

**CHADRON, NEBRASKA**  
**February 09, 2016**  
**DAWES COUNTY BOARD OF EQUALIZATION**

The Public convened meeting of the Dawes County Board of Equalization in regular session was commenced at the hour of 9:00 A.M. on the 9th day of February, 2016 and published pursuant to public notice as required by law and or posted. The meeting was called to order by Commissioner Stewart. Roll was called and the following Commissioners were present: Commissioners Stewart, Johnson and Rivera. Also present were Cheryl Feist, County Clerk; Adam Edmund, Deputy County Attorney and Lindy Coleman, Assessor. The Pledge of Allegiance was recited by those present. Per LB 898 the Chairman announced the location of posted information concerning the Open Meetings Act. Copies of the Act are available upon request by anyone attending the meeting. Motion by Johnson, seconded by Rivera, approving the agenda. Roll call, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Motion by Johnson, seconded by Rivera, to approve the minutes of the January 12, 2016 meeting. Roll call, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. Lindy Coleman, Assessor, presented tax correction #3291. Motion by Johnson, seconded by Rivera, to approve tax correction #3291 as presented. Roll call, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. The Assessor then presented the Permissive Exemption applications for the Boards review and approval. Commissioner Johnson moved to approve and direct the Chairman to sign the Permissive Exemption applications presented with the exception of Pine Ridge Eagles and Chadron Arts Center as additional information has been requested to complete the applications. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. The last order of business was setting the 2016 Valuation Protest Hearing dates. The Assessor suggested the dates of July 18-20, 2016 for Valuation Protest Hearings. The Board agreed with the dates suggested. Appointments will begin at 8:30 A.M. and go until 4:30 P.M. each day.

There being no further business to be conducted by the Dawes County Board of Equalization the Chairman adjourned the meeting at 9:20 A.M. The next meeting will be held on March 08, 2016 at 9:00 A.M. A current Agenda to the Board of Equalization proceedings is kept on file in the County Clerk's office during normal business hours for inspection, but the Agenda will close by 12:00 P.M. on Thursday, March 03, 2016. The Agenda may be modified to include items of emergency nature. The meetings of the Dawes County Board of Equalization are open to the public.

**ATTEST:** \_\_\_\_\_  
**Cheryl Feist**  
**Dawes County Clerk**

**DAWES COUNTY BOARD OF  
EQUALIZATION**

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**CHADRON, NEBRASKA**  
**February 09, 2016**  
**DAWES COUNTY BOARD OF COMMISSIONERS**

The Public convened meeting of the Dawes County Commissioners in regular session was commenced at the hour of 9:21 A.M. on the 9<sup>th</sup> day of February, 2016 and published pursuant to public notice as required by law. The meeting was called to order by Commissioner Stewart. Roll was called and the following Commissioners were present: Commissioners Stewart, Johnson and Rivera. Also present were Cheryl Feist, County Clerk and Adam Edmund, Deputy County Attorney. Per LB 898 the Chairman announced the location of posted information concerning the Open Meetings Act. Copies of the Act are available upon request by anyone attending the meeting. Motion by Commissioner Johnson, seconded by Rivera, approving the Agenda. Roll call, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Commissioner Johnson moved to approve the January 12, 2016 minutes with the following corrections to wit: add "on Bethel Road" re: culvert installation and motion failed, not carried as recorded. Commissioner Rivera seconded the motion. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. Claims were reviewed by all Board Members. Commissioner Johnson moved to

approve all claims as submitted with exception of claim #16020063 in the amount of \$13.50 payable to River A Holdings. Commissioner Rivera seconded the motion. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Commissioner Johnson, seconded by Stewart, moved to approve claim #16020063 payable to River A Holdings in the amount of \$13.50. Roll call vote, Ayes: Johnson and Stewart with Rivera abstaining from the vote. Nays: None. Motion carried.

