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BOARD OF EQUALIZATION PROCEEDINGS – December 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 December 16, 2024, 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 Amber Happold, County Assessor, were also present.

Advance notice of the meeting was given by publication in the Stanton Register on December 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, commissioner elect, attended the meeting.

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 the November 18, 2024, meeting. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried.

Amber Happold, county assessor, presented and explained the correction sheets for the month.

Motion made by Huttman, seconded by Rehak to approve and authorize the chairman to sign the correction sheets numbered 241 through 251 and place them on file. Voting: Ayes: Huttman, Rehak 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 statutory meeting for Thursday, January 9, 2025 at 8:00AM and set the regular meeting for Tuesday, January 21, 2025, 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 – December 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 December 16, 2024, 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 December 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, commissioner elect, 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 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 Rehak, seconded by Huttman to approve the agenda. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Kment to approve the minutes of the November 18, 2024, meeting. Voting: Ayes: Huttman, Kment and Rehak. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file: NNSWC – Landfill Site Observations 11/20/24; Railroad Yard Pipe & Steel Supply flyer; Topkote Inc – closure notice; Auction Time – notice Dakota Belly Dump sold; Tim Wragge – email; NNSWC – Landfill Site Observations 12-6-24; Northeast Economic Dev – notice meeting Dec 18, 2024; Micaela Wuehler – 2025 NACO Board candidate; Auction Time –notice shop doors sold.

Terry Mendlik, road department employee, appeared before the board to discuss possible purchase of a newer plow truck. The current truck needs to be replaced. Discussion held on options. No action taken.

The 2025 contract for public defender was presented to the board for approval. The proposed contract is in the sum of \$52,000.00 annually by paying \$4,133.33 monthly. There is a 13% increase in the proposed fee for the contract.

Motion made by Huttman, seconded by Rehak to approve and authorize the chairman to sign the 2025 Agreement for Public Defender [copy of Agreement on file in County Clerk’s office]. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried

The board reviewed the Memorandum of Understanding received from the Madison County Attorney in reference to the 2025-2028 Northeast Nebraska Juvenile Justice Partnership Plan for Counties of Madison, Boone, Stanton, Wayne, Antelope, Pierce, Knox. The board also reviewed the Memorandum of Understanding between the Madison County Attorney and Stanton County Attorney for the Nebraska Crime Commission’s 2025-2026 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 Rehak to approve and authorize the chairman to sign the Memorandum of Understanding for the 2025-2028 Northeast Nebraska Juvenile Justice Partnership Plan for Counties of Madison, Boone, Stanton, Wayne, Antelope, Pierce, Knox and the Memorandum of Understanding between the Madison County Attorney and Stanton County Attorney for the Nebraska Crime Commission's 2025-2026 Community Based Juvenile Services Grant application [MOU on file in County Clerk's office]. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

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

The chairman opened the hearing at 9:30 AM on the Conditional Use Permit (CUP) application of Michael Hamernik to establish a private airstrip (personal use only) on property located in the SW 16-21-3. No one appeared for the hearing. Kylee explained the application and recommendations of the planning commission. Discussion was held on the requirements (set forth by the Stanton County PPD) of the applicant to install markers on the electrical lines south of the air strip and sign a liability waiver (those requirements have been met by the applicant); that construction to meet the FAA guidelines; and submission/approval of the FAA Form 7480-1 (Landing Area Proposal). Kylee advised the county board that the highway engineer has concerns with the proposed strip, he notified Kylee that if an airstrip is established a hazard "cone" is automatically put in place in the landing area and this could have an effect on surrounding landowners wanting to build in that area.

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

Motion made by Huttman, seconded by Rehak to table the matter until more information is received on the restrictions of the FAA (Federal Aviation Administration) and the Cone Area requirements. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Kylee presented the Justin Gall Lot Split splitting 1.15 acres (unbuildable lot) on property located in Outlot 1, S½ S½ SW 13-21-2. No one appeared for the lot split. Kylee explained the lot split as an unbuildable lot (tree line) located north of 825 Rd.

