

**CHADRON, NEBRASKA**

**April 06, 2011**

**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 9:03 A.M. on the 6<sup>th</sup> day of April 2011 and published pursuant to public notice as required by law and or posted. The meeting was called to order by Commissioner Johnson. Roll was called and the following Commissioners were present: Commissioners' Johnson, Stewart and Swinney. Also present was Cheryl Feist, Dawes County Clerk; Lindy Coleman, Assessor; Adam Edmund, Deputy County Attorney and Kerri Rempp, The Chadron Record. 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 Stewart, seconded by Swinney, approving the Agenda as presented. Roll call vote, Ayes: Stewart, Swinney and Johnson. Nays: None. Motion carried. Minutes of the March 02, 2011 meeting were reviewed. Motion by Stewart, seconded by Swinney, approving minutes as published. Roll call vote, Ayes: Swinney, Johnson and Stewart. Nays: None. Motion carried. There wasn't any correspondence for review. The Assessor presented tax correction # 4559 for the Boards review and approval. Motion by Swinney, seconded by Stewart, directing the Chairman to sign the correction. Roll call vote, Ayes: Johnson, Stewart and Swinney. Nays: None. Motion carried.

There being no further business to be conducted by the Dawes County Board of Equalization a motion to adjourn at 9:07 A.M. was made by Commissioner Stewart, seconded by Swinney. Roll call vote, Ayes: Stewart, Swinney and Johnson. Nays: None. Motion carried. The next Dawes County Board of Equalization will be May 04, 2011 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 3:00 P.M. April 28, 2011. 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:** \_\_\_\_\_

**DAWES COUNTY BOARD OF EQUALIZATION**

**Cheryl Feist**

**Dawes County Clerk**

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## CHADRON, NEBRASKA

April 06, 2011

### DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners meeting in regular session was commenced at the hour of 9:08 A.M. on the 6<sup>th</sup> day of April, 2011 in the Commissioner's 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, Stewart and Swinney. Also present was Cheryl Feist, Dawes County Clerk, Adam Edmund, Deputy County Attorney, Chris Fankhauser, KCSR and Kerri Rempp, The Chadron Record. 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 Stewart, seconded by Swinney, approving the Agenda. Roll call vote, Ayes: Stewart, Swinney and Johnson. Nays: None. Motion carried. Minutes of the March 16, 2011 meeting were reviewed. Motion by Commissioner Stewart, seconded by Swinney, approving the minutes with the following correction to wit: Bethel Road, not Bethel Loop Road as recorded. Roll call vote, Ayes: Swinney, Johnson and Stewart. Nays: None. Motion carried. Claims were reviewed. Motion by Commissioner Stewart, seconded by Swinney, approving all claims as submitted. Roll call vote, Ayes: Johnson, Stewart and Swinney. Nays: None. Motion carried. Tape recording of meetings was discussed amongst the Board Members. The County Clerk was approached by a concerned citizen requesting that the meetings of the Board be recorded as they felt some things weren't being heard correctly by the Board. The Board feels that between the Media and County Clerk all meetings are sufficiently covered. Legislative updates were briefly discussed.