Craig Eddie, Upper Niobrara Natural Resource District, met with the Board. He shared information relevant to the Living Snow Fence program. Shrubs and trees work well for snow containment. This in turn benefits the soil/moisture content and the fence attracts wildlife. A cost analysis was shared with the Board and Upper Niobrara Natural Resource District can assist with cost sharing. Mr. Eddie informed the Board that Minnesota has had success with the program.

At 9:50 A.M. Lori Miskimins, Clerk Magistrate, met with the Board. She requested approval for Document Shred to come the first part of May 2016 to shred old documents housed at the courthouse. The Board approved her request. Several county offices will participate. There wasn't any Public Comment presented.

At 9:55 A.M. Larry Hankin, Highway Superintendent, met with the Board. Road updates included the following to wit: All Districts still plowing snow and doing equipment maintenance. District 3 shop will have an egress door installed. Mr. Hankin reported piling for the Bethel Bridge project will be delayed due to weather. Discussion ensued. Mr. Hankin will be going to bid for two new pickups with bid opening and award scheduled for March 08, 2016 at 10:00 A.M. The 770BH motor bids were discussed. Commissioner Johnson, seconded by Rivera, moved to direct the Highway Superintendent to go to Young's Repair in Hay Springs, NE. for a total cost of \$6500.00 to rebuild the motor. Roll was called, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. The next order of business was project #HRRR-STWD(128) to install bridge and object markers on the smaller timber bridges in Dawes County. The Federal share of the project is \$7492.00 with the County share being labor only. Resolution No. 10-2016 was introduced by Commissioner Rivera, seconded by Johnson, authorizing a project program agreement with NDOR(Nebraska Department of Roads) to install bridge and object markers and directing the Chairman to sign such. Roll was called, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried.

At 10:12 A.M. Tracy Cloyd, HR Director, met with the Board. Interviews were conducted for two Tourism Board openings. Alex Helmbrecht was recommended for the At-Large position and Robin Baquet was recommended for the Lodging position. Commissioner Rivera, seconded by Johnson, moved to appoint Alex Helmbrecht as the At-Large representative and Robin Baquet as the Lodging representative. Roll was called, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. The Board was informed the following Elected Officials have agreed to serve on the Policy Committee to wit: Phil Curd, Sharon Harrison, Lindy Coleman and Karl Dailey. Commissioner Rivera moved to appoint Lindy Coleman and Phil Curd to the Policy Committee. Commissioner Johnson seconded the motion. Roll was called, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Commissioner Rivera will serve in the Commissioner capacity on the Policy Committee. Word was received that Tony Serbousek would not be able to make his scheduled appointment at 11:00 A.M. Correspondences received from Monty Stoddard re: farm/commercial plating legislation and NNDC re: announcement of a workshop were acknowledged by the Board. The Crawford Law Enforcement Agreement was discussed with Deputy County Attorney, Adam Edmund, regarding maintenance costs with the Crawford Law Enforcement building. In reviewing the agreement it appears the City of Crawford is responsible for maintenance costs associated with the building and Mr. Edmund suggested the Sheriff approach the Crawford City Council prior to having any maintenance issues addressed. In other business the Board reviewed and approved by general consent monthly fee reports of the various departments. A surplus request received from the County Attorney's Office will be addressed at the February 23, 2016 Commissioner meeting. Kerri Rempp, The Chadron Record, joined the meeting in progress. Commissioner Stewart reported Brian Taylor has agreed to serve on the County Zoning Board replacing Sharon Rickenbach. Commissioner Johnson, seconded by Rivera, moved to appoint Brian Taylor to the Dawes County Zoning Board. Roll was called, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. The Board recessed at 10:31 A.M. and reconvened to regular session at 11:20 A.M. The meeting was moved to the District Courtroom to allow sufficient space for the public.

