last week.

Discussion held on the electrical usage for the extension office building. The usage amount doubled from last month. Dave Gutshall will contact the extension office about the furnace and look into possible options. Matter continued to the January 21, 2014 meeting.

Discussion was held on custody receipts. Motion made by Kment, seconded by Gutshall to approve the following resolution to add and release pledged security:

RESOLUTION No. 2013.12 – 039:

BE IT HEREBY RESOLVED, that Midwest Bank NA, Pilger, Nebraska hereby wishes to release the following security held in escrow to secure deposits of this county in said bank, to-wit:

Papillion Neb Mun Facs Corp #698864DZ5	Due 12/15/2013	\$175,000.00
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AND, BE IT FURTHER RESOLVED, that Bank First, Norfolk, Nebraska wishes to add the following security held in escrow to secure deposits of this county in said bank, to-wit:

Federal Natl Mtge Assn #3136G1WX3	Due 11/14/2016	\$250,000.00
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AND, that the release of the following security is also hereby approved:

Federal Natl Mtge Assn #31398A6D9	Due 11/18/2013	\$250,000.00
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AND, that the same is hereby approved.

Dated this 16th day of December, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

General discussion held on county issues. No action needed.

Mike Unger, County Sheriff, joined the meeting. Mike updated the Board on recent events within the County.

The board reviewed an information sheet provided by the Planning and Zoning Administrator, LaLene Bates, along with the lot split application for Michael Kabes to split land located in the N½ SW and SW SW 18-21-2.

Motion made by Gutshall, seconded by Weatherholt to approve the lot split application of Michael Kabes to split land in the N½ SW and SW SW 18-21-2, as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Mark Mainelli, Highway Consultant, joined the meeting.

Discussion was held on the application of Qwest Corporation d/b/a CenturyLink QC to cross under NE Industrial Hwy with a 1" fiber line to Nucor at 2911 Nucor Rd, located in Section 7, Township 24, Range 1 East. Mark advised the board of conditions to be followed to cross this county road. Re-seeding and backfilling will need to be done to the satisfaction of the county. Also the crossing needs to stay within 3' of the county right-of-way. Mark Mainelli was asked to contact Qwest for more information. The application for undercrossing of county road continued to the January 21, 2014 meeting.

General discussion was held on road issues, paving projects and culvert projects. No action needed.

Michelle Evert, Responsible Charge, joined the meeting. She advised the board that the Federal Aid Project is under Winter Spec Hours to enable the bridge to be open through the winter and the remaining work to be finished in the spring.

Motion made by Kment, seconded by Gutshall, to approve for the month of November the County Clerk fees in the amount of \$1,727.65; Documentary Stamp Tax, co shr in the amount of \$329.47; P&M Fund fees in the amount of \$255.00; Game and Parks Agent fees in the amount of \$4.00; Misc Copy fees in the amount of \$20.00; Clerk of the District Court fees in the amount of \$118.29; Passport fees in the amount of \$50.00; County Treasurer's receipt of money received numbered 00016337 – 00016377, inclusive in the amount of \$150,043.65;

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND - Ameritas Retirement, ret – co shr, 5641.99; Appera, towel service, 33.87; A to Z Vac-N-sew, repairs, 39.95; LaLene Bates, mileage, 37.29; Kim Bearnes, meals fuel etc, 164.31; Big Red Printing Inc, supplies, 110.38; Black Hills Energy, utilities, 163.63; Blue Cross/Blue Shield, ins – co shr, 32745.37; Butler County Health Care Center, services, 792.95; Gary Carson, dues mileage etc, 532.10; Phyllis Cleveland, supplies, 22.26; Constellation NewEnergy, utilities, 426.21; Cornhusker Auto Center, services, 1071.04; Courtesy Ford-Lincoln-Mercury, repairs, 17.88; Deets Homestore, hat rack, 149.00; Martha Detlefsen, prior service, 12.00; Douglas County Health Center, autopsy costs, 250.00; Eakes Office Products Inc, supplies, 7.69; Emmetts Foodtown, supplies, 3.79; Ewalt Law Office PC LLO, atty fees, 2100.00; Farmers Cooperative, fuel, 1810.35; First Concord Benefits Group, flex fees, 26.00; Floor Maintenance & Supply Co, supplies, 162.21; See Store 1 LLC (Gene's Roadrunner), fuel, 1444.97; Carolyn Glaser, meals, 6.01; Hampton Inn Suite Omaha, lodging, 1736.00; Brittini Hart, services, 64.00; Wanda Heermann, printers etc, 315.31; Hilton – Omaha, lodging, 122.00; Holiday Inn Express – Hastings, lodging, 166.00; IRS USA Tax Pymt, so sec tax – co shr, 6091.65; Juror Fees, misc, 1173.32; Diane Kander, meals, 7.33; W Bert Lammler, office allowance, 757.48; Luedeke Oil Co Inc, fuel, 1175.69; Madison National Life Ins Co, ins – co shr, 2.67; Mid-American Benefits Inc, hra fees, 344.00; Midwest Special Services Inc, services, 240.30; MIPS Inc, supplies service, 2540.43; National Assn Co Treas & Fin Office, reg fee, 125.00; National Dist Atty Assoc, dues, 97.00; National Sheriff's Assoc, dues, 52.00; Nebraska Assoc Co Officials, dues, 1323.49; Nebraska DOL/Office Safety, boiler inspection, 72.00; Nebraska Health Human Services, fees, 90.00; Nebraska Notary Assoc, fees, 154.23; Northeast Research & Extention Cntr, battery, 112.49; Lavern Newkirk, prior service, 17.00; Nielsen Lawn Service, grounds care, 94.00; Osmond Pharmacy, services, 35.67; Pierce County Sheriff, boarding, 8250.00; Pilger Library, library supplies, 1226.17; William Schellen dba Prime Align, services, 279.28; Prime Sanitation Service, trash removal, 39.75; Rita Roenfeldt, prior services, 20.00; Stanton Auto Parts, services, 2900.70; Stanton County Court, costs, 511.00; Stanton County Dist Court, costs, 70.00; Stanton County Imprest Acct, fees, 18.75; Stanton County Public Power District, utilities, 1491.24; Stanton Hardware Hank, supplies, 27.20; Stanton Printing, printing, 428.37; Stanton Telecom, services, 1449.00; Stanton Water & Sewer, services, 151.50; State Nebraska – Dept Corr Serv, boarding etc, 532.49; Teeco Inc, supplies, 88.50; Telebeep Wireless, services, 111.80; Thomson Reuters – West Pymt Cntr, supplies, 249.00; Thurston County Sheriff, boarding, 2200.00; UNL ITS Communication Center, services, 46.15; Uptown Brewery, service, 79.15; Card Services, meals, 476.32; Voigt Locksmith Inc, locks keys etc, 862.50; Western Office Technologies, supplies, 1191.95; Witness Fees, misc, 26.78; Cheryl Wolverton, mileage etc, 41.64; Zee Medical Service Co, supplies, 32.05; Sandra Zoubek, supplies etc, 5018.25;

ROAD FUND - Ameritas Retirement, ret – co shr, 2679.95; Appera, towel service, 31.58; ATCO International, supplies, 1703.00; Black Hills Energy, utilities, 82.99; Blue Cross Blue Shield, ins – co shr, 20607.90; Bomgaars, supplies, 9.38; Century Link, services, 47.38; Clarkson Plumbing & Heating Inc, supplies, 1.59; Janice Coates, prior service, 17.00; Constellation Newenergy, services, 220.84; Elkhorn Valley Sand & Gravel, gravel etc, 11196.98; Farmers Cooperative, fuel etc, 12943.58; IRS USA Tax Pymt, co sec tax – co shr, 2988.97; Island Supply Welding Co, supplies, 80.41; Kelly Supply, supplies, 12.32; Kimball Midwest, supplies, 376.37; Kuehn's Auto Body, repairs, 109.65; Luedeke Oil Co Inc, fuel etc, 6813.94; Mainelli Wagner & Associates Inc, eng service, 25089.86; Martin Marietta Materials, gravel etc, 2625.21; Marx Repair LLC, repairs, 105.00; Matteo Sand & Gravel Co Inc, gravel, 1783.75; McWilliams Transport LLC, services, 375.00; Merchants Capital Resources Inc, payment, 3244.98; Midwest Service & Sales Co, supplies, 21.30; NMC Exchange LLC, repairs, 1113.88; Norfolk Truck Center Inc, repairs, 201.43; Northeast Glass, repairs, 260.00; S & S Willers Inc dba Pilger Sand and Gravel, gravel, 7269.48; Powerplan – Murphy Tractor, parts repairs, 790.54; Prime Sanitation Service, trash removal, 44.00; Road Builders Machinery & Supply Co, repairs, 4228.89; Rons Ag & Auto Repair, repairs, 224.58; Rueters Red Power, repairs, 1071.32; Stalp Gravel Company, gravel, 1795.32; Stanton Auto Parts, parts repairs, 386.97; Stanton County Public Power Dist, utilities, 492.13; Stanton Hardware Hank, supplies, 34.15; Stanton Telecom Inc, services, 194.44; Stanton Water & Sewer, services, 38.50; State Nebraska – Fuels & Remedial, fees, 360.00; Teeco Inc, supplies,

25.70; US Cellular, services, 139.21; Village of Pilger, utilities, 82.81; Elsworth Voelker, prior service, 13.00; Western Office Technologies, supplies, 242.49;

EMERGENCY MANAGEMENT FUND - Ameritas Retirement, ret – co shr, 14.43; AW Direct, supplies, 255.47; Farmers Cooperative, fuel, 161.65; Sanford Goshorn, utilities etc, 34.37; IRS USA Tax Pymt, so sec tax – co shr, 16.35; Stanton Hardware Hank, supplies, 31.97; Western Office Technologies, supplies, 9.58;

ROD – PRESERVATION & MODERNIZATION FUND - Eakes Office Products Inc, supplies, 406.25;

INHERITANCE TAX FUND - Lavern Raabe Estate, inheritance tax refund, 1298.56; Stanton County Public Power District, tower, 164.39;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5410.33; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$121,026.93.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for Tuesday, January 21, 2014 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – November 18, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on November 18, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on November 6, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:00 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of October 21, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Cheryl advised the board that there were no corrections sheets needing approval.

Motion made by Gutshall, seconded by Weatherholt to adjourn and set the next meeting for December 16, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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COMMISSIONER'S PROCEEDINGS – November 18, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on November 18, 2013 at 8:15 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on November 6, 2013, a copy of the proof of publication being attached to these minutes.

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The meeting was called to order at 8:15 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of October 21, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file:

Karr Tuckpointing, Vinton IA – free inspection offer

State Nebraska, Dept Environmental Quality, Lincoln NE – Waste Management Program Regulations

TransCanada, Norfolk NE – Pump Station Tours (November)

Motion made by Gutshall, seconded by Kment to approve and set the holidays for 2014 as follows:

January 1	New Year's Day
January 20	Martin Luther King Day
February 17	President's Day
April 25	Arbor Day (Friday)
May 26	Memorial Day
July 4	Independence Day (Friday)
September 1	Labor Day
October 13	Columbus Day
November 11	Veteran's Day (Tuesday)
November 27	Thanksgiving Day (Thursday)
November 28	Thanksgiving Holiday (Friday)
December 24	Christmas Eve (1/2 day Wednesday)
December 25	Christmas Day (Thursday)

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to approve the legal newspaper as the Stanton Register for the year 2014; to set the legal radio stations as WJAG/KEXL and US92 for legal and weather related announcements; and designate the Stanton County website (www.co.stanton.ne.us) as a means of publication of legal notices or other announcements.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Brad Johnson, representative of Shultz Vogel Johnson Mortuary and John Burns, representative of Home for Funerals, joined the meeting to discuss the cost paid by Stanton County for county burials. Mr. Johnson presented a burial plan proposal outlining basic services and costs. The board discussed and reviewed lists of options and fees presented by Mr. Johnson and Mr. Burns. The board advised those present that they would like to discuss the matter further before making any decision. Matter tabled until later.

Mike Unger, County Sheriff, joined the meeting. Mike updated the Board on recent events within the County.

LaLene Bates, Planning and Zoning Administrator, joined the meeting.

The chairman opened the hearing at 9:35 A.M. on the Thomas Schellpeper/Cingular Wireless Conditional Use Permit to erect a communication tower on property located in the S½ SW 10-24-2. Present to testify was: Tom Schellpeper. LaLene made a statement to the board on the addition to condition 5 to allow use of tower for

local law enforcement and emergency agencies with no fee at an agreed mutual location. Any radio equipment installed to promote emergency usage shall not interfere with original tower intended usage. Any and all equipment shall meet all standards as set by the FCC for intended usage. All equipment used for emergency usage shall be installed by the local authority and shall be inspected by the towers owner. She also noted condition 7: no cost to the county for road improvement.

Motion made by Kment, seconded by Gutshall to close the hearing.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the Conditional Use Permit of Thomas Schellpeper/Cingular Wireless to erect a communication tower on property located in the S½ SW 10-24-2 with the conditions recommended by the Planning Commission with additions to condition 5 and condition 7.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

LaLene presented lot split applications for Paradise Feeders and Cyril Kratochvil. She explained each application and the reason for the lot split.

Motion made by Kment, seconded by Gutshall to approve the lot split application of Paradise Feeders to split land in the SW 24-23-2, as per Planning Commission recommendations.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the lot split application of Cyril Kratochvil to split land in the S½ SW 21-21-1, as per Planning Commission recommendations.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

LaLene advised the board of a flyer showing the setback area of buildings and trees that will be included with the tax statements mailed by the County Treasurer. She also updated the board on the board of adjustment workshop held recently, Norfolk Airport zoning will be implementing a new 10 mile height restriction zone which will have to be added to our county zoning regulations, working on the hazard mitigation plan, noted the Planning and Zoning Conference will be held March 19-21, 2014 and assisting Assessor's office on year end work.

Elected and appointed officials joined the meeting.

Kent Trelford-Thompson and Sue Warner, representatives of Blue Cross Blue Shield of Nebraska, joined the meeting. Discussion was held on: tax rates beginning in 2014; health coops; projection of costs; health plans; pre-existing conditions and other insurance matters. No action needed.

Discussion was held with elected officials present on the setting of salaries for the upcoming term of office.

Motion made by Weatherholt, seconded by Gutshall to approve the following resolution setting the salaries of elected officials:

RESOLUTION No. 2013.11 – 035:

WHEREAS, Section 23-114 of the Nebraska Revised Statutes requires that the salaries of all elected officers of the county shall be fixed by the county board prior to January 15 of the year in which a general election will be held for the respective offices; and

WHEREAS, a general election will be held for such offices in 2014;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Stanton County, Nebraska hereby establishes the following salaries for elected officials for the elective term beginning January, 2015 as follows:

1. The annual salary for the offices of County Assessor, County Clerk and County Treasurer shall be established at \$45,200;
2. The annual salary for the office of County Attorney shall be established at \$46,200;
3. The annual salary for the office of County Sheriff shall be established at \$50,700;
4. The annual salary for County Surveyor shall be established at \$10 per year plus per diem expenses.

BE IT FURTHER RESOLVED, that the officials in each of the above offices, except the County Surveyor, shall be given an annual increase in the amount of \$1,200.00 for each of the calendar years of 2016, 2017 and 2018, which shall be added to the previous year's salary; and

BE IT FURTHER RESOLVED, that the elected official that is appointed by the County Board as the Budget Making Authority will receive \$1,000.00 additional compensation for those duties for each of the calendar years 2015, 2016, 2017 and 2018; and

IN ADDITION, full family health insurance paid by the county will be continued through the 2015-2018 term of office of elected officials, except the County Surveyor, and the deductible amount will be reviewed annually and may be adjusted accordingly to rise in costs or if the same deductible amount is no longer offered through our carrier.

Dated this 18th day of November, 2013.

/s/ Jerry Weatherholt
Chairman, Board of Commissioners

Attest:

/s/ Wanda Heermann, Clerk

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following resolution in relationship to the City of Stanton Police contract:

RESOLUTION No. 2013.11 – 036:

WHEREAS, the Stanton County Board of Commissioners hereby authorizes the Sheriff of Stanton County to continue to be compensated for administrative duties in relationship to the City of Stanton Police contract for services rendered;

IN ADDITION, the Stanton County Sheriff is authorized monetary compensation as negotiated and agreed upon with the City of Stanton. The compensation will be directed to the Stanton County Sheriff by the City of Stanton subject to the approval of the Stanton County Board of Commissioners. Such compensation shall cease at anytime the police contract becomes void;

AND, this authorization shall take effect for the elected term beginning in January 2015 through 2018.

Dated this 18th day of November, 2013.

/s/ Jerry Weatherholt
Chairman, Board of Commissioners

Attest:

/s/ Wanda Heermann, Clerk

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the following resolution setting the salary for County Commissioners:

RESOLUTION No. 2013.11 – 037:

WHEREAS, Section 23-114 of the Nebraska Revised Statutes requires that the salaries of all elected officers of the county shall be fixed by the county board prior to January 15 of the year in which a general election will be held for the respective offices; and

WHEREAS, a general election will be held for such offices in 2014;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of Stanton County, Nebraska hereby establishes the following salary for elected office of County Commissioner for the elective term beginning January, 2015 at \$22,500;

BE IT FURTHER RESOLVED, that the Board of Commissioners shall be given an annual increase in the amount of \$500.00 for each of the calendar years of 2016, 2017 and 2018, which shall be added to the previous year's salary; and

BE IT FURTHER RESOLVED, that the Chairman of the Board will receive \$1,000.00 additional compensation per year above the other board members; and

IN ADDITION, full family health insurance paid by the county will be continued through the 2015-2018 term of office of elected officials and the deductible amount will be reviewed annually and may be adjusted accordingly to rise in costs or if the same deductible amount is no longer offered through our carrier.

Dated this 18th day of November, 2013.

/s/ Jerry Weatherholt
Chairman, Board of Commissioners

Attest:

/s/ Wanda Heermann, Clerk

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Additional discussion was held on the county burial plan. The board reviewed the options of regular or cremation burials. The board considered changing the plan to include both burial options instead of just cremation because costs were comparable and there are fewer regulations with a regular burial. The plan would not include any visitation, memorial folders, thank you cards or registry book. The plan would include the transfer of remains (within 50 miles), temporary shelter of remains, embalming and other preparations, funeral director/staff services, graveside funeral services only, standard minimum metal casket, concrete grave liner, cemetery tent, transportation remains to cemetery (within 50 miles)

Motion made by Kment, seconded by Weatherholt to amend the Stanton County Burial Policy to update Section 7011 of the Stanton County Burial Plan: "Maximum amount of payment for regular or cremation burial in Stanton County to be \$2,500.00 for all incurred costs. Such payment is to include (1) graveside funeral services only, (2) funeral director/staff services, (3) simple metal casket/container and grave liner for remains, (4) transportation of remains (to funeral home, crematory, and cemetery). In addition, a sum for grave opening not to exceed \$200.00."

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Cheryl Wolverton appeared on behalf of the Safety Committee. Discussion was held on snow removal from the courthouse sidewalks and parking lots. The responsibility of snow removal will stay the same as past years. The county road crew will be responsible for snow removal on the courthouse sidewalks and parking lots.

Contract Agreement for Public Defendant was presented to the Board for approval for the years 2014 – 2015.

Motion made by Gutshall, seconded by Kment to approve and authorize the chairman to sign the Contract Agreement for Public Defender for the years 2014 – 2015.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

AGREEMENT

THIS CONTRACT AGREEMENT is made on this 18th day of November 2013, between the County of Stanton, Nebraska, political subdivision, hereinafter referred to as "County", and Ewalt Law Office, PC, hereinafter referred to as "Public Defender".

RECITALS

- A. Public Defender is a professional corporation with its principal shareholder of Bradley A. Ewalt, a licensed Nebraska attorney, with its principal office at 101 N 1st St, PO Box 1304, Norfolk, Nebraska 68702.
- B. County is a political subdivision that has the responsibility of providing legal services to the following people:
 1. indigent individuals charged with criminal offenses;
 2. juveniles alleged to be under the jurisdiction of the juvenile court under Neb.Rev.Stat. §§43-247(1),(2), (3)(a),(3)(b),(4) and (6);
 3. indigent parents of juveniles alleged to be under the jurisdiction of the juvenile court under Neb.Rev.Stat. §§43-274(3)(a) and (6); and
 4. indigent individuals who are mentally ill and dangerous as defined by Neb.Rev.Stat. §§71-901 et seq. and the least restrictive treatment alternative for the individual is treatment ordered by the Board of Mental Health.
- C. County requires legal services on a case by case basis for the individuals described in Section B above, and the Public Defender agrees to perform those legal services on the terms and conditions set forth within this agreement.

IN CONSIDERATION OF THE MUTUAL PROMISES CONTAINED HEREIN,
AND OF THE MUTUAL BENEFIT TO BE DERIVED HEREUNDER, THE
PARTIES AGREE AS FOLLOWS:

- A. Public Defender shall provide the following legal services pursuant to the terms and conditions of this agreement:
 1. To represent indigent defendants in misdemeanor criminal cases where the judge is considering sentencing the defendant to jail and in felony criminal cases except where the Defendant is charged with any class I Felony or where Public Defender shall have a conflict of interest;
 2. To represent juveniles alleged to be under the jurisdiction of the juvenile court under Neb.Rev.Stat. §§43-247(1),(2),(3)(b), or (4) except where Public Defender shall have a conflict of interest;
 3. To act as a Guardian Ad Litem for juveniles alleged to be under the jurisdiction of the juvenile court under Neb.Rev.Stat. §§43-247(3)(a), 3(b) or (6) except where Public Defender shall have a conflict of interest;
 4. To represent parents of juveniles alleged to be under the jurisdiction of the juvenile court under Neb.Rev.Stat. §§43-247(3)(a) or (6) except where Public Defender shall have a conflict of interest; and
 5. To represent the subject of a mental health petition who is alleged to be mentally ill and dangerous.

- B. Public Defender shall render his services primarily in Stanton County, Nebraska. However, Public Defender may have clients contact him at this office located at 101 N 1st St, Norfolk, Nebraska 68701.
- C. The term of this contract shall commence on January 1, 2014 and continue through December 31, 2015. County may terminate the agreement and remove Public Defender prior to the end of the two-year period for good cause upon giving Public Defender sixty days written notice. Public Defender may terminate this agreement upon giving County sixty days written notice.
- D. County shall pay to Public Defender the sum of \$25,200.00 annually by paying monthly installments in the amount of \$2,100.00. County shall pay each monthly installment by check following the Stanton County Board's monthly meeting approving the claims. Public Defender shall be responsible for expenses for photocopies, faxes, long distance, postage, except in the normal court of business. In the event there is abnormal case or expense, the Public Defender shall submit the detailed expense bill for approval by the county. Public Defender will be responsible for mileage for normal court days. Public Defender will not be expected to pay for expenses incurred for discovery such as preparation of transcripts, court reporter fees and the like.
- E. The parties agree that the Public Defender shall accept those cases to which the County makes appointments in due course. In the event the Courts should make more appointment than can be adequately, professionally and confidently handled by the Public Defender's office, the Public Defender's office may decline to accept such appointment subject to approval at the discretion of the appointment court.
- F. Public Defender shall maintain proficiency in its criminal law practice through annual continuing legal education.
- G. Public Defender shall provide legal counsel to all clients in a professional and skilled matter consistent with the minimum standards set forth by the American Bar Association and the Canons of Ethics for Attorneys in the State of Nebraska. Public Defender shall be available to eligible defendants upon their request, or at the request of someone acting on their behalf, at any time the Constitution of the United States or the Constitution of the State of Nebraska requires the appointment of counsel.
- H. Public Defender shall control the conduct and the means of performing the duties of Public defender under this agreement. Public Defender shall be free to practice the profession of law, including, but not limited to, criminal defense for others during the contract period.
- I. Public Defender shall employ whatever clerical personnel he wishes to assist Public Defender in the performance of Public Defender's duties. Public Defender is fully responsible for and in full control of such clerical personnel.
- J. Public Defender is not an agent or employee of County and is not entitled to the benefits provided by County to its employees, including, but not limited to, health insurance, workers' compensation insurance, unemployment insurance, or retirement plans.
- K. Public Defender shall maintain professional liability insurance and indemnify County from such claims.
- L. The entire agreement between County and Public Defender is contained within this agreement. Any modification of any provision of this agreement by one party shall not be effective on the other party unless in writing and agreed to by the County and Public Defender.
- M. Public Defender shall not assign this contract or any of the rights contained within this agreement without the prior written consent of County.
- N. Any written notices contemplated by this agreement shall become effective as of the date of the mailing by certified mail. Notice shall be deemed sufficiently given by County if sent to Public Defender at 101 N 1st St, PO Box 1304, Norfolk NE 68702. Notice shall be deemed sufficiently given by Public Defender if sent to County at the Stanton County Clerk's Office, PO Box 347, Stanton NE 68779.
- O. Regarding the matter of designation of Public Defender, it is agreed that the law office of Ewalt, PC, LLO shall be designated as the Public Defender's office. Public Defender may nominate and appoint such other deputies and assistance from time to time at its discretion during the term of this Agreement.

COUNTY OF STANTON, NEBRASKA
 By: /s/ Jerry Weatherholt
 Jerry Weatherholt, Chairman
 Stanton County Supervisors on behalf of
 Stanton County, Nebraska

EWALT LAW OFFICE, PC, LLO
 By: /s/ Bradley A. Ewalt
 Bradley A. Ewalt, President

Motion made by Kment, seconded by Gutshall to approve and authorize the chairman to sign the Amendment to Cafeteria Plan.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

AMENDMENT TO CAFETERIA PLAN

THIS AMENDMENT to the Cafeteria Plan (the "Plan") of the undersigned employer (the "Employer") is only applicable if the Employer maintains a Plan with a fiscal year beginning in 2013 and qualifies as an "applicable large employer" under the Affordable Care Act. If the Plan and Employer meet these requirements, the Plan is hereby amended as follows.

1. Effective the first day of the 2013 Plan Year, Section 4.5(g) and (h) are amended to read as follows:

(g) Affordable Care Act Coverage. This subsection (g) only applies to accident and health plan coverage offered as a Benefit under the Plan if the Plan Year does not begin on January 1 and the Employer is an "applicable large employer" as defined by Code Section 4980(c)(2). This subsection (g) does not apply to any Medical reimbursement Plan.

(1) A Participant may prospectively revoke or change his or her election for accident and health plan coverage offered as a Benefit through this Plan once during the Plan year commencing in 2013, without regard to whether the Participant experienced a change in status event. A Participant may not change his or her election for any Benefit other than a Benefit that qualifies as a Code Section 106 accident and health plan offered through this Plan.

(2) A Participant may prospectively change his or her election for accident and health plan coverage offered as Benefit through this Plan on account of and corresponding with his or her election to enroll in accident and health plan coverage offered through this Plan. A Participant may make this election on or after the first day of the 2013 Plan Year, without regard to whether the Participant experienced a change in status event. A Participant may not change his or her election for any Benefit other than a Benefit that qualifies as a Code Section 106 accident and health plan offered through this Plan.

(h) Other Events. If any subsequent changes are made to Code Section 125 or the Treasury regulations thereunder, the Plan Administrator, at its sole discretion, may recognize the other events specified in such guidance on a uniform and consistent basis.

Dated: November 18, 2013

Stanton County Nebraska, employer
By: /s/ Jerry Weatherholt, chairman

Mark Mainelli, Highway Consultant, joined the meeting.

Maintainer purchase tabled until January 21, 2014 meeting.

Michelle Evert was unable to attend the meeting. She did call and asked the County Clerk to update the board on the federal aid bridge project. She stated they are pouring the deck and finishing the railings. Also stated that Jensen Construction is doing the dirt work.

Mark updated the board on road issues, bridge closures and bridge projects within the county. Also discussed were the results from the traffic counter. The counter has been placed at four locations in the county. Results per location: Golf Course Rd – 1300 cars per day; Benjamin Ave – 800 cars per day; Pilger Rd (Old Hwy 8) – 250 cars per day; and 837 Rd (east Hwy 15) – 200 cars per day.

Discussion held on the broken barricade by Nucor. Board was informed a vehicle went through the barricade. Cost of replacement to be obtained and submitted for reimbursement of replacement.

Motion made by Kment, seconded by Gutshall to approve the following Resolution to transfer funds:

RESOLUTION No. 2013.11 – 038:

BE IT HEREBY RESOLVED by the Board of Commissioners of Stanton County, Nebraska that the Stanton County Treasurer is hereby authorized to transfer funds in the amount of \$250,000.00 from the General Fund to the Road Fund.

AND, that the same is hereby approved.

Dated this 18th day of November, 2013.

Board of Commissioners, Stanton County, Nebraska
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk (seal)

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt, to approve for the month of October the County Clerk fees in the amount of \$3,040.15; Documentary Stamp Tax, co shr in the amount of \$2,151.28; P&M Fund fees in the amount of \$480.50; Game and Parks Agent fees in the amount of \$6.00; Misc Copy fees in the amount of \$22.00; Clerk of the District Court fees in the amount of \$8.05; Passport fees in the amount of \$50.00; County Treasurer's receipt of money received numbered 00016285 – 00016336, inclusive in the amount of \$206,706.14; County Treasurer's List Distress Warrants issued October 31, 2013; Veterans' Service Office 1st Quarter Report 2013-2014;

Voting: Ayes: Gutshall, Weatherholt and Kment. Nayas: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND - Ameritas Retirement ret, ret – co shr, 5618.96; Appeara, towel service, 61.63; ATCO International, supplies, 680.00; LaLene Bates, supplies, 32.00; Kim Bearnese, meals fuel etc, 484.91; Big Red Printing Inc, supplies, 439.80; Black Hills Energy, utilities, 86.97; Blue Cross/Blue Shield, ins – co shr, 32745.37; Brogan & Stafford PC, fees, 774.30; Gary Carson, mileage etc, 44.47; CLS Veterinary, services, 134.50; Constellation NewEnergy, utilities, 125.06; Martha Detlefsen, prior service, 12.00; Dale Duncan, services, 80.00; Jim Duncan, services, 600.00; Eakes Office Products Inc, supplies, 222.14; Egley Fullner Montag & Hockabout, fees, 125.00; Emmetts Foodtown, supplies, 7.53; Eric Kuehler Construction, services, 6882.11; Ewalt Law Office PC LLO, atty fees, 2100.00; Farmers Cooperative, fuel, 2202.29; First Concord Benefits Group, flex benefits, 26.00; Ann Flood, fees, 50.00; Floor Maintenance & Supply Co, supplies, 239.00; Friends of the Library, supplies, 2500.00; See Store 1 LLC (Gene's Roadrunner), fuel, 1357.84; Jeremy Goeken, meals etc, 62.18; Hankins Plumbing & Heating, services, 55.00; Brittini Hart, services, 92.00; Heavens Best, services, 60.00; Wanda Heermann, mileage, 188.71; IRS USA Tax Pymt, so sec tax – co shr, 6072.38; Jacks Uniform & Equipment, supplies, 70.94; Johnsons Inc, services, 166.25; Kuehn's Auto Body Inc, services, 205.00; W Bert Lammler, office allowance, 757.48; Verlyn Luebbe, fees, 220.27; Luedeke Oil Co Inc, fuel, 967.42; Madison County Sheriff, costs, 82.47; Madison National Life Ins Co, ins – co shr, 2.67; Marathon Press Inc, supplies, 608.99; Mid-American Benefits Inc, hra fees, 344.00; Midwest Special Services Inc, services, 288.90; MIPS Inc, services, 2757.42; Morland Easland & Lohrberg PC, fees, 363.75; Nebraska Health & Human Services, boarding, 93.00; Nebraska Sheriffs Assoc, dues, 120.00; Lavern Newkirk, prior service, 17.00; Nielsen Lawn Service, grounds care, 282.00; The Osmond Pharmacy, services, 46.57; Phil Chalmers, dues, 250.00; Physicians Laboratory PC, costs, 1840.00; Pierce County Sheriff, boarding, 7050.00; Pilger Library, supplies, 810.32; Prime Sanitation Service, trash removal, 39.75; Ramada Inn, lodging, 77.00; Rita Roenfeldt, prior services, 20.00; Nancy Schramm, fees, 50.00; Schroeder Land Surveying, services, 592.00; Mary Smalley, fees, 50.00; Darin Schneider dba Spectrum Graphics, services, 265.00; Stanton Auto Parts, services, 276.15; Stanton County Dist Court, costs, 128.00; Stanton County Court, costs, 162.00; Stanton County Imprest Acct, fees, 19.00; Stanton County Public Power District, utilities, 1245.88; Stanton Hardware Hank, supplies, 39.94; Stanton Printing, printing, 287.62; Stanton Telecom, services, 1451.93; Stanton Water & Sewer, services, 399.23; Teeco Inc, supplies, 135.35; Telebeep Wireless, services, 111.80; Mike Unger, meals, 14.79; Mike Unger Co Shf, costs, 72.00; UNL ITS Communication Center, services, 46.15; Kirk Van Pelt, services, 12.00; Card Services, meals, 40.00; Western Office Technologies, supplies, 690.03; Wolf's Den, meals, 16.25; Sandra Zoubek, supplies etc, 57.51;

ROAD FUND - Ameritas Retirement, ret – co shr, 2600.34; Appeara, towel service, 32.40; ATCO International, supplies, 1151.34; B's Enterprises Inc, supplies, 16971.90; B & A's Welding, supplies, 15.10; Black Hills Energy, utilities, 39.06; Blue Cross Blue Shield, ins – co shr, 20607.90; Bomgaars, supplies, 669.20; Century Link, services, 47.37; Clarkson Plumbing & Heating Inc, supplies, 17.60; Janice Coates, prior service, 17.00; Colfax County, services, 2372.85; Constellation Newenergy, services, 3.08; Cornhusker Cleaning Systems, supplies, 32.16; Cornhusker International Trucks Inc, services, 42.16; Cross Dillon Tire, services, 98.00; Doernemann Construction Inc, truck rental, 550.00; Doernemann Farm Service Inc, repairs, 182.26; Eastern Nebraska Trailer Repair Inc, services, 3235.68; Elkhorn Valley Sand & Gravel, gravel etc, 19981.22; Farmers Cooperative, fuel etc, 17662.26; IRS USA Tax Pymt, so sec tax – co shr 2898.69; Island Supply Welding Co, supplies, 131.34; Kryger Glass Company, repairs, 174.49; Leigh Motor Service, repairs, 34.00; Luedeke Oil Co Inc, fuel etc, 3473.54; Mainelli Wagner & Associates Inc, eng service etc, 4932.50; Martin Marietta Materials, gravel etc, 2231.06; Matteo Sand & Gravel Co Inc, gravel, 478.58; Menards, supplies, 152.44; Merchants Capital Resources Inc, payment, 3244.98; Midwest Service & Sales Co, supplies, 3316.58; NMC Exchange LLC, repairs, 17682.06; S & S Willers Inc dba Pilger Sand and Gravel, gravel, 3717.71; Bryce Pohlman, repairs, 60.00; Prime Sanitation Service, trash removal, 44.00; Road Builders Machinery & Supply Co, repairs, 348.52; Rons Ag & Auto Repair, repairs, 209.50; Rueters Red Power, repairs, 9.25; Sioux City Truck Sales Inc, repairs, 178.69; Stalp Gravel Company, gravel, 1528.83; Stanton Auto Parts, services, 229.74; Stanton County Public Power Dist, utilities, 321.77; Stanton Hardware Hank, supplies, 32.96; Stanton Telecom Inc, services, 240.74; Stanton Water & Sewer, services, 38.50; Stern Oil Co Inc, supplies, 902.94; Teeco Inc, supplies, 32.20; US Cellular, services, 211.21; Village of Pilger, utilities, 83.81; Elsworth Voelker, prior service, 13.00;

EMERGENCY MANAGEMENT FUND - Ameritas Retirement ret, ret – co shr, 22.78; Engelhardt TV & Communications Inc, supplies, 48.00; Farmers Cooperative, fuel, 432.66; Sanford Goshorn, supplies etc, 51.33; Interstate All Battery Center, supplies, 369.50; IRS USA Tax Pymt, so sec tax – co shr, 25.82; Stanton Auto Parts, services, 72.95; Stanton Hardware Hank, supplies, 74.95;

INHERITANCE TAX FUND - Stanton County Public Power Dist, tower, 134.59;

ROAD ALLOCATION BOND FUND - Theisen Construction Inc, services, 193358.88;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5410.33; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$119,719.49.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for December 16, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – October 21, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on October 21, 2013 at 8:00 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: Jerry Weatherholt and Dennis Kment, Board of Commissioners. David Gutshall was absent. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on October 9, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:15 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Kment, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

Motion made by Kment, seconded by Weatherholt to approve the minutes of October 11, 2013 meeting.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

No corrections sheets were presented for approval.

