

CHADRON, NEBRASKA

January 28, 2025

DAWES COUNTY BOARD OF COMMISSIONERS

The Public convened meeting of the Dawes County Commissioners in regular session commenced at the hour of 8:57 A.M. on the 28th day of January, 2025 pursuant to public notice as required by law. The meeting was called to order by Chairman Vic Rivera. Board Members present were Walter Juhlin and Jake Stewart. Also, present was Cheryl Feist, Dawes County Clerk; Wade Yada, Highway Superintendent; Clifford Steihl, Tom Menke, City Manager, Sam Wellnitz, Treasurer and Adam Edmund, Deputy County Attorney. Per LB 898, Commissioner Stewart 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 Juhlin, moved to approve the agenda. Roll call vote, Ayes: Juhlin, Stewart and Rivera. Nays: None. Motion carried. Minutes of the January 14, 2025 Commissioner Meeting were reviewed. Commissioner Juhlin, seconded by Stewart, moved to approve the minutes as published with the following corrections to wit: Resolution No. 2025-04 should've read designating legal publications, not depositories; the board denied claim 25-01 payable to CenturyLink and remove the language per year effectively immediately regarding Sheriff's salary. Roll call vote, Ayes: Stewart, Rivera and Juhlin. Nays: None. Motion carried. Monthly fee/mileage reports of the various departments were approved by general consent of the Board. Claims were reviewed. Commissioner Stewart, seconded by Juhlin, moved to approve all claims as submitted with the exception of claim #25010259 payable to River A Holdings in the amount of \$268.50. Roll call vote, Ayes: Rivera, Juhlin and Stewart. Nays: None. Motion carried. Commissioner Stewart, seconded by Juhlin, moved to pay claim #25010259 payable to River A Holdings in the amount of \$268.50. Roll call vote, Ayes: Juhlin and Stewart with Rivera abstaining from the vote. Nays: None. Motion carried. Public Comment ensued with Delvin Fuhrman and Terri Likes questioning if the Board had looked at the situation with Manley Road. Mr. Fuhrman is needing a few hundred feet more of the road open to the North. Adam Edmund, Deputy County Attorney indicated he hasn't had time to look into the matter. Mr. Fuhrman left his phone number with Wade Yada, Highway Superintendent. Board reports ensued to wit: **Stewart:** NCAP met, the HeadStart grant is in full swing with the weatherization crew now serving the entire Panhandle. Region 23 met and re-established the Board, there is grant money available so Nan Gould will look into updating generators in Fire Halls. NNDC held their annual meeting at the Country Kitchen with the regular board meeting following. Board re-organization and Deb Cottier's performance evaluation were done. Building/Grounds/Safety Committee will have information available to share at the next meeting. **Juhlin:** No Report, he hasn't been contacted by any of his boards yet. **Rivera:** Region 1 met, audit came back good, business as usual. SWANN met and approved budget and claims. The Board re-organized and it was reported a new performance evaluation with a wage/scale system will be implemented in 2026.

At 9:15 A.M. Wade Yada, Highway Superintendent, met with the Board. He reported all districts are plowing snow on the Table due to winds. Crews are servicing equipment and repairs. Discussion ensued regarding repairs on equipment and delivery of a wing. At 9:20 A.M. a motion to enter executive session regarding personnel matters was made by Commissioner Juhlin, seconded by Stewart. Roll call vote, Ayes: Rivera, Juhlin and Stewart. Nays: None. Motion carried. At 9:37 A.M. a motion to reconvene to regular session with no action taken during executive session was made by Commissioner Stewart, seconded by Juhlin. Roll call vote, Ayes: Juhlin, Stewart and Rivera. Nays: None. Motion carried. Casey Schumacher joined the meeting in progress.

At 9:39 A.M. Tom Menke, Chadron City Manager, met with the Board. Mr. Menke discussed the proposed ADA restroom project at the Downtown Plaza. He reported all

