

August 7, 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. Woodruff 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 July 31, 2023. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

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 Weems, seconded by Bruns to adopt Resolution 2023-15 authorizing the County Board Chairman to sign the County Annual Certification of Program Compliance to NE Board of Public Roads, Classifications and Standards for 2023. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Wuehler, seconded by Hewgley to receive and order filed the Final 2021 Distress Warrant report form the County Sheriff. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Bruns, seconded by Hewgley to authorize the Chairman to sign the application for electrical service with Dawson Public Power District for the former Greenbrier building. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Wuehler, seconded by Bruns to approve the Interlocal agreement with the City of North Platte for Emergency Management services for October 1, 2022, to September 30, 2023. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Weems, seconded by Bruns to receive and order filed the fee reports submitted by the Clerk of District Court for \$12,723.03 and County Clerk for \$725.25. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Bruns, seconded by Hewgley to authorize the Chairman to sign the application for services with the Village of Hershey for the former Greenbrier building.

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

The Lincoln County Board of Commissioners recessed at 9:17 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 and County Treasurer, Alex Gurciullo were present.

Motion by Weems, seconded by Hewgley to approve the minutes regarding the Lincoln County Board of Equalization meeting held on July 31, 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 Wuehler to approve the motor vehicle tax exemption application submitted by North Platte Catholic Schools 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 9:20 A.M. and the Lincoln County Board of Commissioners reconvened.

Sharon Axthelm, one of the owners of Old Depot Vineyard and Winery of Brady, NE appeared to answer any questions on the Class I application, They also have a restaurant as well and would like to have more options for customers.

A public hearing was opened at 9:32 A.M. to receive comments on the Class I liquor license application submitted by Old Depot Vineyard & Winery, Brady, NE.

Commissioner Weems stated for the record that a complete application had been received from the Nebraska Liquor Control Commission.

Sheriff Kramer informed the board that he had no objections. They run a good business and he is confident in the applicant.

Motion by Bruns, seconded by Hewgley to close the public hearing at 9:34 A.M. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Bruns, seconded by Wuehler to send a favorable recommendation for approval to the Nebraska Liquor Control Commission on the Class I application submitted by Old Depot Vineyard & Winery. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Discuss and consider tort claim submitted by Robert Gilster. Mr. Gilster did not appear.

Deputy County Attorney, Tyler Volkmer, stated that Mr. Gilster had an issue in the County Clerk's office and was escorted out by the Sheriff's Office. He has filed a claim for 3.5 million dollars with the Lincoln County Clerk. He has contacted EMC about the claim, and he recommends the board take no action on the claim.

Motion by Weems, seconded by Hewgley to take no action on the tort claim submitted by Robert Gilster and put it in the hands of the insurance company and legal counsel. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Wuehler, seconded by Bruns to approve and authorize the Chairman to sign the special designated liquor permit submitted by Pal's Brewing Company at their location for the Western NE Craft Brew Festival on September 9, 2023, with the collection of the additional fee amount. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Hewgley, seconded by Weems to approve the labor agreement with FOP Lodge #26 – Lincoln County Sheriff's Employees Association, Inc. from August 16, 2023, to August 15, 2025. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Commissioner Wuehler had been invited and accepted by National NACo to attend the County Leadership Academy in Milwaukee. National NACo will reimburse Lincoln County for all travel expenses.

Motion by Bruns, seconded by Hewgley to send Commissioner Wuehler as a Lincoln County representative to the NACo County Leaders Academy in Milwaukee Wisconsin, August 29-31, 2023. Upon roll call vote Hewgley, Weems, Bruns and Woodruff voted "aye". Nays, none. Wuehler abstained.

Discussion was held concerning the sale or vacation of county roadway located in Sutherland, Nebraska legally described as Lot Twelve (12), County Clerk's Subdivision of the SW ¼ of Section 20; Township 14N; Range 33W, Sutherland, Lincoln County, Nebraska, and other county road right-of-way.

