

* * * * *

BOARD OF EQUALIZATION PROCEEDINGS – March 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 March 21, 2022, 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 was also present.

Advance notice of the meeting was given by publication in the Stanton Register on March 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 Kment, seconded by Huttman to approve the agenda. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve the minutes of February 22, 2022, meeting. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

The County Clerk advised the Board that there were no corrections sheets or no listings of clerical errors needing approval per the County Assessor.

Motion made by Rehak, seconded by Huttman to adjourn and set the next meeting for April 18, 2022, 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

* * * * *

COMMISSIONER'S PROCEEDINGS – March 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 March 21, 2022, 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 March 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 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 February 22, 2022, meeting. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file: NIRMA – 2021 Annual Report; NIRMA – NIRMA Safety Shorts Vol 10. No. 3; Jeffrey Baker, Nebraska VFW – CVSO Nomination; NIRMA – Introduction letter KC Pawling, Road Safety and Loss Prevention Specialist; NE Nebraska Solid Waste Coalition – Landfill Site Observations; Nebraska State Hwy Comm – Dist 3 Meeting Notice, March 25, 2022.

Joining the meeting were: Jonathan Brandow, Stanton Nursing Home administrator, Colleen Paden, Amy Pohlman, Sonya Lamli-Locke, David Kment, Cory Locke (Stanton City Attorney), Jennifer Michaels (Stanton City Council member), Sandra Zoubek (Stanton Co Treasurer), W. Bert Lamli (Stanton Co Attorney) and Carrie Pitzer (Stanton Register editor). Discussion continued on the ARPA funds request made by the Stanton Nursing Home at the February 22, 2022 meeting. Mr. Brandow advised the board on the nursing home capacity, loss of revenue, budget shortfall for repairs and sources of income unavailable. Comments were received from those in attendance. Board advised those present that the County has received only half of the funds allotted and are not aware when the second half will be received. On January 6, 2022 the US Treasury Department adopted the final rule implementing the SLFRF program. The final rule will be effective on April 1, 2022. The Coronavirus State and Local Fiscal Recovery Funds (SLFRF) provide resources for governments to meet the public health and economic needs of those impacted by the pandemic in their communities. Discussion held on reporting requirements needed to satisfy any federal audit of the ARPA funds received and how they were spent.

Motion made by Kment, seconded by Rehak to allocate \$250,000.00 of the ARPA funds to the Stanton Nursing Home to alleviate the negative economic impact created by the COVID-19 pandemic after verification is received as to where the funds will be spent. Voting: Ayes: Kment, Rehak and Huttman. Nays: None. Motion Carried.

Sam Fischer appeared before the board to discuss the bridge located on vacated 830 Rd west of 562 Ave in Union Creek Precinct between section 22/27-22-1. Sam advised the board the bridge might need to be repaired or an option of a low crossing culvert be installed to allow access to landowners on the west side of the bridge. The board advised Mr. Fischer they would discuss the matter with the Highway Superintendent later in the meeting.

Bill Fenton contacted the county clerk's office and advised he would not be able to attend the meeting.

LaLene Bates, Planning and Zoning Administrator, joined the meeting and presented a list of recommended appointments and re-appointments to the Stanton County Board of Adjustments.

Motion made by Rehak, seconded by Huttmann to appoint Larry Schrage as alternate – 2023 (replaces Dave Stepan) and appoint Ryan Simons to fill the vacant position – 2024. Board members previously appointed were: Mark Wieman – 2023, Robert Lueninghoener – 2024, Robert Locke and John Gall – 2022. Voting: Ayes: Rehak, Huttmann and Kment. Nays: None. Motion Carried.

Motion made by Huttmann, seconded by Rehak to approve Resolution 2022.03-11 to add pledged security held at Midwest Bank, Pierce Nebraska. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Joining the meeting were: Cheryl Wolverton, County Assessor; Mike Frohberg, Emergency Manager; Mike Unger, County Sheriff; Darrell Hansen and Bruce Anderson, County Road Dept; Ken Beaudette, Murphy Tractor representative; and re-joining the meeting was Sandra Zoubek, County Treasurer.