David Gutshall joined the meeting at 8:20 A.M.

Cheryl advised the board of the decision made by the TERC board concerning the Perry 2011 Protest filing.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for November 18, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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COMMISSIONER’S PROCEEDINGS – October 21, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on October 21, 2013 at 8:15 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on October 9, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:25 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of October 11, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file:

- Nebraska Veterans Home foundation – Dedication Invitation
- TD&I Cable Maintenance Inc, Lakeland MN – construction services
- Champlin Tire Recycling Inc, Concordia KS – grant funding, material, etc
- Northeast Economic Development Inc – notice of meeting
- Nebraska PPD, Columbus NE – Hoskins Neligh Electric Transmission Line Project

Application for county burial was reviewed, including financial information and billing statement from the funeral home.

Motion made by Gutshall, seconded by Kment to approve the county burial application and payment in the amount adopted in the County Burial Procedures of Stanton County, Nebraska to Brockhaus Howser Fillmer Funeral Home of Norfolk NE.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Michelle Evert, Responsible Charge, joined the meeting. She updated the board on the progress of the Stanton Southeast Bridge Project and completion date. Also discussed were other possible bridge projects within the county.

The board received the Standardized System of Annual Reporting (SSAR) for the fiscal year July 2012 – June 2013. The report needs to be filed with the Nebraska Department of Roads.

Motion made by Gutshall, seconded by Kment to authorize the chairman to sign the Addendum – Standardized System of Annual Reporting (SSAR) Roads and Streets Certification Required by LB 904 (2006) and the Certification to Board of Public Roads Classifications and Standards as received.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion was held on issues concerning the fair grounds. No action needed or taken.

LaLene Bates, Planning and Zoning Administrator, joined the meeting. She advised the board she had contacted Keith Marvin of David City to assist in developing an Energy Element plan for the County Comprehensive Plan. This plan will need to be developed and adopted prior to 2015.

Motion made by Gutshall, seconded by Kment to authorize the chairman to sign the contract with Keith Marvin for the development of the Energy Element Plan for Stanton County.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion was held on an issue of a driveway constructed by a property owner who filled the road ditch without installing a culvert to allow for drainage. A letter will be drafted to the property owner to correct this issue or the matter will be turned over to the County Attorney.

Mark Mainelli, Highway Consultant, joined the meeting. Discussions held on road issues and bridge closures.

Motion made by Kment, seconded by Gutshall, to approve for the month of September the County Clerk fees in the amount of \$3,259.25; Documentary Stamp Tax, co shr in the amount of \$1,207.88; P&M Fund fees in the amount of \$515.00; Misc Copy fees in the amount of \$30.75; Clerk of the District Court fees in the amount of \$191.49; County Treasurer's receipt of money received numbered 00016227 – 00016284, inclusive in the amount of \$400,100.19; County Treasurer's List Distress Warrants issued October 31, 2012; County Sheriff's 3rd Quarter Report;

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND - Abacus Data Systems, services, 804.00; Ameritas Retirement, ret – co share, 5620.25; Appera, towel service, 33.12; Avera Medical Group, services, 483.00; LaLene Bates, workshop, 7.48; Bear Graphics Inc, supplies, 407.85; Kim Bearnes, meals fuel etc, 821.46; Black Hills Energy, utilities, 41.46; Blue Cross/Blue Shield, ins – co shr, 32745.37; Brockhaus-Howser-Fillmer Funeral Home, services, 1700.00; Gary Carson, mileage, 40.12; CLS Veterinary, services, 110.00; Constellation NewEnergy, utilities, 6.70; Dell Marketing LP, supplies, 261.97; Martha Detlefsen, prior service, 12.00; Eakes Office Products Inc, supplies, 47.84; Embassy Suites, workshop, 129.00; Engelhardt TV & Communications Inc, services, 103.50; Ewalt Law Office PC LLO, atty fees, 3532.34; Farmers Cooperative, fuel, 2607.73; First Concord Benefits Group, flex benefits, 26.00; Francotyp – Postalia Inc, postage, 704.54; Gene Steffy, vehicles, 10649.00; See Store 1 LLC (Gene's Roadrunner), fuel, 822.57; Jeremy Goeken, fuel etc, 69.33; Brittni Hart, services, 16.00; Heaven's Best, service, 375.00; Wanda Heermann, dues, 40.00; Holiday Inn Kearney NE, lodging, 394.57; IRS USA Tax Pymt, so sec tax – co shr, 6079.43; Jacks Uniform & Equipment, supplies, 233.89; Johnsons Inc, services, 215.00; Kooi Communications Inc, services, 422.00; W Bert Lammler, office allowance etc, 886.83; Law Enforcement Services, supplies, 128.00; Cory Locke, workshop etc, 152.64; Ashley Lotspeich, services, 36.00; Luedeke Oil Co Inc, fuel etc, 896.39; Lynn Peavey Co, supplies, 23.94; Madison County Sheriff, shf fees, 37.12; Madison National Life Ins Co, ins – co shr etc, 2.85; Maximus Inc, services, 0250.00; Anthony McPhillips, workshop etc, 248.56; Menards, supplies, 256.34; Mid-American Benefits Inc, hra fees, 344.00; Midwest Special Services Inc, services, 380.70; MIPS Inc, services, 2465.43; National Assn of Co Treas, workshop etc, 75.00; NACO, workshop, 1044.00; NACO Conference Registration Center, workshop, 450.00; Nebraska Health & Human Services, boarding, 90.00; Nebraska Law Enforcement Training Cntr, workshop, 50.00; NE Public Health Environmental Lab, fees, 105.00; Nebraska.gov, services, 4.00; Lavern Newkirk, prior service, 17.00; NIRMA, fees, 254.79; NE Nebraska Assoc Co Assessors, workshop, 4.00; The Osmond Pharmacy, prescriptions, 43.66; Eric Oswald, services, 21.25; Pierce County Sheriff, boarding, 6850.00; William G Schellen dba Prime Align, services, 26.00; Prime Sanitation Service, trash removal, 39.75; Ramada Inn, lodging, 285.00; Region IV Inc/Off Dev Dis, patient care, 1874.50; Rita Roenfeldt, prior services, 20.00; Moore Wallace dba RR Donnelley, supplies, 290.55; Russell Schwartz, services, 200.00; Stanton Auto Parts, services, 787.98; Stanton County Clerk, postage etc, 38.54; Stanton County Dist Court, dist crt costs, 414.00; Stanton County Court, co crt costs, 82.00; Stanton County Imprest Acct, fees, 19.00; Stanton County Public Power District, utilities, 1865.48; Stanton Hardware Hank, supplies, 38.76; Stanton Printing, printing, 1069.85; Stanton Telecom, services long dist, 1550.37; Stanton Water & Sewer, services, 331.50; State of NE – Dept Corr Serv, services, 3730.63; State of NE – Dept of Labor, unemployment contributions, 487.00; Teeco Inc, supplies, 80.55; Telebeep Wireless, services, 111.80; Thomson Reuters-West Payment Center, supplies, 1005.00; Thurston County Sheriff, boarding, 1400.00; Mike Unger Co Shf, costs, 104.00; UNL IS Communication Center, services, 46.15; Volkman Plumbing & Heating Inc, supplies, 79.56; Western Office Technologies, supplies, 794.66; Cheryl Wolverton, supplies etc, 217.92; Loree Zach, services, 32.00; Zee Medical Service Co, supplies, 29.80; Sandra Zoubek Co Treas, supplies etc, 199.32;

ROAD FUND - Ameritas Retirement, ret – co shr, 3036.63; Appera, towel service, 32.40; ATCO International, supplies, 1107.00; Black Hills Energy, utilities, 21.65; Blue Cross Blue Shield, ins – co shr, 20607.90; BOK Financial, bond payment, 184255.00; Bomgaars, supplies, 202.92; Century Link, services, 47.36; Janice Coates, prior service, 17.00; Cornhusker International Trucks Inc, services, 2425.49; Daryls Animal Control, services, 100.00; Donald G Doescher, fees, 238.10; Elkhorn Valley Sand & Gravel, gravel etc, 12050.14; Emmetts Foodtown, supplies, 41.76; Farmers Cooperative, fuel etc, 7263.80; Farmers Union Coop Supply Co, seeding, 179.01; IRS USA Tax Pymt, so sec tax – co shr, 3393.13; Island Supply Welding Co, supplies, 171.15; John Deere Financial, repairs, 31.88; Luedeke Oil Co Inc, fuel etc, 15446.37; Mainelli Wagner & Associates Inc, eng serv etc, 15810.02; Martin Marietta Materials, gravel etc, 392.78; Marx Repair LLC, repairs, 704.68; Merchants Capital Resources Inc, payment, 3244.98; Midwest Service & Sales Co, supplies, 6513.80; NMC Exchange LLC, repairs, 7654.53; Jim Ohlund, services, 346.50; William Schellen dba Prime Align, repairs, 364.58; Prime Sanitation Service, trash removal, 44.00; S&S Willers Inc dba Pilger Sand & Gravel, gravel, 3459.16; Road Builders Machinery & Supply Co, repairs, 2561.13; Ron's Ag & Auto Repair, repairs, 520.73; Eugene Sindelar, fees, 1000.00; Stanton Auto Parts, services, 245.38; Stanton County Clerk, fees, 50.00; Stanton County Public Power Dist, utilities, 313.24; Stanton Hardware Hank, supplies, 95.04; Stanton Telecom Inc, services, 242.44; Stanton Water & Sewer, services, 38.50; Teeco Inc, supplies, 32.20; US Cellular, services, 236.17; Village of Pilger, utilities, 82.81; Elsworth Voelker, prior service, 13.00; West Point Implement Inc, services, 385.90;

EMERGENCY MANAGEMENT FUND - Ameritas Retirement, ret – co shr, 13.42; Engelhardt TV & Communications Inc, supplies, 8.00; Farmers Cooperative, fuel, 574.72; Sanford Goshorn, supplies etc, 218.69; IRS USA Tax Pymt, so sec tax – co shr, 15.20;

INHERITANCE TAX FUND - Merlin Gene Klug Estate, refund, 3.91; Stanton County Public Power District, tower, 125.73;

ROAD ALLOCATION BOND - Midwest Service & Sales Co, services, 765.00;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5410.33; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$126,136.06.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for November 18, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – October 11, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on October 11, 2013 at 8:30 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on October 2, 2013, and by posting in three (3) public places, those being the Courthouse, Post Office and City Hall, at least 2 days prior to the meeting; a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:30 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Gutshall, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the minutes of September 16, 2013 meeting.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Tax dollar requests submitted by various governmental entities and calculated levies for the 2013-2014 fiscal year were reviewed.

Motion made by Gutshall, seconded by Kment to approve the following resolution adopting the levy rates for the fiscal year:

RESOLUTION No. 2013.10 – 033:

BE IT HEREBY RESOLVED, that the following levies for Stanton County, Nebraska, for the fiscal year beginning July 1, 2013 and ending June 30, 2014, are hereby adopted as follows:

<u>Subdivision</u>	<u>Valuation</u>	<u>Fund</u>	<u>Tax Request</u>	<u>Levy Rate</u>
STANTON COUNTY				
Stanton County	1,042,553,685	General	3,251,923.36	0.311920
		Emerg Mgmt	15,620.89	0.001499
		Road Sinking	23,658.08	0.002270
		Veteran's Aid	542.54	0.000053
		Courthouse Sink	5,030.38	0.000483
		911 Emerg	37,442.89	0.003592
			3,334,218.14	0.319817
Stanton Co Agricultural Society		General	60,168.53	0.005772

CITY - VILLAGE - SANITARY IMPROVEMENT DIST

City of Stanton	44,549,678	General	213,838.50	0.480001
Village of Pilger	10,773,088	General	53,865.00	0.499996
		Bond	<u>87,207.00</u>	<u>0.809490</u>
			141,072.00	1.309486
SID No.1	49,933,838	General	160,581.00	0.321589

RURAL FIRE DISTRICT

Stanton Co Rural Fire D#1				
Total -	<u>534,979,432</u>	General	46,327.00	0.008660
Stanton Co -	<u>520,346,682</u>	Bond	<u>100,000.00</u>	<u>0.018693</u>
Wayne Co -	14,632,750		146,327.00	0.027353

SCHOOL DISTRICT

Stanton Community School (S3)				
	<u>422,243,656</u>	General	4,175,359.55	0.988851
Bond only -	<u>430,384,909</u>	Bond	21,507.07	0.004998
		Spl Bldg	151,515.15	0.035884
		QuCapPur	<u>195,346.46</u>	<u>0.046264</u>
			4,543,728.23	1.075997

Levy Rates are set as cents per \$100 of Actual Valuation

Dated and passed this 11th day of October, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:
/s/ Wanda Heermann
Stanton County Clerk

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

The County Assessor presented and explained the correction sheets for the month.

Motions made by Gutshall, seconded by Kment to approve and authorize the chairman to sign the correction sheets numbered 3971 – 3973, inclusive and place them on file.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for October 21, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]
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COMMISSIONER’S PROCEEDINGS – October 11, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on October 11, 2013 at 8:45 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on October 2, 2013, and by posting in three (3) public places, those being the Courthouse, Post Office and City Hall, at least 2 days prior to the meeting; a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 9:35 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of September 16, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The following correspondence was reviewed and place on file:

NIRMA – 2013 Special Recognition Award
Elkhorn Valley LEPA Agenda and Minutes
Charles Campbell, Angle Murphy & Campbell – SID No. 1 Butler Co case
Nebraska PPD – Hoskins-Neligh Transmission Line Project
US Cellular – new billing system
NETCC Foundation – Thank You

Reviewed the Stanton County Cost Allocation Plan for the Fiscal Year 2012.

Motion made by Gutshall, seconded by Kment to approve and authorize the Chairman to sign the Certification of Cost Allocation Plan for expenses recovered for IV-D child support collections in the Clerk of District Court's office.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion on the need to have the courthouse carpet cleaned. An estimate was received from Heaven's Best Carpet Cleaning.

Motion made by Gutshall, seconded by Kment to accept the estimate for cleaning and advise Heaven's Best to proceed.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment, to place on file the County Treasurer's List of Parcels of Real Estate with delinquent taxes 2011 and older.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the following resolution authorizing County Treasurer to write necessary tax certificates:

RESOLUTION No. 2013.10 – 034:

WHEREAS, the Stanton County Treasurer has presented to the Stanton County Board of Commissioners, a list of parcels of real estate on which taxes are delinquent, and

WHEREAS, it is deemed proper that tax certificates are necessary on certain parcels of real estate,

NOW, THEREFORE, BE IT RESOLVED, that the Stanton County Board of Commissioners hereby authorizes the Stanton County Treasurer to write the necessary tax certificates on these parcels of real estate which are now delinquent two or more years.

Dated this 11th day of October, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:
/s/ Wanda Heermann
Stanton County Clerk

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for October 21, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

BOARD OF EQUALIZATION PROCEEDINGS – September 16, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on September 16, 2013 at 8:00 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on September 4, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:05 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Kment, seconded by Gutshall to approve the agenda.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the minutes of August 19, 2013 meeting.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

No corrections sheets were presented for approval.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for October 11, 2013 at 8:30 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

COMMISSIONER’S PROCEEDINGS – September 16, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on September 16, 2013 at 8:15 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on September 4, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:22 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of August 19, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file:

Joe Herian, Farm Bureau Agent – BusinessMax Advantage information
Charles Campbell, attorney – SID No.1 Butler County v. Adams County, etal
Elaine Menzel, Legal Counsel NACO – Tax Modernization committee hearings

Discussion was held on custody receipts. Motion made by Gutshall, seconded by Weatherholt to approve the following resolution to add and release pledged security:

RESOLUTION No. 2013.09 – 027:

BE IT HEREBY RESOLVED, that Stanton State Bank, Stanton, Nebraska hereby wishes to add the following security held in escrow to secure deposits of this county in said bank, to-wit:

Federal Home Loan Banks #313370JB5	Due 9/11/2015	\$200,000.00
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AND, that the release of the following security is also hereby approved:

Federal Home Loan Banks #3133XGJ96	Due 9/13/2013	\$170,000.00
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AND, BE IT FURTHER RESOLVED, that First Nebraska Bank, Stanton, Nebraska wishes to add the following security held in escrow to secure deposits of this county in said bank, to-wit:

Federal Home Loan Banks #313378A43	Due 3/9/2018	\$850,000.00
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AND, that the same is hereby approved.

Dated this 16th day of September, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Inventory Statements of Elected and Appointed Officials were reviewed by the Board.

Motion made by Weatherholt, seconded by Kment to approve and place on file the Inventory Statements.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Applications for undercrossing a county road were reviewed.

Motion made by Weatherholt, seconded by Kment to approve the application of Alan Hoehne to cross under 570 Ave with a 2½" electrical line between 842 and 843 roads, with all the listed conditions.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to approve the application of Gary Klug to cross under 568 Ave with a 1 to 4" gas line between sections 22 and 23, township 24, range 2, with all the listed conditions.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the application of Spenser Kudera to cross under 824 Rd with a 2" pvc pipe between sections 24 and 25, township 21, range 2, with all the listed conditions.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to authorize the Chairman to sign the contract for Project STP-32-6(111), Union Creek – N57, C.N. 31887 for surveying.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to authorize the Chairman to sign the contract with A&R Construction Co for Project C-84(320), Stanton Northwest.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve and place on file the contract with Theisen Construction Inc for Project C-84(287), Stanton Southeast.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nayas: None. Motion Carried.

Mike Unger, Stanton County Sheriff, joined the meeting.

Bid Letting for sheriff vehicle was held. The chairman opened the sealed bid and read it aloud as follows:

Gene Steffy Chrysler Center	\$22,424.00	1500 RAM Crew Cab Special Service Pkg
2545 E 23 rd Ave S		- 5.7L Hemi engine
Fremont NE 68025		- spray in bed liner
		- class IV hitch
		- heavy duty alternator
		- dome light for Law Enforcement

Bid was reviewed by the board.

Motion made by Gutshall, seconded by Kment to accept the bid of Gene Steffy Chrysler Center in the amount of \$22,424.00 for the purchase of a 1500 RAM Crew Cab Special Service Package.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

Mike discussed recent events within the County.

The budget hearing was opened at 9:35 AM by Chairman Weatherholt. No members of the public were present for the hearing.

Advance notice of hearing was published in the Stanton Register, a legal newspaper, on September 4, 2013.

Discussion held on the proposed budget and other budgetary issues. To offset operating expenses, \$250,000.00 will be transferred from the Inheritance Tax Fund to the Road Fund. The total tax dollar request is \$3,334,218.14, an increase of \$143,549.09.

Motion made by Gutshall, seconded by Kment to close the hearing at 9:42 AM.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve an additional 1% increase to the lid computation for the budget year 2013-2014.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the following Resolution to approve the 2013-2014 Budget.

RESOLUTION No. 2013.09 – 028:

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2013, to June 30, 2014, prepared by the Budget Making Authority, was transmitted to the County Board on the 19th day of August, 2013.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Stanton County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2013, to June 30, 2014, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Stanton 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, 2013, and ending June 30, 2014.

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 16th day of September, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The hearing for setting the final tax request was opened at 9:45 AM by Chairman Weatherholt. No members of the public were present for the hearing.

Advance notice of hearing was published in the Stanton Register, a legal newspaper, on September 4, 2013.

Discussion held on the tax request for this budget year. It was noted that the proposed levy would be less than last year due to a raise in valuation and the transfer of funds from the Inheritance Tax Fund to the Road Fund. The certified 2013 valuation of Stanton County is \$1,042,553,685.00, which is an increase of \$109,796,308.00 from last year's valuation. The proposed tax levy request is .319813, a decrease of 2.23 cents per \$100 of valuation.

Motion made by Kment, seconded by Gutshall to close the hearing at 9:50 AM.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the following Resolution setting the tax request at a different amount than last year.

RESOLUTION No. 2013.09 – 029:

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of Stanton County passes by a majority vote a resolution setting the tax request at a different amount; and

WHEREAS, a public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interests of Stanton County that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of Stanton County, by a majority vote, resolves that the 2013-2014 property tax request be set at \$3,334,218.14.

Dated and passed this 16th day of September, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to approve the following Resolution to transfer funds.

RESOLUTION No. 2013.09 – 030:

BE IT HEREBY RESOLVED by the Board of Commissioners of Stanton County, Nebraska that the Stanton County Treasurer is hereby authorized to transfer funds in the amount of \$ 281,587.00 from the General Fund to the Road Fund.

AND, ALSO BE IT HEREBY RESOLVED that the Stanton County Treasurer is hereby authorized to transfer funds in the amount of \$250,000.00 from the Inheritance Tax Fund to the Road Fund.

AND, that the same is hereby approved.

Dated this 16th day of September, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

LaLene Bates, Planning and Zoning Administrator, joined the meeting.

Radwan Kouatli joined the meeting to discuss the issue with the trees he planted on his property that were within the 100ft county road right-a-way. Mr. Kouatli informed the board that he planted 8 Leyland Cypress trees a couple of months ago and placement of the trees was in line with other trees planted on this property next to the county road. Conditions for a waiver were discussed.

Motion made by Kment, seconded by Weatherholt to grant a waiver to allow the placement of the trees in relationship to the approximate location of the existing grove and shelterbelt and reserve the right that if problems arise, due to the location, the trees will be removed.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to add the lot splits applications on the list of agenda items. Lot split information was mailed to the Commissioners in advance, but was inadvertently omitted from the agenda.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

LaLene presented lot split applications for Podany and Morfeld. She explained each application and the reason for the lot split or vacation.

Motion made by Weatherholt, seconded by Gutshall to approve the Podany lot split application to split land located in E½ SE 12-21-2, as per Planning Commission recommendations.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

LaLene explained the reason for vacating the lot splits previously approved by the board was to allow the filing of a new lot split combining the Morfeld lot split and Lot 1 of the Morfeld 2nd lot split.

Motion made by Weatherholt, seconded by Kment to vacate the Morfeld lot split and Lot 1 of the Morfeld 2nd lot split.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the Paul Morfeld lot split application to split land located in Pt S½ SW 8-21-2, as per Planning Commission recommendations.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The chairman opened the hearing at 10:30 AM for the Residential Use Permit application of Jean Hradec Spale on property located in Pt SW SE 16-21-2. No one appeared for the hearing. LaLene explained the application and recommendations of the planning commission.

Motion made by Kment, seconded by Gutshall to close the hearing.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the Residential Use Permit application of Jean Hradec Spale to construct a residence on property located in Pt SW SE 16-21-2, as per Planning Commission recommendations.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The chairman opened the hearing at 10:35 AM for the Residential Use Permit application of Rod Steffensmeier on property located Pt SE SE 24-21-2. No one appeared for the hearing. LaLene explained the application and recommendations of the planning commission.

Motion made by Gutshall, seconded by Kment to close the hearing.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the Residential Use Permit application of Rod Steffensmeier to construct a residence on property located in Pt SE SE 24-21-2, as per Planning Commission recommendations.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The chairman opened the hearing at 10:35 AM for the Mixed Use Development application of Dick Hoff to replat the Eagle Ridge Subdivision, a Planned Unit Development, First Addition on property located in NE 9-23-1. Present for the hearing was Dick Hoff. Mr. Hoff explained the reason for the replat.

Motion made by Kment, seconded by Weatherholt to close the hearing.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the Mixed Use Development application of Dick Hoff to replat the Eagle Ridge Subdivision, a Planned Unit Development, First Addition on property located NE 9-23-1, as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion was held on the County Comprehensive Plan. LaLene advised the board that an Energy Element plan will need to be developed and adopted. An Energy Element plan addresses wind energy, solar energy, etc.

Motion made by Weatherholt, seconded by Gutshall to authorize LaLene to research options available for developing such a plan.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Mark Mainelli, Highway Consultant, and Michelle Evert, Responsible Charge, joined the meeting.

Discussions were held on the gravel issues arising from shortage of stockpiles, road sign classifications and the erosion control along the Industrial Road.

A request was received from SID No.1 to share in the cost of a flashing 4-way blinking red light to be installed at the intersection of Meadow Lane and N Eastwood in Woodland Park. Mark advised the board that before any type of road sign or signal could be placed an engineering study would need to be completed and approved before placement. No action taken at this time.

Michelle Evert updated the board on the bridge project within the county. She also presented the paperwork needed for upcoming Project: BRO-7084(7), NDOR C.N.31208, Stanton North.

Motion made by Kment, seconded by Gutshall to approve the following resolution authorizing the chairman to sign an Interlocal Agreement with Colfax County.

RESOLUTION No. 2013.09 - 031:

WHEREAS, Colfax County has a full-time public employee on staff, who is fully qualified and has time and interest in serving as "Responsible Charge"; and

WHEREAS, Stanton County has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with Colfax County for the services of a qualified "Responsible Charge" (RC) for a Federal-Aid project in Stanton County; and

WHEREAS, Stanton County and Colfax County have agreed on the terms and condition of said Interlocal Cooperative Agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED, by the Stanton County Board of Commissioners that, Jerry Weatherholt, Chairman of the Board of Commissioners, is hereby authorized to sign on behalf of Stanton County, Assisting Public Entity, the Nebraska Local Public Agency Interlocal Cooperation Act Agreement for a Federal-Aid project in Stanton County.

NDOR Project Number: BRO-7084(7)
NDOR Control Number: 31208
Project Name: Stanton North

Motion made by Commissioner Kment to adopt said resolution, Seconded by Commissioner Gutshall.
Roll Call: 3 Yes 0 Nay

Passed and Approved this 16th day of September, 2013.

Stanton County Board of Commissioners
/s/ Jerry Weatherholt, Chairman
/s/ Dennis Kment
/s/ David Gutshall

/s/ Wanda Heermann, County Clerk

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following resolution designating a responsible charge.

RESOLUTION No. 2013.09 - 032:

DISCLAIMER APPLICABLE TO THE
LPA RESOLUTION DESIGNATING RC

The following is a resolution drafted by the Nebraska Department of Roads (NDOR) that includes definitions and substantive commitments required of a Local Public Agency (LPA) when designating a public employee to be in Responsible Charge (RC) of a Federal-aid transportation project. This sample resolution should only be used after the LPA has thoroughly reviewed all Federal-aid program requirements, investigated all issues related to the LPA's statutory duties and responsibilities, and determined that it is in its best interest to designate a RC public employee and to undertake a Federal-aid project. NDOR has not made any effort to investigate, or include in this sample resolution, the other requirements that the LPA must meet in order to undertake a project of this type or to designate a RC. Any changes to the definitions or the substantive commitments of this sample resolution shall be approved in advance in writing by NDOR, or such changes will be considered null and void. The LPA is ultimately responsible for all language used in its actual resolution and in making sure that the resolution is accurate and complete and meets all requirements of Federal, State and local laws, rules, regulations, policies and guidelines, and the NDOR LPA Guidelines Manual for Federal-aid Projects.

RESOLUTION
(DESIGNATING RC)

Stanton County, Nebraska
Resolution No. 2013.09 – 032

WHEREAS: Stanton County, Nebraska has a full-time public employee on staff, or has obtained the services of a full-time public employee (an interlocal cooperation agreement, if applicable, is attached) who is fully qualified and has the time and interest in serving as a "Responsible Charge" (RC) for this project. The designated RC will be in day-to-day responsible charge of all aspects of the project, from planning through post-construction activities, with the express purpose of doing all things necessary for the project to remain eligible for federal-aid transportation project funding; and

WHEREAS: the RC will ensure that, at a minimum, (1) the project receives independent and careful development, supervision and inspection, (2) the project is constructed in compliance with the plans and specifications, (3) all aspects of the project, from planning through construction activities, including all environmental commitments, remain eligible for federal funding, and (4) decisions made and actions taken for the project have adequate supporting documentation filed in an organized fashion.

For purposes of this resolution, the following definitions will apply:

Fully qualified means a person who has satisfactorily completed all applicable Nebraska Department of Roads (NDOR) training courses and who has met the other requirements necessary to be included on the NDOR list of qualified Local Public Agency (LPA) RCs.

Full-time public employee means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee's non-public employment is in a field unrelated to any aspect of the project for which federal aid is sought.

Public employee means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; another entity that is either designated by statute as public or quasi-public; or an entity included on the list of entities determined by the NDOR, and approved by the Federal Highway Administration (FHWA), as fulfilling public or quasi-public functions.

Responsible charge means the public employee who is fully empowered by the LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The RC is the day-to-day project manager, and the LPA's point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the RC may delegate or contract certain technical tasks associated with the project so long as the RC actively manages and represents the owner's interests in the delegated technical tasks.

BE IT RESOLVED: by the Board of Commissioners of Stanton County, Nebraska that: Michelle Evert, Responsible Charge is hereby designated as Responsible Charge (RC) for pre-construction and construction phases, in accordance with the Project Program Agreement previously executed, the NDOR LPA Guidelines Manual for Federal-aid Projects, and all Federal, State and local laws, rules, regulations, policies and guidelines for the following Federal-aid transportation project:

NDOR Project Number BRO-7084(7)
NDOR Control Number 31208
Stanton North

Stanton County, Nebraska assures and agrees that:

- 1) It has authorized and fully empowered the RC to be in day-to-day responsible charge of the subject federal-aid project; this does not mean merely supervising, overseeing or delegating the various tasks, it means active day-to-day involvement in the project including identifying issues, investigating options, working directly with stakeholders, and decision-making.
- 2) The RC is a full-time public employee.
- 3) The RC is fully qualified and has successfully completed required training to serve as a RC.
- 4) It will allow the RC to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, remain eligible for federal-aid highway project funding.
- 5) It will not assign other duties to the RC that would affect his or her ability to properly carry out the duties set out in this agreement.
- 6) It will provide necessary office space, materials and administrative support for the RC.
- 7) It will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the RC concerning the acts necessary for making the project eligible for federal funding.
- 8) It will take all necessary actions and make its best good faith efforts to comply and assist the RC in complying with all federal and state requirements and policies applicable to federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 CFR 635.105.
- 9) It will take all necessary actions and make its best good faith efforts to ensure that the RC's work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 CFR 635.105.
- 10) It will comply with the conflict-of-interest requirements of 23 CFR 1.33.
- 11) It will notify NDOR immediately in the event the designated RC(s) will no longer be assigned to the project. A supplemental agreement designating a replacement RC may be required by NDOR.
- 12) It is ultimately responsible for complying with all federal and state requirements and policies applicable to federal-aid highway projects. This includes meeting all post-construction environmental commitments. The LPA understands that failure to meet any eligibility requirements for federal funding may result in the loss of all Federal funding for the project. In the event that the acts or omissions of RC, the LPA or its agents or representatives result in a finding that a project is ineligible for Federal funding, the LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

Stanton County, Nebraska understands that the following are the duties of the RC:

- a) Serve as the LPA's contact for issues or inquiries for Federal-aid projects assigned by the LPA;
- b) Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- c) Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- d) Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- e) Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the direct supervision of a professional engineer licensed in the State of Nebraska (reference Neb.Rev.Stat. § 81-3445);
- f) Competently manage and coordinate the project day-to-day operations, including all project-related decision, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project such as consulting engineers;
- g) Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- h) Monitor the progress and schedule of the project and be responsible for ensuring that the project is completed on time in accordance with established milestone dates;
- i) Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the project;
- j) Ensure that property construction management processes have been developed and implemented for the project;
- k) Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- l) Attend all required training including the annual workshop; and
- m) Fulfill continuing education requirements as specified in the NDOR LPA Guidelines Manual for Federal-aid Projects.

Adopted this 16th day of September, 2013 at Stanton, Nebraska.

Board of Commissioners of Stanton County, Nebraska
 /s/ Jerry Weatherholt
 /s/ David Gutshall
 /s/ Dennis Kment

Board/Council Member Gutshall moved the adoption of said resolution, Member Kment seconded the motion.
 Roll Call: 3 Yes 0 No ___ Abstained ___ Absent
 Resolution adopted, signed and billed as adopted.

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

[Interlocal Agreement]

DISCLAIMER & INSTRUCTIONS FOR USE OF THE FOLLOWING AGREEMENT

Nebraska Department of Roads (NDOR) has reviewed this agreement only for compliance with NDOR's understanding of FHWA's present position about the requirements of 23 CFR §635.105, particularly subsection (c). No effort has been made by NDOR to require or comment on the draft of any other necessary provisions or to analyze the legal effect of this agreement on any other issue for the Receiving Local Public Agency (LPA) , the Loaning Public entity, the Responsible Charge or any other person or entity related to any issues that may arise out of a transaction as set forth in this agreement, such as employment implications, legal liability, tort liability, workers' compensation, etc. NDOR expects that entities seeking to use this agreement will undertake a thorough review of all issues related to this transaction, seek legal advice, draft appropriate language and make its own determination of the legality, the merits of this agreement, or the ability of each party to fulfill the obligations provided in the agreement. The project may be determined to be ineligible for Federal funding if all mandatory requirements are not properly set out in the agreement, the agreement does not conform to Federal or State law or the NDOR Local Public Agency Project Manual, or if the agreement is not reasonably enforced by the parties.

It is also expected that additional provisions may be included by the parties to this agreement to provide the other terms necessary to fully define the legal relationship created by this agreement. Any changes, additions, deletions, limitations, restrictions or modifications of the language of the following sections shall be approved in writing by NDOR prior to being signed by the parties:

DEFINITIONS
DUTIES OF ASSISTING PUBLIC ENTITY
DUTIES OF RECEIVING LPA
NDOR THIRD PARTY RIGHTS

The INSURANCE section was drafted with the assistance of Nebraska Association of County Officials (NACO) and/or The League of Nebraska Municipalities and it is strongly recommended that insurance of these types and limits be considered to be the minimum insurance necessary for the parties under this agreement.

NOTE: The document must be accompanied by a resolution from the governing body which authorizes the person to sign on behalf of Assisting Public Entity.

NOTE: This document must be accompanied by a resolution from the governing body which authorizes the person to sign on behalf of the Receiving LPA.

NDOR Project Number: BRO-7084(7)
NDOR Control Number: 31208
NDOR Project Name: Stanton North
Name of Responsible Charge Person: Michelle Evert

**NEBRASKA LOCAL PUBLIC AGENCY
INTERLOCAL COOPERATION ACT AGREEMENT**

PARTIES

THIS AGREEMENT ("Agreement") is entered into by **Stanton County, a governmental subdivision of the State of Nebraska**, the Receiving LPA and **Colfax County, a governmental subdivision of the State of Nebraska**, the Assisting Public Entity. The County, Municipality or other public entity undertaking the Federal-aid highway project will be referred to herein as the Receiving LPA. The public entity providing the services of an employee to act as a Responsible Charge (RC) will herein be referred to as Assisting Public Entity.

PURPOSE

This Agreement is entered into pursuant to Neb. Rev. Stat. § 13-801 et. seq., and shall be considered an interlocal agreement to the extent allowable for the purposes of Neb. Rev. Stat. § 13-501 et seq., and Neb. Rev. Stat. § 77-3401 et seq. The purpose of this Agreement is to provide the terms for the Assisting Public Entity to provide the services of its employee to act as the RC for a Federally funded (through FHWA) transportation project of the Receiving LPA.

RECITALS

WHEREAS, Receiving LPA intends to complete the design and construction of a county road, city street or other Federal-aid transportation improvement project identified as NDOR Project Number BRO-7084(7), NDOR Control Number 31208, Stanton North, for which Receiving LPA intends to be fully eligible to receive Federal-aid highway transportation project funds.

WHEREAS, Receiving LPA cannot provide a full-time public employee to carry out the responsibilities for its Federal-aid transportation project.

WHEREAS, Assisting Public Entity has a full-time public employee on staff who has successfully completed required training to serve as a RC for a Federal-aid transportation project. According to the terms of this Agreement, Assisting Public Entity is willing to provide the services of this employee to Receiving LPA to be in day-to-day responsible charge of all aspects of Receiving LPA's project, from planning through post-construction activities, so that the project remains eligible for Federal-aid transportation project funding.

