

CHADRON, NEBRASKA

December 10, 2024

DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners in regular session commenced at the hour of 9:26 A.M. on the 10th day of December, 2024 pursuant to public notice as required by law. The meeting was called to order by Chairman Webb Johnson. Board Members present were Vic Rivera and Jake Stewart. Also, present was Cheryl Feist, Dawes County Clerk; Wade Yada, Highway Superintendent; Walter Juhlin, Commissioner Elect Sam Wellnitz, Treasurer; Clifford Steele; Cactus Shumway; Ron Grant and Terry Curtiss. Per LB 898, Commissioner Johnson announced the location of the Open Meetings Act located on the door by the United States Flag. Copies of the Act are available upon request. Commissioner Stewart, seconded by Rivera, moved to approve the agenda. Roll call vote, Ayes: Stewart, Johnson and Rivera. Nays: None. Motion carried. Minutes of the November 26, 2024 Commissioner Meeting were reviewed. Commissioner Stewart, seconded by Rivera, moved to approve the minutes as published Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Claims were reviewed. Commissioner Stewart, seconded by Rivera, moved to approve all claims as presented. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. Monthly fee/mileage reports of the various departments were reviewed and approved by general consent of the Board. Public Comment ensued with Terry Curtiss, Atty, addressing the Board regarding the fate of Road No. 50. A number of letters have been sent to Adam Edmund, Atty, according to Mr. Curtiss regarding the first auto-gate and requirement of structure removal which is 17' tall on a county road not to width specifications. Mr. Curtiss compared Country Club Road bridge to structure ordered to be removed. Mr. Curtiss indicated for the record there is a state statute that allows the county to assess a daily fine of \$3.00 per day until such time the structure is removed, however; Mr. Mai is willing to pay the fine. Mr. Curtiss also questioned why Road No. 50 isn't on the One/Six Year Road report. He went on to say Donald Brush, County Surveyor, confirmed the section line is in the fencing line, not Road No. 50. He indicated that Road No. 50 needs to be widened to be brought up to standards and classifications. Cactus Shumway indicated for the record he submitted statutes relevant to removal of said structure. He asked if there is an obstruction on the road itself. Wade Yada, Highway Superintendent, indicated dozers can currently get down Road No. 50. Cactus Shumway also suggested the Board have the NW1/4 of Section 12, Township 32, Range 49 surveyed by the County Surveyor.

Wade Yada, Highway Superintendent, met with the Board. Road updates included all districts are blading roads and doing winter maintenance on equipment. Davenport Road is done except the last ½ mile. District 3 has West Ash done and part of Squaw Creek done. Commissioner Rivera indicated for the record

he visited with Mr. Yada regarding motor grader upgrades instead of fixing the 1998 motor grader. Discussion ensued. Commissioner Stewart, seconded by Rivera, moved to direct the Highway Superintendent to go to bid for two (2) used motor graders and bring all bid information back to the Board. Pete is working on reclaiming the Stumph pit.

At 10:00 A.M. Robert Jordan, VSO, met with the Board. He discussed a program being offered by Open Plains Transit whereby the Veterans Service Office would be compensated at \$1.00 per mile for the transportation of Veterans to appointments. There is a Memorandum of Understanding that would need to be signed by the Veterans Service Officer. Mr. Jordan indicated the current van is high in mileage but they want to keep the van as a backup. The funds received from the Open Plains Transit would be earmarked for another Veteran's van. He also reported the Mission of Mercy provided dental care to area Veterans. Commissioner Stewart, seconded by Rivera, moved to direct and authorize the Veterans Service Officer to sign the Memorandum of Understanding between Open Plains Transit and Dawes County. Roll call vote, Ayes: Johnson, Rivera and Stewart. Nays: None. Motion carried. Mr. Jordan will provide a copy of the Memorandum of Understanding to the County Clerk. The Board recessed at 10:10 A.M. and reconvened to regular session at 10:18 A.M. The next order of business was Ron Grant discussing the definition of land use regarding closed roads. Mr. Grants land touches Marchant Road but he has no ingress or egress off the main road. He is landlocked. Adam Edmund will look into this issue and get back to Mr. Grant. Resolution No. 2024-24 was introduced by Commissioner Stewart, seconded by Rivera, transferring \$39,010.54 from Miscellaneous General Fund to the 911 Emergency Fund -2910. Roll call vote, Ayes: Rivera, Stewart and Johnson. Nays: None. Motion carried. A Contractor agreement was discussed as an individual is building a driveway in rural Dawes and the road is being tore up. Adam Edmund suggested if the County enters into any type of agreement the Highway Superintendent needs to be actively involved and know what's going on daily. Mr. Edmund will look into an agreement and get back to Mr. Yada.

