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**BOARD OF EQUALIZATION PROCEEDINGS – November 15, 2021**

(edited – official proceedings on file Clerk’s office)

A meeting of the Board of Equalization of Stanton County, Nebraska was held in the open and public session on November 15, 2021, at 8:00 AM in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: Douglas Huttman, Dennis Kment and Duane Rehak, Board of Equalization. Wanda Heermann, County Clerk and Deb Hoehne, County Assessor office assistant, were also present.

Advance notice of the meeting was given by publication in the Stanton Register on November 3, 2021, 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 AM by Chairman Kment, who announced that the open meetings act is 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 Huttman, seconded by Rehak to approve the agenda. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve the minutes of October 12, 2021 and October 18, 2021, meetings. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Deb Hoehne, office assistant for the county assessor, presented and explained the correction sheet for the month.

Motion made by Rehak, seconded by Huttman to approve and authorize the chairman to sign the correction sheet numbered 2021-20 and place it on file. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

There were no listings of clerical errors needing approval.

Motion made by Rehak, seconded by Huttman to adjourn and set the next meeting for December 20, 2021, at 8:00 AM. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

/s/ Dennis Kment, Chairman, Board of Equalization, Stanton County, Nebraska

Attest: /s/ Wanda Heermann, County Clerk

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**COMMISSIONER’S PROCEEDINGS – November 15, 2021**

(edited – official proceedings on file Clerk’s office)

A meeting of the Board of Commissioners of Stanton County, Nebraska was held in the open and public session on November 15, 2021, at 8:15 AM in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: Douglas Huttman, Dennis Kment and Duane Rehak, 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 3, 2021, 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 AM by Chairman Kment, who announced that the open meetings act is 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 Huttman, seconded by Rehak to approve the agenda. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Huttman to approve the minutes of October 12, 2021 and October 18, 2021, meetings. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file: Candace Meredith, NACO – 2020-21 NACO Audit Report; Martin Marietta – pricing sheet year 2022; Brianna Duerst, Norfolk City Clerk – potential joint meeting; NE Nebraska Solid Waste Coalition; NIRMA – NIRMA Safety Shorts Vol. 9 No. 11; NIRMA – NIRMA Annual Meeting Dividend Distribution.

Bill Fenton appeared before the board to discuss the road conditions and maintenance in his area. Discussed were gravel application, mowing of ditches, road grading techniques and complaint of ruts in intersections. The board thanked Mr. Fenton for his comments and expressing his concerns.

Howard Hansen appeared before the board to discuss the possibility of reshaping 830½ Rd at Hwy 57 located in section 21-22-2. Discussion held with the board. No action taken by the board.

The board reviewed the approved Legislature District Boundary map for Stanton County, new Stanton County Voting Precincts Map and the proposed Stanton County Commissioners District Map. Due to the adjustment of the Legislature District boundaries Stanton County will now be represented by Senator Ben Hansen (District 16) and Senator Mike Moser (District 22). Senator Mike Flood (District 19) will no longer represent Stanton County. With the adjustment of the legislature boundaries the voting precincts were combined and redrawn to coincide with the new legislature boundary line. Discussion held on the need to readjust the commissioner district boundaries to coincide with the new voting precincts and the 2020 census statistics. As required by NRS 23-151 new commissioner district boundaries were redrawn by moving Dimick Township 21, Range 1 into Commissioner District 3 and moving Stanton Township 23, Range 2, Sections Pt 20, 21, 22, 23, and 24 into Commissioner District 2 to equal population as determined by the recent census (within 5% deviation).

Motion made by Huttman, seconded by Rehak to approve Resolution 2021.11-37 to redistrict the County Commissioner Districts as per NRS 23-151 (maps available in Clerk's office). Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion carried.

