

BOARD OF EQUALIZATION PROCEEDINGS – November 21, 2022
(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 21, 2022, at 8:00 AM in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: Douglas Huttman and Dennis Kment, Board of Equalization. Duane Rehak 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 November 9, 2022, 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 Kment to approve the agenda.

Motion made by Kment, seconded by Huttman to approve the minutes of October 17, 2022, meeting.

Cheryl Wolverton, county assessor, presented and explained the correction sheets for the month.

Motion made by Huttman, seconded by Kment to approve and authorize the chairman to sign the correction sheets numbered 2022-03 to 2022-06 and place them on file.

There were no listings of clerical errors needing approval.

Motion made by Huttman, seconded by Kment to adjourn and set the next meeting for December 19, 2022, at 8:00 AM.

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

COMMISSIONER’S PROCEEDINGS – November 21, 2022
(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 21, 2022, at 8:15 AM in the County Commissioner’s room in Stanton, Nebraska.

Present upon roll call were: Douglas Huttman and Dennis Kment, Board of Commissioners. Duane Rehak was absent. Wanda Heermann, County Clerk was also present.

Advance notice of the meeting was given by publication in the Stanton Register on November 9, 2022, 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.

Following the Pledge of Allegiance to the flag of the United States of America 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 Kment, seconded by Huttman to approve the agenda.

Motion made by Kment, seconded by Huttman to approve the minutes of October 11, 2022 and October 17, 2022, meetings.

The following correspondence was reviewed and placed on file: City Stanton – Notice Public Hearing Nov 8, 2022; NE Nebraska Solid Waste Coalition – annual report; NE Nebraska Solid Waste Coalition – landfill site observations; Candace Meredith, NACO – June 2022 NACO Audit Report.

Cheryl Wolverton and LaLene Bates, safety committee members, joined the meeting to discuss the \$1,000.00 Safety Committee Award received from NIRMA. Cheryl and LaLene requested that these funds be used for the purchase of safety equipment through the Miscellaneous General Fund. Motion made by Huttman, seconded by Kment to allow the future purchase of safety equipment in the amount of \$1,000.00 payable through the Miscellaneous General Fund.

Mike Unger, county sheriff, joined the meeting. General discussion held on department issues, jail issues and personnel issues. No action needed by the board.

W. Bert Lampli, county attorney, and Mike Frohberg, emergency manager, joined the meeting.

Reg Gnirk and Larry Anderson, Hoskins Rural Fire Board members, appeared before the board to discuss the American Rescue Plan Act (ARPA) funds received by the county from the federal government. Mr. Anderson advised the board the department needs a new tanker truck and new air packs. Larry stated Wayne County awarded half of the cost of the tanker truck payable from Wayne County funds and suggested submitting a request to Stanton County because the fire district lies within both Wayne County and Stanton County. The estimated cost of the new tanker is \$248,109.00 (half of the cost is \$124,054.50) and the estimated cost of the air packs is \$137,155.20. They requested Stanton County ARPA funds for the cost of half of the tanker truck or the air packs. Discussion held on ARPA regulations and funds and how they can be spent. ARPA funds cannot be used as a reimbursement for equipment already purchased. Mike Frohberg commented on Nebraska DHHS grants available for emergency equipment for their rescue squads and advised that the new Co2 carbon pipeline companies are offering to purchase equipment such as air packs and face masks for fire districts that their pipeline will operate in, to ensure firefighter safety if they need to respond to a leak. Both Stanton and Hoskins Fire Districts are within their operational area. Mike advised the board that he is working with both Summit Carbon Solutions and Navigator to plan training for fire departments after the first of the year and has already discussed with both companies the need for updated PPE and equipment for both fire departments. The board advised those present they would add their request to a list of other requests for consideration. No action taken by the board.

LaLene Bates, Planning and Zoning Administrator, and Kylee Klug, joined the meeting. Discussion held on the future Veteran Memorial Park, estimated cost of maintenance and responsibilities of the County and other individuals.

Mark Mainelli, Highway Superintendent, joined the meeting.

The chairman opened the hearing at 9:50 AM on the Residential Use Permit application of Ray and Susan Waterman to replace the residence with a house on property located in S½ SW 20-24-2. No one appeared for the hearing. LaLene explained the application and recommendations of the Planning Commission. Motion made by Huttman, seconded by Kment to close the hearing.

