

February 27, 2023
North Platte, Nebraska

Meeting of the Lincoln County Board of Commissioners. Present were Commissioners Joe Hewgley, Kent Weems, Micaela Wuehler, Chris Bruns, Jerry Woodruff and County Clerk, Rebecca Rossell. Hewgley offered prayer. Woodruff called the meeting to order at 9:00 A.M.

Chairman Woodruff announced the Open Meeting Act with amendments is posted for public review and the county board will comply with the open meeting requirements.

Motion by Hewgley, seconded by Weems to approve the minutes regarding the Lincoln County Board of Commissioners meeting held on February 21, 2023. Upon roll call vote Hewgley, Weems, Wuehler, and Bruns voted "aye". Nays, none. Woodruff abstained. Commissioner Bruns clarified that the Inland Port Authority board would be 4-year terms not 3-year terms as reported at last week's minutes and stated in the minutes.

Motion by Hewgley, seconded by Wuehler to receive and order filed the treasurer's receipts. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Wuehler, seconded by Hewgley to authorize the Chairman's signature on Lincoln County Victim Witness Unit FY 2024 Application, Certification and Assurances. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Bruns, seconded by Hewgley to receive and order filed the fee reports submitted by the County Sheriff for \$2436.69 and \$4869.05. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Bruns, seconded by Weems to adopt Resolution No. 2023-05 to support LB 234 and the mandatory reporting by railroad companies operating in the State of Nebraska about complaints received from the public regarding blocked railroad crossings.

Commissioner Bruns commented that this is a safety issue that needs to be addressed and supported.

Commissioner Hewgley questioned if there was already an existing law for law enforcement to be able to fine the railroad for violations.

Commissioner Bruns responded yes but there needs to be greater oversight.

Motion by Bruns, seconded by Weems to adopt Resolution No. 2023-06 to formally support LB 31 and the continued use of two-person train crews in the State of

Nebraska. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Discussion was held with adjoining property owners concerning the right of way application submitted by Custer Public Power District concerning this project.

Commissioner Weems stated that this project may create redundancy and encroachment of surrounding neighbor's property. The county only has a small portion across the county right-of-way.

Don Licking, adjoining property owner, stated he is not receiving any compensation for a service line and there will be property damages.

Commissioner Hewgley said this is a civil matter and he might need legal representation.

Commissioner Wuehler questioned if the property will be returned to original condition.

Licking replied there had been no discussion on this matter.

Commissioner Weems noted that he hopes there are better processes moving forward. He will probably vote against the application as a symbolic gesture.

Paul Orr, adjoining landowner, said that it was proposed they would put it along the fence line with an easement. It will hinder future building near this service line.

Motion by Bruns, seconded by Hewgley to approve and authorize the Chairman to sign the right of way application submitted by Custer Public Power District.

Commissioner Bruns commented he was concerned with the lack of communication with the adjoining property owners.

Commissioner Hewgley suggested collective legal representation.

Commissioner Wuehler has a transmission line that runs through her personal property. Work together but be firm about your expectations.

Upon roll call vote Hewgley, Wuehler and Woodruff voted "aye". Weems and Bruns voted "nay". Motion carried.

Motion by Hewgley, seconded by Wuehler to approve and authorize the Chairman to sign the right of way application submitted by Lumen Technologies. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Commissioner Bruns suggested the county look at the fee structure for utilizing the right-of-way. The Planning & Zoning Committee have been tasked with looking into these fees.

The Lincoln County Board of Commissioners recessed at 9:37 A.M. and the Lincoln County Board of Equalization convened.

Chairman Woodruff announced the Open Meeting Act with amendments is posted for public review and the county board will comply with the open meeting requirements.

Deputy County Assessor, Pat Collins appeared along with Alex Gurciullo, County Treasurer.

Motion by Wuehler, seconded by Weems to approve the minutes regarding the Lincoln County Board of Equalization meeting held on February 21, 2023. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

No certificates of correction or refund submitted by the County Assessor.

