

\* \* \* \* \*

**BOARD OF EQUALIZATION PROCEEDINGS – March 20, 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 March 20, 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 March 8, 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 Huttman, seconded by Kment to approve the minutes of February 21, 2023, meeting. Voting: Ayes: Huttman, Kment and Rehak. 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 2023-09 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 Rehak, seconded by Huttman to adjourn and set the next meeting for April 17, 2023, 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 20, 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 March 20, 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 March 8, 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.

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 Kment, seconded by Huttman to approve the minutes of February 21, 2023, meeting. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried.

The following correspondence was reviewed and placed on file: Nick Paden, Stanton Telecom Inc – Proposed Broadband Deployment Project in Pt S½ 30-24-1 and Proposed Broadband; Deployment Project in Pt Sec 8-19-10, 15-16-17, 20-21-22 Twn 23 Rge 3; Cooperative Supply Inc, Dodge – equity account information; Austyn House, Nebraska DNR – notice dam inspection EX-5-80 DAM located in NE 10-23-2; Stanton Telecom Inc – thank you; Federal Aviation Admin – aeronautical study re: Battle Creek NE project; Stanton Co Veterans Memorial Park – LENRD Development Program Appl Form; Rob Mercer, Northeast Nebraska solid Waste coalition – landfill site observations; Michael Behrens, permitting engineering division of Nebraska Dept Environment Energy – NE Nebraska Solid Waste Coalition Public Notice of Permit Modification; Jill Kuhel, Nebraska DOT – input request FY2024 – FY2027 State Transportation Improvement Plan (STIP) and Nebraska Surface Transportation Program; Elaine Menzel, NACO legal counsel – Opioid Settlement pymt schedules; Megan Ware, NIS representative – NACO Life/LTD renewal information.

Discussion held on the NACO Life, ADA and LTD renewal information received from National Insurance Services (NIS). There will be no rate change this year. The current rates are guaranteed for 2 years (until July 1, 2025). Motion made by Rehak, seconded by Huttman to renew the Life, ADA and LTD with National Insurance Services (NIS) effective July 1, 2023 and authorize the county clerk to sign the renewal document. Voting: Ayes: Rehak, Huttman and Kment. Nays: None. Motion Carried.

The board reviewed and discussed the proposals received for lawn maintenance from: Jack Scherer LLC, Stanton in the estimated amount of \$931.99 (courthouse) plus \$185.28 (extension building) for a total of \$1,117.27. This proposal includes early spring application, pre-emergent, bug & fertilizer, mid to late summer fertilizer and winter application. and Lawnco Lawn & Tree Care, Norfolk in the estimated amount of \$1,191.62. This proposal includes lawn applications for spring, late spring, summer, fall/late fall, spring or fall aeration and perimeter pest control. Motion made by Kment, seconded by Huttman to accept the proposal of Jack Scherer LLC for lawn maintenance in the estimated amount of \$1,117.27 for the courthouse and extension building lawn. This proposal includes early spring application, pre-emergent, bug & fertilizer, mid to late summer fertilizer and winter application. Voting: Ayes: Kment, Huttman and Rehak. Nays: None. Motion Carried.

Reg Gnirk and John Mangels, Hoskins Rural Fire Board members, appeared before the board to continue the discussion on their request for ARPA funds received October 17, 2022. The fire department would like to purchase air packs in the estimated amount of \$137,155.20 and new tanker truck in the estimated amount of \$248,109.00. Hoskins Rural Fire District’s headquarters is in Wayne County with a station located in Woodland Park (Stanton County). Mr. Gnirk stated 46% of the taxable valuation comes from the Woodland Park area. Mr. Mangels

advised the board that Wayne County has allotted half the amount for the tanker truck and suggested to request the other half for the tanker truck from Stanton County. Motion made by Kment, seconded by Huttmann to allocate \$124,000.00 of the ARPA funds towards the request of Hoskins Rural Fire Department for the purchase of a new tanker truck after an invoice is received from Midwest Fire of Luverne MN. Voting: Ayes: Kment, Huttmann and Rehak. Nays: None. Motion Carried.

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

Henry Aschoff and Walt Aschoff appeared before the board to discuss the possible expansion of a dairy operation on Mike Mohnsen's property located in E½ NW 29-24-1. This property is zoned as R-1 (residential). Henry Aschoff advised the board they would like to expand the existing barn to accommodate 120-180 head with an automated dairy operation. Also presented was a letter from Northeast Community College stating their interest in learning goals by allowing Northeast students to engage in various activities in a close proximity to the college. LaLene advised the board that the dairy has not been operational for over 12 months and when a nonconforming use of a structure or structure and premises in combination is discontinued or abandoned for 12 months, the structure or structure and premises in combination shall not thereafter be used except in conformance with the regulations of the district in which it is located. Residential zoning would not permit industrial, commercial or livestock operations of any size within the land use area. She also informed the board no existing nonconforming structure shall be enlarged, extended, constructed, reconstructed, moved or structurally altered. LaLene's recommendation is to not allow the expansion of the dairy operation due to the zoning regulations. Discussion held on the zoning regulations, expansion project and the location of the dairy expansion in relationship to the residential housing in the area. The board advised the Aschoffs they would need to apply for a Conditional Use Permit (CUP) through the Planning and Zoning Commission. No action taken by the board.