At 10:35 A.M. Discussion ensued regarding Road No. 50 and the removal of the structure as Court ordered. Commissioner Rivera indicated when a Judge makes a declaration, it should be honored by all involved. May 04, 2021 was the date Judge O'Gorman acted on the Road No. 50 issue. Not once has anyone from Mr. Mai's camp attended a commissioner meeting to start to resolve the issue, they attend only to argue. Mr. Rivera also went on to say he doesn't appreciate comments made about him exclusively. The County Right-of-Way can't have any obstructions in the Right-of-Way. The Bridge Mr. Curtiss referenced earlier in the meeting has a guardrail to protect individuals. Commissioner Rivera feels Mr. Mai's camp wants the County to overlook the law. It will be costly for the County to obtain an Attorney to see follow through on Judge O'Gorman's order. Terry Curtiss responded indicating the poles on the structure in question keep people out

of the drain way. Commissioner Rivera disagreed. Adam Edmund indicated the County is looking to minimize costs associated with removal of the structure/obstruction. Cactus Shumway indicated the removal of the structure/obstruction is not the County's job or expense according to state statute. Adam Edmund added there is a water issue associated with the obstruction so those costs are the counties. In addition, Mr. Mai has indicated he wants Road No. 50 widened when the obstruction is taken out. Commissioner Rivera indicated the auto-gate wouldn't need to come out. He is also concerned about costs to the county and the order to remove the obstruction as ruled. Terry Curtiss asked if the county would allow a permit of sorts to keep the obstruction. Another suggestion he offered was to abandon the road. Mr. Curtiss respects Mr. Rivera's concerns but Mr. Mai would like to keep the obstruction up. Clifford Steele indicated for the record to move the section line to the road from the fence line would have many considerations. No action was taken by the Board. The personnel policy handbook was discussed. Present were Lindy Coleman and DeAnn Koerber who served on the personnel policy committee. DeAnn Koerber indicated the new sick leave law passed this General Election will have no effect on the county according to Pam Bourne. Grammer corrections were made, page 9-grievance procedures were updated, page 22 the term "pay plan" was removed and page 26-diciplinary action -removed verbal and replaced with written warning. The vacation policy was changed so no more vacation will accrue for an individual when they are maxed out until such time they use vacation time. Vacation pay will not be paid out by the Board unless the individual is leaving employment with Dawes County. Discussion ensued regarding Roads Department employees called in while on vacation time to plow roads. Adam Edmund indicated this issue can be addressed on a case-by-case basis. Management plays a huge role in making sure individuals are taking vacation time. In other business the Board discussed ARPA and Tribal Funding. ARPA funds will be used to purchase a maintainer and Tribal funds will be used for gravel in the Roads Department. At 11:25 A.M. the Board recessed to conduct a Jail Inspection. The Board reconvened at 11:44 A.M.