Motion by Hewgley, seconded by Weems to approve the motor vehicle tax exemption application submitted by New Life Assembly Church as recommended for approval by the County Treasurer. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

The Lincoln County Board of Equalization adjourned at 9:39 A.M. and the Lincoln County Board of Commissioners reconvened.

Discussion was held concerning the bid for the Probation Office Remodel Project (103-111 North Dewey). Discussion centered around the increased cost between the estimate and the bid and what could be changed or removed to make up for the difference in cost.

Commissioner Wuehler reported the majority of demolition has been completed by the Building and Grounds Department. There is still some demolition to be done which involves the ADA compliant bathrooms. They have worked through some details of the bid with the bidder and architect.

Commissioner Weems stated he did not like the dollar amount of the bid as it is significantly over the estimate. He asked if there was a Plan B without the lighting/electrical portion.

Commissioner Wuehler commented that she was surprised by the bid amount as well. There have been price increases in material and labor as well as the addition of a hallway in the front of the building.

Commissioner Bruns inquired how the health department used the building without ADA compliance.

Commissioner Wuehler responded that they did not use the entire building and they must have been grandfathered in.

Lee Davies, architect, explained that in order to widen the hall to make it ADA compliant they will have to realign the toilet and move the sink.

Commissioner Hewgley wondered if this would serve as a unisex ADA compliant bathroom for this facility.

Davies replied yes.

Commissioner Wuehler added that not having another ADA compliant restroom would cause the probation office clients to go through a secured area to get to an ADA restroom.

Commissioner Weems asked what the cost of the hallway.

Davies acknowledged that this cost was not separated out.

Commissioner Bruns questioned if probation needed all this space immediately.

Commissioner Wuehler responded yes.

Davies told board members that the lighting was double what he anticipated, labor and finished were more, as well as cost of doors and windows. There could be a deduct for the painting.

Deputy County Attorney, Tyler Volkmer, advised that change orders are a gray area. The board can either accept the bid or reject the bid.

Commissioner Hewgley suggested "value engineering" which allows options and to authorize the architect to work with the owner and contractor to make adjustments before a contract is signed.

Commissioner Bruns thanked the bidder but also expressed concern about the bid price.

Commissioner Wuehler countered that the county got a great deal on the building and with remodel costs it figures at \$102 a square foot. The expenditure is still at market rate with the remodel.

Davies commented that the bid is \$80,000 over the top estimate and \$130,000 over the lower estimate.

Commissioner Woodruff mentioned that ARPA funds are being used for this building. The County paid for the previous probation building and remodel.

Commissioner Bruns reiterated that they are still taxpayer dollars.

Commissioner Wuehler reported that it will take time, but the county will recoup this expense as they will not be paying rent.

Motion by Hewgley, seconded by Wuehler to accept the low bid of Dowhower Construction with a base bid of \$375,200 and authorize the architect along with the owner, to organize "value engineering" with the contractor and bring these options back to the County Board. Upon roll call vote Hewgley, Weems, Wuehler and Woodruff voted "aye". Bruns voted "nay". Motion carried.

County Board conducted interviews for Lincoln County Building & Grounds Supervisor position with the following: Cory Voycheske, Jay Brummet and Booker Boyer.

Motion by Bruns, seconded by Wuehler to select and appoint Booker Boyer to be the next Lincoln County Building and Grounds Supervisor. Upon roll call vote Hewgley, Wuehler, Bruns and Woodruff voted "aye". Weems voted "nay". Motion carried.

Motion by Wuehler, seconded by Bruns to approve and authorize the Chairman to sign a service agreement with West Central Nebraska Development District to provide to the county Coronavirus State and Local Fiscal Recovery Fund Administration Services for a five-year period. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Weems, seconded by Bruns to accept and authorize the Chairman to E-sign for the additional funds to process from Teva, Allergan, CVS, Walgreen's, Walmart National Opioid Settlements. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Discussed reporting requirements for the National Opioid Settlement Agreement. This money was directed to Region II Services by the county. Commissioner Hewgley will visit with Region II about the reporting.

Planning staff had no objections to the application submitted by Betty Remus.

