

October 23, 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. Weems 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 Bruns to approve the minutes regarding the Lincoln County Board of Commissioners meeting held on October 16, 2023. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Wuehler, seconded by Weems 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 Bruns to adopt Resolution No. 2023-27 for Operation Green Light for Veterans recognition from November 6 – November 12, 2023. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Weems, seconded by Wuehler to receive and order filed the fee reports submitted by the County Sheriff for \$17,140.97 and \$5357.72. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

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

The Lincoln County Board of Commissioners recessed at 9:15 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 Weems, seconded by Wuehler to approve the minutes regarding the Lincoln County Board of Equalization meeting held on October 16, 2023. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted "aye". Nays, none.

Motion by Wuehler, seconded by Hewgley to authorize the Chairman to sign the certificates of correction or refund submitted by the County Assessor concerning Great

Plains Health on personal property. Upon roll call vote Hewgley, Weems, Wuehler, and Woodruff voted “aye”. Bruns voted “nay”. Motion carried.

The Lincoln County Board of Equalization adjourned at 9:17 A.M. and the Lincoln County Board of Commissioners reconvened.

No date was set to accept bids on trucks for the Lincoln County Sheriff’s Office. Sheriff Kramer reported that there were no 2023 or 2024 models left to purchase. They will need to bid 2025 models and it will be November before they are able to submit a bid.

Quarterly report of (July 1 – September 30, 2023) Region 51 Emergency Management by Brandon Myers.

Commissioner Bruns reported that a necessary step per Nebr. Rev. State Statute is for these zoning amendments to go back to the Planning Commission.

Motion by Weems, seconded by Bruns to adopt Resolution No. 2023-28 referring requested modifications of the proposed zoning resolution amending Article 8 Sections 8.12 through 8.12.06 of the zoning regulations of the County of Lincoln back concerning solar energy to the Lincoln County Planning Commission for further research, consideration, and recommendation pursuant to Neb. Rev. Stat. 23-174.08. Upon roll call vote Hewgley, Weems, Wuehler, Bruns and Woodruff voted “aye”. Nays, none.

Motion by Bruns, seconded by Weems to adopt Resolution No. 2023-29 referring requested modifications of the proposed zoning resolution amending Article 2 Section 2.03 and Article 8 Sections 8.07 and 8.08 of the zoning regulations of the County of Lincoln back concerning wind energy to the Lincoln County Planning Commission for further research, consideration, and recommendation pursuant to Neb. Rev. Stat. 23-174.08.

Commissioner Wuehler questioned the detail in several paragraphs on the resolution to send it back to the Planning Commission. She is not sure the whole board concurred with the recommendations put in the resolution.

Deputy County Attorney, Tyler Volkmer, stated he put items in that were discussed in the work sessions. The Planning Commission is not bound by any of the suggestions.

Commissioner Weems commented that he sees this resolution as a starting point for the consultant working with the Planning Commission.

Commissioner Hewgley also had questions concerning the wording of the resolution.

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

Discussion was held concerning Resolution No. 2023-30 extending the temporary moratorium previously placed upon the development of commercial and/or utility grade wind and solar energy conversion projects.

Commissioner Bruns suggested changing the time frame from one year to eighteen months.

Commissioner Hewgley questioned if it really needed to be changed.

Motion by Bruns, seconded by Weems to extend the moratorium to 18 months or until such time the Lincoln County Board of Commissioners can receive and approve updated recommendations from the Lincoln County Planning Commission and Marvin Planning Consultants on zoning regulations with respect to commercial scale wind and solar energy conversion projects, in conjunction with the passage of an updated comprehensive plan, whichever is lesser.

Commissioner Weems stated he was not sure we need to extend it beyond a year.

Commissioner Bruns told board members that the consultant will not likely be done until October of next year. Another resolution would be needed at that time to extend the moratorium which is why he is suggesting the initial resolution state 18 months.

Deputy County Attorney, Tyler Volkmer, stated there was not a legal issue. He felt that legally it would be easier to defend with a shorter time frame.

Upon roll call vote all voted "aye". Motion carried.

The following bids were received for two (2) new  $\frac{3}{4}$  ton 4-wheel drive pickup trucks for the Lincoln County Department of Roads:

Bill Summers Ford – North Platte: Two 2024 Ford Super cab trucks - \$51,698 each or \$103,396 total; Two 2024 Ford crew cab trucks - \$53,330 each or \$106,660 total.

