

Bridgeport, Nebraska
Tuesday, July 13, 2021

The Morrill County Board of Commissioners met in an open and public regular meeting at 7:30 A.M., Tuesday, July 13, 2021 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 7, 2021. 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 8, 2021. On roll call Commissioners Jeff Metz, Chairperson, Susanna Batterman and Josh Schmidt 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 Schmidt, seconded by Batterman, to approve the Agenda and the minutes of the June 22, and July 7, 2021 meetings. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

Correspondence was received and read.

The Commissioners reviewed the following claims:

GENERAL FUND

Allo Communication, Service, \$1,129.53; American Family Life Insurance, Insurance, \$1,106.63; Ameritas Life Insurance Corp, Retirement, \$7,195.67; Clint Bates, Phone, \$40.00; Bayard Car Wash, Car Wash, \$87.75; Kathy Brandt, Phone & Mileage, \$89.28; Bridgeport New-Blade, Publishing & Supplies, \$389.32; Bridgman Funeral Home, County Burial, \$1,557.00; Capital Business Systems Inc, Equip & Data Processing Costs, \$138.75; Ismael Cardenas, Phone, \$40.00; Cenex Fleet Card, Fuel, \$1,297.74; Mike Cerny, Phone, \$40.00; Charter Communications, Service, \$143.95; City of Bridgeport, Service, \$109.01; Cassandra Clymer, Vehicle Damage, \$1,539.94; Colonial Life Insurance, Insurance, \$284.10; Crites, Shaffer, Connealy, Etc PC LLO, Court Appointed Counsel, \$161.00; Culligan of Scottsbluff, Service, \$27.50; Dollar General, Laundry, Medical-Prisoners, Board of Prisoners & Supplies, \$152.45; Rhett Dye, Phone, \$40.00; Eakes Office Solutions, Supplies, \$36.17; Audrey M. Elliot, Public Defender, \$4,865.50; Cheree Fisher, Phone, \$40.00; Daniel Flores, Phone, \$40.00; Dick Hadden, Repairs, \$50.00; Steve Hutchinson, Lawn Contract, \$720.00; Ideal/Bluffs Facility Solutions, Service & Laundry, \$335.12; Indoff Inc, Supplies, \$28.61; Jack's Uniforms & Equip, Law Enforcement Costs, \$125.89; John Deere Financial, Supplies, \$46.73; Justice Data Solutions Inc, Data Processing Costs, \$2,400.00; Keith County Sheriff's Office, Court Costs, \$10.00; Susan Kelly, Phone & Misc, \$49.05; Tim Marquez, Phone, \$40.00; Bryan Martinez, Phone, \$40.00; Lori McCoy, Phone, \$40.00; Jeff Metz, Phone, \$40.00; Microfilm Imaging Systems, Equip Lease, \$161.00; MIPS Inc, Data Processing Costs, \$2,629.75; Mobius Communications Co, Service, \$58.50; Moneywise Office Supply, Supplies, \$15.48; Morrill County Community Hospital, Board of Prisoners, \$664.00; Morrill County Court, Court Costs, \$187.00; Morrill County Health Plan, Emp Share, \$2,529.15; Morrill County Highway Dept, Fuel, \$117.13; Brian Moss, Data Processing, \$1,500.00; NACO, Registrations, \$750.00; Nationwide Management Services Inc, Subscription, \$300.00; NATP, Dues, \$75.00; Ne Dept of Revenue, Garnishment, \$50.00; NE Print Works LLC, Supplies, \$275.90; Nebraska Safety & Fire Equip Inc, Inspections, \$105.00; NIRMA, Insurance, \$70,236.00; Nossaman, Pettitt Law Firm PC, Court Appointed Counsel, \$2,251.00; Platte Valley Bank, HSA Accts, \$1,857.50; Platte Valley Bank, Federal Withholding, Social Security & Medicare, \$13,297.94; Postmaster, Box Rent, \$76.00; Region 21 Emergency Mngmt, Civil Defense, \$13,163.24; Jared Reynolds, Contract Labor, \$500.00; Riverside Lumber LLC, Misc, \$13.16; Travis Rodak, Phone, \$180.00; Travis Rodak, Rent, \$600.00; Caroline Sanchez, Contract Labor, \$2,100.00; Secretary of State, Voting Supplies, \$10.00; Sonny's Pharmacy, Medical-Prisoners, \$19.95; Staples Credit Plan, Equip, \$381.77; State of NE-Dept of Admin Services, Service, \$448.00; Sarah Strawn, Training, \$25.00; Tarnished Halo, Misc, \$83.95; Ricky Trevino, Phone, \$40.00; U S Treasury, Fed Excise Tax, \$365.76; Joe George Viola, Prior Service, \$132.00; Wex Bank, Fuel, \$782.63; General Employees, Salaries, \$61,262.04.