WHEREAS, the parties understand that Receiving LPA must comply with all terms of 23 C.F.R. § 635.105(c) in order for this Federal-aid transportation project to be eligible for Federal funding. The parties intend for Receiving LPA to comply with these requirements by using Assisting Public Entity's employee who will be in responsible charge of the Federal-aid transportation project and will ensure that, at a minimum, (1) all aspects of the project receive independent and careful development, supervision and inspection, (2) the project is constructed in compliance with the plans and specifications, (3) all aspects of the project, from planning through construction activities, including all environmental commitments are carried out according to applicable requirements and remain eligible for Federal funding, and (4) decisions made and actions taken for the project have adequate supporting documentation filed in an organized fashion.

THEREFORE, in consideration of the mutual promises set out herein, the parties agree as follows:

DEFINITIONS

For purposes of this Agreement, the following definitions will apply:

Fully qualified means a person who has satisfactorily completed all applicable NDOR training courses and who has met the other requirements necessary to be included on the NDOR list of LPA RCs.

Full-time public employee means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee's non-public employment is in a field unrelated to any aspect of the project for which Federal aid is sought.

Public employee means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; another entity that is either designated by statute as public or quasi-public; or an entity included on a list of entities determined by the Nebraska Department of Roads, and approved by FHWA, as fulfilling public or quasi-public functions.

Responsible Charge means the public employee who is fully empowered by LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the Federal-aid project from planning through construction project activities, including all environmental commitments. RC is the day-to-day project manager, and the LPA's point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that RC may elect to use consultants to provide certain technical tasks associated with the project so long as RC actively manages and represents the owner's interests in those technical tasks.

DUTIES OF ASSISTING PUBLIC ENTITY

The Assisting Public Entity hereby agrees to provide Michelle to serve as the RC for Receiving LPA's Federal-aid transportation project identified as NDOR Project Number BRO-7084(7), NDOR Control Number 31208, *Stanton North*. Assisting Public Entity pledges and agrees that:

- 1) This person is a **full-time public employee** of Assisting Public Entity.
- 2) This person is fully qualified and has successfully completed required training to serve as a RC.
- 3) It must require the RC to attend and complete following activities: participation in an annual workshop, which will be based on recommendations of the QA/QC program. Attendance at this workshop will fulfill the requirement for a minimum of 8 hours of professional development hours annually.
- 4) It has authorized this person to be in day-to-day **responsible charge** of Receiving LPA's Federal-aid project and to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, are in compliance with the LPA Guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies in order to remain eligible for Federal-aid highway project funding.
- 5) It will not assign other duties to this person that would affect his or her ability to properly carry out the duties set out in this Agreement.
- 6) It will support the activities of this person to ensure that Receiving LPA's project is in compliance with the LPA Guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies in order to remain eligible for Federal-aid highway project funding.
- 7) It will take any action necessary to make sure that Receiving LPA and the State of Nebraska Department of Roads, meet their respective obligations set out in 23 C.F.R. § 635.105.

DUTIES OF RECEIVING LPA

The Receiving LPA pledges and agrees that it:

- 1) Will reimburse Assisting Public Entity for the services of the RC in accordance with the terms of this Agreement.
- 2) Will provide necessary office space, materials and administrative support for the RC.
- 3) Will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the RC concerning the acts necessary for making the project eligible for Federal funding.
- 4) Will take all necessary actions to comply and assist the RC in complying with all Federal and State requirements and policies applicable to Federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 C.F.R. § 635.105.
- 5) Will take all necessary actions to ensure that the RCs work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 C.F.R. § 635.105.
- 6) Is ultimately responsible for complying with all Federal and State requirements and policies applicable to Federal-aid highway projects. This includes meeting all post-construction environmental commitments. Receiving LPA understands that non-compliance with in compliance with the LPA Guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies may result in the loss of all Federal funding for the project. In the event that the acts or omissions of RC, Receiving LPA, or its agents or representatives, result in a finding that a project fails to comply with the LPA Guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies, LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project.

NDOR THIRD PARTY RIGHTS

The NDOR is not a signatory to this Agreement and is not assigned specific duties under this Agreement, however the NDOR may exercise the rights of a third party beneficiary to this contract, in the event of a default, or if it determines, in its sole discretion, that it would be in the best interest of the State to exercise its rights.

PAYMENT

In order to serve as RC, Receiving LPA shall pay to Assisting Public Entity the amount of per hour of RC's hourly wage rate + hourly cost of all benefits and mileage at the rate allowed by the Federal Highway Administration at the time of the project. In addition, Receiving LPA will reimburse Assisting Public Entity for all direct costs, such as office supplies, attributable to the project. Unless mutually agreed otherwise, the Assisting Public Entity shall bill the Receiving LPA for all expenses not later than 45 days following the period of RC.

INSURANCE

Assisting Public Entity and Receiving LPA shall each bear the risk of its own actions, as it does with its day-to-day operations.

The RC shall not begin work under this Agreement until it has shown proof that the Assisting Public Entity has in effect all insurance coverage required under this section.

- A. Workers' Compensation and Employers Liability Insurance
The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, Workers' Compensation and \$500,000 each accident for Coverage B, Employers Liability.
- B. Commercial General Liability Insurance
The minimum acceptable limits of liability shall be \$1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than \$2,000,000. The Receiving LPA is to be included as an additional insured on the insurance coverage required under this section.
- C. Automobile Liability Insurance
The minimum acceptable limit of liability shall be \$1,000,000 Combined Single Limit for each accident. The Receiving LPA is to be included as an additional insured on the insurance coverage required under this section.
- D. Professional Liability Insurance
Coverage shall be for wrongful acts, errors or omissions. The minimum acceptable limits of liability shall be \$1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than \$2,000,000.
- E. Certificate of Insurance
The Assisting Public Entity shall furnish the Receiving LPA with a certificate(s) of insurance evidencing the coverages required in this section. If the certificate(s) is shown to expire prior to completion of all the terms of this Agreement, the Assisting Public Entity shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the Receiving LPA.

INDEMNIFICATION

Each party hereto agrees to indemnify and hold harmless the other parties from and against all losses, liability, expenses, damages and claims, including attorney’s fees, arising out of or resulting from the indemnifying party’s acts or omissions in performing under this Agreement, except to the extent caused by negligent or willful act or omission of the other party. Each party agrees to provide liability insurance to indemnify itself in the event that it becomes liable for the payment of a judgment based upon its acts or omissions, or the acts or omissions of its agents or employees in performing this Agreement.

TERM AND DURATION

This Agreement shall become effective as to each party on the date such party executes the Agreement and shall continue in force and remain binding until said party terminates the agreement. This Agreement shall remain effective until the completion of the project, or January 31, 2015. If the project is not completed by that date, this Agreement must continue in effect as agreed to by the parties.

TERMINATION

With 30 days written notice, either party may terminate this Agreement. A new fully-qualified RC must be assigned to the project by the Receiving LPA prior to termination of this Agreement, or the project may be found to be ineligible for Federal funds.

NOW THEREFORE, in consideration of the covenants and obligations contained herein, the Assisting Public Entity and the Receiving LPA duly execute this NEBRASKA LOCAL PUBLIC AGENCY INTERLOCAL COOPERATION ACT AGREEMENT.

Assisting Public Entity
Colfax County, Nebraska, a Governmental Subdivision of the State of Nebraska

Jerry Heard, Chairman of Board of Commissioners

Attest:

County Clerk

[This document must be accompanied by a resolution from the governing body which authorizes the person above to sign on behalf of Assisting Public Entity.]

Receiving LPA
Stanton County, Nebraska, a Governmental Subdivision of the State of Nebraska
/s/ Jerry Weatherholt
Jerry Weatherholt, Chairman of Board of Commissioners

Attest:

/s/ Wanda Heermann, County Clerk

[This document must be accompanied by a resolution from the governing body which authorizes the person above to sign on behalf of Receiving LPA.]

Motion made by Gutshall, seconded by Kment to approve for the month of August the County Clerk fees in the amount of \$4,338.50; Documentary Stamp Tax, co shr in the amount of \$2,147.79; P&M Fund fees in the amount of \$682.00; Game and Parks Agent fees in the amount of \$2.35; Misc Copy fees in the amount of \$20.00; Clerk of the District Court fees in the amount of \$155.23; Passport fees in the amount of \$25.00; County Treasurer’s receipt of money received numbered 16174 – 16226, inclusive in the amount of \$139,240.21;

Voting: Ayes: Gutshall, Kment and Weatherholt. Naves: None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND - A to Z Vac N Sew, janitor equip, 212.90; Mark Albin Atty, atty fees, 66.15; Ameritas Retirement, ret-co shr, 5579.48; The Apothecary Shop, prescriptions, 28.97; Appera, towel service, 34.91; Avera Medical Group, services, 8.31; Charles W Balsiger, atty fees, 325.26; Kim Bearnese, meals, etc, 367.35; Big Red Printing, supplies, 120.51; Black Hills Energy, utilities, 41.07; Blue Cross/Blue Shield, ins- co shr, 32745.37; Carney Law PC, atty fees, 1976.87; City of Norfolk, SNARE contributions, 1500.00; CLS Veterinary, services, 134.50; Colfax County Press, subscription, 25.00; Constellation NewEnergy, utilities, 5.72; Martha Detlefsen, prior service, 12.00; Robin Dolesh, salary & mileage, 27.21; Eakes Office Products Inc, supplies, 96.40; Ewalt Law Office PC LLO, atty fees, 2964.31; Farmers Cooperative, fuel, 2253.54; First Concord Benefits Group, flex benefits, 26.00; Floor Maintenance & Supply Co, supplies, 183.07; See Store 1 LLC (Gene’s Roadrunner), fuel, 1309.56; Grafix Shoppe, supplies, 50.04; Judy Godel, mowing, 200.00; Brittini Hart, services, 192.00; Deb Hoehne, mileage, 179.67; Holiday Inn Kearney NE, lodging, 467.70; Intoximeters Incorporated, supplies, 131.95; IRS USA Tax Pymt, so sec-co shr, 6031.67; Jack B

Scherer LLC, services, 387.20; Mike Kabes, salary and mileage, 56.64; Diane Kander, mileage, 131.08; Russell Kumm, salary and mileage, 41.10; W. Bert Lampli, office allowance, 757.48; Luedeke Oil Co Inc, fuel, 103.57; Madison County Sheriff, costs, 28.12; Madison National Life Ins Co, ins-co shr, 2.67; Diann Marotz, salary and mileage, 26.10; Mid-American Benefits Inc, hra fees, 344.00; Midwest Special Services Inc, services, 315.90; MIPS Inc, services, 2465.43; NACO, workshop, 45.00; Nebraska Health & Human Services, boarding, 93.00; NE Public Health Environmental Lab, fees, 105.00; Lavern Newkirk, prior service, 17.00; Nielsen Lawn Service, grounds care, 423.00; NE Nebraska Juvenile Service Inc, contract, 875.00; Doug Oertwich, salary & mileage, 49.98; The Osmond Pharmacy, prescriptions, 52.94; Pierce County Sheriff, boarding, 6500.00; Power Computing Inc, services, 125.00; William G Schellen dba Prime Align, services, 243.32; Prime Sanitation Service, trash removal, 39.75; Puppy Love, services, 75.00; Zach Ramaker, salary & mileage, 24.99; Region 4 Behavioral Health, dues, 3191.50; Rita Roenfeldt, prior services, 20.00; Schroeder Land Surveying, services, 792.00; Ken Shriver, salary & mileage, 55.53; Shultz Vogel Johnson Mortuary, costs, 989.00, Stanton County Clerk, postage, 10.44; Stanton County Court, costs, 212.00; Stanton County Dist Court, costs, 105.00; Stanton County Imprest Acct, fees, 18.75; Stanton County Public Power District, utilities, 1964.43; Stanton Hardware Hank, supplies, 26.97; Stanton Printing, printing, 699.14; Stanton Telecom, services, 1459.16; Stanton Water & Sewer, services, 444.00; Julie Sweeney, mileage, 17.52; Teeco Inc, supplies, 95.00; Telebeep Wireless, services, 111.80; Brenda Thomas, mowing, 500.00; Thurston County Sheriff, boarding, 900.00; Mike Unger Co Shf, costs, 44.00; UNL IS Communication Center, services, 47.66; Vigilnet, services, 128.00; Village of Pilger, library fund, 643.74; Visa Card services, meals, 46.54; Western Office Technologies, supplies, 6468.13; Mark Wieman, salary & mileage, 37.20; Wolf's Den, meal, 6.00; Sandra Zoubek Treasurer, fees postage etc, 5048.75; Sandra Zoubek, meeting, 410.09;

ROAD FUND - Ameritas Retirement, ret-co shr, 2433.96; Appeara, towel service, 31.58; ATCO International, supplies, 1212.00; B's Enterprises, culverts etc, 36822.50; Black Hills Energy, utilities, 21.48; Blue Cross Blue Shield, ins-co shr, 20607.90; Bomgaars, supplies, 78.61; Century Link, services, 47.36; Clarkson Plumbing & Heating Inc, supplies, 19.46; Janice Coates, prior service, 17.00; Constellation New Energy, utilities, 8.26; Elkhorn Valley Sand & Gravel, gravel etc, 26688.73; Engelhardt TV & Communications Inc, services, 548.50; Farmers Cooperative, fuel, 17402.56; Floor Maintenance & Supply Co, supplies, 24.96; IRS USA Tax Pymt, so sec tax-co shr, 2710.18; Island Supply Welding Co, supplies, 22.29; Kaup Forage & Turf, grass, 246.00; Leigh Motor Service, services, 234.05; Luedeke Oil Co Inc, fuel etc, 16492.07; Mainelli Wagner & Associates Inc, eng serv, 1100.00; Martin Marietta Materials, gravel etc, 6371.47; Matteo Sand & Gravel Co Inc, gravel, 1208.88; McWilliams Transport LLC, services, 1875.00; Merchants Capital Resources Inc, lease payment, 3244.98; Metrocount, traffic counter, 1300.00; Midwest Service & Sales Co, culverts etc, 34658.76; NMC Exchange LLC, repairs, 421.14; Jim Ohlund, services, 336.00; Prime Sanitation Service, trash removal, 44.00; David Rolf, tire repairs, 268.54; Ron's Ag & Auto Repair, repairs etc, 672.25; S & S Willers Inc, gravel, 9956.17; Sioux City Truck Sales Inc, services, 2621.15; Stalp Gravel Company, gravel, 7185.15; Stanton Auto Parts, services, 195.88; Stanton County Clerk, recording fees, 40.00; Stanton County Public Power Dist, utilities, 329.29; Stanton Hardware Hank, supplies, 50.18; Stanton Telecom Inc, services, 241.25; Stanton Water & Sewer, services, 38.50; Teeco Inc, supplies, 17.85; Village of Pilger, utilities, 85.29; Elsworth G Voelker, prior service, 13.00; Western Office Technologies, filing cabinet, 62.90; Stanton County Treasurer, cancel check, 4226.38;

EMERGENCY MANAGEMENT FUND - Ameritas Retirement, ret-co shr, 14.68; Sanford Goshorn, utilities etc, 36.59; IRS USA Tax Pymt, so sec-co shr, 16.64; Radio Shack Corporation, supplies, 43.25; Stanton Hardware Hank, supplies, 14.98;

ROAD SINKING FUND - Caterpillar Financial Services Corp, final payment, 47596.00;

INHERITANCE TAX FUND - Engelhardt TV Communications, services, 273.41; MIPS Inc, microfilming, 956.22; College of Nursing Northern Division, contribution, 5000.00; Stanton County Public Power District, tower, 125.84;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5410.33; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$116,601.77.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for October 11, 2013 at 8:45 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

* * * * *

BOARD OF EQUALIZATION PROCEEDINGS – August 19, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on August 19, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on August 7, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:05 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of July 29, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Cheryl Wolverton, County Assessor, informed the Board that she has completed the 2013 review of ownership and use of Stanton County cemeteries and presented the Board with a listing.

Cheryl also advised the Board she has certified the 2013 valuation to the County Clerk in the amount of \$1,042,553,685.00, which is an increase of \$109,796,308.00 from last year's valuation.

No corrections sheets were presented for approval.

Preliminary levy allocation requests were reviewed. Motion made by Weatherholt, seconded by Kment to approve the following resolution:

RESOLUTION #2013.08 – 025:

WHEREAS, Nebraska Statute 77-3443(3) requires all political subdivisions subject to county levy authority to submit a preliminary request for levy allocations to the County Board, and

WHEREAS, the Stanton County Board is the levy authority for the following:

Stanton County Rural Fire District
Hoskins Rural Fire District
Stanton County Agricultural Society

NOW, THEREFORE BE IT RESOLVED, that the figures are approved as per request for the budget year 2013-2014.

Dated this 19th day of August, 2013.

Board of Equalization

/s/ Jerry Weatherholt

/s/ David Gutshall

/s/ Dennis Kment

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Weatherholt, Kment and Gutshall, Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file:

Nebraska Tax Equalization and Review Commission – Notice of Appeal (case 13R 002)

Motion made by Weatherholt, seconded by Gutshall to adjourn and set the next meeting for September 16, 2013 at 8:00 A.M.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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COMMISSIONER'S PROCEEDINGS – August 19, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on August 19, 2013 at 8:15 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on August 7, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:15 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Kment, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of July 29, 2013 and August 12, 2013 meetings.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file:

Jerry Kuiper – Substance Abuse Professional

State Nebraska, Brd Public Roads Classifications & Standards – 2013 Road & Street Program Wrkshp

Mike Unger, County Sheriff – copy SID#1 letter concerning "One Way Traffic on Meadow Lane"

Discussion was held on the traffic designation of Meadow Lane as a one way street during the school hours.

Applications for undercrossing a county road were reviewed.

Motion made by Gutshall, seconded by Weatherholt to approve the applications of Brad Maas to cross under 568 Ave with a 2" conduit electrical line and a 12" drainage pipe between 841 and 842 Roads, with all the listed conditions.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Discussion was held on the cost of a county burial. The board reviewed a compiled list of options of burial types (regular or cremation) and fees paid by counties from the Northeast District.

Motion made by Weatherholt, seconded by Gutshall to update Section 7011 of the Stanton County Burial Plan: "Maximum amount of payment for cremation only in Stanton County to be \$1,500, such payment is to include (1) cremation fee and all necessary authorizations, (2) simple container for cremated remains and grave liner, (3) transportation (to funeral home, to crematory and to cemetery), (4) visitation. In addition, a sum for grave opening not to exceed \$200.00."

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Sandy Zoubek, County Treasurer and Cheryl Wolverton, County Assessor joined the meeting to discuss the FP PostBase machine in the courthouse. Sandy informed the board that the machine is in need of repair. The postbase machine was purchased in March of 2007 at the cost of \$2,350. Discussion was held on the cost to repair, cost to lease a new machine or the cost to purchase a new machine. The cost to repair the machine would be \$500.00 with no guarantee of extended use. Trade-in value would be \$150.00.

Motion made by Gutshall, seconded by Weatherholt to purchase a new FP PostBase 65 at the cost of \$4,995.00, monthly rental postage machine \$39.00, trade-in on postbase machine \$150 and no service contract.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Discussion was held on custody receipts. Motion made by Kment, seconded by Gutshall to approve the following resolution to add pledged security:

RESOLUTION #2013.08 – 026:

BE IT HEREBY RESOLVED, that Stanton State Bank, Stanton, Nebraska hereby wishes to add the following security held in escrow to secure deposits of this county in said bank, to-wit:

Safekeeping Receipt #313378RV5 Due 2/22/2016 \$300,000.00
 Safekeeping Receipt #3133XXCV7 Due 3/10/2017 \$335,000.00

AND, that the same is hereby approved.

Dated this 19th day of August, 2013.

Board of Commissioners

/s/ Jerry Weatherholt

/s/ David Gutshall

/s/ Dennis Kment

Attest: /s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Discussion was held on budget issues, including the property tax request and 2013-14 proposed tax levy. It was decided to transfers funds in the amount of \$250,000.00 from the Inheritance Tax Fund into the Road Fund to reduce the property tax request and keep the tax levy as low as possible.

Budget Hearing is scheduled for September 16, 2013 at 9:30 A.M. and Final Tax Request Hearing scheduled for September 16, 2013 at 9:45 A.M.

IN ACCORDANCE WITH STATUTE, I herewith transmit the budget of Stanton County, Nebraska for the fiscal year from July 1, 2013 to June 30, 2014, inclusive, to the County Board of Commissioners of Stanton County, Nebraska. A copy of this budget will be on file in the County Clerk's office for public inspection on and after this date.

Dated this 19th day of August, 2013. /s/ Wanda Heermann, County Clerk

STANTON COUNTY, NEBRASKA						
NOTICE OF BUDGET HEARING AND BUDGET SUMMARY						
PUBLIC NOTICE is hereby given, in compliance with the provision of State Statute Sections 13-501 to 13-513, that the governing body will meet on the 16 th day of September, 2013 at 9:30 o'clock, AM, at Stanton Courthouse, 804 Ivy St, Stanton NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the clerk during regular business hours.						
<i>Wanda Heermann</i>						Clerk/Secretary
FUNDS	Actual Disbursements 2011-2012 (1)	Actual Disbursements 2012-2013 (2)	Proposed Budget of Disbursements 2013-2014 (3)	Necessary Cash Reserve (4)	Total Available Resources Before Property Taxes (5)	Total Personal and Real Property Tax Requirement (6)
General	3,178,908.14	3,674,862.08	4,487,998.36	125,000.00	1,361,075.00	3,251,923.36
Road/Bridge	2,725,986.05	2,457,235.19	4,019,300.00	125,000.00	4,144,300.00	-
Emerg Mngmt	13,398.43	13,358.46	22,030.00		6,409.11	15,620.89
Rd Equip Sink			175,000.00		151,341.92	23,658.08
ROD P&M			7,772.00		7,772.00	-
Veterans' Aid	1,000.00	500.00	10,917.00		10,374.46	542.54
Drug Law Enforce			2,999.05		2,999.05	-
Inheritance Tax	426,497.05	257,390.74	1,047,512.11		1,047,512.11	-
Road Alloc Bond	1,118,915.52	15,711.79	587,215.20		587,215.20	-
Courthosue Sink			65,000.00		59,969.62	5,030.38
911 Emerg	60,174.79	53,989.15	72,000.00		34,557.11	37,442.89
TOTALS	7,524,879.98	6,473,047.41	10,497,743.72	250,000.00	7,413,525.58	3,334,218.14
Unused Budget Authority created for next year						290,140.79

Clerk/Secretary

Total Personal and Real Property Tax Requirement for Bonds

-

Total Personal and Real Property Tax Requirement for ALL Other Purposes

3,334,218.14

NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute Section 77-1601.02, that the governing body will meet on the 16th day of September, 2013 at 9:45 o'clock, AM, at Stanton Courthouse, 804 Ivy St, Stanton NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

2012-2013 Property Tax Request	3,190,669.05	2013-2014 Proposed Property Tax Request	3,334,218.14
2012 Tax Rate	.342068	Proposed 2013 Tax Rate	.319813
Property Tax Rate (2012-2013 Request/2013 Valuation)	.306044		

LaLene Bates, Planning and Zoning Administrator, joined the meeting and presented lot split applications for Dale Remmich and Howard Hansen. She explained each application and the reason for the lot split.

Motion made by Gutshall, seconded by Kment to approve the lot split application of Dale Remmich to split land in NW SW 15-24-1, as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Weatherholt to approve the lot split application of Howard Hansen to split land in SE SW 34-22-2, as per Planning Commission recommendations.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

LaLene updated the Board on issues with permits within the county.

Motion made by Kment, seconded by Gutshall, to approve for the month of July the County Clerk fees in the amount of \$3,561.50; Documentary Stamp Tax, co shr in the amount of \$1,774.32; P&M Fund fees in the amount of \$591.00; Game and Parks Agent fees in the amount of \$17.00; Misc Copy fees in the amount of \$42.00; Clerk of the District Court fees in the amount of \$0.24; Passport fees in the amount of \$25.00; County Treasurer's receipt of money received numbered 16116 – 16172, inclusive in the amount of \$200,250.82; Veterans' Service Office 4th Quarter Report 2012-2013; Veterans' Service Office 2012-2013 Annual Report, and place them on file.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Mark Mainelli, Highway Consultant, joined the meeting. Discussion was held on a traffic counter. The board advised Mark to order a counter for the county.

Bid Letting for Construction Bid Proposal – Stanton Northwest C-84(320) – concrete box culvert, located on 561 Ave in STR 3-24-1. Jessica Buhl, representative of M.E. Collins Contracting Co Inc, was present for bid letting. Sealed bids were opened and read aloud as follows:

Gus Construction Co Inc	\$143,215.30	Box Culvert
Casey IA	<u>24,013.50</u>	Roadway items
	\$167,228.80	
A&R Construction Co	\$116,865.81	Box Culvert
Plainview NE	<u>22,177.58</u>	Roadway items
	\$139,043.39	
M.E. Collins Contracting Co Inc	\$130,548.58	Box Culvert
Wahoo NE	<u>24,636.41</u>	Roadway items
	\$155,184.99	

All bids were reviewed by the board.

Motion made by Gutshall, seconded by Kment to accept the bid of A&R Construction of Plainview for project Stanton Northwest C-84(320).

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Michele Evert, Responsible Charge, joined the meeting.

Bid Letting for Construction Bid Proposal – Stanton Southeast, C-84(287) – bridge, located between Sections 25& 36-T21N-R3E. Melissa Mathers, representative of Dixon Construction Co, was present for bid letting. Sealed bids were opened and read aloud as follows:

Simon Contractors	\$362,144.30	Bridge
North Platte NE	<u>11,828.56</u>	Roadway Construction
	\$373,972.86	
Theisen Construction Inc	\$253,300.70	Bridge
Norfolk NE	<u>10,500.89</u>	Roadway Construction

	\$263,801.59	
KEA Constructors	\$359,641.60	Bridge
Milford NE	<u>10,030.80</u>	Roadway Construction
	\$369,672.40	
Dixon Construction Co	\$264,367.50	Bridge
Correctionville IA	<u>10,030.80</u>	Roadway Construction
	\$274,398.30	

All bids were reviewed by the board.

Motion made by Weatherholt, seconded by Gutshall to accept the bid of Theisen Construction Inc of Norfolk for project Stanton Southeast C-84(287).

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Michele updated the board on the Federal Bridge project located in Kingsburg Precinct. Discussion was held on the Stanton North project.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable and Payroll claims, except to change the accounts payable claim of Joel Gillespie for millings stockpile rent from \$2,280.00 to \$1,140.00 due to the stockpile not being in existence in the year 2012 and order checks drawn on the various funds as follows:

GENERAL FUND - A to Z Vac N Sew, janitor equip, 18.95; Mark Albin atty, atty fees, 4147.06; Ron Albin atty, atty fees, 4076.85; AMC Range, dues, 100.00; Ameritas Retirement, ret – co shr, 5731.45; The Apothecary Shop, prescriptions, 31.62; Appera, towel service, 27.76; Kim Bearnese, phone mileage etc, 731.88; Black Hills Energy, utilities, 40.89; Blue Cross/Blue Shield, ins, 34265.81; Constellation NewEnergy Gas, utilities, 5.11; Custom Credentials, supplies, 6.25; Martha Detlefsen, prior service, 12.00; Eakes Office Products Inc, supplies, 778.46; Emmetts Foodtown, supplies, 55.36; Engelhardt TV & Communications Inc, equip repairs, 883.30; Ewalt Law Office PC LLO, atty fees, 2100.00; Faith Regional Health Services, medical, 70.00; Farmers Cooperative, fuel, 2460.36; First Concord Benefits Group, flex benefits, 26.00; Floor Maintenance & Supply Co, supplies, 218.52; See Store 1 LLC (Gene’s Roadrunner), fuel, 885.02; Carolyn J Glaser, meals etc, 28.65; Sanford Goshorn, fuel, 50.01; Hampton Inn, lodging, 77.00; IRS USA Tax Pymt, so sec tax – co shr, 6188.31; Jacks Uniform & Equipment, supplies, 72.89; Jerry’s Sinclair, supplies repairs, 15.00; Todd Jochum, fuel, 40.02; Diane Kander, meals, 10.57; Kuehn’s Auto Body Inc, services, 10.00; W Bert Lammler, office allowance, 757.48; Luedeke Oil Co Inc, fuel etc, 153.23; Madison County Clerk, judges costs, 101.57; Madison County Treasurer, costs, 10902.87; Madison National Life Ins Co, ins – co shr, 2.67; Anthony D McPhillips, meals, 148.78; Mid-American Benefits Inc, hra fees, 344.00; Midwest Radar & Equip, dues, 400.00; Midwest Special Services Inc, services, 665.55; MIPS Inc, supplies etc, 3101.79; NACO Planning and Zoning, dues etc, 50.00; NE Nebraska Assoc of Co Officials, workshop, 160.00; NE Nebraska Juvenial Service Inc, contract, 343.75; Nebraska Health & Human Services, fees, 183.00; Lavern Newkirk, prior service, 17.00; Nielsen Lawn Service, grounds care, 188.00; Pierce County Sheriff Department, boarding, 5100.00; Pilger Library, supplies, 419.06; Power Computing Inc, supplies, 97.50; William G Schellen dba Prime Align, services, 126.97; Prime Sanitation Service, trash removal, 39.75; Puppy Love, services, 50.00; Rath Sprinkler Systems, services, 238.00; Rita Roenfeldt, prior services, 20.00; Ron’s Ag & Auto Repair, services, 175.50; Saunders County Dept of Corrections, boarding, 990.00; Schultz Vogel Johnson Mortuary, costs, 694.80; Secretary of State Election Division, supplies, 10.00; Stanton Auto Parts, repairs, 431.50; Stanton County Clerk, postage, 3.75; Stanton County Court, costs, 1817.25; Stanton County Imprest Acct, fees, 19.25; Stanton County Public Power District, utilities, 1987.77; Stanton Hardware Hank, supplies, 56.97; Stanton Printing, printing, 650.88; Stanton Telecom, services etc, 1452.13; Stanton Water & Sewer, services, 444.00; State of Nebraska – Dept Corr, boarding, 105.90; Teeco Inc, supplies, 96.35; Telebeep Wireless, services, 111.80; Thurston County Sheriff, boarding, 1550.00; Kris Unger, mileage, 211.46; Mike Unger Co Shf, costs, 76.00; Rebecca Unger, services, 82.00; UNL IS Communication Center, services, 49.28; Card services, meals, 76.76; Wayne County Courthouse, costs, 3385.43; West Payment Center, supplies, 201.50; Western Office Technologies, supplies, 1665.64; Zee Medical Service Co, supplies, 31.85; Sandra Zoubek Treasurer, fees etc, 48.75; Sandra Zoubek, meals etc, 241.85;

COUNTY ROAD FUND - Ameritas Retirement, ret – co shr, 2720.37; Appera, towel service, 32.40; ATCO International, supplies, 1898.00; Black Hills Energy, utilities, 21.13; Blue Cross Blue Shield, ins – co shr, 20607.90; Bomgaars, supplies, 42.97; Caterpillar Financial Svs Corp, equip, 2345.90; Century Link, services, 47.55; Merle Cheyney, services, 40.00; Janice Coates, prior service, 17.00; Cornhusker International Trucks Inc, repairs, 6347.96; Elkhorn Valley Sand & Gravel, gravel etc, 17533.32; Farmers Cooperative, fuel etc, 12912.44; Farmers Union Coop Supply Co, chemicals, 281.26; Joel A Gillespie, costs, 1140.00; IRS USA Tax Pymt, so sec tax – co shr, 3034.70; Island Supply Welding Co, supplies, 241.18; Jays Collision Center, services, 250.00; Kayton International Inc, repairs, 297.34; Kimball Midwest, supplies, 216.14; Kuehns Auto Body Inc, repairs, 113.15; Luedeke Oil Co Inc, fuel etc, 6459.79; Mainelli Wagner & Associates Inc, eng serv, 10329.47; Martin Marietta Materials, gravel etc, 1777.29; Mels Small Engine, services, 25.00; Merchants Capital Resources Inc, lease payment, 3244.98; Midwest Service & Sales Co, culverts, 2707.20; NMC Exchange LLC, repairs, 2072.12; Northeast Glass, repairs, 1617.00; Jim Ohlund, services, 630.00; PowerPlan, repairs, 370.04; Prime Sanitation Service, trash removal, 44.00; Ridge Road Repair LLC, repairs, 1144.84; Road Builders Machinery & Supply Co, repairs, 519.40; Ron’s Ag & Auto Repair, repairs etc, 348.90; S & S Willers Inc, gravel etc, 12610.53; Stalp Gravel Company, gravel, 1997.28; Stanley Petroleum Maintenance Inc, repairs, 170.60; Stanton Auto Parts, repairs, 411.70; Stanton County Public Power Dist, utilities,

306.56; Stanton Hardware Hank, supplies, 76.22; Stanton Telecom Inc, services, 241.95; Stanton Water & Sewer, services, 38.50; Stock Realty & Auction Co/Big Iron, pickup, 4125.00; Teeco Inc, supplies, 53.05; Tube City IMS LLC, gravel, 161.80; Village of Pilger, utilities, 82.81; Elsworth G Voelker, prior service, 13.00;

EMERGENCY MANAGEMENT FUND - Ameritas Retirement, ret- co shr, 17.72; Danko Emergency Equip Co, supplies, 280.00; Farmers Cooperative, fuel etc, 253.38, Mike Frohberg, sirens etc, 29.88; Sanford Goshorn, utilities etc, 87.42; IRS USA Tax Pymt, so sec tax – co shr, 20.09; Luedeke Oil Co Inc, repairs, 51.00; Radio Shack Corporation, supplies, 68.35; Stanton Hardware Hank, supplies, 5.99; Verizon Wireless, utilities, 250.00;

VETERANS AID FUND - Veterans Aid Commission, emergency relief, 2500.00;

INHERITANCE TAX FUND - Stanton County Public Power District, tower, 120.67;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5306.29; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$122,937.46.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for September 16, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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COMMISSIONER’S PROCEEDINGS – August 12, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on August 12, 2013 at 8:30 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: Dennis Kment and Jerry Weatherholt, Board of Commissioners. David Gutshall was absent. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on August 7, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:35 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Kment, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

Board began reviewing and working on the budget.

David Gutshall joined the meeting at 8:50 A.M.

Mike Unger, County Sheriff, joined the meeting to update the commissioners on the recent accident involving the sheriff patrol car. Discussion was held on vehicle replacement options. Cost of a new vehicle to be paid from the Sheriff Sinking Fund and General Fund after receipt of insurance reimbursement.

Frankie Charipar did not appear.

Cheryl Wolverton, County Assessor, joined the meeting upon the request of the Board. She explained her budget request changes for her office.

Motion made by Gutshall, seconded by Weatherholt to approve and authorize the Chairman to sign the contract for project: Stanton Southeast, C-84(303) – Materials Only.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Budget review continued.

Application for undercrossing a county road reviewed.

Motion made by Weatherholt, seconded by Gutshall to approve the application of Qwest Corporation dba CenturyLink QC to cross under 845 Rd with a .50" copper line between 569 and 570 Avenues, with all the listed conditions.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

David Gutshall left the meeting at 11:50 A.M.

Motion made by Weatherholt, seconded by Kment to adjourn and set the next meeting for August 19, 2013 at 8:15 A.M.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – July 29, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on July 29, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Deb Hoehne, Deputy County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on July 24, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:10 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of July 15, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The board reviewed a valuation change letter received from Timothy Sweeney. An explanation letter will be mailed to Mr. Sweeney outlining the protest process. No other action needed.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for August 19, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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COMMISSIONER'S PROCEEDINGS – July 29, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on July 29, 2013 at 8:15 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on July 24, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:23 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the minutes of July 15, 2013 meeting.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Tony McPhillips, Veteran Service Officer, joined the meeting to discuss the letter received from the Norfolk Veterans Home Foundation Inc. regarding the Flag Plaza and Heroes Park. The donation given to the foundation from Stanton County entitles a complimentary memorial tile honoring any veteran of the County. Discussion was held to honor all veterans of Stanton County.