Motion made by Huttman, seconded by Rehak to approve Resolution 2021.11-34 to add and release pledged security. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

W. Bert Lamli, County Attorney, joined the meeting.

Discussion held on the document received from the NE Nebraska Economic Development District in regard to updates to procurement requirements as it relates to development districts. Changes outlined in the Community Development Block Grant (CDBG) manual now states that the interlocal agreement must specifically address the issue of CDBG administration. Due to the changes in the CDBG requirements, the NE Nebraska Economic Development District is asking its members to approve the updated Interlocal Agreement with "including CDBG administration" at the end of the last paragraph on page one. Resolution and document reviewed by the board and county attorney.

Motion made by Rehak, seconded by Huttman to approve and authorize the chairman to sign the Resolution 2021.11-35 authorizing participation. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried. [copy Interlocal Cooperation Agreement file in County Clerk's office]

Discussion held on the letter received from the Nebraska Attorney General regarding two legal settlements recently entered into by the Attorney General against a manufacturer and several distributors of prescription opioid drugs. Both settlement agreements involve distributions of money on an annual basis to both a state fund and allow direct distributions of money on an annual basis to certain political subdivisions. The letter received was notice that Stanton County is eligible to receive its direct share and be eligible to receive additional funding from the state's Opioid

Recovery Fund if elects to sign on to these settlement agreements. The county has three options, one of which must be exercised by December 31, 2021: 1) Sign on to both agreements and make the county eligible to receive its direct share and potentially receive additional funds from Nebraska's Opioid Recovery Fund; 2) Sign on to both agreements but elect to contribute the county's direct share to Nebraska's Opioid Recovery Fund for use within the county Behavioral Health Region; and 3) Elect not to sign on to these agreements and forego both the county's direct share and forego distributions from Nebraska's Opioid Recovery Fund to the county. Decision tabled until December 20, 2021 meeting.

Discussion held on the information received from Jon Cannon, NACO Directory, regarding the Senate passage of the State, Local, Tribal and Territorial Fiscal Recovery, Infrastructure, and Disaster Relief flexibility Act (S.3011) which would provide additional flexibility for the \$65.1 billion in county aid under the Coronavirus State and Local Fiscal Recovery Fund authorized under the American Rescue Plan Act (ARPA). Companion legislation was introduced in the US House of Representatives (bill no. H.R.5735). The National Association of Counties (NACo) has drafted a letter to communicate with our congressman to urge them to pass the bill. Consensus of the board is to draft a letter and send to Jeff Fortenberry, US House of Representatives to urge him to vote "yes" on H.R.5735.

LaLene Bates, Planning and Zoning Administrator, and Mark Mainelli, Highway Superintendent, joined the meeting.

The chairman opened the hearing at 10:10 AM on the Conditional Use Permit application of Shirley Hamernik/Thomas, Michael and Charles Hamernik for a cabin on property located in the SW 16-21-3. No one appeared for the hearing. LaLene explained the application and reviewed the planning commission recommendations with the board.

Motion made by Rehak, seconded by Huttmann to close the hearing. Voting: Ayes: Rehak, Huttmann and Kment. Nays: None. Motion Carried.

Motion made by Rehak, seconded by Huttmann to approve the Conditional Use Permit application of Shirley Hamernik/Thomas, Michael and Charles Hamernik for a cabin on property located in the SW 16-21-3, as per Planning Commission recommendations. Voting: Ayes: Rehak, Huttmann and Kment. Nays: None. Motion Carried.

The chairman opened the hearing at 10:15 AM on the Conditional Use Permit application of Eric Pavlik for a cabin on property located in Pt SW 36-23-1. No one appeared for the hearing. LaLene explained the application and reviewed the planning commission recommendations with the board.

Motion made by Huttmann, seconded by Rehak to close the hearing. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttmann, seconded by Rehak to approve the Conditional Use Permit application of Eric Pavlik for a cabin on property located in Pt SW 36-23-1, as per Planning Commission recommendations. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

LaLene advised the board of an update received on the Heppner RUP application previously approved. Also discussed was rumored proposed annexation of Stanton County into the City of Norfolk. Stanton County has received no official request of any such annexation.