ROAD/BRIDGE FUND

Allo Communications, Service, \$108.81; American Family Life, Insurance, \$278.06; Ameritas Life Insurance Corp, Retirement, \$3,234.60; Black Hills Energy, Service, \$57.81;

Bomgaars Supply Inc, Repairs, Supplies & Tools, \$799.01; Bridgeport News-Blade, Publishing, \$226.93; Capital Business Systems Inc, Equip, \$178.93; Century Link, Service, \$97.43; City of Bayard, Service, \$187.58; City of Bridgeport, Service, \$439.84; Colonial Life Insurance, Insurance, \$76.14; Dale's Tire & Retreading Inc, Tires, \$307.17; Filter Care of NE, Repairs, \$180.05; Floyd's Truck Center Inc, Repairs, \$341.30; Gooder Trucking LLC, Gravel, \$17,648.16; GWorks, Data Processing Supplies, \$428.40; Heigel's Field Service, Repairs, \$2,968.25; Ideal/Bluff's Facility Solutions, Supplies, \$190.30; Koke's Auto Farm Truck, Repairs & Supplies, \$855.49; Morrill County Health Plan, Emp Share, \$1,154.83; NE Child Support Payment Center, Child Support, \$252.93; \$222.00; NE Dept of Rev/Motor Fuels Div, Fuel Tax, \$736.00; NIRMA, Insurance, \$71,929.00; Platte Valley Bank, HSA Accts, \$422.50; Platte Valley Bank, Federal Withholding, Social Security & Medicare, \$6,128.08; Power Equip Co, Repairs, \$24,736.67; PowerPlan, Repairs, \$2,154.00; Rocky Mountain Air Solutions, Supplies, \$242.38; Simon, Asphalt, \$6,435.00; Staples Credit Plan, Supplies, \$114.24; Todd's Body & Frame Shop, Repairs, \$3,732.34; Topkote Inc, Armor Coat, \$423,244.80; Village of Broadwater, Service, \$104.03; Westco, Fuel, \$14,148.89; Road Employees, Salaries, \$28,751.78.

HIGHWAY BRIDGE BUYBACK FUND

Koozer Construction Inc, Road Project, \$48,530.00.

HANDYMAN FUND

Joann Callan, Service, \$90.00; Garland Crouse, Service, \$50.00; Blanca Carrillo De Lamas, Service, \$180.00; Jeffrey D. Erdman, Service, \$210.00; Jerry Foland, Service, \$240.00; Perfecto F. Garcia, Service, \$595.00; Andrew Leisy, Service, \$1,640.00; Debra Mason, Service, \$489.00; Bryan Lee Schluterbusch, Service, \$165.00.

911 FUND

Century Link, Service, \$136.28; Stancil Corp, Misc, \$247.59.

W911 FUND

Century Link, Service, \$207.95; Stancil Corp, Misc, \$931.41.

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

Board of Equalization

See separate minutes for Board of Equalization.

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

Jeff Metz, Chairman of the Board, said that Tyler Franklin would like to serve on the Fair Board. Motion was made by Schmidt, seconded by Batterman, to appoint Tyler Franklin to the Fair Board. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

Loretta McCoy, County Treasurer, reported on the Dollar General TIF project in Bayard. She said it was paid off in 2019 and she was never notified, so now, she is working with the City of Bayard, to get money back to distribute to the different entities that the money should have gone to. She said she is working with the State Auditor's office to help with this. McCoy said the Road Fund needs \$450,000 and the money will have to be transferred out of the Health Insurance Fund, to be replaced by the General Fund, when tax money is collected. Motion was made by Batterman, seconded by Schmidt, to approve the transfer and adopt the following resolution:

RESOLUTION #2021-26 TRANSFER OF FUNDS

WHEREAS, due to unforeseen circumstances involving tax collection, the Road Fund needs a transfer and the funds have yet to be collected in the General Fund;

THEREFORE, the Morrill County Board of Commissioners orders the County Treasurer to transfer monies from the Health Fund account into the Road Fund in the amount of \$450,000.00;

NOW, THEREFORE, this money will be transferred back to the Health Fund at the time that the taxes are collected.