At 9:33 A.M. Larry Hankin, Highway Superintendent, met with the Board. FEMA paperwork for the county declared disaster from last summer's storm was presented for the Chairman's signature. Motion by Stewart, seconded by Swinney, directing the Chairman to sign the paperwork. Roll call vote, Ayes: Stewart, Swinney and Johnson. Nays: None. Motion carried. Dawes County will receive FEMA reimbursement relevant to road damages incurred as a result of that storm. Don Grein joined the meeting in progress. Figures were presented on rock crushing vs. contracted services to haul rock. The Board learned it costs the county approximately \$3.50 per yard to crush rock as opposed to hauling rock at a cost of approximately \$3.72 per yard with a fuel surcharge if fuel exceeds \$2.80 per gallon from Kustom Rock Crushing and \$3.68 per yard for 80,000 yards of crushed rock which includes stripping and piling without a fuel surcharge from Buettner Construction. Commissioner Swinney indicated he feels it would be more cost effective for Dawes County to contract for rock and hauling thus freeing up road crew members to work on other projects. Commissioner Johnson indicated until such time the rock crusher needs replaced we're still saving \$.13 cents per yard. Mr. Hankin expressed concern with contractors meeting demand and Commissioner Stewart indicated he doesn't want the rock crusher parked as maintenance becomes more of an issue. Commissioner Swinney feels it would be a wash and could save the county money. He went on to say that work isn't getting done in a timely manner and people are complaining. No action was taken. MSHA training costs was discussed. Mr. Hankin reported all MSHA trainings will now be conducted in-house which will save the county money. The Bethel Road project was discussed. Commissioner Swinney reported he and Mr. Hankin have gone over the hydraulic study and six different options were recommended. Jody Applegarth joined the meeting in progress. Commissioner Swinney briefed fellow Board Members as to those options and recommended designing two different bridge options. He informed those present that using culverts commits the county to the flow line stream. Mr. Swinney will also start tracking hours that will be applied towards Mr. Hankin getting his bridge inspection endorsement. Commissioner Stewart indicated he would like to see some costs comparison between using culverts as opposed to a bridge before any action is officially taken. In other business Don Grein approached the Board. He reported he has been in contact with Lemoyne Schulz regarding the size of gravel on a bridge located on Long Road and on Antelope Road. He informed those present that rock must be crushed to 3/4" according to law. He showed some examples of rock located in both areas. Mr. Grein feels he is getting taxed twice because of costs associated with new tires due to gravel size. Mr. Hankin informed Mr. Grein the county can go back and use a pettibone to break the gravel down more if necessary. The Board recessed at 10:20 A.M. and reconvened at 10:27 A.M.

At 10:28 A.M. Jody Applegarth met with the Board regarding the use of the Dawes County Treasurers Office as a personal collection agency for corporations, such as SWANN. Also present was Barbara Sebesta, Dawes County Treasurer and Denis Lyons. Mr. Applegarth requested the Board cease this practice immediately as it's unconstitutional. Mr. Applegarth also read aloud a letter which outlined his concerns. Some of his concerns are SWANN is a corporation and as such the County shouldn't be a collection agent for a corporation. Dawes County citizens should have access to options when it comes to sanitation services and he feels that by SWANN composing their Board with County Commissioners and other public officials is undoubtedly an illicit marriage between a corporation and government, which is the definition of fascism. Hitler Germany is a lurid example. He went on to say that a corporation is merely a gang of likeminded people no different than a street gang or a band of blood-thirsty mercenaries driven by the madness of avarice, which is the first of the seven deadly sins. SWANN is such a corporation. He went on to say that SWANN contends that they have the right by State Statute to commit this criminal and unconstitutional act. He informed the Board that their sworn duty is solely to the Constitution and not to insidious State Statutes. Many State Statutes are repugnant to the Constitution and furthermore, policies, ordinances and statutes are not law. They are contractual thus requiring oral or written consent according to Applegarth. He concluded by saying we have a responsibility to clean up the mess of our current government on every level, especially that of the county. Protect our Constitution and abrogate SWANN's misuse of the Dawes County Treasurers Office. Commissioner Stewart asked Mr. Applegarth who the county should use to collect assessments. Mr. Applegarth suggested SWANN find their own avenue to collect assessments just like any other business would. Commissioner Swinney took offense to Mr. Applegarth's comments and suggested he redirect his opinions in a more positive manner.

At 10:57 A.M. Becky Paulsen, Weed Superintendent, Zoning Administrator & Floodplain Manager met with the Board. She informed the Board there will be a Zoning Board meeting on April 21, 2011 with a guest speaker. She invited Board Members to attend. She went over seven pending permit requests that will be reviewed by Zoning Board Members at their meeting. She briefly discussed trainings she attended.

