

CHADRON, NEBRASKA

January 20, 2010

DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners meeting in regular session was commenced at the hour of 8:02 A.M. on the 20th day of January 2010 in the Commissioner Room and published pursuant to public notice as required by law. The meeting was called to order by Commissioner Johnson. Roll was called and the following Commissioners were present: Commissioners' Johnson, Wess and Blausey. 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. Commissioner Wess asked his phone number be published so individuals having questions concerning Commissioner District 2 could contact him. That phone number is (308) 430-3953. Motion by Wess, seconded by Blausey, approving the Agenda. Roll call vote, Ayes: Wess, Blausey and Johnson. Nays: None. Motion carried. Motion by Blausey, seconded by Wess, approving the January 06, 2010 minutes as published. Roll call vote, Ayes: Blausey, Johnson and Wess. Nays: None. Motion carried. Claims were reviewed. Motion by Wess, seconded by Blausey, approving all claims as presented. Roll call vote, Ayes: Johnson, Blausey and Wess. Nays: None. Motion carried. Correspondences included: NE Department of Agriculture-invitation for the County to host a livestock developmental meeting. Commissioner Johnson will contact the Department of Agriculture to acquire additional information and a copy of the letter will be forwarded to Scott Cotton. NIRMA-Notice of agreement with Spencer Fane Britt and Browne to conduct FLSA audits across the State at a cost of \$1,000.00 per county. Discussion ensued. The Board feels this would be an opportunity for Dawes County to ensure all FLSA requirements are being met. Motion by Blausey, seconded by Wess, directing the County Clerk to set up the audit and pay for it out of the County General Fund. Roll call vote, Ayes: Wess, Blausey and Johnson. Nays: None. Motion carried. In other business the Board discussed the 2010 Holiday schedule. Motion by Blausey, seconded by Wess, approving a 1/2 day on Good Friday and no 1/2 day on December 23, 2010. Roll call vote, Ayes: Blausey, Johnson and Wess. Nays: None. Motion carried. The Hazard Mitigation Plan was reviewed. This plan will be used to identify possible hazards in the event of a disaster or emergency situation. Resolution No. 2010-07 was introduced by Commissioner Blausey, seconded by Wess, implementing the Hazard Mitigation Plan developed by Region 23 Emergency Management and JEO. Roll call vote, Ayes: Johnson, Wess and Blausey. Nays: None. Motion carried. A copy of the Resolution will be forwarded to Region 23 Emergency Management. Office move updates were discussed. Commissioner Wess reported the Public Defender's Office will start moving sometime next week. Their new location will be 250 Main Street. Commissioner Blausey will visit with the County Attorney to establish a time frame for his office relocation. Deb Cottier, Rob Harvey, Bryce Wells and Thorpe Thompson joined the meeting in progress. The Board briefly discussed the proposed windows project and the grant timeline involved. Dave Coe will be invited to a meeting to discuss the grant in more detail. Commissioner Johnson reported he visited with Sheriff Karl Dailey re: security camera installation. Mr. Dailey informed Mr. Johnson the proposed plans wouldn't violate any Jail Standards and to proceed. Commissioner Johnson will work with the Sheriff on the project and bids will be advertised at a later date. The Board then discussed the West Plains Recovery Bond. Lois Chizek, Treasurer, joined the meeting in progress and expressed concern with the amount of paperwork and time involved to administer the bonds. She suggested financial institutions are available for this purpose. It was noted West Plains has applied for and received approximately

\$14.5 million dollars in recovery bonds but needs a host. Due to the proposed location of the designated recovery zone, the County has been approached to administer the bonds. Deb Cottier indicated Dawes County needs to take the lead and support the project. Bryce Wells reported there are business packages available in Nebraska as a result of the Recovery Act. He went onto say a petition was filed the first week in December of 2009 with the Governor to rebuild the grain handling facility. Trains will transport grain via NEBKOTA Railroad which connects with DME railroad. The bonding will assist in giving the local economy a boost. Railroad improvements will need to be made to Crawford to carry the weight. Future plans include bringing back the Dinner Train and a possible museum would be relocated to this area. West Plains has retained bond counsel and Smith Hayes Financial would be involved on behalf of the County. Ms. Cottier offered her services to assist with the bonding. Commissioner Blausey added he also feels the economic impact would be huge for Dawes County. Commissioner Johnson asked about zoning issues. Commissioner Blausey reported the Zoning Administrator has already checked into this matter and there aren't any issues with zoning. There is a bridge that would be affected by the project, however; a hydrology study would be conducted to address options available. Resolution NO. 2010-08 was introduced by Commissioner Blausey, seconded by Wess, designating the South portion of the N1/2 of the NW1/4 of Section 24, Township 33, Range 48, located in Dawes County, Nebraska as a recovery zone. Roll call vote, Ayes: Wess, Blausey and Johnson. Nays: None. Motion carried. Kerri Rempp, The Chadron Record and Chad Franzen, KCSR, joined the meeting in progress.

