

August 3, 2021 MINUTES OF THE CASS COUNTY BOARD OF EQUALIZATION AND CASS COUNTY BOARD OF COMMISSIONERS Notice of the meeting was given in advance by publication in the Plattsmouth Journal and online at www.cassne.org. Agenda was made available for public inspection at the office of the Cass County Clerk.

8:00am Call Meeting to Order; Open Meetings Act Notice & Pledge of Allegiance: Members Present: Sharp, McCartney, Peterson, Henry and Murdoch. Others present: Colin Palm-County Attorney, Gerri Draper-County Clerk

CONVENE- BOARD OF EQUALIZATION- Teresa Salinger, County Assessor:

1. Discuss/Action- Report of Cemetery Review, 2021 per State Statute 77-202.10

MOTION: Sharp moved, Peterson seconded to accept report as filed per State Statute. Motion carried 5-0

2. Discuss/Action- Clerical Errors List (provided by Assessor)

MOTION: Peterson moved, Murdoch seconded to approve clerical errors for 7 parcels as presented. Motion carried 5-0

3. Discuss/Action- Motor Vehicle Exemption Application(s): Nebraska Lutheran Outdoor Ministries Inc. (1) 2012 Ford F150

MOTION: Sharp moved, Murdoch seconded to approve exemption application as filed. Motion carried 5-0

8:08am CONVENE- BOARD OF COMMISSIONERS

CONSENT AGENDA: Previous Meeting Minutes, Claims, Payroll/Time Balance Reports and Fees reported for 8/3/2021

MOTION: Peterson moved, Murdoch seconded to approve consent agenda as prepared. Motion carried 5-0