Motion made by Weatherholt, seconded by Gutshall to authorize a memorial tile "In the Memory of All Stanton County Veterans" to be placed on the wall in the flag plaza. Tony McPhillips, Veteran Service Officer, to decide as to the type of memorial tile for Stanton County.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file:

Nebraska Dept Environmental Quality – Road Side Clean Up Grant
Elaine Menzel, NACP – LB561 Community Planning Sessions
Nebraska Public Power District – Hoskins to Neligh Transmission Line Project hearing schedule

Motion made by Gutshall, seconded by Kment to approve the following Resolution to transfer funds to correct ending balances for the fiscal year 2012-2013:

RESOLUTION #2013.07 – 023:

BE IT HEREBY RESOLVED by the Board of Commissioners of Stanton County, Nebraska that the Stanton County Treasurer is hereby authorized to transfer funds to adjust/correct 2012-2013 expenditures as follows:

\$8,000.00 from the General Fund to the Road Fund
and
\$25,555.00 from the Road Allocation Bond Fund to the Road Fund

AND, that the same is hereby approved.

Dated this 29th day of July, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk [seal]

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the following Resolution to cancel outstanding checks/balances for the fiscal year 2011-2012:

RESOLUTION #2013.07 – 024:

BE IT HEREBY RESOLVED BY THE Board of Commissioners of Stanton County, Nebraska deems it necessary to cancel the following outstanding checks/balances in the General Fund for the fiscal year 2011-2012:

Ck 12060173 in the amount of \$442.51;
Ck 12060190 balance in the amount of \$10.05;

For a total of \$452.56.

AND, that the same is hereby approved.

Dated this 29th day of July, 2013.

Board of Commissioners
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk [seal]

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable claim as presented and order a check drawn on the fund as follows:

GENERAL FUND

Sandra Zoubek, County Treasurer	cancel checks – general fund	452.56
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Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion was held on the claim received for the millings pile rent in District No. 1. It was determined that millings were removed prior to 2012.

The chairman re-opened the hearing at 9:00 A.M. on the Cunningham Minor Subdivision located in Lot 2, Spring Branch Valley Second Addn in Pt NE 8-24-1. Present for the hearing were: Brandon Cunningham, Lon Timperley, Mark Walker and Laura Fenner. Also appearing was Sue Lackey, Geoscientist Survey Division – University of Nebraska. Ms. Lackey testified on the groundwater aquifer for the area, static water levels and pumping water levels. Discussion was held on the limitations of water usage, possible set back limitations and well placement restrictions. Various provisions and stipulations were discussed. Hearing was closed.

Motion made by Weatherholt, seconded by Kment to approve the Cunningham Minor Subdivision with the following stipulations: 1) that only a 15 gallon well can be established on the east lot (tract three) with the provision of 100' distance from any existing well; and 2) the well issue will need to be revisited on the west lot (tract one), if and when sold.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Sherry Peterson, Director Madison County Juvenile Accountability, Kirk Van Pelt, Stanton County Deputy and W. Bert Lampli, Stanton County Attorney, joined the meeting to discuss the changes to the juvenile justice program. LB561 changes services to community based (diversion programs) instead of placement of juveniles in detention facilities. Additional grant funds are available for implementation and operation of programs or the provision of services identified in a comprehensive juvenile service plan. A comprehensive juvenile service plan will need to be adopted to be eligible for grant funds. Salary compensation for the diversion officer to be paid through county payroll.
No action taken at this time.

Mr. Lampli discussed various law suits and other county issues.

The board worked on the county budget.

Motion made by Gutshall, seconded by Weatherholt to adjourn and set the next meeting for August 12, 2013 at 8:30 A.M.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – July 15, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on July 15, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Deb Hoehne, Deputy County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on July 3, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:04 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to approve the minutes of July 9, 2013 meeting.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

No correction sheets were presented for approval.

Deb submitted a list of additional Over, Under and Omitted Values of property. She explained due to lot splits parcels are changed or added to the list of properties.

Motion made by Gutshall, seconded by Weatherholt to approve the list of additional Over, Under and Omitted Values due to lot splits and allow the County Assessor to adjust the tax rolls.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Deb presented to the Board the 2013 Plan of Assessment for Stanton County Assessment Years 2014, 2015 & 2016.

Motion made by Kment, seconded by Gutshall to accept the 2013 Plan of Assessment and place it on file.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Decisions were made on the following protests:

2013-001: Motion made by Kment, seconded by Gutshall to change value after adjustment for tree coverage, as per Assessor's recommendation.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

2013-002: Motion made by Weatherholt, seconded by Kment to change value on house and outbuildings, as per Assessor's recommendation.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

2013-003: Motion made by Weatherholt, seconded by Kment to change value after adjustment to outbuildings, as per Assessor's recommendation.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

2013-004: Motion made by Weatherholt, seconded by Gutshall that there is no change in value, as per Assessor's recommendation.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

2013-005: Motion made by Gutshall, seconded by Kment that there is no change in value, as per Assessor's recommendation.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

2013-006: Motion made by Gutshall, seconded by Weatherholt that there is no change in value, as per Assessor's recommendation.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

2013-007: Motion made by Gutshall, seconded by Kment to change value after adjustment of grassland acres, as per Assessor's recommendation.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

2013-008: Motion made by Kment, seconded by Gutshall that there is no change in value, as per Assessor's recommendation.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to recess the Board of Equalization meeting to open the Board of Commissioner's meeting to address a matter scheduled at 8:30 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

The chairman re-opened the Board of Equalization meeting at 8:45 A.M.

Decisions were made on the following protests:

2013-009: Motion made by Gutshall, seconded by Kment that there is no change in value, as per Assessor's recommendation.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

2013-010: Motion made by Weatherholt, seconded by Kment to change value after adjustment to building, as per Assessor's recommendation.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nayas: None. Motion Carried.

2013-011: Motion made by Gutshall, seconded by Weatherholt that there is no change in value, as per Assessor's recommendation.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nayas: None. Motion Carried.

2013-012: Motion made by Gutshall, seconded by Kment to change value on house due to condition and adjust grassland/tree to shelterbelt, as per Assessor's recommendation.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

2013-013: Motion made by Weatherholt, seconded by Gutshall that there is no change in value, as per Assessor's recommendation. Matter is drainage issue with County.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nayas: None. Motion Carried.

2013-014: Motion made by Gutshall, seconded by Kment that there is no change in value, as per Assessor's recommendation. Matter is drainage issue with County.

Voting: ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

2013-015: Motion made by Gutshall, seconded by Weatherholt that there is no change in value, as per Assessor's recommendation. Matter is drainage issue with County.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nayas: None. Motion Carried.

2013-016: Motion made by Kment, seconded by Gutshall that there is no change in value, as per Assessor's recommendation.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

2013-017: Motion made by Weatherholt, seconded by Kment to change value of house, as per Assessor's recommendation.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nayas: None. Motion Carried.

2013-018: Motion made by Weatherholt, seconded by Gutshall to change value property adjusted as wasteland, as per Assessor's recommendation.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nayas: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to adjourn and set the next meeting for July 29, 2013 at 8:00 A.M.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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COMMISSIONER'S PROCEEDINGS – July 15, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on July 15, 2013 at 8:15 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on July 3, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:35 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Kment, seconded by Gutshall to approve the agenda.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Weatherholt to approve the minutes of July 9, 2013 meeting.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Sandra Zoubek, County Treasurer, joined the meeting for the Treasurer's Semi-annual report for January – June, 2013. The report figures were reviewed and verified by the Treasurer and Board members.

Motion made by Gutshall, seconded by Kment to approve the following Resolution:

RESOLUTION #2013.07 – 022:

BE IT RESOLVED, that the Board proceeded with and completed settlement with the County Treasurer for the six (6) months ending June 30, 2013 and found that all receipts and disbursements were properly accounted for as per statement on file at the County Clerk's office.

Dated this 15th day of July, 2013.

/s/ Jerry Weatherholt, Chairman

Attest: /s/ Wanda Heermann, County Clerk (seal)

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to recess the Board of Commissioner's meeting to re-open the Board of Equalization meeting.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The chairman re-opened the Board of Commissioner's meeting at 9:05 A.M.

The following correspondence was reviewed and placed on file:

- Lower Elkhorn Natural Resources District – Meeting Reminder for HMP
- Marshall Land Brokers & Auctioneers, Kearney – machinery and equipment needed for auction
- Larry Pelan, NIRMA – Flood Coverage
- State Nebraska District Seven Probation – 2013/2014 budget request

Discussion was held on the policy for reimbursement of Flex Benefits with First Concord Benefits Group. County employees who terminate employment with Stanton County either voluntarily or involuntarily will have a responsibility to reimburse the County the balance of their flex account effective July 1, 2013.

Stanton County Policy on Flex Benefits effective July 1, 2013

It will be the policy of Stanton County that any employee who participates in the flex benefit plan will be required to repay the County the amount remaining on their plan if their employment is terminated either voluntarily or involuntarily.

A flex plan is a deduction from payroll. When you no longer receive a payroll check, this amount still needs to be paid.

Balance of deduction contribution to be deducted from final payroll check. (If final payroll check does not cover amount due, arrangements can be made as to the type of payment schedule for repayment.)

Motion made by Gutshall, seconded by Kment to approve the above mentioned flex benefit policy and have a copy given to each employee enrolled in this payroll deduction.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

A discussion was held on the Subgrant Agreement between the Clerk of the District Court and the Department of Health and Human Services Child Support Enforcement Program. The purpose of the agreement is to account for work of the Clerk of the District Court as it relates to child support enforcement. (Copy of Subgrant Agreement on file in the County Clerk's office.)

Motion made by Gutshall, seconded by Kment to approve the Subgrant Agreement with the Department of Health and Human Services effective October 1, 2013 through September 30, 2014 and authorize the chairman to sign the same.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion was held on an increase of the hourly rate for the road personnel.

Motion made by Gutshall, seconded by Weatherholt to give the road personnel a 30¢ an hour raise effective July 1, 2013.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

LaLene Bates, Planning and Zoning Administrator, joined the meeting.

The chairman opened the hearing at 9:30 A.M. on the Cunningham Minor Subdivision located in Lot 2, Spring Branch Valley Second Addn in Pt NE 8-24-1. Present to testify were: Brandon and Holly Cunningham, Mark Walker, Laura Fenner, Lon Timperley and Wilford Henry. Brandon Cunningham testified to the objective of dividing Lot 2. Others in attendance expressed concerns with the lack of water in the area.

Motion made by Gutshall, seconded by Weatherholt to continue the Cunningham Minor Subdivision hearing until July 29, 2013 at 9:00 A.M. so that more information can be obtained on the water supply issue.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to approve the lot split application of R & B Cattle Co to split land located in W½ NE & NE NW 32-24-1, as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the lot split application of Podany Real Estate Trust to split land located in E½ SE 12-21-2, as per Planning Commission recommendations.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the lot split application of Morfeld's Second Lot Split located in S½ SW 8-21-2, as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

LaLene informed the board of a property owner who planted 8 Leyland Cypress trees within 19 ft of the county road right-of-way. The board discussed the situation with LaLene and the possible solutions.

Motion made by Gutshall, seconded by Weatherholt that the property owner will be notified that the trees will need to be moved at least 90' from the center of the road within 90 days of notice.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Application for undercrossing county road was reviewed.

Motion made by Gutshall, seconded by Weatherholt to approve the application of CenturyLink for a permit to occupy/undercross county road 825 Rd located between sections 18&19-21-3 with a .70 inch copper line, with the usual instructions and stated conditions.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nayas: None. Motion Carried.

Mark Mainelli, Highway Consultant and Michele Evert, Responsible Charge joined the meeting.

Michele updated the board on the Federal Bridge projects within the county.

Discussion was held on road and bridge issues within the county. The issue of drainage on Don Indra property was also discussed. Mark advised the board that Mr. Indra will need to contact NRCS, NRD and Corp of Engineers for a study of the area and have a plan developed.

Bid Letting for Stanton Southeast C-84(303) – Material Bid Proposal was held. The chairman opened the sealed bids and read them aloud as follows:

Ace Irrigation and Mfg Co, Kearney NE	\$38,765.20
Contech Engineered Solutions, Lincoln NE	\$36,744.00
Midwest Service & Sales Co, Schuyler NE	\$34,658.76

All bids were reviewed by the board.

Motion made by Weatherholt, seconded by Gutshall to accept the bid of Midwest Service & Sales of Schuyler for project Stanton Southeast C-84(303).

Voting: Ayes: Weatherholt, Gutshall and Kment. Nayas: None. Motion Carried.

Motion made by Kment, seconded by Weatherholt, to approve for the month of June the County Clerk fees in the amount of \$4,267.65; Documentary Stamp Tax, co shr in the amount of \$1,580.84; P&M Fund fees in the amount of \$689.00; Game and Parks Agent fees in the amount of \$19.00; Misc Copy fees in the amount of \$51.00; Clerk of the District Court fees in the amount of \$65.29; Passport fees in the amount of \$75.00; County Treasurer's receipt of money received numbered 16064 – 16115, inclusive in the amount of \$161,761.87; County Sheriff's quarterly report for April – June, 2013; and place them on file.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nayas: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND - Ameritas Life Nebraska, ret – co shr, 5590.65; The Apothecary Shop, prescriptions, shf, 15.81; Appera, towel service, 31.16; Kim Bearnes, phone mileage etc, 97.23; Black Hills Energy, utilities, 40.91; Blue Cross/Blue Shield, ins – co shr, 32745.37; Central Service Center, repairs, 302.40; Constellation NewEnergy Gas, utilities, 5.11; Cornhusker Auto Center, services, 42.38; Martha Detlefsen, prior service, 12.00; Eakes Office Products Inc, supplies, 9.89; Egley Fullner Montag & Hockabout, fees, 125.00; Emmetts Foodtown, supplies, 27.66; Engelhardt TV & Communications Inc, equipment, 255.00; Ewalt Law Office PC LLO, atty fees, 2100.00; Farmers Cooperative, fuel, 2179.04; First Concord Benefits Group, flex fees, 26.00; Ann Flood, fees – mental health brd, 50.00; Floor Maintenance & Supply Co, supplies, 246.22; FrancoTyp Postalia Inc, postage, 395.40; Gene Steffy, autos, 49766.00; IRS USA Tax Pymt, so sec tax – co shr, 6040.81; Jones Automotive, services, 8823.88; Diane Kander, equip, 106.99; Kuehn's Auto Body Inc, services, 290.00; W. Bert Lamml, office allowance, 735.42; Luedeke Oil Co Inc, fuel, 210.80; Madison National Life Ins Co, ins– co shr, 2.67; Mid-American Benefits Inc, hra fees, 27352.00; Midwest Special Services Inc, services, 265.20; MIPS Inc, computer support, 2452.33; Morland Easland & Lohrberg PC, fees, 790.79; Nebraska County Attorney Association, dues, 857.00; Nebraska.Gov, subscription fee, 50.00; Lavern Newkirk, prior service, 17.00; Valerie R Olson, fees – mental health brd, 50.00; Pierce County Sheriff Department, boarding, 4300.00; Platte County Detention Facility, boarding, 650.00; Prime Sanitation Service, trash removal, 39.75; Region IV Inc, services, 1874.50; Region 4 Behavioral Health System, services, 3191.50; Rita Roenfeldt, prior services, 20.00; Saunders County Dept of Corrections, boarding, 630.00; Marjorie Schaffer, fees mileage, 66.95; Schroeder Land Surveying, fees, 372.00; Sioux Sales Company, uniforms etc, 572.25; Stanton Auto Parts, repairs, 14.35; Stanton County Clerk Dist Court, costs, 309.00; Stanton County Court, costs, 781.00; Stanton County Imprest Acct, fees, 19.25; Stanton County Public Power District, utilities, 1782.82; Stanton Hardware Hank, supplies, 43.96; Stanton Printing, printing, 282.51; Stanton Telecom, services long dist, 1460.62; Stanton Water & Sewer, services, 473.20; State of NE Dept of Labor, unemploy contribution, 560.00; Teeco Inc, supplies, 101.50; Telebeep Wireless, services, 111.80; Brenda K Thomas, services, 400.00; Thurston County Sheriff, boarding, 1250.00; Mike Unger Co Shf, shf fees, 54.00; Rebecca Unger, services, 64.00; University of Nebraska, supplies, 36.00; UNL IS Communication Center, services, 49.28; US Cellular, services, 211.54; Western Office Technologies, supplies, 895.87; Sandra Zoubek, bank charges, 19.25;

ROAD FUND - Ameritas Life Nebraska Group Acct, ret-co shr 2948.16; Appera, towel service, 62.67; Black Hills Energy, utilities, 21.66; Blue Cross Blue Shield, ins-co shr, 20799.37; Caterpillar Financial Svs Corp, equip, 2345.90; Janice Coates, prior service, 17.00; Cornhusker International Trucks Inc, repairs, 112.98; Doernemann Farm Service Inc, supplies, 100.93; Elkhorn Valley Sand & Gravel, gravel etc, 27446.08; Emmett's Foodtown, supplies, 64.40; Farmers Cooperative, equipment etc, 7917.34; Kevin P Goetsch, rentals, 1250.00; Hoskins Manufacturing Co Inc, equip repair, 5.00; IRS USA Tax Pymt, so sec tax-co shr, 2952.78; Island Supply Welding Co, supplies, 151.71; Jays Collision Center, repairs, 175.00; Kaup Forage & Turf, seeding, 190.75; Kayton International Inc, repairs, 4658.96; Kimball Midwest, supplies, 180.73; Luedeke Oil Co Inc, fuel etc, 10292.78; Mainelli Wagner & Associates Inc, eng fees, 10869.71; Merchants Capital Resources Inc, lease payment, 3244.98; Mid American Benefits Inc, hra

fees, 16000.00; NMC Exchange LLC, supplies, 85.63; Jim Ohlund, services, 850.00; Overhead Door Co, repairs, 113.00; Prime Sanitation Service, trash removal, 44.00; Quality Transmission, equip repairs, 84.00; Ridge Road Repair LLC, repairs, 984.09; Road Builders Machinery & Supply Co, repairs, 2772.80; Ron's Ag & Auto Repair, repairs etc, 1179.55; S & S Willers Inc, gravel etc, 10362.38; Stanton Auto Parts, repairs, 645.29; Stanton County Public Power Dist, utilities, 322.63; Stanton Hardware Hank, supplies, 213.07; Stanton Telecom Inc, services, 248.43; Stanton Water & Sewer, services, 38.50; Stern Oil Co Inc, supplies, 2642.05; Teeco Inc, supplies, 19.20; TopKote Inc, services, 14000.00; US Cellular, services, 110.76; Village of Pilger, utilities, 82.81; Elsworth G Voelker, prior service, 13.00;

EMERGENCY MANAGEMENT FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 9.62; Farmers Cooperative, fuel etc, 202.59; Sanford Goshorn, utilities etc, 27.82; IRS USA Tax Pymt, so sec tax-co shr, 10.91; Verizon Wireless, utilities, 190.00;

INHERITANCE TAX FUND - Stanton County Public Power District, tower, 118.03;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5306.29; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$119,819.43.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Notice is hereby published in accordance with Section 23-122, Revised Statutes of Nebraska, Re-Issue 1943 that the following are the current salaries of all County employees:

County Assessor	\$3,583.33 monthly
County Attorney	\$3,666.66 monthly
County Clerk	\$3,583.33 monthly
Co Commissioner (D#1,D#2)	\$1,791.66 monthly
Co Commissioner, Chairman (D#3)	\$1,875.00 monthly
County Sheriff	\$4,041.66 monthly, plus \$30 Brd Health Adm, \$45 unf allow & \$130 tele reimb
County Treasurer	\$3,583.33 monthly
Deputy, County Assessor	\$2,646.00 monthly
Deputy, County Attorney	\$1,210.25 monthly
Deputy, County Clerk	\$2,646.00 monthly, plus \$50 ins reimb
Deputy, County Treasurer	\$2,646.00 monthly
Deputies, County Sheriff	\$16.89 hourly, plus \$45 unf allow & \$100 tele reimb
Deputies – part-time, Co Sheriff	\$14.00 hourly
Emergency Management Director	\$7.50 hourly
Planning & Zoning Adm	\$3,265.33 monthly, plus \$400 City PZ Adm
Planning Commission Members	\$15.00 per meeting, plus mileage
Veteran's Service Officer	\$2,978.00 monthly
Weed Superintendent	\$850.00 monthly
Custodian	\$1,986.00 monthly
Secretary, County Assessor	\$2,140.00 monthly
Secretary 1, County Attorney	\$15.50 hourly
Secretary 2, County Attorney	\$15.00 hourly
Office Assistant, Co Attorney	\$20.60 hourly
Secretary, County Clerk	\$2,050.00 monthly
Secretary 1, County Educator	\$2,605.00 monthly
Secretary 2, County Educator	\$1,850.00 monthly
Secretary, County Sheriff	\$2,375.00 monthly
Secretary, County Treasurer	\$2,450.00 monthly
Road, Clerk	\$300.00 monthly
Road, Bridge Foreman	\$16.80 hourly
Road, Employees	\$14.80 hourly

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for July 29, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

BOARD OF EQUALIZATION PROCEEDINGS – June 27, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on June 27, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: Dennis Kment and Jerry Weatherholt, Board of Equalization. David Gutshall was absent. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on June 19, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:03 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Kment, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

Approval of June 17, 2013 minutes tabled until July 9, 2013 meeting.

Motion made by Kment, seconded by Weatherholt to adjourn and set the next meeting for July 9, 2013 at 8:00 A.M.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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COMMISSIONER'S PROCEEDINGS – June 27, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on June 27, 2013 at 8:05 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were Dennis Kment and Jerry Weatherholt, Board of Commissioners. David Gutshall was absent. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on June 19, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:05 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Weatherholt, seconded by Kment to approve the agenda.

Voting: Ayes: Weatherholt and Kment. Nays: None. Absent: Gutshall. Motion Carried.

Approval of June 17, 2013 minutes tabled until July 9, 2013 meeting.

The following correspondence was reviewed and placed on file:

Kayton International Inc – close of business effective July 31, 2013

Stanton County Historical Society – June 2013 Newsletter

Motion made by Weatherholt, seconded by Kment to approve the following Accounts Payable claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND – Abacus Data Systems, supplies, 294.00; Bestest Inc, supplies, 75.00; Judy Bracht, mileage, 116.25; Dale Duncan, mowing, 100.00; Engelhardt TV & Communications Inc, equipment, 563.00; Grafix Shoppe, decals, 917.00; Wanda Heermann, mileage, 374.89; Holiday Inn, lodging, 77.00; Jacks Uniform & Equip, supplies, 836.00; Kooi Communications, services, 75.00; Kuehn's Auto Body Inc, repairs, 100.00; W Bert Lampli, mileage,

177.98; Cory Locke, mileage, 177.98; Morland Easland & Lohrberg PC, atty fees, 543.60; Nebraska Assoc Co Officials, reg fee, 290.00; NE Public Health Environmental Lab, medical, 98.00; Norfolk Daily News, subscription fee, 144.00; William Schellen dba Prime Align, services, 23.71; Quality Inn & Suites, lodging, 218.85; Sanford Goshorn dba S&G Installation, equip, 613.85; Sioux Sales Company, supplies, 497.40; Stanton Auto Parts, repairs, 7808.99; Stanton Printing, printing, 40.62; State Nebr Dept Corr Serv, housing, 1196.44; Stratton DeLay & Doele, atty fees, 1048.90; West Payment Center, supplies, 4750.00; Western Office Technologies, supplies, 3326.93; Wingate Inn, reg fee, 239.85; Wolfs Den, meals, 22.15; Zee Medical Service Co, supplies, 85.75;

ROAD FUND – Atco International, chemicals etc, 780.00; Bomgaars, supplies etc, 403.84; Century Link, services, 46.74; Farmers Union Coop Supply Co, chemicals, 154.76; Island Supply Welding Co, supplies, 140.23; Menards, supplies etc, 19.31; Midwest Service & Sales Co, supplies etc, 2714.99; NMC Exchange, equip repairs etc, 2922.63; Road Builders Machinery & Supply Co, equip repairs etc, 7659.52;

EMERGENCY MANAGEMENT FUND – Danko Emergency Equipment Co, repairs, 81.99; Kuehns Auto Body Inc, repairs, 244.95;

Voting: Ayes: Weatherholt and Kment. Nays: None. Absent: Gutshall. Motion Carried.

Motion made by Weatherholt, seconded by Kment to adjourn and set the next meeting for July 9, 2013 at 8:15 A.M.

Voting: Ayes: Weatherholt and Kment. Nays: None. Absent: Gutshall. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]
* * * * *

BOARD OF EQUALIZATION PROCEEDINGS – June 17, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on June 17, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on June 5, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:03 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of May 20, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Cheryl submitted a list of additional Over, Under and Omitted Values of property. She explained due to lot splits parcels are changed or added to the list of properties.

Motion made by Gutshall, seconded by Kment to approve the list of additional Over, Under and Omitted Values due to lot splits and allow the County Assessor to adjust the tax rolls.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion held on valuation changes and possible hearing dates for property valuation protests that might be filed. Tuesday, July 9, 2013 at 8:00 AM is set for protest hearings.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for June 27, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

* * * * *

COMMISSIONER’S PROCEEDINGS – June 17, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on June 17, 2013 at 8:15 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on June 5, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:15 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

Motion made by Kment, seconded by Weatherholt to approve the minutes of May 20, 2013 meeting.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nayas: None. Motion Carried.

Gary Carson, Weed Superintendent joined the meeting. Mr. Carson advised the Board he has passed his certification. He has been familiarizing himself with the problem areas in the county. Discussion was held on weed issues within the County.

Mike Unger, County Sheriff, joined the meeting to discuss the need of engine repair to a sheriff vehicle. Discussion held on possible options for repair. The Board advised Mike to have the vehicle repaired. Recent events within the County were also discussed. It was decided that copper wire recovered after a recent rural fire would be turned over to the Stanton Fire Department for disposal. Sheriff Unger also advised the Board of an incident in Woodland Park involving children found unattended by Deputy Jochum. His efforts to locate the children’s residence were commended by Bill Goodpasture, SID#1 employee.

Motion made by Weatherholt, seconded by Gutshall that Wanda Heermann, County Clerk, would be responsible for the preparation of the County budget.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nayas: None. Motion Carried.

A discussion was held with officials present as to raises for office personnel and budgets. Officials were looking at a \$50 salary increase for employees. It was discussed that budgets would be held to a 2% increase. The issue of cell phone reimbursement was also discussed.

Sandy Zoubek, County Treasurer, advised the Board that her temporary office employee will no longer be needed on a full time basis, but might be used on a temporary or fill-in basis.

Tom Schellpeper, President Stanton County Fair Board, appeared before the Board to explain the request for \$15,000. He presented an itemized list of improvements made at the fairgrounds. The Board expressed concerns with the method of notification for reimbursement. There should be a procedure followed to request reimbursement for improvements at the fairgrounds. Reimbursement requests will need to be budgeted. The Board and Mr. Schellpeper discussed other issues pertaining to the fairgrounds and surrounding areas.

Sandy Zoubek advised the Board of a reimbursement for expenses received from NACO. She also informed the Board of the Letter of Credit that needs to be released from Stanton State Bank.

Motion made by Kment, seconded by Gutshall to approve the following Resolution to release pledged securities:

RESOLUTION No. 2013.06 – 021:

BE IT HEREBY RESOLVED, that Stanton State Bank, Stanton, Nebraska hereby wishes to release the following letter of credit held in said bank, to-wit:

Irrevocable Letter of Credit No. 31414	Expiration Date	\$600,000.00
	5-31-2013	

AND, that the same is hereby approved.

Dated this 17th day of June, 2013.

Board of Commissioners, Stanton County, Nebraska
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk (seal)

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Discussion held on flex benefit reimbursement. Approval of policy for payment or reimbursement tabled until the July meeting.

The Board discussed the position of Art Director at the County Fair. Mary Lee Timperley, former School Superintendent, was appointed director of the art display at the county fair. Joyce Kment assisted Mrs. Timperley and after her retirement continued supervising the art display. It has been determined that Mrs. Kment should be appointed as the County Fair Art Director.

Motion made by Gutshall, seconded by Weatherholt that Joyce Kment be appointed as the Art Director at the County fair.

Voting: Ayes: Gutshall and Weatherholt. Nays: None. Abstain: Kment. Motion Carried.

Reviewed the NIRMA renewal billing statement. Discussion held on the possible changes to deductibles to reduce the premium contribution. No action taken at this time.

The applications for undercrossing county roads were reviewed.

Motion made by Gutshall, seconded by Kment to approve the application of John Kinter, Environmental Coordinator for Nucor, for a permit to cross under 558 Ave with a 10" DIP sewer line, with the usual instructions and stated conditions.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to approve the application of Klint Arnold, Manager Pierce Telephone Co Inc., for a permit to cross under 563 Ave and 843 Rd with a 1¼" fiber line, with the usual instructions and stated conditions.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Compensation for the road clerk was discussed. Tony McPhillips advised the board that he approximately worked 40 hours on the road claims during the month.

Motion made by Gutshall, seconded by Weatherholt to compensate the road clerk \$300 per month effective June 1, 2013.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Discussion held on replacement of culverts and road repairs.

Mark Mainelli, Highway Consultant, joined the meeting. Mr. Mainelli presented copies of the final plans and specifications for project Stanton Southeast C-84(303) – Bridge Replacement Project. Bid letting for the project has been set for July 15, 2013 at 11:00 A.M. Notice to Bidders will need to be published for 3 weeks. Updates and discussions were held on various road and culvert projects.

Motion made by Kment, seconded by Weatherholt, to approve for the month of May the County Clerk fees in the amount of \$2,979.45; Documentary Stamp Tax, co shr in the amount of \$1,149.39; P&M Fund fees in the amount of \$449.50; Game and Parks Agent fees in the amount of \$13.00; Misc Copy fees in the amount of \$26.75; Clerk of the District Court fees in the amount of \$210.76; Passport fees in the amount of \$200.00; County Treasurer's receipt of money received numbered 16009 – 16063 inclusive in the amount of \$125,186.59.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall, to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND – Academic Choir Apparel, robe, 264.00; Mark Albin atty, atty fees etc, 592.50; Ameritas Life NE Group Acct, ret—co shr, 5847.93; Appeara, towel services, cust, 28.47; LaLene Bates, services, 40.00; Kim Bearnes, phone mileage etc , 182.44 ; Big Red Printing Inc, printing/publish , 341.68; Black Hills Energy, utilities, 41.66; Blue Cross Blue Shield, ins-co shr, 31590.81; Gary Carson, meeting mileage, 65.94; Clerk Dist Court, copies, 30.19; Connecting Point Computers, supplies, 69.00; Constellation NewEnergy Gas, utilities, 8.02; County Veterans SVC Officers Assn, convention etc, 200.00; Dell Marketing LP, equipment, 2233.56; Martha Detlefsen, prior service, 12.00; Eakes Office Products, supplies, 378.00; Egley Fullner Montag & Hockabout, atty fees, 75.00; Emmett’s Foodtown, supplies, 56.93; Ewalt Law Office PC LLO, atty fees, 3972.44; Faith Regional Health Services, services, 35.00; Farmers Cooperative, fuel, 2599.07; First Concord Benefits Group, flex fees, 321.00; Ann Flood, fees, 50.00; Gene’s Roadrunner (See Store LLC), 2804.02; GIS Workshop, services, 20500.00; Carolyn Glaser, mileage, 18.08; Grafix Shoppe, equipment, 47.00; IRS USA Tax Pymt, so sec tax-co shr, 6283.59; Jack Scherer LLC, grounds care, 425.14; Jacks Uniform & Equip, clothing , 135.79; Jerrys Sinclair, repairs, 14.56; K & M Reporting, services, 126.00; W Bert Lamml, office allowance, 735.42; Judge Michael L Long, clothing, 108.24; Luedeke Oil Co Inc, fuel, 1925.17; Madison County Court, costs, 9.25; Madison National Life, ins-co shr, 2.67; Marelly AEDS & First Aid, services, 224.03; Menards, supplies, 110.62; Microfilm Imaging Systems, equip, 624.00; Mid American Benefits Inc, hra fees, 352.00; Midwest Messenger, fees etc, 35.10; Midwest Service & Sales Co, services, 470.00; Midwest Special Services Inc, services, 610.20; MIPS Inc, computer support etc, 2866.41; National 4-H Council Supply Service, supplies, 84.90; Northeast NE Econ Dev District, dues etc, 875.00; NIRMA (Nebr Intergovernmental Risk Mgmt Assoc), insurance premiums, 47113.50; Nebraska Assoc Co Officials, dues, 1323.49; Nebraska County Assessors Assn, dues, 50.00; Nebraska Health & Human Services, patient care, 93.00; Nebraska Supreme Court, dues etc, 565.00; Nebraska.gov, services, 3.00; NEREC/UNL, equip, 582.57; Lavern Newkirk, prior service, 17.00; Nielsen Lawn Service, services, 188.00; Aaron Nygren, support, 100.00; Douglas Oertwich, convention etc, 217.85; Osmond Pharmacy, medicine etc, 17.00; Pierce County Sheriff Dept, boarding, 3650.00; Platte County Detention Facility, boarding, 350.00; William Schellen dba Prime Align, services, 1212.38; Prime Sanitation, services, 39.75; Pro-Vision Inc, fees, 61.61; Rita Roenfeldt, prior service, 20.00; Marjorie Schaffer, admin fees, 66.95; Nancy Schramm, fees, 83.90; Sheraton Fort Worth Hotel & Spa, travel exp, 971.75; Stanton Auto Parts, repairs, 202.14; Stanton County Clk Dist Court, fees, 105.00; Stanton County Imprest Acct, fees , 19.00; Stanton County Public Power Dist, utilities, 1426.17; Stanton Hardware Hank, supplies, 17.98; Stanton Printing, printing, 511.40; Stanton Telecom Inc, services, 1477.87; Stanton Water & Sewer, services, 173.33; Teeco Inc, supplies, 225.60; Telebeep Wireless, services, 111.80; Brenda Thomas, services, 590.00; Mike Unger Co Shf, shf fees, 27.00; Rebecca Unger, services, 40.00; University of NE/IANR, supplies, 378.76; UNL IS Comm Center, services, 49.28; US Cellular, services, 136.36; Western Office Technologies, supplies, 4408.47; Sandy Zoubek, travel expense, 355.60; Sandra Zoubek Treas, postage, 5900.00;

COUNTY ROAD FUND – Ameritas Life Nebraska Group Acct, ret-co shr, 2370.60; Asphalt and Concrete Materials Co, supplies, 3187.92; Atco International, chemicals etc, 1512.50; B’s Enterprises Inc, signs, 12832.00; Black Hills Energy, utilities, 23.79; Blue Cross Blue Shield, ins-co shr, 20066.13; Caterpillar Financial Svs Corp, equip, 2345.90; Century Link, services, 46.74; Janice Coates, prior service, 17.00; Doernemann Farm Service Inc, supplies, 125.67; Elkhorn Valley Sand & Gravel, gravel etc, 32824.77; Farmers Cooperative, equipment etc, 20519.64; Hoskins Manufacturing Co Inc, repair, 4226.38; IRS USA Tax Pymt, so sec tax-co shr, 2659.33; Island Supply Welding Co, supplies , 120.58; Kaup Forage & Turf, seeding, 437.00; Kimball Midwest, supplies, 247.12; Luedeke Oil Co Inc, fuel etc, 7146.99; Mainelli Wagner & Associates Inc, eng serv etc, 3378.00; Martin Marietta Materials, gravel etc, 2249.14; Matteo Sand & Gravel Co Inc, gravel etc, 9889.36; Menards, supplies etc, 44.28; Merchants Capital Resources Inc, lease payment , 3244.98; Midwest Service & Sales Co, supplies etc, 1443.75; NIRMA (Nebr Intergovernmental Risk Mgmt Assoc), insurance, 55541.20; NMC Exchange, equip repairs etc, 8649.35; Jim Ohlund, services, 497.00; Powerplan, motor graders, 142594.00; William Schellen dba Prime Align, repairs, 42.00; Prime Sanitation Service, trash removal, 44.00; Quality Transmission, repairs, 84.00; Rons Ag & Auto Repair, repairs, 65.00; OL Scheer Company, tools, 89.99; S & S Willers Inc, gravel etc, 32214.81; Sioux City Truck Sales Inc, repairs etc, 35.97; Stalp Gravel Company, gravel etc, 6474.15; Stanton Auto Parts, supplies tools etc, 1431.61; Stanton County Public Power Dist, utilities, 333.68; Stanton Hardware Hank, supplies, 21.03; Stanton Telecom Inc, services, 269.28; Stanton Water & Sewer, services, 38.50; Stern Oil Co Inc, supplies, 1983.98; Teeco Inc, supplies , 25.70; US Cellular, services, 161.34; Village of Pilger, utilities, 82.81; Elsworth Voelker, prior service, 13.00; Western Office Technologies, supplies, 325.00;

EMERGENCY MANAGEMENT FUND – Ameritas Life Nebraska Group Acct, ret-co shr, 18.23; Engelhardt TV & Communications Inc, repairs, 62.00; Farmers Cooperative, fuel etc, 397.92; Sanford Goshorn, utilities etc, 26.61; IRS USA Tax Pymt, so sec tax-co shr, 20.66; Kuehns Auto Body Inc, repairs, 327.00; NIRMA (Nebr Intergovernmental Risk Mgmt Assoc), insurance, 1267.30; Stanton Hardware Hank, supplies, 15.99; Tap Publishing, dues etc, 83.95;

INHERITANCE TAX FUND – Stanton County Public Power Dist, tower, 125.30;

EMERGENCY 911 FUND – City of Norfolk, dispatching, 5306.29; Stanton Telecom Inc, 911 telephone service, 73.23;

Total aggregate salaries of all county employees \$118,944.28.\

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for June 27, 2013 at 8:05 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – May 20, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on May 20, 2013 at 8:00 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on May 8, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:03 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the minutes of April 16, 2013 meeting.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

The Board reviewed the letter received from the Nebraska Tax Equalization and Review Commission and placed it on file. The Tax Equalization and Review Commission finds that the levels of value of real property in Stanton County for the tax year 2013 satisfy the requirements of the laws of the State of Nebraska.