Sutherland Village Board of Trustees, representative, Kim Backer and Village Supt., Casey Kendall appeared to represent the village.

The issue is a portion of real estate known as Walnut Street that goes up to the Sutherland water tower. It has been on an on-going issue for the village that needs access for water infrastructure. Research indicates that Lincoln County owns this right-of-way. It was deeded to the county in 1965. Commissioner Bruns is asking that the county vacate the right-of-way and sell it to the Village of Sutherland for access to their water tower.

Commissioner Wuehler asked about the process for the right-of-way to be sold.

Volkmer stated that the county can sell it to another political subdivision.

Kendall commented that this step would be a start to a solution for the village.

Backer indicated that she thought negotiations from what can come from this will be good for the village.

Volkmer reported that he will have to work with the County Surveyor on a legal description. Selling the right-of-way to the village would be a quicker process than vacating it.

Commissioner Hewgley questioned if the county had any liability with the homeowner on the property.

Volkmer replied no.

Motion by Bruns, seconded by Wuehler to authorize the sale of county right-of-way located in Sutherland, Nebraska legally described as Lot Twelve (12), County Clerk's Subdivision of the SW ¼ of Section 20; Township 14N; Range 33W, Sutherland, Lincoln County, Nebraska, and other county road right-of-way to be determined by survey by the County Surveyor and sell it to the Village of Sutherland for \$1.00 with proper notice provided in conformance with Nebraska State Statute.

Commissioner Weems had a question about the survey.

Volkmer stated he will work with the County Surveyor.

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 | VENDOR | | AMOUNT |
|---------|------------------------------|----|----------|
| | ACME PRINTING COMPANY | se | 80.5 |
| | AGRI COMPUTER SALES | se | 3401.96 |
| | ALLO COMMUNICATIONS | se | 2075.76 |
| | AMAZON CAPITAL SERVICES | se | 51.54 |
| | APPLIED CONCEPTS INC | su | 87.5 |
| | CAPITAL BUSINESS SYSTEMS INC | se | 762.42 |
| | CAPITAL ONE | se | 555.25 |
| | CDW GOVERNMENT INC | se | 175.56 |
| | DAS STATE ACCOUNTING | se | 204.3 |
| | CITY OF NORTH PLATTE | su | 31489.49 |

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| CLERK OF DISTRICT COURT | se | 1012 |
| COHAGEN TRANSFER & STORAGE INC | se | 212.99 |
| COMMUNITY CONNECTIONS | se | 8460.24 |
| CONSOLIDATED MANAGEMENT CO | se | 158.5 |
| DJ AUTOMOTIVE & TRANSMISSIONS LLC | se | 249.56 |
| EAKES OFFICE SOLUTIONS | su | 3479.02 |
| FAIRFIELD INN & SUITES | ldg | 196 |
| FASTENAL COMPANY | su | 25.31 |
| FIRST BANK CARD | se | 19.02 |
| FRONT STREET AUTO GLASS | se | 29.95 |
| GLADSTONE INC | rt | 365.75 |
| GLADSTONE INC | rt | 274.75 |
| GLOBALSTAR USA | se | 129.23 |
| HAZEN SPRINKLER LLC | se | 107 |
| HEARTLAND ANIMAL CENTER | se | 194.95 |
| HENRY VOGT | mi | 165.06 |
| HOMETOWN LEASING | se | 498.11 |
| IDEAL LINEN SUPPLY | su | 226.4 |
| J C AUTO WASH | su | 16.74 |
| JODIE ORR | mi | 62.88 |
| JULIE HLAVANTY | se | 250 |
| KNOBELS REFRIGERATION INC | se | 1410.25 |
| LINCOLN COUNTY COURT | se | 4494.28 |
| MALCOM, NELSEN & WINDRUM | se | 2124.2 |
| MARK MC KEONE | se | 281.25 |
| MARVIN PLANNING CONSULTANTS | se | 15469 |
| MAXWELLS KAWASAKI | su | 256.6 |
| MENARDS | su | 735.04 |
| MENTZER OIL CO | se | 978.32 |
| MEYER CREATIVE | su | 80 |
| MICROFILM IMAGING SYSTEMS INC | se | 170 |
| MIDWEST CONNECT | se | 188.93 |
| MINDY SONNENFIELD | mi | 511.69 |
| MUNICIPAL LIGHT & WATER | se | 6576.69 |
| NACO | reg | 150 |
| NORTH PLATTE ANIMAL SHELTER | se | 216 |
| NORTH PLATTE POLICE DEPARTMENT | cont | 15760 |
| NORTHWESTERN PUBLIC SERVICE | se | 9.7 |
| O'REILLY AUTO PARTS | su | 412.78 |
| PEDERSON LAW OFFICE | se | 275 |
| POPLAR STREET CAR WASH | su | 51.5 |
| PRODIGY SOLUTIONS INC | su | 11824.15 |