At 11:21 A.M. Lindy Coleman, Assessor, met with the Board. Also present were several individuals from the County. A listing of those attending is attached to these minutes and is available for public inspection during normal business hours at the Clerk's Office. She requested the Board make a decision regarding the 1956 Resolution adopted creating a Joint Airport Zoning Board to include the remaining seven (7) mile approach. Commissioner Stewart indicated he feels from previous public input re: the Airport Zoning Ordinance, county people want regulated by county people. He informed those present a subcommittee has been formed to present suggestions to the Dawes County Zoning Board at their February 18, 2016 meeting. He also reported he feels the county people serving on the Dawes County Zoning Board are very capable of making a decision in this matter. Jerry Schumacher, a member of the subcommittee, presented four (4) points of agreement between the City and County Zoning Board to wit: 1. Chadron Municipal Airport is a regional resource that provides tremendous economic benefit to the communities of Dawes County as evidenced by the number of people flying commercially. 2. The City has acted as responsible manager of the airport, and should continue to do so. 3. There is no intention by any party to reduce safety for commercial or private pilots, or people on the ground and 4. There is no intention by any party to negatively affect funding sources or financial viability of the airport. The authority to enforce airport zoning provisions in the county will rest with the Chadron City Manager due to action taken by the Joint Airport Zoning Board in 1980, which essentially transferred management authority to the Chadron City Manager. Rural landowners feel the proposed ordinance appears to demonstrate a lack of respect and an attitude of disdain toward rural landowners in Dawes County. Some examples demonstrating this include: Section V of the proposed ordinance attempts to restrict land uses outside the designated hazard areas, for which there is no authority provided by the Airport Zoning Act, the legislation requiring the ordinance; Section IX states failure to comply with the Airport Zoning Act direction for paying for making nonconforming structures, and placing the burden on landowners; Section X eliminates the county from the permitting and appeals process by allowing the City Zoning Administrator the authority to issue permits and be the contact for appeals and variance applications; Section XI(a) authorizes the Joint Airport Zoning Board to serve as Board of Adjustments for the proposed Airport Zoning ordinance. Several other examples were shared and a copy of the presentation will become a permanent part of these minutes. He went on to say twice the Dawes County Zoning Board President has been denied time on the City Council Agenda and the Joint Airport Zoning Board was inactive for nearly thirty (30) years until recently. The following suggestions were shared. 1. Due to overlapping authorities, dissolve the Joint Airport Zoning Board by resolution and eliminate an unnecessary Board. 2. The City would be responsible for management of the airport and 500 feet outside the boundaries of the airport and the County would enforce county zoning regulations as well as zoning regulations included in an ordinance that complies with the Airport Zoning Act and appropriate FAA and NDA regulations in all areas of the county outside of the airport zone and 3. Any landowner with a nonconforming structures would be notified in writing and further assessment would be conducted. Wayne Anderson, City Manager, spoke to those present and informed them he has been in contact with the Nebraska Aeronautics and requested an opinion/interpretation of LB140. He read aloud an email received from Kandi Bremer which stated LB 140 was enacted and directed all airports adopt protection zones for both the 3-mile turning zoning, which is a change from the original "from the corners of the airport property lines". The change was made because some Nebraska airports own large amounts of excess property, while others don't. To make a uniform Turning Zone Area, it was decided to adopt "from the ends of the Operation Zone". The Joint Airport Zoning Board needs to do an administrative clarification that this has changed and this can be done by adopting the zoning map that was sent. Mr. Anderson stressed the Airport Zoning Board is the only entity that has legal authority over zoning that involves the airport, thus the reason for this Board was to represent both the City and County since the Chadron Airport is a City owned airport that sits outside the jurisdictional limits of the City. This was done to ensure that both the City and County needs were met equally. A copy of Mr. Anderson's comments will become of permanent part of these minutes. Lindy Coleman, Assessor, didn't agree with Mr. Anderson's opinion regarding the Joint Airport Zoning Board adopting the zoning map that was sent out. The map doesn't include the seven (7) mile area and according to legal opinion received, the 1956 Resolution would need to be amended to include the seven (7) mile area. Mr. Anderson indicated for the record the City has no intention of regulating the area outside the three (3) mile area. Lindy Coleman