The County Assessor presented and explained the correction sheet for the month.

Motion made by Gutshall, seconded by Kment to approve and authorize the chairman to sign the correction sheet numbered 3970 and place it on file.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Cheryl submitted a list of Over, Under and Omitted Values of property. She explained that physical viewing of property has been completed within the county and changes were made to the properties listed.

Motion made by Gutshall, seconded by Weatherholt to approve the list of Over, Under and Omitted Values and allow the County Assessor to adjust the tax rolls.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Cheryl presented the Board with a list of taxation values for the 2013 tax year.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for June 17, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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COMMISSIONER'S PROCEEDINGS – May 20, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on May 20, 2013 at 8:15 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on May 8, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:16 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of April 16, 2013 and April 29, 2013 meetings.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Larry Belz appeared before the board to discuss concerns with the Belz Cemetery located in rural Stanton County. The entrance to the cemetery is unsafe as the entrance is south of the crest of the hill on the county road. If turning into the cemetery from the south you could possibly be hit by a vehicle coming from the North. Mr. Belz was asking if the entrance could be relocated to the north edge of the cemetery, have the ditch reshaped to allow drainage and remove brush along the north line. It was decided by the commissioners to work with Mr. Belz and relocate the entrance, reshape the ditch for drainage and remove the brush.

The following correspondence was reviewed and placed on file:

Stanton County Court – courtroom security

Voigt Locksmith Inc – lock replacement

Charles Campbell, atty – update on Cass County lawsuit

State Nebraska, Dept Roads – STIP document FHWA FY2013 projects

Stanton Public Library – continued support FY 2013-14

Nationwide Retirement Solutions – endorsement to Group Variable Annuity contract

The Board reviewed a letter received from National Insurance Services regarding the renewal of Stanton County's Long Term Disability Policy.

Motion made by Gutshall, seconded by Weatherholt to authorize the County Clerk to sign the acceptance of the renewal letter.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Discussion was held on the 125 Cafeteria Plan re-enrollment for the July 1, 2013 to June 30, 2014 plan year. Enrollment forms will be given to the employees for participation or waiver of the First Concord Benefits Group plan. Further discussion was held on the reimbursement to the County or payment to First Concord Benefits Group upon employment terminating prior to the end of the fiscal year. A policy for payment or reimbursement will be adopted at the June meeting.

Motion made by Gutshall, seconded by Kment to continue with the re-enrollment with First Concord Benefits Group LLC on the 125 Cafeteria Plan and draft a policy for payment or reimbursement upon termination of employment.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

LaLene Bates, Planning and Zoning Administrator, joined the meeting to discuss the correspondence received from the Lower Elkhorn Natural Resources District regarding the Hazard Mitigation Plan (HMP). Stanton County participated in the development of the 2009 hazard mitigation plan. In order for Stanton County to be recognized as a plan participant at least one designated representative must attend upcoming public meetings. LaLene agreed to be the representative for Stanton County.

Motion made by Weatherholt, seconded by Gutshall to designate LaLene Bates as Stanton County's representative to participate in the process of updating the current HMP.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Sandra Zoubek, County Treasurer, joined the meeting. Budget balances, custody receipts and securities held in banks were discussed.

Motion made by Kment, seconded by Gutshall to approve the following Resolution for pledged securities:

RESOLUTION No. 2013.05 – 017:

BE IT HEREBY RESOLVED, that Stanton State Bank, Stanton, Nebraska hereby wishes to add the following security held in escrow to secure deposits of this county in said bank, to-wit:

United States Treas Nts #912828TD2	Due	7/15/2015	\$200,000.00
		0.25%	

AND, THAT THE SAME IS HEREBY APPROVED.

Dated this 20th day of May, 2013.

Board of Commissioners, Stanton County, Nebraska
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk (seal)

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Resolution to transfer funds:

RESOLUTION No. 2013.05 – 018:

BE IT HEREBY RESOLVED by the Board of Commissioners of Stanton County, Nebraska that the Stanton County Treasurer is hereby authorized to transfer funds in the amount of \$541,561.73 from the General Fund to the Road Fund.

AND, that the same is hereby approved.

Dated this 20th day of May, 2013.

Board of Commissioners, Stanton County, Nebraska
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk (seal)

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Mike Unger, County Sheriff, joined meeting. Discussion held with Sheriff Unger on events in the County. He updated the Board of recent thefts within the county and the recovery of stolen property.

Discussion held on the letter received from the Stanton County Fair Board requesting reimbursement for capital improvements at the county fairgrounds. Jerry Weatherholt will contact the Fair Board about the projects and the procedure for possible reimbursement.

Motion made by Kment, seconded by Weatherholt, to approve for the month of April the County Clerk fees in the amount of \$3,121.00; Documentary Stamp Tax, co shr in the amount of \$813.42; P&M Fund fees in the amount of \$496.50; Game and Parks Agent fees in the amount of \$5.00; Misc Copy fees in the amount of \$31.75; Clerk of the District Court fees in the amount of \$255.24; Passport fees in the amount of \$50.00; County Treasurer's receipt of money received numbered 15951 – 16008, inclusive in the amount of \$162,316.43;

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Gravel contracts were approved and signed by the Board of Commissioners.

LaLene Bates rejoined the meeting and presented lot split applications for Joseph Jindra, Daniel Rocheford and Don W. Wisnieski. She explained each application and the reason for the lot split.

Motion made by Weatherholt, seconded by Gutshall to approve the Joseph Jindra's Lot Split located in the SW¼ SW¼ of 14-22-3 less highway right-of-way as per Planning Commission recommendations.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to approve the Rocheford's Lot Split located in the Replat of Lot 1 of Gerry F. Wiese's Lot Split located in the W½ NW¼ of 5-21-3 less highway right-of-way as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the Don W. Wisnieski's Lot Split located in the NW¼ NW¼ of 33-24-1 less highway right-of-way as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Erin Vrba, representative for Family Heritage Life Insurance Co, did not appear.

Sue Warner, Blue Cross Blue Shield representative, appeared to inform the Board of the rate changes for the 2013-2014 contract year effective July 1, 2013. Health plan rates will increase by 12% and 0% on dental. PPACA (Patient Protection and Affordable Care Act) financial impact rate will be 2.05% for 6 month period. Sue explained the Transitional Reinsurance Fee and Excise Tax. There will be no changes to the deductible and coinsurance on medical plans. Prescription drug copayments for all PPO plans are changing.

A discussion was held on the Blue Cross Blue Shield rates, options for continuing health insurance coverage for county employees and the county HRA policy. The sub-group application for renewal of Blue Cross Blue Shield was discussed.

Motion made by Gutshall, seconded by Weatherholt to approve and authorize the chairman to sign the NACO sub-group renewal application with Blue Cross Blue Shield (BCBS) with the \$2,500 deductible PPO Plan for the 2013-2014 year and that the county will continue to pay the full family insurance for employees at this time. Also effective July 1, 2013, to assist employees with the higher deductible, Stanton County will contribute an additional \$500 to the Health Reimbursement Arrangement (HRA) with Mid-American Benefits for each employee who is listed as a subscriber to the BCBS health plan for the 2013 year.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Mark Mainelli, Highway Consultant Engineer and Michelle Evert, Responsible Charge, joined the meeting.

Discussion was held on 835 Road (a/k/a Golf Course Road) located between Hwy 57 and Hwy 15 regarding truck traffic. The road is not constructed for heavy truck traffic which can cause damage and increase maintenance costs. Establishing a weight limit on the road can reduce the damage to the surface.

Motion made by Weatherholt, seconded by Kment to approve the following Resolution to establish a weight limit on 835 Road between Hwy 57 and Hwy 15:

RESOLUTION No. 2013.05 – 019:

WHEREAS, certain roads in Stanton County are subject to heavy truck traffic which causes damage to the roadway, increases maintenance costs and creates potential for hazardous conditions for adjacent properties; and

WHEREAS, there are alternate routes over roads which are adequate to carry heavy truck traffic in the vicinity of the road herein described; and

WHEREAS, Section 60-681 of the Revised Statutes of Nebraska empowers local authorities to prohibit operation of trucks on designated roads; and

WHEREAS, it is in the best interest of the county to protect the roads in the County from unnecessary damage by prohibiting the operation of heavy trucks on certain roads;

NOW, THEREFORE BE IT RESOLVED that 835 road (a/k/a Golf Course Road) located between Highway 57 and Highway 15 in Sections 25, 26, 27 & 28, Township 23 North, Range 2 East and Section 27, 28, 29 & 30, township 23 North, Range 3 east of the 6th P.M. be closed to all truck traffic with "gross vehicle weight of 5 ton or more", except that this restriction shall not apply to operation of trucks which involves the normal conduct of business on lands adjacent to the above described road until further notice, provided that emergency vehicles may disregard the barricades.

BE IT FURTHER RESOLVED, that this resolution shall be in full force and effect after the installation of all necessary signs.

Dated at Stanton, Nebraska this 20th day of May, 2013.

Board of Commissioners, Stanton County, Nebraska
/s/ Jerry Weatherholt, chairman
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk (seal)

Voting: Ayes: Weatherholt and Kment. Nays: None. Abstains: Gutshall. Motion Carried.

Mark Mainelli and Michelle Evert discussed a possible conflict of interest with the resignation of Kathy Dahlkoetter as Stanton County Highway Superintendent. In the interest of full disclosure Michelle Evert informed the Board that prior to receiving a resume from Kathy for a position posted on the Mainelli Wagner & Associates website she submitted her resignation with Stanton County. The Board of Commissioners advised Michelle they are aware that there is no conflict of interest with Kathy Dahlkoetter applying for a position with the firm of Mainelli Wagner & Associates Inc.

Motion made by Weatherholt, seconded by Gutshall to approve and authorize the chairman to sign the contract and purchasing agent appointment for project BRO-7084(10).

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Discussion was held on the closed bridge by Robbie Johnson's property. The bridge was closed due to damage after flooding. The bridge was deemed unsafe and for public safety needs to be removed as per Mark Mainelli's recommendation.

Motion made by Kment, seconded Weatherholt to approve the following Resolution authorizing the Chairman to sign a Construction Engineering Agreement – BK1333:

RESOLUTION No. 2013.05 – 20:

Whereas: Stanton County is developing a transportation project for which it intends to obtain Federal funds;

Whereas: Stanton County as a sub-recipient of Federal-aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-Aid project;

Whereas: Stanton County and Mainelli Wagner & Associates, Inc. wish to enter into a Construction Engineering Agreement to provide construction engineering services for the Federal-Aid project.

Be It Resolved: by the Board of Commissioners of Stanton County that:

Jerry Weatherholt, Chair of the Stanton County Board of Commissioners, is hereby authorized to sign the attached construction engineering services agreement between Stanton County, Nebraska and Mainelli Wagner & Associates, Inc.

NDOR Project Number: BRO-7084(10)

NDOR Control Number: 31597

NDOR Project Description: Stanton Southeast

Adopted this 20th day of May, 2013 at Stanton, Nebraska.

The Board of Commissioners of Stanton County, Nebraska

/s/ Jerry Weatherholt

/s/ David Gutshall

/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, County Clerk (seal)

Board Member Dennis Kment moved the adoption of said resolution; Member Jerry Weatherholt seconded the motion.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Professional Services Consultant LPA Projects

Construction Engineering Services

Agreement No. BK1333

[copy of Agreement and Exhibits on file in County Clerk's office]

Motion made by Gutshall, seconded by Kment to adopt the ADA Policy Statement/Signed Assurances for Stanton County, Nebraska this 20th day of May, 2013.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Mark Mainelli informed the Board of the different bridge definitions by State or Federal standards in connection to the Supplemental Agreement No.1 to the Federal-Aid Transportation Fund Purchase-Sale Agreement signed April 29, 2013. He explained different aspects of the agreement.

Discussion held on the budget for the road department. Mr. Mainelli advised the Board that a separate line item should be added to the budget to enable the tracking of revenue and expenses pertaining to Federal-Aid Funds.

Road department clerk position responsibilities and duties continued until next meeting.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND - A to Z Vac-n-Sew, supplies, 32.95; Mark Albin Atty, atty fees, 709.05; Ameritas Life NE Group Acct, ret-co shr, 6473.99; Appera, towel services, 26.43; ATCO International, ice melt pellets, 660.00; Kim Bearnes, phone mileage etc, 169.57; Black Hills Energy, utilities, 97.49; Blue Cross Blue Shield, ins-co shr, 32229.48; Gary Carson, office supplies, 113.93; CLS Veterinary PC, pest control, 88.50; Constellation NewEnergy Gas, utilities, 20.57; Copple Insurance Agency Inc, insurance, 2868.60; Courtesy Ford-Lincoln Mercury, equipment repairs, 627.49; Custom Sports, supplies, 174.00; Martha Detlefsen, prior service, 12.00; Egley Fullner Montag & Hockabout, atty fees, 125.00; Ewalt Law Office PC LLO, atty fees, 2100.00; Faith Regional Health Services, services, 46.00; Farmers Cooperative, fuel, 2691.82; First Concord Benefits Group, flex fees, 271.00; Ann Flood, fees, 50.00; Floor Maintenance & Supply Co, supplies, 174.97; Gene's Roadrunner (See Store LLC), fuel, 1374.46; GIS Workshop, services, 7400.00; Carolyn J Glaser, mileage, 17.76; Gordy's Towing, services, 69.00; Wanda Heermann, mileage, 213.57; Holiday Inn - Kearney, lodging - clk, 86.95; Holt County Jail, services, 450.00; IRS USA Tax Pymt, so sec tax- co shr, 6938.24; Keenan Law PC LLO, atty fees, 1261.85; Kooi Communications Inc, services, 367.00; W Bert Lammler, office allowance, 735.42; Luedeke Oil Co Inc, fuel, 156.10; Madison County Sheriff, services, 84.36; Madison National Life, ins-co shr, 2.67; Anthony D McPhillips, mileage etc, 304.99; Mid American Benefits Inc, hra fees - misc, 352.00; Midwest Special Services Inc, services, 62.10; MIPS Inc, computer support etc, 2541.96; Morland Easland and Lohrberg PC, atty fees, 1177.19; Moyer & Moyer, atty fees, 1129.47; Natl Assn of Co Treas & Fin Office, convention, 150.00; Nebraska Assoc County Extension Boards, dues etc, 100.00; Nebraska Assn of Co Treasurers, convention, 120.00; Nebraska Health & Human Services, patient care, 90.00; NE Nebraska Area Agency Aging, services, 2528.00; Nebraska Weed Control Assn, dues etc, 125.00; Lavern R Newkirk, prior service, 17.00; Valerie R Olson, services, 50.00; Pierce County Sheriff Dept, boarding, 1000.00; Sarah Polacek, services, 50.00; William G Schellen dba Prime Align, services, 1493.20; Prime Sanitation, services, 39.75; Quality Inn & Suites, lodging, 276.00; Ramada Inn, convention etc, 288.00; Rita Roenfeldt, prior service, 20.00; Marjorie Schaffer, admin fees, 66.95; Schroeder Land Surveying, services, 492.00; Stanton Auto Parts, equipment repairs, 1239.21; Stanton County Clerk, supplies, 47.49; Stanton County Clk Dist Court, fees, 139.00; Stanton County Court, fees, 91.00; Stanton County Imprest Acct, fees, 20.00; Stanton County Public Power Dist, utilities, 1435.76; Stanton Hardware Hank, supplies, 41.70; Stanton Printing, printing, 625.58; Stanton State Bank, supplies, 21.05; Stanton Telecom Inc, services, 1481.68; Stanton Water & Sewer, services, 120.00; Teeco Inc, supplies, 88.50; Telebeep Wireless, services, 111.80; Brenda K Thomas, services, 610.00; Mike Unger Co Shf, shf fees, 44.00; UNL IS Comm Center, services, 49.28; US Cellular, services, 136.36; Card Services, meals, 262.05; Voigt Locksmith Inc, repairs, 183.00; Western Office Technologies, supplies, 1146.28; The Windshield Doctors, equip repairs, 25.00; Witness fees, fees, 417.19; Zee Medical Service Co, supplies, 25.95;

COUNTY ROAD FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 2971.06; Appera, towel services, 31.52; Atco International, chemicals etc, 492.50; B's Enterprises Inc, signs etc, 23268.38; Black Hills Energy, utilities, 55.24; Blue Cross Blue Shield, ins-co shr, 20704.80; Bok Financial, bond payment, 200.00; Bomgaars, supplies etc, 212.94; Caterpillar Financial Svs Corp, equip, 2345.90; Century Link, services, 46.74; Janice Coates, prior service, 17.00; Constellation NewEnergy Gas, services, 138.32; Custom Excavation, truck rental, 1785.00; Kathy Dahlkoetter, lodging etc, 118.09; Doernemann Farm Service Inc, supplies, 72.68; Elkhorn Valley Sand & Gravel, gravel etc, 65793.96; Farmers Cooperative, fuels etc, 16084.98; Hoskins Manufacturing Co Inc, equip repair, 4226.38; IRS USA Tax Pymt, so sec tax-co shr, 3331.76; Island Supply Welding Co, supplies, 160.23; J & L Trucking, maintenance, 2311.50; Jensen Construction DT Inc, rentals, 1215.00; Kaup Forage & Turf, seeding, 437.00; Kayton International Inc, repairs etc, 386.96; Kimball Midwest, supplies, 101.45; Luedeke Oil Co Inc, fuel etc, 7806.62; Mainelli Wagner & Associates Inc, eng serv, 7936.26; Martin Marietta Materials, gravel etc, 1141.21; Matteo Sand & Gravel Co Inc, gravel etc, 8368.10; McWilliams Transport LLC, rental, 375.00; Mels Small Engine, repairs, 42.45; Merchants Capital Resources Inc, lease payment, 3244.98; Midwest Service & Sales Co, signs, 2072.24; NMC Exchange LLC, supplies etc, 7021.24; Jim Ohlund, services, 864.50; Pressure Washer Systems Inc, parts, 12.43; Prime Sanitation Service, trash removal, 44.00; Ridge Road Repair LLC, repairs etc, 171.50; Road Builders Machinery & Supply Co, repairs, 1193.78; Rons Ag & Auto Repair, repairs, 706.34; OL Scheer Company, repairs, 66.99; S & S Willers Inc, gravel etc, 4200.09; Sioux City Truck Sales Inc, repairs etc, 3123.09; Smith Trucking, maintenance, 1173.00; Stalp Gravel Company, gravel etc, 5862.69; Stanley Petroleum Maintenance Inc, supplies, 6.00; Stanton Auto Parts, supplies tools etc, 212.75; Stanton County Public Power Dist, utilities, 426.51; Stanton Printing, printing, 63.47; Stanton Telecom Inc, services, 351.24; Stanton Water & Sewer, services, 38.50; Teeco Inc, supplies, 32.20; Tube City IMS LLC, gravel etc, 700.40; US Cellular, services, 110.49; Village of Pilger, utilities, 85.29; Elsworth G Voelker, prior service, 13.00; Luke Weatherholt, building repair, 900.00;

EMERGENCY MANAGEMENT FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 18.98; Danko Emergency Equipment Co, supplies, 129.00; Engelhardt TV & Communications Inc, repairs, 45.00; Farmers Cooperative, fuel etc, 337.16; Sanford Goshorn, convention etc, 93.84; IRS USA Tax Pymt, so sec tax-co shr, 21.52; Ron's Ag & Auto Repair, repairs, 25.00; Stanton Auto Parts, repairs, 6.00; Stanton Hardware Hank, supplies, 44.55; Western Office Technologies, supplies, 43.98;

INHERITANCE TAX FUND - Stanton County Public Power Dist, tower, 147.09;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5306.29; Stanton Telecom Inc, 911 telephone service, 73.23;

Total aggregate salaries of all county employees \$136,540.63.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for June 17, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

* * * * *

COMMISSIONER’S PROCEEDINGS – Special Meeting – April 29, 2013

A special meeting of the Board of Commissioners of Stanton County, Nebraska, was held in the open and public session on Monday, April 29, 2013, at 8:30 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk, was also present.

Notice of the meeting was given in advance thereof by posting in three (3) public places, those being the Courthouse, Post Office and City Hall, at least 2 days prior to the meeting. A copy of the acknowledgment of posting such notice is attached to these minutes.

Notice of the meeting was given in advance to the commissioners, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:50 A.M. by Chairman Weatherholt, who announced that the open meetings laws were posted on the wall in the County Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Kment, seconded by Gutshall to approve the agenda.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the following resolution for Federal Aid Project No. BRO-7084(10):

RESOLUTION No. 2013.04 – 015:

Resolution No. 2013.04-015

RESOLUTION

WHEREAS, there has been signed by the County of Stanton on the 21st day of March, 2011, and the State on the 30th day of March, 2011, an agreement, providing for the construction of a Federal Aid Project replace the existing bridge, Structure No. C008402740, over Cedar Creek, with a 140’ x 28’ continuous concrete slab bridge, and

WHEREAS, in the above agreement, the County has pledged sufficient funds to finance its share of the cost of the construction of this project identified as BRO-7084(10), and

WHEREAS, the above mentioned agreement provided that the County would pay costs as set forth in the agreement, and

WHEREAS, the State and the County received bids for the construction of this project on April 18, 2013 at which time 5 bids were received for the construction of this proposed work, and

WHEREAS, the following contractor(s) for the items of work listed has/have been selected as the low bidder(s) to whom the contract(s) should be awarded:

Herbst Construction, Inc., Le Mars, IA
Grading, Culverts, Bridge, Guardrail, General Items: \$780,221.75

NOW THEREFORE, in consideration of the above facts, the Board of Commissioners of the County of Stanton, by this resolution, takes the following official action:

1. If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of this project, the County hereby agrees to provide the necessary funds to pay for all costs incurred until and in the event such Federal funds are allowed and paid.
2. The Board hereby concurs in the selection of the above mentioned contractor(s) for the items of work listed, to whom the contract(s) should be awarded.
3. The board hereby authorizes the Chairman to sign the contract(s) with the above mentioned contractor(s) for the above mentioned work on behalf of the County.

DATED THIS 29th DAY OF April, A.D. 2013

BOARD OF COUNTY COMMISSIONERS OF STANTON COUNTY
/s/ Jerry Weatherholt, Chairman

Attest:

/s/ Wanda Heermann, County Clerk [seal]

Board Member Dennis Kment moved the adoption of said resolution. Roll Call: 3 yea, 0 nay.
Resolution adopted, signed and billed as adopted.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Discussion was held on the Supplemental Agreement No.1 to the Federal-Aid Transportation Fund Purchase – Sale Agreement. Kathy Dahlkoetter, Highway Superintendent, explained the reason for the supplement agreement.

Motion made by Kment, seconded by Gutshall to authorize the Chairman to sign the Supplemental Agreement No. 1 to the Federal-Aid Transportation Fund Purchase-Sale Agreement.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

SUPPLEMENTAL AGREEMENT NO.1 TO THE
FEDERAL-AID TRANSPORTATION FUND PURCHASE-SALE AGREEMENT
Nebraska Department of Roads
Stanton County

THIS SUPPLEMENTAL AGREEMENT made and entered into by and between the State of Nebraska, Department of Roads, hereinafter, referred to as the "State", and Stanton County hereinafter referred to as Local Public Agency, or "LPA".

RECITALS

WHEREAS, in 2011, LPA and the State entered into a Federal-Aid Transportation Fund Purchase-Sale Agreement (hereinafter referred to as "the original Agreement") that provided for the State to purchase at a discount LPA's share of certain Surface Transportation Program Funding (hereinafter referred to as "STP") and the Highway Bridge Program (hereinafter referred to as "HBP") federal-aid funds that had been available to Nebraska LPAs; and,

WHEREAS, later in 2012, the federal government passed interim transportation funding legislation which eliminated the HBP category of funds and did not provide a replacement category of funds related solely to bridge replacement, rehabilitation and maintenance; and,

WHEREAS, the parties to this Supplemental Agreement intend to replace the HBP funds, which will no longer be available, with other federal-aid funds in a substantially similar proportional amount to provide LPAs with funds for bridge replacement, rehabilitation and maintenance; and,

WHEREAS, it has also become necessary for the parties to further address certain National Bridge Inspection Standards compliance issues.

NOW, THEREFORE, in consideration of these facts, the State and the LPA agree as follows:

SECTION 1. Except for the provisions specifically modified herein, all terms and provisions of the Original Agreement between the State and the LPA remain in full force and effect.

SECTION 2. Section 2 of the Original Agreement entitled "Federal Funds Eligible for Purchase" is hereby superseded and replaced in total and shall hereafter state as follows:

This Agreement applies to the following categories of federal-aid funds: (a) STP Funds (both for Populations less than 5,000, and Populations 5,001 to 200,000), and (b) Federal-aid funds from sources in lieu of the former Highway Bridge Program (HBP) funds. The new Federal Highway Authorization, enacted into law on July 6, 2012, known as Moving Ahead for Progress in the 21st Century Act (MAP-21), restructured core highway formula programs and eliminated the Highway Bridge Program. Consequently, the State will use historic data as the basis for establishing the total amount of funds that will be eligible for purchase (hereinafter "the Purchase Pool") for the Bridge Funding Category under this agreement. This historic data reflects that the HBP program averaged 10% of the total annual federal-aid funding received by State from FHWA. This method of calculating the Bridge funding category will be used for the duration of this Agreement unless a future Federal Highway Authorization re-establishes a separate fund dedicated to the construction or reconstruction of highway bridges. In the event that fund similar to the former Highway Bridge Fund is re-established by the federal government, then the original agreement language of Section 2 shall automatically be reinstated 30 days after written notice from the State and the changes made in Sections 2 and 3 of this Supplemental Agreement will be null and void and all previous Section 2

language will apply except the name of the new fund will be substituted in for "Highway Bridge Program" in the Original Agreement.

SECTION 3. the references in the recitals and operative sections of the Original Agreement to "HBP" or the Highway Bridge Program" shall be replaced, modified or interpreted as follows:

- (a) The title of Section 3B of the Original Agreement "HBP Funds Calculation" is hereby superseded and replaced with the title "Bridge Funding Category Calculation."
- (b) The reference in paragraph one of Section 5 of the Original Agreement to "HBP funds" is hereby superseded and replaced with the phrase "Bridge Funds." The two references to "HBP portions" in the third paragraph of Section 5 of the Original Agreement are hereby superseded and replaced with the phrase "Bridge funding portions."
- (c) All other references to HBP in the Original Agreement shall have no force and effect; however, if the context requires the reference to HBP is hereby replaced with the phrase "the non-STP federal-aid funds described in Section 2 of this Supplemental Agreement."

SECTION 4. The following shall be added at the end of Subsection I of Section 7, of the Original Agreement, which Section is entitled "Bridges":

The parties to this agreement understand that when any of Nebraska's LPAs fail to comply with the obligations of the National Bridge Inspection Standards (NBIS), or with Federal Highway Administration (FHWA) directive, on a bridge or bridges that are the jurisdictional responsibility of the LPA, the State may be required to expend funds to remedy such LPA bridge non-compliance. LPA agrees that the State may pay the costs to comply with any NBIS non-compliance or FHWA directive from the purchase pool (off the top) under Supplemental Section 2. Additionally, any non-compliant LPA will be subject to any or all of the following sanctions that will continue until the costs have been repaid in full, and LPA's bridge is, or bridges are, in full compliance with NBIS requirements and FHWA directives:

- (a) Each year LPA's share of the purchase pool will be forfeited and returned to the pool for distribution to the other LPAs.
- (b) LPA will not receive any additional federal-aid funds for existing projects to become effective 30 days after written notice to LPA.
- (c) LPA will not be allowed to program any new Federal-aid or State-aid projects, and existing projects will not be advanced, and federal-aid reimbursements will be suspended.
- (d) Any State-aid Bridge, State Recreation Road, or Federal-aid funds of LPA held by the State will be retained by the State.

IN WITNESS WHEREOF, the LPA and State hereto have caused this Supplemental Agreement to be executed by their proper officials thereunto duly authorized as of the dates below indicated.

EXECUTED by the LPA this 29th day of April, 2013.

Stanton County
By /s/ Jerry Weatherholt
Chairman, Board Commissioners

WITNESS:

/s/ Wanda Heermann, Co Clerk [seal]

EXECUTED by the State this ____ day of _____, 2013.

STATE OF NEBRASKA DEPARTMENT OF ROADS
Mike Syslo, P.E.

Material & Research Division Engineer

Motion made by Gutshall, seconded by Kment to approve the following resolution for Signing of the Federal Funds Purchase Program Supplemental Agreement No.1:

RESOLUTION No. 2013.04 – 016:

RESOLUTION
SIGNING OF THE FEDERAL FUNDS PURCHASE PROGRAM
SUPPLEMENTAL AGREEMENT NO.1

Stanton County
Resolution No. 2013.04-016

WHEREAS, in 2011, LPA and the State entered into a Federal-aid Transportation fund Purchase-Sale Agreement (hereinafter referred to as "the Original Agreement") that provided for the State to purchase at a discount LPA's share of certain Surface Transportation Program funding (hereinafter referred to as "STP") and the Highway Bridge Program (hereinafter referred to as "HBP") federal-aid funds that had been available to Nebraska LPAs; and,

WHEREAS, later in 2012, the federal government passed interim transportation funding legislation which eliminated the HBP category of funds and did not provide a replacement category of funds related solely to bridge replacement, rehabilitation and maintenance; and,

WHEREAS, the parties to this Supplemental Agreement intend to replace the HBP funds, which will no longer be available, with other federal-aid funds in a substantially similar proportional amount to provide LPAs with funds for bridge replacement, rehabilitation and maintenance; and,

WHEREAS, it has also become necessary for the parties to further address certain national Bridge Inspection Standards compliance issues.

WHEREAS, Stanton County and the Nebraska Department of Roads (NDOR) wish to enter into Supplemental Agreement No.1 setting out the necessary modifications to the Original Agreement.

Be it Resolved: by the governing body of Stanton County that:

Jerry Weatherholt is hereby authorized to sign the attached Federal Funds Purchase Program Supplemental Agreement No.1 between Stanton County and the NDOR.

Adopted this 29th day of April, 2013 at Stanton, Nebraska.

The governing body of Stanton County:

/s/ Jerry Weatherholt

/s/ David Gutshall

/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, County Clerk [seal]

[Signature of City or County Clerk or Corporate Secretary]

Board/Council Member David Gutshall Moved the adoption of said resolution

Member Dennis Kment Seconded the Motion

Roll Call: 3 Yes 0 No Abstained Absent. Resolution adopted, signed and billed as adopted

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Discussion was held on road and bridge issues within the county.

Tony McPhillips was asked to join the meeting. Discussion was held on the data entry procedure for the road department. No action needed.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for May 20, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – April 15, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on April 15, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on March 27, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:00 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

The County Assessor presented and explained the correction sheet for the month.

Motion made by Kment, seconded by Gutshall to approve and authorize the chairman to sign the correction sheet numbered 3969 and place it on file.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Cheryl informed the board on an Interlocal Cooperation Act Agreement for public data sharing between the County Assessor's office and the Lower Elkhorn Natural Resources District. She stated this information is already shared between the offices but the LENRD was requesting a signed agreement.

Motion made by Gutshall, seconded by Kment to approve the following resolution to authorize the chairman to sign the Interlocal Agreement for Public Data Sharing:

RESOLUTION No. 2013.04 – 010:

BE IT HEREBY RESOLVED, that Lower Elkhorn Natural Resources District wishes to enter into an interlocal agreement with Stanton County for the sharing of public data amongst their agencies;

BE IT ALSO RESOLVED, that the Board of Commissioners is in agreement that an interlocal agreement will be in the best interest of both parties;

ALSO, BE IT HEREBY RESOLVED that the chairman of the Board of Commissioners of Stanton County, Nebraska is hereby authorized to sign said agreement.

Dated this 15th day of April, 2013.

Board of Commissioners
/s/ David Gutshall
/s/ Jerry Weatherholt
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann
Stanton County Clerk

**INTERLOCAL COOPERATION ACT AGREEMENT
(Public Data Sharing)**

This Interlocal Cooperation Act Agreement (hereinafter called "Agreement") is made by and between the following political subdivisions of the State of Nebraska:

- a. The Lower Elkhorn Natural Resources District (hereinafter called "District");
- b. Stanton County, Nebraska (hereinafter called "County");
- c. The County and District shall be collectively referred to hereafter as "Parties".

RECITALS

1. County and District are both political subdivisions of the State of Nebraska.
2. The County collects public data in the course of its operations which includes, but is not limited to land use data and parcel data.
3. The district collects public data in the course of its operations which includes, but is not limited to, historical use and certification of irrigated acres within the District.
4. It is in the best interests of both County and District that the two entities share public data to help facilitate their separate interests and that said data be available for inspection and use by other state, local, and federal agencies upon request.

NOW THEREFORE, in consideration of the foregoing recitals and the mutual covenants hereinafter expressed, County and District agree as follows:

1. That this Agreement is made pursuant to authority provided in the Nebraska Interlocal Cooperation Act (Neb.Rev.Stat. §13-801 to 13-827) and whenever possible, this Agreement shall be constructed in conformity therewith.
2. That the purpose of this Agreement is for outlining the duties and responsibilities of County and District when sharing public data amongst their agencies.
3. That both County and District agree that the sharing of public data by each entity to the other is in the best interest of both Parties.
4. That the findings hereinabove made should be and are hereby made a part of this agreement as if fully set forth herein.
5. That the county shall provide the following public data to the District upon request, to wit:
 - A. Land use data and parcel data.
6. That the District shall provide the following public data to the County, to wit:
 - A. Historically irrigated acre and certified irrigated acre data.
7. That each party hereto agrees to hold the other party free and harmless from all sums of money, accounts, actions, suits, proceedings, claims or demands whatsoever which either of them at any-time may have against the other, for, or by reason of, or in respect of any act, cause, or matter arising out of the terms and conditions of this Agreement.

8. That the designated agents of County and District, pursuant to paragraphs 5.A. and 6.A. hereof are as follows:

- A. County: Cheryl Wolverton, Stanton County Assessor, 804 Ivy St, Stanton NE 68779, 402-439-2210
- B. District: Mike Murphy, Lower Elkhorn NRD, PO Box 1204, Norfolk NE 68702, 402-371-7313
- C. Said designated agents shall serve in said capacity until their respective governing bodies designate a different designated agent and so notifies the other party.