At 9:04 A.M. The Chairman reconvened the One and Six Year Road Hearing. Also present was Pat and Jerry Moss, Thorpe Thompson, Stacy Swinney, Suzan and Steve Hutchens, Regina Ochoa, Gary D. Fisher, Myrna Betson and Harvey Keim. Written comments received from Bev Dyer, Myrna G. Betson and Don Grein were read into record. The following comments were heard by the Board: **Pat Moss**-wanted to make sure 2 miles of Deadhorse Road and 1.5 miles of Nixon Road were still planned for maintenance. **Jerry Moss**-expressed concern with drainage as the snow melts. **Thorpe Thompson**-representation of the entire county is the duty of the Commissioners and he feels the rural areas are being neglected. North of Highway 20 isn't addressed in the plan. Grading management has been poor and residents are seeing the affects. He suggested the Board look at what other counties are doing. Suggested the budget focus be changed as he feels more money is being spent in one district than another. Additionally, if grants are available to pave Slim Buttes Road then there should be grants available to pave other county roads. Mr. Thompson also reported he is tired of getting snow removed so cattle can be fed to have the county come by and block it in again. **Myrna Betson**-agrees with Thorpe Thompson re: the Slim Buttes Road project. She doesn't feel paving this road is going to create a metropolis. Her husband had to get up early to haul wheat across roads due to their condition. **Regina Ochoa**-Asked how issues needing addressed but not on the One and Six Year Plan will be handled. The bridge over Roberts Trailhead is falling apart and is a real concern during tourism time. The load weight sign is down and this bridge is the only access to Roberts Trailhead. Commissioner Blausey reported just because it's not listed on the One and Six Year Plan doesn't mean it won't be addressed through maintenance. Myrna Betson suggested the bridge be replaced with a culvert. Mr. Keim indicated the bridge isn't falling apart. Mr. Keim was asked to put the bridge on the One and Six Year Road plan. It will be added to the Six Year plan. There being no further comment from the public a motion was made by Commissioner Wess, seconded by Blausey, to close the public hearing. Roll call vote, Ayes: Blausey, Johnson and Wess. Nays: None. Motion carried.

At 9:39 A.M. John Blake from Congressman Smiths office approached the Board. He reported Congressman Smith is waiting on the State of Union address before setting an agenda, however; energy issues will be a priority for Congressman Smith. Other legislative bills were briefly discussed.

At 9:47 A.M. Harvey Keim, Highway Superintendent, met with the Board. Mr. Keim informed the Board he has advertised for bids re: gravel on Stockade Road and replacement of a semi-trailer. Bids will be opened on February 16, 2010. Snow plowing continues. The Crusher will be moved to Montague's pit. The One and Six Year Road plan will be amended to include the bridge over Roberts Trailhead as requested by Regina Ochoa and Myrna Betson. The One and Six Year Road Plan will be officially adopted at the February 03, 2010 Commissioner meeting. Mr. Keim indicated that six year projects can be on the road plan for fifty years if necessary.

At 10:06 A.M. Tony Serbousek, E-911 Coordinator, met with the Board. He briefed the Board on LB1222 which will require the Public Service Commission to establish a permanent funding mechanism for wireless enhanced connections. Beginning July 2010 the State of Nebraska will begin remitting funds collected re: wireless connections back to counties with restrictions on what the funds can be used for. Dawes County's proposed share will be approximately \$1573.34 per month. The State has yet to inform counties whether or not a separate fund will be required to receipt in the funds. Mr. Serbousek will keep the Board informed. Mr. Serbousek reported the new reflector tower purchased with homeland security funds will be up in three weeks which will allow the county to disconnect circuit lines that are currently running approximately \$1,000.00 per month.

