

CHADRON, NEBRASKA
August 23, 2016
DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners in regular session was commenced at the hour of 9:02 A.M. on the 23rd day of August, 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 was Cheryl Feist, Dawes County Clerk and Adam Edmund, Deputy County Attorney. 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. Commissioner Johnson moved to amend the Agenda to include Resolution No. 2016-28 re: Slim Buttes flood cleanup. Commissioner Rivera seconded the motion. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Motion by Commissioner Rivera, seconded by Johnson, to approve the August 09, 2016 minutes as published. Roll call vote, Ayes: Rivera and Johnson and Stewart. Nays: None. Motion carried. Claims were reviewed by the Board. Motion by Commissioner Johnson, seconded by Rivera, to approve all claims with the exception of claim #16080230 payable to River A Holdings in the amount of \$406.74. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Commissioner Johnson, seconded by Stewart, moved to approve claim #16080230 payable to River A Holdings in the amount of \$406.74. Roll call vote, Ayes; Johnson and Stewart with Rivera abstaining from the vote. Nays: None. Motion carried. Correspondences acknowledged by the Board included an invitation to the ribbon cutting of the Marcus Cain Exhibit at the Dawes County Museum and Sarpy County Commissioners letter advising Dawes County they can hold Juveniles at their facility for \$210.56 per day. Public comment ensued with Patrick Bergin expressing concern with bullet hole damage to various properties in the Village of Whitney. He indicated for the record according to the Sheriff's Department no action can be taken unless there is an ordinance in place by the Village Board. Personal safety is a real issue according to Bergin. Jim O'Rourke suggested the County Commissioners create an official email address where individuals can contact them directly without going through a family email account. Mark Betson indicated for the record there are State Statutes in place to address the issue in Whitney. Terry Curtiss, Attorney, reported Road No. 19 was vacated/abandoned in the 80's and it hasn't been maintained since that time. Jamian Simmons, Attorney, countered indicating proper protocol wasn't followed in the 80's. Board Reports included the following to wit: Johnson-Area Aging-audit review in progress; OHD-discussed remodel of recently purchased building. Rivera-No report; Stewart-Region 23 and SWANN didn't meet. NCAP-Audit review in progress and working on grants.

At 9:43 A.M. A motion to enter executive session re: personnel was made by Commissioner Johnson, seconded by Rivera. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. At 9:55 A.M. motion to reconvene to regular session was made by Commissioner Johnson, seconded by Rivera. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. No action was taken during executive session. The Board recessed at 9:56 and reconvened to regular session at 10:00 A.M. Kerri Rempp, The Chadron Record, joined the meeting in progress.

At 10:01 A.M. Larry Hankin, Highway Superintendent, met with the Board. Road No. 50 was discussed at length. Commissioner Stewart indicated for the record in visiting with a road employee who has been here several years this road was maintained 1990-1992. The road wasn't maintained after that date. If the Road is closed to Buttermilk Road the land will go back to landowners. Terry Curtis, Attorney, indicated the survey doesn't show this as the existing line isn't centered on the road. Jamian Simmons, Attorney, reported when the Lecher's bought the property it wasn't closed. If access is impacted this will create issues of which the County could be held liable. Commissioner Rivera indicated any decision made by this Board will make someone unhappy. He reported Road No. 19 is in Range 51 not Range 49 as has been reported. Road No. 19 was mislabeled saying it was Road No. 50; Road No. 50 remains open as far as he's concerned. Terry Curtiss, Attorney, indicated for the record Mr. Mai was told the road was closed per title work so he improved the access. Commissioner Rivera has visited with Mr. Mai and he was led to believe the road was closed, however; Mr. Mai should have contacted the County