infrastructure/water access is done. These will be year-round restrooms. The project started in 2014. He explained the City of Chadron to date has received \$75,000.00 from the Walter Scott Foundation Grant, \$20,000.00 improvement grant recommended by the Tourism Board, funding from the City of Chadron and a request of CDBG funding through the County. Discussion ensued. Commissioner Rivera visited with several people in town and they don't feel ADA restrooms are necessary. Park restrooms are filthy and are always locked. He went on to say the Cowboy Trail will end at the depot and they plan on installing bathrooms as well. Commissioner Stewart indicated everything with CDBG money must be run through the CDBG process. There is approximately \$62,000.00 left in the CDBG re-use funding. If it isn't expended, it goes back to the State. Mr. Menke informed those present the occupation tax recently voted in will be used to bring existing park restrooms up to ADA standards. Commissioner Rivera asked for a motion from the floor to distribute CDBG re-use funds to the City of Chadron for the ADA restroom project at the Downtown Plaza. There being no motion from the floor, the Chairman closed the discussion and moved onto Airport Zoning. Also present was Lindy Coleman, Assessor. Mr. Menke passed out information relevant to the Airport Zoning Board. This information is attached to these minutes. Commissioner Rivera indicated for the record that state statutes say "may be created". Lindy Coleman, Assessor, indicated some people previously on the Airport Zoning Board caused several issues resulting in a big meeting being held in 2016. Casey Schuhmacher reported he owns land adjacent to the Airport and he won't go to Janet Johnson to obtain permission to build in the area around the Airport. Commissioner Stewart indicated the Board felt with Dawes County Zoning Regulations in place, there wasn't a need for a Board Member to be on the Airport Zoning Board resulting in a resolution being adopted in 2016. Casey Schuhmacher reported that Senator Storer has introduced LB663 basically addressing classification of zoning board permits, they can't refer to the State re: septic, water, etc. Commissioner Rivera added the issues in the 2016 Airport Zoning Board caused Dawes County to back out. Mr. Menke indicated there aren't the volunteers available to serve on boards as in the past. Kerri Rempp, Tourism Director, reported the Tourism Board has recommended a \$20,000.00 improvement grant for the Boards review. Commissioner Stewart asked what activities the ADA restrooms at the Downtown Plaza would accommodate. Ms. Rempp listed several activities on-going and some newly planned activities in the Downtown Plaza. She indicated the ground work needs implemented before moving onto anything else. Discussion ensued. Commissioner Stewart, seconded by Juhlin, moved to approve the Tourism Board improvement grant in the amount of \$20,000.00 to the City of Chadron for the ADA restroom project. Roll call vote, Ayes: Stewart, Rivera and Juhlin. Nays: None. Motion carried. In other business the Board adopted two (2) resolutions to wit: Resolution No. 2025-08 was introduced by Commissioner Stewart, seconded by Juhlin directing the Clerk to prepare a claim to transfer \$4,000.32 from the 2500 Grant Fund to the 2501 CDBG Fund due to clerical error. Roll call vote, Ayes: Rivera, Juhlin and Stewart. Nays: None. Motion carried. Resolution No. 2025-09 was introduced by Commissioner Stewart, seconded by Juhlin, approving and supporting the Stepping Up Initiative with the resources available through Region 1 Behavioral Health. Roll call vote, Ayes: Juhlin, Stewart and Rivera. Nays: None. Motion carried.

At 10:17 A.M. Robert Jordan, VSO, reported the current van used to transport Vets in getting high in mileage. He indicated he would like to keep the van as a backup but a new van is needed. He indicated he has some money in his budget to help defray costs. Discussion ensued regarding the use of Tribal Funds to assist in the purchase of a new van. Commissioner Juhlin, seconded by Stewart, moved to approve the use of Tribal Funds towards the purchase of a new van with the support of Auxiliary Veterans-Military Clubs. Roll call vote, Ayes: Stewart, Rivera and Juhlin. Nays: None. Motion carried. The Board recessed at 10:24 A.M. and reconvened to regular session at 10:30 A.M.

At 10:30 A.M. Brad Streeks, Custodian, presented the Board with a bid from Fire and Ice Mechanical to install a heater for the elevator. He reported he contacted Jack's Refrigeration and they weren't interested in bidding. The Fire and Ice Mechanical bid came in at \$8650.00. Discussion ensued. Commissioner Stewart, seconded by Juhlin, moved to approve the bid of Fire and Ice Mechanical in the amount of \$8650.00. Roll call vote, Ayes: Rivera, Juhlin and Stewart. Nays: None. Motion carried.

At 10:33 A.M. Dan Wordekemper, Weed Superintendent, met with the Board. He presented his annual NDA reports for the Boards review/approval. He also informed the Board there is a legislative bill to provide additional funding for weed control. Commissioner Stewart, seconded by Juhlin, moved to approve the NDA reports and directed the Chairman to sign such. Roll call vote, Ayes: Juhlin, Stewart and Rivera. Nays: None. Motion carried.

At 10:51 A.M. Casey Bach, Predator Control, met with the Board. He reported he's been receiving tons of calls regarding prairie dog poisoning. He informed the Board he is checking into applicators classes. Discussion ensued. He will work on getting his general certification class done and go onto getting his applicator certification. Terry Curtiss, Attorney, joined the meeting at 11:08 A.M. Also briefly discussed was a plane to assist in Predator Control activities.

