

Bridgeport, Nebraska
Tuesday, July 10, 2018

The Morrill County Board of Commissioners met in an open and public regular meeting at 7:30 A.M., Tuesday, July 10, 2018 in the Commissioners' room at the Courthouse. Chairperson Metz announced that the new Open Meetings Law was posted on the wall of the Commissioners' room. The meeting opened with the Pledge of Allegiance. Notice of such meeting have been published in the Bayard Transcript and the Bridgeport News-Blade on July 4, 2018. Copies of the Agenda, kept continuously current were available from the County Clerk's office and were e-mailed to each of the Commissioners on July 5, 2018. On roll call Commissioners Jeff Metz, Chairperson, Susanna Batterman and Greg Sterkel were present. Absent: None. Some of the elected and appointed officials were present. Kathleen L. Brandt, County Clerk, recorded the proceedings of the meeting.

Motion was made by Sterkel, seconded by Batterman, to approve the Agenda and the minutes of the June 26, 2018 meeting. Yeas: Sterkel, Batterman and Metz. Nays: None. Motion carried.

Correspondence was received and read.

The Commissioners reviewed the following claims:

GENERAL FUND

Allo Communication, Service, \$1,021.40; American Family Life Insurance, Insurance, \$390.26; Ameritas Investment Corp, Retirement, \$7,038.72; Bank of America, N.A., Garnishment, \$152.54; Clint Bates, Phone, \$40.00; Black Hills Energy, Service, \$58.83; Kathy Brandt, Phone, \$40.00; Bridgeport News-Blade, Publishing & Supplies, \$433.24; Capital Business Systems Inc, Data Processing Costs, \$213.84; Ismael Cardenas, Phone, \$40.00; Ismael Cardenas, Co Sheriff, Court Costs, \$459.80; Mike Cerney, Phone, \$40.00; Charter Communications, Service, \$169.99; Cheyenne County Sheriff, Law Enforcement Costs, \$18.50; City of Bridgeport, Service, \$108.30; Clerk of Dist Court, Juror Fees, \$915.49; Colonial Life Insurance, Insurance, \$499.24; Consolidated Management Co, Meals, \$122.72; Credit Management Services Inc, Garnishment, \$2.42; Culligan of Scottsbluff, Service, \$25.50; DAS State Accounting-Central Finance, Teletype, \$448.00; Audrey M. Elliott, Public Defender, \$3,179.66; Cheree Fisher, Phone, \$40.00; Daniel Flores, Phone, \$40.00; Hansen's Locksmithing, Repairs, \$153.50; Ideal Linen Supply, Laundry-Prisoners & Service, \$251.14; Inman Services, Repairs, \$181.54; Jackson's Garage LLC, Repairs, \$124.00; Justice Data Solutions Inc, Data Processing Costs, \$2,200.00; David Kleensang, Phone, \$40.00; Lincoln Marriott Cornhusker, Lodging, \$178.50; Bobby Martinez, Phone, \$40.00; Lori McCoy, Phone, \$40.00; Mediation West, Misc, \$50.00; Jeff Metz, Phone, \$40.00; Microfilm Imaging Systems, Equip Rental, \$161.00; MIPS Inc, Data Processing Costs, \$2,758.02; Mobius Communications Co, Service, \$58.50; Moneywise Office Supply, Supplies, \$30.04; Morrill County Court, Court Costs, \$102.00; Morrill County Health Plan, Emp Share, \$1,857.50; Morrill County Highway Dept, Fuel, \$218.13; Brian Moss, Data Processing & Equip, \$1,850.00; Nationwide Mngmnt Services Inc, Subscription, \$300.00; NE Child Support Payment Center, Child Support, \$138.47; NE Total Office, Supplies, \$603.10; Rose Nelson, Phone & Mileage, \$50.90; NIRMA, Insurance, \$58,869.90; Platte Valley Bank, HSA Accts, \$1,857.50; Platte Valley Bank, Federal Withholding, Social Security & Medicare, \$13,499.32; Region I Behavioral Health, Mental Health Service, \$18,753.00; Jared Reynolds, Contract Labor & Mileage, \$574.12; Jean Rhodes, Public Defender, \$1,957.08; Travis Rodak, Phone, \$180.00; Travis Rodak, Rent, \$600.00; Caroline Sanchez, Contract Labor, \$2,100.00; Sonny's Pharmacy, Medical-Prisoners, \$39.90; Sonny's Super Foods, Supplies, Medical-Prisoners, Board of Prisoners & Misc, \$80.16; Stanard Appraisal Service Inc, Appraisals, \$760.00; Lyle Staudenmaier, Phone, \$40.00; Trail City Supply, Supplies, \$117.82; Transcript Gate LLC, Publishing, \$180.32; Ricky Trevino, Phone, \$40.00; U S Dept of Education, Garnishment, \$138.45; U S Treasury-IRS, ACA Mandate, \$255.38; Wex Bank, Fuel, \$1,385.79; Jon Worthman, Public Defender, \$2,500.00; Xerox Corp, Equip Rental, \$222.09; General Employees, Salaries, \$60,317.50.

