

BOARD OF EQUALIZATION PROCEEDINGS – Tuesday, January 17, 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 Tuesday, January 17, 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 January 4, 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 Rehak, seconded by Kment to approve the minutes of December 19, 2022 and January 5, 2023, meetings. Voting: Ayes: Rehak, Kment and Huttman. Nays: None. Motion Carried.

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

Motion made by Huttman, seconded by Rehak to approve and authorize the chairman to sign the correction sheet numbered 202301 and place it on file. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

There were no listings of clerical errors needing approval.

Motion made by Huttman, seconded by Rehak to adjourn and set the next meeting for Tuesday, February 21, 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

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COMMISSIONER’S PROCEEDINGS – Tuesday, January 17, 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 Tuesday, January 17, 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 January 4, 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 8:15 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 Kment, seconded by Huttman to approve the minutes of December 19, 2022 and January 5, 2023, meetings. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file: Northeast Nebraska Solid Waste Coalition – landfill site observation.

Mike Unger, county sheriff, and W. Bert Lamml, county attorney, joined the meeting. General discussion held on department issues and road hazard incident.

Cheryl Wolverton, LaLene Bates, and Michael Petersen joined the meeting. Discussion held on a judicial addition to the courthouse and appointment of building committee members.

Discussion held on the semi-annual report for July – December, 2022. Motion made by Huttman, seconded by Rehak to approve Resolution 2023.01-2 for settlement of County Treasurer’s Semi-Annual report. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to approve Resolution 2023.01-3 to add and release pledged security (Stanton State Bank). Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

The county clerk informed the county board that no requests for proposals for audit services were received. The request for proposal was published January 4 & 11, 2023 and a copy of the request for proposal was mailed to prospective companies. The board advised the clerk to contact the area companies on the request.

Gary Carson, Weed Superintendent, joined the meeting. The annual activity report, budget report, noxious weed infestation report, weed control authority board roster and Noxious Weed Control Plan were reviewed by the board. Discussion held on weed issues within the county.

Motion made by Huttman, seconded by Rehak to authorize the chairman to sign the annual reports for the weed department that need to be filed prior to January 31st. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried

LaLene Bates, Planning and Zoning Administrator, and Kylee Klug, joined the meeting. LaLene advised the board that due to a lack of quorum of the Planning Commission board there was no recommendation of RUP application of Brandon Fischer to construct a residence on property located in Pt SE SW 4-22-2. No action taken by the board.

Discussion held on the RUP application of Thomas Hintz/Kevin Heppner to construct a residence on property located E½ SE 7-23-1 approved at the December 19, 2022 meeting. LaLene advised the board that a clarification needs to be made to Item #3 of the Planning Commission recommendations to indicate that the wheels of the trailer need to be removed instead of the trailer needs to be removed.

Motion made by Huttman, seconded by Rehak to indicate Item #3 of the Planning Commission recommendations to state the wheels of the trailer need to be removed. Voting: Ayes: Huttman, Rehak and Kment. Nays: None. Motion Carried.

Discussion held on possible new Planning Commission members and department issues. LaLene informed the county board on the need to create a Livestock Feeding Operations Layer on the Stanton County gWorks Planning Zoning tab. The board reviewed the gWorks Statement of Work agreement for Project Name: Livestock Feeding Operations Layer Creation. The cost to set up the additional layer will be \$740 with an annual fee of \$100 for maintenance.

Motion made by Kment, seconded by Huttman to approve and authorize the chairman to sign the Statement of Work agreement for Project Name: Livestock Feeding Operations Layer Creation and that the payment of set up and annual fee will be paid through the Miscellaneous General Fund. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried. [copy on file in County Clerk's office]

Ben Fuller, representative of Summit Carbon Solutions, appeared before the board to present an update on the Summit Carbon Solutions Co2 Project within Stanton County. 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. With more than 5,000 miles of infrastructure currently operating in the United States. Pipelines are regulated by PHMSA (Pipeline Hazard Material Safety Agency). Of the 17.95 miles of anticipated pipeline within Stanton County, 15.66 miles (87.91%) of easements have been obtained. Approximate construction start date is August 2023.

