

July 31, 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. Wuehler 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 Weems, seconded by Hewgley to approve the minutes regarding the Lincoln County Board of Commissioners meeting held on July 24, 2023. Upon roll call vote Hewgley, Weems, Wuehler, and Woodruff voted "aye". Nays, none. Bruns abstained.

Motion by Wuehler, seconded by Hewgley 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 Weems, seconded by Hewgley to authorize the Chairman to sign the right-of-way permit submitted by Dawson Public Power District. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Commissioners have been receiving complaints about pivots watering roads.

Sheriff Jerome Kramer and Chief Deputy Rolly Kramer reported they get calls several times a day during the summer on this issue. There is a state statute that cover this topic. They do take the calls seriously. They try to contact the landowner or lessor. They can issue a citation if it is not addressed.

Commissioner Weems commented he sees both sides of the issue. Communication with the owner or lessor is key. If it is a chronic violation, there are liability issues.

Commissioner Wuehler wanted the public to know that the Sheriff's Office does take the calls seriously and that there is a process for dealing with this issue.

The Lincoln County Board of Commissioners recessed at 9:19 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.

County Assessor, Julie Stenger appeared.

Motion by Wuehler, seconded by Weems to approve the minutes regarding the Lincoln County Board of Equalization meeting held on July 24, 2023. Upon roll call vote Hewgley, Weems, Wuehler, and Woodruff voted "aye". Nays, none. Bruns abstained.

Motion by Wuehler, seconded by Weems to authorize the Chairman to sign the certificates of correction or refund submitted by the County Assessor on real property. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Hewgley, seconded by Wuehler to approve valuation change notices numbered 2023-15 & 2023-16 as submitted by the County Assessor. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Weems, seconded by Bruns to offer a confession of judgment regarding the case of First National Bank of Omaha, Appellant vs. Lincoln County Board of Equalization, Appellee, Case No. 22C-0528, which is before the Nebraska Tax Equalization and Review Commission, in which the Lincoln County Board of Equalization would confess that the value of the real estate, in the aforementioned case, should be \$864,674.00 for tax year 2022. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

The Lincoln County Board of Equalization adjourned at 9:28 A.M. and the Lincoln County Board of Commissioners reconvened.

Brandon Myers of Region 51 Emergency Management commented that he had been contacted by Judy Clark, Planning Director, concerning the property at 1621 West 10<sup>th</sup> Street that is to be the site of a new storage facility. In researching the property, it was discovered that when the Dive Team storage facility was constructed at this location it was not done as a subdivision replat. It is still five separate lots, instead of one lot. Clark suggests that the county start the process for a subdivision replat and come into compliance before another building is completed.

Commissioner Woodruff asked about the process.

Myers reported that the property would need to be surveyed and an application submitted to the Planning Department.

Motion by Weems, seconded by Bruns to give Brandon Myer permission to contact the County Surveyor and to fill out the subdivision replat application for the county. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Presentation by Region II Services – Kylie Joyce, Executive Director along with Jennifer Inman from the North Platte Opportunity Center.

Lincoln County Assessor, Julie Stenger, presented the Three Year Plan of Assessment for Lincoln County. By state statute, all parcels of real property will be inspected and

reviewed no less than every 6 years. The plan to review is as follows: 2024 – south side of North Platte; 2025 – Villages (Residential & Commercial); 2026- Suburban & Rural Residential; 2027 or 2028 – Commercial – North Platte.

Tanner Pettera, of Hub International appeared to present the business insurance renewal (property, liability, worker's compensation) information from EMC & Travelers Insurance companies. Discussion centered around exposure vs. wind/hail premium costs and the best carrier for the county now and in the future.

Motion by Bruns, seconded by Hewgley to move the county's insurance to Travelers with a 1% buydown for wind/hail for an estimated cost of \$633,311. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Commissioners Weems and Woodruff reported they had interviewed two applicants with credentials that had applied for the predator field operator position. The applicants were Barry Johnson and Jerry Fiest.

Commissioner Hewgley talked about the cost sharing of the USDA program vs the start-up costs and annual costs of a county program. He requested that we look at cost effectiveness of the program in the future.

Commissioner Weems commented that the USDA program did not really have a prairie dog program so you would not be comparing like programs.

Commissioner Wuehler questioned if there would be a fee structure to help recoup some of the expense.

Commissioner Weems replied that there would be some type of fee structure in place.

Commissioner Wuehler asked if the initial year would be more expensive due to start-up costs and if the cost of the program would decrease.

Weems responded that was correct.

Discussion was held concerning retirement benefits for these positions.

Motion by Hewgley, seconded by Wuehler to offer temporary seasonal field predator positions to Barry Johnson and Jerry Fiest.

Commissioner Wuehler inquired if office space would be needed.

Commissioner Weems replied no. There is storage space at the Noxious Weed Department. There are vehicles that can be used at the Road Dept. They will keep daily logs on a laptop or tablet. There might be a possible work area in the Photostat Dept. if needed.

Motion by Hewgley, seconded by Wuehler to amend the motion to offer temporary seasonal part-time field predator positions to Barry Johnson and Jerry Fiest. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Marvin Planning Consultants had a Focus Group discussion regarding the Lincoln County Comprehensive Plan Update and the North Platte/Lincoln County County-Wide Housing Update. Commissioners had an opportunity to participate in discussion addressing what they see as needs/concerns for the county. Discussion centered around housing issues, suburban/residential planning and what needs to be protected.

Discussion was held concerning allocating funds for Nebraska International Port of the Plains from Lincoln County ARPA funds.