ROAD/BRIDGE FUND

Allo Communications, Service, \$106.46; American Family Life Insurance, Insurance, \$252.24; Ameritas Investment Corp, Retirement, \$2,759.77; Black Hills Energy, Service, \$419.92; Bomgaars Supply Inc, Repairs & Supplies, \$173.45; California Contractors Supplies Inc Supplies, \$179.90; Century Link, Service, \$72.85; City of Bayard, Service, \$199.62; City of

Bridgeport, Service, \$380.43; Colonial Life Insurance, Insurance, \$94.30; Farmers Irrigation Dist, Repairs, \$915.80; Frank Parts Co, Repairs & Tools, \$255.65; Hireright Solutions, Testing Fees, \$309.07; Ideal Linen Supply, Supplies, \$94.90; J & A Traffic Products, Sign Posts, \$3,107.50; Koke's Auto Farm Truck, Repairs, \$385.65; Menards-Scottsbluff, Repairs, \$19.96; Morrill County Health Plan, Emp Share, \$1,094.65; NE Child Support Payment Center, Child Support, \$222.00; \$252.93; NE Dept of Rev/Motor Fuels Div, Fuel Tax, \$385.00; NIRMA, Insurance, \$54,917.00; Platte Valley Bank, HSA Accts, \$765.00; Platte Valley Bank, Federal Withholding, Social Security & Medicare, \$4,972.60; Village of Broadwater, Service, \$89.08; 21st Century Equip, Repairs, \$613.74; Road Employees, Salaries, \$24,531.22.

HANDYMAN FUND

Jeffrey G. Baird, Service, \$40.00; Matt Branon, Service, \$60.00; Garland Crouse, Service, \$130.00; Dawn P. Daniels, Service, \$257.50; Becky A. Fields, Service, \$20.00; Bernardo Garcia, Service, \$650.00; Andrew Leisy, Service, \$950.00; Debra Mason, Service, \$375.50; Adam Ouderkirk, Service, \$425.00; Alan Ouderkirk, Service, \$575.00; Bryan Lee Schluterbusch, Service, \$1,195.00.

911 FUND

Century Link, Service, \$80.76.

W911 FUND

Century Link, Service, \$463.03.

Motion was made by Batterman, seconded by Sterkel, that the above claims be approved and checks drawn on the various funds, delinquent personal property taxes deducted where owing. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried.

Board of Equalization

See separate minutes for Board of Equalization.

Marcia Schumacher from Big V's asked for approval for a Special Designated Liquor License for August 25, 2018 for Pasture Golf. Motion was made by Sterkel, seconded by Batterman, to approve the liquor license. Yeas: Sterkel, Batterman and Metz. Nays: None. Motion carried.

The June minutes of the Morrill County Safety Committee meeting were received, reviewed and placed on file.

Charlie Browne presented the paperwork that showed the Juvenile Grant had been approved and needs to be accepted. Motion was made by Batterman, seconded by Sterkel, to accept the grant and have Metz, Rodak and Brandt sign. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried. Metz asked where this grant money goes. Rodak explained that it goes into the General Fund and is spent for the program. Browne said they will continue with the Diversion program. He said they are focusing on truancy in younger children, which is sometimes the fault of the parents. He said that Morrill County does not have a big problem with this issue.

The Board met with Caroline Sanchez and Jared Reynolds to review the custodial and maintenance contracts. They reported on what they have been doing and issues that they might have. Sanchez gave a list of the cleaning schedule. Metz said he felt she was doing a first class job. Reynolds reported on repairs or people that he had contacted for repairs for locks, gutters, etc. Reynolds said he had asked Dan Krentz, Ty Wagoner and Clay Sheldon for prices on the cement repair and that Dan Krentz had given him a price but it did not include the other portions of the sidewalk that need to be replaced. The Board said they will review again in November.

