

CHADRON, NEBRASKA
February 27, 2018
DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners in regular session was commenced at the hour of 9:00 A.M. on the 27th day of February, 2018 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; Adam Edmund, Deputy County Attorney and Twila Satchell. 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, amending the Agenda to reflect correct resolution numbers when Larry Hankin, Highway Superintendent, meets with the Board. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Mark and Myrna Betson joined the meeting. Motion by Commissioner Rivera, seconded by Johnson, approving the minutes of February 13, 2018. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. Claims were reviewed by the Board. Commissioner Johnson, seconded by Rivera, moved to approve all claims. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Monthly fee/mileage reports of the various departments were approved by general consent of the Board. There being no correspondence before the Board, Public Comment ensued with Mark Betson asking about the Lemmon Road project status and cutting County budgets 10-20% and what/who would be affected. Commissioner Stewart invited Mr. Betson to attend the budget meeting workshops to get an idea of where tax dollars are going.

At 9:20 A.M. Cheryl Dunn, Deputy Assessor, joined the meeting. Also present was Lindy Coleman, Assessor. The Board of Commissioner's presented Ms. Dunn with a certificate of appreciation for fifteen (15) years of service to Dawes County and thanked her for the years of service. Board Reports ensued with Commissioner Rivera announcing the Region 1 Mental Health Services will close and phase out current services over the next few months. He reported others have stepped forward and will work to continue these services. New governing board members were also elected. He reported the lease agreement with the City of Chadron re: the Tourism Director's office space wasn't signed by the City of Chadron. Commissioner Johnson reported the Area Aging Board elected Officers and a pilot program is in the works in Scottsbluff. RC&D received a two (2) year grant from the Nebraska Environmental Trust. The Scottsbluff County Chairman was chosen to sign all checks for this entity and the Executive Director has taken a cut in salary. PADD was business as usual and the OHD Board elected Commissioner Johnson as Board Chairman. Commissioner Stewart reported Region 23 is assisting him in obtaining a grant to purchase a generator for the Courthouse. Amanda Vogl, Attorney, joined the meeting. SWANN was business as usual and they are working to get the new sewer system set up. NCAP is gearing up for a Federal/State review. Commissioner Stewart read aloud a letter announcing Dan Wordekemper, Weed Superintendent, as Rookie of the Year. The Board acknowledged receipt of the letter and announcement.

At 9:30 A.M. Commissioner Rivera, seconded by Johnson, moved to enter executive session regarding a legal matter, Case CI 16-76. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. At 9:58 A.M. Commissioner Johnson, seconded by Rivera, moved to reconvene to regular session with no action taken during executive session. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried.

At 10:02 A.M. The Chairman of the Board declared the Public Hearing open re: One & Six Year Road Plan. A listing of those individuals present during the hearing is attached to these minutes. Mr. Hankin, Highway Superintendent, reported the culvert for the Lemmon Road project is put together and ready to go. FEMA projects will be finished up. Mr. Hankin went over several One/Six year planned projects by Dawes County and area Residents. Don Mandelko asked about maintenance on Mayflower/Airport Roads. Mr. Hankin reported Airport Road will be addressed. Mr. Mandelko asked how many miles of road were graveled last year and what's planned for next year re: red rock vs. pit run. Myrna Betson reported there are rough spots on Bethel Road that need addressed and no signage has ever been put up as requested. Susan Leeling suggested the Board look at adding Arner, Brown and Pinnt Roads to the One/Six Year Road Plan. Jerry Schumacher asked about Dunlap Road plans. Mr. Hankin

reported plans are to address this road in the One Year Plan depending upon funding. There being no further comment from the Public, the Chairman closed the Public Hearing at 10:28 A.M. Resolution No. 2018-10 was introduced by Commissioner Johnson, seconded by Rivera, to approve and adopt the One/Six Year Road Plan. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Mr. Hankin then reported back on the Road Study he conducted on Mill Road. The road itself is 1.6 miles long with six families living on the road. He recommended no vacation of Mill Road due to access issues. A Public Hearing will take place on March 27, 2018 re: Mill Road. Commissioner Johnson, seconded by Rivera, moved to introduce Resolution No. 2018-09 establishing weight limits on Toadstool Road. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Road Updates included the following to wit: All Districts plowing snow. District 1-hauling millings to Goffena Road and bringing up rip rap. District 2-finish up equipment maintenance. District 3-spot graveling and Crusher is at Eleson pit. Twila Satchell asked about fixing the Bethel Road issues. Discussion ensued. Mr. Hankin reported an engineering study would need to be completed.

