

CHADRON, NEBRASKA

September 25, 2007

DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners meeting in regular session was commenced at the hour of 8:08 A.M. on the 25th day of September, 2007, in the Dawes County Commissioner room pursuant to public notice as required by law. The meeting was called to order by Commissioner Fisher. Roll was called and the following Commissioners were present: Commissioners' Fisher, Blausey and Wess. Also present was Cheryl Feist, Dawes County Clerk. 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. The Pledge of Allegiance was recited by those present. Commissioner Wess asked his phone number be published so individuals having questions concerning Road District 2 or Commissioner District 2 could contact him. That phone number is (308) 430-3953. Motion by Blausey, seconded by Wess, approving the Agenda as presented. Roll call vote, Ayes: Blausey, Wess and Fisher. Nays: None. Motion carried. Motion by Wess, seconded by Blausey, approving minutes of the September 12, 2007 Commissioner Meeting. Roll call vote, Ayes: Wess, Fisher and Blausey. Nays: None. Motion carried. Claims were reviewed. Motion by Blausey, seconded by Wess, approving all claims as submitted. Roll call vote, Ayes: Fisher, Wess and Blausey. Nays: None. Motion carried.

At 8:34 A.M. Vance Haug, County Attorney and Stacy McCartney, Child Support Enforcement Specialist, joined the meeting in progress. Also present were Lindy Coleman, Assessor and Lois Chizek, Treasurer. Mr. Haug reported there is no case on point relevant to increasing salaries of Elected Officials during their term of office and left the decision to move his position to a full-time position up to the Board. He suggested the Board consider hiring a part-time Attorney to fill the hours he would've worked if on a full-time basis. Discussion ensued but no action was taken. Mr. Haug indicated a Deputy County Attorney is still needed irregardless of what his status is. Discussion ensued. Commissioner Blausey reiterated the need for legal counsel at all Commissioner Meetings and representation on TERC (Tax Equalization Review Commission) cases. The Board advised Mr. Haug to move forward with drafting a resolution to hire a full-time Deputy County Attorney. Stacy McCartney presented Federal Incentive payment receipts and explained the difference between those receipts and child support enforcement receipts. She indicated the Federal Incentive receipts can be used to supplement salaries, equipment purchases, and trainings etc. for the Child Support Enforcement Office. The Board asked for written documentation the Federal Incentive money can be used as bonuses for employees in addition to their adopted salary. Mr. Haug and Ms. McCartney will meet with the Board at a later date to detail what the Federal Incentive money will be used for. Ms. McCartney explained the revenue code for the Federal Incentive money should be changed to 331-04. The County Treasurer will make that coding change.

At 9:30 A.M. Deb Lesmeister approached the Board to advise them the approach at 212 Slim Buttes Road is located below the crest of a hill and is concerned about a potential road hazard. Commissioner Blausey will visit with the Roads Foreman of that district.

At 9:36 A.M. Lois Chizek, Treasurer, approached the Board and went over the 2006 distress warrant report issued by the Sheriff's Department. A copy of the report is available for public inspection during normal business hours in the office of the County Clerk or County Treasurer.

At 10:01 A.M. Commissioner Fisher called the public hearing relevant to City of Chadron's application for Wellhead Protection Zoning open. Present from the City of Chadron were Janet Johnson, Milo Rust and Steven Boeselager. Also present was Jason Moudry from NRD. Mr. Boeselager presented a brief overview of reasons leading up to the City of Chadron's application for zoning with the main reason being to protect the City of Chadron's water supply. It was also learned the planning commission had approved the application for zoning at their August 20, 2007 public hearing to hear support, opposition, etc. relevant to the application request of City of Chadron. The public hearing closed at 10:45 A.M. without any comment from the general public. Commissioner Blausey made a motion approving the city's application for Wellhead Protection Zoning. Commissioner Wess seconded the motion. Roll call vote, Ayes: Blausey, Wess and Fisher. Nays: None. Motion carried. Signs will be posted designating the Wellhead Protection area.