There being no further business before the Board the meeting was adjourned at 11:45 A.M. The next meeting of the Dawes County Commissioners will be held on December 23, 2024 beginning at 9:00 A.M. with the Commissioner meeting. The meeting will be held in the Commissioner Room. The agenda will close at noon on December 19, 2024. **All Resolutions adopted by the Dawes County Board of Commissioners are available for public inspection during normal business hours of the County Clerk's Office.**

ATTEST: _____
Cheryl Feist
Dawes County Clerk

DAWES COUNTY COMMISSIONERS

Webb L. Johnson

December 10, 2024 the following claims were audited, allowed and warrant orders drawn on the respective accounts: Key for claims: 100=General Fund; 200=Roads Fund; 650=HwyBridgeBuyback Program Fund; 990=Visitor's Fund; 1100=Reappraisal Fund; 1150=Preservation&Modernization Fund; 1900=Veterans Aid Fund; 2360=Drug Fund; 2500=Grants Fund; 2501=CDGB Fund 2700=Inheritance; 2910-911=Emergency Communications; 2913=Wireless Communications; 4600= Bond Payment Fund

FUND	NAME	TOTCLAIMS
100	AFLAC	\$ 2,009.85
100	AMERITAS LIFE INSURANCE CORP	\$ 12,390.58
100	AT&T MOBILITY	\$ 92.86
100	BIG BAT'S LLC-PREDATOR CONTROL	\$ 144.41
100	BIG BAT'S LLC-SHERIFF	\$ 694.20
100	BLUE CROSS & BLUE SHIELD OF NE	\$ 41,883.36
100	BRENNAN ELECTRIC	\$ 75.00
100	THE BUSINESS CONNECTION	\$ 60.90
100	CAPITAL ONE NA	\$ 35.70
100	CAPTIAL ONE NA	\$ 5.51
100	CASH-WA DISTRIBUTING CO	\$ 2,458.29
100	CELESTE CATTIN	\$ 31.84
100	CENTURY BUSINESS PRODUCTS INC	\$ 37.57
100	CHADRON MOTOR COMPANY	\$ 68.90
100	CITY OF CHADRON	\$ 600.33
100	CONSOLIDATED MANAGEMENT COMPANY	\$ 34.05
100	CULLIGAN-ASSESSOR	\$ 70.60
100	DAWES COUNTY SHERIFF'S OFFICE	\$ 86.00
100	DAWES COUNTY TREASURER	\$ 467.00
100	DAWES COUNTY TREASURER/TITLES	\$ 14.00
100	DEPT OF CORRECTIONAL SERVICES	\$ 1,264.90
100	EAKES,INC	\$ 8.00

100	AUDREY M LONG	\$ 1,847.15
100	FIRESPRING PRINT INC	\$ 990.00
100	FIRST BANKCARD/EXTENSION	\$ 6.74
100	FIRST BANKCARD/PUBLIC DEFENDER	\$ 811.07
100	FIRST NATIONAL BANK, NORTH PLATTE	\$ 20,767.60
100	GREAT PLAINS COMMUNICATIONS	\$ 277.33
100	HARRIS SALES COMPANY INC	\$ 233.44
100	IAAO	\$ 240.00
100	IDEAL LINEN SUPPLY,INC	\$ 174.60
100	INTRALINKS,INC	\$ 921.75
100	J13 ENTERPRISES,LLC	\$ 3,859.87
100	LYNN PEAVY COMPANY	\$ 60.48
100	MADISON NATIONAL LIFE	\$ 63.31
100	MIPS INC	\$ 3,430.30
100	NATIONAL ASSOCIATION OF COUNTIES	\$ 450.00
100	NE PUBLIC HEALTH ENVIRONMENTAL LAB	\$ 172.23
100	NEBRASKA ASSOC OF COUNTY TREASURERS	\$ 360.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$ 2,883.42
100	NEBRASKA PUBLIC POWER DIST-E911	\$ 30.00
100	NEBRASKA PUBLIC POWER DIST-WEED	\$ 167.70
100	NEBRASKA STATE BAR ASSOCIATION	\$ 355.00
100	NEBRASKA TOTAL OFFICE/CO ATTORNEY	\$ 14.56
100	NEBRASKA TOTAL OFFICE/DISTRICT CT	\$ 6.73
100	QUILL CORPORATION- COUNTY COURT	\$ 26.99
100	MALYCHANH SAYALOUNE	\$ 37.99