At 10:50 A.M. Lindy Coleman, Assessor, presented the MJD Ranch conservation easement. Also present was Dave Sands, Director of the Nebraska Land Trust; Jim O'Rourke; Justin and Mike Raymer. Ms. Coleman reported the Zoning Board has given preliminary approval for the conservation easement. Discussion ensued. Mr. Sands reported the Nebraska Land Trust believes landowners have the right to take steps to conserve their land for future generations. Jim O'Rourke reported a few years ago twenty-five (25) people came together and formed an advisory committee to establish criteria for conservation easements in our area. Justin Raymer indicated for the record they are requesting the conservation easement to preserve the land for farming and not have it ever broken into several parcels. Commissioner Johnson, seconded by Rivera, moved to approve the conservation easement of MJD Ranch. Roll call vote, Ayes; Rivera, Stewart and Johnson. Nays: None. Motion carried.

At 11:09 A.M. The Chairman declared the Public Hearing open regarding a conditional use permit submitted by Matthew Brodrick and Shelby Kriss. Also present was Dillon Lesmeister, Deb Lesmeister, Carrie Sayaloune, Dan Wordekemper and Jerry Shumacher. Matt Brodrick reported the Zoning Board approved the conditional use permit. Applications were withdrawn and resubmitted. Currently there are only eighteen (18) dogs total on both parcels. All dogs have been inspected by the State Inspector and were found to be healthy, happy and friendly. They want the remaining dogs brought back home. Shelby Kriss indicated for the record they aren't trying to do anything bad in the county and are trying to find remedy to the situation within the Law. They will do whatever the county wants to keep their dogs. Deb Lesmeister reported insurance companies will cover the property but not the dogs. She shared an article about pitbulls and indicated for the record she is concerned with the safety of her grandchildren. Dillon Lesmeister reported he is against approval of the conditional use permit due to safety issues, environmental concerns and accountability. He supported his opposition by citing several Zoning Regulations which address safety, environmental quality and shared pictures of the dog toys being promoted by Brodrick and Kriss. He also expressed concern with access to the Kriss parcel in the event of fire. Carrie Sayaloune expressed concern with safety as well and reported they have changed their daily routine because of the dogs. She indicated this breed of dog is more likely to form packs creating even more danger. Jerry Schumacher reported he voted no to the conditional use permit at the Zoning Board meeting as he questions whether or not the County has the authority to approve a conditional use permit regarding kennels in a residential estate district and read aloud Section 18:01 on page 31 of the Zoning Regulations. Dan Wordekemper indicated for the record he is opposed to the conditional use permit and doesn't feel comfortable having 29 pitbull dogs within one (1) mile of their home that are being fed raw meat as the main diet. There being no further comment from the Public, the Chairman closed the hearing at 11:40 A.M. The Board asked several questions regarding the dogs. Commissioner Stewart reported he has visited the site where the dogs are housed and said there is a lot of work to be done in the kennel/shelter areas before more dogs are added to the mix. He also expressed concern with liability issues for the County. Lindy Coleman, Assessor, reported the main concern she has heard from individuals is liability. Commissioner Rivera, seconded by Johnson, moved to deny the conditional use permit of Matthew Brodrick and Shelby Kriss. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Dillon Lesmeister informed the Board he has several suggestions to share surrounding this issue. Mr. Lesmeister was directed to share the suggestions with the Zoning Board.