Discussion continued on the bid letting for concrete removal and repairs tabled at the February 22, 2022 meeting. The board was advised that the additional information requested was not received.

Motion made by Rehak, seconded by Huttmann to reject all bids received February 22, 2022 and set bid letting for April 18, 2022 at 9:00 AM to receive sealed bids for the removal and repairs to the south parking lot and installation of a handicap walkway located at 804 Ivy St, Stanton NE. Voting: Ayes: Rehak, Huttmann and Kment. Nays: None. Motion Carried.

Safety Committee members presented the board with a revised Stanton County Accident/Incident/Injury report for approval. The board reviewed the form and was advised that Mike Frohberg was appointed an investigator to follow up after such a report is filed with the safety committee and the county NIRMA contact personnel.

Motion made by Huttmann, seconded by Rehak to adopt and approve the Stanton County Accident/Incident/Injury report. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Ken Beaudette, Murphy Tractor representative, presented the board with information for new road equipment. Discussion held on the new equipment, trade-in values of county equipment, warranty, availability and delivery dates. No action taken by the board.

Mark Mainelli, Highway Superintendent, and Dean Burbach, Wayne County Commissioner, joined the meeting.

Appearing before the board were Jeff Mack and Bruce Mills, representatives of Nucor Steel. Mr. Mack inquired as to possible re-striping of Industrial Road and installing adequate lighting near the intersections by Nucor Steel. Mark Mainelli advised the board that Madison County is considering a re-striping project near the area of Nucor Steel and that Stanton County might be able to join on the project. Mark is to obtain more information on the striping and lighting project. No action taken by the board.

Discussion continued with Mark on the bridge located on vacated 830 Rd west of 562 Ave in Union Creek Precinct between section 22/27-22-1. They asked Mark about the bridge and if repairs or an option low crossing culvert be installed to allow access to landowners on the west side of the bridge. Mark advised the board to obtain information from the prior board proceedings on the classification of the road and bridge after it was vacated in November 2000. Matter continued to April 18, 2022 meeting.

Motion made by Huttmann, seconded by Rehak to approve Resolution 2022.03-12 to authorize the chairman to sign CBMP Agreement w/NDOT on Project No. STWD-CBMP(6), C008411610. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried. [County Bridge Match Program Agreement on file County Clerk's office]

Motion made by Huttmann, seconded by Rehak to authorize the chairman to sign Resolution 2022.03-13 approving the interlocal agreement with Cuming County on Project No. C-20(458), Aloys Southwest (located at the SE corner 36-21-3, 576 Ave north of 822 Rd) in the estimated shared cost of \$702,849.00 (bridge replacement project). Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Gravel Bid Letting set for April 18, 2022 at 10:00 AM.

Justin Stravers, representative of CAT, and Randi Hale, representative of Nebraska Machinery Co, appeared before the board to continue the conversation on the CAT machines purchased by the County in 2019. Issues with the machines have not been resolved after numerous software fixes applied by CAT engineers. Discussion held on the issues with the transmission downshifting causing a delay before engaging. Mr. Stravers advised the board that engineers would have a site inspection sometime in July or later with new software to hopefully fix the shifting issue. The board advised the representatives they have waited 2½ years to have the matter resolved and another software download probably would not resolve the matter. The NMC representatives would not admit to there being an issue with the machines and continued to blame the software logic downshifting downshift from fifth to third automatically. It was also stated that the machines are performing as designed. The county attorney questioned the representatives on warranty, buyback costs and other legal matters. The board continued to press the issue to fix the machines. The chairman advised the representatives they have until March 28, 2022 to present a resolution to the matter. A Special Meeting is set for March 28, 2022 at 8AM to determine the next step.

Discussion held with Darrell Hansen, Bridge Foreman, on the current road equipment needing repairs, possible trade-ins and used equipment and surplus items to be put up for auction.

