

MEETING MINUTES FOR THE CASS COUNTY BOARD OF EQUALIZATION AND CASS COUNTY BOARD OF COMMISSIONERS

Per NE State Statute 23-122, the following is a brief statement of the proceedings of the Cass County Board of Commissioners for February 14, 2023. A complete account of the minutes may be viewed at the County Clerk's Office. Members present- Sharp, Boyle, DeGarmo and Murdoch. Other 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) 130011398-2022

MOTION: Sharp moved, DeGarmo seconded to approve correction to parcel 130011398-2022. Motion carried 5-0

2. Discuss/Action- Permissive Exemptions Application (Form 451) filed by:

First Baptist Church Parcel #130085014

Pastor Wicks addressed the board regarding exemptions for the Church

MOTION: Winkler moved, Murdoch seconded to approve application as filed. Motion carried 5-0

Scatter Joy Acres Inc. Parcel #0130155330

MOTION: Winkler moved, Murdoch seconded to approve application as filed. Motion carried 5-0

Lincoln Sport Parachute Club Parcel #130392605

Salinger noted that she spoke with the State of Nebraska and the application does not meet the requirements of the State.

MOTION: Winkler moved, Murdoch seconded to deny application: reason does not support the necessary requirements for exemption. Motion carried 5-0

3. Discuss/Action- Motor Vehicle Exemptions- Nebraska Lutheran Outdoor Ministries: (1) 2015 Chevrolet City Express Van

MOTION: Boyle moved, Winkler seconded to approve motor vehicle exemption as requested. Motion carried 5-0

8:08am CONVENE – BOARD OF COMMISSIONERS

CONSENT AGENDA: Previous Meeting Minutes, Claims, Payroll/Time Balance Reports and fees for 1/31/23. Claim #23020243 was flagged by clerk's office for late charges- EMA is currently working with vendor on late charges. Fees: County Clerk- Misc. \$173.08; Zoning- Misc. \$1,391.06, Register of Deeds- Preservation \$1,179.00, Nebraska DOC Stamps \$21,525.61, County General DOC Stamps \$6,149.39, County General \$7,110.00; Clerk of the District Court- Misc. \$4,164.85

