

* * * * *

BOARD OF EQUALIZATION PROCEEDINGS – June 19, 2023
(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 June 19, 2023, 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 Cheryl Wolverton, County Assessor, were also present.

Advance notice of the meeting was given by publication in the Stanton Register on June 7, 2023, 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 Kment, seconded by Huttman to approve the minutes of May 15, 2023, meeting. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried.

Cheryl Wolverton, county assessor, presented a list of over/under valued properties and clerical errors within Stanton County. She explained the updates and/or changes to the listed properties.

Motion made by Huttman, seconded by Rehak to approve the list of over/under valued property and clerical errors and allow the County Assessor to adjust the tax rolls. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

The board reviewed County Assessor’s Certification that the Assessment Rolls for the Real Property in Stanton County have been completed by her office for the year 2023 and placed it on file.

Discussion held on possible hearing dates for property valuation protest hearings. Protest hearings will be set for Friday, July 7, 2023, and if needed an additional date is set for Monday, July 10, 2023.

Motion made by Huttman, seconded by Rehak to adjourn to July 7, 2023, at 8:00 AM and set the next regular meeting for July 17, 2023, at 8:00 AM. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

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

* * * * *

COMMISSIONER’S PROCEEDINGS – June 19, 2023
(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 June 19, 2023, 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 June 7, 2023, 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.

Ken Beaudette, representative of Murphy Tractor, joined the meeting.

Following the Pledge of Allegiance to the flag of the United States of America the meeting was called to order at 8:30 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 Kment to approve the minutes of May 15, 2023, meeting. Voting: Ayes: Huttman, Kment and Rehak. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file: Craig Nelson, NIRMA Director – 2023-24 Billing Statement; John Kuehn, Sand Creek Strategy Group – Heartland Greenway Project Update; Brianna Duerst, Norfolk City Clerk – NNSWC Open House notice; Susan Meyer, Pilger Library Board President – request for 2023-2024 fiscal year funding; Rob Mercer, NNSWC – landfill site observations.

Ryan Wehrle, maintenance/custodian, joined the board to discuss replacement of the courthouse sprinkler system. Ryan obtained a quote to replace the existing system and advised the board he received no response from 2 other companies he contacted. The board asked Ryan to obtain another quote for comparison before any decision is made. Matter tabled until information is received.

Discussion continued on the courthouse chiller system. Due to the estimated cost of the project the matter will have to be set for bid letting. The board sets bid letting for July 17, 2023, at 9:00AM for the removal, disposal of existing chiller system and installation of a new chiller system in the county courthouse.

Tony McPhillips, veterans’ service officer, appeared before the board to discuss mowing of rural cemeteries. Tony advised the board that an individual who currently mows four (4) cemeteries is unable to continue. Mr. McPhillips said he would take on the responsibility if he was allowed to use the used courthouse mower and asked the board to purchase a small utility trailer to transport the mower to the different cemetery locations within the county. Discussion held on the quote presented for a small utility trailer in the estimated amount of \$1,300.00. The board thanked Tony for volunteering to mow the cemeteries.

Motion made by Huttmann, seconded by Kment to allow Tony to purchase a small utility trailer, on behalf of the county, to be used to transport the used courthouse mower for cemetery maintenance. Voting: Ayes: Huttmann, Kment and Rehak. Nays: None. Motion Carried.

W. Bert Lampli, county attorney, joined the meeting.

Ried Krutz joined the meeting to request an opportunity to metal detect on county property. Ried informed the board of state permit fees and the requirement of liability insurance. Discussion held on the request. The board tabled the matter to allow the county attorney to review the requirements.

Kylee Klug, Planning and Zoning Administrator, and LaLene Bates, joined the meeting. Also joining the meeting were: Ben Fuller, Brent Niese and Eric Welch, representatives of Summit Carbon Solutions; Bullet Beaudette, representative of Murphy Tractor; and Dustin McAtee, representative of JigoWatt