At 11:11 A.M. Scott Cotton met with the Board regarding the recent vandalism to the 2006 Trailblazer used by the Extension Office. Estimates and a police report will be forwarded to NIRMA. He reported pesticide classes are done and the temporary summer assistant will start soon. In other business the Board discussed performance evaluations regarding the Highway Superintendent and Weed Superintendent. Each Commissioner will fill out performance evaluations on both individuals and then one Commissioner will meet with each individual to go over the evaluation.

At 11:31 A.M. Darrel Knotte met with the Board. He is currently President of the Panhandle Public Health Board and requested reappointment to the Board. He informed the Board he was instrumental in legislation being passed to implement a Panhandle Public Health Department. He explained that funding is secured through tobacco interest money and bio-terrorism funding. Scott Cotton added the Extension Program has received grant money from the Panhandle Public Health Board to educate school aged children about health matters. Motion by Commissioner Swinney, seconded by Stewart, appointing Darrel Knotte to another three year term on the Panhandle Public Health Board. Roll call vote, Ayes: Swinney, Johnson and Stewart. Nays: None. Motion carried. The Board recessed at 11:42 A.M. and reconvened at 1:02 P.M. The Board reviewed and approved monthly fee/mileage reports of the various offices. The appointment of Janice German, Dawes County Abstract & Title, Inc. will be rescheduled.

There being no further business before the Dawes County Board of Commissioners a motion to adjourn at 1:02 P.M. was made by Commissioner Stewart, seconded by Swinney. Roll call vote, Ayes: Johnson, Stewart and Swinney. Motion carried. The next meeting will be April 20, 2011 beginning at 9:00 A.M. in the Commissioners room at the Courthouse. A current agenda for the meeting is kept on file in the County Clerk's office during normal business hours for inspection, but will close by 3:00 P.M. on Friday, April 15, 2011. 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.**

ATTEST: \_\_\_\_\_

**DAWES COUNTY COMMISSIONERS**

**Cheryl Feist**

**Dawes County Clerk**

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**April 06, 2011 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; 1275=Health Claims Fund; 2910-911=Emergency (Communications); 2913=Wireless Communications; 4000=Courthouse Bond Payment Fund.

FUND	NAME	TOTCLAIMS
100	ABSALON FOOD CENTER	\$1,115.39
100	AFLAC	\$467.27
100	CHRISTINE AMBROSE	\$35.00
100	AMERITAS LIFE INSURANCE CORP	\$5,842.76
100	MARILOU ARMSTRONG	\$35.00
100	ARROW BUILDING CENTER	\$12.90
100	AS CENTRAL SERVICES	\$210.50
100	MARY ASHURST	\$46.22
100	AXIS CAPITAL INC	\$459.22
100	JOHN AXTELL	\$35.00
100	MICHAEL BARTELS	\$35.00
100	JANA BELL	\$60.50
100	BONNIE BLUNT	\$35.00

100	THE BUSINESS CONNECTION	\$103.06
100	CCC CAMPUS ACCOUNTS	\$115.00
100	CERNY'S BODY SHOP	\$500.00
100	CHADRON CITY SCHOOLS	\$51.64
100	CHADRON COMMUNITY HOSPITAL & HEALTH	\$354.05
100	CHADRON EXPRESS STORAGE	\$105.00
100	CHADRON HOME CENTER	\$89.65
100	CHADRON LUMBER COMPANY INC	\$282.23
100	CHADRON WHOLESALE	\$236.80
100	CITY OF CHADRON	\$362.23
100	CLERK OF DISTRICT COURT ASSOCIATION	\$25.00
100	HEATHER CROFUTT	\$70.00
100	CUMING COUNTY SHERIFF	\$50.00
100	KARL DAILEY	\$40.54
100	DAWES CO TREASURER/FUND 1275	\$17,501.53
100	DAWES COUNTY ASSESSOR	\$100.00
100	DAWES COUNTY COURT	\$3,771.50
100	DAWES COUNTY TREASURER	\$570.00
100	TROY DEGUNIA	\$60.50
100	DELL MARKETING LP	\$478.47
100	DUSTY DEXTER	\$50.30
100	WENDY DICKEY	\$88.36
100	CONNIE EATON	\$35.00