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

GENERAL: All Copy Products \$25.44 (Sup) Amazon \$3,258.80 (Sup) American Heart Association \$973.13 (Sup) Ameritas Life Insurance \$30,885.45 (Ins) Village of Avoca \$63.00 (Srv) Baird Holm \$292.50 (Srv) Betterway Tire & Auto \$430.36 (Srv) Black Hills Energy \$640.01 (Srv) Boundtree Medical \$556.14 (Srv) Brooks-Jeffrey Marketing \$300.00 (Srv) Linda Brouhard \$60.00 (Srv) Burton \$340.50 (Srv) Lawrence Carlsson \$2,000.00 (Srv) Cash-Wa Distributing \$927.20 (Sup) Cass County Court \$950.98 (Srv) Cass County Historical Society \$3,500.00 (Srv) Cass County Public Defender \$1,748.63 (Reim) Cass County Refuse \$139.00 (Srv) Cass County Sheriff \$808.78 (Srv) Cass County Sheriff \$505.08 (Reim) Cassgram \$156.00 (Srv) Charter Communications \$181.57 (Srv) Chemsearch \$472.48 (Srv) Clerk of the District Court \$108.00 (Srv) CNA Surety \$80.00 (Srv) Cody Inc \$1,770.00 (Srv) Comdata Corporation \$628.04 (Srv) Computer Cable Connection \$248.00 (Srv) Conner Psychological Services \$260.00 (Srv) Consolidated Management Company \$64.50 (Srv) Percival Culligan Water \$38.00 (Srv) Cummins Sales & Service \$12.06 (Srv) Department of Correctional Services \$2,710.50 (Srv) Dollar General \$32.25 (Sup) Domain Listings \$288.00 (Srv) Geri Draper \$60.00 (Reim) Eakes Office Solutions \$1,958.85 (Sup) Harold Ehmke \$15.00 (Reim) Electrical Service Group \$1,814.61 (Srv) Electronic Contracting Company \$739.36 (Srv) Village of Elmwood \$61.67 (Srv) EMS Connect \$71.50 (Srv) ESO Solutions \$3,290.00 (Srv) Fankhauser, Nelsen, Wertz, Ziskey & Merwin \$627.00 (Srv) Eugene Farris \$9.00 (Reim) Fastest Labs of Omaha \$60.00 (Srv) Fireguard \$2156.71 (Srv) First State Bank \$30,549.81 (Srv) First State Bank \$2,960.00 (Srv) Travis J. Frye \$60.00 (Reim) Deloris Gall \$21.00 (Reim) Galls \$283.19 (Sup) Grainger \$354.38 (Sup) Great Plains Uniforms 482.49 (Srv) Village of Greenwood \$207.44 (Srv) Catrina Harris \$2,803.50 (Srv) Hometown Leasing \$2,243.51 (Srv) Hy-Vee \$140.79 (Sup) Mike Jensen \$60.00 (Reim) Jamie Cooper \$489.70 (Srv) Lisa Gonzalez \$1987.40 (Srv) Johnstone Supply \$35.69 (Sup) Jones Automotive \$3,446.12 (Srv) Jones Polygraph Service \$350.00 (Srv) Shelley Joslin \$40.61 (Reim) LG Cleaners \$306.85 (Srv) Gerald Liess \$440.00 (Srv) Lincoln Journal Star \$89.06 (Srv) Village of Manley \$63.00 (Srv) Matheson Tri-Gas \$263.09 (Srv) Matt Friend Truck Equipment \$1,963.63 (Srv) Brook McConnaughey \$134.27 (Reim) My Central Supply \$367.13 (Sup) Meeske Ace Hardware \$33.96 (Sup) Meeske Auto Parts \$418.73 (Sup) MIPS \$5,205.28 (Srv) Linn Moore \$60.00 (Reim) NACO \$40.00 (Srv) Nebraska Association of County Treasurers \$50.00 (Srv) Nebraska Association of Emergency Management \$110.00 (Srv) Nebraska Law Enforcement Training Center \$216.00 (Srv) NPPD \$622.89 (Srv) Nebraska.gov \$100.00 (Srv) Village of Nehawka \$171.84 (Srv) Todd O'Connor \$60.00 (Reim) Office Warehouse \$746.81 (Sup) OPPD \$231.19 (Srv) Omaha World Herald \$1,810.79 (Srv) Omega Chemical Company \$324.51 (Srv) On Time Sports \$650.00 (Srv) H.S.A \$2,975.00 (Ins) Oracle Aviation \$300.00 (Srv) Oxen Technology \$9,158.00 (Srv) Paper Tiger Shredding \$152.00 (Srv) Papillion Sanitation \$1,751.74 (Srv) Perfection Auto Repair \$63.25 (Srv) Pitney Bowes Global Finance \$1,465.05 (Srv) City of Plattsmouth \$1,084.34 (Srv) Plattsmouth Community Center \$660.99 (Srv) Thomas Prickett \$1,015.65 (Srv) Quik Dump Refuse \$36.91 (Srv) Quill Corporation \$317.69 (Sup) Ricoh \$103.00 (Srv) Ricoh \$137.23 (Srv) Roby Funeral Home \$1,000.00 Otoe County Rural Water District #3 \$1,285.00 (Srv) Rural Water District #1 \$41.50 (Srv) Sarpy County Sheriff Department \$18.36 (Srv) Secretary of State \$20.00 (Srv) Skyebrowse \$2,999.00 (Srv) Staples Business Credit \$475.87 (Sup) State Fire Marshall Training Division \$150.00 (Srv) Stericycle Inc \$92.62 (Srv) William Sterrett \$60.00 (Reim) Suburban Newspapers \$349.14 (Srv) Summit Food Services \$8,958.24 (Sup) Supreme Steam \$171.25 (Srv) The Village of Boys Town Fire Department EMS Training Agency \$250.00 (Srv) Thomson Reuters-West \$1,650.34 (Srv) Leonard Thorne \$60.00 (Reim) Thyssenkrupp Elevator Corporation \$488.79 (Srv) Mary Tilson \$625.00 (Srv) Transunion Risk & Alternative \$75.00 (Srv) Unifirst Corporation \$203.89 (Srv) United Healthcare \$74,466.64 (Ins) US Bank \$1,015.75 (Srv) US Bank Voyager \$10,142.39 (Srv) Verizon \$562.90 (Srv) Verizon Wireless \$4,112.49 (Srv) Voss Lighting \$89.20 (Srv) Warren Wade \$19.00 (Reim) Sandra Weyers \$60.00 (Reim) Windstream \$13,029.91 (Srv) Zelle \$4,573.36 (Srv) CLAIMS: \$274,325.61 PAYROLL: \$353,819.48 TOTAL: \$628,145.09 ROADS: Ace Irrigation \$6,983.75 (Srv) Aramark \$473.60 (Srv) Frontier Cooperative \$902.94 (Srv) Highway Signing \$61,456.17 (Sup) J Clark \$150.00 (Srv) Kea Constructors \$37,573.25 (Srv) Martin Marietta \$108,510.80 (Srv) Matheson Tri-Gas \$98.89 (Srv) Meeske Ace Hardware \$717.55 (Sup) Meeske Auto Parts \$993.98 (Srv) Mill Creek Auto Parts \$1,871.27 (Sup) MIPS \$146.45 (Srv) Murphy Tractor & Equip \$3,697.32 (Srv) Nebraska Iowa Supply Company \$1,576.80 (Sup) NMC \$366.50 (Srv) Pomp's Tire Service \$1,756.20 (Srv) RDO Truck Center \$482.17 (Srv) Schemmer \$1,235.00 (Srv) TEC Equipment \$4,732.57 (Srv) US Bank \$608.47 (Srv) US Bank Voyager \$1,300.57 (Srv) CLAIMS: \$235,633.25 PAYROLL: \$64,742.18 TOTAL: \$300,375.43 JUVENILE DIVERSION: CLAIMS: \$429.89 PAYROLL: \$1143.71 TOTAL: \$1,573.60 COMMUNICATION TOWER: The Center for Municipal Solutions \$625.00 (Srv) TOTAL: \$625.00 VISITOR PROMOTION: Carl Reichart \$307.68 (Reim) CLAIMS: \$307.68 PAYROLL: \$1,149.00 TOTAL: \$1,456.68 RECORD PRESERVATION: MIPS \$768.90 (Srv) TOTAL: \$768.90 FEMA: Grainger \$910.75 (Sup) TOTAL: \$910.75 COVID AMERICAN RESCUE PLAN: Prime Secured

