

BOARD OF EQUALIZATION PROCEEDINGS – September 16, 2024

(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 September 16, 2024, at 8:00 AM in the County Commissioner's room in Stanton, Nebraska.

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

Advance notice of the meeting was given by publication in the Stanton Register on September 4, 2024, 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.

Doug Oertwich, member of the public, attended the meeting.

The meeting was called to order at 8:00 AM by Vice-Chairman Huttman, 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 Rehak, seconded by Huttman to approve the agenda. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve the minutes of the August 19, 2024, meeting. Voting: Ayes: Huttman and Rehak. Nays: None. Absent: Kment. Motion Carried.

The following correspondence was reviewed and placed on file: TERC Appeal 24A-0234, TERC Order Vacate Decision and Notice Hearing-Lincoln NE 23R 0467.

Amber Happold, county assessor, advised the board that there were no corrections sheets or no listings of clerical errors needing approval.

County levies to be set on Friday, October 11, 2024 at 8:00 AM.

Motion made by Rehak, seconded by Huttman to adjourn and set the next meeting for Friday, October 11, 2024 at 8:00 AM and set the next regular meeting for October 21, 2024 at 8:00 AM. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

/s/ Doug Huttman, Vice-Chairman, Board of Equalization, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

BUDGET HEARING held September 16, 2024 at 9:00 AM

The 2024-2025 Budget Hearing for Stanton County, Nebraska was held in the open and public session on September 16, 2024 at 9:00 AM in the County Commissioner's room in Stanton, Nebraska.

Notice of the budget hearing was published in the Stanton Register on September 4, 2024.

Board members present at the hearing were: Doug Huttman and Duane Rehak. Dennis Kment was absent. Present for the hearing was Doug Oertwich, a member of the public.

The Budget Hearing was opened at 9:00 AM by Vice-Chairman Huttman for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget.

Wanda Heermann, county clerk, made a presentation outlining the key provision of the proposed budget statement, including, but not limited to, a comparison with the prior year's budget. No change was made to the necessary cash reserves (\$1,300,000.00 General Fund/\$1,200,000.00 Road Fund). To offset operating expenses, \$500,000.00 will be transferred from the Inheritance Tax Fund to the General Fund. The transfer of funds will be accomplished through the claims process. The total tax request requirement for 2024-2025 is \$5,470,565.19 which is an increase of \$128,352.90 from the prior 2023-2024 tax requirement of \$5,342,212.29. Discussion was held on the proposed budget and other budgetary issues.

Public comment was received on the proposed budget. All members of the public present were provided with a reasonable amount of time to address the county board.

Motion made by Rehak, seconded by Huttman to close the Budget Hearing at 9:20 AM. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

The Special Hearing to Set Final Tax Request was opened at 9:20 AM by Vice-Chairman Huttman for the purpose of hearing support, opposition, criticism, suggestions or observation of taxpayers relating to setting the final tax request.

Board members present at the hearing were: Doug Huttman and Duane Rehak. Dennis Kment was absent. Present for the hearing was Doug Oertwich, a member of the public.

Discussion was held on the tax request for 2024-2025 budget year. The 2024 certified valuation of Stanton County is \$2,026,210,359.00, which is an increase of \$251,228,514.00 from last year's valuation. The proposed tax levy request is 0.269990, a decrease of 0.030983 per \$100 of assessed value.

Motion made by Rehak, seconded by Huttman to close the Special Hearing to Set Final Tax Request at 9:30 AM. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

The approval and adoption of the 2024-2025 budget will be held at a Special Meeting set for September 23, 2024 at 8:00 AM in the County Commissioner's Room.

Motion made by Huttman, seconded by Rehak to adjourn the Budget Hearing. Voting: Ayes: Huttman and Rehak. Nays: None. Absent: Kment. Motion Carried.

/s/ Doug Huttman, Vice-Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk

COMMISSIONER'S PROCEEDINGS – September 16, 2024

(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 September 16, 2024, at 8:15 AM in the County Commissioner's room in Stanton, Nebraska.

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

Advance notice of the meeting was given by publication in the Stanton Register on September 4, 2024, 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.

Doug Oertwich, member of the public, attended the meeting.

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 Vice-Chairman Huttman, 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 and Rehak. Nays: None. Absent: Kment. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve the minutes of the August 19, 2024, meeting. Voting: Ayes: Huttman and Rehak. Nays: None. Absent: Kment. Motion Carried.