The chairman open the hearing at 10:00 AM on the Residential Use Permit application of Samuel Fischer and Brandon Fischer to construct a residence on property located in N½ SW 4-22-2. No one appeared for the hearing. Kylee explained the application and stated Mr. Fischer moved the location of the residence to the north boundary of the property and will need to follow floodplain regulations when constructing a residence within the floodplain. Discussion held on the application. Motion made by Huttmann, seconded by Rehak to close the hearing. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Kment, seconded by Huttmann to approve the Residential Use Permit application of Samuel Fischer and Brandon Fischer to construct a residence on property located in N½ SW 4-22-2, as per Planning Commission recommendations with notation of condition 5 to have the applicant follow floodplain regulations when constructing a residence within the floodplain. Voting: Ayes: Kment, Huttmann and Rehak. Nays: None. Motion Carried.

Kylee presented documentation on the need to vacate Preister's Lot Boundary Change of Lots 1, 2 & 3 of Roger Wolff's lotsplit in the N½ NW and NW NE 5-22-1. The reason to vacate the lot boundary change is to allow a new lot split to be approved. Motion made by Huttmann, seconded by Kment on the need to vacate Preister's Lot Boundary Change of Lots 1, 2 & 3 of Roger Wolff's lotsplit in the N½ NW and NW NE 5-22-1, as per Planning Commission recommendations. Voting: Ayes: Huttmann, Kment and Rehak. Nays: None. Motion Carried.

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

Tony McPhillips and LaLene Bates appeared and presented a diagram of the proposed Stanton County Veterans Memorial Park. Tony explained the attractions/sections of the proposed site. LaLene presented an estimate of the cost of each attraction/section. Discussion held on the proposed site, donations for construction and future projects. No action needed by the board.

Discussion held on the purchase contract received from Cornhusker International Trucks Inc for a 2023 Cornhusker pup trailer. Bid letting was held April 19, 2021 for a dump truck, pup trailer, semi-tractor and side dump trailer. At the April 26, 2021 Special Meeting the board accepted the bid of Cornhusker International of Norfolk for a 2022 Cornhusker pup trailer in the amount of \$47,322.29. The delivery of the 2022 Cornhusker pup trailer delayed because of availability. The cash price of the 2023 Cornhusker pup trailer is \$62,263.00 a difference of \$14,940.71. Motion made by Huttmann, seconded by Kment to accept the purchase contract of Cornhusker International Trucks Inc for a 2023 Cornhusker pup trailer in the amount of \$62,263.00 and waive the bid requirement due to availability and year of vehicle. Voting: Ayes: Huttmann, Kment and Rehak. Nays: None. Motion Carried.

Chairman Kment opened the hearing at 11:00 AM on the One and Six Year Road Plan. Notice of Public Hearing was published in the Stanton Register March 1 and 8, 2023 and posted March 1, 2023 at three (3) public places: Stanton County Courthouse, SID No. 1 Office, Norfolk and Cooper Community Center, Pilger. The 2023-2028 One and Six Year Road Plan was reviewed. No one appeared for the hearing. Discussion held on road projects, bridge project, CBMP projects contained in the road plan. No public comments were received. Motion made by Huttmann, seconded by Rehak to close the One and Six Year Road Plan. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Motion made by Huttmann, seconded by Rehak to approve Resolution No. 2023.03-4 to adopt the 2023-2028 One and Six Year Plan for Highway Improvements. Voting: Ayes: Huttmann, Rehak and Kment. Nays: None. Motion Carried.

Gravel Bid Letting set for April 17, 2023 at 10:00 AM.

Discussion continued on the emergency management building sewer line needing to be replaced due to a collapse. Mike Frohberg appeared via telephone. The board reviewed quotes received from Volkman Plumbing & Heating Inc, Norfolk (\$33,750.00) and Johnson's Plumbing & Heating Inc, Norfolk (\$8,326.00). Approximately 185' of pipe will need to be installed from the building to the center of the street, connect onto existing sewer connection and remove/replace the asphalt street as necessary. It was noted that ARPA funds can be allotted for this project. Motion made by Huttmann, seconded by Kment to accept the quote of Johnson's Plumbing & Heating Inc of Norfolk in the amount of \$8,326.00 to replace the emergency management building sewer line and allocate APRA funds for payment. Voting: Ayes: Huttmann, Kment and Rehak. Nays: None. Motion Carried.

