

## CHADRON, NEBRASKA

April 26, 2022

### DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners in regular session, was commenced at the hour of 9:03 A.M. on the 26<sup>th</sup> day of April, 2022 pursuant to public notice as required by law. The meeting was called to order by Chairman, Vic Rivera. Board Members present were Jake Stewart and Levi Grant. Also present were Cheryl Feist, Dawes County Clerk; Wade Yada, Highway Superintendent and Deputy County Attorney, Adam Edmund. The Pledge of Allegiance was recited by those present. Per LB 898, Commissioner Rivera announced posted information concerning the Open Meetings Act is located on the Janitor's Door next to the American Flag. Copies of the Act are available upon request by anyone attending the meeting. Motion by Commissioner Stewart, seconded by Grant, approving the agenda. Roll call vote, Ayes: Stewart Grant and Rivera. Nays: None. Motion carried. Commissioner Grant thanked the County Clerk for the additional Board packet information provided. Commissioner Stewart, seconded by Grant, moved to approve the April 12, 2022 minutes. Roll call vote, Ayes: Grant, Rivera and Stewart. Nays: None. Motion carried. Jenny Nixon, UNL Extension, joined the meeting in progress. Claims were reviewed by Board Members. Commissioner Grant, seconded by Stewart, moved to approve claims as presented with the exception of claim #'s 22040195 in the amount of \$71.46 and #22040221 in the amount of \$5845.62. Roll call vote, Ayes: Rivera, Stewart and Grant. Nays: None. Motion carried. Commissioner Stewart, seconded by Grant, moved to pay claim #'s 22010195 in the amount of \$71.46 and # 22040221 in the amount of \$5845.62 both payable to River A Holdings. Roll call vote, Ayes: Stewart and Grant with Rivera abstaining from the vote. Nays: None. Motion carried. The Board reviewed and approved by General Consent the monthly fee/mileage reports of the various departments. Correspondence acknowledged by the Board was the NRD Reflections newsletter. There being no one for Public Comment board reports ensued to wit: **Stewart:** NCAP beginning search for new CEO through Zelle, good internal candidates have applied. Donate it, Don't Dump it will be held May 04, 2022-May 07, 2022 at Chadron State College. Proceeds from the sale of items will benefit Feed a Hungry Senior and the Catholic Ladies Rummage Sale. Swann meeting was attended by Commissioner Rivera on behalf of Commissioner Stewart. Mr. Rivera reported rates will remain the same with no increases; tire amnesty day will be held in June; the budget will be finalized in May and he discussed salaries at SWANN and the possibility of a CDL representative to offer testing. Communications Board met, there were eighteen (18) people present. Draft By-Laws and Interlocal Agreement between agencies was reviewed by Board Members but no action taken. Discussion was held re: Harrison, NE. and rural area's being included. Commissioner Grant expressed concern with the communications department being called to pick kids up for school that parents can't get out of bed. **Grant:** OHD met and went over budget, there are 137 clients being served by OHD. Area Aging Board held two (2) executive sessions in two (2) days that Commissioner Grant attended. PADD will be increasing membership dues for county memberships. They used the 2020 Census to arrive at the new dues amount with a goal of \$70,000.00 in membership dues. **Rivera:** Commissioner Rivera wasn't able to attend his meetings. Commissioner Stewart also attended the WNCC listening session that was held. He shared data related to Dawes County and students who attend by zip code. A copy of the data is included in these minutes.

At 9:27 A.M. Wade Yada, Highway Superintendent, met with the Board. Commissioner Rivera asked if signage could be added to Herford Road by Brent Shaw's place. They have children playing and going back and forth across the road for chores. Traffic on the road is fast. The sign technician will be contacted. Mr. Yada reported all districts are cleaning up Table Road area due to the recent storm and grading weather permitting. District 1 is working on Beaver Valley Road, two (2) miles are ready to gravel. District 2 is working on Hollibaugh Road and have started graveling. District 3 is working on Ferguson Road and ½ mile is ready for gravel. Construction Crew is helping other districts where needed and the gravel contract with Stumph is done. The rental crusher should be here the middle of next week, this will put projects a month behind schedule due to the delivery timeframe of the crusher. Purple Wave has four (4) pieces of equipment listed through May 10, 2022. The equipment includes a screener, crusher, tractor and 1991 JD Motor Grader. Six (6) approved water permits have been received from the State and are good for (1) one year. Mr. Yada reported July 12, 2022 at 8:00 A.M. a Nebraska diesel fuel audit will be conducted in the Roads Department. The Wohler's Gravel contract was in Board packets and