DuTeau Chevrolet – Lincoln: One 2023 Chevrolet crew cab - \$54,148 and One 2023 Chevrolet crew cab - \$54,915 for a total of \$109,063.

Janssen Chrysler – North Platte: Two 2024 Dodge crew cab - \$51,574 each for a total of \$103,148.

Following review, the Highway Supt. recommended the trucks be purchased from DeTeau Chevrolet as they are both available now. He does have this amount budgeted for trucks.

Commissioner Hewgley stated he would like to buy locally.

Highway Supt. Schultz commented that he agreed with Commissioner Hewgley, but these units are the foreman's trucks and if they are left in service waiting for delivery, he does have concerns about repair cost.

Accept the bid of DeTeau Chevrolet for two 2023 Chevrolet trucks in the amount of \$109,063. Motion carried.

Highway Supt. Schultz reported that the upcoming agreement for the SWPP plan is outside the general agreement for the Sutherland North Bridge project.

Approve and authorize the Chairman to sign the agreement with Miller & Associates for the storm water pollutant prevention plan (SWPPP) for the Sutherland North Bridge Project. Motion carried.

Commissioner Bruns gave an update on the Sutherland North Bridge Project. He stated that after a meeting of the stakeholders it was determined that the bridge will need to be closed immediately when construction begins. Any change to this project would cause significant delays and possible loss of state funding. The Corp of Engineers have approved the permit. The bridge will stay open until construction begins but it will probably close this Wednesday, October 25<sup>th</sup>.

Discussion was held on North River Road detour and maintenance during construction. Crushed granite will be put on additional parts of this road during construction and this will be a priority road for maintenance.

Discussion was held on Hershey/Sutherland volunteer fire departments during construction. The Hershey Fire Department does have a truck with lifesaving equipment. Currently Hershey and Sutherland are dual dispatched from 8 A.M. to 5 P.M. but are working with dispatch to change that to 24/7 dual dispatch. A possible interlocal to assist with items such as fuel might be considered.

Discussion was held on Sutherland Public Schools bus disruption during construction. The Sutherland School budget is tight. Commissioner Bruns suggested that legal counsel for the county and school come up with a plan for the board to consider concerning claims for mileage, fuel, and additional hours for busing during construction.

Commissioner Weems reiterated that this project needs to get done to the best of our ability and expedite the process.

Commissioner Bruns had asked about a shoo-fly or temporary structure during construction. The Corp has determined that this is not possible. The existing bridge must come down to allow enough room for work on the construction of the new bridge.

Chairman Woodruff directed legal counsel to engage in conversation with Sutherland Public Schools and the fire districts on how the county can assist them during construction.

The following Lincoln County Employees were recognized for their years of service: 5 years – Betty Jo Hernandez, Christopher McColley, Carter Coble, Kenneth Neitzel, Carl Lunkwitz, and Caleb King; 10 Years – Nila Pettit; 15 Years – Booker Boyer; 20 Years – Charity Farley; 25 Years - Terri Bellew; and 30 Years – Sue Ann Finke.

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

### Lincoln County Commissioners Committee Reports

Approve the following claims for payment. Motion carried.

