

**MINUTES: January 31, 2023 CASS COUNTY BOARD OF EQUALIZATION AND CASS COUNTY BOARD OF COMMISSIONERS**

8:00am- Call Meeting to Order; Open Meetings Act Notice & Pledge of Allegiance: Members Present: Sharp, Boyle, DeGarmo, Winkler and Murdoch. Others present: Chris Perrone-County Attorney, Gerri Draper-County Clerk

CONVENE- BOARD OF EQUALIZATION- Teresa Salinger, Assessor:

1. Discuss/Action- Tax List Corrections/Clerical Error List Parcel(s)#: (218) 130086347, (219) 130078328, (220) 130028290, (221) 130392727, (222) 130017914, (223) 130225290

Salinger noted tax corrections will presented at the January 17<sup>th</sup> and 31<sup>st</sup> meetings causing duplicate corrections, Salinger requested corrections listed below be removed from the January 17<sup>th</sup> meeting.

MOTION: Sharp moved, Winkler seconded to approve remove corrections from the January 17<sup>th</sup> meeting: (218) 130086347, (219) 130078328, (220) 130028290, (221) 130392727, (222) 130017914, (223) 130225290 as presented. Motion carried 5-0

8:01am CONVENE – BOARD OF COMMISSIONERS

CONSENT AGENDA: Previous Meeting Minutes, Claims, Payroll/Time Balance Reports and fees for 1/31/23. Perrone requested that any invoices for Windstream be approved with the exception of not paying any late fees.

MOTION: Sharp moved, Winkler seconded to approve consent agenda as prepared. Claims being approved with the exception of not paying any late fees for Windstream. Motion carried 5-0

GENERAL: Agrivision Equipment \$30.75 (Srv) Raymond Althouse \$47.74 (Srv) Amazon \$542.59 (Sup) Ameritas Life Insurance \$29,795.09 (Ins) Village of Avoca \$252.00 (Srv) Baird Holm \$1,580.00 (Srv) Betterway Tire & Auto \$39.00 (Srv) Black Hills Energy \$12,291.11 (Srv) Bob Barker Company \$443.02 (Srv) Bomgaars \$177.32 (Sup) Boundtree Medical \$330.51 (Srv) Linda Brouhard \$15.47 (Srv) Cash-Wa Distributing \$825.10 (Sup) Cass County Extension \$260.00 (Reim) Cass County Public Defender \$1,743.34 (Srv) Cass County Refuse \$506.00 (Srv) Cass County Sheriff \$10.00 (Reim) Choice Electric \$607.50 (Srv) Clerk of the District Court \$72.00 (Srv) Jim Crofoot \$29.93 (Srv) DAS Central Finance \$1,346.09 (Srv) Roger Dennis \$39.10 (Srv) Diamond Drugs \$259.57 (Sup) Diamond Medical Supply \$217.77 (Sup) Dollar General \$58.65 (Sup) Douglas County District Court \$7.25 (Srv) Eakes Office Solutions \$2,288.92 (Sup) Village of Elmwood \$120.63 (Srv) ESO Solutions \$795.00 (Srv) Eyman Plumbing Heating & Air \$603.50 (Srv) Family Physicians of Plattsmouth \$13.00 (Srv) Father Flannagan's \$50.50 (Srv) Steve Felthousen \$33.34 (Srv) Ferguson Enterprises \$225.40 (Srv) First State Bank \$32,792.10 (Ins) FP Finance Program \$231.50 (Srv) FP Mailing Solutions \$263.40 (Srv) Galls \$594.30 (Sup) Grainger \$786.55 (Sup) Henry-Hobscheidt Motors \$54.12 (Srv) Holiday Inn \$259.90 (Srv) Hometown Leasing \$693.42 (Srv) Hy-Vee \$726.03 (Sup) Gerald Johnson \$590.00 (Srv) Johnstone Supply \$52.56 (Sup) Jones Polygraph Service \$175.00 (Srv) Keckler Oil Company \$57.50 (Srv) Keymasters \$9.00 (Srv) Lancaster County Weed Control \$200.00 (Srv) Matthew Bender \$324.31 (Srv) Meeske Ace Hardware \$82.22 (Sup) Alan Mueller \$31.44 (Srv) NACO \$705.00 (Srv) National Association of School Resources \$400.00 (Srv) Nebraska Department of Agriculture \$90.00 (Srv) Nebraska Health and Human Services \$465.00 (Srv) The Nebraska Medical Center \$3,029.91 (Srv) Nebraska Medicine \$151.33 (Srv) Nebraska Public Power District \$8,057.39 (Srv) John Oehlerking \$37.32 (Srv) Office Warehouse \$2,287.16 (Srv) Omaha Compound \$46.20 (Srv) Omaha Public Power District \$1,861.46 (Srv) Omega Chemical \$189.55 (Srv) O'Reilly Auto Parts \$12.99 (Srv) Oxen Technology \$5,333.50 (Srv) James Peterson \$2,773.18 (Reim) Physicians Laboratory Services \$2,606.00 (Srv) Pitney Bowes \$215.78 (Srv) Thomas Prickett \$413.82 (Srv) Professional Heating & Air Conditioning \$20,960.00 (Srv) Quik Dump Refuse \$145.60 (Srv) Redneck Manufacturing \$100.00 (Srv) Sandry Fire \$410.75 (Srv) Sarpy County Sheriff's Office \$7,285.00 (Srv) Secretary of State \$40.00 (Srv) Software Unlimited \$256.00 (Srv) Robert Staben \$20.61 (Srv) Stop N Shop \$2,188.96 (Sup) Bill Sullivan \$37.93 (Srv) Summit Food Service \$9,577.28 (Sup) George Tesar Jr \$46.64 (Srv) Bobbie Touchstone \$3,429.50 (Srv) Tyler Technologies \$898.00 (Srv) Unifirst Corporation \$90.76 (Srv) US Bank \$3,494.47 (Srv) Volitant Technologies \$604.93 (Srv) Justin Widick \$30.61 (Srv) Windstream \$361.04 (Srv) Woodhouse Ford \$78.44 (Srv) Woods & Aitken \$812.50 (Srv) CLAIMS: \$173,147.89 PAYROLL: \$360,295.15 TOTAL: \$533,443.04 ROADS: Aramark \$659.55 (Srv) Betterway Tire & Auto \$30.00 (Srv) Bomgaars \$250.65 (Sup) Eakes Office Solutions \$77.76 (Sup) Hometown Leasing \$279.54 (Srv) Keckler Oil Company \$2,529.25 (Srv) Martin Marietta \$30,081.39 (Srv) Nebraska Iowa Supply Company \$9,404.07 (Srv) NMC \$411.00 (Srv) Plattsmouth Collision Repair \$1,000.00 (Srv) Pomp's Tire Service \$755.96 (Srv) Syracuse Iron Works \$798.46 (Srv) CLAIMS: \$46,277.63 PAYROLL: \$65,588.11 TOTAL: \$111,865.74 JUVENILE DIVERSION: TOTAL: \$1,573.60 COMMUNICATION TOWER: The Center for Municipal Solutions \$756.25 (Srv) TOTAL: \$756.25 VISITOR PROMOTION: Eagle Raceway \$400.00 (Srv) Carl Reichart \$589.70 (Reim) CLAIMS: \$989.70 PAYROLL: \$1,149.00 TOTAL: \$2,138.70 FEMA: Sandry Fire \$1,037.15 TOTAL: \$1,037.15 E911: Windstream \$1,174.40 (Srv) TOTAL: \$1,174.40 E911 WIRELESS: Windstream \$1,502.88 (Srv) TOTAL: \$1,502.88 OVERALL GRAND TOTAL: \$653,491.76

1. Regular Agenda: Draper requested that item 6H be tabled, to allow time to gather more information for the board

MOTION: Sharp moved, Winkler seconded to approve agenda with the removal of item 6H. Motion carried 5-0

2. Past Meetings Attended by Commissioners:

- Sharp: None
- Boyle: None
- DeGarmo: Cass County Economic Development meeting
- Winkler: None
- Murdoch: None

3. Public Hearing/Action (8:15am): none scheduled

4. Litigation & Legal Matters-Christopher Perrone, County Attorney: None scheduled

5. Road Matters-Lenny Thorne, Highway Superintendent:

5A. Discuss/Action- Bill Wehling NDOT- Hwy 66 Connection in Louisville. Update given by Wehling and Thorne

MOTION: Sharp moved, DeGarmo seconded to table item to allow public hearing requirements to be followed. Motion carried 5-0

6. New Business & Unfinished Business:

6A. Discuss/Action- Jeff Leach, Senior Officer State Probation- request approval to renew probation family pass at the Plattsmouth Community Center

MOTION: Winkler moved, Murdoch seconded to approve renewal of the probation family pass, Clerk authorized to pay \$660.99 to the Plattsmouth Community Center. Motion carried 5-0

6B. Discuss/Action- Rand Group, Weeds Superintendent- approve Dan Stohlmann as Weed Board Member

MOTION: Murdoch moved, Sharp seconded to approve Dan Stohlmann to serve as Weed Board Member. Motion carried 5-0

6C. Discuss/Action- I.T. Department & Jennifer Sommer, Proposal for IT County Consultant position for approval

MOTION: Sharp moved, Winkler seconded to authorize a contract to be drawn up at \$150.00 per hour for I.T. Consultant between Cass County and Jennifer Sommer for Chairman's signature. Motion carried 5-0

6D. Discuss/Action- Cass County Fair Board, extension building (tabled 1/17/23). Kevin Albers and Scott Luebben appeared to give board update, Fair Board members presented 3 options:

Option 1 – update current building

Option 2 – new building (additional exhibition area of 60 X 80 and 40 X 80 office space) estimated cost \$880,000+

Option 3 – leave extension office as is

Board members asked about requirements of sprinkler system, electrical cost, building size and parking requirements. Would funds be available from the University of Nebraska-Extension. Board asked that the Fair Board gather more detailed costs and plans for Commissioners to review.

6E. Discuss/Action- 2018 Energy Conservation Code Amendment & Deletions

MOTION: Murdoch moved, DeGarmo seconded to approve amendments and deletions as presented; Section R402.4.1.2 Deleted; Testing (Blower Door Testing); Section R403.3.3 Amended; Duct Testing (Mandatory); Section R403.3.5 Amended Building Cavities (Mandatory); Section R403.6 Deleted; Mechanical Ventilation (Mandatory); Table R402.1.2 Amended: Insulation and Fenestration Requirements by Component (see attached). Motion carried 5-0

9:00am BREAK

6F. Discuss/Action - Mike Jensen-Zoning Administrator, re-appoint Planning Commission Members (3yr terms); Justin Widick and John Oehlerking (tabled 1/17/23). Jensen presented a list of candidates Annette Wiles, Nick Rayer, Jack Safarik, and Jim Grotian and noted the 1<sup>st</sup> open seat would go to the alternate planning commission member-Jim Crowfoot. Chair stated he believes that new board members should be selected from time to time, and asked for questions from the board- DeGarmo asked if candidates were present, Chair stating Safarik was in the audience. Chair opened the floor to discussion: 1 audience member spoke in support of Widick and Oehlerking. Widick and Oehlerking both addressed the board. Discussion continued with Winkler asking about procedures the planning commission follows in the event of a conflict of interest. Murdoch voiced his concern with the planning commission approving set-backs for solar panels and satellite dish.

MOTION: Murdoch moved, Sharp seconded to appoint Jim Grotrian and Jack Safarik to the Planning Commission. Motion failed 3-2, Boyle, DeGarmo and Winkler voting no

MOTION: Murdoch moved, Sharp seconded to appoint Jim Grotrian to Planning Commission  
Chair asked for discussion: Jensen asked for clarification on the motion stating that he believes the current alternate (Jim Crowfoot) would take the first open slot on the planning commission, 9:27am Perrone asked to temporarily recess item so he could review procedures regarding alternate. 9:43am Perrone returned stating it was important to clarify that the Planning Commission has 2 current expired terms (12/31/22 Widick & Oehlerking) and the board has no obligation to fill those positions with anyone currently serving or the alternate to the Planning Commission and the Board of Commissioners has full rights and responsibilities to fill those positions with anyone they deem appropriate. Board members have 5 persons interested in the 2 open slots (Widick, Oehlerking, Grotrian, Safarik and Crowfoot), chair asked if there was any other discussion from the board, hearing none he asked for roll call on motion made. Motion carried 5-0

MOTION: DeGarmo moved, Boyle seconded to re-appoint John Oehlerking to Planning Commission. Motion carried 5-0

Oehlerking then resigned from the Planning Commission.

MOTION: Sharp moved, Murdoch seconded to accept resignation.  
DeGarmo asked Perrone if board is required to accept the resignation, Perrone clarified vacancies and resignations are handled differently and recommended the board vacate the previous motion. Sharp withdrew his motion.

MOTION: DeGarmo moved, Winkler seconded to vacate the appointment of John Oehlerking to the Planning Commission. Motion carried 5-0

MOTION: Murdoch moved, Sharp seconded to appoint Jim Crowfoot to Planning Commission. Motion carried 5-0

DeGarmo asked Jensen if he believes he needs an alternate to the Planning Commission; Jensen stating it was at the discretion of the county board.

6G. Discuss/Action- February 14, 2022 Board meeting where to hold due to possible oversized attendance

MOTION: Winker moved, Boyle seconded to hold a special meeting/public hearing regarding Zoning Regulations at the Cass County Fairgrounds (Expo Building) February 28th at 7pm. Motion carried 5-0

6H. Discuss/Action- Update Legal paper for 2023. Item removed until later date

6I. Discuss/Action- County Burial Assistance Request (CBA 2023-01)

MOTION: Murdoch moved, Sharp seconded to approve burial assistance request, clerk authorize to pay \$1,000 from general fund. Motion carried 5-0

Other Business Matters/Public Input & Comments: Sharp asked about storage in LEC building, maintenance, heating issues in Jail (prisoner's cells)

10:05am ADJOURN: MOTION: DeGarmo moved, Winkler seconded. Motion carried 5-0

I, Gerri Draper, the undersigned Clerk of Cass County, Nebraska do hereby certify the above minutes were taken by me, and are true and correct to the best of my knowledge and are part of the official records of this office. I therefore set my hand and affix the County Seal this 31<sup>st</sup> day of January, 2023.

State of Nebraska)  
County of Cass) <sup>SS</sup>

Gerri Draper, County Clerk

We, the undersigned Board of Commissioners of Cass County, Nebraska do hereby certify the above minutes are true and correct to the best of our knowledge, and are part of the official records of the Cass County Clerk's Office. We therefore set our hands this 31<sup>st</sup> day of January, 2023.

Dale Sharp-Dist. 1, Taylor Boyle-Dist. 2, Alexander DeGarmo-Dist. 3, John Winkler-Dist. 4, Duane Murdoch-Dist. 5

*Cass County Board of Commissioners*