Motion made by Rehak, seconded by Kment to approve the Justin Gall Lot Split splitting 1.15 acres (unbuildable lot) on property located in Outlot 1, S½ S½ SW 13-21-2, as per Planning Commission recommendations. Voting: Ayes: Rehak, Kment and Huttman. Nays: None. Motion Carried.

Kylee presented the Heimann Lot Split splitting 5.45 acres on property located in the SE SE 29-24-3. 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 Heimann Lot Split splitting 5.45 acres on property located in the SE SE 29-24-3 into 2 lots, as per Planning Commission recommendations. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

Kylee advised the county board that due to the resignation of Doug Oertwich from the Planning Commission Board a new board member will need to be appointed. Kylee presented the name of Mark Christensen to replace Doug Oertwich and complete his term. A discussion was held on the appointment.

Motion made by Kment, seconded by Rehak to appoint Mark Christensen to replace Doug Oertwich and complete his term on the Planning Commission Board. Voting: Ayes: Kment, Rehak and Huttman. Nays: None. Motion Carried.

W. Bert Lampli, county attorney, Cory Locke, deputy county attorney, and Mike Unger, county sheriff, joined the meeting.

Discussion was held on department/personnel issues, wages and budgets. No action was taken by the board.

Mark Mainelli, Highway Superintendent, and Ramsy Robertson, representative of Mainelli Wagner Assoc, joined the meeting.

Mark advised the county board he is waiting on the figures to repair the county bridge (no.11315 located between 24-24-1 and 19-24-2 on 564 Ave) back to the current condition.

The county board reviewed the Elkhorn Rural Public Power District service agreement to provide electrical service to the streetlights on Industrial Hwy by Nucor.

Motion made by Huttman, seconded by Rehak to authorize the chairman to sign the application and agreement for electric service with Elkhorn Rural Public Power District [Applications and Agreement on file in County Clerk's office]. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

The county board reviewed the quote received from IES Commercial Inc for the installation of the Benjamin Avenue streetlight in the amount of \$14,830.00. The quote is to provide the necessary materials, labor, equipment and tools to perform the electrical scope of the work as described in the Clarifications, Inclusions, and Exclusions document. The county board reviewed Permit No.: 0-56404 received from the Nebraska Department of Transportation to Perform Work on Public Right-of-Way along N-35 with a street lighting unit in accordance with attached plans and specifications [IES Quote and NDOT Permit on file in County Clerk's office].

Motion made by Huttman, seconded by Rehak to accept the quote to install the Benjamin Avenue streetlight in the amount of \$14,830.00. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

The county board reviewed the Notification to proceed with the Tier 1 Site Investigation received from the Nebraska Department of Environment and Energy (NDEE). No action needed by the board.

Ramsy presented a letter in regard to the Stop Sign Study at 840 Rd and 564 Ave. The preliminary recommendation is that the intersection does meet the MUTCD (Manual on Uniform Traffic Control Devices) requirement for signage due to inadequate sight distance. It is recommended that a "Stop" sign, as well as a "Stop Ahead" sign be installed north of the intersection to control south bound traffic. The recommendation to be adopted and approved at the January 9, 2025 meeting.

General discussion was held on various bridge and culvert projects.

Mike Frohberg, emergency manager, joined the meeting.

Mike advised the board that FEMA has approved the DR-4662-NE-0005 Outdoor Warning Siren Grant to install sirens at Maskenthine Recreational Area and Willers Cove Development. The federal funds obligated is \$45,161.25 with a completion date of June 2026. The county board reviewed the Grant Agreement, FFATA Reporting Form, NEMA Risk Assessment, GG-Lobbying Form (certification regarding lobbying), and SF-424D (assurances-construction programs).