Motion made by Huttman, seconded by Kment to approve the Residential Use Permit application of Ray and Susan Waterman to replace the residence with a house on property located in S½ SW 20-24-2, as per Planning Commission recommendations.

The chairman opened the hearing at 9:55 on the Conditional Use Permit application of Clint and Darryl Frerichs to apply nutrients/dry manure from an out of county livestock feeding operation on properties located in SE 9-24-3; SE NW, NE SW, S½ SW 10-24-3; Pt SW, SE, NW 15-24-3; Pt NW 17-24-3; Pt W½ NE, NW 26-24-3. No one appeared for the hearing. LaLene explained the application and recommendations of the Planning Commission. Motion made by Huttman, seconded by Kment to close the hearing.

Motion made by Kment, seconded by Huttman to approve the Conditional Use Permit application of Clint and Darryl Frerichs to apply nutrients/dry manure from an out of county livestock feeding operation on properties located in SE 9-24-3; SE NW, NE SW, S½ SW 10-24-3; Pt SW, SE 15-24-3; Pt NW 17-24-3; Pt W½ NE, NW 26-24-3, as per Planning Commission recommendations.

LaLene advised the board that the Reimers/Bluestem Conditional Use Permit application for a hog facility located in Pt W½ 21-23-3 has been withdrawn and the application is closed with no future action. No action needed by the board.

LaLene notified the board that the Kevin Heppner Residential Use Permit #4843 approved August 17, 2020 has expired because no construction has taken place. Approval on Permit #4843 was given with the condition that construction was to be completed in two (2) years. No action needed by the board.

LaLene presented and explained the Wessel Lot Split splitting 8.79 acres on property located in the NE 24-23-2. No one appeared for the lot split.

Motion made by Kment, seconded by Huttman to approve the Wessel Lot Split splitting 8.79 acres on property located in the NE 24-23-2, as per Planning Commission recommendations.

Kim Bearnes, extension educator, appeared before the board to introduce Amy Topp as the new Extension Zone Coordinator. Ms. Topp outlined the Nebraska Extension Strategic Direction known as the Big 3: Strengthen Nebraska Agriculture and Food Systems; Inspire Nebraskans and their communities and enhance the health and Wellbeing of all Nebraskans. More information is available on the extension website (extension.unl.edu). General discussion held. No action needed by the board.

Bid letting held at 10:40 AM on project "STWD-CBMP(6): Stanton Northwest, C-84(315)" of a three (3) span concrete deck slab bridge located on 839 Rd between 562/563 Ave. Appearing for the bid letting was: Pat Gubbels for Theisen Construction. Bid was opened and publicly read as follows: Theisen Construction Inc, Norfolk NE; \$683,595.66; Start June 20, 2023 – End August 29, 2023. The bid was reviewed with Mark Mainelli, highway superintendent, for accuracy. Motion made by Huttman, seconded by Kment to award the bid to Theisen Construction Inc of Norfolk NE for "STWD-CBMP(6): Stanton Northwest, C-84(315)" project in the amount of \$683,595.66 with a start date of June 20, 2023 and end date of August 29, 2023.

Discussion held on future road projects and bridge inventory. Mark also advised the board that the CBMP grant value is increasing to \$250,000.00 per project.

Discussion held on the Year-End Certification of County Highway superintendent form which is the basis for determining 2022 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 Huttman, seconded by Kment to approve Resolution No.2022.11-32 to authorize the chairman to sign the Year-End Certification of the County Highway Superintendent. [Year-End Certification of County Highway Superintendent – copy on file in County Clerk's office]

The board reviewed the NDOT Master Agreement for Land Survey Corner Preservation. The master agreement will be for a 5-year term which will be a much more efficient way to engage the county and complete the work in a timely manner. Using a lump sum payment process based on statewide cost information will be efficient by not requiring a labor-intensive process of obtaining and reviewing cost estimates and final costs. The new process will continue the effective partnership between NDOT and the Counties and assist the County in meeting its statutory obligation. Motion made by Huttman, seconded by Kment to approve Resolution No.2022.11.33 to authorize the chairman to sign the Master Agreement – 5-year Duration County Surveyor – State Highway Projects Perpetuation of Corners of Land Surveys. [Master Agreement – 5-Year Duration, County Surveyor – State Highway Projects Perpetuation of Corners of Land Surveys – copy on file in County Clerk's office]