9. That this Agreement shall become effective upon its execution by both County and District.

10. That this Agreement shall continue until either County or District give the other party's designated agent thirty (30) days written notice of the cancellation of this Agreement, and thereafter, this Agreement shall be null and void and neither County nor district shall have any further obligation to the other party pursuant to this Agreement.

11. That separate counterparts of this Agreement shall be executed by the board Chairpersons of the respective governing bodies, with the understanding that when the Parties have executed separate copies of this Agreement, then they shall together be bound by this Agreement to the same extent as though the Parties had simultaneously signed a single master copy.

Dated: _____ Lower Elkhorn Natural Resources District
By: _____
_____, General Manager

Dated: April 15, 2013 Stanton County, Nebraska
By: /s/ Jerry Weatherholt
Jerry Weatherholt, Its Chairperson

Attest:
/s/ Wanda Heermann
Stanton County Clerk (seal)

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Cheryl advised the Board that the Ladies Auxiliary donated a new United States flag for the front entrance. This flag will be framed and replace the little flags currently on display.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for May 20, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]
* * * * *

COMMISSIONER'S PROCEEDINGS – April 15, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on April 15, 2013 at 8:15 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on March 27, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:15 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of March 25, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Sandra Zoubek, County Treasurer joined the meeting. She explained that custody receipts are securities to protect county money on deposit in the banks in case of bank failure or loss for some other reason.

Motion made by Gutshall, seconded by Kment to approve the following Resolution:

RESOLUTION No. 2013.04 – 011:

BE IT HEREBY RESOLVED, that First Nebraska Bank, Stanton, Nebraska hereby wishes to add the following security held in escrow to secure deposits of this county in said bank, to-wit:

Safekeeping Receipt #3133XKQX6	Due 5-17-2017 4.875%	\$500,000.00
Safekeeping Receipt #912828MZ0	Due 4-30-2015 2.50%	\$500,000.00
Safekeeping Receipt #912828SU5	Due 5-15-2015 2.50%	\$500,000.00
Safekeeping Receipt #912828QX1	Due 7-31-2016 1.50%	\$1,000,000.00

AND, that the release of the following security is also hereby approved:

Federal Home Loan Banks #3133735M0	Due 3-28-2016 3.50%	\$500,000.00
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AND, BE IT FURTHER RESOLVED, that Stanton State Bank, Stanton, Nebraska wishes to add the following letter of credit held in said bank, to-wit:

Irrevocable Letter of Credit No. 31414	Expiration Date 5-31-2013	\$600,000.00
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AND, that the same is hereby approved.

Dated this 15th day of April, 2013.

Board of Commissioners
/s/ David Gutshall
/s/ Jerry Weatherholt
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, Stanton County Clerk

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

The board questioned Sandy on the law suit filed in Cass County, SID No. 1 v. Adams County, etal. She explained her procedure for collecting a 2% fee for the collection of property taxes levied by the SIDs under §33-114.

Motion made by Gutshall, seconded by Weatherholt, to approve for the month of March the County Clerk fees in the amount of \$3,159.35; Documentary Stamp Tax, co shr in the amount of \$474.95; P&M Fund fees in the amount of \$515.50; Game and Parks Agent fees in the amount of \$15.00; Misc Copy fees in the amount of \$35.00; Clerk of the district Court fees in the amount of \$67.51; Passport fees in the amount of \$125.00; County Treasurer's receipt of money received numbered 15898 – 15950, inclusive in the amount of \$505,633.19; County Sheriff's quarterly report for Jan – Mar; Veterans Service Officer quarterly report for Jan – Mar and place them on file.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Mike Unger joined the meeting to discuss personnel issues in his office. He advised the board of his intent to hire another deputy to bring his staff back to 6 full time deputies since the injury of Deputy Van Pelt. The new deputy would begin working July 1, 2013. Mike also asked the board for permission to allow Van Pelt's position to remain open with the contingency of him returning back to work after doctor's release.

Motion made by Weatherholt, seconded by Kment to allow Sheriff Unger to retain a position for Van Pelt until January 1, 2014 as long as he is physically able to return to work with a written release from his physician.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

W. Bert Lampli joined the meeting and discussed the ADA Policy Statement and Assurances not on file with the NDOR Civil Rights Office. This statement is needed to receive further Federal funding through NDOR. No action taken at this time.

Discussion was held on the reimbursement of personal cell phones. No action taken.

The Board reviewed the letter received from Charles Campbell of Angle Murphy & Campbell PC LLO of York, Nebraska. Mr. Campbell is representing Counties and County Treasurers in the law suit filed in Cass County District Court: CI 13 – 121 SID No.1 Butler County, Nebraska v. Adams County, etal.

Motion made by Gutshall, seconded by Kment to authorize Charles Campbell of Angle Murphy & Campbell PC LLO to represent Stanton County and the Stanton County Treasurer in Cass County District Court case CI 13 – 121 SID No.1 Butler County, Nebraska v. Adams County, etal.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Mark Mainelli, Highway Consultant Engineer, joined the meeting.

Discussion was held on the 2013 Fracture Critical Bridge Inspection Agreement, Project No. STP-NBIS(99), Control No. 00886.

Motion made by Gutshall, seconded by Kment to approve the following resolution to authorize the chairman to sign the Program Agreement for 2013 Fracture Critical Bridge Inspections, Project No. STP-NBIS(99), Control No. 00886:

RESOLUTION No. 2013.04 – 012:

RESOLUTION
SIGNING OF A PROGRAM AGREEMENT
FOR 2013 FRACTURE CRITICAL BRIDGE INSPECTIONS

Stanton County
Resolution No. 2013.04-012

WHEREAS: the Nebraska Department of Roads (NDOR) is developing a transportation project, on the behalf of the county, for which it intends to obtain Federal funds;

WHEREAS: Stanton County as a sub-recipient of Federal-aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project;

WHEREAS: Stanton County and the NDOR wish to enter into a Program Agreement to provide for facture critical bridge inspection and load re-rating (if necessary) services for the Federal-aid project.

BE IT RESOLVED: by the Board of Commissioners of Stanton County, Nebraska that:

Jerry Weatherholt, Chair of the Stanton County Board of Commissioners is hereby authorized to sign the attached program Agreement between the Stanton County and the NDOR.

Project No. STP-NBIS(99)

Control No. 00886

Project Name: 2013 Statewide Fracture Critical Bridge Inspections

Adopted this 15th day of April, 2013 at Stanton, Nebraska.

The Board of Commissioners of Stanton County,
Nebraska:

/s/ Jerry Weatherholt

/s/ David Gutshall

/s/ Dennis Kment

Board Member David Gutshall moved the adoption of said resolution; Member Dennis Kment seconded the motion

Roll Call: 3 Yes ___ No ___ Abstained ___ Absent; Resolution adopted, signed and billed as adopted

Attest:

/s/ Wanda Heermann

Signature of County Clerk

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

AGREEMENT FOR
CONSULTANT INSPECTION AND LOAN RE-RATING
ON COUNTY FRACTURE CRITICAL BRIDGES

PROJECT NO. STP-NBIS(99)

CONTROL NO. 00886

STANTON COUNTY, NEBRASKA

STATE OF NEBRASKA DEPARTMENT OF ROADS

STATEWIDE 2013 FRACTURE CRITICAL BRIDGE INSPECTIONS AND LOAN RE-RATINGS

THIS AGREEMENT, entered into by and between Stanton County, Nebraska, hereinafter referred to as the "County", and the State of Nebraska, Department of Roads, hereinafter referred to as the "State".

WITNESSETH

WHEREAS, certain bridges on county roads in said County have been designated as being eligible for Surface Transportation Program (STP) funds by the Department of Transportation, Federal Highway Administration, hereinafter call FHWA, in compliance with Federal laws pertaining thereto, and

WHEREAS, STP Funds have been made available by Title 23 of the United States code, providing for the inspection and load re-rating (load re-rating is not necessary if bridge condition remains the same) of the fracture critical bridges on its public roads, and

WHEREAS, the Federal share payable on any project provided for by the above mentioned code shall not exceed eighty(80) percent of the eligible engineering for bridge inspection and load re-rating costs thereof, and

WHEREAS, regulations for carrying into effect the provisions of the above mentioned code provide that the Federal share of the cost of such project shall be paid only to the State, and

WHEREAS, the county's share of the proposed project shall be twenty (20) percent of the actual project costs and this share shall be from County funds, and

WHEREAS, the State is willing to obtain Federal approval of the proposed work and Federal funds for the proposed project, with the understanding that no State funds including State-Aid Bridge funds are to expended on this project, and

WHEREAS, the County has earmarked and will place in its fiscal budget sufficient funds to pay all project costs not paid for by Federal funds; such costs based on twenty (20) percent County participation are currently estimated to be \$46771.07, but such costs may increase or decrease due to variations between the estimated and actual project costs, and

WHEREAS, the County desires the inspection and load re-rating (if necessary) of the fracture critical bridge on its public roads, as evidenced by the Resolution of the County board dated the 15th day of April, 2013, attached hereto, identified as Exhibit "A", and hereby made a part of this agreement, and

NOW THEREFORE, in consideration of these facts, the parties hereto agree as follows:

SECTION 1. The State and the County agree that the Federal share payable on this project shall not exceed eighty (80) percent of the eligible engineering for bridge inspection and loan re-rating (if necessary) costs thereof.

SECTION 2. The State hereby agrees to present this project to the FHWA for its approval, if necessary, and the County understands that no State funds will be expended for this project.

SECTION 3. The State agrees to cause to be performed the inspection and loan re-rating (if necessary) of the fracture critical bridges that are due for inspection in 2013 in the County. The State will continue to have jurisdictional responsibility for all public bridges on the State highway system. Further, the State will be responsible for arranging for the inspection by consultants, for the county, on their fracture critical bridges. It is the intent of the parties that this agreement does not shift to the County any jurisdictional responsibility for bridges on the State highway system, and does not shift any duty to the State for jurisdictional responsibility of any bridges off of the State highway system.

SECTION 4. The proposed work of the Consultant shall be performed in accordance with the following publications:

1. AASHTO Manual for Bridge Evaluation (MBE) First Edition 2008.
2. AASHTO Standard Specifications for Highway Bridge, 17th Edition, 2002 (LFD)
3. Minimum Design Standards, 2008, board of Public roads Classifications and Standards.
4. Safety Inspection of In-Service Bridges, 2004
5. Fracture Critical Techniques for Steel Bridge, 2006
6. Bridge Inspection Program Manual, 2010
7. Coding Guide for Structure Inventory and Appraisal, published by the State, March 2002.
8. AASHTO LRFD Bridge Design specifications, 4th Edition, 2007

SECTION 5. The total cost of this work is currently estimated to be \$46771.07, with the County's twenty (20) percent share being \$9354.21. Both parties recognize this is a preliminary estimate and the final costs may well be higher or lower. Costs incurred by the State with respect to the entire project shall be considered as a part of the total cost of the project to be paid out of County and Federal funds. It is also understood that the costs incurred by the State attributable to this project, will not include any administrative cost or expenses of State administrative officials. Upon full execution of this agreement, the State will invoice the County \$9354.21. The County agrees to pay the State within thirty days after receipt of the billing from the State. The final settlement between the State and County will be made following final audits and when final costs have been determined by the State.

SECTION 6. It is further understood that the County's share of the total project costs shall be all costs not paid for by Federal funds. Therefore, if the Federal government refuses to participate in the project or any portion thereof, the County is responsible for full project payment with no cost or expense to the State in such project or portion thereof. Should the project be abandoned before completion, the County will pay all costs incurred by the State prior to such abandonment.

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed by their proper officials thereunto duly authorized as of the dated below indicated.

EXECUTED by the County this 15th day of April, 2013.

STANTON COUNTY

/s/ Jerry Weatherholt, chairperson County Board

WITNESS:

/s/ Wanda Heermann, County Clerk

EXECUTED by the State this _____ day of _____, 2013.

STATE OF NEBRASKA DEPARTMENT OF ROADS

Larry L. Legg

Local Projects Secondary Road Engineer

Kathy Dahlkoetter, Highway Superintendent joined the meeting. Discussions were held on road issues and drainage problems.

Sanford Goshorn and Cheryl Wolverton, members of the Safety Committee, informed the board of safety issues in the courthouse and county shops. Sanford stated the courthouse AED unit (defibrillator) needs to be updated. The cost of an update would be \$303.00. A discussion was held as to whether an AED unit should be installed in the south shop. The cost of a new AED defibrillator is \$1,694.00.

Motion made by Gutshall, seconded by Weatherholt to update the courthouse AED unit at the cost of \$303.00 and the shop AED will be taken under advisement.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Also discussed was the courthouse entrance walkway which needs to be ADA compliant. It was suggested to contact an architect to perform a study of possible solutions. Proposed plans will need to be approved by the State before bidding on the project can be set. Mark Mainelli is to contact an architect firm from Wayne, Nebraska to conduct a study.

Sanford informed the Board that County IDs still need to be completed for the county board and the road crew.

Ray Haselhorst and Ron Haselhorst appeared before the board to discuss concerns of dumping along 561 Ave between 843 Rd and 844 Rd in Spring Branch precinct. The Haselhorsts said that trash, furniture and animal carcasses are being dumped in the ditches along this minimum maintenance road. It is frustrating to have to clean this trash off their property. It is very hard to police this area 24/7. Many of the individuals are never caught or prosecuted. A suggestion was to increase the fine for dumping. Another option was to have the road closed and the property reverted back to the land owners. The board advised the Haselhorsts that they could petition to have the road closed. This would prevent individuals from being able to have access to the road and dump trash. To clean the trash from the road right of way at this time, the county will provide a dump truck and the Haselhorsts will load the trash from the county road onto it. No other action taken.

Gravel bid letting was held at 10:40 A.M.

Bids were received from the following:

Elkhorn Valley Sand & Gravel
Matteo Sand & Gravel
S&S Willers Inc dba Pilger Sand & Gravel

The Chairman opened the sealed bids and read them aloud. Discussion was held between gravel providers and the Board members.

Motion made by Kment, seconded by Gutshall to accept all bids and to purchase gravel at the pits with the lowest price and where hauling is most economical and to purchase delivered gravel at the pit where it is available at the lowest price for purchase of delivered gravel.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Kathy introduced Michelle Evert, Colfax County RC to the Board of Commissioners.

Motion made by Kment, seconded by Gutshall to approve the following resolution:

RESOLUTION No. 2013.04 – 013:

WHEREAS, Colfax County has a full-time public employee on staff, who is fully qualified and has time and interest in serving as "Responsible Charge"; and

WHEREAS, Stanton County has requested to enter into a Nebraska Local Public Agency Interlocal Cooperation Act Agreement with Colfax County for the services of a qualified "Responsible Charge" (RC) for a Federal-Aid project in Stanton County; and

WHEREAS, Stanton County and Colfax County has agreed on the terms and conditions of said Interlocal Cooperative agreement as submitted.

NOW, THEREFORE, BE IT RESOLVED, by the Stanton County Board of Commissioners that, Jerry Weatherholt, Chairman of the Board of Commissioners, is hereby authorized to sign on behalf of Stanton County, Receiving Public Entity, the Nebraska Local Public Agency Interlocal Cooperation Act Agreement for a Federal-Aid project in Stanton County.

NDOR Project Number BRO-7084(10)

NDOR Control Number 31597
Project Name Stanton Southeast

Motion made by Commissioner Kment to adopt said resolution. Second by Commissioner Gutshall.
Roll Call: 3 Yes 0 Nay

Passed and Approved this 15th day of April, 2013.

Stanton County Board of Commissioners
/s/ Jerry Weatherholt, Chairman
/s/ Dennis Kment
/s/ David Gutshall

/s/ Wanda Heermann, County Clerk

NDOR Project Number: BRO-7084(10)
NDOR Control Number: 31597
NDOR Project Name: Stanton Southeast
Name of Responsible Charge Person: Michelle Evert

Voting: Ayes: Kment, Gusthall and Weatherholt. Nays: None. Motion Carried.

NEBRASKA LOCAL PUBLIC AGENCY
INTERLOCAL COOPERATION ACT AGREEMENT

PARTIES

THIS AGREEMENT ("Agreement") is entered into by **Stanton County, a governmental subdivision of the State of Nebraska**, the Receiving LPA and **Colfax County, a governmental subdivision of the State of Nebraska**, the Assisting Public Entity. **Stanton County** will be referred to herein as the Receiving Local Public Agency (SPA). **Colfax County** will herein be referred to as Assisting Public Entity.

PURPOSE

This Agreement is entered into pursuant to Neb. Rev. Stat. §13-801 etc. seq., and shall be considered an interlocal agreement to the extent allowable for the purposes of Neb. Rev. Stat. § 13-501 et seq., and Neb. Rev. Stat. § 77-3401 et seq. The purpose of this Agreement is to provide the terms for the Assisting Public entity to provide the services of its employee to act as the Responsible charge Person (RC) for a Federally funded (through FHWA) transportation project of the Receiving LPA.

RECITALS

WHEREAS, Receiving LPA intends to complete the design and construction of one or more county road Federal-aid transportation improvement projects identified as follows:

1. NDOR Project Number BRO-7084(10), NDOR Control Number 31597, Stanton Southeast
2. Any future proposed Federal-aid transportation improvement projects which receiving LPA may elect to do under this agreement.

All of which Receiving LPA intends to be fully eligible to receive Federal-aid highway transportation project funds; and

WHEREAS, Receiving LPA cannot provide a full-time public employee to carry out the responsibilities for its Federal-aid transportation project; and

WHEREAS, Assisting Public entity has a full-time public employee on staff who has successfully completed required training to serve as a RC for a Federal-aid transportation project. According to the terms of this Agreement, Assisting Public Entity is willing to provide the services of this employee to Receiving LPA to be in day-to-day responsible charge of all aspects of Receiving LPA's projects, from planning through post-construction activities, so that the projects remain eligible for Federal-aid transportation project funding; and

WHEREAS, the parties understand that Receiving LPA must comply with all terms of 23 C.F.R. § 635.105(c) in order for these Federal-aid transportation projects to be eligible for Federal funding. The parties intend for Receiving LPA to comply with these requirements by using Assisting Public Entity's employee who will be in responsible charge of the Federal-aid transportation project and will ensure that, at a minimum, (1) all aspects of the projects received independent and careful development, supervision and inspection, (2) the projects are constructed in compliance with the plans and specifications, (3) all aspects of the projects, from planning through construction activities, including all environmental commitments are carried out according to applicable requirements and remain eligible for Federal funding, and (4) decisions made and actions taken for the projects have adequate supporting documentation filed in an organized fashion.

NOW, THEREFORE, in consideration of the mutual promises set out herein, the parties agree as follows:

DEFINITIONS

For purposes of this Agreement, the following definitions will apply:

Fully qualified means a person who has satisfactorily completed all applicable NDOR training courses and who has met the other requirements necessary to be included on the NDOR list of LPA RCs.

Full-time public employee means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee's non-public employment is in a field unrelated to any aspect of the project for which Federal aid is sought.

Public employee means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; another entity that is either designated by statute as public or quasi-public; or an entity included on a list of entities determined by the Nebraska Department of Roads, and approved by FHWA, as fulfilling public or quasi-public functions.

Responsible Charge Person (RC) means the public employee who is fully empowered by an LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the Federal-aid project from planning through construction project activities, including all environmental commitments. RC is the day-to-day project manager, and the LPA's point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that RC may elect to use consultants to provide certain technical tasks associated with the project so long as RC actively manages and represents the owner's interests in those technical tasks.

DUTIES OF ASSISTING PUBLIC ENTITY

The Assisting Public Entity hereby agrees to provide Michelle Evert to serve as the RC for Receiving LPA's Federal-aid transportation projects identified as:

1. NDOR Project Number BRO-7084(10), NDOR Control Number 31597, Stanton Southeast
2. Any future proposed Federal-aid transportation improvement projects which receiving LPA may elect to do under this agreement,

Assisting Public Entity pledges and agrees that:

- 1) This person is a **full-time public employee** of Assisting Public Entity.
- 2) This person is fully qualified and has successfully completed required training to serve as a RC.
- 3) It must require the RC to attend and complete following activities: participation in an annual workshop, which will be based on recommendations of the QA/QC program, and a minimum of 15 hours of professional development training annually.
- 4) It has authorized this person to be in day-to-day **responsible charge** of Receiving LPA's Federal-aid projects and to spend all time reasonably necessary to properly discharge all duties associated with the projects, including ensuring that all aspects of the projects, from planning through post-construction activities, are in compliance with the LPA Guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies in order to remain eligible for Federal-aid highway project funding.
- 5) It will not assign other duties to this person that would affect his or her ability to properly carry out the duties set out in the Agreement.
- 6) It will support the activities of this person to ensure that Receiving LPA's projects are in compliance with the LPA Guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies in order to remain eligible for Federal-aid highway project funding.
- 7) It will take any action necessary to make sure that Receiving LPA and the State of Nebraska Department of Roads, meet their respective obligations set out in 23 C.F.R. § 635.105.
- 8) Assisting Public Entity will adopt a resolution which authorizes the person above to sign on behalf of Assisting Public Entity for each individual project which the parties agree will be done under this agreement. Said resolution will be adopted upon receipt of a resolution from the Receiving LPA as described in Paragraph 7 of the Duties of the Receiving LPA below. A copy of a sample resolution is attached to this agreement as Exhibit 'A'.

DUTIES OF RECEIVING LPA

The Receiving LPA pledges and agrees that it:

- 1) Will reimburse Assisting Public Entity for the services of the RC in accordance with the terms of this Agreement.
- 2) Will provide necessary office space, materials and administrative support for the RC.
- 3) Will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the RC concerning the acts necessary for making the project eligible for Federal funding.
- 4) Will take all necessary actions to comply and assist the RC in complying with all Federal and State requirements and policies applicable to Federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 C.F.R. § 635.105.
- 5) Will take all necessary actions to ensure that the RCs work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 C.F.R. § 635.105
- 6) Is ultimately responsible for complying with all Federal and State requirements and policies applicable to Federal-aid highway projects. This includes meeting all post-construction environmental commitments. Receiving LPA understands that non-compliance with the LPA guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies may result in the loss of all Federal funding for the project. In the event that the acts or omissions of RC, Receiving LPA, or its agents or representatives, result in a finding that a project fails to comply with the LPA guidelines Manual for Federal-aid Projects, and applicable State and Federal laws, regulations and policies, LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project.
- 7) Receiving LPA will adopt a resolution designating the RC from the Assisting Public Entity to act on behalf of the Receiving LPA for each individual project it elects to use the RC from the Assisting Public Entity on under this agreement. A copy of a sample resolution is attached to this agreement as Exhibit 'B'.

NDOR THIRD PARTY RIGHTS

The NDOR is not a signatory to this Agreement and is not assigned specific duties under this Agreement, however the NDOR may exercise the rights of a third party beneficiary to this contract, in the event of a default, or if it determines, in its sole discretion, that it would be in the best interest of the State to exercise its rights, provided NDOR will give ten (10) days notice of its intent to exercise its third party rights after which the parties hereto shall have ten (10) days to correct any defaults. The NDOR third party rights shall be as defined in the Project Program Agreement between the NDOR and Stanton County, the LPA guidelines Manual for Federal-Aid Projects and Federal regulations.

PAYMENT

In order to serve as RC, Receiving LPA shall pay to Assisting Public Entity the amount per hour of RC's hourly wage rate + hourly cost of all benefits and mileage at the rate allowed by the Federal highway Administration at the time of the project. In addition, Receiving LPA will reimburse Assisting Public Entity for all direct costs, such as office supplies, attributable to the project. Unless mutually agreed otherwise, the Assisting public entity shall bill the Receiving LPA for all expenses not later than 45 days following the period of RC.

INSURANCE

Assisting Public Entity and Receiving LPA shall each bear the risk of its own actions, as it does with its day-to-day operations.

The RC shall not begin work under this Agreement until it has shown proof that the Assisting Public entity has in effect all insurance coverage required under this section.

- A. Workers' compensation and Employers Liability Insurance. The minimum acceptable limits shall be the statutory limits as required by the State of Nebraska for Coverage A, workers' Compensation and \$500,000 each accident for Coverage B, Employers Liability.
- B. Commercial General Liability Insurance. The minimum acceptable limits of liability shall be \$1,000,000 each occurrence. If the coverage contains a general aggregate, such limit shall not be less than \$2,000,000. The Receiving LPA is to be included as an additional insured on the insurance coverage required under this section.
- C. Automobile Liability Insurance. The minimum acceptable limit of liability shall be \$1,000,000 Combined single Limit for each accident. The Receiving LPA is to be included as an additional insured on the insurance coverage required under this section.
- D. Professional Liability Insurance; Not required.
- E. Certificate of Insurance. The Assisting Public Entity shall furnish the Receiving LPA with a certificate(s) of insurance evidencing the coverages required in this section. If the certificate(s) is shown to expire prior to completion of all the terms of this Agreement, the Assisting Public Entity shall furnish a certificate(s) of insurance evidencing renewal of its coverage to the Receiving LPA.

INDEMNIFICATION

Each party hereto agrees to indemnify and hold harmless the other parties from and against all losses, liability, expenses, damages and claims, including attorney's fees, arising out of or resulting from the indemnifying party's acts or omissions in performing under this Agreement, except to the extent caused by negligent or willful act or omission of the other party. Each party agrees to provide liability insurance to indemnify itself in the event that it becomes liable for the payment of a judgment based upon its acts or omissions, or the acts or omissions of its agents or employees in performing this Agreement.

TERM AND DURATION

The Agreement shall become effective as to each party on the date which it is fully executed by both parties hereto and shall continue in full force and effect and shall remain binding for a period of two years from the date of execution or until the completion of any ongoing project(s) subject to this agreement, whichever is later. The agreement shall automatically renew for successive two years periods unless either party terminates the agreement as described herein.

TERMINATION

With 30 days written notice, either party may terminate this Agreement. A new fully-qualified RC must be assigned to the project by the Receiving LPA prior to termination of this Agreement, or the project may be found to be ineligible for Federal funds.

NOW THEREFORE, in consideration of the covenants and obligations contained herein, the Assisting Public Entity and the Receiving LPA duly execute this NEBRASKA LOCAL PUBLIC AGENCY INTERLOCAL COOPERATION ACT AGREEMENT.

Assisting Public Entity
Colfax County, Nebraska, a Governmental
Subdivision of the State of Nebraska
/s/ Jerry Heard, Chairman

Receiving LPA
Stanton County, Nebraska a Governmental
Subdivision of the State of Nebraska
/s/ Jerry Weatherholt, Chairman

Attest:
/s/ Rita M Mundil, County Clerk [seal]

Attest:
/s/ Wanda Heermann, County Clerk

[This document must be accompanied by a resolution from the governing body which authorizes the person above to sign on behalf of Assisting Public entity.]

[This document must be accompanied by a resolution from the governing body which authorizes the person above to sign on behalf of the Receiving LPA.]

Motion made by Weatherholt, seconded by Kment to approve the following resolution:

RESOLUTION No. 2013.04 – 014:

RESOLUTION
(DESIGNATING RC)

Stanton County, Nebraska (LPA)

WHEREAS, Stanton County, Nebraska has a full-time public employee on staff, or has obtained the services of a full-time public employee (an interlocal cooperation agreement has previously entered into) who is fully qualified and has the time and interest in serving as a “responsible charge” (RC) for the Federal-aid-transportation project; and

WHEREAS, the designated RC for a specific Federal-aid-transportation project will be in day-to-day responsible charge of all aspects of the project, from planning through post-construction activities, with the express purpose of doing all things necessary for the project to remain eligible for federal-aid transportation project funding; and

WHEREAS, the RC will ensure that, at a minimum, (1) the project receives independent and careful development, supervision and inspection, (2) the project is constructed in compliance with the plans and specifications, (3) all aspects of the project, from planning through construction activities, including all environmental commitments, remain eligible for federal funding, and (4) decisions made and actions taken for the project have adequate supporting documentation filed in an organized fashion; and

WHEREAS, for purposes of this resolution, the following definitions will apply:

Fully qualified means a person who has satisfactorily completed all applicable Nebraska Department of Roads (NDOR) training courses and who has met the other requirements necessary to be included on the NDOR list of qualified Local Public Agency (LPA) RCs.

Full-time public employee means a public employee who meets all the requirements and is afforded all the benefits of full-time employees as that phrase is applied to other employees of the employing public entity. A person is not a full-time public employee if that person provides outside private consulting services, or is employed by any private entity, unless that person can prove to NDOR in advance, that employee’s non-public employment is in a field unrelated to any aspect of the project for which federal aid is sought.

Public employee means a person who is employed solely by a county, a municipality, a political subdivision; a Native American tribe; a school district; another entity that is either designated by statute as public or quasi-public; or an entity included on the list of entities determined by the NDOR, and approved by the Federal Highway Administration (FHWA), as fulfilling public or quasi-public functions.

Responsible charge means the public employee who is fully empowered by the LPA and has actual day-to-day working knowledge and responsibility for all decisions related to all aspects of the federal-aid project from planning through construction project activities, including all environmental commitments. The RC is the day-to-day project manager, and the LPA’s point-of-contact for the project. Responsible charge does not mean merely delegating the various tasks; it means active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, making decisions, and actively monitoring project construction. It is understood that the RC may delegate or contract certain technical tasks associated with the project so long as the RC actively manages and represents the owner’s interests in the delegated technical tasks.

NOW, THEREFORE, BE IT RESOLVED by the board of Commissioners of Stanton County, Nebraska that Michelle Evert, Title VI/ADA Coordinator, is hereby designated as Responsible Charge (RC) for pre-construction and construction phases, in accordance with the Project Program Agreement previously executed, the NDOR LPA guidelines Manual for Federal-aid Projects, and all Federal, State and local laws, rules, regulations, policies and guidelines for the following Federal-aid transportation project:

NDOR Project Number BRO-7084(10),
NDOR Control Number 31597,
Stanton Southeast.

BE IT FURTHER RESOLVED Stanton County, Nebraska assures and agrees that:

- 1) It has authorized and fully empowered the RC to be in day-to-day responsible charge of the subject federal-aid project; this does not mean merely supervising, overseeing or delegating the various tasks, it means active day-to-day involvement in the project including identifying issues, investigating options, working directly with stakeholders, and decision-making.
- 2) The RC is a full-time public employee.
- 3) The RC is fully qualified and has successfully completed required training to serve as a RC.
- 4) It will allow the RC to spend all time reasonably necessary to properly discharge all duties associated with the project, including ensuring that all aspects of the project, from planning through post-construction activities, remain eligible for federal-aid highway project funding.
- 5) It will not assign other duties to the RC that would affect his or her ability to properly carry out the duties set out in this agreement.
- 6) It will provide necessary office space, materials and administrative support for the RC.
- 7) It will fully cooperate with, support and not unreasonably interfere with the day-to-day control of the RC concerning the acts necessary for making the project eligible for federal funding.

- 8) It will take all necessary actions and make its best good faith efforts to comply and assist the RC in complying with all federal and state requirements and policies applicable to federal-aid transportation projects, including, but not limited to, all applicable requirements of 23 CFR 635.105.
- 9) It will take all necessary actions and make its best good faith efforts to ensure that the RC's work on the project would be deemed to meet the same standards that the Nebraska Department of Roads must meet under 23 CFR 635.105.
- 10) It will comply with the conflict-of-interest requirements of 23 CFR 1.33.
- 11) It will notify NDOR immediately in the event the designated RC(s) will no longer be assigned to the project. **A supplemental agreement designating a replacement RC may be required by NDOR.**
- 12) It is ultimately responsible for complying with all federal and state requirements and policies applicable to federal-aid highway projects. This includes meeting all post-construction environmental commitments. The LPA understands that failure to meet any eligibility requirements for federal funding may result in the loss of all Federal funding for the project. In the event that the acts or omissions of RC, the LPA or its agents or representatives result in a finding that a project is ineligible for Federal funding, the LPA will be required to repay NDOR some or all previously paid Federal funds and any costs or expenses NDOR has incurred for the project, including but not limited to, those costs for the RC.

BE IT FURTHER RESOLVED Stanton County, Nebraska understands that the following are the duties of the RC:

- a) Serve as the LPA's contact for issues or inquiries for Federal-aid projects assigned by the LPA;
- b) Ensure that all applicable Federal, State and local laws, rules, regulations, policies and guidelines are followed during the development and construction of the project;
- c) Know and follow the NDOR LPA Guidelines Manual for Federal-aid Projects;
- d) Have active day-to-day involvement in identifying issues, investigating options, working directly with stakeholders, and decision-making;
- e) Ensure that the project plans and specifications are sealed, signed and dated by a professional engineer licensed in the State of Nebraska, and that estimates have been prepared and the construction has been observed by a professional engineer licensed in the State of Nebraska or a person under the direct supervision of a professional engineer licensed in the State of Nebraska (reference Neb.Rev.Stat. § 81-3445);
- f) Competently manage and coordinate the project day-to-day operations, including all project-related decisions, on behalf of the LPA, which includes the LPA's governing body, staff and any extended staff dedicated to the project such as a consulting engineers;
- g) Ensure that project documents are thoroughly checked, reviewed and have had quality control measures applied, prior to submitting to NDOR and/or FHWA;
- h) Monitor the progress and schedule of the project and be responsible for ensuring that the project is completed on time in accordance with established milestone dates;
- i) Properly serve as the owner's representative, and to visit the project site during construction on a frequency commensurate with the magnitude and complexity of the project;
- j) Ensure that proper construction management processes have been developed and implemented for the project;
- k) Serve as a steward of the public funds, i.e. ensure that the public gets what it is paying for;
- l) Attend all required training including the annual workshop; and
- m) Fulfill continuing education requirements as specified in the NDOR LPA Guidelines manual for Federal-aid Projects.

Adopted at Stanton, Nebraska this 15th day of April, 2013.

BOARD OF COMMISSIONER STANTON COUNTY,
NEBRASKA

/s/ Jerry Weatherholt, Chairman

/s/ David Gutshall

/s/ Dennis Kment

Board Member Jerry Weatherholt Moved for adoption of said resolution; Member Dennis Kment Seconded the Motion

Roll Call: 3 Yes 0 No ___ Abstained ___ Absent; Resolution adopted, signed and billed as adopted

Attest: /s/ Wanda Heermann, County Clerk

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Bid Letting for new maintainer was held 11:15 A.M.

Bids were received as follows:

Murphy Tractor & Equip Co - New 2013 John Deere 670G Motor Grader: \$227,645.00
Less Trade 1995 CAT 140H, SN 2ZK00565: \$96,900.00
Delivered Price: \$130,745.00

New 2013 John Deere 770G Motor Grader: \$239,494.00
Less Trade 1995 CAT 140H, SN 2ZK00565: \$96,900.00
Delivered Price: \$142,594.00

Used 2009 John Deere 772G 6whl Motor Grader: \$211,900.00
Less Trade 1995 CAT 140H, SN 2ZK00565: \$96,900.00
Delivered Price: \$115,000.00

Nebraska Machinery Co Inc - New 2013 140M2 Caterpillar: \$239,079.00
Less Trade 1998 Caterpillar 140H Grader, SN 9TN00557: 90,000.00
Delivered Price: \$149,079.00

Verbal adjustment on trade of 1995 CAT instead of the 1998 CAT
quoted in submitted bid, additional trade value allowed: \$3,500.00
Adjusted Delivered Price: \$145,579.00

A discussion was held with Dan Barnes, Murphy Tractor & Equipment representative, and Randi Hale, Nebraska Machinery representative, on the specifications and features of each of their machines.