Commissioner Bruns explained that by state statute it authorized the Dept. of Economic Development to create a sub-account for port authorities of 5 million for the first fiscal year and five million for the second fiscal year from state revenue. Indications are there will only be two inland port authorities and there will be a 50/50 split of the dollars allocated. The International Port of the Plains needs start-up funds for administrative costs to get started now until the DED releases the sub-account funds. Commissioner Bruns is requesting \$30,000 to \$50,000 from the ARPA funds to go to the International Port of the Plains for consulting costs, bonding for the port treasurer, and site visits by the board to research other established inland port authorities.

County Board members questioned if the money could be issued as a loan until the DED funds are released.

Deputy County Attorney, Tyler Volkmer, replied in the affirmative.

Commissioner Bruns told board members that the port authority could start intermodal operations right away for some revenue, but the port authority will need start-up funds.

Motion by Hewgley, seconded by Weems to authorize a \$40,000 loan to the inland port authority to be paid back within 30 days of receipt of funds from the State of Nebraska or by July 31, 2024.

Commissioner Woodruff asked what the interest rate would be for the loan.

Commissioner Hewgley inserted that the rate could be determined by the Chairman.

Deputy County Attorney Volkmer suggested that perhaps instead of authorizing a loan to an entity that hasn't officially formed yet and hasn't asked for any funding, that the County Board might consider authorizing a loan in an amount to be determined if they apply for it.

Motion by Hewgley, seconded by Wuehler to amend the motion to set aside \$40,000 in a fund for the purpose of a loan to the newly formed inland port authority with the

particulars to be worked out by the inland port authority and legal counsel at a near time.

After further board discussion, it was determined that we did not want to set aside money in a separate fund and that the county would “earmark” up to \$40,000 for the inland port authority.

Commissioner Weems thought it would be best if the county indicated there is an appetite to assist the inland port authority with some operations capital if requested.

Commissioner Wuehler commented that Lincoln County has already contributed a large sum of money to this project and is open to continuing to support it. However, she asked if there were other political subdivision that will benefit that could also contribute. She is open to a loan if they can pay it back. She wants to make sure we have enough ARPA funds for all the counties prior commitments.

The motion and second were withdrawn. No action was taken on this item.

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

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

GENERAL	VENDOR		AMOUNT
	AGRI COMPUTER SALES	se	957.28
	LINDEMEIER LAW OFFICE	se	410.00
	AMAZON CAPITAL SERVICES	su	105.44
	BOMGAARS	se	49.99
	BROUILLETTE DUGAN & TROSHYNSKI	se	9281.63
	CAPITAL BUSINESS SYSTEMS INC	agree	8279.26
	CDW GOVERNMENT INC	su	227.13
	CERVELLE CONSULTING SERVICES INC	ex	400.00
	CHEVAS SHAW	se	4016.81
	COLFER,WOOD,LYONS & WOOD LAWYERS	se	889.01
	COMMERICAL INVESTMENT SERVICES	rt	450.00
	CONSOLIDATED MANAGEMENT CO	se	76.75
	CVSOAN	trng	60.00
	DJ AUTOMOTIVE & TRANSMISSIONS LLC	se	392.66
	EAKES OFFICE SOLUTIONS	su	30.45
	FIRST CONCORD BENEFITS GROUP LLC	ins	175.00
	GLASS DOCTOR	eq	742.44
	JASEN RUDOLPH	se	3346.25
	LINDEMEIER LAW OFFICE	contr	10443.34
	MASA GLOBAL	ins	1600.00
	MAXWELLS KAWASAKI	su	2334.85
	MEYER CREATIVE	se	18.70

	MUNICIPAL LIGHT & WATER	se	10952.12
	NE LAW ENFORCEMENT TRAINING CE	se	75.00
	NORFOLK FIRE DEPT	se	398.47
	NORTH PLATTE BULLETIN	se	420.00
	QUADIENT FINANCE USA INC	se	100.00
	REBECCA SCHROEDER PH D	se	1000.00
	SECRETARY OF STATE	su	150.00
	STAPLES BUSINESS CREDIT	su	183.67
	SUMMIT FOOD SERVICE	se	5514.14
	TENDER HEARTS VETERINARY CENTER	se	71.00
	US CELLULAR	se	88.96
	VICTORIA HERVEY	se	899.34
ROADS	AKRS EQUIPMENT	se	148.05
	BILL SUMMERS FORD	se	62.28
	CAR QUEST OF NORTH PLATTE	se	1125.40
	CONSOLIDATED TELEPHONE	se	612.45
	CROELL INC	su	897.94
	CROELL	su	150.80
	DAWSON PUB PR DIST	se	53.94
	IDEAL LINEN SUPPLY	su	99.46
	INLAND TRUCK PARTS CO	se	750.12
	KELLY SUPPLY COMPANY	se	66.57
	MENARDS	su	324.87
	MURPHY TRACTOR & EQUIPMENT	se	647.39
	NE TRUCK CENTER INC	se	683.46
	NMC EXCHANGE LLC	se	1715.36
	O'REILLY AUTO PARTS	se	153.52
	PAULSENS INC	se	23095.44
	RDO TRUCK CENTER CO.	se	431.92
	SUTHERLAND FARM AND AUTO SUPPLY	se	5.00
LDGNG	VISIT NORTH PLATTE	se	44896.01
IMPRVMT	VISIT NORTH PLATTE	se	44896.00
ARPA	LEEDAVIES ARCHITECTURE	se	6688.50
ARPA	WAYNE DOWHOWER CONST INC	se	114862.48
P&M	EAKES OFFICE	su	290.21
SELF	FIRST CONCORD BENEFITS GROUP LLC	ins	864.11

The meeting was adjourned at 12:15 P.M.

Advance notice and the agenda for the July 31, 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 July 28, 2023; and was also emailed to the media on July 28, 2023.

The agenda for the meetings to be held on Monday, August 7, 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