before doing any access improvements. Adam Edmund, Deputy County Attorney, concurred that road violations were made, however; Mr. Curtiss is correct in saying Mr. Mai went off the information he was given when he made improvements to the access. Mr. Mai indicated for the record that Larry Hankin had no idea the road was closed when he initially contacted him. When Mr. Mai improved access, road violations occurred. Rules are in place for a reason and apply to all concerned according to Rivera. Cactus Shumway discussed several inconsistencies surrounding the resolution adopted in 1986. The Public Hearing held in October of 1986 indicated the East-West line was only part to be vacated. In December of 1986 the road was referred to as Road No. 19. Larry Hankin quoted Resolution No. 16-1986, the two miles running East-West were closed, however; the rest remained open. Resolution No. 2016-26 was introduced by Commissioner Stewart would close the road from the South boundary of Section 11, Township 32, Range 50 running North 3,360 feet to a cattle guard died for lack of a second on the motion. Resolution No. 2016-26 was introduced by Commissioner Rivera would partially vacate Road No. 50 from a point 1647 feet north of the south boundary of Section 11, Township 32, Range 49 West, continuing in a southerly direction ending on the south boundary of Section 11, Township 32, Range 49 West with the land vacated reverting back to the proper landowner(s). Commissioner Johnson seconded the motion. Discussion ensued as to why the Board would want to have more county road to maintain. If passed, the county will maintain the road. Roll was called, Ayes: Johnson and Rivera. Nays: Stewart. Motion carried. The next order of business was Road No. 123. Resolution No. 2016-27 was introduced by Commissioner Rivera vacating that portion of Road No 123 commencing at the intersection of the road running south and east at the northeast corner of the NE1/4 of Section 14; thence running south 21/4 miles to intersect the road running east and west and terminating at a point 1/4 of a mile from the northeast corner of the NE1/4 of Section 26, Township 32, Range 49 West with the land vacated which may be located in Sections 13, 14, 23, 24, 26 of Township 32, Range 49 West reverting back landowners of record. Commissioner Johnson seconded the motion. Roll was called, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. In other business the Board reviewed a petition request by CenturyLink to bore fiber optic lines on Mann Road. Commissioner Johnson, seconded by Rivera, moved to approve the petition request of CenturyLink to bore in fiber optic lines on Mann Road. Roll was called, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. Resolution No. 2016-28 was introduced by Commissioner Rivera requesting FHWA reimbursement for flooding damage sustained on Slim Buttes Road in the amount of \$73,509.79. Commissioner Johnson seconded the motion. Roll was called, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Road updates included the following to wit: Commissioner Stewart informed Mr. Hankin the intersection of McHenry and Beaver Valley roads heading north is slimy and slick. District 1-work continues on Antelope Road and mowing in progress. District 2-working on Table Road and blading; District 3-hauling on Bethel Loop then onto Toadstool; the rental crusher has been sent back. He reported two applications were received for the temporary/seasonal position. Mark Betson reported there is an exposed culvert coming up on Haynes Road and he asked about the Lemmon Bridge project. Mr. Hankin reported they are looking at installing a culvert, not a bridge, and are waiting on the wetland delineation which costs \$3500.00. Mr. Betson also reported the approach on Haynes Road is an issue.

At 11:10 A.M. Tom Rempp, Tailgate Bar and Grill, met with the Board. He reported he has applied for a SDL (Special Designated Liquor License) to cater a wedding to be held at Fort Robinson on October 08,2016 from 3 P.M. to 1 A.M. Commissioner Johnson, seconded by Rivera, moved to approve the SDL application of Tailgate Bar and Grill. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried.

At 11:15 A.M. Randy Horse, Country Kitchen, met with the Board. He reported he has applied for a SDL (Special Designated Liquor License) to cater a wedding to be held on Bordeaux Road September 24, 2016 from 4 P.M. to 1 A.M. Commissioner Rivera, seconded by Johnson, moved to approve the SDL application of Country Kitchen. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. In other business the Board reviewed the 2016 Sheriff/Crawford Law Enforcement inventories. Commissioner Johnson, seconded by Rivera, moved to accept and approve the 2016 inventories of the Sheriff/Crawford Law Enforcement. Roll was called, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. An Extension Board appointment was reviewed. Commissioner Johnson, seconded by Rivera, moved to appoint Jake Tollman to the Extension Board. Roll call vote,

Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Resolution No. 2016-29 was introduced by Commissioner Rivera, seconded by Johnson, authorizing the 2016/2017 tax request of the Chadron Rural Fire District at \$106,943.20; Crawford Rural Fire District at \$136,211.25 and the Dawes County Agricultural Society at \$34,865.92. Roll was called, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. The Board approved by general consent the Civil Docket and mileage reports of the Sheriff's Department. The last order of business was review of the 2016 draft audit report. Commissioner Johnson, seconded by Rivera, moved acknowledging receipt of said 2016 draft audit report. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried.

There being no further business before the Board, the Chairman adjourned the meeting at 12:00 P.M. The next meeting of the Dawes County Commissioners will be September 13, 2016 beginning at 9:00 A.M. with a Board of Equalization Meeting, followed by the Commissioner Meeting at approximately 9:20 A.M. Both meetings will be held in the former County Courtroom 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., September 08, 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

August 23, 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	AFLAC	\$634.21
100	AMERITAS LIFE INSURANCE CORP	\$8,881.20
100	BLUE CROSS & BLUE SHIELD OF NE	\$29,594.65
100	CASH-WA DISTRIBUTING CO	\$351.53
100	CENTURYLINK LONG DIST-ASSESSOR	\$17.92
100	CENTURYLINK LONG DIST-CLERK	\$14.28
100	CENTURYLINK LONG DIST-CO ATTORNEY	\$19.58
100	CENTURYLINK LONG DIST-COMMISSIONERS	\$4.90
100	CENTURYLINK LONG DIST-COUNTY COURT	\$24.26
100	CENTURYLINK LONG DIST-CUSTODIAN	\$4.90
100	CENTURYLINK LONG DIST-DISTRICT CT	\$24.62
100	CENTURYLINK LONG DIST-EXTENSION	\$25.21
100	CENTURYLINK LONG DIST-PUBLIC DEFEND	\$23.97
100	CENTURYLINK LONG DIST-TREASURER	\$21.39
100	CENTURYLINK LONG DIST-WEED	\$6.57
100	CHADRON ACE HARDWARE	\$166.66
100	CHADRON COMMUNITY HOSPITAL & HEALTH	\$411.60
100	CHADRON MOTOR COMPANY	\$16,598.00
100	CHADRON PUBLIC SCHOOLS	\$75.69
100	ALAN P CONNELL	\$3.98
100	CRITES,SHAFFER,CONNEALY,WATSON,HARF	\$50.00