Tammie Ostdiek, Extension Educator for Food, Nutrition and Health, introduced herself to the Board. She said she has been talking to people about the needs of the community. She said she advocates for healthy nutrition and fitness. She said she had wondered about a community garden and was glad to see that the FFA is building a greenhouse. She asked if there could be some people in the community that would be good contacts. Batterman said she could give her some names.

Loretta McCoy, County Treasurer, presented a resolution to transfer \$50,000 into the Road Fund. Motion was made by Batterman, seconded by Sterkel, to approve the transfer and adopt the following resolution:

RESOLUTION #2018-23
TRANSFER OF FUNDS

WHEREAS, the Road Fund monies were put into the General Fund at levy time, it is necessary to transfer those monies into the proper funds. The Morrill County Board of Commissioners orders the County Treasurer to transfer the funds in the amount of \$50,000.00 into the Road Fund.

PASSED AND APPROVED this 10th day of July, 2018.

BOARD OF COMMISSIONERS

/s/Jeff Metz
Chairperson

/s/Susanna Batterman
Board Member

/s/Greg Sterkel
Board Member

(S E A L)

ATTEST:

/s/Kathleen L. Brandt
County Clerk

Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried.

Nancy Eichthaler, Handyman/Public Transit Director, presented to the Board the Grant that she had received for their acceptance. Motion was made by Sterkel, seconded by Batterman, to accept and sign the grant. Yeas: Sterkel, Batterman and Metz. Nays: None. Motion carried.

Bryan Hoerler, County Highway Superintendent, presented the Road Study for Road 100, regarding closing a portion of that road. He said the Board has to agree to a public hearing to see if it can be closed. He has to allow at least three weeks to advertise for the hearing and the Board agreed that they could have the hearing on August 14, 2018. Motion was made by Batterman, seconded by Sterkel, to proceed with the hearing on August 14, 2018 at 8:30 A.M. and adopt the following resolution:

RESOLUTION ESTABLISHING PUBLIC HEARING DATE
RESOLUTION #2018-24

BE IT RESOLVED by the Board of Commissioners of Morrill County, Nebraska that whereas a request was made by Frank Nerud and Rick Bentley to vacate a portion of county road hereinafter described due to lack of use, the road is a dead end road, landowners have an easement for access, and to reduce liability; and

WHEREAS by action of said board on June 26, 2018 County Highway Superintendent Bryan Hoerler was directed to locate a previously conducted road study or to perform a study thereof and report to the Board as provided by the laws of the State of Nebraska; and

WHEREAS on July 10, 2018, Mr. Hoerler reported that said road is a minimum maintenance road with very little use. The said road ends and becomes an access road for the Bridgeport Irrigation District. A non-exclusive permanent easement has been granted as amended between parties in Case No. C1 98-40 in the District Court of Morrill County, Nebraska. The Department of Natural Resources and the Bridgeport Irrigation District can also use the easement that was granted for ingress and egress. The portion of said road is a liability to the county, it was recommended that the portion of said road be vacated and the public right-of-way be returned to the adjacent landowners.

NOW, THEREFORE IT IS HEREBY FOUND, DETERMINED AND ORDERED on this 10th day of July, 2018, by the Board of Commissioners of Morrill County, Nebraska that a public hearing be held at 8:30 A.M. on August 14, 2018 at the Morrill County Commissioners Room in the Morrill County Courthouse in Bridgeport, Nebraska at which time all persons interested in said road to be vacated and abandoned may appear and be heard; that said road is described and

located as an 80 foot wide county minimum maintenance road right-of-way located in Sections 14, 13, Township 20 North, Range 52 West and Sections 18, 19, Township 20 North, Range 51 West of the 6th P.M., in Morrill County, Nebraska, the centerline of which is more particularly describe in Attachment A.

Dated at Bridgeport, Nebraska this 10th day of July, 2018.

/s/Jeff Metz

Chairman, Morrill County Board of Commissioners

(S E A L)

ATTEST:

/s/Kathleen L. Brandt

Morrill County Clerk

Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried. Hoerler said he had sent information to Pam Bourne regarding the case.