\$139,594.24 (Srv) TOTAL: \$139,594.24 INHERITANCE: Janet Wendt Estate \$238.17 (Reim) TOTAL: \$238.17 E911 FUND: Nemaha County \$106.78 (Srv) TOTAL: \$106.78 OVERALL GRAND TOTAL: \$1,073,794.64

1. Regular Agenda: Murdoch requested to add item 6E. Discussion only- setting parameters for the 2/28 meeting at Fairgrounds
MOTION: Murdoch moved, Boyle seconded to approve agenda as modified. Motion carried 5-0

2. Past Meetings Attended by Commissioners:

- Sharp: None
- Boyle: None
- DeGarmo: MoPac Trail phone conference
- Winkler: None
- Murdoch: Met with LEC Maintenance

3. Public Hearing/Action (8:21am): MOTION: Winkler moved, Boyle seconded. Motion carried 5-0.

Published: Omaha World Herald 2/3/23, Cassgram 2/3/23. Other present: Mike Jensen-Zoning Administrator

1. Isotropic Network – 31619 Hwy 1, Murdock, NE – TL3 NE1/4; 23-11-10 – Parcel # 130398440 - Conditional Use permit – Satellite Dish

Jensen presented an overview of CUP #2023-0001; exhibits and administrator remarks. Noting that the planning commission approve recommending approval by a 6-3 vote. Jensen introduced Hank Zbierski owner to outline application request noting the company is a private family owned business going on 31 years. They operate on seven US satellites, offering 50 state US coverage as well as coverage in the Gulf of Mexico, Central and South American, Canada, Bahamas and the Caribbean; stating Murdock is an ideal location due to the topography of the area.