responded by saying she has never heard anyone on the Zoning Board say they didn't want the ordinance, they simply want clarification on who will administer the seven (7) mile area. Commissioner Stewart added the 1956 Resolution won't work today as it did then because county people need to be involved. JF Policky sees no difference in the three (3) or seven (7) mile, it's all county. He wants to talk to county people to get a permit, not the City and stated the County Commissioners need to attend some of the Joint Airport Zoning Board meetings to know what's being done and said. Drew Petersen agreed county people should be represented by county people, however; the City has a lot of liability in this issue and feels the Joint Airport Zoning Board gives the City the needed representation. Wayne Fisher indicated for the record trust has been an issue and it's going to take time to earn it back. Commissioner Johnson reported the Zoning Board subcommittee has been charged with looking at the City's proposed ordinance and provide suggestions for change. Jerry Schumacher indicated the subcommittee is strongly looking at the County controlling the entire 10 mile area. Joe Lemmon said nobody is arguing something needs to be done, if the County were put in charge, it would become their liability. Casey Schuhmacher indicated for the record, no one has done their homework. The NDA website has a draft ordinance re: LB140 and it's a one (1) page document. Mr. Anderson responded by saying when the City starting working on the proposed ordinance there wasn't a draft available on the NDA website. He reiterated the necessity of the City and County working together on this issue. Bat Pourier reported county residents want to meet the requirements of LB140 but requested the County Board look to outside legal counsel on the issue. Commissioner Rivera reported he feels the issue at hand boils down to "control". Jerry Schumacher presented a draft resolution and draft petition for the Board's consideration which addresses control and dissolution of the County's involvement with the Joint Airport Zoning Board. Mr. Anderson again stated for the record that LB140 dictates there must be a Joint Airport Zoning Board. Several present indicated this is not true. The Board receipted the draft resolution and petition and directed the County Clerk to keep them in her office. The Board took no official action until such time the subcommittee reports back to the Dawes County Zoning Board and Commissioners. This issue will addressed at the March 08, 2016 Commissioner Meeting. The Board recessed until 2:59 P.M.

There being no further business before the Board, the Chairman adjourned the meeting at 3:00 P.M. The next meeting of the Dawes County Commissioners will be February 23, 2016 beginning at 9:00 A.M. The meeting will be held in the Commissioner's room at the Courthouse. A current agenda is available at the Clerk's Office during normal business hours but will close at 12:00 P.M., February 18, 2016.

**Disclaimer: A complete text of all resolutions passed by the Board is available upon request in the County Clerk's office during normal business hours.**

ATTEST: \_\_\_\_\_  
 Cheryl Feist  
 Dawes County Clerk

DAWES COUNTY COMMISSIONERS  
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**February 09, 2016 the following claims were audited, allowed and warrant orders drawn on their respective accounts: Key for Claims: 100=General Fund; 200=Roads Fund; 650=Hwy Bridge Buyback Program Fund; 990=Visitor's Fund; 1100=Reappraisal Fund; 1150=Preservation & Modernization Fund; 1900=Veterans Aid Fund; 2360=Drug Fund; 2500=Grants Fund; 2700=Inheritance Fund; 2910-911=Emergency Communications; 2913=Wireless Communications; 4000=Courthouse Bond Payment Fund.**

FUND	NAME	TOTCLAIMS
100	AFFINITY THERAPY ASSOCIATES, LLC	\$100.00
100	AFLAC	\$550.16
100	AMERITAS LIFE INSURANCE CORP	\$8,123.38
100	AS CENTRAL SERVICES	\$160.50
100	AT&T	\$42.35
100	BIG BAT'S LLC-SHERIFF	\$869.98
100	BIG BAT'S SHELL-VETERANS	\$127.13
100	BIGHORN AUTO SUPPLY	\$11.42