100	CULLIGAN-ASSESSOR	\$17.25
100	CULLIGAN-CO ATTORNEY	\$10.00
100	CULLIGAN-PUBLIC DEFENDER	\$21.50
100	CULLIGAN-WEED	\$11.50
100	DAS STATE ACCOUNTING	\$315.04
100	DAWES CO TREAS/DELINQUENT PP TAXES	\$120.00
100	DAWES COUNTY COURT	\$917.12
100	DAWES COUNTY TREASURER	\$502.00
100	ENGRAVERS	\$470.00
100	FIRST BANKCARD/EXTENSION	\$44.75
100	FIRST BANKCARD/PUBLIC DEFENDER	\$96.30
100	FIRST BANKCARD/VETERANS	\$6.21
100	FIRST BANKCARD/WEED DEPT	\$93.90
100	FIRST NATIONAL BANK, NORTH PLATTE	\$15,300.33
100	HALL COUNTY WEED CONTROL	\$210.00
100	IDEAL LINEN SUPPLY,INC	\$23.14
100	JAEGER LAW OFFICE	\$1,450.00
100	KCSR-AM	\$125.00
100	TERRI LEMMON	\$27.00
100	MANNA SYSTEMS AND CONSULTING	\$110.00
100	NE HEALTH AND HUMAN SERVICES SYSTEM	\$93.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$1,571.95
100	NEBRASKA DEPARTMENT OF REVENUE/LEVY	\$25.00
100	NEBRASKA PUBLIC POWER DISTRICT	\$2,762.01
100	NEBRASKA TOTAL OFFICE/CLERK	\$4.95
100	OUTLAW PRINTERS,INC	\$65.00
100	PESTS GO	\$35.00
100	PETERSEN DRUG	\$279.96
100	AMY RAGSDALE	\$440.54
100	RAPID CITY JOURNAL-WEBSITE	\$99.00
100	RAPID CITY JOURNAL/ASSESSOR	\$4.05
100	RAPID CITY JOURNAL/COMMISSIONERS	\$110.45
100	RAPID CITY JOURNAL/DIST COURT	\$52.00
100	RAPID CITY JOURNAL/TREASURER	\$130.33
100	RESPOND FIRST AID SYSTEMS	\$40.20
100	SCOTTS BLUFF COUNTY SHERIFF	\$45.12
100	STURDEVANT'S AUTO PARTS	\$27.34
100	UNIVERSITY OF NE-COMPUTER COSTS	\$271.82
100	VSP VISION PLAN	\$234.21
100	WALMART COMMUNITY	\$4.84
200	ACTION COMMUNICATIONS INC	\$295.00
200	AFLAC	\$267.18
200	AMERITAS LIFE INSURANCE CORP	\$999.15
200	BIGHORN AUTO SUPPLY	\$106.24
200	BLUE CROSS & BLUE SHIELD OF NE	\$2,322.38
200	CENTURYLINK LONG DIST-DIST #1 ROADS	\$22.98
200	CHADRON COMMUNITY HOSPITAL & HEALTH	\$125.00
200	CITY OF CRAWFORD	\$114.95
200	CULLIGAN-ROADS	\$5.75

200	DAWES COUNTY TREASURER	\$55.00
200	FIRST BANKCARD/LARRY HANKIN	\$101.68
200	FIRST NATIONAL BANK, NORTH PLATTE	\$3,368.59
200	INLAND TRUCK PARTS & SERVICE	\$597.38
200	NEBRASKA DEPARTMENT OF REVENUE	\$572.30
200	NEBRASKA PUBLIC POWER DISTRICT	\$37.37
200	NEBRASKALAND TIRE	\$62.92
200	NMC EXCHANGE LLC/NEBRASKA MACHINERY	\$6,724.86
200	NORTHWEST RURAL PUBLIC POWER DIST	\$110.12
200	PETERSEN DRUG	\$9.99
200	PHILLIPS F & T INC	\$6,281.20
200	RDO TRUCK CENTER	\$825.82
200	RIVER A HOLDING LLC	\$406.74
200	SERVICE MATTERS CLEANING	\$245.00
200	SHEEHAN MACK SALES & EQUIP,INC	\$391.40
200	STURDEVANT'S AUTO PARTS	\$95.22
200	TREE DOC	\$500.00
200	VSP VISION PLAN	\$115.39
200	WHITE RIVER FEED & TRAILER SALES	\$280.00
200	XEROX CORPORATION/ROADS	\$76.42
990	AFLAC	\$15.47
990	AMERITAS LIFE INSURANCE CORP	\$58.04
990	BLUE CROSS & BLUE SHIELD OF NE	\$96.53
990	FIRST NATIONAL BANK, NORTH PLATTE	\$174.05
990	NEBRASKA DEPARTMENT OF REVENUE	\$30.11
990	RAPID CITY JOURNAL/VISITOR PROMO	\$6.26
1900	VETERANS SERVICE OFFICE	\$350.00