Chair asked for board comments /questions: height of satellite (est. 20' or 17' foot above ground); setbacks (Murdoch asked that the setback be 120' to fence), how taxes would be paid in Nebraska (as they do in other similar States as required by law); screening (natural barrier will be used around satellite of berms and native trees/vegetation; end-users (cell phone providers and aviation); will it affect 911 cell towers (no); expiration date of CUP (none- the CUP will transfer with owners of land- Jensen stated if modifications are requested by future property owners they would have to apply for new CUP; bonding requirements to dismantle satellite (applicant was required to providing bonding same as cell towers per Zoning requirements est. cost to decommission \$15,000- \$25,000)

Chair asked for comments from the audience, hearing none he asked for a motion to close public hearing.

CLOSE Public Hearing 8:50am: MOTION: Sharp moved, Winkler seconded. Motion carried 5-0

PH MOTION:

1. Isotropic Network – 31619 Hwy 1, Murdock, NE – TL3 NE1/4; 23-11-10 – Parcel # 130398440 - Conditional Use permit – Satellite Dish

MOTION: Sharp moved, Winkler seconded to approve conditional use permit #2023-0001 as presented. Motion carried 5-0

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

5. Road Matters-Lenny Thorne, Highway Superintendent:

5A. Discuss/Action- NDOR Agreement- STR-13(53) Cass County Bridge XL2309, Chairman's signature required

Thorne noted the state will be: applying water membrane with asphalt overlay, repair to approaches and guardrails. This project is for the railroad overpass (Bay Road); Est. County cost \$611,400.00. Thorne's recommendation that the County not to participate on this project due to cost (this project would be 100% County costs).

MOTION: Winkler moved, Sharp seconded to deny agreement as presented. Motion carried 5-0

5B. Discuss/Action- NDOR Agreement- NH 34-7(136) Bay Road Bridge XL2308, Chairman's signature required

Thorne noted the state will be: applying water membrane with asphalt overlay, repair to approaches and guardrails; the county would be responsible for anything outside the bridge approach and guardrail; Est. County cost \$168,000.00. Thorne's recommendation that the County participate on this cost share project with the State.

MOTION: Murdoch moved, Boyle seconded to authorize chairman to sign agreement as presented. Motion carried 5-0

6. New Business & Unfinished Business:

6A. Discuss/Action- Shane Jacobsen, Jacobsen Consulting (Cass County Broker of Record) claims reporting update. No action taken

6B. Discuss/Action- Carl Reichart-Direct Cass County Tourism, approval of 2023 Marketing Grants

MOTION: Winkler moved, DeGarmo seconded to approve 2023 marketing grants (22 applicants) totaling \$47,668.50 with the maximum grant award to each being \$2,500. Motion carried 5-0

6C. Discuss/Action- Appoint Nick Rayer to serve on Weed Board

MOTION: Sharp moved, DeGarmo seconded to appoint Nick Rayer to serve on weed board. Motion carried 5-0

6D. Discuss/Action- Update Legal paper for 2023 (tabled 1.31.23)

Draper presented information from Lee Enterprises (Sarpy County Times), The Voice News and the Secretary of State

MOTION: Sharp moved, Boyle seconded to select the Sarpy County Times as the legal paper for 2023 (alternates will remain the same; Omaha World Herald, Lincoln Journal Star, Cassgram and the Cass County website. Motion carried 5-0

6E. Discussion only- parameters for February 28th meeting at Expo Building-Zoning Regulations; limit public comments to 3 mins per person, request no repeating of comments/concerns; separate comments by proposed and opposed

Other Business Matters/Public Input & Comments: LEC Maintenance updated board on repairs needed. Sharp asked that the Clerk send an email to the elected officials to get their opinion on re-opening the doors at the courthouse and asked that the County Attorney to look into costs associated with the probation office.

9:36am ADJOURN AS CASS COUNTY BOARD OF COMMISSIONERS: MOTION: Sharp 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 14th day of February, 2023.

State of Nebraska)
County of Cass) ^{ss.}

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 14th day of February, 2023.

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

Cass County Board of Commissioners