Ramsy Robertson, representative of Mainelli Wagner and Associates, joined the meeting.

Discussion held on 569 Ave Bank Stabilization pre-construction notification. This project is to stabilize the southeast bank of the Elkhorn River along 569 Ave that was washed out during the 2019 flooding within the FEMA 4420 declared disaster. Project to be submitted to US Army Corps of Engineers for approval.

Discussion held on the Bridge Agreement drafted in reference to the bridge removal and culvert installation on 830 Rd west of 562 Ave in Union Creek Precinct, 22/27-22-1. On November 20, 2000, the road was vacated but the county retained the right of way and responsibility for the maintenance of the bridge (Resolution #829-00). The bridge is beyond its service life and cannot be repaired or replaced. Bridge Agreement will be forwarded to Mark Mainelli, highway superintendent, for review.

Discussion held on the National Functional Classification System Review map received from the Nebraska Department of Transportation (NDOT). The map will need to be reviewed, signed and returned prior to March 12, 2023. Review and approval of the map to be placed on the February 21, 2023 agenda.

Discussion held on the 2012 Chev 3500 PU purchased from the Federal Surplus Property in the amount of \$35,000.00 for the road department.

Motion made by Huttman, seconded by Kment to approve the purchase of the 2012 Chev 3500 PU in the amount of \$35,000.00 from the Federal Surplus Property for the road department. Voting: Ayes: Huttman, Kment and Rehak. Nays: None. Motion Carried.

Michael Petersen, sheriff deputy, and Mike Frohberg, emergency manager, joined the meeting to discuss new taser equipment for the sheriff's department. Michael presented information to the board on the cost of new tasers. Tasers are essential and an effective piece of equipment to law enforcement officers. The board reviewed the quote from Axon Enterprise Inc of Scottsdale Arizona in the approximate amount of \$30,574.12 for 11 tasers, batteries and cartridges. Payment options were discussed (5 year payment plan). Waiver of competitive bidding (NRS 23-3109) not required when purchasing unique or noncompetitive items was noted.

Motion made by Huttman, seconded by Kment to approve the purchase of tasers and necessary equipment in the approximate amount of \$30,574.12 from Axon Enterprise Inc, payable in 5 yearly payments or paid in full if purchase amount discounted and waive competitive bidding. Voting: Ayes: Huttman, Kment and Rehak. Nays: None. Motion Carried.

Loren Smydra, representative of Road Builders, joined the meeting. General discussion held on skidloaders, snowblowers and shredders available through their company.

Mike Frohberg updated the board on department issues, sheriff department vehicles and radio equipment. Mike informed the board of safety equipment (helmets) and grant reimbursement funds available. He advised that the equipment has been received to update employee IDs. Mike has scheduled the Safety Manual training with the Road Dept to be held January 30, 2023 at 7:30/8:00AM in the courthouse. No new information on the sewer issue at the emergency management building.

There were no requests for ARPA funding.

Motion made by Huttman, seconded by Rehak to approve for the month of December the Documentary Stamp Tax, co shr in the amount of \$1,288.87; County Clerk fees in the amount of \$2,098.00; P&M Fund fees in the amount of \$346.00; Game and Parks Agent fees in the amount of \$0.00; Misc Copy fees in the amount of \$0.00; Clerk of the District Court fees in the amount of \$157.09; Passport fees in the amount of \$105.00; County Treasurer's receipt of money received numbered 23073 - 23131, inclusive in the amount of \$234,825.53; 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:

GENERAL FUND - Bulletproof Zone, helmets, 3671.89; Alder Elec, services, 1280.00; Ameritas, ret-co shr, 9374.32; Antelope Co Shf Dept, boarding etc, 6395.00; Appera, services, 164.97; Applied Concepts, supplies, 80.00; Applied Conn Tech, services, 2196.39; LaLene Bates, meals, 20.46; Kim Bearnes, phone, 40.00; Shawn Beaudette, services, 103.00; Black Hills Energy, utilities, 1314.12; BCBS, ins-co shr, 36973.90; Card Services, extradition, 1355.88; Cornhusker Auto Cntr, services, 391.59; Crowne Plaza, lodging, 2728.95; DAS State Acct, equip fee, 43.88; Martha Detlefsen, prior service, 12.00; Donna Dixon, prior service, 57.50; Eakes Office, supplies, 110.06; Ewalt Law, public defender, 3000.00; Farmer's Coop, fuel, 477.16; Fastenal Co, supplies, 148.15; First Concord Benefits Group, flex benefits, 655.00; First Nebraska Bank, check fee, 10.00; Fitzgerald Vetter Temple etal, atty fees, 1432.23; Friends of the Stanton Library, library funds, 5000.00; Judy Funk, mileage etc, 17.34; Great Amer Finc Services, rental pymt, 347.72; Wanda Heermann, mileage, 196.25; Debra Hoehne, prior service, 134.64; IRS USA Tax Pymt, so sec tax-co shr, 10519.92; Jack B Scherer LLC, services, 438.61; Jack's Uniform Equip, supplies, 8.95; K's Marketplace, supplies, 4.99; Mike Kabes, mileage etc, 58.08; Kylee Klug, mileage etc, 257.57; Kuehn's Auto Body, services, 620.00; Gerald Kuhn, mileage etc, 28.45; Russell Kumm, mileage etc, 41.70; Lamli Locke Beaudette, office allow, 958.00; Madison Co Shr, boarding etc, 8950.90; Judene Mewis, prior service, 69.24; Mid-American Benefits, hra fees-co shr, 5788.00; Mid States Organized Crime Info Cntr, fees, 100.00; Midwest Special Services, transport fees, 425.25; MIPS, services, 2859.25; Gilbert Morfeld, prior

service, 23.08; NACO Planning Zoning, dues, 40.00; Natl Shf Assn, dues, 71.00; Nebr Assn Co Assessors, dues, 60.00; Nebr Clk Dist Crt Assn, dues, 50.00; Lavern Newkirk, prior service, 17.00; NE Nebr Juv Service, boarding, 4495.00; Douglas Oertwich, mileage etc, 51.06; One Office, supplies, 1138.86; Apothecary Shop, medical, 369.90; Pender Comm Hospital, medical, 185.00; Pengad, supplies, 20.14; Pierce Co Shf Dept, boarding, 650.00; Pilger Library, supplies, 246.32; Pitzer Digital, services, 465.18; Gerald Podany, mileage etc, 29.04; Priority Comm Solutions, services, 847.75; Region IV, 3rd Qu pymt, 1874.50; RI Aksarben Village, lodging, 456.00; Stanton Auto Parts, parts, 28.64; Rita Roenfeldt, prior service, 20.00; Edward Sokol, prior service, 115.40; Stanton Co Clk Dist Crt, fees, 108.00; Stanton Co Crt, fees, 565.18; Stanton Co Imp Acct, ach fees, 20.75; Stanton Co PPD, utilities, 1196.28; Stanton State Bank, deposit box fees, 60.00; Stanton Telecom, services, 1835.27; Stanton Water Sewer, utilities, 94.22; Stratton DeLay Doele etal, atty fees, 2057.52; Teeco, supplies, 69.71; Lil Store, fuel, 3467.42; Thurston Co Shf, board, 2200.00; Kristin Unger, reimbursement, 1390.70; Univ Nebr Lincoln Extension-Stanton Co, fees, 45.02; Verizon Wireless, service, 480.12; Carla Vogel, prior service, 46.16; Wanek Pharmacy, prescriptions, 819.57; Winsupply Norfolk, supplies, 480.00; Wolf's Den, meals, 24.00; Sandra Zoubek Co Treas, interest etc, 217.79; Sandra Zoubek, mileage etc, 246.25;