The following correspondence was reviewed and placed on file: NNSWC – Landfill Site Observation; Antelope Co Shf – increase daily housing cost; NIRMA – Notice Annual Membership Meeting, Information Nomination/Election NIRMA Board Members; Beth Ferrell, Legal Counsel – 2025 NACO Legislative Platform.

Motion made by Rehak, seconded by Huttman to approve Resolution No. 2024.09-13 to add and release pledged security at Stanton State Bank. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

Motion made by Rehak, seconded by Huttman to approve Resolution No. 2024.09-14 to authorize the County Treasurer to place County Tax Sale Certificates on parcels that are delinquent 2023 and prior. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

Kylee Klug, Planning and Zoning Administrator, joined the meeting.

Bill Fenton appeared before the county board to discuss concerns with weeds in the road ditches and properties within his neighborhood. He advised the county board landowners are not maintaining their property to control weeds. Discussion was held on the responsibility of the landowners to maintain the weeds on their property and road ditches. Mr. Fenton also expressed concerns with the Conditional Use Permit (CUP) for the operation of a gun range located near his property. He stated that the applicants are not following the conditions set when the permit was approved. Discussion was held on the Conditional Use Permit. Kylee reviewed the conditions with the county board and Mr. Fenton. The county board requested Kylee to contact the applicant about the complaint/concerns presented by Mr. Fenton.

Motion made by Huttman, seconded by Rehak to recess the Board of Commissioners Meeting to open the Budget Hearing scheduled at 9:00 AM. Voting: Ayes: Huttman and Rehak. Nays: None. Absent: Kment. Motion Carried.

Budget Hearing/Hearing to Set Final Tax Request held at 9:00AM. Regular Board meeting commenced after the closing of the Budget Hearing/Hearing to Set Final Tax Request at 9:30AM.

The Vice-Chairman re-opened the Board of Commissioner's meeting at 9:30 AM.

Vice-Chairman Huttman opened the hearing at 9:30 AM on the Conditional Use Permit (CUP) application of Horvath Communications/JAG Investments LLC to erect a 260' self-support telecommunications tower on property located in the NW 32-24-2. Jerrod Foutes, representative of Horvath Communications, appeared for the hearing. Kylee explained the application and recommendations of the Planning Commission. She stated the application meets zoning regulations and tower guidelines and setbacks have been met. No easements will be required but the applicant is aware that sight distance approval will be required by the Stanton County Road Engineer for the desired access. Discussion on the CUP was held with Jerrod.

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

Motion made by Rehak, seconded by Huttman to approve the Conditional Use Permit (CUP) application of Horvath Communications/JAG Investments LLC to erect a 260' self-support telecommunications tower on property located in the NW 32-24-2, as per Planning Commission recommendations. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

Kylee presented the Larson Lot Split splitting 5.44 acres on property located in W½ SW 14-21-1 into 2 lots. No one appeared for the lot split. Kylee explained the lot split.

Motion made by Rehak, seconded by Huttman to approve the Larson Lot Split splitting 5.44 acres on property located in W½ SW 14-21-1 into 2 lots, as per Planning Commission recommendations. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

Kylee presented the Goeller Lot Split splitting 5.46 acres on property located in the N½ SE 33-23-3 into 2 lots. No one appeared for the lot split. Kylee explained the lot split and indicated that the well and septic system are located on lot 1.

Motion made by Rehak, seconded by Huttman to approve the Goeller Lot Split splitting 5.46 acres on property located in the N½ SE 33-23-3 into 2 lots, as per Planning Commission recommendations. Voting: Ayes: Rehak and Huttman. Nays: None. Absent: Kment. Motion Carried.

Mark Mainelli, Highway Superintendent, joined the meeting.

Mark updated the county board on the FEMA sites. He stated the south site should be completed end of the week and work will continue on the north site. The Colfax/Stanton box culvert project has been completed and cost share documents will be sent. Discussion continued on the possible culvert replacement on 564 Ave north of Hwy 275. Commissioner Huttman stated he went and looked at the area. Plan/options for replacement to be drawn up.

Leonard Jindra joined the meeting. Discussion continued on the blind intersection located at 840 Rd and 564 Ave. Mr. Jindra inquired as to the status of the project. Mark commented that the traffic count had not been completed. He stated the road cannot be moved to the north because of the power line and gas line. Mark proposed to the county board that a stop sign be installed on the corner of 840 Rd and 564 Ave for the traffic traveling south. The matter continued to October 21, 2024 county board meeting.