FUND	NAME		AMOUNT
GENERAL	A T & T MOBILITY	se	2865.84
	ADVANCE AUTO PARTS	eq/rep	37.5
	AMANDA NELSEN	reb	35.48
	BERRECKMAN & BAZATA PC LLO	se	5117.5
	BROUILLETTE DUGAN & TROSHYNSKI	se	1028.98
	BROWNS SHOE FIT	su	127.5
	BUFFALO COUNTY SHERIFF	se	11.16
	CAPITAL BUSINESS SYSTEMS	lease	588.33
	CAPITAL BUSINESS SYSTEMS INC	eq	108.15
	DAS STATE ACCOUNTING	fee	196
	COLFER, WOOD, LYONS & WOOD LAWYERS	se	721.03
	COLLEEN LEMBKE	reb	153.44
	DAS CENTRAL FINANCE	cont	813.06
	DAS CENTRAL FINANCE	se	460
	EAKES OFFICE SOLUTION	su	92.13
	EAKES OFFICE SOLUTIONS	su	11.59
	FAIRFIELD INN & SUITES	ldg	1649.25
	GREAT PLAINS HEALTH	se	183.96
	GREAT PLAINS HEALTH	se	75.6
	HAZEN SPRINKLER LLC	re	532.6
	HEALTH & HUMAN SERVICES/FIN RESPON	fee	435
	HOLIDAY INN EXPRESS MCCOOK	ldg	196
	HOLIDAY INN	ldg	1556.25
	HOME DEPOT PRO	su	468.75
	JUSTICE WORKS LLC	se	200
	KELLY SUPPLY COMPANY	su	1113.39
	LANCASTER COUNTY SHERIFF	se	6.61
	LINCOLN COUNTY CLERK-PETTY CASH	se	50
	MADISON NATIONAL LIFE INS CO INC	ins	101.12
	MADISON NATIONAL LIFE INS CO INC	ins	261.01
	MARK MC KEONE	se	243.75
	MASA GLOBAL	ins	1875
	MENARDS	su	128.44

	MENTZER OIL CO	su	3121.33
	MICAELA WUEHLER	reb	384.87
	MORRIS REPORTING	se	588
	MUNICIPAL LIGHT & WATER	se	246.44
	NACO	conf	135
	NICOLE FISHER	reb	14.02
	NEBRASKA HEALTH AND HUMAN SERVICES	fee	450
	NORTH PLATTE FIRE EQUIP CO	se	16
	NORTH PLATTE POLICE DEPARTMENT	se	8707
	NORTHWESTERN PUBLIC SERVICE	se	72.24
	PHYSICIANS LABORATORY PC	se	1800
	PITNEY BOWES RESERVE ACCOUNT	pstg	30000
	RED WILLOW COUNTY SHERIFF	se	49.7
	SECRETARY OF STATE	su	40
	SHERIFFS PETTY CASH FUND	su	99.05
	SHRED IT USA	se	516.56
	SOFTWARE UNLIMITED	se	290.4
	SUE FINKE	reb	44.6
	SUMMIT FOOD SERVICE	se	5840.52
	T O HAAS TIRE COMPANY	eq/rep	372.94
	TANIA M FOX	se	75.25
	THOMAS GANN	se	335.36
	TYLER TECHNOLOGIES INC	se	898
	U S BANK	su	2458.63
	U S BANK	su	916.2
	UNITECH	su	179
	VERIZON	se	79.93
	911 CUSTOM	eq/rep	1103.16
ROADS	A T & T	se	48.46
	BOMGAARS	su	13.38
	CROELL INC	ex	9087.64
	CROELL	ex	97.15
	DAWSON TIRE & WHEEL	se	138.5
	FASTENAL COMPANY	su	23.35
	HOME LUMBER & SUPPLY	su	26.99
	INLAND TRUCK PARTS CO	rep	112.96
	KOHLER TRAILER SALES & SERVICE	rep	1409.8
	MASA GLOBAL	ins	500
	MADISON NATIONAL LIFE INS CO INC	ins	50.57
	MAXWELLS KAWASAKI	se	1672.86
	MIDLANDS OCCUPATIONAL MEDICINE	se	170
	MILLER USED TIRE WAREHOUSE	rep	926
	NE TRUCK CENTER,INC	rep	546.06

	NORTH PLATTE HARDWARE LLC	su	9.48
	NORTH PLATTE TELEGRAPH	se	64.99
	PAULSENS INC	ex	10890.71
	RS HYDRAULIC SOLUTIONS	rep	10.32
	SNAP ON TOOLS	su	19.95
	SUTHERLAND FARM & AUTO SUPPLY	rep	117.65
	WPCI	se	450
INCNTV	MADISON NATIONAL LIFE INS CO INC	ins	6.25
SELF	FIRST CONCORD BENEFITS GROUP	ins	1649.12
ARPA	HINTONS LOCK & ALARM	se	9176.1
ARPA	WAYNE DOWHOWER CONSTRUCTION INC	se	32529.3

The meeting was adjourned at 11:43 A.M.

Advance notice and the agenda for the October 23, 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 October 20, 2023; and was also emailed to the media on October 20, 2023.

The agenda for the meetings to be held on Monday, October 30, 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