At 11:25 A.M. Terry Curtiss, Attorney, presented copies of two (2) State Statutes to wit: 39-1402 which basically states general supervision and control of the public roads of each county is vested in the county board and 39-39-1501 which states the county board, in a commissioner-type counties having a county highway superintendent have general supervision over all the duties and responsibilities for the highway superintendent. He went on to say he feels the Board as a whole, not just an individual from that Board should be making decisions regarding county roads. Mr. Curtiss went on to ask for a resolution to the issue at hand. To his knowledge, the new owners have no position on Road No. 50. Commissioner Stewart indicated for the record he was out-voted twice on vacating the road in question. If the road were to be vacated, the land would go back to the adjoining land owners. Discussion ensued. The Board also doesn't know what the new owners' position is. Mr. Curtiss indicated time is an issue for the new owners. Commissioner Rivera reported the board was previously told the obstruction to be removed by court order is tied to auto gates for drainage, this isn't the case, there is a culvert available for drainage, not the auto gates. Ben Schuckman, new owner of property located on Road No. 50 joined the meeting. He reported he and his wife's stance is this is a court order and they want a county road for access to the property they purchased as they plan to build a home. Commissioner Juhlin questioned why if there is a court order for the obstruction to be removed, why hasn't law enforcement intervened. Commissioner Rivera reported DOT and the county have determined the obstruction violates state statute and is a safety hazard. He went on to say the highway superintendent has been advised to get a permit to dig and the obstruction is to be removed. Mr. Curtiss expressed concern with widening Road No. 50 immediately after the obstruction is removed and indicated the culvert and auto gate both drain water contrary to what was previously said. Mr. Stewart also informed those present that Road No. 50 is one of the last roads to be plowed by the county. Mr. Schuckman understands this. Commissioner Rivera indicated the obstruction needs removed. Mr. Curtiss indicated statute says the entire board must make this decision, not just one board member. Commissioner Rivera indicated he was charged with removing the structure since it falls in his district and he was elected to represent the people. The structure is scheduled to be removed pending permit.

There being no further business before the Board the meeting was adjourned at 11:55 A.M. The next meeting of the Dawes County Commissioners will be held on February 11, 2025 beginning at 9:00 A.M. with a Board of Equalization meeting, followed by the Commissioner meeting at approximately 9:20 A.M. Both meetings will be held in the Commissioner Room. The agenda will close at noon on February 06, 2025. **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

Vic Rivera

January 28, 2025 the following claims were audited, allowed and warrant orders drawn on their 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	\$ 2,072.91
100	AMERITAS LIFE INSURANCE CORP	\$ 13,568.66
100	AT&T MOBILITY	\$ 451.88
100	BIG BAT'S SHELL-WEED	\$ 63.76
100	BLACK HILLS ENERGY-WEED	\$ 150.74
100	BLACK HILLS ENERGY-250 MAIN ST	\$ 445.93
100	BLACK HILLS ENERGY-342 MAIN ST	\$ 315.35
100	BLACK HILLS ENERGY-451 MAIN ST	\$ 42.82
100	BLACK HILLS WEEKLY GROUP-DIST CT	\$ 136.99
100	BLUE CROSS & BLUE SHIELD OF NE	\$ 41,883.03
100	THE BUSINESS CONNECTION	\$ 98.87
100	CASH-WA DISTRIBUTING CO	\$ 2,390.85
100	CENTURY BUSINESS PRODUCTS INC	\$ 307.10
100	CENTURYLINK	\$ 586.77
100	CHADRON ACE HARDWARE	\$ 57.05
100	CHADRON COMMUNITY HOSPITAL & HEALTH	\$ 117.00
100	CHADRON LOCK	\$ 950.00
100	CHADRON MOTOR COMPANY	\$ 86.38
100	CHADRON PLUMBING,INC	\$ 182.00
100	REBECCA CHASEK	\$ 225.00
100	COMFORT INN	\$ 374.85
100	CRAWFORD CLIPPER/HARRISON SUN	\$ 574.37
100	DANIELSON CONSTRUCTION	\$ 300.00
100	DAS STATE ACCOUNTING	\$ 748.00
100	DAWES CO TREAS/NPERS PAY BACK 624	\$ 8.43
100	DAWES CO TREAS/NPERS PAY BACK 651	\$ 56.38