At 10:20 A.M. Lois Chizek, Treasurer, presented the semi-annual report through 12/31/2009. The report contains beginning fund balances as of July 01, 2009, collections received and ending fund balances as of 12/31/2009. Taxes collected as of December 2008 were at 9.3% compared to December 2009 at 6.88%. A copy of the report is available at the Clerks Office during normal business hours. Ms. Chizek reported the tower owned by Sagir in Box Butte County will go on Sheriff's sale for back taxes. Ms. Chizek informed the Board this would be an option for the two towers located in Dawes County for back taxes. Ms. Chizek will visit with the Dawes County Sheriff on the matter. Ms. Chizek reported she has been carrying two NSF checks on her books to wit: \$162.23 which a stop payment was issued after written in December 2007. The Board informed the Treasurer to look into the possibility of placing a lien against the land. \$1,270.13 is currently in bankruptcy proceedings and the County won't receive anything until such time proceedings are done. Discussion ensued. The Treasurer will submit a claim in the amount of \$1,270.13 against the General Fund to clear her books. Once the bankruptcy proceedings are done any money remitted back to the County will go back into the General Fund. The Board recessed at 10:39 A.M. The Board reconvened at 10:50 A.M.

At 10:50 A.M. Sandy Roes, WHCR Director and Casey Fusher, Boys & Girls Club, met with the Board. Ms. Roes informed the Board she was there to seek input as to where the Juvenile Justice Grant in the amount of \$8,222.00 should be used. She presented the 2009-2011 comprehensive plan. Casey Fushner informed the Board that Crawford has an after school program that could use some of the funding and the rest would be used across the Panhandle for Boys and Girls Club activities. Motion by Blausey, seconded by Wess, to approve the grant request in the amount of \$8,222.00. Roll call vote, Ayes: Johnson, Wess and Blausey. Nays: None. Motion carried. The 2009 County Enhancement Grant in the amount of \$1717.00 will be used to conduct truancy training hosted by the Panhandle Training Academy. Ms. Roes requested Dawes County act as host for the ensuing year re: County Enhancement Grant funds available up to \$20,000.00 which will pay for consulting fees in developing the comprehensive plan. Motion by Wess, seconded by Blausey, that Dawes County host the County Enhancement Grant funding available for the development of a comprehensive plan. Roll call vote, Ayes: Wess, Blausey and Johnson. Nays: None. Motion carried.

At 11:12 A.M. Becky Paulsen, Weed Superintendent, Zoning Administrator and Flood Plain Manager, met with the Board. Ms. Paulsen presented her annual reports for the Boards review and approval. The reports are: Control Plan-sets goals/objectives for ensuing year re: notices and weed management; Activity Report-contains information relevant to number of weeks spent on weed control, number of inspections conducted and number of forced controls issued; Infestation Report-contains the number of noxious weed infected acres throughout the county; Budget Report-contains prior year and current year budget figures and Board Roster Report-contains the names of current Weed Board Members. Upon review of the report a motion was made by Commissioner Blausey, seconded by Wess, approving the annual report and directing the Chairman of the Board to sign the report as presented. Roll call vote, Ayes: Wess, Blausey and Johnson. Nays: None. Motion carried. Ms. Paulsen also presented four zoning permits previously approved by the Zoning Board which require final approval from the Commissioners. The Board reviewed permit requests received from Randy Kane, Rick Stewart, Chris Nerud and John Dinsley. Motion by Blausey, seconded by Wess, approving the four permits presented by the Zoning Board Roll call vote, Ayes: Blausey, Johnson and Wess. Nays: None. Motion carried. Ms. Paulsen shared weed spraying costs for ditches. For every 300 miles of road it would cost the County \$10,000.00 for chemical to spray. She suggested the Board look at NE. State Statute 39-1811 which addresses this very issue. Commissioner Blausey reported many notices would be required to landowners if this approach was used. Commissioner Wess suggested spraying weeds when the Roads Department brings up ditches and then again in the fall. He also suggested a pilot stretch of ten miles to see if this approach would work. Ms. Paulsen asked the Board for time to research Commissioner Wess's suggestion before doing anything. Ms. Paulsen will report back to the Board. The next Zoning Board meeting will be February 11, 2011 and will be advertised.