100	JONATHON STELLAR	\$ 653.40
100	UNL EXTENSION DAWES COUNTY	\$ 110.27
100	VERIZON WIRELESS/COUNTY ATTORNEY	\$ 88.21
100	VSP VISION PLAN	\$ 285.54
100	WAHLSTROM FORD INC	\$ 139.05
100	WESTERN CARTOGRAPHERS	\$ 130.00
100	XEROX CORPORATION/TREASURER	\$ 14.00
200	AFLAC	\$ 506.23
200	AMERITAS LIFE INSURANCE CORP	\$ 1,388.16
200	BLUE CROSS & BLUE SHIELD OF NE	\$ 1,381.15
200	BRAD'S TRUCK SERVICE	\$ 2,144.10
200	BUTLER MACHINERY COMPANY	\$ 79.53
200	CITY OF CHADRON	\$ 56.37
200	CITY OF CRAWFORD	\$ 45.69
200	DAWES COUNTY TREASURER	\$ 75.00
200	FIRST BANKCARD/ROADS	\$ 186.86
200	FIRST NATIONAL BANK, NORTH PLATTE	\$ 3,856.05
200	HERREN BROTHERS TRUE VALUE	\$ 12.98
200	INLAND TRUCK PARTS & SERVICE	\$ 117.24
200	KAISER TIRE,LLC	\$ 3,269.28
200	MATHESON LINWELD INC	\$ 76.53
200	MONTANA CSED SDU-WAGE WITHOLDING	\$ 165.00
200	NEBRASKA DEPARTMENT OF REVENUE	\$ 863.81
200	NEBRASKA PUBLIC POWER DISTRICT	\$ 66.35
200	PHILLIPS F & T INC	\$ 8,593.20
200	POWERPLAN	\$ 2,809.57
200	SKEETERS AUTO PARTS INC	\$ 2,099.92
200	TRANSOURCE TRUCK &	\$ 727.00

	EQUIPMENT,LLC	
200	VIAERO WIRELESS-ROADS	\$ 81.42
200	VSP VISION PLAN	\$ 100.81
200	WAHLSTROM FORD INC	\$ 175.67
200	XEROX CORPORATION/ROADS	\$ 125.49
990	AFLAC	\$ 33.38
990	AMERITAS LIFE INSURANCE CORP	\$ 78.88
990	BLUE CROSS & BLUE SHIELD OF NE	\$ 111.27
990	THE BUSINESS CONNECTION	\$ 25.48
990	FIRESPRING PRINT INC	\$ 2,402.04
990	FIRST BANKCARD/TOURISM	\$ 206.48
990	FIRST NATIONAL BANK, NORTH PLATTE	\$ 141.67
990	GREY EAGLE POST 1375	\$ 1,227.50
990	NEBRASKA DEPARTMENT OF REVENUE	\$ 27.04
990	SLIM DAYS FOUNDATION	\$ 2,800.00
990	VSP VISION PLAN	\$ 10.08
995	HOMESLICE MEDIA GROUP,LLC	\$ 1,500.00
2500	CHADRON PUBLIC SCHOOLS	\$ 2,751.95
2501	DANIELSON CONSTRUCTION	\$ 9,707.00
2910	AMERITAS LIFE INSURANCE CORP	\$ 4.50
2910	FIRST NATIONAL BANK, NORTH PLATTE	\$ 18.10
2910	INTRALINKS,INC	\$ 156.99
2910	NEBRASKA DEPARTMENT OF REVENUE	\$ 4.15
2913	CENTURYLINK	\$ 1,271.87