Mike Frohberg and Mike Unger appeared before the board to discuss replacement of vehicles and equipment destroyed in flooding last year in Omaha and replacement of department vehicles. It was mentioned that Dodge dealers are not producing law enforcement vehicles at this time and the Ford dealers state bid is around \$49,000 just for the vehicle. The estimated cost for the law enforcement package option is \$15,000 and the estimated cost for the computer and camera equipment is \$14,000 which is an additional cost per vehicle. Discussion held on ARPA funds available to cover the costs of emergency vehicles and equipment. No action taken at this time.

Motion made by Rehak, seconded by Huttmann to approve for the month of February the Documentary Stamp Tax, co shr in the amount of \$2,280.27; County Clerk fees in the amount of \$2,822.40; P&M Fund fees in the amount of \$439.00; Game and Parks Agent fees in the amount of \$8.00; Misc Copy fees in the amount of \$0.00; Clerk of the District Court fees in the amount of \$303.08; Passport fees in the amount of \$35.00; County Treasurer's receipt of money received numbered 22402 – 22482, inclusive in the amount of \$450,975.91; County Treasurer's Closing of Public Sale of Delinquent Real Estate Taxes – March 7, 2022; County Sheriff's 4th Quarter report (October-December 2021); and place them on file. Voting: Ayes: Rehak, Huttmann and Kment. Nays: None. Motion Carried.

Motion made by Huttmann, 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 Retirement, ret-co shr, 7846.04; Antelope Co Shf Dept, boarding etc, 8846.00; Appera, services, 154.81; Applied Connective Tech, IT services, 3231.66; Kim Bearnes, meals etc, 732.29; Shawn Beaudette, services, 103.00; Joshua Bennett, supplies, 266.22; Black Hills Energy, utilities, 863.32; Donna Bloom, supplies, 10.58; BCBS, ins-co shr, 29541.31; Gary Carson, dues etc, 174.41; Cornhusker Auto Cntr, services, 175.24; DAS State Acct, costs, 43.88; Martha Detlefsen, prior service, 12.00; Eakes Office, supplies, 244.37; Elec Eng Co, antenna, 94.52; Election Sys Software, supplies, 723.71; Tyler Evans, supplies, 19.00; Ewalt Law Office, public defender, 3000.00; Farmer's Coop, fuel, 877.00; First Concord Benefits, fees, 55.00; Great America Financial, postage meter, 174.00; Wanda Heermann, reimb, 63.13; IRS USA Tax Pymt, so sec tax-co shr, 8780.00; Jones Auto, equip, 302.52; William Kaiser RE Appraisal, services, 2660.00; Stanton Hardware, supplies, 70.83; W Bert Lammler Jr, office allow, 949.00; Luedeke Oil, fuel etc, 314.66; Lynn Peavey, supplies, 101.82; Madison Co Shf, boarding, 700.00; Madison Natl Life Ins, ins-co shr, 33.38; Menards, supplies, 46.84; Mid-Amer Benefits, hra fees-co shr, 6046.00; MIPS, fees etc, 2924.02; Nebr Assoc Co Treas, fees, 50.00; Nebr Notary Assoc, fees, 158.27; Lavern Newkirk, prior service, 17.00; NPZA, fees, 20.00; Wayne Ohnesorg, mileage, 16.38; One Office, supplies, 1750.36; Pictometry Intl, fees, 21400.00; Pilger Library, supplies, 306.97; Pitzer Digital, services, 1827.22; Prime Sanitation, utilities, 39.75; Region 4 Behavioral Health, quarter pymt, 4744.50; Stanton Auto Parts, supplies, 1065.07; Rita Roenfeldt, prior service, 20.00; SID#1, franchise fees, 3533.68; Stanton Co Clk Dist