Mike Frohberg, emergency manager, re-joined the meeting. Discussion held on the possible purchase of a new ¾ ton pickup for the emergency management department. Mike explained the need for this purchase to pull larger heavier trailers and equipment needed for disasters. Mike received a state bid estimate from Anderson Ford of Lincoln for a F-250 law enforcement package pickup in the amount of \$59,824.00 and received a non-state quote from Gene Steffy of Fremont for a Dodge Ram 2500 non law enforcement pickup in the amount of \$54,332.00. Additional costs to outfit the pickup as a portable Emergency Operations Center are estimated in the amount of \$51,133.78. Discussion held on competitive bidding not required when the price has been established by a cooperative purchasing agreement (State Bid) and, also discussed was the payment for the vehicle and equipment from the Emergency Management Sinking Funds (\$55,000.00) and ARPA Funds (\$55,957.78) classified as emergency operations. Motion made by Kment, seconded by Huttman to approve the state bid purchase of the F-250 pickup from Anderson Ford of Lincoln and the purchase of the necessary equipment to outfit the pickup in the amount of \$110,957.78 and allow payment through the Emergency Management Sinking Fund in the amount of \$55,000.00 and the balance through ARPA Funds in the estimated amount of \$55,957.78.

Mike updated the county board on the Emergency Management Building Sewer line which has collapsed and will need to be replaced. The current sewer line is Orangeburg wax pipe, and runs near the Farmer's Coop Grain Bins and Elm Street. It is believed that the heavier truck traffic in that area, as well as the county equipment, over time has caused the pipe to collapse due to the weight. Currently the line cannot be used until repaired. The existing line will need to be examined for exact location and what repairs are needed to fix the issue. It was discussed that ARPA Funds can be used for water and sewer upgrades. Mike is currently working with the City of Stanton to locate the sewer line, as there are no drawings currently available. No action taken until location and estimated repair cost is received.

Discussion held on the vehicles outfitted by Specialty Vehicle Service of Junction City, KS. It has been noted that the vehicles equipment installation has been incomplete and not in working order. Mike stated that he has worked on the vehicles by re-wiring emergency lights, re-installing program software and repairing other equipment issues. The county has paid Specialty Vehicle Services to outfit the vehicles but feel this has not been completed correctly. A letter was drafted to Specialty Vehicle Service outlining the issues with the installed equipment not working and not installed correctly. This letter was forwarded to the county attorney to review. No action taken by the board.

Discussion held on the need to install a camera system on the Hwy 275 tower. Mike received a quote of \$5,705.00 from TWD Lock, Safe & Key for the equipment and installation. Additional quotes to be obtained. No action taken by the board.

Mike advised the board he is continuing to work on the new Emergency Management website and is applying for the Hazard Mitigation Grant, which covers 90% of the overall cost. He is also working with NEMA on requirements for competitive bidding. Mike informed the board that he has completed a Communication Unit Leader Course.

General discussion held on road issues: employee safety equipment purchases, road department request of ¾ or 1 ton pickup and the additional mobile radios. Mike received a quote from Tri-State Communications for 4 radios and mounting equipment in the amount of \$2,661.16. Mike to contact the road departments to see if additional radios are needed. Motion made by Huttman, seconded by Kment to allow the purchase of the needed radios and mounting equipment.

The board reviewed the Memorandum of Understanding received from the Administrative Office of Courts and Probation (AOC) outlining the agreement for the AOC to hand over ownership of audio/visual systems once installation is complete. Motion made by Huttman, seconded by Kment to approve and authorize the chairman to sign the Memorandum of Understanding for Nebraska Courtroom Technology Transfer of Ownership. [Memorandum of Understanding – Nebraska Courtroom Technology Transfer of Ownership – copy on file in county Clerk’s office]

The board reviewed the Memorandum of Understanding received from the Madison County Attorney in reference to the 2023-2024 Community Based Juvenile Services Grant application. The crime commission requires the county attorney and the chairman of the board to approve the agreement. Motion made by Huttman, seconded by Kment to approve and authorize the chairman to sign the Memorandum of Understanding between the Madison County Attorney and Stanton County Attorney for the Nebraska Crime Commission’s 2023-2024 Community Based Juvenile Services Grant application. [Memorandum of Understanding – copy on file in County Clerk’s office]

Motion made by Huttman, seconded by Kment to approve Resolution No.2022.11-34 to add and release pledged securities at First Nebraska Bank, Stanton NE.