Mike updated the board on the Hazard Mitigation Grant Program request for the Stanton County EMA website. FEMA has approved Stanton County to move forward with the application. The proposed project cost is \$12,458.49 (Federal share 90% - \$11,212.64 and County share 10% - \$1,245.85). Chairman Kment signed the necessary paperwork for the submission.

Discussion was held on a verbal request to purchase radios for the Stanton Fire and Rescue Department and the Pilger Fire and Rescue Department to access the statewide radio system. Each department requests 3 mobile radios to be placed in the ambulances and fire trucks to allow direct communication with the Stanton County Sheriff office as well as Norfolk Fire and Rescue, Nebraska State Patrol and Life-Net. Mike Frohberg will assist both departments in acquiring the radio equipment, setting up the system and radio IDs with the Nebraska OCIO Office and work with Tri-State Radios with installation and programming. The estimated bid of Tri-State for 6 radios that are P25 compatible is \$19,759.38. Upon receipt of the paperwork and invoices, payment of the radios will be allotted through ARPA funds and approved by the board at the next meeting.

Mike advised the board a need for additional storage. Discussed was possible purchase of a storage shed to be placed near the emergency management building. No action taken by the board.

The board reviewed the applications received for the part-time/full-time position. Commissioners to contact applicants.

Motion made by Huttmann, seconded by Rehak to approve for the month of February the Documentary Stamp Tax, co shr in the amount of \$590.44; County Clerk fees in the amount of \$1,714.75; P&M Fund fees in the amount of \$282.00; Misc Copy fees in the amount of \$20.00; Clerk of the District Court fees in the amount of \$122.44; Passport fees in the amount of \$315.00; County Treasurer's receipt of money received numbered 23195 - 23270, inclusive in the amount of \$1,186,775.82; County Treasurer's Closing of Public Sale of

Delinquent Real Estate Taxes – March 6, 2023; Veterans’ Service Officer 2022-2023 2<sup>nd</sup> Qu report; County Sheriff’s 3<sup>rd</sup> Qu report and 4<sup>th</sup> Qu 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 and Payroll claims as presented and order checks drawn on the various funds:

GENERAL FUND - Ameritas Retirement, ret-co shr, 8805.04; Antelope Co Shf Dept, boarding etc, 8605.00; Appera, services, 177.22; Applied Connective Tech, services, 2222.15; Arkfeld Lock Security, services, 342.30; Kim Bearnes, phone, 48.97; Shawn Beaudette, services, 103.00; Black Hills Energy, utilities, 1024.07; Blood Pharmacy, services, 242.14; BCBS, ins-co shr, 36136.87; Brite, equip, 25867.01; Cable TV Stanton, services, 1004.97; Card Services, costs, 193.38; Gary Carson, mileage etc, 297.66; Cornhusker Auto Cntr, services, 77.45; Crowne Plaza, lodging 404.85; Co VSO Assn, wrkshp, 60.00; State Acct, equip fee, 43.88; Martha Detlefsen, prior service, 12.00; Eakes Office, supplies, 50.38; Emblem Authority, supplies, 554.00; Environmental Sys Research, services, 440.00; Tyler Evans, lodging, 75.00; Ewalt Law Office, public defender, 3500.00; Farmer’s Coop, fuel, 1051.71; First Concord Benefits, fees, 55.00; Gene Steffy, Dodge charger, 14245.00; Grafix Shoppe, services, 536.90; Great Amer Finc Services, rental pymt, 267.30; IRS USA Tax Pymt, so sec tax-co shr, 9941.29; Intl Assoc Prop Evidence, fees, 265.00; Intoximeters Inc, supplies, 279.90; Jack’s Unif Equip, supplies, 475.60; K’s Marketplace, supplies, 3.69; Aaron Kleensang, supplies, 274.20; Kylee Klug, mileage, 214.84; Hilltop Drug, services, 105.03; Kuehn’s Auto Body, services, 392.50; L4 Hardware LLC, supplies, 4.98; Lamli Locke Beaudette, office allow, 958.00; Luedeke Oil, services, 1573.80; Lynn Peavey, supplies, 73.33; Madison Co Shf, boarding, 4450.00; Madison Natl Life Ins, ins-co shr, 34.01; Anthony McPhillips, reimburse, 829.97; Janet Meyer, services, 120.00; Mid-American Benefits, hra fees-co shr etc, 5530.00; Midwest Special Services, transport fees, 710.50; MIPS, fees, 2859.25; Jackie Moran, fees, 76.33; Nebr Clk Dist Crt Assn, reg fee, 75.00; Lavern Newkirk, prior service, 17.00; One Office Solution, supplies, 4270.57; Pilger Library, library supplies, 154.85; Pitzer Digital, services, 423.27; Prime Sanitation Service, utilities, 39.75; Region 4 Beh Health Sys, quarter pymt, 4649.25; Rita Roenfeldt, prior service, 20.00; Stamm Electric, services, 231.77; Stanton Co Clk Dist Crt, fees, 180.00; Stanton Co Crt, fees, 706.00; Stanton Co Imp Acct, ach fees, 20.50; Stanton Co PPD, utilities, 1114.62; Stanton Telecom, services, 2111.50; Stanton Water Sewer, utilities, 90.55; Teeco, supplies, 53.95; Lil Store, fuel, 3271.30; Thurston Co Shf, boarding, 2750.00; Gannon Tighe, reimburse, 13.47; Univ Nebraska Lincoln Extension-Stanton Co, phone, 45.02; Verizon Wireless, service, 480.12; Wolf’s Den, meals, 32.00; York Med Clinic, services, 308.00; Sandra Zoubek Stanton Co Treas, transfers etc, 696624.27;