Dennis Sullivan, Surveyor for M. C. Schaff & Associates, met with the Board and Hoerler regarding the overlay on asphalt. He said that the overlays bring up quarter sections to the surface. He said he would have to go down through the asphalt to find them. Hoerler said they are not overlaying they are grinding up the asphalt and they have not found any corners. He said the roads were put in in the 60's so the corners could be buried deep. The commissioners asked what the corners were and Sullivan said they are either a surveyor's nail or a pipe. Sullivan said that the listing of M. C. Schaff as the surveyor for the county should be changed to his name, associated with M. C. Schaff.

The Board reported they had not attended any meetings. Batterman said she had received a phone call from Peggy Golden expressing concerns about thistle management by the county.

Frank Catron, owner of Frankie's Bar & Grill, met with the Board to request a Special Designated Liquor License for the Demolition Derby and Fair on July 27 & 28, 2018. Motion was made by Batterman, seconded by Sterkel, to approve the license. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried.

Milo Cardenas, County Sheriff, asked if the County was responsible for spraying the ditches. The Board said they are not. Chelsea Altena reported on the Fair getting ready to start. Jackie Guzman reported that the summer programs are winding down and that they have served about 300 youth. She reported on some interns working.

There being no further discussion, Chairperson Metz adjourned the meeting at 11:06 A.M. Next meeting will be Tuesday, July 31, 2018.

/s/Jeff Metz,Chairperson

ATTEST:

/s/Kathleen L. Brandt,County Clerk

Board of Equalization
Friday, July 6, 2018

The Morrill County Board of Equalization met in an open and public regular meeting at 9:00 A.M., Friday, July 6, 2018 in the Commissioners' room at the Courthouse. Chairperson Metz announced that the new Open Meetings Law was posted on the wall of the Commissioners' room. The meeting opened with the Pledge of Allegiance. Notice of such meeting have been published in the Bayard Transcript and the Bridgeport News-Blade on June 27, 2018. Copies of the Agenda, kept continuously current were available from the County Clerk's office and were e-mailed to each of the Commissioners on July 3, 2018. On roll call Commissioners Jeff Metz, Chairperson, Susanna Batterman and Greg Sterkel were present. Absent: None. Rose Nelson, County Assessor, was present. Kathleen L. Brandt, County Clerk, recorded the proceedings of the meeting. All of the Commissioners and the County Assessor were sworn in.

Motion was made by Batterman, seconded by Sterkel, to approve the Agenda. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried.

Motion was made by Batterman, seconded by Sterkel, to enter into Board of Equalization, according to Ne. Statute #77-1233.04(06) at 9:01 A.M. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried.

Protesters were sworn in. Protests were heard from the following: Stacy Leigh, Gary Wagoner, Betty Duncan, Susan Hillman, Harry Henkel, Best Plumbing, Andrea Rein, Stuart Land & Cattle, Darrell Kraupie, Kevin & Vickie Hall and Lynelle Hoxworth.

The Commissioners recessed for lunch at 12 noon. The meeting reconvened at 12:45 P.M. Protests were heard from the following: Meadowview Apts., Peter G. Lapaseotes, Annette Frerichs, Kathy Heigel, Cheema Investments, Gary Little, Joy Sanders, James & Deborah Lapaseotes, Stephen McKean, Demuri Parrish, Johnny Aguirre, Marci Paulson, James Miller, Gerald Green, Cassie Lapaseotes-Calco, Stephen & Anne Trickler Wessel and Janice Newhoff.

The Commissioners recessed for dinner at 5:30 P.M. The meeting reconvened at 6:30 P.M. Protests were heard from the following: J. D. Nein-Nein Land & Trading Post, Andrew Jackson, Erick McCarty, Jennifer & Adam Kriha, Trevor Eirich, Dan Carnine and Joe Burford-Valley Feed Yards, Inc.

The Commissioners reviewed the following protests that were from persons not attending the hearings: Adrian Sosa, Coral Production Corp., Connie Lapaeotes LTD, Dixie Schmunk, Rodney Huskey, David Gonzales, ConAgra Foods-CPS, Richard & Joyce Levick, Addison Construction Co., Preston Wagoner, Dennis & Brenda Dukesharer, Ben Iske, Munich LLC, Teri Shimp, Gary & Sandra Thompson, Sylvester Savala and Western Sugar Cooperative.

Discussion was held regarding the protests and the properties that the Assessor will look at. The Board will make final decisions on Tuesday, July 10, 2018 and possible with another meeting if necessary.

Motion was made by Sterkel, seconded by Batterman, to return to regular session at 8:35 P.M. Yeas: Sterkel, Batterman and Metz. Nays: None. Motion carried.