A Special Meeting of the Board of Commissioners is set for December 6, 2021 at 8:30 AM for the purpose of hearing testimony concerning the amendment of Future Land Use Map and the Change of Zoning from A-1 (Primary Agriculture District) to I-1 (Light Industrial District).

Mike Frohberg, Emergency Manager, and Ryan Wehrle, Maintenance/Custodian, joined the meeting.

Brad Soll, representative of Midwest Alarm Services of Omaha, appeared before the board to present a quote for a new fire alarm system. Mr. Soll explained the quote and services which included fire alarm panel, pull stations at exits, notification devices as required by code and smoke detection in all vaults at the cost of \$17,825.00 and additional services of additional detection in all other rooms of the building at the cost of \$5,425.00. Total cost of both options \$23,260.00. The board asked questions on the equipment and the additional cost for monitoring. The board advised Mr. Soll that another company was presenting a quote and they would notify him of their decision at a later date.

Eric Lozo, representative of Total Fire and Security Inc of Fremont, appeared before the board to present a quote for a new fire alarm system. Mr. Lozo explained the quote and services which included fire alarm panel, smoke detectors, pull stations for vaults and hallways but not all offices at the cost of \$19,464.72. Discussion held on the comparison to the quote received from Midwest Alarm Services. Eric stated he would need to see a detailed list of what was quoted so that he could make a comparable quote. He advised the board he would obtain this information from Mr. Soll and revise his quote to the same number and type of detectors quoted by Midwest Alarm Services.

Eric Lozo also presented a quote for a new panic alarm system within the courthouse in the amount of \$3,815.55. The current system is in need of an upgrade. Discussion held on the quote.

Discussion held to authorize the chairman to decide on the quotes after receipt of a revised quote and after the receipt of the other board members preference through the county clerk and on the awarding of the fire alarm and panic alarm systems.

Motion made by Huttman, seconded by Rehak to authorize the chairman to award the quote for the fire alarm and panic alarm contingent on receipt of the revised information and the vote of each board member as per individual telephone call with the county clerk. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Jeff Duda did not appear on the drainage/flooding issue.

Mark advised the board that the 2-mile bridge opened to traffic last week but shoulder work needs to be completed. Discussion held on bridge C-84(288) located SE 36-21-3 (Cuming County bridge project) needing to proceed. Bid letting to be set on C-84(246), C8404605 project located 19/30-21-1 to replace bridge and straighten road at the approximate cost of \$900,000.00. Discussion held on the need to draft an Overload Permit Application. Mark is drafting a form for future use. Mark informed the board the need to compile a Road Inspection Photo Storage of roads and structures within the county. Mike Froberg was asked to fly the areas with his drone and compile photos.

Discussion held on the Year-End Certification of County Highway Superintendent form which is the basis for determining 2021 incentive funds. The certification, meeting minutes appointing the county highway superintendent and resolution needs to be returned to the Nebraska DOT in order to qualify for annual incentive payments.

Motion made by Rehak, seconded by Huttman to approve Resolution 2021.11-36 to authorize the chairman to sign the Year-End Certification of County Highway Superintendent. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried. [copy Year-End Certification on file in County clerk's office]

Discussion held on the transmission issues with the CAT machines purchased in 2019. In attendance were: Ken Beaudette, representative of Murphy Tractor and Randi Hale, representative of Nebraska Machinery. Reprogramming has been applied to the machines without resolve. Additional resolutions to be studied. No action taken by the board.

Mike Froberg updated the board on the remodeling and repairs to the emergency management building. The FEMA grant has been approved for the generator at the tower. The grant covers the generator, automatic switch, annunciator, as well as the installation. The County will be reimbursed the cost for the generator, etc but will be responsible for the cost of the installation of concrete pads for the generator and propane tank.