ROAD FUND - A&R Construction, culvert proj, 80437.10; Ameritas Retirement, ret-co shr, 3589.94; Appera, services, 42.11; Atco Intl, supplies, 335.45; B’s Enterprises, culverts, 24565.00; Black Hills Energy, utilities, 512.64; BCBS, ins-co shr, 21367.41; Bomgaars, supplies, 1036.10; Century Link, services, 101.15; Clarkson Plbg Htg, supplies, 199.07; Janice Coates, prior service, 17.00; Cornhusker Intl Trucks, trailer etc, 62704.78; Johnson Trucking Sand Gravel, gravel, 3177.31; Daryl’s Animal Control, services, 400.00; Doernemann Construction, seat parts, 2635.97; Doernemann Farm Service, supplies, 2832.63; James Duncan, prior service, 16.00; Farmer’s Coop, fuels etc, 8889.98; Farmers Un Coop Supply, seeding, 361.66; Fastenal Co, supplies, 48.53; Hoskins Mfg Co, supplies, 80.14; IRS USA Tax Pymt, so sec tax-co shr, 4202.34; Island Supply Welding, supplies, 296.30; Kimball Midwest, supplies, 370.45; Stanton Hardware, supplies, 130.08; LG Everist, gravel, 9565.30; Luedeke Oil Co, fuel etc, 11480.58; Madison Natl Life Ins, ins-co shr, 8.64; Matteo Sand Gravel, gravel, 53237.78; Menards, supplies, 45.75; Mid-American Benefits, hra fees-co shr, 3250.00; Pilger Store, fuel etc, 5152.48; Pinkelman Truck Trailer, services, 989.81; Powerplan, services, 924.48; Prime Sanitation Service, utilities, 50.00; RDO Truck Centers, parts, 1.63; Renegade, supplies, 234.93; Stanton Auto Parts, services, 1115.16; Road Builders Mach Supply, services, 16212.24; Ron’s Ag Auto Repair, supplies, 335.00; Stamm Electric, services, 84.51; Stanton Co Clk, fees, 56.00; Stanton Co PPD, utilities, 777.21; Stanton Telecom, services, 225.98; Stanton Water Sewer, services, 42.70; Teeco, supplies, 49.75; US Cellular, services, 55.40; Verizon Connect Fleet, services, 823.40; Village Pilger, utilities, 120.80; William Kaiser RE Appraisal Service, services, 1640.00; Sandra Zoubek Stanton Co Treas, fees, 44.00;

EMERGENCY MANAGEMENT FUND - Ameritas Retirement, ret-co shr, 327.94; Black Hills Energy, utilities, 215.55; Farmer’s Coop, fuel etc, 97.53; Mike Frohberg, reimburse, 299.00; IRS USA Tax Pymt, so sec tax-co shr, 467.25; Madison Natl Life Ins, ins-co shr, 5.42; Prime Sanitation Service, utilities, 12.50; Stanton Co PPD, utilities, 81.32; Stanton Telecom, utilities, 55.91; Stanton Water Sewer, utilities, 40.25; Toolwatch LLC, fees, 800.00;

INHERITANCE TAX FUND - Stanton Co PPD, tower, 177.80;

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

Total aggregate salaries of all county employees \$194,063.31.

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

Motion made by Huttman, seconded by Kment to adjourn and set the next meeting for April 17, 2023, at 8:15 AM. Voting: Ayes: Huttman, Kment and Rehak. Nays: None. Motion Carried.

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

Attest: /s/ Wanda Heermann, County Clerk