GENERAL CLAIMS: Amazon \$309.40 (Sup) American Heart Association \$379.00 (Sup) Ameritas Life Insurance \$2,368.16 (Ins) Ameritas Life Insurance \$26,434.32 (Ins) Village of Avoca \$342.85 (Srv) Betterway Tire & Auto \$364.00 (Srv) Black Hills Energy \$1,560.70 (Srv) Jacob Blunt \$150.00 (Srv) Bomgaars \$81.87 (Sup) Linda Brouhard \$60.00 (Srv) William Brueggemann \$60.00 (Reim) Carahsoft Technology Corporation \$269.82 (Srv) Lawrence Carlsson MD \$2,500.00 (Srv) Cash-Wa Distributing \$1,523.43 (Srv) Cass County Extension \$277.75 (Reim) Cass County Sheriff \$1,515.40 (Reim) Cass County Treasurer \$15.00 (Srv) Clerk of the District Court \$356.00 (Srv) Computer Cable Connection \$788.00 (Srv) Crawford Supply Company \$332.76 (Sup) Percival Culligan Water \$43.75 (Sup) CVSOAN \$60.00 (Srv) Dan's Mowing Service \$560.00 (Srv) DAS Central Finance \$1,144.49 (Srv) DAS State Accounting \$132.32 (Srv) Dave's Bargain Enterprise \$249.98 (Srv) Des Moines Stamp \$61.55 (Sup) Diamond Vogel \$265.48 (Sup) Douglas County Court \$4.75 (Srv) Douglas County District Court \$7.25 (Srv) Geri Draper \$60.00 (Reim) Eakes Office Solutions \$636.62 (Sup) Eastern Nebraska Service Agency \$22,738.00 (Srv) Harold Ehmke \$15.00 (Reim) Electronic Contracting Company \$172.50 (Srv) Eugene Farris \$9.00 (Reim) Fireguard INC \$1,459.22 (Srv) First State Bank \$27,727.80 (Ins) First State Bank \$2,960.00 (Srv) Kelly Fitzpatrick \$79.52 (Reim) Taylor Fleischman \$60.00 (Reim) FP Finance Program \$168.00 (Srv) FP Mailing Solutions \$137.57 (Srv) Travis Frye \$60.00 (Reim) Deloris Gall \$21.00 (Srv) Lisa Gonzalez \$4,881.15 (Srv) Grainger \$626.16 (Sup) Mandy Gruhlkey \$1,332.00 (Srv) Hayes Mechanical \$236,730.50 (Srv) Karen Hicks \$1,381.70 (Srv) Hometown Leasing \$537.07 (Srv) Hy-Vee \$57.59 (Sup) J.P Cooke Company \$36.50 (Srv) Mike Jensen \$60.00 (Reim) John's Appliance \$46.43 (Srv) Gerald Johnson \$432.00 (Srv) Jones Automotive Inc \$374.77 (Srv) Keckler Oil Company \$137.76 (Srv) Keefe Supply Company \$374.19 (Sup) Tyler Kelly \$142.80 (Reim) KaDe Krueger \$50.96 (Reim) Keshia Kurtz \$85.68 (Reim) Lancaster County Sheriff Dept \$37.18 (Reim) The Plattsmouth Journal \$56.00 (Srv) Dana Long \$47.04 (Reim) Amy Luttmann \$60.00 (Srv) Mainelli Mechanical Contractors Inc \$1,482.51 (Srv) Village of Manley \$73.00 (Srv) Meeske Ace Hardware \$40.40 (Sup) Microfilm Imaging Systems Inc \$2,170.00 (Srv) Midlands Printing \$340.00 (Srv) Linn Moore \$60.00 (Reim) Mullenax Auto Supply \$3.95 (Sup) Nebraska APCO \$405.00 (Srv) Nebraska Health & Human Services \$954.57 (Srv) NPPD \$14,999.87 (Srv) Todd O'Connor \$174.80 (Reim) Office Warehouse \$158.00 (Sup) OPPD \$1,281.85 (Srv) Omega Chemical Co Inc \$453.95 (Srv) H.S.A \$2,625.00 (Ins) O'Reilly Auto Parts \$19.98 (Sup) John Osuch III \$414.26 (Reim) Otoe County Sheriff Dept \$18.50 (Srv) Owens Educational Services Inc \$180.87 (Srv) Colin Palm \$60.00 (Reim) Papillion Sanitations \$80.53 (Srv) Physicians Laboratory Services \$2,337.00 (Srv) Plattco Real Estate & Ins \$80.00 (Srv) Pottawattamie County Court \$66.26 (Srv) Thomas Prickett \$1,500.00 (Srv) Quality Signs \$270.40 (Srv) Quill Corporation \$681.29 (Sup) Reliance Life Ins \$176.50 (Ins) Rural Water Dist #1 \$34.30 (Srv) Teresa Salinger \$ 83.32 (Reim) Secretary of State \$20.00 (Srv) Michael Slattery \$2,278.01 (Reim) Softchoice Corporation \$3,056.97 (Srv) William Sterrett \$60.00 (Reim) Stryker Sales Corp \$301.93 (Sup) Summit Food Service \$8,680.73 (Sup) The Home Depot Pro \$245.18 (Sup) Leonard Thorne \$60.00 (Reim) Thyssenkrupp Elevator Corp \$473.27 (Srv) Bobie Touchstone \$11,233.34 (Srv) Taghreed Tara Trindle \$140.00 (Srv) Turfbuilder Irrigation Inc \$277.24 (Srv) Unifirst Corporation \$193.89 (Srv) Village of Union \$615.00 (Srv) United healthcare \$80,536.00 (Ins) US Bank \$4,817.74 (Srv) US Bank Voyager \$357.59 (Srv) Valuation Services \$12,285.00 (Srv) Verizon Wireless \$3,129.49 (Srv) Vesta Voluntary Specialists Inc \$179.00 (Srv) Warren Wade \$19.00 (Reim) Sandra Weyers \$60.00 (Reim) Windstream \$13,697.65 (Srv) CLAIMS: \$519,952.88 PAYROLL: \$323,676.63 TOTAL: \$843,629.51 ROADS CLAIMS: AKRS Equipment \$126.56 (Srv) Aramark \$406.41 (Srv) Black Hills Energy \$41.73 (Srv) Bomgaars \$47.79 (Sup) Central Salt \$1,358.15 (Sup) Dultmeier Sales \$832.50 (Srv) Village of Elmwood \$58.40 (Srv) Fireguard Inc \$688.30 (Srv) Hometown Leasing \$279.54 (Srv) Martin Marietta \$57,854.48 (Sup) Medical Enterprises Inc \$75.00 (Sup) Murphy Tractor & Equip \$791.97 (Srv) Newman Signs Inc \$542.63 (Srv) NMC Inc \$6,790.54 (Srv) OPPD \$629.64 (Srv) OMNI Engineering \$313,218.37 (Srv) Pitney Bowes Inc \$149.49 (Srv) Quality Sings \$316.50 (Srv) RDO Truck Center \$186.82 (Srv) Truck Center Companies \$67.76 (Srv) US Bank \$741.53 (Srv) Volvo Trucks of Omaha \$137.94 (Srv) Yant Equipment \$27.00 (Sup) CLAIMS: \$385,369.05 PAYROLL: \$56,898.77 TOTAL: \$442,267.82 JUVENILE DIVERSION: TOTAL: \$363.30 VISITOR PROMOTION: Carl Reichart \$420.92 (Reim) CLAIMS: \$420.92 PAYROLL: \$1,075.00 TOTAL: \$1,495.32 FEMA: Menards \$1,529.93 (Sup) TOTAL: \$1,529.93 KENO/LOTTERY: First State Bank \$31.25 TOTAL: \$ 31.25 E911: Frontier Cooperative \$380.05 (Srv) NPPD \$302.81 (Srv) US Bank \$306.59 (Srv) Windstream \$1,300.80 (Srv) TOTAL: \$2290.25 E911 WIRELESS: Windstream \$2,018.37 (Srv) TOTAL: \$2,018.37 OVERALL GRAND TOTAL: \$1,294,639.35