Motion made by Huttman, seconded by Rehak to authorize the chairman to sign the Grant Agreement, FFATA Reporting Form, NEMA Risk Assessment, GG-Lobbying Form (certification regarding lobbying), and SF-424D (assurances-construction programs) for the DR-4662-NE-0005 Outdoor Warning Siren Grant. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve for the month of November the Documentary Stamp Tax, co shr in the amount of \$1,145.39; County Clerk fees in the amount of \$1,504.00; P&M Fund fees in the amount of \$248.00; Misc Copy fees in the amount of \$29.00; Clerk of the District Court fees in the amount of \$112.47; Passport fees in the amount of \$35.00; County Treasurer's receipt of money received numbered 24446 – 24503, inclusive in the amount of \$836,471.24; 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. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

GENERAL FUND - A to Z Vac-n-Sew, supplies, 46.95; Ameritas Retirement, ret-co shr, 10521.04; Antelope Co Shf Dept, boarding, 5600.00; Appera, services, 168.05; Applied Connective Tech, services, 3261.55; ASQ Promotional Products, supplies, 164.96; Kim Bearnes, phone etc, 438.43; Black Hills Energy, utilities, 240.63; BCBS, ins-co shr, 33478.33; Blue 360 Media, supplies, 99.95; Brite, icloud annual fee, 9360.00; Buffalo Co Shf Office, service fees, 12.00; Card Services, meals, 82.66; Colonial Research, supplies, 868.40; Cornhusker Auto Center, services, 107.40; DAS State Acct, equip fee, 150.00; Martha Detlefsen, prior service, 12.00; Egley Fullner Montag Morland etal, atty fees, 2666.51; Election System Software, supplies, 49.17; Ewalt Law Office, public defender, 3850.00; Farmer's Coop, fuel, 698.13; First Concord Benefits, fees, 35.00; Floor Maintenance Paper, supplies, 264.97; Frohberg Electric, services, 2933.97; Mike Frohberg, supplies, 42.72; Judith Funk, salary mileage, 17.68; Great Amer Finc Services, rental pymt, 374.04; Groves Emergency Lighting, services, 3262.24; Amber Happold, supplies, 153.42; Norfolk Daily News, services, 148.57; IRS USA Tax Pymt, so sec tax-co shr, 11466.72; Mike Kabes, salary mileage, 31.08; Craig Korth, salary mileage, 46.08; Kuehn's Auto Body, services, 1000.00; Gerald Kuhn, salary mileage, 60.82; Russell Kumm, salary mileage, 48.76; Stanton Hardware, supplies, 108.76; Lamli Locke Beaudette Law, office allow, 996.00; Luedeke Oil Co, tires etc, 347.97; Lynn Peavey, supplies, 122.72; Menards, supplies, 75.96; Mid-American Benefits, hra fees-co shr, 6962.00; MIPS, services, 2937.27; Natl Assoc counties, assoc dues, 450.00; Natl Shf Assoc, membership dues, 125.00; NE State Fire Marshal-Boiler Div, fees, 72.00; Lavern Newkirk, prior service, 17.00; Douglas Oertwich, salary mileage, 27.06; One Office Solution, supplies, 686.53; Paper Tiger Shredding, services, 359.25; Physicians Laboratory Services, costs, 90.00; Pilger Library, supplies, 491.50; Pitzer Digital, services, 484.12; Prime Sanitation Service, services, 79.50; Region 4 Behavioral Health, 3rd Qu pymt, 4526.25; Stanton Auto Parts, services, 573.44; Rita Roenfeldt, prior service, 20.00; Sioux Sales Co, supplies, 69.90; Stanton Co Clk Dist Crt, court costs, 293.00; Stanton Co Crt, court costs, 797.00; Stanton Co Imprest Acct, ach fees, 20.50; Stanton Co PPD, utilities, 1131.99; Stanton Telecom, services, 2855.36; Stanton Water Sewer, utilities, 99.06; Jeremy Svitak, salary mileage, 39.12; Teeco, supplies, 53.95; The Lil Store, fuel, 3452.92; The Radar Shop, services, 686.00; Thomson Reuters-West, supplies, 1096.00; Thurston Co Shf, boarding, 3060.00; Total Fire Security, annual fee, 480.00; USave Pharmacy, prescriptions, 76.98; Univ Nebraska-Lincoln, phone, 45.02; Verizon Wireless, service, 695.83; Washtech Car Wash, supplies, 8.75; Wolfs Den, meals, 38.50; Cheryl Wolverton, prior service, 11.00; Sandra Zoubek, supplies, 79.98;