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| | RECOGNITION UNLIMITED | se | 35.45 |
| | RENAISSANCE LONG BEACH HOTEL | ldg | 1674.12 |
| | ROBINSON FLAG CO | se | 40 |
| | SEEVERS AUTO CARE INC | se | 183.98 |
| | SHERIFF COUNTY FEES | se | 1173.79 |
| | SHERIFFS FEE ACCOUNT | se | 1216.59 |
| | SHERWIN-WILLIAMS | su | 244.39 |
| | SHRED IT USA | su | 727.29 |
| | SNELL SERVICES INC | se | 11443.33 |
| | STERICYCLE INC | se | 104.74 |
| | SUMMIT FOOD SERVICE | cont | 5359.56 |
| | TANIA M FOX | se | 1441.75 |
| | THE HOME DEPOT PRO | su | 1465.29 |
| | TRANSUNION RISK & ALTERNATIVE | cont | 125 |
| | UNIVERSITY OF NEBRASKA | rt | 850 |
| | VERIZON | se | 240.06 |
| | WASH TIME CARWASH | su | 79 |
| | WEATHERCRAFT CO OF NO PLATTE | se | 1050 |
| | WINSUPPLY | su | 57.44 |
| | WEX BANK | su | 7468.84 |
| ROADS | BILL SUMMERS FORD LLC | se | 68.28 |
| | BLACK HILLS ENERGY | se | 77.2 |
| | BOMGAARS | su | 8.99 |
| | BRADY GET N GO | su | 115.26 |
| | CROELL INC | su | 5092.86 |
| | HERSHEY COOP TELEPHONE | se | 79.01 |
| | KELLY SUPPLY COMPANY | re | 12.9 |
| | KNAPP ELECTRIC INC | su | 1.52 |
| | MIDLANDS OCCUPATIONAL MEDICINE | su | 40 |
| | NE TRUCK CENTER INC | se | 334.26 |
| | NORTH PLATTE HARDWARE LLC | su | 60.48 |
| | PAULSENS INC | su | 23979.73 |
| | RS HYDRAULIC SOLUTIONS | se | 12312.1 |
| | SCHABEN SANITATION | se | 184.1 |
| | TROYER ENTERPRISES | se | 289.09 |
| | VILLAGE OF BRADY | se | 103.91 |
| | VILLAGE OF HERSHEY | se | 136.88 |
| | VILLAGE OF MAXWELL | se | 70 |
| | VILLAGE OF WALLACE | se | 25 |
| FED BY BK | TC ENGINEERING INC | cont | 23778.56 |
| SLF FND | FIRST CONCORD BENEFITS GROUP LLC | ins | 2645.21 |
| BLDG FND | LINCOLN COUNTY TREASURER | se | 82306.71 |
| P&M | MICROFILM IMAGING SYSTEMS INC | se | 45 |

The meeting was adjourned at 10:35 A.M.

Advance notice and the agenda for the August 7, 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 August 4, 2023; and was also emailed to the media on August 4, 2023.

The agenda for the meetings to be held on Monday, August 14, 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