Motion made by Kment, seconded by Huttman to approve for the month of October the Documentary Stamp Tax, co shr in the amount of \$1,181.38; County Clerk fees in the amount of \$2,259.00; P&M Fund fees in the amount of \$328.50; Game and Parks Agent fees in the amount of \$0.00; Misc Copy fees in the amount of \$39.00; Clerk of the District Court fees in the amount of \$173.36; Passport fees in the amount of \$105.00; County Treasurer’s receipt of money received numbered 22958 – 23014, inclusive in the amount of \$383,814.94; County Treasurer’s List Distress Warrants Issued October 31, 2022; Veterans Service Office 1st Quarter 2022-2023 Report; and place them on file.

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

GENERAL FUND - ASQ, uniform, 73.98; Mark Albin atty, atty fees, 2009.04; Ameritas Retirement, ret-co shr, 8321.06; Antelope Co Shf, boarding, 6940.00; Appera, services, 164.97; Applied Connective Tech, services, 4326.28; Kim Bearnese, meals etc, 1734.82; Shawn Beaudette, services, 103.00; Black Hills Energy, utilities, 197.69; BCBS, ins-co shr, 36973.90; Card Services, equip, 331.04; Gary Carson, dues, – 135.00; Cornhusker Auto Cntr, services, 43.90; Co VSO Assn-Nebr, dues, 100.00; DAS State Acct, equip fee, 43.88; Martha Detlefsen, prior service, 12.00; Douglas Co Crt, fees, 2.25; Eakes Office, supplies, 461.33; Egly Fullner Montag etal, atty fees, 1057.80; ESS, services etc, 3632.43; Electronic Eng, equip, 611.82; Ewalt Law, public defender, 3000.00; Farmer’s Coop, fuel, 836.22; First Concord Benefits, flex fees, 60.00, Floor Maintenance, supplies, 403.62; Aldo Garcia, reimbursement, 319.93; Great Amer Finc, fees, 267.30; Robert Hartl, mowing, 300.00; Holiday Inn–Kearney, lodging, 239.90; IRS USA Tax Pymt, so sec tax-co shr, 9411.10; Jack’s Uniform Equip, supplies, 296.55; Diane Kander, mileage etc, 38.75; Stanton Hardware, supplies, 53.85; Walter A Lamli Jr, reimbursement, 304.85; Lamli Locke Beaudette, office allow, 958.00; Luedeke Oil, services, 1459.36; Madison Co Clk Dist Crt, fees, 50.00; Madison Co shr, boarding etc, 3723.57; Anthony McPhillips, lodging, 237.00; Menards, supplies, 54.49; Mid-Amer Benefits, hra fees, 6038.00; Midwest Special Services, transport fees, 204.00; MIPS, supplies, 2859.25; Misc Election Costs, board fees, 1843.51; Natl Assoc Counties, dues, 450.00; Nebr Assoc Co Officials, fees, 2397.85; Nebr HHS, fees, 318.00; NE State Fire Marshal-Boiler Div, services, 122.00; Lavern Newkirk, prior service, 17.00; Norfolk Daily News, services, 60.00; One Office, supplies, 3565.19; Pilger Library, supplies, 623.11; Pitzer Digital, services, 1485.41; Platte Co Detention, boarding, 1400.00; Radar Shop, fees, 878.00; Stanton Auto, services, 156.47; Rita Roenfeldt, prior service, 20.00; Sioux Sales, supplies, 40.40; Stanton Comm School, printing, 75.00; Stanton Co Crt, fees, 547.00; Stanton Co Imp, ach fees, 20.25; Stanton Co PPD, utilities, 1400.81; Stanton Telecom, services, 1798.42; Stanton Water Sewer, utilities, 98.63; State Nebr-Dept Corr, boarding etc, 3222.34; Eric Stone, reimbursement, 412.40; Stratton DeLay Doele etal, atty fees, 1547.44; Teeco, supplies, 71.95; Lil Store, fuel, 4787.12; Thomson Reuters-West, supplies, 2240.00; Gannon Tighe, supplies, 23.53; Kristin Unger, supplies, 220.89; Michael Unger, supplies, 50.31; Univ Neb Ext-Stanton, fees, 45.02; Verizon Wireless, service, 480.12; Wanek Pharmacy, prescriptions, 1456.93; Cheryl Wolverson, reimbursement, 203.13; York General Hospital, services, 1311.25; Sandra Zoubek Stanton Co Treas, postage etc, 5020.50; Sandra Zoubek, reimbursement, 386.48;