At 12:10 P.M. Commissioner Johnson, seconded by Rivera, moved to enter executive session regarding a personnel issue. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Commissioner Rivera, seconded by Johnson, moved to reconvene to regular session at 12:24 P.M. with no action taken during executive session. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. The Board announced the resignation of Chelsie Sparks, Treasurer, effective March 12, 2018. Commissioner Johnson, seconded by Rivera, moved to accept the resignation of Chelsie Sparks, Treasurer, effective March 12, 2018 and thanked her for service to Dawes County. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. The last order of business was approval to three (3) Travel Board grants to wit: CSC Hoop Shoot to be held on March 23-25, 2018 in the amount of \$1200.00. NE State Fly In to be held on June 9-11, 2018 in the amount of \$2500.00 and Twisted Crowdad Trails Race to be held on September 15, 2018 in the amount of \$1000.00. Commissioner Rivera, seconded by Johnson, moved to approve all three grants as presented. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried.

At 12:35 P.M. there being no further business before the Board, the Chairman adjourned the meeting. The next meeting of the Dawes County Commissioners will be March 13, 2018 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 located in the basement of the Courthouse. A current agenda is available at the Clerk's Office during normal business hours but will close at 12:00 P.M., March 08, 2018.

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

February 27, 2018 the following claims were audited, allowed and warrant orders drawn on the 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	\$972.61
100	AMERITAS LIFE INSURANCE CORP	\$9,651.81
100	JACK ARTERBURN	\$48.16
100	AT&T	\$1.83
100	BLACK HILLS ENERGY	\$982.03
100	BLUE CROSS & BLUE SHIELD OF NE	\$33,853.99
100	BLUE CROSS & BLUE SHIELD OF NE/MISC	\$452.08
100	BRANDT COURT REPORTING	\$966.50
100	BRENNAN ELECTRIC	\$90.00
100	WESTON BURCH	\$12.87
100	CENTURYLINK	\$67.32
100	CENTURYLINK LONG DIST-CLERK	\$16.55
100	CENTURYLINK LONG DIST-CO ATTORNEY	\$18.72
100	CENTURYLINK LONG DIST-COMMISSIONERS	\$5.09
100	CENTURYLINK LONG DIST-COUNTY COURT	\$38.45
100	CENTURYLINK LONG DIST-DISTRICT CT	\$24.11

100	CENTURYLINK LONG DIST-EXTENSION	\$26.40
100	CENTURYLINK LONG DIST-PUBLIC DEFEND	\$30.37
100	CENTURYLINK LONG DIST-SHERIFF	\$37.13
100	CENTURYLINK LONG DIST-TREASURER	\$21.81
100	CENTURYLINK LONG DIST-WEED	\$5.09
100	CHADRON ACE HARDWARE	\$162.35
100	CHADRON STATE COLLEGE	\$30.00
100	CIRCLE J GLASS-N-MORE	\$365.00
100	CRAWFORD CLIPPER/HARRISON SUN	\$72.60
100	D&S MARKET,LLC	\$2,278.41
100	DAS STATE ACCOUNTING	\$496.20
100	DAWES COUNTY TREASURER	\$457.00
100	ENGRAVERS	\$188.00
100	EXPRESS AUTO SALVAGE	\$628.68
100	FIRST BANKCARD/CHERYL FEIST	\$65.99
100	FIRST NATIONAL BANK, NORTH PLATTE	\$15,344.40
100	GARDNER,LOUTZENHISER & RYAN,PC	\$10,000.00
100	GIS WORKSHOP,INC	\$420.00
100	SAMUEL HOLMGREN	\$28.24
100	KEVIN LOTTON	\$42.62
100	MANNA SYSTEMS AND CONSULTING	\$2,544.00
100	MIPS INC	\$732.73
100	NEBRASKA ASSOC OF COUNTY TREASURERS	\$50.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$1,724.44
100	NEBRASKA DEPARTMENT OF REVENUE/LEVY	\$25.00
100	NEBRASKA PUBLIC POWER DIST-WEED	\$270.32
100	NEBRASKA WEED CONTROL ASSOCIATION	\$120.00
100	NORTHWEST RURAL PUBLIC POWER DIST	\$211.08
100	OFFICE DEPOT INC	\$218.48
100	OUTLAW PRINTERS,INC	\$163.97
100	PANHANDLE PUBLIC HEALTH	\$275.00
100	PESTS GO	\$35.00
100	PETERSEN DRUG	\$515.90
100	QUALITY TIRE	\$47.88
100	RAPID CITY JOURNAL/COMMISSIONERS	\$566.47
100	RAPID CITY JOURNAL/ROADS	\$94.25
100	RAPID CITY JOURNAL/SHERIFF	\$378.41
100	CASEY JOHN SCHUHMACHER	\$12.10
100	SCOTTS BLUFF COUNTY SHERIFF	\$22.52
100	SKEETERS AUTO PARTS INC	\$64.38
100	SOUTHERN HILLS FIRE & SAFETY	\$45.50
100	STOCKMEN'S DRUG	\$12.00
100	BRIAN TAYLOR	\$10.05
100	THOMSON WEST PAYMENT CENTER	\$1,209.00
100	ROSALENE B TOLLMAN	\$51.45
100	UNL EXTENSION DAWES COUNTY	\$40.00
100	VERIZON WIRELESS/SHERIFF	\$614.31