Motion by Bruns, seconded by Weems to approve the planning application submitted by Betty Remus for Remus Administrative Subdivision on property located at 32868 South Branting Road in an A-1 Agricultural District and described as part of the NE ¼ of Section 15; Township 10 North; Range 30 West of the 6th P.M., Lincoln County, NE. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Hear concerns from Elected Officials, Department Heads, or their representative.

Approved the following claims as presented for payment. Motion carried.

General:

At&t Mblty	se	2187.79
Amzn Cpitl serv	su	168.04
Brltt Dgn Trshynsk&blw	se	4080.95
Cptl Bsnss System	rt	46.35
Csh wa Dstrbtng	se	193.10
Crvll Acdmc Cnsltng&Ttring	se	725.00
Chrm-Tx	su	199.80
Chrstphr Brns	Reb	874.81
Cty NP	se	52707.22
Clk dst Crt	se	1073.00
Cst to Cst Cmptr Prdcts	su	90.00
Cmmunity Cnnectns	se	3026.20
Cnsltd Mngmnt	se	154.00
Crwne Plz	ldg	259.90
Eakes	su	2498.81
Ellts Atmtv srv	se	510.12
Frlld By Mrrtt	ldg	980.00
Frnscl Bhvrl Hlth	se	3250.00
Gll An Armrk Cmpny	ex	229.24
Grrtt Trs & Trds	se	36.60
Hlth & Hmn Srv Lncln	se	279.00
Hntn's Lck & alarm	se	6.00
Jsn Rdlph	se	1915.00
Kth Cnty Clk	se	1960.56
Klly Spplly Cmpny	su	5.76
Lndmr Lw Off	cntr	10443.34
Mdsn Ntnl Lf	ins	331.12
Mnrds	su	406.48
Mntzr	su	26.74
Mncpl Lght & Wtr	se	75.00
NACED	ds	100.00
NE Lw Enfrcmnt	se	1800.00
NE Pblc Hlth	su	105.00
Nrflk Rgnl cntr	se	465.00
O'rly	se	9.99
Rbnson flag	su	128.00
Spectrum Quck cpy cntr	su	230.00
Sqg Cln Wndw Wshng	se	220.00
Smmt Fd Srv	se	10812.34
T O Hs Tr	su	244.40
Th Hm Dpt	su	1371.02
Thyssnkrpp Elvtr Crp	se	286.77
TK's Wldng	se	8861.10

U-Sv Phrmcy	se	20.71
Unvrsty NE -Lncln	mi	112.20
US Cllr	se	88.96
Wstfld Phrmcy	se	4171.06
<u>Roads:</u>		
Bmgrs	se	569.78
Cptl Bsness systms	su	123.60
Crwn Plz Krny	ldg	389.85
Hmptn Inn	ldg	359.85
Khlr Trlr Sls & Srv	se	99.80
Mdsn Ntnl Lf	ins	51.86
Mnrds	su	17.84
NSG	su	2084.02
Nrthwstrn Engy	se	952.20
Rckmnt	se	333.97
Snll Srv	se	682.50
Tryr entrprs	su	643.00
<u>Lodging:</u>		
Vst NP	se	38887.18
<u>Lodging Improvement:</u>		
Vst NP	se	38887.17
<u>Building Fund:</u>		
Hntn Lck & Almr	se	2255.00

The meeting was adjourned at 1:02 P.M.

Advance notice and the agenda for the February 27, 2023, board meetings were sent to the county board and all others requesting the same. Advance public notice (includes agenda) of the Lincoln County Board of Commissioners meeting and the Lincoln County Board of Equalization meeting was posted at the Lincoln County Courthouse, City Hall, and the Lincoln County website on February 24, 2023; and was also emailed to the media on February 24, 2023.

The agenda for the meetings to be held on Monday, March 6, 2023, will be kept continually current and open for inspection at the office of the Lincoln County Clerk. The regular meeting of the Lincoln County Board of Commissioners will be at the Lincoln County Courthouse in the Commissioners Room at 9:00 A.M. The regular meeting of the Lincoln County Board of Equalization will be at the Lincoln County Courthouse in the Commissioners Room at 9:15 A.M.

Rebecca J. Rossell
Lincoln County Clerk