Ben Fuller, Brent Niese and Eric Welch appeared on behalf of Summit Carbon Solutions to present an update on the Summit Carbon Solutions Co2 Pipeline Project within Stanton County. Mr. Fuller addressed common misconceptions regarding the Summit Carbon Solutions Project and Co2 pipelines. Misconception – Co2 Pipelines are not Regulated: There are 5,000 miles of Co2 pipelines in the United States that have been operating safely for more than 40 years. Throughout that time, these systems have been extensively regulated by state and federal entities including the following: 1) PHMSA (Pipeline and Hazardous Materials Safety Administration) specifically regulates Co2 pipelines through Title 49 of the Code of Federal Regulations Part 195. PHMSA regulates everything from design to construction to operations to maintenance. 2) Army Corps of Engineers regulates Nationwide Permit 58, "Utility Line Activity for Water and other Substance". This permit covers Section 404 of the Clean Water Act, Section 10 of Rivers and Harbor Act, Section 106 of the National Historic Preservation Act, and Section 408 Permit to the Army Corps of Engineers which reviews impact to civil works projects; 3) Nebraska Department of Natural Resources oversees water allocation; 4) Nebraska Department of Environment and Energy oversees stormwater permitting, dewatering, and water discharges; and 5) Nebraska Game and Parks Commission consults on potential impacts to state listed threatened and endangered species, which is a requirement on all state permits. Other misconceptions on easements, damages, and liability insurance discussed. The Co2 project will capture carbon dioxide emissions from the ethanol industry that otherwise would be emitted into the atmosphere, compress the captured emissions and transport them through a pipeline to North Dakota where it will be permanently stored underground in geologic storage locations. The Summit Carbon Solution project impacts the States of Iowa, Minnesota, Nebraska, North Dakota and South Dakota. Transporting carbon dioxide by pipeline is the safest method for the large volumes of Co2 that will be captured and permanently stored underground based on EPA standards.

Chairman Kment opened the hearing at 9:40 AM to consider the recommendations of the Stanton County Planning Commission on the Amendment to the Zoning Matrix – Section 4.07 Land Use Categories Table. The purpose of the hearing is to receive public comment and input from the general public. Advance notice of the hearing was given by publication in the Stanton Register on May 31, 2023.

Kylee Klug, Planning and Zoning Administrator, presented the additions, updates and corrections to the Zoning Matrix, Section 4.07: Land Use Categories Table, Stanton County Zoning Regulations, Stanton County Nebraska.

Motion made by Huttmann, seconded by Rehak to close the hearing at 9:55 AM. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttmann, seconded by Rehak to approve Resolution 2023.06-10 to amend the Future Land Use Map and/or the Change of Zoning. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Mark Mainelli, Highway Superintendent, and Dustin McAtee, representative of JigoWatt, joined the meeting.

Kylee presented the Application for Zoning/Building Permit of JigoWatt of Lincoln NE to construct a modular data center on the property of Kenosha Creek Preserve LLC located in Lot 1 Kennedy's lot split in the NE SE 36-24-1. Dustin McAtee explained the construction project, location of structures and future expansion. Projected start date for construction is July 2023. Discussion held on the permit.

Motion made by Huttmann, seconded by Rehak to approve and authorize Kylee Klug, Planning and Zoning Administrator, to approve and sign the Application for Zoning/Building Permit of JigoWatt of Lincoln NE to construct a modular data center on the property of Kenosha Creek Preserve LLC located in Lot 1 Kennedy's lot split in the NE SE 36-24-1, as per Planning Commission recommendations. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Discussion held on the Northeast Nebraska Solid Waste Coalition agreement received from Randy Gates, City of Norfolk Finance Officer. The board reviewed the revised Host Agreement and Amended Agreement with Mr. Lampli.

Motion made by Huttmann, seconded by Kment to table the matter until the July 17, 2023, meeting at 10:00 AM. Voting: Ayes: Huttmann, Kment and Rehak. Nays: None. Motion Carried.

Ross DeBower and Ron Starzec, representatives of Nebraska Public Power District (NPPD), joined the meeting to discuss the Stanton North project located in Pt NW SW 31-24-2. Mr. DeBower stated NPPD will be installing a mobile substation to the north of their existing Stanton North 115kV Substation and questioned the board on property dedicated for a future road which was abandoned with stipulations on January 21, 1972. It was requested of the board to record in their minutes that they would take no action to open/rebuild the road the half mile road in Pt NW SW 31-24-2 within the next 2 years.

Motion made by Huttmann, seconded by Kment to agree to take no action to open/rebuild the half mile road in Pt NW SW 31-24-2 within the next 2 years. Voting: Ayes: Huttmann, Kment and Rehak. Nays: None. Motion Carried.