ROAD FUND - Ameritas Retirement, ret-co shr, 3766.30; Appera, services, 42.25; ATCO Intl, supplies, 520.00; B’s Enterprises, supplies, 250.00; Black Hills Energy, utilities, 150.25; BCBS, ins-co shr, 21125.29; Bomgaars, supplies, 45.56; Century Link, services, 78.08; Janice Coates, prior service, 17.00; Dinkel Implement, services, 548.24; Doernemann Farm Service, supplies, 22.48; James Duncan, prior service, 16.00; Farmer’s Coop, fuel etc, 5811.38; Farmer’s Un Coop Supply, seeding, 1906.39; Fastenal Co, supplies, 28.12; Hoskins Mfg Co, supplies, 258.53; IRS USA Tax Pymt, so sec tax-co shr, 4402.19; Island Supply Welding, supplies, 95.00; Jones Automotive, services, 285.92; Kelly Supply, supplies, 105.52; Kimball Midwest, supplies, 229.51; Kuehn’s Auto Body, services, 425.00; Stanton Hardware, supplies, 537.40; Luedeke Oil Co, fuel etc, 8033.38; Madison Co, road striping, 2854.30; Mainelli Wagner Assoc, eng fees, 23727.50; Martin Marietta Materials, gravel, 609.55; Matteo Sand Gravel, gravel, 10270.20; Medical Enterprises, fees, 125.00; Meisinger Oil Co, services, 323.00; Menards, supplies, 153.94; Mid-American Benefits, hra fees-co shr, 3250.00; Midwest Service Sales, 7318.45; NMC Exchange, services, 6008.99; Norfolk Works, services, 55.00; Darrell Nelsen, reimbursement, 181.89; Pilger Store, 4138.97; Pitzer Digital, services, 103.23; Powerplan, services, 1650.72; Renegade, supplies, 517.47; Stanton Auto Parts, services, 807.24; Road Builders Machinery, services, 11672.94; Rons Ag Auto Repair, services etc, 671.45; Pilger Sand Gravel, gravel, 4004.96; Sahling Kenworth, parts, 122.13; Seals Service, services, 4721.00; Stanley Petroleum, services, 2425.20; Stanton Co PPD, utilities, 402.52; Stanton Telecom, services, 220.73; Stanton Water Sewer, services, 42.70; Teeco, supplies, 33.50; US Cellular, services, 69.00; Verizon Connect Fleet, services, 823.40; Village Pilger, utilities, 132.08; Warneke Pasture Clearing, services, 4625.00; Weldon Parts, supplies, 31.44; Winsupply Norfolk, parts, 300.00; Sandra Zoubek Co Treas, fees, 10.00;

EMERGENCY MANAGEMENT FUND - All Mobile Video, dues, 995.00; Ameritas Retirement, ret-co shr, 327.94; Black Hills Energy, utilities, 56.15; Farmer’s Coop, fuel etc, 610.68; Mike Frohberg, reimbursement, 456.95; IRS USA Tax Pymt, so sec tax-co shr, 467.25; Stanton Hardware, supplies, 40.50; Luedeke Oil Co, supplies, 996.44; Madison Natl Life Ins, ins-co shr, 5.42; Masters Drain Cleaning, services, 219.75; Menards, supplies, 65.27; Stanton Auto Parts, services, 183.78; Stanton Co PPD, utilities, 75.62; Stanton Telecom, utilities, 55.56; Stanton Water Sewer, utilities, 2.94;

COVID ARPA FUND - Country Estate Fence, materials, 2317.70;

INHERITANCE TAX FUND - Stanton Co PPD, tower, 116.15;

EMERGENCY 911 FUND - City Norfolk, dispatching, 16666.67; Stanton Telecom, services, 73.23;

COURTHOUSE IMPROVEMENT - Johnson’s, boiler installation, 13926.00; KV Quality Construction, concrete caulking, 17993.75;

Total aggregate salaries of all county employees \$189,758.69.

Motion made by Kment, seconded by Huttman to adjourn and set the next meeting for December 19, 2022, at 8:15 AM.

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

Attest: /s/ Wanda Heermann, County Clerk