In other business the Board reviewed correspondences received from Boucher Law Firm re: Hack EEOC case, a teleconference call will be scheduled with Richard Boucher to discuss the case; Tony Serbousek, Communications Director re: final cost on 911 phone system, Mr. Serbousek will be contacted to schedule an appointment with the Board; Fuller Construction Company re: two payment applications on ADA restroom project. Per contract when existing marble toilet partitions are removed, walls and floors are to be patched to match existing to include patching the terrazzo floors with colored grout to match terrazzo. Fuller Construction will be contacted to complete terms of contract prior to Board approving payment for the project; SWANN re: BOD Agenda/minutes; David Coe re: notice of a geotechnical site evaluation request re: elevator project; RC&D re: volunteer appointment to RC&D Board which was tabled until such time an individual expresses a desire to serve in this capacity. Any local citizen interested in serving in this capacity may contact the County Clerk's Office. Motion by Blausey, seconded by Wess, changing the October 24th Commissioner Meeting to October 23rd commencing at 8:00 A.M. in the County Courtroom. Roll call vote, Ayes: Blausey, Wess and Fisher. Nays: None. Motion carried. The media will be notified of the change. The County Clerk updated the Board re: South Wayside Road closing currently under title search to notify adjacent land owners. A Roads/Forest Service Agreement was reviewed by the Board. The agreement would supersede an agreement made back in the 1960's between the same parties. Motion by Wess, seconded by Fisher approving Forest Service/Dawes County Roads agreement # 07-RO-11020700-039 as presented. Roll call vote, Ayes: Wess, Fisher and Blausey. Nays: None. Motion carried. A contract agreement between Dawes County/Chadron Native American Center re: quarterly reports, legal costs, etc. was reviewed by the Board. Commissioner Blausey moved to accept the terms of the contract which includes a termination clause; the motion

was seconded by Commissioner Wess. Roll call vote, Ayes: Fisher, Blausey and Wess. Nays: None. Motion carried.

At 10:50 A.M. Galen Niehues, Weed Superintendent met with the Board to discuss the part-time position of Zoning/Floodplain Management Administrator. The Board informed Mr. Niehues the position will be advertised. A permit fee schedule relevant to new home construction was discussed but no action taken until such time the part-time position is filled. Two Zoning Board appointments were made to wit: Motion by Blausey, seconded by Wess appointing John Perrine to the Zoning Board. Roll call vote, Ayes: Blausey, Wess and Fisher. Nays: None. Motion carried. Motion by Blausey, seconded by Wess appointing Dianne Johnson to the Zoning Board. Roll call vote, Ayes: Wess, Fisher and Blausey. Nays: None. Motion carried. Both individuals will be notified of their appointments and zoning literature will be sent.

At 11: 30 A.M. Christi Marsh, Roads Secretary, met with the Board. She presented a loan payment request which will be processed and paid October 10, 2007. Claims submittal deadlines were discussed. The County Clerk explained the deadlines are set to give the payroll/claims department time to process all county claims and payroll for Commissioner meeting dates. Once all claims and payroll requisitions are submitted, they are processed through MIPS, certification to the Treasurer is made and Board pre-approval reports go out. She reported current CDL Drivers should have DMV record checks once every three years. DMV checks were approved by the Board on all CDL drivers for Dawes County. Also briefly discussed were DOT physicals but no action was taken. The Board also discussed road numbers vs. named roads with Ms. Marsh. Dawes County has several roads which have road numbers but are often referred to by name; this in turn creates confusion when an information request is submitted by citizens. Ms. Marsh will meet with the Roads Foremen to match road numbers to road names to eliminate any confusion. The Highway Superintendent position will be advertised when the job description is in place. In other business three audit proposals were received and reviewed by the Board. #1 Contryman Associates, PC-County Audit-\$8,500.00 fiscal year 2007, \$8,900.00 fiscal year 2008 and \$9,300.00 fiscal year 2009. Special Roads audit-\$90-120.00 per hour. #2 Dana F. Cole & Company, LLP-County Audit-\$11,500.00 w/o supplemental schedules and \$13,500.00 with supplemental schedules. Special Roads audit- no bid available for Board to review. #3 FALCO-couldn't bid County audit due to lack of independence and suggested whoever does county audit also do special roads audit. Motion by Wess, seconded by Blausey accepting Contryman's bid for both audit requests and for fiscal year 2008 and 2009 respectively. Roll call vote, Ayes: Fisher, Blausey and Wess. Nays: None. Motion carried. The County Clerk will notify all auditing firms of the Boards decision.

At 1:14 P.M. there being no further business to address Commissioner Wess made a motion to adjourn the meeting, seconded by Commissioner Blausey. Roll call vote: Ayes: Blausey, Wess and Fisher. Nays: None. Motion carried. The next regular meeting of the Board will be October 23, 2007 beginning at 8:00 A.M. in the County Courtroom. A current Agenda to the Commissioners proceedings is kept on file in the County Clerks office during normal business hours for inspection, but the Agenda will close by 4:00 P.M. on the Friday preceding the Board meeting on Tuesday. The Agenda may be modified to include items of emergency nature. The meetings of the Dawes County Commissioners are open to the public. **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.