ROAD FUND – Ameritas, ret-co shr, 6642.36; Appera, services, 42.11; ATCO Intl, supplies, 700.00; Black Hills Energy, utilities, 1622.29; BCBS, ins-co shr, 21125.29; Bomgaars, supplies, 438.31; Century Link, services, 57.55; Clarkson Plbg Htg, supplies, 41.05; Janice Coates, prior service, 17.00; Doernemann Farm Service, supplies, 73.47; James Duncan, prior service, 16.00; Echo Group, supplies, 88.51; Farmer's Coop, fuels etc, 5324.49; Fastenal Co, supplies, 153.61; Wanda Heermann, reimbursement, 12.50; Hoskins Mfg Co, supplies, 7.00; IRS USA Tax Pymt, so sec tax-co shr, 4650.46; Island Supply Welding, supplies, 301.22; John Deere Finc, services, 3534.76; Kimball Midwest, supplies, 402.89; Stanton Hardware, supplies, 2484.54; Luedeke Oil Co, fuel etc, 11967.11; Martin Marietta Materials, gravel, 2649.65; Matteo Sand Gravel, gravel, 1368.30; Menards, supplies, 37.95; Mid-Amer Benefits, hra fees-co shr, 3250.00; Midwest Service Sales, supplies, 615.00; NMC Exchange, services, 44762.44; Nebr Fed Surplus Prop, 2012 Chev, 35000.00; Northside Glass, services, 650.00; One Office, supplies, 24.95; Pilger Store, fuel etc, 3855.30; Pitzer Digital, services, 27.00; Powerplan, services, 1004.72; Stanton Auto Parts, services, 5187.14; Rons Ag Auto Repair, services etc, 32.00; Schroeder Land Surveying, surveyor costs, 2100.00; Sioux City Truck Sales, services, 479.52; Stanton Co PPD, utilities, 966.65; Stanton Telecom, services, 221.53; Stanton Water Sewer, services, 42.70; Teeco, supplies, 49.75; US Cellular, services, 60.80; Verizon Connect Fleet, services, 823.40; Village Pilger, utilities, 124.56;

EMERGENCY MANAGEMENT FUND – Ameritas, ret-co shr, 327.94; Black Hills Energy, utilities, 246.18; Crowne Plaza, lodging, 389.85; Farmer's Coop, fuel etc, 342.69; Mike Frohberg, supplies meals etc, 294.08; IRS USA Tax Pymt, so sec tax-co shr, 467.25; Stanton Hardware, supplies, 33.29; Madison Natl Life Ins, ins-co shr, 5.42; Menards, supplies, 87.93; Nebr Assn Emerg Mgmt, reg fees, 110.00; Stanton Co PPD, utilities, 81.69; Stanton Telecom, utilities, 55.91; Stanton Water Sewer, utilities, 40.25;

COVID ARPA - First Nebr Bank, equip (Iconic Metalgear), 16733.04;

INHERITANCE TAX FUND - Stanton Co PPD, utilities, 147.30;

EMERGENCY 911 FUND - J Vernon Davidson, rent fee, 120.00; City Norfolk, dispatching, 16666.67; Stanton Telecom, services, 73.23;

COURTHOUSE IMPROVEMENT - Haig Construction, handrails, 8500.00; Johnson's Inc, services etc, 1558.37;

Total aggregate salaries of all county employees \$207,498.78. Voting: Ayes: Huttman, Rehak and Kment. Naves: None. Motion Carried.

Motion made by Huttman, seconded by Rehak to adjourn and set the next meeting for Tuesday, February 21, 2023, at 8:15 AM. Voting: Ayes: Huttman, Rehak and Kment. Naves: None. Motion Carried.

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

Attest: /s/ Wanda Heermann, County Clerk