100	VIAERO WIRELESS-WEED	\$99.72
100	VSP VISION PLAN	\$252.15
100	VSP VISION PLAN-MISC	\$5.48
100	WALMART COMMUNITY-TREASURER	\$348.80
100	WALMART COMMUNITY-VETERANS	\$273.88
100	WESTERN CARTOGRAPHERS	\$377.00
100	WESTERN COMMUNICATIONS, INC	\$116.25
100	WESTERN PATHOLOGY CONSULTANTS INC	\$1,000.00
100	WESTERN PATHOLOGY CONSULTANTS,PC	\$2,310.00
100	WESTERN PLAINS INC	\$27.37
100	DAN WORDEKEMPER	\$353.21
100	XEROX CORPORATION/TREASURER	\$14.00
200	AFLAC	\$270.58
200	AMERITAS LIFE INSURANCE CORP	\$1,181.49
200	BLACK HILLS ENERGY	\$701.22
200	BLUE CROSS & BLUE SHIELD OF NE	\$2,097.45
200	BRAD'S TRUCK SERVICE	\$3,890.77
200	CENTURYLINK LONG DIST-DIST #1 ROADS	\$27.06
200	CROELL REDI-MIX INC	\$500.88
200	DAWES COUNTY TREASURER	\$55.00
200	FIRST NATIONAL BANK, NORTH PLATTE	\$3,314.46
200	HOLIDAY INN EXPRESS-OGALLALA	\$75.00
200	JOHN DEERE FINANCIAL-ROADS	\$982.80
200	LAWSON PRODUCTS INC	\$646.08
200	NE ASSN OF CO HWY SUPERINTENDENTS	\$160.00
200	NEBRASKA DEPARTMENT OF REVENUE	\$646.43
200	NORTHWEST RURAL PUBLIC POWER DIST	\$325.21
200	RAPID CITY JOURNAL/ROADS	\$17.21
200	SOUTHERN HILLS FIRE & SAFETY	\$10.50
200	TOOF'S DIESEL REPAIR	\$881.98
200	VSP VISION PLAN	\$112.09
200	WEST 2ND APPLIANCE	\$330.95
200	YOUNG'S REPAIR INC	\$67.89
990	AFLAC	\$15.47
990	AMERITAS LIFE INSURANCE CORP	\$68.27
990	BLUE CROSS & BLUE SHIELD OF NE	\$88.17
990	FIRST NATIONAL BANK, NORTH PLATTE	\$201.63
990	NEBRASKA DEPARTMENT OF REVENUE	\$41.90
1900	VETERANS SERVICE OFFICE	\$90.00
2910	AMERITAS LIFE INSURANCE CORP	\$3.38
2910	CENTURYLINK	\$77.45
2910	FIRST NATIONAL BANK, NORTH PLATTE	\$14.46
2910	INTRALINKS,INC	\$670.00
2910	NEBRASKA DEPARTMENT OF REVENUE	\$3.35
2910	WESTERN COMMUNICATIONS, INC	\$149.00
2913	CENTURYLINK	\$245.24