At 11:33 A.M. Janice German, DCAT, and Phillip Curd, Dawes County Surveyor, met with the Board. They have been working on updating all road records for Dawes County. Ms. German reported the project started with Road Record A and comparing the legal descriptions with the descriptions in the original petition requests. The roads are then being mapped out on township plats. She reported 133 roads have been researched to date. Notes are being taken as the project continues. All Commissioner Records will be read through to make sure nothing is missed. Once the preliminary map has been completed, she would like to meet with the Board and Highway Superintendent to compare results with what the County is actually maintaining. She also reported the majority of the roads in question have been surveyed. The Board recessed at 11:50 A.M. and reconvened at 1:47 P.M. At this time budgets of the various Departments were reviewed by the Board. The Employee handbook updates were discussed. The rest period (break) policy will be amended and the entire handbook adopted at a later date.

There being no further business before the Dawes County Board of Commissioners a motion to adjourn at 2:15 P.M. was made by Commissioner Wess, seconded by Blausey. Roll call vote, Ayes: Johnson, Wess and Blausey. Nays: None. Motion carried. The next regular meeting will be February 03, 2010 beginning at 8:00 A.M. with a Board of Equalization meeting followed by the regular Commissioner meeting at approximately 8:20 A.M. Both meetings will be held in the Commissioners Room at the Courthouse. A current agenda for the meeting(s) is kept on file in the County Clerks office during normal business hours for inspection, but the Agenda(s) will close by 4:00 P.M. on the Friday preceding the Board meeting on Wednesday. The Agenda(s) 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.**

ATTEST: _____
COMMISSIONERS

DAWES COUNTY

Cheryl Feist

Dawes County Clerk

January 06, 2010 the following claims were audited, allowed and warrant orders drawn on their respective

Accounts: Key for Claims: 100=General Fund; 200=Roads Fund; 990=Visitors Fund; 1100=Reappraisal Fund; 1900=Veterans Aid Fund; 2360=Drug Fund; 2500=Grants Fund; 2700=Inheritance Fund; 2910-911=Emergency (Communications); 4000=Courthouse Bond Payment Fund; 5400=Weed Department Fund.

FUND	VENDOR NAME	TOTCLAIMS
100	AFLAC	\$373.86
100	AMERITAS LIFE INSURANCE CORP	\$5,829.49
100	ROBERT HARDY	\$630.00
100	BUFFALO COUNTY SHERIFF	\$22.64
100	THE BUSINESS CONNECTION	\$144.35
100	CHADRON COMMUNITY HOSPITAL & HEALTH	\$85.31
100	CHADRON WHOLESALE	\$181.49
100	CHAMBERLAIN CHAPEL INC	\$2,595.00
100	CITY OF CHADRON	\$99.70
100	ECHO CLARK	\$11.77

100	CMRS-FP	\$500.00
100	COUNTRY KITCHEN	\$250.00
100	CRAWFORD CLIPPER/HARRISON SUN	\$277.01
100	KARL DAILEY	\$84.02
100	DAWES COUNTY INSURANCE ACCOUNT	\$13,320.54
100	DAWES COUNTY TREASURER	\$454.50
100	CHERYL DUNN	\$12.26
100	DAVE EUBANKS	\$450.00
100	FIRST BANKCARD	\$61.75
100	FIRST NATIONAL BANK, NORTH PLATTE	\$9,165.65
100	FLEET SERVICES/SHERIFF	\$558.83
100	GALLS	\$318.98
100	GMC OF CHADRON	\$29.89
100	GREAT PLAINS COMMUNICATIONS	\$275.97
100	HAMILTON COUNTY SHERIFF	\$43.52
100	HENCEY PLUMBING & HYDRONICS,INC	\$590.70
100	HILLS TIRE & SUPPLY	\$61.00
100	IDEAL LINEN SUPPLY,INC	\$165.96
100	DANIEL R JOHNSON,DDS	\$245.00
100	MID-AMERICAN RESEARCH CHEMICAL CORP	\$115.39

100	MIDWEST TRANSPORTATION SPECIALISTS	\$1,425.30
100	MIPS INC	\$1,890.39
100	LORI MISKIMINS-CO CT CLERK MAGISTRA	\$28.76
100	MOBIUS COMMUNICATIONS	\$35.00
100	NE CHILD SUPPORT PAYMENT CENTER	\$284.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$948.98
100	NEBRASKA PUBLIC POWER DISTRICT	\$230.21
100	NEBRASKA TOTAL OFFICE/CO ATTORNEY	\$143.99
100	NEBRASKA TOTAL OFFICE/COUNTY COURT	\$107.09
100	NEBRASKA TOTAL OFFICE/EXTENSION	\$11.97
100	NEBRASKA TOTAL OFFICE/PUBLIC DEFEND	\$135.07
100	NEBRASKA TOTAL OFFICE/SHERIFF	\$193.98
100	NEBRASKA TOTAL OFFICE/TREASURER	\$233.34
100	OUTLAW PRINTERS,INC	\$39.90
100	PESTS GO	\$30.00
100	PETERSEN DRUG	\$155.44
100	QWEST	\$382.03
100	QWEST	\$14.48
100	RAPID CITY JOURNAL	\$113.95
100	SHELL FLEET PLUS/WEED	\$231.50