Motion made by Huttman, seconded by Rehak to approve for the month of October the Documentary Stamp Tax, co shr in the amount of \$1,327.37; County Clerk fees in the amount of \$2,345.00; P&M Fund fees in the amount of \$337.00; Game and Parks Agent fees in the amount of \$0.00; Misc Copy fees in the amount of \$19.00; Clerk of the District Court fees in the amount of \$124.94; Passport fees in the amount of \$0.00; County Treasurer's receipt of money received numbered 22130 – 22191, inclusive in the amount of \$319,706.82; County Treasurer's List Distress Warrants issued October 29,2021; and place them on file. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve the following Accounts Payable and Payroll claims as presented and order checks drawn on the various funds: GENERAL FUND – Ameritas, ret-co shr 8022.11; Appera, services, 193.97; Applied Connective, IT services, 1835.85; Badgeandwallet.com, uniform, 1035.00; LaLene Bates, postage, 8.12; Kim Bearnes, phone, 40.00; Shawn Beaudette, services, 103.00; Black Hills Energy, utilities, 119.01; BCBS, ins-co shr, 30221.13; Brad Lewon Construction, building repairs, 16911.06; Card Services, meals, 49.11; Gary Carson, mileage, 120.00; Electrical Eng Equip Co, supplies, 50.28; Cornhusker Auto, services, 140.65; Co