100	DIXIE EATON	\$25.00
100	FLEET SERVICES/EXXONMOBIL	\$94.73
100	JEFF FANKHAUSER	\$11.32
100	FARM PLAN	\$8.77
100	CHERYL FEIST	\$114.75
100	HOSS FELZ	\$35.00
100	TRUDY FICKEL	\$60.50
100	FIRST NATIONAL BANK, NORTH PLATTE	\$9,292.47
100	FIRST WIRELESS,INC	\$138.75
100	TERRY FREDERICK	\$35.00
100	DUANE GARDENER	\$35.00
100	NANETTE GOULD	\$70.00
100	GRP & ASSOCIATES,INC	\$43.00
100	WADE HANKS	\$60.50
100	WYATT HANS	\$38.06
100	HENCEY PLUMBING & HYDRONICS,INC	\$68.35
100	BRANDON HERBERT	\$35.00
100	LISA HILL	\$35.00
100	GARY HOMRIGHAUSEN	\$60.50
100	HORNADY ATTN KATHY MCHALE LAW ENF	\$115.40
100	SHELLY HOWARD	\$35.00
100	IDEAL LINEN SUPPLY,INC	\$149.39
100	JJ'S ENGRAVING & SALES	\$12.25

100	WEBB L JOHNSON	\$306.76
100	JAY KING	\$16.00
100	SCOT KING	\$70.00
100	BETH KIZER	\$82.24
100	KRISTIN KOZA	\$70.00
100	KAREN KRUEGER	\$70.00
100	GLINDA LAMBERT	\$121.00
100	KAREN LEWIN	\$75.10
100	SCOTT LITTLEJOHN	\$70.00
100	LOUP VALLEY LIGHTING INC	\$106.31
100	CAROL MALONE	\$70.00
100	JAMES MCGANNON	\$118.96
100	MELTON,JEANIE	\$699.00
100	MIDWEST SPECIAL SERVICES	\$789.16
100	MIPS INC	\$263.39
100	DAVID MOODY	\$35.00
100	JERRY MOSS	\$88.36
100	GARY MUENCHAU	\$71.02
100	CHRISTINE A MULLOY	\$70.00
100	NACO PLANNING & ZONING	\$30.00
100	NE CHILD SUPPORT PAYMENT CENTER	\$90.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$1,039.85
100	NEBRASKA PUBLIC POWER DIST-WEED	\$248.75

100	NEBRASKA PUBLIC POWER DISTRICT	\$1,579.86
100	NEBRASKA SUPREME COURT	\$65.50
100	NEBRASKA TOTAL OFFICE/CLERK	\$23.36
100	NEBRASKA TOTAL OFFICE/SHERIFF	\$125.01
100	NEVE'S UNIFORMS INC	\$131.28
100	CRAIG NOBILING	\$70.00
100	NOTARY PUBLIC UNDERWRITERS	\$92.50
100	ANGIE O'BRYAN	\$70.00
100	BARBARA OLSON	\$70.00
100	OUTLAW PRINTERS,INC	\$320.90
100	VERALYN PALS	\$70.00
100	IRIS PARIS	\$121.00
100	PESTS GO	\$30.00
100	QUALITY CHURCH FURNITURE	\$53.00
100	QUALITY TIRE	\$230.00
100	QUILL CORPORATION	\$269.97
100	QWEST	\$954.11
100	QWEST	\$151.74
100	AMY RAGSDALE	\$116.25
100	RAPID CITY JOURNAL/COMMISSIONERS	\$133.46
100	ALLEN RASMUSSEN	\$80.20
100	RANDALL RAY	\$52.34
100	DIANA REEVES	\$121.00