PASSED AND APPROVED this 13th day of July, 2021.

BOARD OF COMMISSIONERS

/s/Jeff Metz

Chairperson

/s/Susanna Batterman

Board Member

(S E A L)

/s/Josh Schmidt

Board Member

ATTEST:

/s/Kathleen L. Brandt

County Clerk

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

The Jake Brake contest that will be held on one-half mile of State Highway 88 on July 16, 2021 requires a Resolution that says that Morrill County will be responsible for this event, that will be held on Highway 88. Motion was made by Batterman, seconded by Schmidt, to adopt the following resolution:

RESOLUTION #2021 -27

**A RESOLUTION OF THE MORRILL COUNTY BOARD OF COMMISSIONERS,
BRIDGEPORT, NEBRASKA TO ACCEPT THE DUTIES AND REQUIREMENTS SET
OUT BY THE STATE OF NEBRASKA FOR THE USE OF HIGHWAY 88 FOR JAKE
BRAKE COMPETITION**

WHEREAS, the County of Morrill intends to allow a Jake Brake Competition for ½ mile on Highway 88, on Friday, July 16, 2021 from 6:00 P.M. to 8:00 P.M., and

WHEREAS, closure of roadways along the ½ mile of Highway 88, is necessary to relieve the through traffic from the area and for the Jake Brake competition to take place and provide a safe event for participants and spectators, and

WHEREAS, Highway 88 is part of the State Highway system and is located in Morrill County, Nebraska, and

WHEREAS, the County of Morrill while making use of the state highway system for a special event shall have the legal duty to protect the highway property from any damage that may occur arising out of the special event and the state shall not have any such duty during the time the County of Morrill is in control of the property as specified in the notice provided pursuant to LB 589/N.R.S. §39-1359, and

WHEREAS, pursuant to LB 589/N.R.S. §39-1539, thirty (30) days advance written notice of the special event must be provided which specifies the date and time County of Morrill will assume control of the identified state highway property, as well as the date and time the County of Morrill will relinquish control of such state highway property to the State of Nebraska. In addition, the County of Morrill shall provide beginning and ending locations for the highway closure including sufficient area for the placement of advance warning and/or detour signing, and include sufficient time for the County of Morrill to prepare and later clean the property prior to returning possession back to the State of Nebraska, and

WHEREAS, LB 589/N.R.S. §39-1359 dictates that if a special event includes any portion of the State of Nebraska Highway System, the County of Morrill shall, if a claim is made against the State of Nebraska, indemnify, defend and hold harmless the State of Nebraska from all claims, demands, actions, damages and liability, including reasonable attorney's fee, that may arise as a result of the special event; and

**THEREFORE BE IT RESOLVED, BY THE COUNTY BOARD OF COMMISSIONERS
OF MORRILL COUNTY, NEBRASKA:**

Section 1: Said Route and Road Closure referred to hereinabove is hereby adopted. The governing body of the County of Morrill acknowledges and accepts all duties set out in 589/N.R.S. §39-1359, subsection (2) and accepts the County of Morrill shall indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability including reasonable attorney's fees, that may arise as a result of the event and such Route and Road Closure is accepted by the County of Morrill and Chairman of the Board of Commissioners and County Clerk are hereby authorized and directed to execute the same on behalf of the County.

Section 2: Repeal of Previous Resolutions: Any other resolution or code section passed and approved prior to passage, approval, and publication or posting of this resolution and in conflict with its provisions is repealed.

Section 3: Effective Date. This Resolution shall take effect and be in full force from and after its passage and approval.

Section 4: Severability. If any portion of this resolution shall for any reason be held to be invalid or unenforceable, the invalidity or unenforceability of such portion or provision shall not affect any of the remaining provisions of this Resolution, the intention being that the same are severable.