V SVC Officers Assn, fees, 110.00; DAS State Acct, costs, 43.88; Martha Detlefsen, prior service, 12.00; Eakes Office, supplies, 272.41; Echo Group, supplies, 476.11; Emblem Authority, uniform, 250.00; Engelhardt TV Comm, parts, 91.99; Ewalt Law Office, public defender, 2529.23; Farmers' Coop, fuel, 1331.60; Fire Cam, supplies, 5053.98; First Concord Benefits, fees, 55.00; Green Stripe, services, 70.00; Robert Hartl, mowing, 300.00; Holiday Inn, lodging, 284.85; Jeffrey Hrouda, atty fees, 3228.75; IRS USA Tax Pymt, so sec tax-co shr, 8999.84; Vinyl Fire, fees, 278.00; Jack Scherer LLC, services, 137.28; Jack's Uniform Equip, supplies, 264.89; Diane Kander, mileage, 93.15; Stanton Hardware, supplies, 149.13; W Bert Lammler Jr, office allow, 949.00; Floortec, services, 689.52; Leon Insulation, services, 8505.00; Luedeke Oil, fuel, 443.76; Madison Natl Life Ins, ins-co shr, 33.38; Menards, parts, 729.62; Janet Meyer, services, 35.00; Mid-American Benefits, hra fees-co shr etc, 6304.00; Midwest Special Services, services, 144.00; MIPS, fees, 2776.30; Natl Assoc Counties, dues, 450.00; Nebr Assoc Co Officials, fees, 1698.11; Lavern Newkirk, prior service, 17.00; NE Nebr Energy Sys, services, 8878.00; NE Nebr Juv Service, boarding, 4495.00; One Office, supplies, 720.05; Apothecary Shop, prescriptions, 32.51; Pilger Library, supplies, 870.90; Pitzer Digital, services, 441.28; Positive Promotions, supplies, 638.95; Prime Sanitation, services, 39.75; Radar Shop, parts, 618.00; Rita Roenfeldt, prior service, 20.00; Avera Med Group, services, 187.00; Sioux Sales, supplies, 895.00; Stanton Comm Schl, fees, 75.00; Stanton Co Clk, postage, 11.16; Stanton Co Clk Dist Crt, fees, 216.00; Stanton Co Crt, fees, 498.00; Stanton Co Imp Acct, ach fees, 20.25; Stanton Co PPD, utilities, 1096.25; Stanton Telecom, services, 1807.62; Stanton Water Sewer, services, 114.48; Stratton Delay Doele Carlson, atty fees, 2795.76; Teeco, supplies, 60.40; Lil Store, fuel, 3311.10; Thomson Reuters, law library, 720.00; Thurston Co Shf, boarding, 2050.00; Gannon Tighe, uniform, 246.09; Univ Nebr Ext-Stanton Co, fees, 45.02; Verizon Wireless, service, 440.11; Wanek Pharmacy, prescriptions, 73.52; Bert's Plbg Htg AC, services, 5563.29; Sandra Zoubek Co Treas, transfers etc, 542011.81; ROAD FUND – Ameritas, ret-co shr, 3385.97; Appeara, services, 77.41; ATCO Intl, supplies, 418.95; Black Hills Energy, utilities, 134.98; BCBS, ins-co shr, 17640.75; Boelter Farm Repair, services, 6533.48; Bomgaars, supplies, 230.70; Century Link, services, 73.33; Clarkson Plbg Htg, supplies, 34.95; Janice Coates, prior service, 17.00; Dinkel Impl, parts, 266.47; Doernemann Farm Service, parts, 121.50; James Duncan, prior service, 16.00; Engelhardt TV Comm, services, 868.43; Farmers' Coop, fuel etc, 9467.48; Farmer's Un Coop Supply, supplies, 2477.50; IRS USA Tax Pymt, so sec-co shr, 3932.78; Island Supply Welding, supplies, 49.60; John Deere, parts, 218.68; Kaup Forage Turf, seeding, 1328.13; Kea Constructors, bridge repair, 166790.26; Kimball Midwest, supplies, 126.96; Stanton Hardware, parts, 133.86; Luedeke Oil, fuel etc, 5420.45; Madison Natl Life Ins, ins-co shr 8.65; Mainelli Wagner Assoc, eng fees, 48409.28; Martin Marietta, gravel, 2290.37; Matteo Sand Gravel, gravel, 36463.51; Medical Enterprises, fees, 11.25; Meisinger Oil, supplies, 146.00; Menards, supplies, 140.66; Mid-American Benefits, hra fees-co shr, 3500.00; NMC Exchange, services, 2918.86; Norfolk Works, fees, 136.00; Pilger Concrete Recycling, gravel, 3566.70; Pilger Store, fuel etc, 6027.78; Pinkelman Truck Trailer, services, 1983.64; Pollard Pumping, services, 300.00; Pumps Tire Service, services, 54.00; Prime Sanitation, services, 50.00; RDO Truck Centers, services, 2414.88; Stanton Auto Parts, services etc, 807.95; Ron's Ag Auto Repair, supplies, 197.94; Seals and Service, supplies, 267.26; Stalp Gravel, gravel, 4087.81; Stanley Petroleum Maint, services, 344.00; Stanton Co PPD, utilities, 388.55; Stanton Telecom, services, 225.68; Stanton Water Sewer, services, 40.70; Teeco, services, 41.00; Thies Garage, services, 268.00; Topp's Body Shop, services, 49.99; US Cellular, services, 68.34; Village Pilger, utilities, 125.99; Warren Garage Door, repairs, 2500.00; Weldon Parts, parts, 10.10; EMERGENCY MANAGEMENT FUND – Ameritas, ret-co shr, 309.37; Black Hills Energy, utilities, 9.36; Farmers' Coop, fuel etc, 510.14; Mike Frohberg, radio parts, 83.22; IRS USA Tax Pymt, so sec tax-co shr, 428.26; Vinyl Fire, supplies, 399.35; Jack's Uniform Equip, supplies, 36.90; Stanton Hardware, parts, 177.91; Madison Natl Life, ins-co shr, 5.42; Menards, supplies, 370.64; One Office, supplies, 24.75; Prime Sanitation, services, 12.50; Stanton Co PPD, utilities, 57.43; Stanton Telecom, utilities, 57.86; Stanton Water Sewer, utilities, 38.25; INHERITANCE TAX FUND – Stanton Co PPD, tower, 128.95; EMERGENCY 911 FUND – City Norfolk, dispatching, 7939.69; Stanton Telecom, services, 73.23; Total aggregate salaries of all county employees \$177,469.20. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Rehak, seconded by Huttman to adjourn and set a special meeting on a hearing on an amendment to the land use map and zoning for December 6, 2021 at 8:30AM and set the next regular meeting for December 20, 2021, at 8:15 AM. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

/s/ Dennis Kment, Chairman, Board of Commissioners, Stanton County, Nebraska  
Attest: /s/ Wanda Heermann, County Clerk