ROAD FUND - Ameritas Retirement, ret-co shr, 7163.27; Appera, services, 43.54; ATCO Intl, supplies, 431.25; B's Enterprises, signs, 735.00; Behmer Trucking, services, 4500.00; Black Hills Energy, utilities, 305.00; BCBS, ins-co shr, 19505.52; Bomgaars, supplies, 1283.02; Century Link, services, 88.69; Clarkson Plbg Htg, supplies, 65.44; Colonial Research, supplies, 337.50; Dinkel Implement, parts, 1.61; Doernemann Farm Service, parts, 290.63; James Duncan, prior service, 16.00; Farmer's Coop, fuel, 3348.01; GI Trailer, services, 1912.17; Hoskins Mfg Co, supplies, 133.89; IRS USA Tax Pymt, so sec tax-co shr, 5152.51; Island Supply Welding, supplies, 111.31; Johnson Trucking Sand Gravel, gravel, 9278.37; K Porter Construction, concrete/asphalt mix, 10849.40; Kimball Midwest, supplies, 339.01; Stanton Hardware, supplies, 736.50; Lammers Trailer Repair, services, 255.31; Lingenfelter Electric, services, 2310.00; Love Signs, supplies, 60.00; Luedeke Oil Co, fuel etc, 9761.90; Mainelli Wagner Assoc, engineer services, 78072.05; Martin Marietta Materials, gravel, 841.78; Matteo Sand Gravel, gravel, 25660.80; Medical Enterprises, supplies, 190.00; Mid-American Benefits, hra fees-co shr, 4550.00; Midwest Service Sales Co, supplies etc, 2414.25; NE State Fire Marshal-Boiler Div, fees, 360.00; NMC Exchange, parts repairs, 43421.01; Gary Pickhinke, reimb ins, 135.20; Pilger Store, fuel etc, 4320.04; Pinkelman Truck Trailer, services, 1591.08; Prime Sanitation Service, services, 50.00; Ramaekers-B&A Welding, supplies, 5696.40; Stanton Auto Parts, services, 1079.02; Ron's Ag Auto, parts etc, 247.50; Sioux City Truck Sales-Midwest Peterbilt, parts, 224.02; Speedway Auto Parts, parts, 100.00; Stanley Petroleum Maintenance, parts etc, 5157.12; Stanton Co PPD, utilities, 681.27; Stanton Telecom, services, 333.73; Stanton Water Sewer, utilities, 48.10; Teeco, supplies, 30.75; Terracon Consultants, services, 4677.75; Topps Body Shop, services, 728.99; US Cellular, services, 101.42; Verizon Connect Fleet, services, 942.90; Village Pilger, utilities, 127.39; Warren Garage Door, services, 61399.00; Weldon Parts, parts, 126.63;

EMERGENCY MANAGEMENT FUND - Advexure LLC, subscription, 329.00; Ameritas Retirement, ret-co shr, 372.66; Black Hills Energy, utilities, 83.67; Country Technologies, parts, 15.00; Courtesy Ford Norfolk, services, 65.95; Fairfield Inn Suites, lodging, 440.00; Farmer's Coop, fuel, 102.30; Fire Cam, subscription, 1156.00; Mike Frohberg, reimburse, 542.85; IRS USA Tax Pymt, so sec tax-co shr, 525.26; Jones Automotive, services, 455.00; Stanton Hardware, tools, 271.97; Madison Natl Life Ins Co, ins-co shr, 5.42; Menards, supplies, 54.21; Motoplex Norfolk, parts, 179.99; Nebraska Assoc Emerg Mgmt, membership dues, 50.00; Pflanz, equipment, 1726.00; Prime Sanitation Services, services, 12.50; Stanton Co PPD, utilities, 158.15; Stanton Telecom, services, 59.82; Stanton Water Sewer, utilities, 46.50; The Lil Store, fuel, 2286.34;

INHERITANCE TAX FUND - City Norfolk, dispatching, 18105.57; Stanton Co PPD, tower, 167.93;

EMERGENCY 911 FUND - Generation Consultants, service, 1399.99; Stanton Telecom, utilities, 73.23;

Total aggregate salaries of all county employees \$226,552.08.

Motion made by Rehak, seconded by Huttman to adjourn and set the statutory meeting for Thursday, January 9, 2025 at 8:15AM and set the regular meeting for Tuesday, January 21, 2025, 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