reviewed by the Deputy County Attorney. Commissioner Stewart, seconded by Grant, moved to approve the agreement at \$1.75 per cubic yard and directed the Chairman to sign such. Roll call vote, Ayes: Grant, Rivera and Stewart. Nays: None. Motion carried. The Bruns agreement was in Board Packets and reviewed by the Deputy County Attorney. Commissioner Grant, seconded by Stewart, moved to approve the agreement at \$1.50 per cubic yard and directed the Chairman to sign such. Roll call vote, Ayes: Rivera, Stewart and Grant. Nays: None. Motion carried. The purchase of a Road Grader using ARPA Funding was discussed. Mr. Yada reported Murphy Tractor presented a bid of \$316,000.00 on State bid which expires on June 01, 2022. Discussion ensued re: controls, attachments, etc. available on the machine. Another option presented to the Board was a CAT 6- wheel drive 150 at \$429,000.00.

At 9:50 A.M. Mark Klemke, Mobius, presented a ROW application starting at Prairie Home winding Bordeaux, crossing Highway 20 into Beaver Valley and McHenry area, along the west side of Chadron along Bartlett Road, down Highway 20 heading west into the Whitney area, then south onto Deadhorse Road. Mobius will start this project on June 01, 2022 beginning on Table Road off highway 385. Commissioner Stewart, seconded by Grant, moved to approve the ROW application and directed the Chairman to sign such. Roll call vote, Ayes: Stewart, Grant and Rivera. Nays: None. Motion carried.

At 10:01 A.M. Lindy Coleman, Assessor, met with the Board. Also present was Sam Wellnitz, Treasurer. She reported several departments have started receiving phishing emails. One of the emails had an employee's personal information which could've been compromised. She recommended the entire county go to a nebraska.gov email address. The County Clerk reported the Elections and Clerk's departments are going to the nebraska.gov email for election security. Jenny Nixon reported UNL filters 50% of emails as spam. Commissioner Stewart will get quotes to move departments to the nebraska.gov email. The Board recessed at 10:21 A.M. and reconvened to regular session at 10:28 A.M.

At 10:29 A.M. Jenny Borie, ARPA Reporter and Contact reported back to the Board regarding ARPA funding questions. Ms. Borie has been in contact with LUTZ consulting firm and shared the following information relevant to proposed projects. Rural pipelines re: water still up in air; another email has been sent to LUTZ for clarification. Non-Profits such as Closer to Home and Feed a Hungry Senior with no subrecipient reporting required. Announcement publicly of funds available and an application are required. Warning siren: LUTX recommended the county not use ARPA funding for a warning siren as funds are available through Homeland Security. Commissioner Grant asked about using ARPA funds for a cost-share on the project. The answer was no. Radio's: a procurement policy must be in place to use ARPA funds for radio purchases. Windows at 250 Main Street: ARPA funding is available for window replacement. Roads Department can use ARPA funds but must request funds separately for each project. Machinery purchases can use ARPA funding as well. Lindy Coleman asked if ARPA funds could be used to bring a line into the Courthouse for internet usage. Budgeting of ARPA funding will be looked into further re: approved expenditures and what fund. Jenny Borie clarified with the Board her responsibilities re: ARPA. She is solely the reporting agent and contact for Dawes County. She will not be required to obtain specifications for bidding required relevant to ARPA funding or create policies to meet requirements of ARPA funding. In other business, Brad Streeks, Custodian, met with the Board. He reported he doesn't need the pickup that was brought to him. The Board will have Mr. Yada come get the pickup and take it the Roads Department. The Dove's window project will cost approximately \$3,000.00 to \$6,000.00. The Board instructed the Custodian to proceed with the Dove's project. Mr. Streeks also reported a tree in the Courtyard has split in half and needs to be removed. Also, courtyard needs all trees trimmed out. Commissioner Stewart recommended Logan Groves be contacted to trim out trees and Kenny Groves be contacted to remove the split tree.

At 11:03 A.M. Jody Applegarth approached the Board re: SWANN Lien. Also present was Henry and Margaret Applegarth. Mr. Applegarth indicated he and his wife live a green lifestyle. Commodities are being buried in the landfill that could be used. Liens were placed on his property for past SWANN bills as he was told everyone pays SWANN. His mother paid that lien. Another lien has been placed on his home located at 415 Lake Street due to interest on the original SWANN lien. The lien, according to Applegarth, was illegal and consequently taxes couldn't be paid due to the lien. He in turn did a pumping job to cover the cost of the latest lien placed on his property. Margaret Applegarth asked how much interest is due? She reported no one has ever received anything in writing concerning the second lien. All

present agreed this issue needs to be resolved in the best interest of the Applegarth's and Dawes County. SWANN will be contacted to assist in resolving this matter.

At 11:16 A.M. Celeste Cattin, Clerk of District Court met with the Board. Also present was Judge Russell Harford and Joni Roberts, Clerk Magistrate. She reported DMV being in the former County Courtroom limits the court's use for Juror's. Judge Harford indicated that space will become important in the coming months due to scheduled Jury Trials. The Board will look into the matter and try to figure something out to accommodate the Court Systems. In other business Commissioner Grant reported he personally checked Kami Wills out from the HR Department when she resigned on April 15, 2022. He also reported Box Butte County Commissioner, Steve Burke, has asked Commissioner Grant to share his phone number with Commissioner's Stewart and Rivera. He would like to visit with them one on one about the Extension Program. Jenny Nixon left the meeting.

At 11:47 A.M. Sheriff Karl Dailey met with the Board. He presented three (3) bids for new radio's (portable and vehicle) for the Sheriff's Department. The APX 8000 all band is a hand-held radio with three (3) channels, UHF and High band at a cost of \$63,575.48 or the APX 8500 mobile units for cruisers with three (3) channels, UHF and High band at a cost of \$83,096.00 or \$146,674.48 for both the hand-held and mobile units. Commissioner Grant asked how much it costs to move equipment from one cruiser to another. Sheriff Dailey indicated approximately \$2,000.00-\$3,000.00 per cruiser. He informed the Board the Sheriff's budget will be huge fiscal year 2022-2023 due to LB 51 which is still in force. Salaries must be addressed at budget time so qualified individuals will apply.

At 12:12 P.M. Dan Wordekemper, Weed Superintendent, met with the Board. He presented his annual weed report card which was included in Board packets. Upon review of Board, Commissioner Grant, seconded by Stewart, moved to approve the annual report card as to form and directed the Chairman to sign such. Roll call vote, Ayes: Grant, Rivera and Stewart. Nays: None. Motion carried.

There being no further business before the Board the meeting was adjourned at 12:26 P.M. The next meeting of the Dawes County Commissioners will be held on May 09, 2022 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 Commissioner room. The agenda will close at noon on May 05, 2022. **All Resolutions adopted by the Dawes County Board of Commissioners are available for public inspection during normal business hours of the County Clerk's Office.**

**ATTEST:** \_\_\_\_\_  
**Cheryl Feist**  
**Dawes County Clerk**

**DAWES COUNTY COMMISSIONERS**

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**April 26, 2022 the following claims were audited, allowed and warrant orders drawn on the respective accounts: Key for claims: 100=General Fund; 200=Roads Fund; 650=HwyBridgeBuyback Program Fund; 990=Visitor's Fund; 1100=Reappraisal Fund; 1150=Preservation&Modernization Fund; 1900=Veterans Aid Fund; 2360=Drug Fund; 2500=Grants Fund; 2501=CDGB Fund 2700=Inheritance; 2910-911=Emergency Communications; 2913=Wireless Communications; 4600= Bond Payment Fund**

<b>FUND</b>	<b>NAME</b>	<b>TOTCLAIMS</b>
100	AFLAC	\$1,527.06
100	AMERITAS LIFE INSURANCE CORP	\$11,175.07
100	AT&T MOBILITY	\$398.51
100	BLACK HILLS ENERGY	\$342.72
100	BLUE CROSS & BLUE SHIELD OF NE	\$36,428.76
100	BRANDT COURT REPORTING	\$587.31
100	THE BUSINESS CONNECTION	\$2,329.88
100	CASH-WA DISTRIBUTING CO	\$2,406.89
100	CELESTE CATTIN	\$26.85
100	CENTURY BUSINESS PRODUCTS INC	\$108.45