100	SHELL-EXTENSION OFFICE	\$39.08
100	HOLLY SHIELD	\$10.15
100	SIMMONS OLSEN LAW FIRM,P.C.	\$60.00
100	SKAVDAHL & EDMUND	\$20.00
100	SMITH,KING AND FREUDENBERG,PC	\$347.60
100	SOURCEGAS	\$17.44
100	DEREK SWEDIN	\$40.15
100	VERIZON WIRELESS	\$105.42
100	VERIZON WIRELESS	\$118.23
100	WAHLSTROM FORD INC	\$32.00
100	WALMART COMMUNITY	\$52.76
100	PAUL WESS, PUBLIC DEFENDER	\$301.70
100	WEST 2ND WESTERN AUTO	\$100.00
100	XEROX CORPORATION	\$100.88
200	ABSALON FOOD CENTER	\$109.14
200	ACCELERATED RECEIVABLES SOLUTIONS	\$250.46
200	AFLAC	\$186.20
200	AMERITAS LIFE INSURANCE CORP	\$699.65
200	ANTIOCH MACHINE	\$135.00
200	ARROW BUILDING CENTER	\$274.86

200	CHADRON GLASS & WINDOWS,INC	\$40.00
200	CHADRON HOME CENTER	\$89.64
200	CITY OF CRAWFORD	\$112.00
200	CRAWFORD CLIPPER/HARRISON SUN	\$19.80
200	DAWES CO ABSTRACT & TITLE, INC ESCR	\$1,586.50
200	DAWES COUNTY INSURANCE ACCOUNT	\$1,301.79
200	DAWES COUNTY TREASURER	\$92.50
200	EAGLE CHEVROLET BUICK & PONTIAC	\$1,302.56
200	FIRST NATIONAL BANK, NORTH PLATTE	\$1,767.98
200	HARTFORD LIFE INSURANCE COMPANY	\$25.00
200	HERREN BROTHERS TRUE VALUE	\$10.74
200	IDEAL LINEN SUPPLY,INC	\$8.36
200	J & J PARTS & SUPPLY	\$116.43
200	LINWELD	\$44.20
200	METAL PRODUCTS COMPANY	\$68.20
200	NEBRASKA DEPARTMENT OF REVENUE	\$358.79
200	NEBRASKALAND TIRE	\$70.20
200	NMC EXCHANGE LLC/NEBRASKA MACHINERY	\$10,642.78
200	NORM'S CARQUEST AUTO PARTS	\$1,014.21
200	PINE RIDGE SERVICE CENTER,INC	\$2,386.66

200	POWERPLAN	\$1,608.18
200	QUALITY TIRE	\$1,632.95
200	STURDEVANT'S AUTO PARTS	\$229.74
200	SOLID WASTE AGENCY OF NW NEBRASKA	\$29.10
200	VERIZON WIRELESS	\$107.69
200	WESTCO	\$6,749.31
200	WHITE RIVER FEED & TRAILER SALES	\$298.75
1900	DAWES CO TREASURER/VETERANS AID	\$125.56
2910	ACTION COMMUNICATIONS INC	\$22.29
2910	GREAT PLAINS COMMUNICATIONS	\$186.95
2910	NEBRASKA TOTAL OFFICE/E911	\$289.00
2910	WESTERN COMMUNICATIONS, INC	\$459.00
5400	AFLAC	\$15.25
5400	AMERITAS LIFE INSURANCE CORP	\$55.23
5400	DAWES COUNTY INSURANCE ACCOUNT	\$60.68
5400	DAWES COUNTY TREASURER	\$13.00
5400	FARM PLAN	\$62.83
5400	FIRST BANKCARD	\$218.57
5400	FIRST NATIONAL BANK, NORTH PLATTE	\$171.42
5400	NEBRASKA DEPARTMENT OF REVENUE	\$31.83