100	SHERRI BLOME	\$100.00
100	BLUE CROSS & BLUE SHIELD OF NE	\$27,418.76
100	ROBERT HARDY	\$180.00
100	BOMGAARS SUPPLY INC	\$9.99
100	CENTURYLINK	\$1,110.31
100	CENTURYLINK LONG DIST-CLERK	\$7.70
100	CENTURYLINK LONG DIST-COMMISSIONERS	\$7.69
100	CENTURYLINK LONG DIST-CUSTODIAN	\$3.00
100	CENTURYLINK LONG DIST-PUBLIC DEFEND	\$20.87
100	CHADRON ACE HARDWARE	\$234.55
100	CHADRON COMMUNITY HOSPITAL & HEALTH	\$979.50
100	CHADRON MOTOR COMPANY	\$154.37
100	CHERRY COUNTY CLINIC	\$176.18
100	CITY OF CHADRON	\$416.29
100	ALAN P CONNELL	\$3.49
100	CRAWFORD CLIPPER/HARRISON SUN	\$159.75
100	CRAWFORD CLIPPER/HUMAN RESOURCES	\$15.40
100	CRITES,SHAFFER,CONNELY,WATSON,HARF	\$100.00
100	D&S MARKET,LLC	\$1,259.38
100	KARL J DAILEY, SHERIFF	\$30.00
100	DAWES COUNTY COURT	\$2,723.00
100	DAWES COUNTY SHERIFF'S OFFICE	\$106.00
100	DAWES COUNTY TREASURER	\$368.00
100	DIXIE EATON	\$25.00
100	FIRST BANKCARD	\$65.22
100	FIRST NATIONAL BANK, NORTH PLATTE	\$13,533.90
100	LEAH GREMM	\$148.02
100	SHARON HARRISON	\$74.43
100	IDEAL LINEN SUPPLY,INC	\$39.77
100	INTELLICORP RECORDS,INC	\$25.63
100	KEITH COUNTY SHERIFF'S OFFICE	\$24.00
100	TERRI LEMMON	\$154.63
100	MANNA SYSTEMS AND CONSULTING	\$200.00
100	MATTHEW BENDER & CO,INC	\$73.19
100	MIPS INC	\$3,337.10
100	MOBIUS COMMUNICATIONS	\$60.00
100	NE DEPT OF HEALTH & HUMAN SERVICES	\$4.74
100	NE PUBLIC HEALTH ENVIRONMENTAL LAB	\$105.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$1,400.49
100	NEBRASKA DEPARTMENT OF REVENUE/LEVY	\$25.00
100	NEBRASKA DEPT OF AGRICULTURE	\$90.00
100	NEBRASKA PUBLIC POWER DIST-E911	\$42.00
100	NEBRASKA PUBLIC POWER DIST-WEED	\$290.82
100	NEBRASKA TOTAL OFFICE/CLERK	\$112.44
100	NEBRASKA TOTAL OFFICE/CO ATTORNEY	\$2,359.84
100	NEBRASKA TOTAL OFFICE/COUNTY COURT	\$59.28
100	NEBRASKA TOTAL OFFICE/DISTRICT CT	\$82.10
100	NEBRASKA TOTAL OFFICE/EXTENSION	\$170.10
100	OFFICE DEPOT CREDIT PLAN	\$412.91