Motion made by Weatherholt, seconded by Kment to accept the bid of Murphy Tractor & Equipment for the purchase of the 2013 John Deere 770G Motor Grader w/trade price of \$142,594.00.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Discussion was held on budgeting, accounts payable and payroll processing in the road department. No action needed at this time.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds as follows:

GENERAL FUND - A to Z Vac-n-Sew, supplies, 25.00; Mark Albin Atty, atty fees, 693.75; Ameritas Life NE Group Acct, ret-co shr, 6713.39; Appera, towel services, 56.77; ATCO International, ice melt pellets, 540.00; LaLene Bates, convention, 19.96; Kim Bearnes, phone mileage etc, 131.43; Black Hills Energy, utilities, 128.86; Blue Cross Blue Shield, ins-co shr, 32229.48; Gary Carson, mileage, 199.45; City of Norfolk, dispatching, 5306.29; Clerk of the Supreme Court, appeal costs, 125.00; Constellation NewEnergy Gas, utilities, 495.00; Cornhusker Auto Center, mileage, 34.62; Dell Marketing LP, printer, 690.03; Martha Detlefsen, prior service, 12.00; Robin Dolesh, mileage salary, 54.42; Egley Fullner Montag & Hockabout, fees, 150.00; Ewalt Law Office PC LLO, atty fees, 3045.86; Farmers Cooperative, fuel, 2245.78; First Concord Benefits Group, flex fees, 271.00; Ann Flood, fees, 100.00; Floor Maintenance & Supply Co, supplies, 76.77; Gene's Roadrunner (See Store LLC), fuel, 1230.05; Wanda Heermann, supplies mileage, 52.75; Holiday Inn Express, lodging, 231.00; IRS USA Tax Pymt, so sec tax-co shr, 7207.70; Mike Kabes, salary etc, 84.96; Gerald Kuhn, salary etc, 55.53; Russell Kumm, salary etc, 61.65; W Bert Lamml, office allowance, 735.42; LexisNexis Matthew Bender, law books, 61.71; Verlyn Luebbe, atty fees, 205.27; Luedeke Oil Co Inc, fuel etc, 646.95; Madison National Life, ins-co shr, 2.67; Diann Marotz, mileage etc, 52.20; Maximus Inc, services, 350.00; Anthony D McPhillips, mileage, 174.58; Menards, supplies, 10.14; Mid American Benefits Inc, hra fees, 352.00; MIPS Inc, computer support etc, 2548.27; NACO Conference Registration Center, reg fee etc, 490.00; Nebraska Assoc Co Officials, reg fees, 182.00; Nebraska Assoc Clerk District Court, reg fees, 93.50; Nebraska Health & Human Services, patient care, 93.00; New Castle County Sheriffs Office, shf fees, 75.00; Lavern R Newkirk, prior service, 17.00; Douglas Oertwich, mileage salary, 84.96; Valerie R Olson, services, 100.00; Platte County Detention Facility, boarding, 100.00; William Schellen dba Prime Align, services, 167.00; Prime Sanitation, services, 39.75; Pro-Vision Inc, cameras monitors etc, 5372.00; Zach Ramaker, mileage salary, 24.99; Region 4 Behavioral Health System, 4th quarter, 3042.50; Region IV Inc, 4th quarter, 1874.50; REPCO Marketing Inc, supplies, 39.75; Rita Roenfeldt, prior service, 20.00; Marjorie Schaffer, admin fees, 116.95; Ken Shriver, mileage salary, 27.77; Stamm Electric #1 Inc, repairs, 258.83; Stanton Auto Parts, repairs, 705.30; Stanton County Court, fees, 540.58; Stanton County District Court, fees, 35.00; Stanton County Imprest Acct, fees, 20.25; Stanton County Public Power Dist, utilities, 1472.20; Stanton Hardware Hank, supplies, 25.17; Stanton Printing, printing, 291.40; Stanton State Bank, check cost, 95.57; Stanton Telecom Inc, services, 1522.22; Stanton Water & Sewer, services, 116.18; Stephens Peck Inc, supplies, 85.00; Teeco Inc, supplies, 95.00; Telebeep Wireless, services, 111.80; Mike Unger Co Shf, shf fees, 19.00; UNL IS Comm Center, services, 49.28; University NE - Assist Business Center, software, 397.50; US Cellular, services, 136.57; Card Services, meals, 20.72; Volkman Plumbing & Heating, services, 25.00; Western Office Technologies, supplies, 1926.63; Mark Wieman, mileage salaries, 133.80;

COUNTY ROAD FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 2843.66; Appera, towel services, 31.52; Atco International, chemicals etc, 401.97; Black Hills Energy, utilities, 56.89; Blue Cross Blue Shield, ins-co shr, 20704.80; Bomgaars, chemicals supplies tools, 298.76; Carhart Lumber Co, flags etc, 472.44; Caterpillar Financial Svs Corp, equip, 2345.90; Century Link, services, 46.76; Janice Coates, prior service, 17.00; Constellation NewEnergy Gas, services, 250.00; Doernemann Farm Service Inc, repairs etc, 1385.73; Elkhorn Valley Sand & Gravel, supplies, 5800.70; Emmetts Foodtown, supplies, 14.80; Farmers Cooperative, fuels etc, 7403.85; Farmers Union Coop Supply Co, chemicals, 358.02; Fastenal Company, signs, 158.36; IRS USA Tax Pymt, so sec tax-co shr, 3187.27; Island Supply Welding Co, supplies, 185.97; Kayton International Inc, repairs, 1189.44; Luedeke Oil Co Inc, fuel etc, 11543.79; Mainelli Wagner & Associates Inc, eng serv, 1100.00; Martin Marietta Materials, gravel etc, 2680.81; Menards, repairs, 196.05; Merchants Capital Resources Inc, lease payment, 3244.98; Midwest Service & Sales Co, signs, 827.30; NMC Exchange LLC, supplies, 23265.86; NMG LLC Norfolk Works, fees, 13.00; Northeast Glass, repairs, 241.80; Platte County Hwy Dept, supplies, 167.01; Prime Sanitation Service, trash removal, 44.00; Quality Transmission, repairs, 1288.31; Ridge Road Repair LLC, repairs, 89.53; Rons Ag & Auto Repair, repairs, 911.95; Seals and Service Inc, repairs, 1034.56; Stanton Auto Parts, supplies tools etc, 40.84; Stanton County Public Power Dist, utilities, 658.36; Stanton Hardware Hank, supplies etc, 192.83; Stanton Telecom Inc, services,

256.73; Stanton Water & Sewer, services, 38.50; Teeco Inc, supplies, 37.35; US Cellular, services, 117.67; Vics Engine Service, repairs, 132.38; Village of Pilger, utilities, 85.29; Elsworth Voelker, prior service, 13.00; Western Office Technologies, supplies, 37.90;

EMERGENCY MANAGEMENT FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 15.69; Elkhorn Logan Valley Public Health, services, 59.16; Engelhardt TV & Communications Inc, equipment, 325.00; Farmers Cooperative, fuel etc, 258.40; Sanford Goshorn, lodging etc, 34.01; IRS USA Tax Pymt, so sec tax-co shr, 17.79; Stanton Auto Parts, repairs, 10.00; Stanton Hardware Hank, supplies, 14.18; Western Office Technologies, supplies, 43.98;

INHERITANCE TAX FUND - Stanton County Public Power Dist, tower, 148.74;

ROAD ALLOCATION BOND FUND - Bok Financial, interest pymt, 19055.00;

EMERGENCY 911 FUND - Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$138,126.65.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for May 20, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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COMMISSIONER’S PROCEEDINGS – March 25, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska, was held in the open and public session on Monday, March 25, 2013, at 8:00 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk, was also present.

Notice of the meeting was given in advance thereof by posting in three (3) public places, those being the Courthouse, Post Office and City Hall, at least 2 days prior to the meeting. A copy of the acknowledgment of posting such notice is attached to these minutes.

Notice of the meeting was given in advance to the commissioners, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:00 A.M. by Chairman Weatherholt, who announced that the open meetings laws were posted on the wall in the County Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Kment, seconded by Gutshall to approve the agenda.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the minutes of the March 18, 2013 meeting.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Weed Superintendent applicants, Gary Carson and Jim Ohlund, appeared for interviews. Each applicant was interviewed by the Board of Commissioners. After individual interviews a discussion was held on each applicant.

Motion made by Gutshall, seconded by Kment to hire Gary Carson as the new part-time Weed Superintendent for Stanton County. His monthly salary will be \$850.00 per month with retirement benefits and no health insurance.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable claim and order a check drawn on the following fund:

GENERAL FUND - CCC Campus Accounts, reg fee, 175.00

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to adjourn and set the next meeting for April 15, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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BOARD OF EQUALIZATION PROCEEDINGS – March 18, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska, was held in the open and public session on March 18, 2013 at 8:00 A.M. in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on March 6, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:00 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner’s room and a copy may be obtained from the County Clerk’s office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of February 19, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Cheryl Wolverton, County Assessor, informed the Board that her office is setting land values. She stated that she added a new classification: Wetland Reserve Acres. Discussion followed on the land values in the county. No action needed.

No correction sheets were presented for approval.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for April 15, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk’s Office.]

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COMMISSIONER’S PROCEEDINGS – March 18, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska, was held in the open and public session on March 18, 2013, at 8:15 A.M. in the Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Notice of the meetings was given in advance thereof by publication in the Stanton Register, March 6, 2013, a copy of the proof of publication is attached to these minutes.

Notice of the meeting was given in advance to the Commissioners, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:15 A.M. by chairman Weatherholt who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Weatherholt to approve the minutes of the regular meeting on February 19, 2013 and the special meeting on March 11, 2013 meeting.

Voting: Ayes: Kment Weatherholt and Gutshall. Nays: None. Motion Carried.

Bids were opened for lawn care at the Courthouse as follows:

Nielsen Lawn Service	\$49.00 per mowing
Michael Race	\$85.00 per mowing

The Board reviewed and discussed all the bids received for lawn care.

Motion made by Gutshall, seconded by Kment to accept the bid of Nicholas Nielsen of Nielsen Lawn Service in the amount of \$49.00 per mowing. This would include bagging the grass, trimming, blowing off grass clippings and hauling grass clippings away.

Voting: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Bids were opened for lawn maintenance at the Courthouse as follows:

Jack Scherer LLC	\$950.56; 5 applications – fertilizer, pest control, aeration
Lawnco Lawn & Tree Care	\$1,075.33; 5 applications – fertilizer, pest control, aeration

The Board reviewed and discussed all the bids received for lawn maintenance.

Motion made by Kment, seconded by Gutshall to accept the bid of Jack Scherer for lawn maintenance in the amount of \$950.56.

Voting: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Applications for part-time Weed Superintendent were reviewed by the Board. Interviews with the applicants set for March 25, 2013 beginning at 8:00 AM.

Discussion was held on reimbursement for use of personal cell phone. A copy of the cell phone bill with itemized calls to be attached to claim submitted for reimbursement.

Motion made by Gutshall, seconded by Kment to set the reimbursement for use of personal cell phone at the rate of \$30 per month.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Highway Superintendent wages were discussed. No action taken.

The chairman opened the hearing at 9:05 AM for the Conditional Use Permit application of Jarrett Doernemann to operate a sand and gravel pit on property located in the S½ SW SW and S½ SE SW 25-23-1 and the N½ NE NW and the N½ NW NW 36-23-1. Jarrett Doernemann appeared and offered testimony on behalf of his application. Mr. Doernemann stated the proposed site would be on the north side of the river. A berm or dam would be constructed on the west side to prevent flood water from entering his property. He also provided information concerning the proposed site in reference to the TransCanada pipeline, county road and county bridge.

LaLene Bates, Planning and Zoning Administrator, joined the meeting at 9:07 AM. She advised the Board that TransCanada requested an agreement between TransCanada and Doernemann be on file.

Motion made by Kment, seconded by Gutshall to close the hearing.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the Conditional Use Permit of Jarrett Doernemann to operate a sand and gravel pit on property located in the S½ SW SW and S½ SE SW 25-23-1 and the N½ NE NW and the N½ NW NW 36-23-1 with the 5 stipulations recommended by the Planning Commission.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The chairman opened the hearing at 9:25 AM for the Conditional Use Permit application of Carter Urwiler to apply dry manure on property located in NW 27-24-1. Present to offer testimony were: Richard Dolesh, Shelly Frisch and Joel Gillespie. Richard Dolesh expressed concerns about the stockpile of manure being placed on the property for more than a month, nitrates entering the water supply and over usage of county road. Shelly Frisch expressed concerns of the runoff into the water stream and her property. Joel Gillespie inquired about the county regulations for bringing out of county manure into the county and DEQ recommendations. Conditions discussed were stockpiling manure, incorporation of manure within 30 days and 100 yards from property lines and water streams.

Motion made by Kment, seconded by Gutshall to close the hearing.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the Conditional Use Permit of Carter Urwiler to apply dry manure on property located in the NW 27-24-1 with the conditions recommended by the Planning Commission, except to change condition #6: to have a buffer distance of 100 yards from running and standing water and 100 yards from the east boundary line bordering the Frisch property and to change condition #8: incorporate manure 6 inches within 30 days from arrival on property.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Alan Beiermann and Ron Starzec, representatives of Nebraska Public Power District of Columbus, Nebraska appeared to update the Board on the Hoskins to Neligh transmission line. Mr. Beiermann stated the line would begin near Nucor and run west towards Neligh. Open House meetings to be held this summer on proposed routes.

LaLene Bates rejoined the meeting.

Motion made by Gutshall, seconded by Weatherholt to approve the Brester Lot Split located in the W½ SW 25-21-3 as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the Ruan Pohlman Lot Split located in the SW NW 18-23-2 as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Mike Unger, County Sheriff, joined the meeting to discuss personnel issues. He advised the board of overtime pay overlooked that needed to be paid. Mike informed the board of changes to payroll in his department.

Motion made by Kment, seconded by Gutshall to authorize the Chairman to sign the Road Project contract for STP-57-3(107), Stanton South, C.N. 31889 for surveying.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Discussion was held on the cost of a new maintainer or a used maintainer. Randi Hale and Dave Praeuner of Nebraska Machinery Company presented cost statements for review. They also advised the Board on the cost of overhauling an older county machine. Bid letting for new maintainer set for April 15, 2013 at 11:00 AM.

Gravel bid letting set for April 15, 2013 at 10:30 AM.

Motion made by Gutshall, seconded by Weatherholt to approve for the month of February the County Clerk fees in the amount of \$2,481.65; Documentary Stamp Tax, co shr in the amount of \$406.46; P&M Fund fees in the amount of \$398.50; Game and Parks Agent fees in the amount of \$4.00; Clerk of the District Court fees in the amount of \$325.39; Passport fees in the amount of \$25.00; County Treasurer's receipt of money received numbered 15838 – 15897, inclusive in the amount of \$189,664.43; County Treasurer's Notice of Closing Public Sale of Delinquent Real Estate Taxes and place them on file.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to approve the following Accounts Payable and Payroll claims, except to change the accounts payable claim of Kim Bearnes for telephone reimbursement at the rate of \$50 per month to \$30 per month for a total of \$150.00 and order checks drawn on the various funds as follows:

GENERAL FUND - Ronald Albin Atty, atty fees, 6195.48; Ameritas Life NE Group Acct, ret-co shr, 5867.89; ATCO International, supplies, 1210.00; Avera Medical Group, medical, 137.00; Kim Bearnes, lodging meal phone etc, 262.38; Big Red Printing Inc, supplies, 545.96; Black Hills Energy, utilities, 183.31; Blue Cross Blue Shield, ins-co shr, 30762.63; Judy Bracht, mileage, 125.43; City of Norfolk, services, 5306.29; Connecting Point Computers, computer etc, 152.45; Constellation NewEnergy Gas, utilities, 497.38; Creighton Medical Laboratories, services, 663.69; Co Veterans Svc Officers Assn, dues etc, 100.00; Dataspec LLC, computer svcs, 399.00; Martha Detlefsen, prior service, 12.00; Eakes Office Products Inc, supplies, 395.46; Egley Fullner Montag & Hockabout, fees, 4994.68; Ellis Plumbing Heating & AC Inc, services, 274.50; Emmetts Foodtown, supplies, 68.81; Ewalt Law Office PC LLO, atty fees, 2100.00; Farmers Cooperative, fuel, 2256.15; First Concord Benefits Group, flex fees, 271.00; Floor Maintenance & Supply Co, supplies, 171.80; Francotyp-Postalia Inc, postage, 419.40; Gene's Roadrunner (See Store LLC), fuel, 787.87; David Gutshall, mileage, 178.71; IRS USA Tax Pymt, so sec-co shr, 6252.33; Johnson Morland & Easland PC, atty fees, 250.94; Keenan Law PC LLO, atty fees, 976.10; W Bert Lammler, office allow, 735.42; Luedeke Oil Co Inc, fuel etc, 1996.77; Madison National Life, ins-co shr, 2.67; Madison County Sheriff, services, 16.12; Anthony D McPhillips, mileage, 127.12 ; Mid American Benefits Inc, hra fees, 352.00; Midwest Special Services, services, 205.20; MIPS Inc, computer support etc, 2873.87; Moore Wallace dba RR Donnelley, supplies, 33.53; Gilbert Morfeld, salary, 280.00; Moyer & Moyer, atty fees, 910.78; NE Nebraska Juvenile Service Inc, contract, 281.25; Nebraska Emergency Management Agency, refund, 846.25; Nebraska Health & Human Services, patient care, 84.00; Lavern R Newkirk, prior service, 17.00; Norfolk Daily News, printing/publish, 66.00; Northeast Research & Extension Ctr, dues equip etc, 1035.96; NPZA Secretary/Treasurer, dues etc, 255.00; Valerie R Olson, services, 150.00; Pierce County Sheriff Dept, boarding, 800.00; Power Computing Inc, supplies, 224.95; William G Schellen dba Prime Align, services, 272.24; Prime Sanitation, services, 39.75; Rita Roenfeldt, prior service, 20.00; Schmidt Computer Services, computer services, 300.00; Stanton Auto Parts, equipment repairs, 269.16; Stanton County Court, fees, 373.16; Stanton County District Court, fees, 227.00; Stanton County Imprest Acct, fees, 18.75; Stanton County Public Power Dist, utilities, 1576.92; Stanton Hardware Hank, supplies, 10.88; Stanton Printing, printing, 1171.36; Stanton Telecom Inc, services, 1492.94; Stanton Water & Sewer, services, 120.00; Teeco Inc, supplies, 88.50; Telebeep Wireless, services, 111.80; Mike Unger Co Shf, shf fees, 4.00; UNL IS Comm Center, services, 49.28; US Cellular, services, 136.57; Card Services, meals, 25.30; Voigt Locksmith Inc, supplies, 6.00; Western Office Technologies, supplies, 2605.17; Wisner News Chronicle, printing, 57.20; Sandra Zoubek Co Treas, postage meter, 5000.00; Sandra Zoubek, mileage etc, 282.94;

ROAD FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 2687.22; Appeara, towel services, 61.40; Atco International, chemicals etc, 444.52; Black Hills Energy, utilities, 91.53; Blue Cross Blue Shield, ins-co chr, 20704.80; Bomgaars, chemicals supplies tools, 36.45; Caterpillar Financial Svs Corp, equip, 2345.90; Century Link, services, 46.76; Janice Coates, prior service, 17.00; Constellation NewEnergy Gas, services, 270.00; Cornhusker International Trucks Inc, supplies, 39.25; Kathy Dahlkoetter, lodging, 48.59; Doernemann Farm Service Inc, repairs etc, 379.96; Elkhorn Valley Sand & Gravel, supplies, 2091.52; Farm & Ranch Building Supply, supplies, 23.50; Farmers Cooperative, fuels etc, 9632.64; Farmers Union Coop Supply Co, chemicals, 236.55; GI Trailer Inc, supplies, 50.37; Hoskins Manufacturing Co Inc, supplies, 40.40; IRS USA Tax Pymt, so sec tax-co shr, 3010.01; Island Supply Welding Co, supplies, 443.40; Kayton International Inc, supplies, 311.82; Kelly Supply, supplies, 165.92; Ken's Trailer Sales & Repair, supplies, 89.30; Kimball Midwest, supplies, 312.49; Kuehn's Auto Body Inc, repairs, 1622.50; Leigh Motor Service, supplies, 8.15; Luedeke Oil Co Inc, fuel etc, 9730.54; Mainelli Wagner & Associates Inc, eng serv, 1100.00; Martin Marietta Materials, gravel etc, 3314.86; Medical Enterprises Inc, fees, 31.00; Merchants Capital Resources Inc, lease payment, 3244.98; Midwest Service & Sales Co, signs, 667.15; NMC Exchange LLC, supplies, 1039.81; NMG LLC Norfolk Works, fees, 68.00; Northeast Glass, services, 275.00; Jim Ohlund, road maintenance, 108.50; Overhead Door Co, repairs, 391.60; Prime Sanitation Service, trash removal, 44.00; Ridge Road Repair LLC, repairs, 248.71; Road Builders Machinery & Supply Co, repairs, 641.30; Rons Ag & Auto Repair, repairs, 277.00; S & S Willers Inc, gravel, 9568.72; Sioux City Truck Sales Inc, repairs, 6.72; Stanton Auto Parts, supplies tools etc, 272.00; Stanton County Public Power Dist, utilities, 811.66; Stanton Hardware Hank, supplies etc, 51.49; Stanton Telecom Inc, services, 252.93; Stanton Water & Sewer, services, 38.50; Teeco Inc, supplies, 17.85; US Cellular, services, 110.67; Village of Pilger, utilities, 82.81; Elsworth G Voelker, prior service, 13.00; Jerry Weatherholt, phone, 30.00; Western Office Technologies, supplies, 1.99;

EMERGENCY MANAGEMENT FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 10.13; Farmers Cooperative , fuel etc, 377.93; Sanford Goshorn, meals etc, 90.16; IRS USA Tax Pymt, so sec-co shr, 11.48; Verizon Wireless, phone, 250.00;

INHERITANCE TAX FUND - Stanton County Public Power Dist, tower, 144.24;

EMERGENCY 911 FUND - Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$123,238.33.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to adjourn and set the next meeting for March 25, 2013 at 8:00 A.M.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

COMMISSIONER'S PROCEEDINGS – Special Meeting – March 11, 2013

A special meeting of the Board of Commissioners of Stanton County, Nebraska, was held in the open and public session on Monday, March 11, 2013, at 9:00 A.M. in the District Courtroom in Stanton, Nebraska.

Present upon roll call were: Jerry Weatherholt and Dennis Kment, Board of Commissioners. David Gutshall was absent. Wanda Heermann, County Clerk, was also present.

Notice of the meeting was given in advance thereof by posting in three (3) public places, those being the Courthouse, Post Office and City Hall, at least 2 days prior to the meeting. A copy of the acknowledgment of posting such notice is attached to these minutes.

Notice of the meeting was given in advance to the commissioners, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 9:00 A.M. by Chairman Weatherholt, who announced that the open meetings laws were posted on the wall in the District Courtroom and a copy may be obtained from the county Clerk's office upon request.

Motion made by Kment, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

Motion made by Kment, seconded by Weatherholt to enter into closed session at 9:01 A.M. for a personnel grievance hearing.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

The Board came out of closed session at 12:30 P.M. and resumed the special meeting.

Motion made by Kment, seconded by Weatherholt to recess the special meeting until 3:00 P.M.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

The chairman re-opened the meeting at 3:00 P.M. and proceeded with the special meeting.

Motion made by Kment, seconded by Weatherholt to enter into closed session at 3:01 P.M. for a personnel grievance hearing.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

The Board came out of closed session at 3:22 P.M. and resumed the special meeting.

Motion made by Kment, seconded by Weatherholt to adjourn and set the next meeting for Monday, March 18, 2013, at 8:15 A.M.

Voting: Ayes: Kment and Weatherholt. Nays: None. Absent: Gutshall. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

BOARD OF EQUALIZATION PROCEEDINGS – February 19, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska, was held in the open and public session on February 19, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on February 13, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:00 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Kment, seconded by Gutshall to approve the agenda.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of January 22, 2013 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Cheryl Wolverton, County Assessor, informed the Board that Peace United Church of Christ Application for Tax Exemption was changed as charitable use and not church use.

Motion made by Weatherholt, seconded by Gutshall to adjourn and set the next meeting for March 18, 2013 at 8:00 A.M.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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COMMISSIONER'S PROCEEDINGS – February 19, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska, was held in the open and public session on February 19, 2013, at 8:15 A.M. in the Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Notice of the meetings was given in advance thereof by publication in the Stanton Register, February 13, 2013, a copy of the proof of publication is attached to these minutes.

Notice of the meeting was given in advance to the Commissioners, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:15 A.M. by chairman Weatherholt who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County Clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to approve the minutes of January 22, 2013 meeting.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Sandy Zoubek, County Treasurer, joined the meeting to inform the board of a personnel issue within her office and the steps she will be implementing to handle the situation. She will be advertising for a temporary office clerk for possible employment for 7 to 10 weeks. Sandy also discussed the necessity of purchasing a locked cabinet for storage and new file cabinet for her office.

Motion made by Kment, seconded by Gutshall to allow the County Treasurer to purchase a locked cabinet and file cabinet for her office with the cost of the cabinets to be paid out of the General miscellaneous fund.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Cheryl Wolverton and Mike Unger joined the meeting.

The Board of Commissioners requested the Extension Board members to attend the meeting to discuss concerns with office hours, budgets and other issues. Appearing were: Kim Bearnese, Extension Educator; Dennis Bauer, Assistant Dist Extension Educator; Carolyn Glaser and Diane Kander, Extension Office employees; Terri Shafer, Kim Spence, Becky Neuhalfen, Bruce Huntley and Carey Tejkl, Extension Board members.

Kim Bearnese requested the Board enter into executive session to discuss personnel issues with the extension office.

Motion made by Gutshall, seconded by Weatherholt to enter into executive session at 8:29 AM for personnel and extension office issues.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

The Board came out of executive session at 9:32 AM and resumed the regular meeting.

Motion made by Gutshall, seconded by Kment to approve the Stanton County Extension Board members: Wilma Schock, President; Bruce Huntley, Vice President; Terri Shafer, Secretary; Kim Spence, Carey Tejkl and Becky Neuhalfen, other members.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

W. Bert Lammler, Stanton County Attorney, Cory Locke, Deputy County Attorney and Mike Unger, County Sheriff and Kirk Van Pelt, Deputy County Sheriff joined the meeting.

Mike Unger requested the Board enter into executive session to discuss a personnel matter with his office.

Motion made by Gutshall, seconded by Weatherholt to enter into executive session at 9:40 AM to discuss a personnel issue in the sheriff's office.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

The Board came out of executive session at 10:14 AM and resumed the regular meeting.

David Boschult, Ag Inspection Specialist, joined the meeting to discuss the weed superintendent position. He informed the board that on April 2-3, 2013 a certification program will be held at Southeast Community College in Hastings and that on April 1, 2013 there is program for new superintendents. He stated that the weed superintendent would need to obtain a state certified non-commercial personal applicator license. An ad for a part-time weed superintendent will be placed in the newspaper with a decision to be made at the March 18, 2013 commissioner's meeting.

The corrected Special Designated Liquor License application received from Taylor Creek Golf Club – Kevin Signor for the Stomping at the Ranch event to be held on August 24, 2013 was reviewed. No one was present to object to the issuance of the license. The sheriff's office has no objection to the license, but does require a list of all security personnel that will be working.

Motion made by Gutshall, seconded by Weatherholt to approve the corrected application for Special Designated Liquor License for Taylor Creek Golf Club – Kevin Signor for the Stomping at the Ranch event to be held on August 24, 2013.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

LaLene Bates, Planning and Zoning Administrator, joined the meeting.

The chairman opened the hearing at 10:25 AM for the Conditional Use Permit of John Borgelt to apply dry manure on property located in the NE 12-24-3. LaLene informed the Board of the conditions and stipulations recommended by the Planning Commission and that there was no opposition at the meeting.

Motion made by Kment, seconded by Gutshall to close the hearing.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the Conditional Use Permit application of John Borgelt to apply dry manure on property located in the NE 12-24-3 with the conditions and stipulations recommended by the Planning Commission.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Discussion on the Dick Hoff Mixed Use Development application to replat Eagle Ridge Subdivision on property located in the NE 9-23-1. No action needed at this time.

Discussion on Dick Hoff vacated plat – Eagle Ridge 1st Addition located in the NE 9-23-1. No agreement at this time so no action needed.

Mark Mainelli, Highway Consultant, joined the meeting.

The chairman opened the hearing at 10:35 AM for the Conditional Use Permit application of Jarrett Doernemann to operate a sand and gravel pit on property located in the S $\frac{1}{2}$ SW SW and S $\frac{1}{2}$ SE SW section 25-23-1 and the N $\frac{1}{2}$ NE NW and the N $\frac{1}{2}$ NW NW section 36-23-1. LaLene presented aerial photos indicating the flood way areas. A no rise certificate would need to be obtained from an engineer before extracting gravel from this area. Mark Mainelli expressed concerns about where the water would flow in relationship to the county bridge, the area being located in a flood plain and fill sand piles could change the channel flow. TransCanada has a 50' easement and they have concerns of crossing over the pipeline because the pipe used is not as heavy pipe as the pipe used under the county roads. They would like to have a signed agreement with the applicant on file before operation can begin.

Motion made by Gutshall, seconded by Kment to close the hearing.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to ask Mr. Doernemann to produce documentation from an engineering firm regarding possible problems with flood issues and how it could impact the county bridge and pipeline.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

The chairman opened the hearing at 10:45 AM for the proposed amendment with the addition of Adult Entertainment to the Stanton County Zoning Regulations. LaLene informed the board of the intent of the Zoning Regulation is not to prohibit but to regulate the secondary effects within the community.

Motion made by Gutshall, seconded by Kment to close the hearing.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to approve the following Resolution:

Resolution #2013.02 – 009:

BE IT RESOLVED, that the Board of Commissioners of Stanton County, Nebraska approve the proposed amendment with the addition to Article 17, Section 3.1: Adult Entertainment Establishments, to the Stanton County Zoning Regulations, Stanton, Nebraska, with the corrections and additions recommended by the Planning Commission.

AND, that the same is hereby approved.

Dated this 19th day of February, 2013.

/s/ Jerry Weatherholt, Chairman

Attest: /s/ Wanda Heermann, County Clerk

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

The chairman opened the hearing at 10:50 AM for Walter Chase Jr./Ryan Dunklau Conditional Use Permit to apply dry manure on property located in the NE 17-24-3 and NE 20-24-3. LaLene advised the board that there is a 60' buffer from running or standing water and that there will not be a stockpile.

Motion made by Weatherholt, seconded by Gutshall to close the hearing.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the Conditional Use Permit of Walter Chase Jr./Ryan Dunklau to apply dry manure on property located in the NE 17-24-3 and NE 20-24-3 with stipulations recommended by the Planning Commission.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Discussion was held on vacating the Ganskow Lot Split (a/k/a Longchamp's Lot Split) in order for the lot split to be re-filed and re-named.

Motion made by Kment, seconded by Gutshall to allow the Zoning Administrator to vacate the Ganskow plat and surveys located in the S $\frac{1}{2}$ SE 20-24-1.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the Ganskow Lot Split located in the SE SE 20-24-1 as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Motion made Weatherholt, seconded by Kment to approve the Beeson Lot Split located in the N½ NW SE & NE SE 27-24-2 as per Planning Commission recommendations.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Discussion was held on the Burris Lot Split. Additions and corrections will need to be applied to the lot split along with the appropriate signatures.

Motion made by Gutshall, seconded by Weatherholt to approve the Burris Lot Split with the additions and corrections given and the appropriate signatures required as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

LaLene presented information regarding M.G. Waldbaum's dried eggshell product. The dried egg shell product has started to become popular due to the shortage of available ag-lime. She advised the Board that it is to be used as a one time permit to allow the product to be spread in the County.

Kathy Dahlkoetter, Highway Superintendent joined the meeting.

Hearing for the One and Six Year Road Plan was opened by the chairman at 11:10 AM.

The Board was given copies of the One and Six Year Plan for their review. Discussions were held with Kathy Dahlkoetter, Highway Superintendent and Mark Mainelli, Highway Consultant. No members of the public attended the hearing.

Motion made by Kment, seconded by Gutshall to close the hearing.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to approve the following Resolution:

RESOLUTION #2013.02 – 006:

WHEREAS, the County Highway Superintendent has prepared and presented a One and Six Year Plan for Highway Improvement for Stanton County, Nebraska, and;

WHEREAS, a public meeting was held on the 19th day of February, 2013, to present this plan, and all objections and recommendations to said plan were considered;

THEREFORE, BE IT RESOLVED by the County Commissioners of Stanton County, Nebraska, that the plan and data as furnished and/or revised are hereby in all things accepted and adopted.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

WHEREUPON, the resolution was declared passed by the Stanton County Board of Commissioners on the 19th day of February, 2013.

/s/ Jerry Weatherholt, Chairman Stanton County Board

Attest: /s/ Wanda Heermann, Stanton County Clerk

Motion made by Kment, seconded by Gutshall to approve the following Resolution:

RESOLUTION #2013.02 – 007:

Signing Resolution
Supplemental Project Program Agreement No. 2 – BL1165

WHEREAS: Stanton County and Nebraska Department of Roads (NDOR) have previously executed Project Program Agreement BL1165 for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds;

WHEREAS: Stanton County understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS: Stanton County and NDOR wish to enter into supplemental Program Agreement No. 2 setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project.

BE IT RESOLVED: by the Board of Commissioners of Stanton County, Nebraska that:

Jerry Weatherholt, Chair of the Stanton County Board of Commissioners is hereby authorized to sign the attached Supplemental Program Agreement No. 2 between Stanton County and the NDOR.

Stanton County is committed to providing local funds for the project as required by the Project Program Agreement and any Supplemental Project Program Agreements.

NDOR Project Number: BRO-7084(10)
NDOR Control Number: 31597
Project Location: Stanton Southeast

Adopted this 19th day of February, 2013 at Stanton, Nebraska.

The Board of Commissioners of Stanton County, Nebraska
/s/ Jerry Weatherholt
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann

Signature of County Clerk [seal]

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Mark Mainelli informed the Board on streams and rivers in eastern Nebraska where degradation and erosion is a problem. Problems are not restricted to the stream bottom; the channel banks become unstable due to additional depth, and bank undercutting, steepening, and slumping is typical of the soils in the region. The end result is damage to public (bridges, culverts, utility lines, etc.) and private (loss of farmland) infra-structure. Mr. Mainelli suggested a support concept of County led non-profit coalition to pursue potential funding sources to limit stream channel degradation.

Motion made by Weatherholt, seconded by Kment to approve the following Resolution:

RESOLUTION #2013.02 – 008:

WHEREAS, much of eastern Nebraska consists of soils which are highly susceptible to erosion and stream degradation; and

WHEREAS, The erodible streambeds of eastern Nebraska are unstable and are widening due to degradation which results in damage to public and private infrastructure such as bridges, culverts, utility lines, loss of farmland, etc. and

WHEREAS, The Hungry Canyon Alliance, Inc. is a coalition of counties in Iowa which was developed specifically to research and implement solutions to the problem of stream channel erosion and degradation of western Iowa, and

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioner/Supervisors of Stanton County, Nebraska would support a similar coalition of counties seeking County, State, and Federal funding sources to limit stream channel degradation in the impacted region of eastern Nebraska.

Dated at Stanton, Nebraska this 19th day of February, 2013.

Board of Stanton County, Nebraska
/s/ Jerry Weatherholt, Chairman
/s/ David Gutshall
/s/ Dennis Kment

Attest:

/s/ Wanda Heermann, County Clerk

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Mark Mainelli left the meeting.

Kathy Dahlkoetter advised the board about the proposals submitted for the selection of CE Engineer for BRO-7084(10). Proposals were received from: Mainelli Wagner and Associates, JEO Consulting and Speece Lewis. Discussion was held on proposals received.

Motion made by Kment, seconded by Weatherholt to submit the CE Engineer for BRO-7084(10) selection to the Nebraska Department of Roads for their approval.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Weatherholt to authorize the Chairman to sign the Road Project contract for DPS-35-3(108), Norfolk Northeast, C.N. 3146B for surveying.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

The meeting was recessed for lunch break.

The chairman re-opened the meeting after lunch break and proceeded with road issues. Discussion was held on the cost of a new maintainer or a refurbished maintainer.

Discussion was held on the cost paid for a county burial. The county burial application was reviewed, including financial information and billing from the funeral home.

Motion made by Kment, seconded by Gutshall to approve the county burial application and approve payment to Shultz Vogel Johnson Mortuary of Stanton, NE.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Kathy re-joined the meeting to discuss road issues. She advised the board of a 160H maintainer for sale. Kathy also discussed with the board the reflective t-shirts for the road crew. Each road crew member is to receive 5 t-shirts (1 for each day of the week).