Mark Mainelli, Highway Superintendent, updated the board on the various road and bridge projects within the county.

Tim Stamm and Kory Krutz, representatives of the Stanton Fire Department, appeared to continue the discussion on the possible purchase of bunker gear through the ARPA funds. The board was advised that the assistance to fire fighters grant was closed and any prior offers from the Co2 carbon pipeline companies would not be considered until after construction begins. Discussion held on the quotes received from Heiman Fire Equipment for coats, pants, boots, helmets and gloves for the Stanton Fire Department in the amount of \$117,786.00 and the Pilger Fire Department in the amount of \$46,128.00.

Motion made by Huttmann, seconded by Kment to allocate ARPA funds towards the request of the Stanton Fire Department for the purchase of 18 pairs of coats, pants, boots, helmets and gloves and 6 pairs of coats and pants in the amount of \$117,786.00 and to allocate ARPA funds towards the request of the Pilger Fire Department for the purchase of 8 additional coats, pants, boots, helmets and gloves in the amount of \$46,128.00. Voting: Ayes: Huttmann, Kment and Rehak. Nays: None. Motion Carried.

Mike Frohberg, Emergency Manager, joined the meeting. Mike advised the board that any current fire department radios that were purchased with HS funds will need to be returned to the emergency management office if no longer in use. Discussion held on Humbug Creek roll-over accident near Pilger. Nebraska Department of Environment and Energy (NDEE) was notified of the diesel fuel and hydraulic fluid released into the creek. The property owner of the vehicle will be responsible for the cleanup and restoration of the property. Discussion held on future ARPA funding for emergency equipment. Any future or additional gear for the rural fire departments will need to be figured into their budget operating costs. Mike requested the board to set aside approximately \$100,000.00 of ARPA funds to replace and upgrade

equipment used in the Emergency Operations Center, the purchase of a new or used 32' Mobile Operations Trailer with equipment, and computer equipment in the emergency management vehicles. A list of upcoming events was given to the board for reference.

Mike advised the board that Stanton County Emergency Management Website for Community Engagement grant application was approved by FEMA. The board reviewed the agreement documents. Federal funds will be obligated in the amount of \$11,212.64 and non-federal funds (local funding) will be obligated in the amount of \$1,245.85.

Motion made by Rehak, seconded by Huttman to authorize the chairman to sign the necessary documents for the Emergency Management Website for Community Engagement grant approved by FEMA. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

Discussion held on the HRA (medical reimbursement) renewal document received from Mid-American Benefits LLC on the administration of the HRA plan. The administrative services agreement was reviewed by the County Board and County Attorney.

Motion made by Huttman, seconded by Rehak to authorize the chairman to sign the Administrative Services Agreement with Mid-American Benefits LLC (HRA administration) effective July 1, 2023, [copy of Administrative Services Agreement on file Clerk's office]. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve for the month of June the Documentary Stamp Tax, co shr in the amount of \$4,137.09; County Clerk fees in the amount of \$3,165.25; P&M Fund fees in the amount of \$497.50; Misc Copy fees in the amount of \$0.00; Clerk of the District Court fees in the amount of \$58.68; Passport fees in the amount of \$0.00; County Treasurer's receipt of money received numbered 23409 – 23463, inclusive in the amount of \$576,249.13; County Sheriff's 1st Qu 2023 report; 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 claims as presented, except to remove the claim of Stamm Electric in the amount of \$1,479.03 and approve the Payroll claims as presented and order checks drawn on the various funds:

GENERAL FUND - 81 Auto Glass, services, 500.00; Anderson Ford Lincoln, 2023 Ford pu, 55000.00; AMH Family Practice, services, 2607.00; Mark Albin, atty, atty fees, 142.50; Ameritas Retirement, ret-co shr, 9560.58; Antelope Co Shf Dept, boarding etc, 5785.00; Appera, services, 171.42; Applied Concepts, supplies, 2695.00; Applied Connective Tech, services etc, 3515.48; Badgeandwallet.com, supplies, 387.50; Kim Bearnese, meals etc, 2098.98; Shawn Beaudette, services, 103.00; Black Hills Energy, utilities, 102.62; BCBS, ins-co shr, 1747.12; Cable TV Stanton, supplies, 925.00; Card Services, travel expenses, 596.49; Gary Carson, postage, 80.00; Copquest Inc, supplies, 28.69; DAS State Acct, equip fee, 43.88; Martha Detlefsen, prior service, 12.00; Thomas Donner, atty fees, 654.59; Eakes Office, supplies, 80.02; Ewalt Law, public defender, 3500.00; Faith Regional Health, services, 189.00; Farmer's Coop, fuel, 1112.75; First Concord Benefits, flex benefits, 50.00; First Nebraska Bank, loan pymt, 15000.00; Fox Car Rentals, mileage, 215.91; Judy Funk, salary mileage, 17.62; Gene Steffy, 2023 Dodge Durango, 45987.00; Great Amer Finc, rental pymt, 270.50; GWorks, services, 21424.25; Wanda Heermann, reimburse, 299.80; IRS USA Tax, so sec tax-co shr, 10627.45; Jack B Scherer LLC, services, 459.95; Jack's Uniform Equip, supplies, 488.67; Jones Automotive, equip etc, 30199.58; Mike Kabes, salary mileage, 30.72; William E. Kaiser Real Appraisal, fees, 21000.00; Diane Kander, supplies, 204.54; Aaron Kleensang, supplies, 296.71; Craig Korth, salary mileage, 22.86; Kubat Pharmacy Neligh, medical, 31.10; Kuehn's Auto Body, repairs, 250.00; Gerald Kuhn, salary mileage, 30.07; Russell Kumm, salary mileage, 43.10; Stanton Hardware, supplies, 204.10; W Bert Lamml, office supplies, 1200.00; Lamml Locke Beaudette, office allow etc, 1694.50; Cory Locke, mileage, 210.91; Luedeke Oil Co, services, 3945.03; Lynn Peavey, supplies, 193.98; Madison Co Shf, boarding etc, 2447.66; Jennifer Matthies, supplies, 41.99; Chris Maurer, supplies, 493.53; Janet Meyer, services, 240.00; Mid-American Benefits, hra fees-co shr, 6038.00; Midwest Music Cntr, equip, 429.00; MIPS, fees etc, 3446.19; Motorola Solutions, equip, 1214.14; Natl Pen Co, supplies, 255.90; Nebraska.gov, copies, 1.00; Nebr Assoc Co Clk etal, dues, 50.00; Nebr Assoc Co Officials, reg fee, 100.00; Nebr Co Atty Assoc, dues, 1057.00; NIRMA, insurance prem, 56352.03; Lavern Newkirk, prior service, 17.00; Douglas Oertwich, salary mileage, 53.58; One Office, supplies, 10375.19; Pender Care Centre Dist, prescriptions, 3.05; Pierce Co Shf Dept, boarding, 450.00; Pilger Fire Rescue, supplies, 559.62; Pilger Library, supplies, 215.82; Pitzer Digital, services, 895.79; Platte Co Detention, boarding, 200.00; Gerald Podany, salary mileage, 61.44; RR Donnelley, supplies, 120.11; Regional Organized Crime, reg fees, 150.00; Stanton Auto Parts, services, 5527.73; Rita Roenfeldt, prior service, 20.00; Spectrum Graphics, services, 334.80; Sioux Sales Co, supplies, 183.20; Stanton Co Clk, postage, 6.15; Stanton Co Clk Dist Crt, fees, 36.00; Stanton Co Crt, fees, 370.00; Stanton Co Imprest Acct, ach fees, 20.75; Stanton Co PPPD, utilities, 1585.16; Stanton Telecom, services, 1804.63; Stanton Water Sewer, utilities, 105.04; State Nebraska, boarding, 700.50; Staybridge Suites TN, lodging, 255.60; Staybridge Suites IA, lodging, 98.00; Targets Online, supplies, 159.94; Teeco, supplies, 160.55; Lil Store, fuel, 6083.58; Thurston Co Shf, boarding, 550.00; Gannon Tighe, supplies, 217.68; Kristin Unger, reimburse, 86.42; US Treas, PCORI fees, 103.23; Univ Nebr Lincoln Ext-Stanton, phone, 45.02; Verizon Wireless, service, 480.12; Mark Wieman, salary mileage, 41.20; Sandra Zoubek Co Treas, postage etc, 5015.00;