PASSED AND APPROVED THIS 13TH DAY OF JULY, 2021.

MORRILL COUNTY BOARD OF COMMISSIONERS

/s/Jeff Metz
Jeff Metz, Chairman of the Board

ATTEST:

/s/Kathleen L. Brandt
Kathleen L. Brandt
Morrill County Clerk

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

Ron Leal, Region 21 Emergency Manager, met with the Board and presented a Memo of Understanding with the American Red Cross. Motion was made by Schmidt, seconded by Batterman, to approve and sign the MOU. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried. Leal also presented update to the Wildcat Hills Community Wildlife Protection Plan(CWPP). Motion was made by Schmidt, seconded by Batterman, to approve and sign the updated CWPP plan. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried. Both documents are on file at the County Clerk's office.

The Board reported on meetings they had attended. Schmidt reported on the Safety meeting. Batterman reported on the Public Health meeting and said she has been appointed to the LB247 Mental Health Crisis Hot Line Task Force.

There being no further discussion, Chairperson Metz adjourned the meeting at 8:53 A.M. Next meeting will be Tuesday, July 27, 2021.

/s/Jeff Metz,Chairperson

ATTEST:

/s/Kathleen L. Brandt,County Clerk

Board of Equalization

Tuesday, July 13, 2021

The Morrill County Board of Equalization met in an open and public meeting at 7:38 A.M., Tuesday, July 13, 2021 in the Commissioners' room at the Courthouse. Chairperson Metz announced that the Open Meetings Law was posted on the wall of the Commissioners' room. Notice of such meeting being published in the Bridgeport News-Blade and Bayard Transcript on July 7, 2021. Copies of the Agenda, kept continuously current were available at the Morrill County Clerk's office and were e-mailed to each of the Commissioners on July 8, 2021. On roll call Commissioners Jeff Metz, Chairperson, Susanna Batterman and Josh Schmidt 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 Schmidt, to enter into Board of Equalization, according to Ne. Statute §77-1233.04(6) at 7:38 A.M. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Rose Nelson, County Assessor, presented an Over & Under Valuation. Motion was made by Schmidt, seconded by Batterman, to approve and sign the report. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried. Nelson also presented request for an extension of the Homestead Exemption application for Jon Steffens. Nelson explained that the proper form had been filled out by Steffens' accountant, but not submitted to the County Assessor. Motion was made by Batterman, seconded by Schmidt, to approve the extension.

The Board reviewed the Protest Valuation Forms. Discussion was held regarding the protests.

Motion was made by Batterman, seconded by Schmidt to make no changes to the following Protests: #3-PBL LLLLP % Paul Sauer; #5-Timothy L. Lacy; #8-Robert L. Kepler; #11-15-Gerald W. Green; and #28-Paradigm Tax Group-Bomgaars. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Motion was made by Batterman, seconded by Schmidt, to not take any action on #PV-1 & PV-2-Dwayne Nolte/DLL Land, LLC, and the 25% penalty for late filing of personal property stands. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Motion was made by Batterman, seconded by Schmidt, to make changes to the following Protests: #1-Erineo De Jesus Santizo; #2-Al-Herm Farms % Paul Sauer; #4-Del Ray & Stacy M. Kraupie; #6-Andrew Plummer; #7-Brad Noonan; #9-Lance & Ty Dickey; #10-James & Julie Nein; #16-18-Frank A. Nerud; #19-James G. & Dina Anest; #20-Manda Lapaseotes; #21-Larry Dean & Loretta Kennedy; #22-Mark Heigel; #23-Lloyd & Danielle Harding; #24-Buyers Realty for Timothy & Jennifer Angel; #25-27-Scott & Joy Rafferty. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Motion was made by Batterman, seconded by Schmidt, to not accept the protest from Steven R. & Sherry A. Jobman, because it was filed on July 6, 2021 and was to be filed by June 30, 2021 or postmarked by that date. Yeas: Batterman, Schmidt and Metz. Nays: None. Motion carried.

Motion was made by Schmidt, seconded by Batterman, to return to regular session at 8:21 A.M. Yeas: Schmidt, Batterman and Metz. Nays: None. Motion carried.

/s/Jeff Metz, Chairperson

ATTEST:

/s/Kathleen L. Brandt, County Clerk