Motion made by Kment, seconded by Weatherholt to approve for the month of January the County Clerk fees in the amount of \$3,238.45; Documentary Stamp Tax, co shr in the amount of \$466.45; P&M Fund fees in the amount of \$512.00; Game and Parks Agent fees in the amount of \$8.00; Clerk of the District Court fees in the amount of \$116.25; Passport fees in the amount of \$150.00; County Treasurer's receipt of money received numbered 15759 – 15837, inclusive in the amount of \$503,471.75 and place them on file.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Accounts Payable and Payroll claims, except to void the accounts payable claim of Dennis Kment for fuel in the amount of \$42.49 because amount will be billed to the county and add the accounts payable claim of Shultz Vogel Johnson Mortuary in the amount of \$1,500.00 for county burial and order checks drawn on the various funds as follows:

GENERAL FUND - A to Z Vac-N-Sew, supplies, 9.95; Ameritas Life NE Group Acct, ret-co shr, 5687.69; Appera, towel service, 26.43; B & A's Welding, supplies, 83.85; Kim Bearnes, lodging meals etc, 961.92; Black Hills Energy, utilities, 160.65; Blue Cross Blue Shield, ins-co shr, 32229.48; CLS Veterinary PC, services, 89.50; Constellation NewEnergy Gas, utilities, 421.35; Cornhusker Auto Center, services, 170.37; Courtesy Ford-Lincoln Mercury, services, 53.66; Dell Marketing LP, parts, 47.00; Deluxe Business Forms/Supplies, supplies, 87.38; Martha Detlefsen, prior service etc, 72.00; Donna Dixon, prior service, 57.70; Douglas County Health Center, services, 250.00; Eakes Office Products Inc, supplies, 790.92; Emmett's Foodtown, supplies, 10.48; Environmental Systems Research Inst, services, 400.00; Ewalt Law Office PC LLO, services, 2100.00; Farmers Cooperative, fuel, 2362.92; First Concord Benefits Group, flex fees, 271.00; Ann Flood, mental health brd, 50.00; Floor Maintenance & Supply Co, supplies, 46.72; Daniel Fullner, mental health brd, 75.00; Gene's Roadrunner (See Store LLC), fuel, 582.14; Carolyn J Glaser, mileage, 14.69; Hampton Inn, lodging, 347.80; Hankins Plumbing & Heating, services, 41.50; IRS USA Tax Pymt, so sec tax-co shr, 6066.17; Jack's Uniform & Equipment, supplies, 169.84; Jerry's Sinclair, repairs etc, 12.68; W Bert Lampli, office allowance, 735.42; Luedeke Oil Co Inc, fuel, 551.51; Madison National Life, ins-co shr, 2.67; Marathon Press Inc, supplies, 15.00; Anthony D McPhillips, mileage, 78.53; Judene K Mewis, prior service, 69.24; Mid American Benefits Inc, hra fees, 352.00; Midwest Special Services Inc, services, 643.95; MIPS Inc, computer support etc, 2368.50; Gilbert Morfeld, prior service, 23.08; Morrow Davies & Toelle PC, services, 7800.00; Nebraska Assoc Co Officials, supplies, 17.00; NACO Planning & Zoning, dues etc, 30.00; NE Nebraska Assoc Co Officials, dues etc, 180.00; NE Nebraska Juvenile Service Inc, annual assessment, 8678.55; Nebraska Public Health Environment Lab, testing, 196.00; Nebraska Health & Human Services, patient care, 93.00; Lavern R Newkirk, prior service, 17.00; Norfolk Sporting Goods, supplies, 28.50; Pierce County Sheriff Dept, boarding, 2500.00; Platte County Detention Facility, boarding, 250.00; Prime Sanitation Service, trash removal, 39.75; Rita Roenfeldt, prior service, 20.00; Marjorie Schaffer, mental health brd, 66.95; William Schellendba Prime Align, services, 408.81; Nancy Schramm, mental health brd, 83.90; Shultz Vogel Johnson Mortuary, county burial, 1500.00; Edward J. Sokol, prior service, 115.40; Stanton County Clerk, postage, 3.70; Stanton County Court, fees, 151.00; Stanton County District Court, fees, 175.00; Stanton County Imprest Acct, fees, 19.00; Stanton County PPD, utilities, 1691.69; Stanton Hardware Hank, supplies, 122.82; Stanton Printing, printing, 743.64; Stanton Telecom Inc, services, 1377.16; Stanton Water & Sewer, services, 119.94; TeecoInc, supplies, 101.50; Telebeep Wireless, services, 111.80; Mike Unger Co Shf, mental health brd, 35.00; UNL IS Comm Center, services, 49.28; US Cellular, services, 136.57; Village Flower Shop, supplies, 65.00; Western Office Technologies, supplies, 1667.78; Wolfs Den, meals, 22.00; Cheryl M Wolverson, mileage, 13.56; Sandra Zoubek Co-Treas, supplies, 44.28;

COUNTY ROAD FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 2562.75; Atco International, chemicals etc, 1759.42; B' Enterprises Inc, signs etc, 1000.00; Bauer Built, equipment, 347.10; Black Hills Energy, utilities, 79.09; Blue Cross Blue Shield, ins-co shr, 20704.80; Bomgaars, supplies, 111.21; California Contractors Supplies Inc, supplies, 718.32; Caterpillar Financial Svs Corp, lease pymt, 2345.90; Century Link, services, 46.76; Janice Coates, prior service, 17.00; Constellation NewEnergy Gas, services, 210.05; Cornhusker International Trucks Inc, supplies, 310.12; Kathy Dahlkoetter, lodging, 50.85; Doernemann Farm Service Inc, repairs etc, 876.49; Elkhorn Valley Sand & Gravel, supplies, 8090.20; Farmers Cooperative, fuel etc, 12416.48; Farmers Union Coop Supply Co, chemicals, 464.27; IRS USA Tax Pymt, so sec tax-co shr, 2868.96; Island Supply Welding Co, supplies, 127.08; IZARD Land & Cattle LLC, hauling, 1225.00; John Deere Financial, supplies, 21.16; Kayton International Inc, equip repair, 598.78; Kelly Supply, supplies, 190.35; Kimball Midwest, supplies, 247.46; Kuehn's Auto Body Inc, repairs, 26.98; Luedeke Oil Co Inc, fuel etc, 5221.42; Mainelli Wagner & Associates Inc, eng services etc, 9646.81; Martin Marietta Materials, gravel etc, 6761.65; McWilliams Transport LLC, hauling, 375.00; Medical Enterprises Inc, fees, 31.00; Menards, supplies, 59.91; Merchants Capital Resources Inc, lease payment, 3244.98; Midwest Service & Sales Co, supplies signs etc, 4678.34; NE Nebraska Assoc Co Officials, reg fees, 20.00; NMC Exchange LLC, parts repairs etc, 23293.30; Norfolk Transmission & Muffler, parts repairs, 190.72; Jim Ohlund, road maintenance, 210.00; S&S Willers Inc, gravel, 11886.72; William Schellendba Prime Align, services, 47.00; Prime Sanitation Services, trash removal, 44.00; Quality Transmission, parts repairs, 733.60; RF Machine Works, repairs, 25.00; Ridge Road Repair LLC, repairs, 1396.17; Ron's Ag & Auto Repair, repairs, 255.53; Reuter's Red Power, supplies, 160.86; Sioux City Truck Sales Inc, repairs supplies, 1179.60; Stanton Auto Parts, parts, 123.40; Stanton County PPD, utilities, 1052.52; Stanton Hardware Hank, supplies etc, 1204.87; Stanton Printing, publishing, 62.40; Stanton Telecom Inc, services, 242.63; Stanton Water & Sewer, services, 38.50; Stern Oil Co Inc, supplies, 1109.00; Teeco Inc, supplies, 17.85; Tube City IMS LLC, slag, 313.90; US Cellular, services, 119.67; Vic's Engine Service, repairs, 101.51; Village of Pilger, services, 81.04; Elsworth Voelker, prior service, 13.00; Jerry Weatherholt, telereimb, 30.00; Western Office Technologies, supplies, 46.47;

EMERGENCY MANAGEMENT FUND - Ameritas Life Nebraska Group Acct, ret-co shr, 6.08; Farmers Cooperative, fuel etc, 95.49; Sanford Goshorn, utilities, 12.00; IRS USA Tax Pymt, so sec tax-co shr, 6.89; Stanton Auto Parts, battery, 117.00; Stanton Hardware Hank, supplies, 17.18;

INHERITANCE TAX FUND - Stanton County PPD, tower, 154.36;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5306.29; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$118,900.49.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Sandy Zoubek re-joined the meeting to answer questions on highway allocation funds and the receipts for property tax relief.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for March 18, 2013 at 8:15 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

BOARD OF EQUALIZATION PROCEEDINGS - January 22, 2013

A meeting of the Board of Equalization of Stanton County, Nebraska, was held in the open and public session on January 22, 2013 at 8:00 A.M. in the County Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Equalization. Wanda Heermann, County Clerk and Cheryl Wolverton, County Assessor were also present.

Advance notice of the meeting was given by publication in the Stanton Register on January 16, 2013, a copy of the proof of publication being attached to these minutes.

Notice of the meeting was given in advance to the Board members, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meeting was called to order at 8:05 A.M. by Chairman Weatherholt, who announced that the open meetings laws are posted on the wall in the Commissioner's room and a copy may be obtained from the County clerk's office upon request.

Motion made by Gutshall, seconded by Kment to approve the agenda.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to approve the minutes of December 17, 2012 meeting.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

Mark Walker and Roger Langenberg appeared on behalf of the Peace United Church of Christ, concerning the review of a Statement of Reaffirmation of Tax Exemption. Cheryl Wolverton, County Assessor, informed the Board that there is a question of usage of the parsonage building. A discussion was held with a decision to be made at a later date.

The County Assessor presented the correction sheets for the month. She explained the reason for corrections.

Motion made by Kment, seconded by Gutshall to approve and authorize the Chairman to sign the correction sheets numbering 3966 – 3968 inclusive, and place them on file.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

Re-organization meeting was held in open session by law and as per Statute.

Nominations opened for Chairman of the Board.

Motion made by Kment, seconded by Gutshall to nominate Jerry Weatherholt for Chairman, that nominations cease and Jerry Weatherholt be elected Chairman by affirmation.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nayas: None. Motion Carried.

Nominations opened for Vice Chairman.

Motion made by Weatherholt, seconded by Gutshall to nominate Dennis Kment for Vice Chairman, that nominations cease and Dennis Kment be elected by affirmation.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nayas: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to adjourn and set the next meeting for February 19, 2013 at 8:00 A.M.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nayas: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

[Unofficial Record of Commissioner Proceedings – Official Record on file in County Clerk's Office.]

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COMMISSIONER'S PROCEEDINGS – January 22, 2013

A meeting of the Board of Commissioners of Stanton County, Nebraska, was held in the open and public session on January 22, 2013, at 8:15 A.M. in the Commissioner's room in Stanton, Nebraska.

Present upon roll call were: David Gutshall, Dennis Kment and Jerry Weatherholt, Board of Commissioners. Wanda Heermann, County Clerk was also present.

Notice of the meetings was given in advance thereof by publication in the Stanton Register, January 16, 2013, a copy of the proof of publication is attached to these minutes.

Notice of the meeting was given in advance to the Commissioners, a copy of their acknowledgement of the receipt of notice and the agenda being attached to these minutes.

All proceedings hereinafter shown were taken while the convened meeting was open to the attendance of the public.

The meetings was called to order at 8:35 A.M. by chairman Weatherholt who announced that the open meetings laws are posed on the wall in the Commissioner's room and a copy may be obtained from the County clerk's office upon request.

Motion made by Kment, seconded by Weatherholt to approve the agenda.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nayas:None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to approve the minutes of December 17, 2012 meeting.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Re-organization meeting was held in open session by law and as per Statute.

Nominations opened for Chairman of the Board.

Motion made by Gutshall, seconded by Kment to nominate Jerry Weatherholt for Chairman, that nominations cease and Jerry Weatherholt be elected Chairman by affirmation.

Voting: Ayes: Gutshall and Kment. Nays: None. Abstain: Weatherholt. Motion Carried.

Nominations opened for Vice Chairman.

Motion made by Gutshall, seconded by Weatherholt to nominate Dennis Kment for vice Chairman, that nominations cease and Dennis Kment be elected by affirmation.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Lee Larson joined meeting to discuss a road located on 562 Ave between Hwy 32 and 826 Rd in Dimick Precinct. Commissioners stated they would add the study of the road to the One and Six Year Road plan.

Committee appointments were discussed.

Motion made by Kment, seconded by Weatherholt to approve appointments to various positions as follows:

County Health Depart Board – Dennis Kment
County Health Dept board – Amber Amick, County Representative
DOT Regulations for Drug Free Workplace Supervisor – Jerry Weatherholt
Emergency Planning Committee, local – Sanford Goshorn and LaLene Bates
Golden Rod Hills Community Services – Jerry Weatherholt
NE Nebraska Area Agency on Aging Representative – Dennis Kment
NE Nebraska Dept Economic Development Representative – David Gutshall
NE Nebraska Dept Economic Development Representative – William Johnson, non-elected
NE Nebraska Juvenile Services Board – Dennis Kment
NE Nebraska Juvenile Services Board alternate – Mike Unger
Northstar Board – David Gutshall
RC&D Board Representative – David Gutshall; alternates – Dennis Kment and Jerry Weatherholt
Region IV Mental Health Board – Jerry Weatherholt
Safety Committee – Jerry Weatherholt

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made Kment, seconded by Gutshall to approve the following Resolution:

RESOLUTION #2013.01 – 001:

BE IT RESOLVED, by the Board of Commissioners of Stanton County, Nebraska that:

- 1) Jerry Weatherholt is hereby appointed as the representative of the County of Stanton, Nebraska, to the Northeast Nebraska Solid Waste Coalition Board of Directors, and in the event of the absence of Jerry Weatherholt, then David Gutshall shall be declared as the alternate representative to the Board and shall act and vote on behalf of the County of Stanton, Nebraska.
- 2) That Jerry Weatherholt shall serve as the County of Stanton's representative to the Northeast Nebraska Solid Waste Coalition Board of Directors until his resignation from the Board of Directors or until his successor is appointed by resolution of the County Board of Commissioners, whichever shall occur first.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Kment to approve the following Resolution:

RESOLUTION #2013.01 – 002:

BE IT RESOLVED, by the Board of Commissioners of Stanton County, Nebraska that:

- 1) Gary Svitak is hereby appointed as the representative for Maple Creek Township, Stanton County, Nebraska, to the Northeast Nebraska Solid Waste Coalition Board of Directors.
- 2) That Gary Svitak shall serve at the pleasure of the Stanton County Board of Commissioners, as the representative from Maple Creek Township to the Northeast Nebraska Solid Waste Coalition

Board of Directors until his resignation from the Board of Directors or until his successor is appointed by the resolution of the County Board of Commissioners, whichever shall occur first.

Voting: Ayes: Weatherholt, Kment and Gutshall. Nays: None. Motion Carried.

Motion made by Kment, seconded by Weatherholt to appoint John Goeller as county representative to the Northeast Nebraska Area Agency on Aging Advisory Board for a three (3) year term.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The applications for County Depository Banks were reviewed. A Statement of Disclosure was given by Dennis Kment regarding the employment of his son, David Kment, at Stanton State Bank.

Motion made by Gutshall, seconded by Weatherholt to approve the following Resolution:

RESOLUTION #2013.01 – 003:

BE IT RESOLVED, that the written applications for the designation as County Depositories of the County funds, as filed by the following named banks for the year ending December 31, 2013, coming on for consideration, and the County Board being fully advised, hereby accepts and approves the applications and hereby authorizes the deposit of County funds in the following banks, designated as County Depositories of the County funds for the term beginning January 1, 2013 and ending December 31, 2013.

First Nebraska Bank, Stanton, Nebraska
 BankFirst, Norfolk, Nebraska
 Stanton State Bank, Stanton, Nebraska
 Midwest Bank, Pilger, Nebraska
 NPAIT – Trust Account

up to, but not exceeding the amount of the paid capital stock and surplus of said banks, respectively, upon the qualification by said banks, or any or all of them by furnishing of sufficient securities, and the approval of the same by the Board of Commissioners of Stanton County, Nebraska, as provided by Sec. 77-2318, of the Revised Statutes of Nebraska, Reissue 2009.

AND, BE IT FURTHER RESOLVED, that the furnishing of the following securities in lieu of bonds by each of the foregoing named banks are hereby accepted as follows:

First Nebraska Bank, Stanton, Nebraska –	FH Gov Agency #313370NE4	500,000.00
	FH Gov Agency #3133735MO	500,000.00
		Total 1,000,000.00
	FH Gov Agency #313373Q47 (Co Clerk)	500,000.00
BankFirst, Norfolk, Nebraska –	Otoe Co Gov #68905FDE6	125,000.00
	FNMA #31398A6D9	250,000.00
	Bellevue NE Gov #079212M60	70,000.00
		Total 445,000.00
Stanton State Bank, Stanton, Nebraska –	US Treas Notes #912828PE4	100,000.00
	FHLB Cons Bd #3133XWX95	200,000.00
	FHLB Cons Bd #3133XJW38	100,000.00
	Fed Home Loan Banks #3133XTEG7	100,000.00
	Fed Home Loan Banks #3133XNSL9	100,000.00
	Fed Home Loan Banks #3133XGJ96	170,000.00
		Total 770,000.00
Midwest Bank NA, Pilger, Nebraska –	Papillion NE Mun FACS Corp Rev QTEO #698864DZ5	174,891.79
	York Area NE Solid Waste Agy Rev QTEO #986243CJ0	310,000.00
	Cuming Co NE SD 0030 Go QTEO #23088RBQ9	110,000.00
	Bennington NE Go QTEO #082243EU6	100,000.00
	Douglas Co NE SID Go QTEO #259288DF2	450,000.00
	Beatrice NE Combined Utils Rev QTEO #074122DE9	125,000.00
	Douglas Co NE SID Go QTEO #259288DG0	550,000.00
	Douglas Co NE SID #455 Go #25928XAN3	100,000.00
	Dodge Co NE SD #594 SchBldg Go QTEO #256444AS9	432,157.74
	GNMA II #82815 ARM #36225FDV8	2,202,663.41
		Total 4,554,712.94

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

The Board reviewed the letter received from Larry Dix, executive director of NACO, regarding the continuing education requirements for County Weed Control Superintendents. A discussion was held on the qualifications for hiring a part-time Weed Superintendent upon the retirement of Lloyd Molacek on March 1, 2013.

The Special Designated Liquor License applications received from Taylor Creek Golf Club – Kevin Signor for the Midwest Bikefest and 6th Annual SIDS Benefit Poker Run to be held on May 31-June 1, 2013 and the Stomping at the Ranch event to be held on August 21, 2013 were reviewed. No one was present to object to the issuance of the licenses. Kirk Van Pelt joined the meeting to answer any questions and concerns. The sheriff's office has no objection to the licenses, but does require a list of all security personnel that will be working.

Motion made by Gutshall, seconded by Weatherholt to approve the applications for Special Designated Liquor Licenses for Taylor Creek Golf Club – Kevin Signor for the Midwest Bikefest and 6th Annual SIDS Benefit Poker Run to be held on May 31 – June 1, 2013 and the Stomping at the Ranch event to be held on August 21, 2013.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

LaLene Bates, Planning and Zoning Administrator, joined the meeting.

The chairman opened the hearing for the Mixed Use Development application of Don Novotny to replat Eagle Ridge Subdivision First Addition in part of the SW 9-23-1. Don and Janiece Novotny were present for the hearing. Discussion was held on moving the road entrance to the top of the hill. LaLene discussed concerns and issues as to replatting, vacating or combining the subdivision.

Motion made by Kment, seconded by Gutshall to close the hearing.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the Mixed Use Development application of Don Novotny to replat Eagle Ridge Subdivision First Addition in part of the SW 9-23-1, as per the Planning Commission recommendations and with stipulation to combine Eagle Ridge Subdivision with another proposed subdivision.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

LaLene reported that Ken Shriver, Russell Kumm and Doug Oertwich were due for re-appointment to the Planning Commission.

Motion made by Weatherholt, seconded by Gutshall to re-appoint Ken Shriver, Russell Kumm and Doug Oertwich to a three (3) year term on the Planning Commission Board.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Hearing on Conditional use Permit for Ryan Dunklau continued until February 19, 2013.

Motion made by Gutshall, seconded by Weatherholt to approve the Lot Split application of Arlene Cisler to split land in SE NE 17-24-1, as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the Lot Split application of Richard Berkheimer to split land in S½ SW and S½ SE in 9-23-1, as per Planning Commission recommendations.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion carried.

LaLene presented a request for Centerline data shapefiles from NAVTEQ. The data would be used as a reference layer to help update pre-existing NAVTEQ maps for road geometry, street names, addresses and navigational features.

Motion made by Kment, seconded by Gutshall to authorize the chairman to sign the Data Release Authorization Form with NAVTEQ.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Data Release Authorization Form

Stanton County (hereinafter "Owner") gives GeoComm permission to release the GIS road centerline data maintained by GeoComm to NAVTEQ BV (hereinafter NAVTEQ).

NAVTEQ understands that this data is a duplicate of the Owner's road centerline provided without modification.

The Owner and NAVTEQ agree that GeoComm will provide the data via an upload to a secure FTP site.

This is a "one-time" only data release approval. All subsequent requests for the GIS road centerline data will require new authorization from the Owner.

Owner not be responsible for any fees incurred from this data release.

Limitations and restrictions of the use of data by NAVTEQ is strictly between the Owner and NAVTEQ. GeoComm assumes no responsibility for the use of the data by NAVTEQ.

Owner: Stanton County, State Nebraska

Authorized by: /s/ Jerry Weatherholt, Chairman, board of Commissioners

Date: January 22, 2013

NAVTEQ BV
Data Use Terms

It is mutually understood that NAVTEQ BV (NAVTEQ) shall not use or distribute any portion of the Stanton County (hereinafter "Provider") data that contains property valuations or personally identifiable information.

Provider does not warrant that the data is free of any inaccuracies or errors.

NAVTEQ BV and its parent company and affiliates (collectively, "NAVTEQ") shall be allowed to use, integrate, extract and/or modify the data for the following purposes:

- 1) as a reference source;
- 2) to validate data contained in NAVTEQ's digital map and/or POI database products (e.g., through a geocoding tool);
- 3) to enhance NAVTEQ's digital map and/or POI database products in the following manner:
 - a. improving the accuracy of existing data;
 - b. improving the quality of existing attributes (e.g., address ranges); and/or
 - c. inclusion of additional attributes or features contained in or derived from the Provider's data (e.g., centerlines, point address attributes).
- 4) to create value-added products and services containing all or any portion of the Provider's data and information derived from the Provider's data.

NAVTEQ may exercise such rights through its third-party contractors. Provider acknowledges that NAVTEQ shall not be required to extract the Provider's data from the databases, products and/or services of NAVTEQ after portions of the Provider's data have been incorporated therein and agrees that NAVTEQ can freely license and distribute such database products and other stand-alone products and services (which may include all or any portion of the Provider's data) to third parties in perpetuity. The Provider agrees that NAVTEQ shall not be required to include any attribution, disclaimers or other notices specific to the provider in connection with the databases, products and/or services of NAVTEQ.

Motion made by Kment, seconded by Gutshall to approve the designation of the Stanton County website as a means of publication of legal notices or other announcements.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

Motion made by Gutshall, seconded by Kment to approve the following Resolution:

RESOLUTION #2013.01 – 004:

BE IT HEREBY RESOLVED by the Board of Commissioners of Stanton County, Nebraska that the Stanton County Treasurer is hereby authorized to transfer funds in the amount of \$341,561.73 from the General fund to the County road Fund.

AND, ALSO, BE IT HEREBY RESOLVED, that the Stanton County Treasurer is hereby authorized to transfer funds in the amount of \$100,000.00 from the General fund to the Inheritance Tax Fund.

AND, that the same is hereby approved.

Dated this 22nd day of January, 2013.

/s/ Jerry Weatherholt, Chairman

Attest: /s/ Wanda Heermann, County Clerk (seal)

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Robert Spriek, William Johnson and Anthony McPhillips joined the meeting. Mr. Spriek introduced Anthony McPhillips to the Board of Commissioners as the new Veteran's Service Officer. Discussion was held with Mr. McPhillips on qualifications and requirements for the position. A monthly salary of \$2,978.00 was discussed. Mr. Johnson gave his recommendation to the Board of Commissioners to approve Anthony McPhillips as the new Veteran's Service Officer.

Motion made by Gutshall, seconded by Kment to appoint Anthony McPhillips as the new Veteran's Service Officer with a monthly salary of \$2,978.00 beginning January, 2013.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

The Board reviewed a letter received from the Stanton County Veterans Service Board recommending the appointment of Stephen Bentz to fill the vacancy on the Veterans Service Board due to the resignation of Joseph Mandl.

Motion made by Kment, second by Weatherholt to approve the appointment of Stephen Bentz to the Stanton County Veterans Board.

Voting: Ayes: Kment, Weatherholt and Gutshall. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to re-appoint Sanford Goshorn as Emergency Manager, Kathy Dahlkoetter as Highway Superintendent and LaLene Bates as Planning and Zoning Commissioner for the year 2013.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

The Board of Commissioners wish to meet with members of the County Extension Board to discuss budgets and other issues at the February 19, 2013 board meeting.

Sandra Zoubek, County Treasurer, joined the meeting for the Treasurer's Semi-annual report for July – December, 2012. The report figures were reviewed and verified by the Treasurer and Board member.

Motion made by Gutshall, seconded by Kment to approve the following Resolution:

RESOLUTION #2013.01 – 005:

BE IT RESOLVED, that the Board proceeded with and completed settlement with the County Treasurer for the six (6) months ending December 31, 2012 and found that all receipts and disbursements were properly accounted for as per statement on file at the County Clerk's office.

Voting: Ayes: Gutshall, Kment and Weatherholt. Nays: None. Motion Carried.

Cheryl Wolverton re-joined the meeting. She presented a proposed Interlocal Agreement between the County and the Lower Elkhorn Natural Resources District for the commissioners to review. The agreement is for sharing information between the offices. No action needed at this time.

Mark Mainelli, Highway Consultant, joined the meeting.

A discussion was held on a letter received from the Dept of Roads regarding Project STP-24-6(102). A written statement from LaVern Schroeder, surveyor, stated there are no corners affected by construction on this project. Mr. Mainelli advised the board no action was needed.

Kathy Dahlkoetter, Highway Superintendent, joined the meeting.

Discussions were held on road and bridge projects for the One and Six Year Plan. The One and Six Year hearing will be held on February 19, 2013 at 11:00 A.M.

Motion made by Weatherholt, seconded by Gutshall to enter into executive session at 11:40 A.M. for a personnel issue.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

The Board came out of executive session at 11:46 A.M. and resumed the regular meeting.

Motion made by Gutshall, seconded by Weatherholt to approve the County Clerk fees for the month of December in the amount of \$3,727.55; Documentary Stamp Tax, co shr for the month of December in the amount of \$5,904.41; Game and Parks Agent fees for the month of December in the amount of \$22.00; Clerk of the District Court fees for the month of December in the amount of \$181.48; Passport fees for the month of December in the amount of \$225.00; County Treasurer's receipt of money received numbered 15699 – 15758, inclusive in the amount of \$152,408.33; County Sheriff's quarterly report for Oct – Dec; Veterans Service Officer quarterly report for Oct – Dec and place them on file.

Voting: Ayes: Gutshall, Weatherholt and Kment. Nays: None. Motion Carried.

Motion made by Weatherholt, seconded by Gutshall to approve the following Accounts Payable and Payroll claims, except to reject the accounts payable claim of Lloyd Molacek for meetings in the amount of \$900.00 because since the dissolution of the weed board no meetings were being held and order checks drawn on the various funds as follows:

GENERAL FUND - Mark Albin, atty, atty fees, 596.65; AmericInn, lodging, 854.55; Ameritas Life NE Group Acct, retcoshr, 5783.32; Appeara, towel service, 26.43; Atco International, ice melt pellets, 1880.00; LaLene Bates, meals

etc, 127.86; Black Hills Energy, utilities, 186.69; Blue Cross Blue Shield, ins co shr, 30947.37; Connecting Point Computers, services, 170.00; Constellation NewEnergy Gas, utilities, 518.03; Martha Detlefsen, meals etc, 43.30; Digital Ally Inc, services, 395.00; Eakes Office Products Inc, supplies, 395.46; Emmett's Foodtown, supplies, 14.76; Ewalt Law Office PC LLO, atty fees, 5649.15; Gene's Roadrunner (See Store LLC), fuel, 1275.11; Fairfield Inn & Suites, lodging, 94.95; Farm & Home Publishers, supplies, 672.50; Farmers Cooperative, fuel, 2147.61; First Concord Benefits Group, flex fees, 271.00; Floor Maintenance & Supply Co, supplies, 121.26; Hampton Inn, lodging, 284.85; Wanda Heermann, supplies, 35.32; IRS USA Tax Pymt, soc sec, 6172.02; David J. Jaskierny LLC, services, 940.00; Jefferson County Treasurer, dues, 75.00; Joe Watt Auto Sale Inc, supplies etc, 125.00; Johnson Morland&Easland PC, atty fees, 1106.52; Kirk's Custom Sports, supplies etc, 176.32; Dennis Kment, dues, 80.00; Kooi Communications Inc, services, 75.00; Kory KrutzdbaKruz Construction, services, 440.00; W Bert Lamml, office allowance, 735.42; VerlynLuebbeatty, atty fees, 302.19; Luedeke Oil Co Inc, fuel, 386.33; Madison County Sheriff, shf fees, 45.94; Madison National Life, ins co shr, 2.67; Maximus Inc, services, 1003.32; Mid-American Benefits Inc, hra fees, 22352.00; Midwest Special Services Inc, services, 874.80; MIPS Inc, computer support etc, 2650.75; Gilbert Morfeld, services etc, 2663.86; NE DOL/Boiler Inspection Program, services, 72.00; NE Nebraska Juvenile Service Inc, boarding, 312.50; Nebraska Public Health Environment Lab, testing, 196.00; Nebraska Assn Co Clketal, dues, 75.00; Nebraska Sheriffs Association, dues, 120.00; Nebraska Health & Human Services, patient care, 183.00; Lavern R Newkirk, prior service, 17.00; NPZA Secretary/Treasurer, dues, 195.00; Petersburg City Sheriff's Office, fees, 75.00; Pierce County Sheriff Dept, boarding, 1600.00; Prime Sanitation Service, trash removal, 39.75; Rath Sprinkler Systems, services, 140.00; Region IV Inc, services, 1874.50; Region 4 Behavioral Health System, services, 3042.50; Rita Roenfeldt, prior service, 20.00; Moore Wallace dba RR Donnelley, supplies, 55.02; Schultz Vogel Johnson Mortuary, services, 2068.00; Stamm Electric Inc, services, 488.71; Stanton Auto Parts, services, 122.15; Stanton County Clerk, postage, 11.72; Stanton County Court, fees, 370.00; Stanton County Imprest Acct, direct deposit fees, 19.50; Stanton County Public Power Dist, utilities, 1478.32; Stanton Hardware Hank, supplies, 166.14; Stanton Printing, printing, 367.29; Stanton State Bank, fees, 40.00; Stanton Telecom Inc, services etc, 1384.52; Stanton Water & Sewer, services, 264.06; Teecolnc, supplies, 87.45; Telebeep Wireless, services, 111.80; Thomson West/West Payment Center, law books, 288.75; Mike Unger Co Shf, shf fees, 2.00; UNL IS Comm Center, services, 49.28; US Cellular, services, 136.45; Card Services, meals, 23.20; Washington Hilton, lodging etc, 1048.82; Western Office Technologies, supplies, 918.94; Jerry Weatherholt, dues, 80.00; Wisner News Chronicle, printing, 20.85; Wolfs Den, meals, 7.35; Zee Medical Service Co, medical supplies, 35.70; Sandra Zoubek Co-Treas, sales tax, 69.45;

COUNTY ROAD FUND - Ag & Industrial Equipment, supplies, 96.50; AmericInn, lodging, 189.90; Ameritas Life Nebraska Group Acct, ret co shr, 2837.31; Appera, towel service, 61.40; Atco International, chemicals, 150.00; Bs Enterprises Inc, signs etc, 1320.00; B & As Welding, steel, 4.90; Black Hills Energy, utilities, 92.34; Blue Cross Blue Shield, ins co shr, 20704.80; Bomgaars, supplies etc, 213.01; Caterpillar Financial Svs Corp, lease payment, 2345.90; Century Link, services, 46.83; Clarkson Plumbing & Heating Inc, supplies, 26.95; Janice Coates, prior service, 17.00; Constellation NewEnergy Gas, services, 273.51; Cornhusker International Trucks Inc, supplies, 21.62; Kathy Dahlkoetter, lodging, 186.48; Delbert Davidson, prior service, 80.78; Doernemann Farm Service Inc, repairs etc, 576.22; Eastern Nebraska Trailer Repair Inc, repairs, 132.20; Elkhorn Valley Sand & Gravel, gravel etc, 2240.48; Emmett's Foodtown, supplies, 25.11; Engelhardt TV & Communications Inc, repairs, 508.50; ReynoldErbst, prior service, 80.78; Farmers Cooperative, fuels etc, 18482.00; Farmers Union Coop Supply Co, chemicals, 579.65; Fastenal Company, supplies, 77.12; Hoskins Manufacturing Co Inc, repairs, 495.41; IRS USA Tax Pymt, soc sec co shr, 3180.17; Island Supply Welding Co, supplies, 196.50; Kayton International Inc, chemicals etc, 5484.50; Kelly Supply, supplies, 34.36; Kimball Midwest, chemicals, 126.45; Luedeke Oil Co Inc, fuel etc, 7060.73; Mainelli Wagner & Associates Inc, engservetc, 9536.00; Martin Marietta Materials, gravel etc, 763.96; Matteo Sand & Gravel Co Inc, street services, 810.19; Menards, supplies, 4.09; Merchants Capital Resources Inc, lease payment, 3244.98; Midwest Service & Sales Co, supplies etc, 1872.12; NMC Exchange LLC, supplies, 256.15; Nelson and Rock Contracting Inc, bridges, 37754.85; Jim Ohlund, road maintenance, 336.00; Overhead Door Co, repairs, 76.00; Platte County Hwy Dept, supplies etc, 3094.00; Prime Sanitation Service, trash removal, 44.00; Gordon Reese, prior service, 46.16; Road Builders Machinery & Supply Co, repairs, 4024.39; Ron's Ag & Auto Repair, repairs, 503.50; S & S WillersInc, gravel, 2223.24; Sioux City Truck Sales Inc, repairs, 594.99; Stanton Auto Parts, supplies etc, 61.94; Stanton County Clerk, ROW fees, 15.50; Stanton County Public Power Dist, utilities, 579.00; Stanton Hardware Hank, supplies etc, 205.50; Stanton Printing, advertisement, 61.29; Stanton Telecom Inc, services, 248.43; Stanton Water & Sewer, services, 38.50; Teecolnc, supplies, 17.50; Deon Tiedtke, road maintenance, 217.00; US Cellular, services, 120.99; Village of Pilger, utilities, 81.10; ElsworthVoelker, prior service, 13.00; Jerry Weatherholt, phone, 30.00; Western Office Technologies, supplies, 144.36;

EMERGENCY MANAGEMENT FUND - Ameritas Life Nebraska Group Acct, ret co shr, 8.10; Farmers Cooperative, fuel etc, 339.52; Sanford Goshorn, meals etc, 53.41; IRS USA Tax Pymt, soc sec co shr, 9.18; Luedeke Oil Co Inc, repairs etc, 241.71; Stanton Auto Parts, repairs etc, 23.25; Western Office Technologies, supplies, 18.67;

VETERANS AID FUND - Veterans Aid Commission, emergency aid, 500.00;

INHERITANCE TAX FUND - Stanton County Public Power Dist, tower, 152.75;

EMERGENCY 911 FUND - City of Norfolk, dispatching, 5306.29; J Vernon Davidson, tower rent, 120.00; Stanton Telecom Inc, services, 73.23;

Total aggregate salaries of all county employees \$124,381.95.

Voting: Ayes: Weatherholt, Gutshall and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Gutshall to adjourn and set the next meeting for February 19, 2013 at 8:15 A.M.

Voting: Ayes: Kment, Gutshall and Weatherholt. Nays: None. Motion Carried.

/s/ Jerry Weatherholt, Chairman, Board of Commissioners, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk