

**CASS COUNTY BOARD OF EQUALIZATION AND BOARD OF COMMISSIONERS MEETING MINUTES: November 7, 2023**

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

BOARD OF EQUALIZATION

1. Discuss/Action- (Assessor) Tax List Correction- Parcel #: 130398437 (Chair signature required)

MOTION: DeGarmo moved, Boyle seconded to approve tax correction as presented. Motion carried 5-0

8:02am CONVENE BOARD OF COMMISSIONERS

CONSENT AGENDA: Previous Meeting Minutes, Claims, Payroll/Time Balance Reports and Fees: County Clerk – Misc. \$11,260.70; District Court Clerk- Misc. \$2,596.49; Register of Deeds- Preservation \$1,365.00, State DOC Stamps- \$22,101.38, CO General DOC Stamps \$6,313.87, CO General \$8,593.50; Zoning – Misc. \$19,924.71; Sheriff Misc. \$1,711.00, Mileage \$2,198.12

MOTION: Winkler moved, Boyle seconded to approve consent agenda as prepared. Motion carried 5-0

GENERAL CLAIMS: Accelerated Graphx \$785.00 (srv) All Copy Products Inc \$27.98 (srv) Amazon Capital Services \$280.65 (sup) Ameritas Life Insurance Corp \$33,198.43 (ins) Betterway Tire & Auto \$194.86 (srv) Big Red Locksmiths \$185.00 (srv) Black Hills Energy \$174.51 (srv) Bomgaars \$228.04 (sup) Boundtree Medical LLC \$866.20 (sup) Linda Brouhard \$60.00 (reim) Buzzcuts Lawn Care \$88.00 (srv) Cash-Wa Distributing \$1,146.35 (srv) Cass County Attorney \$10.00 (reim) Cass County Extension \$5,136.69 (reim) Cass County Historical Society \$3,333.33 (srv) Cass County Public Defender \$1,375.00 (reim) Cass County Refuse \$223.00 (srv) Cass County Sheriff \$144.06 (reim) Cassgram \$151.00 (srv) Chemsearch \$491.08 (srv) Cherryroad Media \$73.54 (srv) Cidnet \$3,000.00 (srv) Clerk of the District Court \$472.00 (srv) Cody Inc \$220.00 (srv) Crawford Supply Company \$350.18 (srv) DAS Central Finance \$1,336.49 (srv) DAS Central Accounting \$150.00 (srv) Geri Draper \$60.00 (reim) Eakes Office Solutions \$3,563.94 (sup) Harold Ehmke \$15.00 (ret) Electronic Engineering \$4,250.00 (srv) Village of Elmwood \$60.00 (srv) EMS Connect \$84.50 (srv) Eugene Farris \$9.00 (ret) Ferguson Enterprises LLC \$31.58 (sup) Ferguson Facilities Supply \$236.70 (srv) Fireguard Inc \$2,072.62 (srv) First State Bank Nebraska \$32,376.26 (tax) Taylor Fleischman \$60.00 (reim) FP Finance Program \$168.00 (srv) Travis J Frye \$60.00 (reim) Graham Tire \$1,200.00 (sup) Grainger \$73.49 (sup) Great Plains Uniforms LLC \$3,426.90 (srv) Village of Greenwood \$139.99 (srv) Hayes Mechanical LLC \$8,455.91 (srv) Henry-Hobscheidt Service Center \$1,396.54 (srv) Holiday Inn \$599.75 (srv) Hometown Leasing \$1,205.46 (srv) HyVee Accounts Receivable \$90.95 (sup) Mike Jensen \$60.00 (reim) John's Appliance \$229.00 (srv) Johnson & Pekny LLC \$917.12 (srv) Michael Johnson \$240.00 (reim) Jones Automotive Inc \$319.47 (srv) Keefe Supply Company \$700.95 (srv) Robert Larsen-Reinsch, Slattery, Bear, Minahan & Prickett PC LLO \$161.50 (srv) Legends Detailing \$100.00 (srv) Matthew Bender & Co Inc \$1,847.24 (srv) Brandon McClane \$60.00 (reim) Brook N McConnaughey \$60.00 (reim) My Central Supply \$799.42 (sup) Meeske Ace Hardware \$45.53 (sup) Menards \$137.51 (sup) Menards Capital One Trade Credit \$298.00 (sup) Metlife Life Ins Co \$167.04 (ins) Midwest Card & ID Solutions \$1,750.00 (srv) Midwest Medical Transport Company \$1,283.00 (srv) MIPS Inc \$1,429.12 (srv) Linn Moore \$60.00 (reim) Murray Fire & Rescue \$160.00 (srv) NACO \$250.00 (srv) NE Code Officials Association \$450.00 (srv) NE Law Enforcement Training Center \$500.00 (srv) Nebraska Medicine \$18,558.82 (srv) Nebraska Public Health Environmental \$105.00 (srv) Nebraska Public Power District \$8,918.33 (srv) Lauren Neels \$365.00 (srv) Village of Nehawka \$204.29 (srv) Todd O'Connor \$60.00 (reim) Office Warehouse \$60.24 (sup) Omaha Public Power District \$1,252.14 (srv) Omega Chemical Co Inc \$547.99 (sup) H.S.A. Optum Bank \$2,250.00 (ins) Oxen Technology \$217.50 (srv) Paper Tiger Shredding Inc \$230.0 (srv) Perkins County Sheriff \$42.66 (srv) Plattsmouth Department of EMS \$150.00 (srv) Plattsmouth Police Department \$571.31 (srv) Laura Pohlmeier \$60.00 (reim) Polaris Law Group LLC \$1,719.50 (srv) Sandra Prall \$48.60 (srv) Professional Heating & Air Conditioning \$10,083.00 (srv) Relentless LLC DBA Desert Snow \$649.00 (srv) Rural Water Dist #1 \$38.00 (srv) Secretary of State-Elections Division \$50.00 (srv) Sommer Butts \$1,155.00 (srv) Jennifer Sommer \$4,350.00 (srv) Staples Business Credit \$512.88 (sup) William Sterrett \$60.00 (reim) Steve's Floor Coverings Inc \$648.00 (srv) Cassie Story \$60.00 (reim) Summit Food Service LLC \$10,039.43 (srv) Sarah M Sutter \$200.96 (reim) Leonard Thorne \$60.00 (reim) Mary Tilson \$710.98 (srv) TK Elevator Corporation \$500.72 (srv) Bobie Touchstone \$5,244.00 (srv) United Healthcare \$72,322.76 (ins) University of Nebraska-Lincoln \$1,588.13 (srv) US Bank \$3,544.02 (srv) US Bank Voyager Fleet \$1,177.00 (srv) Verizon Wireless \$3,780.78 (srv) Warren Wade \$19.00 (ret) White Castle Roofing & Contracting \$24,904.00 (srv) Jeb Wika \$60.00 (reim) Windstream \$90.78 (srv) Woods & Aitken LLP \$311.00 (srv) Xtra Mile Mowing \$120.00 (srv) Zelle LLC \$5,500.00 (srv) 201 Main Street LLC \$2,960.00 (srv) CLAIMS: \$312,044.88; PAYROLL: \$377,421.45; TOTAL: \$689,466.33 ROADS: Akrs Equipment \$1,453.10 (srv) Allied Oil & Tire Company \$1,254.77 (sup) A1 Locksmith & Security Solutions \$170.00 (srv) Colonial Research Chemical \$851.59 (sup) Lincoln Journal Star \$266.96 (srv) Hometown Leasing \$293.51 (srv) Keckler Oil Company \$21.25 (sup) Martin Marietta \$29,074.16 (sup) Medical Enterprises Inc \$225.00 (sup) Meeske Ace Hardware \$87.24 (sup) Meeske Auto Parts \$1,236.73 (srv) Menards \$377.88 (sup) Mill Creek Auto Parts \$19.59 (srv) Nebraska Snow Equipment \$3,239.74 (srv) NMC Inc \$447.84 (srv) Pitney Bowes Global Financial \$122.97 (srv) Pomp's Tire Service Inc \$3,337.30 (sup) RDO Truck Center Co \$41.20 (srv) Sapp Bros Inc \$28,322.59 (sup) Stock Seed Farms \$2,025.00 (sup) Svanda Construction \$10,800.00 (srv) US Bank \$1,992.46 (srv) CLAIMS: \$85,660.88; PAYROLL: \$66,417.34; TOTAL: \$152,078.22 VISITOR PROMOTION: Office Warehouse \$964.38 (sup) Carl E Reichart \$702.16 (reim) CLAIMS: \$1,666.54 PAYROLL: \$1,183.50 TOTAL: \$2,850.04 VISITOR IMPROVEMENT: American Bus Association \$650.00 (srv) TOTAL: \$650.00 RECORD PRESERVATION: MIPS Inc \$278.64 (srv) TOTAL: \$278.64 FEMA: Papio-Missouri NRD \$309.70 TOTAL: \$309.70 COVID-AMERICAN RESCUE PLAN: Karl Chevrolet Inc \$48,720.10 (srv) Menards Capital One Trade Credit \$358.60 (srv) TOTAL: \$49,078.70 OVERALL GRAND TOTAL: \$894,711.63

1. Regular Agenda:

MOTION: Boyle moved, Winkler seconded to approve agenda as prepared (Item 6B. will be moved to the 11/21 meeting). Motion carried 5-0

2. Past Meetings Attended by Commissioners:

- Sharp: None
- Boyle: None
- DeGarmo: None
- Winkler: None
- Murdoch: None

3. Public Hearing/Action (8:15am): MOTION: Boyle moved, Winkler seconded. Motion carried 5-0. Published: October 25, 2023, Sarpy County Times. Others present: Mike Jensen-Zoning Administrator.

3A. Public Hearing- Conditional Use Permit CU 2023-05- Whetrock Inc.; Roger Whetstine-President, Michael Klein-Property Owner; off of 24<sup>th</sup> Avenue, Murray, NE; legal description: SE1/4, NE1/4 & N1/2, NE1/4, SE1/4; 06-10-14 (60 acres); Parcel 130151521-Mining.

Jensen introduced the conditional use permit, reading from the staff report provided for the Commissioners, noting the Planning Commission approved the Conditional Use Permit with an added requirement of additional dust control along 24<sup>th</sup> Ave, by a vote of 7 ayes and 0 nays. Jensen then introduced Roger Whetstine-President Whetrock, Inc., Whetstine gave an overview of the request and noted that an agreement has been reached with the adjacent property owner. Receiving no questions from the board. Chair asked for comments from the audience, hearing none chair asked for motion to close public hearing.

CLOSE PUBLIC HEARING (8:17am): MOTION: Winkler moved, Boyle seconded. Motion carried 5-0

3A. Public Hearing- Conditional Use Permit CU 2023-0005- Whetrock Inc.; Roger Whetstine-President, Michael Klein-Property Owner; off of 24<sup>th</sup> Avenue, Murray, NE; legal description: SE1/4, NE1/4 & N1/2, NE1/4, SE1/4; 06-10-14 (60 acres); Parcel 130151521-Mining

MOTION: Boyle moved, Murdoch seconded to approve conditional use permit CU 2023-0005 as presented. Motion carried 5-0

4. Litigation & Legal Matters-Christopher Perrone, County Attorney:

4A. Discuss/Action- Veteran's Treatment Court – Interlocal Agreement (Chair signature required)

Perrone noted this agreement will be funded mostly with State funds.

MOTION: DeGarmo moved, Murdoch seconded to approve Interlocal agreement as presented, chair authorized to sign. Motion carried 5-0

5. Road Matters-Lenny Thorne, Highway Superintendent:

5A. Discuss/Action- Review and Approval of the 108<sup>th</sup> St Paving Project Plans

MOTION: Winkler moved, Boyle seconded to approve paving project plans as submitted. Motion carried 5-0

5B. Discuss/Action- Approval to contract and authorize Chairman to sign contract with Midwest Right-of-Way Services for R.O.W acquisition on 108<sup>th</sup> St, S of Hwy 66

MOTION: Winkler moved, Boyle seconded to authorize Thorne to proceed with right-of-way acquisition and authorize chair to sign contracts as needed. Motion carried 5-0

5C. Discuss/Action- RES 2023-16; Year-end Certification of County Highway Superintendent

MOTION: Winkler moved, Boyle seconded to authorize chair to sign year end certification as presented, adopting resolution as prepared. Motion carried 5-0

6. New Business & Unfinished Business:

6A. Discuss/Action- Russell Hein, 5294 Weeping Water Road, Nehawka, Zoning Regulation - question regarding Morton Building for Livestock/Equipment.

Mike Jensen-Zoning Administrator and Hein appeared before the board. Jensen reading from the Zoning Regulations - Section 4.11 Accessory Building and Uses, Hein asking for approval to replace a building on his 40 acre tract of land located at 5294 Weeping Water Road. The Board asked Jensen to "clean up" the language in this section of the Zoning Regulations.

MOTION: Murdoch moved, Boyle seconded to approve the request for placement of a 40 X 50 building with the board interpretation that the 40 acre tract of land is AG.

6B. Discuss/Action- Doug Elting- Berggren Architects, available Historic Tax Credits. Item moved to 11/21/23 meeting.

6C. Discuss/Action- Robert Sorenson-Sheriff, Request to Replace Dorm 1 Restroom Drains. Sorenson presented a bid from Eyman Plumbing in the amount of \$6,029.10, due to amount of bid the Sheriff was authorized to proceed with project.

6D. Discuss/Action- I.T. Department- iCrimeFighter Contract Proposal

Sheriff Sorenson, Jennifer Sommer, Shawn Micheel and Shawn Kennedy appeared before the board to outline iCrimeFighter software.

MOTION: Murdoch moved, Boyle seconded to approve contract with iCrimeFighter for 1yr, ARPA funds will be used in the amount of \$25,000.00. Motion carried 5-0

6E. Discuss/Action- RES 2023-17; NIRMA Membership Recommitment (Term 3-years July 1, 2024- June 20, 2027) (Chair signature required)

MOTION: DeGarmo moved, Sharp seconded to recommit NIRMA membership for 3yr term, adopting resolution 2023-17 as prepared. Motion carried 5-0

6F. Discuss/Action- Update on Windstream/phone system. Update given, no action taken

BREAK 9:04am

6G. Executive Session- EMA budget and procedure review

EXECUTIVE SESSION: Chair stated for the protection of public interest or for the prevention of needless injury to the reputation of an individual, may I have a motion to go into executive session to discuss personnel matters.

MOTION: DeGarmo moved, Winkler seconded to enter into executive session to discuss personnel matters. Motion carried 5-0. Chair reiterated limited subject matter to be addressed to discuss personnel matters before entering closed session. Time of entering closed session was 9:15am

CLOSE EXECUTIVE SESSION:

MOTION: DeGarmo moved, Boyle seconded, to close executive session. Motion carried 5-0. Meeting reconvened in open session at 9:54am. Chair announced that the only topic discussed in closed session was to discuss personnel matters. There was no action taken in closed session.

Other Business Matters/Public Input & Comments: None

9:55am 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 7th day of November, 2023.

State of Nebraska)  
County of Cass) <sup>ss.</sup>

Gerri Draper, Cass 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 7th day of November, 2023.

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