Bid Letting was held at 10:30 AM on the Stanton County 2024 Culverts: C-84(399) & C-84(321) projects. Tim Braithwait, representative of B's Enterprises, appeared for the bid letting. No other appearances were made. Bids were opened and publicly read as follows: Midwest Service and Sales, Schuyler NE, C-84(399) 56,757.38, 4-6 weeks, C-84(321) \$7,319.20, 4-6 weeks, Total \$64,076.58; Contech Engineered Solutions LLC, Lincoln NE, C-84(399) \$41,876.00, 7-8 weeks after drawing approval, C-84(321) \$4,400.00, 3-5 weeks, Total \$46,276.00; B's Enterprises Inc, Norfolk NE, C-84(399), \$54,991.44, 8-16 weeks after drawing approval, C-84(321), \$6,678.80, 1-2 ARO, Total \$61,670.24. The bids were reviewed with Mark Mainelli, highway superintendent.

Motion made by Rehak, seconded by Huttmann to accept the bid of Contech Engineered Solutions LLC of Lincoln NE for the Stanton County 2024 Culverts: C-84(399) & C-84(321) projects in the total amount of \$46,276.00 and appoint and authorize the chairman to sign all the necessary documents when received. Voting: Ayes: Rehak and Huttmann. Nays: None. Absent: Kment. Motion Carried.

Mike Frohberg, emergency manager, joined the meeting.

Mike advised the county board that the new EMPG Grant requires a job description and salary verification form to be approved. The document was reviewed by the county board and approved by the county attorney.

Motion made by Rehak, seconded by Huttmann to approve and authorize the vice-chairman to sign the 2024 EMPG Job Description and Salary Verification document. Voting: Ayes: Rehak and Huttmann. Nays: None. Absent: Kment. Motion Carried.

Mike updated the county board on NDEE communication for the south shop, installation of GPS and radios for the road department, transfer of the 2017 H&H 12' utility trailer from emergency management to the road department and the possible purchase of 60kw generator through federal surplus to be used to power the courthouse during a power outage or other emergencies. The tower inspection report has been completed and filed from United Communications Group. Mike also informed the county board that the CyclonePort Weather Station by SDS Weather and Radar Omega has been installed and is fully operational.

Mike informed the county board of a 2015 GMC Terrain listed on the federal surplus site for \$15,000.00. A discussion was held on the vehicle and intended use by the planning/zoning administrator and other courthouse personnel.

Motion made by Huttmann, seconded by Rehak to authorize Mike to proceed with the purchase of the 2015 GMC Terrain for \$15,000.00 from federal surplus and waive competitive bidding per §23-3109. Voting: Ayes: Huttmann and Rehak. Nays: None. Absent: Kment. Motion Carried.

Mike informed the county board that he was requested to assist/help at the Missouri River Expo this week/weekend. He stated that the county side-by-side and 4-wheeler will be utilized at this expo.

Discussion was held on the property listed for sale near the County Shop building by Pilger. The matter will be discussed at the next county board meeting.

Motion made by Rehak, seconded by Huttmann to approve for the month of August the Documentary Stamp Tax, co shr in the amount of \$1,256.37; County Clerk fees in the amount of \$3,252.50; P&M Fund fees in the amount of \$487.50; Misc Copy fees in the amount of \$0.00; Clerk of the District Court fees in the amount of \$207.78; Passport fees in the amount of \$70.00; County Treasurer's receipt of money received numbered 24293 – 24349, inclusive in the amount of \$304,385.27; County Treasurer's List of Parcels of RE which taxes are delinquent 2023 and back; and place them on file. Voting: Ayes: Rehak and Huttmann. Nays: None. Absent: Kment. Motion Carried.

Motion made by Huttmann, seconded by Rehak to approve the following Accounts Payable claims as presented, except to change the claim of Sandra Zoubek, Co Treas in the amount of \$5,052.77 and add a claim for Sandra Zoubek in the amount of \$478.96 and approve the Payroll claims as presented and order checks drawn on the various funds. Voting: Ayes: Huttmann and Rehak. Nays: None. Absent: Kment. Motion Carried.