Chairperson Metz adjourned the meeting at 8:36 P.M.

/s/Jeff Metz_____,Chairperson

ATTEST:

/s/Kathleen L. Brandt_____,County Clerk

Board of Equalization

Tuesday, July 10, 2018

The Morrill County Board of Equalization met in an open and public regular meeting at 7:37 A.M., Tuesday, July 10, 2018 in the Commissioners' room at the Courthouse. Chairperson Metz announced that the new Open Meetings Law was posted on the wall of the Commissioners' room. Notice of such meeting have been published in the Bayard Transcript and the Bridgeport News-Blade on July 4, 2018. Copies of the Agenda, kept continuously current were available from the County Clerk's office and were e-mailed to each of the Commissioners on July 5, 2018. On roll call Commissioners Jeff Metz, Chairperson, Susanna Batterman and Greg Sterkel were present. Absent: None. Rose Nelson, County Assessor, was present. Kathleen L. Brandt, County Clerk, recorded the proceedings of the meeting.

Motion was made by Batterman, seconded by Sterkel, to enter into Board of Equalization, according to Ne. Statute #77-1233.04(06) at 7:37 A.M. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried.

Nelson reported on the properties that she had reviewed and recommended her changes. The Board asked about changing the feed bunks from 12 to 18 inches because of the size of the cattle being fed. The Board reviewed the protests.

Motion was made by Batterman, seconded by Sterkel, to return to regular session at 8:18 A.M. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried.

Motion was made by Sterkel, seconded by Batterman, to enter into Board of Equalization at 9:40 A.M. Yeas: Sterkel, Batterman and Metz. Nays: None. Motion carried.

The Board reviewed each protest. Motion was made by Batterman, seconded by Sterkel, to make changes to the following protests: #29-Addison Construction Co; #48-Johnny Aguirre; #21-Bayard Tiger Paws; #22-Best Plumbing, Heating & Cooling LLC; #62-Dan Carnine; #19-Cheema Investments LLC; #51-Conagra Foods d/b/a Crop Production Services; #17-Dennis & Brenda Dukesherer; #46 & 47-Trevor Eirich; #55-Daniel & Annette Frerichs; #52-David Gonzales; #42-Kevin Hall; #37-Kathie Heigel; #15-Harry Henkel; #14-Susan Hillman; #49 & 50; Rodney Huskey; #25-Bethany & Andrew Jackson; #57-Darrell Kraupie; #43-Adam & Jennifer Kriha; #61-Cassie Lapaseotes-CALCO LLC; #56-Connie Lapaseotes LTD; #5-George Lapaseotes LLC; #39 & 40-James & Deborah Lapaseotes; #4-Peter G & Jacqueline Lapaseotes; #36-Richard & Joyce Levick; #2-Gary & Paulette Little; #41-Eric McCarty; #44-Stephen & Leonora McKean; #3-James Miller; #23-Nein Land LLC; #24-J D Nein/Dean Weborg-Trading Post Enterprises; #45-Demuri & Brett Parrish; #60-Kristofer Paulson; #1-Rein Property Management; #35-Joy Sanders; #38-Sylvester Savala; #54-Dixie Schmunk; #10-Teri L. Shimp; #27-Adrian Sosa; #30, 31 & 33-Stuart Land & Cattle; #7-9-Gary & Sandra Thompson; #58-59-Valley Feed Yards Inc; #16-Gary Wagoner; #18-Preston Wagoner; #63-Stephen & Ann Trickler Wessel; #64-Western Sugar Cooperative. Yeas: Batterman, Sterkel & Metz. Nays: None. Motion carried.

Motion was made by Batterman, seconded by Sterkel, to make no changes to the following protests: #20-Cheema Investments LLC; #12-Robert & Betty Duncan; #28-Gerald Green; #34-Lynelle Hoxworth; #13-Benjamin Iske; #6-Stacey Leigh; #26-Meadowview Apts-Daniel Costello, General Partner; #11-Munich LLC; #53-Dirk & Janice Newhoff; #32-Stuart Land & Cattle. Yeas: Batterman, Sterkel and Metz. Nays: None. Motion carried. #65-Coral Production Corp withdrew their protest.

Motion was made by Sterkel, seconded by Batterman, to return to regular session at 11:04 A.M. Yeas: Sterkel, Batterman and Metz. Nays: None. Motion carried.

/s/Jeff Metz, Chairperson

ATTEST:

/s/Kathleen L. Brandt, County Clerk