ROAD FUND - Ameritas Retirement, ret-co shr, 4723.94; Appera, services, 43.83; ATCO Intl, supplies, 1224.90; B's Enterprises, supplies, 5254.00; Backus Sand Gravel, gravel, 4956.80; Behmer Trucking, hauling, 5400.00; BCBS, ins-co shr, 25420.53; Bomgaars, supplies, 541.30; Century Link, services, 64.06; Century Lumber Cntr, supplies, 65.34; Clarkson Plbg Htg, supplies, 59.86; Janice Coates, prior service, 17.00; Doernemann Farm Service, supplies etc, 255.06; James Duncan, prior service, 16.00; Farmer's Coop, fuel etc, 10057.77; Floor Maintenance, supplies, 47.22; Hoskins Mfg Co, steel, 89.55; Norfolk Daily News, services, 58.86; IRS USA Tax, so sec tax-co shr, 5487.54; Island Supply Welding, supplies, 49.60; Johnson Trucking Sand Gravel, gravel, 5167.37; Northeast Glass, services, 465.00; Kelly Supply, supplies, 30.66; Kuehn's Auto Body, services, 1092.49; Stanton Hardware, supplies, 73.78; LG Everist, gravel, 16761.15; Luedeke Oil Co, fuel etc, 12614.41; Madison Natl Life Ins, ins-co shr, 8.64; Chris Maurer, first aid supplies, 990.82; Matteo Sand Gravel, gravel, 82913.48; Medical Enterprises, services, 130.00; Menards, supplies, 77.89; Mid-American Benefits, hra fees-co shr, 3500.00; NIRMA, insurance prem, 59307.82; NMC Exchange, services, 732.68; Pilger Concrete Recycling, gravel, 2665.74; Pilger Store, fuel etc, 4939.00; Pitzer Digital, services, 216.00; Powerplan, services, 5835.11; B&A Welding, supplies, 103.20; Stanton Auto Parts, services, 2112.93; Ron's Ag Auto Repair, supplies, 352.87; Seals Service, service, 576.00; Stanton Co PPD, utilities, 439.13; Stanton Telecom, services, 221.88; Stanton Water Sewer, services, 43.70; Teeco, supplies, 58.75; Theisen Construction, bridge pymt 2, 340748.42, Dean Thies, reimburse, 31.00; Tri-State Comm, services, 8149.86; Truck Center Co, parts, 128.22; US Cellular, services, 67.86; Verizon Connect Fleet, services, 823.40; Village Pilger, utilities, 115.61; Warren Garage Door, parts, 136.00; Weldon Parts, parts, 520.81;

EMERGENCY MANAGEMENT FUND - Ameritas Retirement, ret-co shr, 327.94; Black Hills Energy, utilities, 51.96; Farmer's Coop, 40.10; Froberg Electric, services, 494.79; Mike Froberg, meals, 116.37; Garvins CB Shop, radio equip, 511.80; IRS USA Tax, so sec tax-co shr, 467.25; Jack's Uniform Equip, supplies, 21.95; Luedeke Oil Co, services, 771.12; Madison Natl Life Inc, ins-co shr, 5.42; Menards, supplies, 407.14; NIRMA, insurance prem, 2251.15; Prime Sanitation, utilities, 39.75; Red 10 RV Sales, parts etc, 2028.42; Stanton Co PPD, utilities, 63.30; Stanton Telecom, utilities, 55.47; Stanton Water Sewer, utilities, 41.25; State Nebr-Dept Corr, license fee, 48.00; Lil Store, fuel, 895.35; Tri-State Comm, services, 790.00; Sandra Zoubek Co Treas, fees, 10.00;

P&M FUND - Applied Connective Tech, equip, 951.00;

COVID – ARPA - Anderson Ford Lincoln, 2023 Ford, 5355.00; Tri-State Comm, scanner etc, 2916.08;

INHERITANCE TAX FUND - Stanton Co PPD, tower, 115.01;

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

Total aggregate salaries of all county employees \$219,607.82.

Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to adjourn to July 7, 2023, at 8:15 AM and set the next regular meeting for July 17, 2023, at 8:15 AM.

Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

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

Attest: /s/ Wanda Heermann, County Clerk