GENERAL FUND – Ameritas Retirement, ret-co shr, 10366.88; Antelope Co Shf, boarding, 4320.00; Appera, services, 168.05; Applied Connective Tech, services, 3157.13; Maxine Bauermeister Trustee, mowing, 300.00; Kim Bearnes, phone etc, 503.37; Shawn Beaudette, services, 103.00; Black Hills Energy, utilities, 83.00; BCBS, ins-co shr, 35547.97; Card Services, travel exp etc, 515.69; Central Plains Valuation, contract fees, 19228.00; Consolidated Electrical Distributor, 26.96; Consolidated Mgmt Co, meals, 237.05; Cornhusker Auto Center, services, 240.75; DAS State Acct, equip fees, 150.00; DB Trailer Sales, trlr pymt, 3394.00; Martha Detlefsen, prior service, 12.00; Douglas Co Crt, copy fees, 1.00; Electronic Eng Co, services, 376.25; Ewalt Law Office, public defender, 3850.00; Farmer's Coop, fuel, 1419.57; First Concord Benefits, fees, 40.00; Floor Maintenance Supply, supplies, 296.44; Judith Funk, salary mileage, 17.68; Great Amer Finc Services, rental pymt, 274.02; Amber Happold, meals mileage, 242.12; Wanda Heermann, postage, 21.15; Dallas Hinnerichs, mowing, 300.00; IRS USA Tax Pymt, so sec tax-co shr, 11306.53; Mike Kabes, salary mileage, 31.08; Diane Kander, mileage, 172.19; Anganette Klug, notary renewal, 163.32; Craig Korth, salary mileage, 46.08; Gerald Kuhn, salary mileage, 60.82; Russell Kumm, salary mileage, 48.76; Stanton Hardware, supplies, 67.98; Lammlie Locke Beaudette, office allow, 996.00; Luedeke Oil Co, fuel etc, 153.62; Madison County, dist judge costs, 79.99; Madison Nat Life Ins, ins-co shr, 44.38; Christopher Mauer/CM Olivers, supplies, 151.73; Menards, supplies, 58.50; Mid-Amer Benefits, hra fees-co shr, 7307.00; MIPS, services, 2937.27; Matthew Moeller/Moeller's Auto Tinting, services, 325.00; Motoplex Norfolk, equip etc, 32444.98; NACO, reg fees, 85.00; Lavern Newkirk, prior service, 17.00; Norfolk Auto Center, services, 167.76; Douglas Oertwich, salary mileage, 54.12; One Office Solution, supplies etc, 6833.47; Pender Care Centre/Apothecary Shop, prescriptions, 30.72; Pictometry Intl Inc, contract fees, 21500.00; Pierce Co Shf, boarding, 300.00; Pitzer Digital, services, 465.54; Gerald Podany, salary mileage, 62.16; Prime Sanitation, services, 79.50; Region 4 Behavioral Health Sys, 2nd Qu pymt, 4453.00; Rita Roenfeldt, prior service, 20.00; Russ Schwartz, mowing, 300.00; Stanton Auto Part, services, 1012.27; Stanton Co Clk, postage, 40.45; Stanton Co Clk Dist Crt, costs, 72.00; Stanton Co Crt, costs, 998.00; Stanton Co Imp Acct, ach fees, 20.75; Stanton Co PPD, utilities, 1633.11; Stanton Telecom, services, 1806.63; Stanton State Bank, checks, 190.49; Stanton Water Sewer, utilities, 233.04; State Nebr DMV, copies, 8.50; Stratton Delay Doele etal, atty fees, 3852.68; Jeremy Svitak, salary mileage, 78.24; Teeco, supplies, 53.95; The Lil Store, fuel, 3788.98; Thurston Co Shf, boarding, 2700.00; Tri-State Comm, equip, 9812.85; USave Pharmacy, prescriptions, 58.96; Univ Nebraska Ext-Stanton Co, phone, 45.02; Verizon Wireless, service, 668.66; Washtech Car Wash, supplies, 43.75; Wayne County, dist judge costs, 4537.23; Wisner News Chronicle, subscription, 43.00; Cheryl Wolverton, prior service, 11.00; Sandra Zoubek Co Treas, postage etc, 5052.77; Sandra Zoubek, lodging etc, 478.96; ROAD FUND – AKRS Equipment Solutions, parts, 169.40; Ameritas Retirement, ret-co shr, 4665.95; Appera, services, 87.23; ATCO Intl, supplies, 859.50; Backus Sand Gravel, gravel, 8790.77; Darrell