100	DAWES CO TREASURER-FUND TRANSFER	\$ 200,000.00
100	DAWES COUNTY SHERIFF'S OFFICE	\$ 22.00
100	DAWES COUNTY TREASURER	\$ 467.00
100	DAWES COUNTY TREASURER	\$ 299.30
100	DOUGLAS,KELLY,OSTDIEK,OSSIAN,BRODER	\$ 2,510.00
100	ENGRAVERS	\$ 18.00
100	FIRE & ICE MECHANICAL	\$ 7,805.14
100	FIRST NATIONAL BANK, NORTH PLATTE	\$ 23,242.07
100	FP MAILING SOLUTIONS	\$ 110.85
100	GREAT PLAINS COMMUNICATIONS	\$ 160.00
100	HARRIS SALES COMPANY INC	\$ 241.71
100	HAUSER'S GRAB N GO LLC	\$ 457.71
100	HI-TECH CAR CARE	\$ 79.86
100	IDEAL LINEN SUPPLY,INC	\$ 174.60
100	JOHN DEERE FINANCIAL-BUILDING	\$ 12.12
100	KONE,INC	\$ 575.52
100	LINCOLN COUNTY DETENTION CENTER	\$ 2,750.00
100	LUMEN TECHNOLOGIES GROUP	\$ 26.56
100	LUMEN TECHNOLOGIES,LLC	\$ 6.17
100	MIPS INC	\$ 493.53
100	NACO	\$ 210.00
100	NE HEALTH AND HUMAN SERVICES SYSTEM	\$ 93.00
100	NE PUBLIC HEALTH ENVIRONMENTAL LAB	\$ 525.00
100	NEBRASKA ASSOC OF COUNTY TREASURERS	\$ 75.00
100	NEBRASKA DEPARTMENT OF REVENUE	\$ 3,168.78
100	NEBRASKA PUBLIC POWER DIST-WEED	\$ 263.83
100	NEBRASKA PUBLIC POWER DISTRICT	\$ 2,224.14
100	NEBRASKA WEED CONTROL ASSOCIATION	\$ 150.00
100	NEXTONER,LLC	\$ 300.00
100	NORTHWEST RURAL PUBLIC POWER DIST	\$ 197.35
100	OFFICE DEPOT CREDIT PLAN	\$ 2,195.76
100	PANHANDLE ASSESSOR'S ASSOCIATION	\$ 125.00
100	PANHANDLE COUNTY TREASURERS ASSN	\$ 25.00
100	QUILL CORPORATION-COUNTY COURT	\$ 222.48
100	SCOTT ROBERTS ELECTRIC INC	\$ 540.42
100	UNL EXTENSION DAWES COUNTY	\$ 84.41
100	VIAERO WIRELESS-PREDATOR CONTROL	\$ 81.55
100	VIAERO WIRELESS-WEED	\$ 82.28
100	VSP VISION PLAN	\$ 275.60
100	WHARTON COUNTY SHERIFF	\$ 75.00

100	XEROX CORPORATION/E911	\$ 333.06
100	XEROX CORPORATION/VETERANS OFFICE	\$ 123.02
200	AFLAC	\$ 506.23
200	AMERITAS LIFE INSURANCE CORP	\$ 1,393.26
200	BARCO MUNICIPAL PRODUCTS,INC	\$ 216.97
200	BLACK HILLS ENERGY-ROADS	\$ 1,368.86
200	BLUE CROSS & BLUE SHIELD OF NE	\$ 1,381.01
200	CENTURYLINK	\$ 27.15
200	CONSTRUCTION TRAILER SPECIALISTS	\$ 757.27
200	DAWES COUNTY TREASURER	\$ 75.00
200	FIRST NATIONAL BANK, NORTH PLATTE	\$ 3,853.92
200	PATRICK FURMAN	\$ 4,550.00
200	JAY D GOFF	\$ 19,530.00
200	JOHN DEERE FINANCIAL-ROADS	\$ 367.91
200	LUMEN TECHNOLOGIES GROUP	\$ 6.17
200	MONTANA CSED SDU-WAGE WITHOLDING	\$ 165.00
200	NEBRASKA DEPARTMENT OF REVENUE	\$ 838.53
200	NEBRASKA PUBLIC POWER DISTRICT	\$ 80.20
200	NORTHWEST RURAL PUBLIC POWER DIST	\$ 327.51
200	PHILLIPS F & T INC	\$ 11,140.28
200	RIVER A HOLDING LLC	\$ 304.50
200	STURDEVANT'S AUTO PARTS	\$ 197.91
200	VSP VISION PLAN	\$ 100.78
990	AFLAC	\$ 33.38
990	AMERITAS LIFE INSURANCE CORP	\$ 85.53
990	BLUE CROSS & BLUE SHIELD OF NE	\$ 111.26
990	FIRST NATIONAL BANK, NORTH PLATTE	\$ 165.45
990	NEBRASKA DEPARTMENT OF REVENUE	\$ 32.03
990	VSP VISION PLAN	\$ 10.08
2910	AMERITAS LIFE INSURANCE CORP	\$ 4.50
2910	FIRST NATIONAL BANK, NORTH PLATTE	\$ 18.17
2910	NEBRASKA DEPARTMENT OF REVENUE	\$ 3.84
2913	APCO INTERNATIONAL INC	\$ 475.00