100	REGIONAL WEST MEDICAL CENTER	\$846.00
100	JAMES RICE	\$70.00
100	JAMIE ROES	\$92.44
100	AMANDA ROWLEY	\$70.00
100	DONNA RUST	\$74.00
100	MALYCHANH SAYALOUNE	\$14.96
100	MICHELLE SCHLAGER	\$70.00
100	SCOTT ROBERTS ELECTRIC INC	\$193.90
100	SCOTTS BLUFF CO DETENTION CENTER	\$1,980.00
100	BARBARA SEBESTA	\$90.35
100	SHELL FLEET PLUS-SHERIFF	\$310.98
100	SHELL FLEET PLUS-VETERANS	\$234.84
100	SHELL FLEET PLUS/WEED	\$491.55
100	SMITH,KING AND SIMMONS,PC	\$50.00
100	SOURCEGAS	\$794.33
100	JOANN SPRAGUE	\$70.00
100	RICHARD SWANSON	\$121.00
100	JUDY TAUSAN	\$70.00
100	SHELLY THIRY	\$35.00
100	CRYSTAL TILL	\$35.00
100	DOROTHEA TOBIASSON	\$43.67
100	RENAE TOLLMAN-JONES	\$121.00
100	UNIVERSITY OF NE-LINCOLN CAR RENTAL	\$246.52

100	VERIZON WIRELESS	\$94.75
100	VERIZON WIRELESS/SHERIFF	\$292.61
100	VERIZON WIRELESS	\$79.90
100	DUSTI WALKER	\$39.08
100	WALMART COMMUNITY	\$172.51
100	WESTERN PATHOLOGY CONSULTANTS INC	\$1,335.00
100	WESTERN PLAINS BUSINESS SOLUTIONS	\$57.54
100	KATHLEEN WOLVINGTON	\$57.44
200	A & H TRUCK SALVAGE,INC	\$125.00
200	AFLAC	\$220.96
200	AMERITAS LIFE INSURANCE CORP	\$651.26
200	BUD'S RADIATOR,INC	\$598.63
200	CATERPILLAR ACCESSACCOUNT CORP	\$3,212.35
200	CITY OF CHADRON	\$100.37
200	DAKOTA SUPPLY GROUP	\$149.70
200	DAWES CO TREASURER/FUND 1275	\$1,611.63
200	DAWES COUNTY TREASURER	\$100.00
200	BART DIERKSEN	\$51.48
200	FARM PLAN	\$477.41
200	FIRST NATIONAL BANK, NORTH PLATTE	\$1,595.27
200	GMC OF CHADRON	\$39.15
200	LAWRENCE HANKIN	\$52.34
200	HENCEY PLUMBING & HYDRONICS,INC	\$107.00

200	HOLIDAY INN EXPRESS	\$639.00
200	MICHAEL TODD AND COMPANY,INC	\$6,652.58
200	MOTION INDUSTRIES,INC	\$105.76
200	NEBRASKA DEPARTMENT OF REVENUE	\$308.09
200	NEBRASKA PUBLIC POWER DISTRICT	\$68.39
200	NMC EXCHANGE LLC/NEBRASKA MACHINERY	\$1,538.49
200	NORTHWEST RURAL PUBLIC POWER DIST	\$187.39
200	MARTHA QUAY	\$66.53
200	QWEST	\$203.18
200	QWEST	\$18.48
200	SOURCEGAS	\$421.36
200	VERIZON WIRELESS	\$111.05
200	WEST 2ND WESTERN AUTO	\$9.99
990	CERTIFIED FOLDER DISPLAY SERVICE, I	\$1,794.54
990	CHADRON CHAMBER OF COMMERCE	\$1,682.43
990	CHADRON COMMUNITY RECREATION	\$250.00
990	CRAWFORD AREA CHAMBER OF COMMERCE	\$1,750.00
990	CRAWFORD CLIPPER/HARRISON SUN	\$451.25
990	LAMAR OUTDOOR ADVERTISING	\$1,232.00
990	ROBERT SHARP & ASSOCIATES	\$2,250.00
2500	JOAN FRANCES CONSULTING	\$3,123.45
2910	QWEST	\$409.03
2910	TONY SERBOUSEK	\$150.00

2910	WESTERN COMMUNICATIONS, INC	\$1,669.57
2910	XEROX CORPORATION	\$1,153.62

**Disclaimer: A complete list of all employees & claims are available at the Dawes Co Clerk's Office.**