100	CHADRON ACE HARDWARE	\$35.24
100	CHADRON GLASS & WINDOWS,INC	\$50.00
100	CHADRON PLUMBING,INC	\$310.61
100	CLERK OF DIST COURT ASSOCIATION	\$75.00
100	CRITES,SHAFFER,CONNEALY,WATSON,HARF	\$1,300.00
100	DAS STATE ACCOUNTING	\$296.04
100	DAWES CO TREASURER-FUND TRANSFER	\$200,000.00
100	DAWES COUNTY TREASURER	\$628.00
100	ELECTION SYSTEMS & SOFTWARE INC	\$137.33
100	FIRST NATIONAL BANK, NORTH PLATTE	\$18,941.25
100	GREAT PLAINS COMMUNICATIONS	\$73.94
100	DILLON HALL	\$127.24
100	HARRIS SALES COMPANY INC	\$142.56
100	HILLS TIRE & SUPPLY	\$41.00
100	IDEAL LINEN SUPPLY,INC	\$311.73
100	ERIN KAMPBELL	\$887.18
100	KCSR-AM	\$165.00
100	LUMEN TECHNOLOGIES,LLC	\$15.14
100	LUMEN TECHNOLOGIES GROUP	\$22.36
100	LUMEN TECHNOLOGIES,LLC	\$5.57
100	MIDWEST CONNECT,LLC	\$210.00
100	NACO	\$100.00
100	NE HEALTH AND HUMAN SERVICES SYSTEM	\$93.00
100	NE LAW ENFORCEMENT TRAINING CENTER	\$135.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$2,532.67
100	NEBRASKA SAFETY & FIRE EQUIP INC	\$841.70
100	NORTHWEST RURAL PUBLIC POWER DIST	\$200.31
100	PETERSEN DRUG	\$462.51
100	PIP MARKETING, SIGNS AND PRINT	\$7,443.89
100	REGIONAL WEST MEDICAL CENTER	\$872.65
100	RIVER A HOLDING LLC	\$71.46
100	KATHLEEN SCHENBECK	\$124.00
100	SMITH,KING AND SIMMONS,PC	\$313.46
100	VIAERO WIRELESS-WEED	\$81.21
100	VSP VISION PLAN	\$233.96
100	WESTERN PATHOLOGY CONSULTANTS INC	\$2,325.00
200	LINDSAY ADAMS	\$30.00
200	AFLAC	\$439.26
200	AMERITAS LIFE INSURANCE CORP	\$1,218.53
200	BARTLETT RANCH	\$11,010.00
200	BLUE CROSS & BLUE SHIELD OF NE	\$1,337.98
200	DAWES COUNTY TREASURER	\$75.00

200	FIRST NATIONAL BANK, NORTH PLATTE	\$3,336.99
200	FNIC	\$50.00
200	JAY D GOFF	\$15,370.00
200	HILLS TIRE & SUPPLY	\$2,354.00
200	JOHN DEERE FINANCIAL-ROADS	\$73.98
200	KAISER TIRE MOBILE SERVICE	\$301.90
200	KCSR-AM	\$165.00
200	LUMEN TECHNOLOGIES GROUP	\$5.57
200	MODERN FARM EQUIPMENT CORP	\$611.55
200	MONTANA CSED SDU-WAGE WITHOLDING	\$165.00
200	NEBRASKA DEPARTMENT OF REVENUE	\$735.12
200	NEBRASKA PUBLIC POWER DISTRICT	\$84.79
200	NEBRASKA SAFETY & FIRE EQUIP INC	\$1,800.00
200	NORTHWEST RURAL PUBLIC POWER DIST	\$223.95
200	RIVER A HOLDING LLC	\$5,845.62
200	VERIZON CONNECT NWF,INC-ROADS	\$194.28
200	VSP VISION PLAN	\$113.18
200	WESTCO	\$19,444.42
990	AMERITAS LIFE INSURANCE CORP	\$70.46
990	BLUE CROSS & BLUE SHIELD OF NE	\$97.89
990	FIRST NATIONAL BANK, NORTH PLATTE	\$124.68
990	NEBRASKA DEPARTMENT OF REVENUE	\$24.16
990	VSP VISION PLAN	\$9.78
2501	NW COMMUNITY ACTION PARTNERSHIP	\$10,624.57
2580	AMERITAS LIFE INSURANCE CORP	\$2.25
2580	FIRST NATIONAL BANK, NORTH PLATTE	\$7.20
2580	NEBRASKA DEPARTMENT OF REVENUE	\$1.34
2910	AMERITAS LIFE INSURANCE CORP	\$3.38
2910	CENTURYLINK	\$32.49
2910	FIRST NATIONAL BANK, NORTH PLATTE	\$13.86
2910	NEBRASKA DEPARTMENT OF REVENUE	\$3.26
2913	CENTURYLINK	\$292.44