

## CHADRON, NEBRASKA

January 24, 2023

### DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners in regular session commenced at the hour of 9:00 A.M. on the 24th day of January, 2023 pursuant to public notice as required by law. The meeting was called to order by Chairman Webb Johnson. Board Members present were Jake Stewart and Vic Rivera. Also present was Deb Lesmeister, Deputy Dawes County Clerk, Wade Yada, Highway Superintendent; Kay Hill, Human Resources Director and Adam Edmund, Deputy County Attorney, Robert Pickering, Terry Curtis, Cliff Stehle and Cactus Shumway. The Pledge of Allegiance was recited by those who were present. Per LB 898, Commissioner Johnson announced the location of the Open Meetings Act located on the door by the United States Flag. Copies of the Act are available upon request. Commissioner Stewart, seconded by Commissioner Rivera moved to approve the agenda with the following correction, they will open the bids for the loader not award the bid to NMC. Commissioner Rivera stated he feels the agenda item concerning closure of Road 50 needs more discussion. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried.

Motion by Commissioner Stewart, seconded by Rivera to approve the minutes of the January 10, 2023 meeting with the following change: reported will need to be changed to reporter in reference to Jenny Borie concerning ARPA. Roll call vote, Ayes: Rivera, Johnson and Stewart. Nays: None. Motion carried. Motion by Commissioner Stewart. Seconded by Rivera to approve claims with the exception of River A claims in the amounts of \$1,353.97 and \$117.60 under claim 23010194 for General Fund and amounts \$98.85, \$4969.00, \$95.00 under claim 23010236 under Road Fund. Roll call vote, Ayes: Johnson and Stewart and Rivera. Nays: None. Motion carried. Motion by Commissioner Stewart, seconded by Johnson to pay claims to River A in the amounts stated above. Roll call vote, Ayes: Stewart and Johnson. Nays: None. Abstain: Rivera. Motion carried. The NCAP newsletter was reviewed as a correspondence item and Commissioner also stated that he has signed annual documents for Northwest Nebraska Development Corporation. Payroll and official's fee and mileage reports were reviewed and approved by general consent.

Public comment was held which pertained to the Road 50 in Dawes County. Terry Curtis spoke first and he was in support of the road study being done on this. He stated that all litigation is closed. Road 50 is listed as rural residential and he questions the status of that. He stated the width requirement is not being met nor is the autogate installed by John Mai being the correct width or meeting minimum standards. Cactus Shumway spoke next. He stated that a 2016 petition on Road 50 has been done and nothing has changed since that study. He stated that today the same three Commissioners are in office that were in 2016 when the previous study was done. He expressed that he felt he should be able to do with what he wants to the property that he owns. Clifford Stehle spoke next. He said the way Road 50 is now that he has so many people turning around on his personal property as they cannot go farther. He stated that he maintains this road and he would just like to know what the plan is for the future. Vic Rivera then asked Clifford Stehle about the autogate uprights and the signage on that. Adam Edmond then spoke. He clarified for all present that they were not litigating today. He stated that by Nebraska Statute when the signed petition for partial abandonment and/or vacation of CR-50 is presented to the Dawes County Highway Superintendent and County Clerk there are steps that must be taken. He stressed to all that the appropriate steps must be taken to comply with Statute. Cactus Shumway left the meeting at 9:32 A.M. Terry Curtis left the meeting at 9:34 A.M.

Board reports: Commissioner Stewart reported on NCAP. The Board has reorganized for the 2023 year. Their financial institution will be Security First located in Harrison. SWANN Board has met and they are putting aside monies for a new compactor. Region 23 has reorganized for the 2023 year. They will be meeting every other month except for the month of May due to RHOP. NNDC has had their annual meeting. Corey Pourier is the new board member and April Grant is the new representative. Commissioner Rivera reported on Region 1, business as usual. They have reviewed their by-laws, information purposes only. They are also scheduling a work day for community benefit. Pandhandle Public Health did not have a meeting. Commissioner Johnson reported on the Aging Office. Two board members will be leaving. Discussion was held on COVID monies and how to service the people during storms. They are looking for a solution so that if it happens again they can better serve the people who

rely on this program. PADD program was business as usual and working on a short-term grant. OHD program, the audit is complete and clean. Business as usual. Terry Curtis left meeting at 9:34 A.M.

At 9:30 A.M. Wade Yada, Highway Superintendent met with the Board. Road updates: All three districts are pushing snow and fixing equipment. Commissioner Stewart stated he thought other adjoining Counties had not accomplished as much as part of their roads are still one lane and the edges have not been winged back. 9:38 A.M. Peter Emerson and Larry Burbach, NMC, Tom Thompson, NMC, Mike Bateman, Murphy Tractor and Aaron Nein of Titan Machinery joined the meeting. The bids were opened and discussed as some presented more than 1 option. The bids will be available in the Clerk's Office if anyone would like to see them. Motion by Commissioner Stewart, seconded by Rivera to accept the bid from Titan Machinery for a 2020 Case 621G XR Wheel Loader with 2.5 CU bucket, 3,732 hours with a 1 year Titan Advantage Used Warranty, 500 hours/60 months at a cost of \$125,000.00. Roll call vote, Ayes: Rivera, Johnson and Stewart. Nays: None. Motion carried. The salesmen then left the meeting. At 9:50 A.M. Mark Betson and Jack Lux joined the meeting.

At 10:00 A.M. the public hearing on the one and six year road plan started. Wade Yada updated those present with the following information. District 1 has completed 6.5 miles work on Beaver Valley Road in October 2022. District 2 has completed 2.4 miles on Hollibaugh Road. Table Center Road has 1 mile complete with 10 miles to go. District 3 has 5.1 miles and will finish up with that in 2023. Squaw Creek Road has 2.5 miles complete with more to be done in 2023. On the 1 year plan these are the scheduled projects: District 1: Bartlett Road, 1 mile. Stockade Road, 1 mile. East Dakota Junction, 2 miles. Schommer Road, 2/10's. Hughbanks Road, 4 miles. Table Road, east side, 1 mile for an approximate total of 10.7 miles. Pam Mandelko entered meeting 10:05 A.M. along with Dan Wordekemper. District 2: On going on Table Center Road 9 miles for a complete total of 9 miles. District 3: Ferguson Road, 11 miles. Bergfield Road, .5 miles. Squaw Creek Road tying into Crow Butte Road was section added on .6 miles. 4 Mile Road, 1.5 miles. Total for District 3 is 11 miles to complete. Mr. Yada expressed that he wanted to complete the projects and if there is a small amount of road that needs attention between the projects he wants to complete that also so that there is continuity. He explained that the goal is approximately 30 miles county wide and that would be about 10 miles per district. For the 6 year plan Cottonwood School Road will have 7 miles and that would be in District 2 and Egan Road located in District 1 for 3.5 miles. Pam Mandelko inquired if the information of the 1 and 6 year Road Plan will be on the Dawes County Website and she was assured it would be. The hearing closed at 10:26 A.M. Commissioner Johnson read aloud Resolution 2023-08. Motion by Commissioner Rivera, seconded by Stewart to adopt Resolution 2023-08 One and Six Year Road Plan. Roll call vote, Ayes: Johnson, Stewart and Rivera. Nays: None. Motion carried. Jack Lux then spoke at the meeting. He asked if the County was going to reclaim the Lux pit when they were done taking gravel from it. He said at the present time there are 20 foot diameter holes from where they have taken gravel and he had called the Highway Superintendent and did not get a response. He stated that he was very unhappy that he had not received any acknowledgment about his concerns and did not wish for the County to proceed with taking any gravel from that pit as long as Mr. Yada was involved. Mr. Lux left the meeting at 10:23 A.M. The Board asked Peter Emerson, Rock Crusher Foreman about his opinion concerning the present crusher they are renting. He told them about what has been done to get it fixed since it's arrival and about how it was working prior to the cold weather. Commissioner Johnson gave comparison costs about total cost if bought outright versus the current rental agreement they have now. It was decided to keep leasing it for another 2 months and then look at situation next budget year.

Clifford Stehle then requested what the Board was going to do about the Road 50 petition. Commissioner Johnson read aloud Resolution 2023-07 directing the Highway Superintendent to do a study on Road 50 for closure. Motion by Commissioner Stewart to adopt Resolution 2023-07, seconded by Rivera with concerns. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Clifford Stehle left at 10:45 A.M.

Dan Wordekemper, Weed Superintendent met with the Board. He presented his annual report for the Board Chairman to sign. He shared with them that the grant for helicopter weed spraying may not happen due to some difficulties. He said perhaps instead of that there may be a possible cost share of chemical with those producers. Commissioner Stewart made motion for Board Chairman to sign the annual report, seconded by Rivera. Roll call vote, Ayes: Rivera, Johnson and Stewart. Nays: None.

Motion carried. The Board took a break at 10:47 A.M. The Board reconvened to regular session at 10:55 A.M. A discussion on the interlocal agreement cost share took place. Commissioner Stewart stated the possibility of Highway Superintendent Wade Yada keep the present duties he has and also add on being the Superintendent of Roads for the City of Chadron using an interlocal agreement. The present Crew Chiefs of the County would have additional duties added to their responsibilities. Sam Wellnitz, Dawes County Treasurer entered the meeting at 10:57 A.M. Val Jusante from Senator Adrian Smith's office did not show for his scheduled appointment at 11:00 A.M.

At 11:00 A.M. Celeste Cattin, Clerk of the District Court met with the Board concerning courtroom technology upgrades. She had an agreement that she wanted the Board to sign. She stated that throughout the State they want technology to be the same. Under the proposal the County could incur expenses before installation to bring it up to a level that the equipment could be installed. The next step the State will then install the technology that is to have a value from \$40,000.00 to 50,000.00 and they would need a memorandum of understanding with the County. At that point the County owns the equipment which would have a five year warranty. Ms. Cattin also said that when the equipment is installed in 2023 it would probably be obsolete. Mr. Edmond advised the Board not to sign and he will review this agreement and report back to them.

At 11:17 A.M. Tom Phillips, Mayor of Crawford and April Grant and Shane Norman, both council members from City of Crawford met with the Board concerning Crawford Law Enforcement. Karl Dailey, Dawes County Sheriff entered the meeting at 11:20 A.M. followed by Jeff Johns, Chief Deputy Sheriff at 11:21 A.M. Commissioner Rivera stated that he had met earlier with Mayor Phillips and Councilwoman Grant. Tom Phillips stated he would like to see call logs or hours of service to see what has been provided in the past as he has not seen any records to look at for comparison. Karl Dailey stated that he has 3 people covering 2 shifts, 7 days a week. He stated that he has to hire certified officers for his positions. He stated he would just absorb the Crawford Law officers into his current staff. Commissioner Rivera stated he did not think that was possible. He stated that his deputies have been disrespected by some of the City residents. He would prefer a contract by the hour stating how many hours they wish to contract for. Shane Norman would like to have discussion on the contracts but does understand that there would have to be annual adjustments due to salary changes. Commissioner Johnson asked if the City of Crawford will like to go forward with another contract. April Grant asked Karl Dailey to clarify how the proposal would benefit the City of Crawford as she is new to the Council. She was hoping to have facts to compare the current agreement to a proposed by the hour agreement. The City is interested in keeping the current coverage. The contract stated that there were to be quarterly meeting between City of Crawford and Sheriff Dailey and they did not happen. At the end of the discussion it was decided to form a committee consisting of Vic Rivera, April Grant, Shane Norman, Tom Phillips and Karl Dailey. The date for this will be Wednesday, February 8, 2023 at 10:00 A.M. at Crawford City Hall.

There being no further business before the Board the meeting was recessed at 11:57 A.M. The Board met later to conduct employee evaluations in the afternoon. The Board adjourned at 3:00 P.M. The next meeting of the Dawes County Commissioners will be held on February 14, 2023 beginning at 9:00 A.M. with the Board of Equalization followed by the Commissioner meeting at approximately 9:20 A.M. The meeting will be held in the Commissioner Room. The agenda will close at noon on February 9, 2023. **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:** \_\_\_\_\_  
**Deb Lesmeister**  
**Deputy Dawes County Clerk**

**DAWES COUNTY COMMISSIONERS**  
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**January 24, 2023 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

FUND	NAME	TOTCLAIMS
100	ACTION COMMUNICATIONS INC/SHERIFF	\$18,868.00
100	AFLAC	\$1,698.36
100	AMERITAS LIFE INSURANCE CORP	\$13,262.13
100	AT&T MOBILITY	\$90.14
100	BLACK HILLS ENERGY	\$298.42
100	BLUE CROSS & BLUE SHIELD OF NE	\$40,206.78
100	BOB'S SNOW REMOVAL	\$540.00
100	WESTON BURCH	\$16.24
100	THE BUSINESS CONNECTION	\$442.13
100	CAPITAL BUSINESS SYSTEMS,INC	\$677.07
100	CASH-WA DISTRIBUTING CO	\$1,659.22
100	CELESTE CATTIN	\$49.27
100	CENTURY BUSINESS PRODUCTS INC	\$291.37
100	CHADRON COMMUNITY HOSPITAL & HEALTH	\$3,262.80
100	CHADRON PLUMBING,INC	\$58.00
100	CHERRY COUNTY SHERIFF'S OFFICE	\$6,388.06
100	ARON CHRISMAN	\$18.59
100	CITY OF CHADRON	\$16.50
100	CLERK OF DIST COURT ASSOCIATION	\$50.00
100	CONNECTING POINT	\$61.61
100	CRAWFORD CLIPPER/HARRISON SUN	\$27.20
100	STEVEN R CRILE	\$84.00
100	CULLIGAN-CO ATTORNEY	\$16.50
100	CULLIGAN-DIST COURT	\$13.00
100	CULLIGAN-HR	\$21.50
100	CULLIGAN-PUBLIC DEFENDER	\$16.50
100	DAS STATE ACCOUNTING	\$199.88
100	DAWES COUNTY SHERIFF'S OFFICE	\$88.00
100	DAWES COUNTY TREASURER	\$523.50
100	DAWES COUNTY TREASURER	\$374.70
100	DOUGLAS,KELLY,OSTDIEK,OSSIAN,BRODER	\$5,435.00
100	EAKES,INC	\$169.00
100	A ELLIOTT LAW	\$1,548.90
100	ENGRAVERS	\$12.00
100	EXPRESS BODY AND AUTO REPAIR INC	\$65.00
100	FIRST BANKCARD/DISTRICT COURT	\$167.62
100	FIRST BANKCARD/EXTENSION	\$193.30
100	FIRST BANKCARD/VANCE HAUG	\$2.15
100	FIRST BANKCARD/VETERANS	\$65.37

100	FIRST NATIONAL BANK, NORTH PLATTE	\$24,707.98
100	GALLS	\$194.99
100	GARDEN COUNTY SHERIFF'S DEPARTMENT	\$550.00
100	GERING DENTAL CLINIC	\$400.00
100	GREAT PLAINS COMMUNICATIONS	\$2,353.04
100	HARRIS SALES COMPANY INC	\$179.34
100	HI-TECH CAR CARE	\$132.46
100	HILLS TIRE & SUPPLY	\$435.00
100	IDEAL LINEN SUPPLY,INC	\$146.64
100	INTRALINKS,INC	\$514.20
100	KONE,INC	\$522.00
100	JEFFREY LAWRENCE	\$47.83
100	LUMEN TECHNOLOGIES,LLC	\$14.01
100	LUMEN TECHNOLOGIES GROUP	\$21.85
100	LUMEN TECHNOLOGIES,LLC	\$5.97
100	MADISON NATIONAL LIFE	\$56.01
100	MATTHEW BENDER & CO,INC	\$436.81
100	MIPS INC	\$471.98
100	MOBIUS COMMUNICATIONS	\$217.52
100	MORFORD'S DECORATING CENTER	\$17,396.32
100	NEBRASKA COUNTY ASSESSOR'S ASSOC	\$60.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$3,617.86
100	NEBRASKA PUBLIC POWER DIST-E911	\$30.00
100	NEBRASKA PUBLIC POWER DISTRICT	\$2,200.43
100	NEBRASKA SUPREME COURT	\$195.70
100	NEBRASKA TOTAL OFFICE/CO ATTORNEY	\$27.39
100	NEBRASKA TOTAL OFFICE/COUNTY COURT	\$14.45
100	NEBRASKA TOTAL OFFICE/PUBLIC DEFEND	\$46.00
100	NEBRASKA TOTAL OFFICE/SHERIFF	\$139.55
100	ANDREW NORMAN	\$39.43
100	LUKE NORMAN	\$41.66
100	NORTHWEST RURAL PUBLIC POWER DIST	\$195.07
100	NOSSAMAN PETIT LAW FIRM,PC	\$807.60
100	OUTLAW PRINTERS,INC	\$401.00
100	PETERSEN DRUG	\$64.41
100	POSTMASTER	\$25.00
100	PUEBLO COUNTY GOVERNMENT	\$50.50
100	QUILL CORPORATION-COUNTY COURT	\$344.84
100	REGIONAL WEST MEDICAL CENTER	\$413.30
100	LARRY W RISING	\$41.79
100	RIVER A HOLDING LLC	\$1,471.57
100	CASEY JOHN SCHUHMACHER	\$19.21

100	SKEETERS AUTO PARTS INC	\$20.68
100	SMITH,KING AND SIMMONS,PC	\$353.68
100	TIMOTHY J TIDYMAN	\$10.35
100	ROSALENE B TOLLMAN	\$62.09
100	TRANSUNION RISK AND ALTERNATIVE	\$75.00
100	TREE DOC	\$2,860.00
100	TYLER TECHNOLOGIES,INC	\$898.00
100	VIAERO WIRELESS-WEED	\$82.88
100	VSP VISION PLAN	\$259.11
100	WAHLSTROM FORD INC	\$77.89
100	SAM WELLNITZ	\$254.13
100	WESTERN COMMUNICATIONS, INC	\$462.50
100	WESTERN PATHOLOGY CONSULTANTS INC	\$3,657.50
100	WYOMING FIRST AID & SAFETY SUPPLY	\$167.74
100	XEROX CORPORATION/VETERANS OFFICE	\$129.53
200	AFLAC	\$435.75
200	AMERITAS LIFE INSURANCE CORP	\$1,366.09
200	BEGUIN PROPANE	\$1,546.32
200	BLACK HILLS ENERGY	\$927.34
200	BLUE CROSS & BLUE SHIELD OF NE	\$1,475.82
200	CITY OF CRAWFORD	\$144.02
200	CONTRACTORS MATERIALS	\$1,223.73
200	SHANE CULLAN	\$10,800.00
200	DAWES COUNTY TREASURER	\$75.00
200	FIRST NATIONAL BANK, NORTH PLATTE	\$3,855.35
200	HILLS TIRE & SUPPLY	\$15.00
200	JOHN DEERE FINANCIAL-ROADS	\$505.47
200	JONATHAN KATEN	\$370.25
200	LUMEN TECHNOLOGIES GROUP	\$5.97
200	MOBIUS COMMUNICATIONS	\$76.13
200	MONTANA CSED SDU-WAGE WITHOLDING	\$165.00
200	MURPHY TRACTOR & EQUIPMENT CO,INC	\$50,000.00
200	NEBRASKA DEPARTMENT OF REVENUE	\$884.27
200	NEBRASKA PUBLIC POWER DISTRICT	\$469.29
200	NEBRASKA TOTAL OFFICE/ROADS	\$350.35
200	NMC EXCHANGE LLC/NEBRASKA MACHINERY	\$8,334.06
200	NORTHERN TRUCK EQUIPMENT CORP	\$87.07
200	NORTHWEST RURAL PUBLIC POWER DIST	\$307.15
200	PHILLIPS F & T INC	\$15,518.45
200	POWERPLAN	\$439.01
200	RIVER A HOLDING LLC	\$5,162.95

200	SCOTT ROBERTS ELECTRIC INC	\$108.45
200	SKEETERS AUTO PARTS INC	\$7,715.55
200	VERIZON CONNECT NWF,INC-ROADS	\$194.28
200	VSP VISION PLAN	\$93.82
200	WESTCO	\$5,628.95
200	XEROX CORPORATION/ROADS	\$110.34
990	AFLAC	\$13.20
990	AMERITAS LIFE INSURANCE CORP	\$71.32
990	BLUE CROSS & BLUE SHIELD OF NE	\$114.52
990	FIRST NATIONAL BANK, NORTH PLATTE	\$118.94
990	NEBRASKA DEPARTMENT OF REVENUE	\$22.30
990	VSP VISION PLAN	\$9.78
2580	MURPHY TRACTOR & EQUIPMENT CO,INC	\$267,750.00
2910	AMERITAS LIFE INSURANCE CORP	\$3.38
2910	CENTURYLINK	\$58.24
2910	FIRST NATIONAL BANK, NORTH PLATTE	\$13.61
2910	GREAT PLAINS COMMUNICATIONS	\$157.50
2910	INTRALINKS,INC	\$270.32
2910	NEBRASKA DEPARTMENT OF REVENUE	\$3.24
2910	WESTERN COMMUNICATIONS, INC	\$890.00
2913	CENTURYLINK	\$248.26