Crt, fees, 36.00; Stanton Co Crt, fees, 202.00; Stanton Co Imp Acct, imprest fees, 20.00; Stanton Co PPD, utilities, 1188.76; Stanton State Bank, supplies, 66.02; Stanton Telecom, services, 1778.24; Stanton Water Sewer, utilities, 88.75; St Nebr Dept Corr, boarding etc, 1224.34; Stratton DeLay Doele etal, atty fees, 1103.24; Teeco, supplies, 52.45; Lil Store, fuel, 3503.95; Thomson Reuters-West, law library, 2118.00; Thurston Co Shf, boarding, 4600.00; Michael Unger, meals, 66.67; Mike Unger Stanton Co Shf, fees, 18.61; Univ Nebr Extension-Stanton Co, fees, 45.02; Verizon Wireless, service, 481.57; Wanek Pharmacy, supplies, 196.03; Loree Zach, reimburse, 22.99; Road Fund - AKRS Equip, parts, 12.17; Ameritas Retirement, ret-co shr, 3308.10; Appera, services, 39.16; ATCO Intl, supplies, 650.00; B's Enterprises, supplies, 712.50; Rusty Nuts Repair, services, 3210.23; Black Hills Energy, utilities, 774.90; BCBS, ins-co shr, 17842.42; Bomgaars, supplies, 825.91; Century Link, services, 93.26; Clarkson Plbg Htg, supplies, 20.66; Janice Coates, prior service, 17.00; Doernemann Constr, rock, 3019.54; Doernemann Farm Serv, parts, 534.81; James Duncan, prior service, 16.00; Echo Group, parts, 30.26; Farmer's Coop, fuel etc, 4278.94; Farmer's Un Coop Supply, supplies, 18.00; Fastenal Co, supplies, 55.93; IRS USA Tax Pymt, so sec tax-co shr, 3844.57; Island Supply Welding, supplies, 138.27; John Deere Finc, parts, 206.07; Northeast Glass, services, 610.00; Kimball Midwest, supplies, 404.38; Stanton Hardware, supplies, 838.10; LG Everist, rock, 677.67; Luedeke Oil, fuel etc, 11464.72; Gerhold Concrete Co, rock, 994.89; Madison Natl Life Ins, ins-co shr, 8.64; Mainelli Wagner Assoc, eng fees, 14921.78; Martin Marietta Materials, rock, 9829.67; Matteo Sand Gravel, gravel, 1116.70; Medical Enterprises, services, 140.00; Meisinger Oil, supplies, 323.00; Menards, supplies, 82.00; Mid-Amer Benefits, hra fees-co shr, 3500.00; Midwest Service Sales, signs etc, 51.25; Norfolk Works, fees, 74.00; Pilger Store, fuel etc, 4450.86; Pinkelman Truck Trailer, parts, 21.88; Pitzer Digital, services, 25.98; PowerPlan, services etc, 2582.49; Prime Sanitation, services, 50.00; Profire Safety, supplies, 73.50; Quality Trans Align, services, 935.11; RDO Truck Cntr, services, 3683.45; Stanton Auto Parts, services etc, 1657.24; Road Builders Mach Supply, parts, 33.72; Ron's Ag Auto Repair, supplies, 105.00; SID#1, hwy alloc funds, 14000.00; Sport Lighting, parts, 397.28; Stanton Co PPD, utilities, 783.00; Stanton Telecom, services, 218.51; Stanton Water Sewer, services, 40.70; Teeco, supplies, 25.50; US Cellular, services, 54.12; Village Pilger, utilities, 125.99; Weldon Parts, parts, 237.57; Emerg Mgmt Fund - Ameritas Retirement, ret-co shr, 309.37; Black Hills Energy, utilities, 150.39; Farmer's Coop, fuel etc, 519.08; Mike Frohberg, reimburse, 62.70; IRS USA Tax Pymt, so sec tax-co shr, 428.26; Stanton Hardware, 518.69; Luedeke Oil, supplies, 20.00; Madison Natl Life Ins, ins-co shr, 5.42; Menards, supplies, 1257.99; Prime Sanitation, utilities, 12.50; Stanton Co PPD, utilities, 78.35; Stanton Telecom, utilities, 55.00; Stanton Water Sewer, utilities, 38.25; Inheritance Tax Fund - Stanton Co PPD, tower utilities, 115.70; Emerg 911 Fund - City Norfolk, dispatching, 7939.69; Stanton Telecom, services, 73.23; Crthse Imp Fund - Total Fire Security, fire alarm system etc, 17378.92;

Total aggregate salaries of all county employees \$173,441.41. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to adjourn and set a Special Meeting for March 28, 2022 at 8:00 AM and set the next regular meeting for April 18, 2022, 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