100	PESTS GO	\$35.00
100	PRIDE	\$50.00
100	QUILL CORPORATION	\$462.89
100	RAPID CITY JOURNAL/COMMISSIONERS	\$4.79
100	RAPID CITY JOURNAL/HUMAN RESOURCES	\$63.95
100	RIVER A HOLDING LLC	\$13.50
100	SCOTT ROBERTS ELECTRIC INC	\$1,018.22
100	BARBARA SEBESTA	\$10.00
100	SOURCEGAS	\$1,187.32
100	SPRING CREEK SERVICE	\$65.00
100	SCOTT M SWICKARD	\$25.67
100	THOMSON WEST PAYMENT CENTER	\$531.00
100	UNIVERSITY OF NE-LINCOLN CAR RENTAL	\$139.59
100	UNIVERSITY OF NE-LINCOLN-WAGES EXT	\$6,867.59
100	VERIZON WIRELESS	\$125.92
100	VERIZON WIRELESS	\$148.14
100	VSP VISION PLAN	\$200.13
100	WALMART COMMUNITY	\$105.37
100	WESTERN COMMUNICATIONS, INC	\$462.50
100	WEX BANK/SHERIFF/EXXON	\$29.88
100	XEROX CORPORATION	\$642.16
200	ADAMS-ISC LLC	\$431.07
200	AFLAC	\$254.53
200	AMERITAS LIFE INSURANCE CORP	\$922.65
200	BLUE CROSS & BLUE SHIELD OF NE	\$2,077.65
200	BUD'S RADIATOR,INC	\$456.87
200	BUTLER MACHINERY COMPANY	\$15.97
200	CAT FIN SERVICES/REBUILD/143H	\$137,595.19
200	CENTURYLINK	\$188.75
200	CHADRON COMMUNITY HOSPITAL & HEALTH	\$125.00
200	CITY OF CHADRON	\$102.50
200	CITY OF CRAWFORD	\$107.00
200	DAWES COUNTY TREASURER	\$55.00
200	FIRE & ICE MECHANICAL	\$59.91
200	FIRST NATIONAL BANK, NORTH PLATTE	\$2,639.72
200	GRIMM'S PUMP AND INDUSTRIAL SUPPLY	\$3,754.91
200	H&H SANITATION AND RECYCLING,INC	\$53.50
200	LAWSON PRODUCTS INC	\$157.06
200	MARK CHRISMAN TRUCKING INC	\$10,445.25
200	MATHESON LINWELD INC	\$232.10
200	MEDICAL ENTERPRISES,INC	\$98.00
200	MOTION INDUSTRIES,INC	\$349.14
200	NE ASSN OF CO HWY SUPERINTENDENTS	\$50.00
200	NEBRASKA DEPARTMENT OF REVENUE	\$424.00
200	NEBRASKA PUBLIC POWER DISTRICT	\$229.75
200	NEBRASKA SAFETY CENTER @ UNK	\$400.00
200	NEWMAN SIGNS,INC	\$334.82
200	NORM'S NAPA AUTO PARTS	\$1,618.14
200	PANHANDLE COLLECTIONS,INC	\$203.35
200	POWERPLAN	\$12,850.54

200	SOURCEGAS	\$693.07
200	VERIZON WIRELESS/ROADS	\$222.72
200	VSP VISION PLAN	\$113.23
200	WAHLSTROM FORD INC	\$2,029.94
200	WALMART COMMUNITY	\$35.16
200	21ST CENTURY EQUIPMENT	\$63.85
650	SIMON CONTRACTORS	\$77,229.00
990	AFLAC	\$13.46
990	AMERITAS LIFE INSURANCE CORP	\$51.98
990	BLUE CROSS & BLUE SHIELD OF NE	\$91.07
990	CLASSICS IN THE PARK COMMITTEE	\$2,000.00
990	FIRST NATIONAL BANK, NORTH PLATTE	\$146.12
990	KRISTINA HARTER	\$20.36
990	MALY MARKETING	\$1,005.00
990	NE GAME AND PARKS COMMISSION	\$400.00
990	NEBRASKA DEPARTMENT OF REVENUE	\$24.16
990	NEBRASKALAND MAGAZINE	\$300.00
990	OUTLAW PRINTERS,INC	\$17.74
990	POST PLAYHOUSE	\$2,500.00
2500	CHADRON PUBLIC SCHOOLS	\$6,498.43
2910	TONY SERBOUSEK	\$150.00
2910	WESTERN COMMUNICATIONS, INC	\$890.00