Bahns/Leigh Motor Service, parts, 41.50; Black Hills Energy, utilities, 53.45; BCBS, ins-co shr, 18865.04; Bomgaars, supplies, 448.82; Mel's Small Engine, services, 738.82; Central Sand Gravel, gravel, 489.10; Century Link, services, 96.76; Clarkson Plbg Htg, supplies, 38.83; Colonial Research, supplies, 278.00; Consolidated Electrical Distributor, supplies, 26.96; DB Trailer Sales, trlr pymt, 3000.00; Johnson Trucking Sand Gravel, gravel, 11616.92; Dinkel Implement, parts, 117.00; Doernemann Farm Service, parts, 358.90; James Duncan, prior service, 16.00; Echo Group, supplies, 11.35; Farmer's Coop, fuel, 3931.94; Grubb Grinding, services, 825.00; Hoskins Mfg Co, supplies, 32.20; Norfolk Daily News, services, 100.60; IRS USA Tax Pymt, so sec tax-co shr, 5659.44; Island Supply Welding, supplies, 88.70; Overheard Door, supplies, 140.00; Christopher Kallhoff Northeast Glass, services, 1169.00; Kaup Forage Turf, seeding, 905.00; Stanton Hardware, supplies, 62.22; Lingenfelter Electric, services, 36180.00; Luedeke Oil Co, fuel etc, 14439.81; Madison Nat Life Ins, ins-co shr, 17.75; Matteo Sand Gravel, gravel, 552.20; Christopher Mauer/CM Olivers, supplies, 211.29; Medical Enterprises, services, 60.00; Meisinger Oil Co, supplies, 573.80; Mid-Amer Benefits, hra fees-co shr, 4200.00; NMC Exchange, services, 9177.96; Norfolk Implement, supplies, 57.32; One Office Solution, supplies, 16.90; Pilger Concrete Recycling, crushed rock, 5459.05; Pilger Store, fuel etc, 5492.81; Pitzer Digital, services, 187.38; Powerplan, services, 12008.64; Prime Sanitation, services, 50.00; Stanton Auto Parts, services, 1317.47; Ron's Ag Auto, services etc, 387.00; Rueter Zenor Co/Rueter's, services, 1792.27; Sioux City Truck Sales/Midwest Peterbilt, services, 1229.10; Stalp Gravel, gravel, 56368.79; Stanton Co PPD, utilities, 2190.94; Stanton Telecom, services, 334.14; Stanton Water Sewer, utilities, 46.10; Teeco, supplies, 73.25; Topp's Body Shop, services, 1210.04; US Cellular, services, 95.94; Verizon Connect Fleet, services, 992.80; Village Pilger, utilities, 127.39; West Point Auto Truck Center, services, 6238.13; Sandra Zoubek Co Treas, fees, 20.00; EMERGENCY MANAGEMENT FUND – Ameritas Retirement, ret-co shr, 372.65; Black Hills Energy, utilities, 37.86; Mike Frohberg, meals etc, 279.20; IRS USA Tax Pymt, so sec tax-co shr, 525.26; Madison Nat Life Ins, ins-co shr, 5.42; One Office Solution, supplies, 248.83; Prime Sanitation Services, services, 12.50; Stanton Co PPD utilities, 210.63; Stanton Telecom, services, 59.05; Stanton Water Sewer, utilities, 43.50; The Lil Store, fuel, 677.20; INHERITANCE TAX FUND – City Norfolk, dispatching, 18105.57; Stanton Co PPD, tower, 153.15; EMERGENCY 911 FUND – Echo Group, supplies, 30.75; Mike Frohberg, meals, 83.31; Stanton Telecom, utilities, 73.23; United Comms, inspection fees, 38360.00; COURTHOUSE IMPROVEMENT FUND – Mead Lumber, railing material, 2222.48; Total aggregate salaries of all county employees \$231,200.84.

Motion made by Rehak, seconded by Huttmann to adjourn to the Special Meeting set for September 23, 2024 at 8:00 AM and set the next meeting for Friday, October 11, 2024 at 8:15 AM and set the next regular meeting for October 21, 2024 at 8:15 AM. Voting: Ayes: Rehak and Huttmann. Nays: None. Absent: Kment. Motion Carried.

/s/ Doug Huttmann, Vice-Chairman, Board of Commissioners, Stanton County, Nebraska
Attest: /s/ Wanda Heermann, County Clerk