1. Current/Regular Agenda: Henry requested that item 6B be moved to the end of the meeting.

MOTION: Peterson moved, Murdoch seconded to approve current agenda as modified. Motion carried 5-0

2. Past Meetings Attended by Commissioners:

- Sharp: None
- McCartney: Ash Grove Citizens Advisory Committee, July 22, 2021 BOE Special Session, MAPA Farewell for Gregg Youell, Region Special Meeting
- Peterson: July 22, 2021 BOE Special Session – Protest and Budget meetings
- Henry: Budget meetings
- Murdoch: July 22, 2021 BOE Special Session

3. Open Public Hearing/Action 8:19am: MOTION: Murdoch moved, McCartney seconded. Motion carried 5-0
Publication: July 22, 2021- Plattsmouth Journal. Others appearing: Mike Jensen-Zoning Administrator

3A. PH. CUP #11060-Lyman Richey-Omni Engineering; East Bay Road, Plattsmouth SW ¼ Exc RR & Tract 3 (DB165 P427) L8, 10, 12 + ACCR & TL13 SE ¼ 36-13-13 & TL 34 N1/2 1-12-13 Parcels 130167460 & 130160547; Temporary Asphalt Plant

Jensen read from his staff report stating the permit meets the conditional use guidelines, section 5.05 Transitional AG District, Section C-Mining Extraction. Referring board to exhibits. Joe Pille, Environmental Coordinator-Omni Engineering-West appeared before the board to answer questions by the board; Sharp asked for clarification that the road leading to proposed plant was paved, Pille answered yes. No comments were heard from audience members.

3B. PH. CUP #11071-James Engelkemier-11219 Agnew Rd., Louisville IRR TR N1/2 9FRMR MISSILE SITE) & NW1/4 NE ¼ 29-12-12-Parcel 130142050- Storage

Jensen read from his staff report stating the permit meets the conditional use guidelines, section 5.04, AG-1, Section C-Outdoor storage. Referring board to exhibits, noting the Planning Commission approved recommendation by a 6-0 vote with a limit on the number of items stored to 300 and only in the area of the former missile site. Engelkemier appeared before the board to outline permit asking the board to approve the request as submitted (with no limit on items stored). Items discussed were number of RV/boat allowed on site and dust and traffic in area. One audience member spoke regarding dust and traffic in area.

Close Public Hearing 8:45am: MOTION: Murdoch moved, McCartney seconded. Motion carried 5-0

PH. MOTIONS:

3A. CUP #11060-Lyman Richey-Omni Engineering; East Bay Road, Plattsmouth SW ¼ Exc RR & Tract 3 (DB165 P427) L8, 10, 12 + ACCR & TL13 SE ¼ 36-13-13 & TL 34 N1/2 1-12-13 Parcels 130167460 & 130160547; Temporary Asphalt Plant

MOTION: Sharp moved, Peterson seconded to approve CUP 11060 as presented. Motion carried 5-0

3B. CUP #11071-James Engelkemier-11219 Agnew Rd., Louisville IRR TR N1/2 9FRMR MISSILE SITE) & NW1/4 NE ¼ 29-12-12-Parcel 130142050- Storage

MOTION: McCartney moved, Sharp seconded to approve CUP 11071 as presented. Motion carried 3-2, Henry and Murdoch voting no

Henry requested that all conditional use permits be approved by the County Attorney prior to coming before the board.

4. Litigation & Legal Matters-S. Colin Palm, County Attorney: None Scheduled

5. Road Matters-Lenny Thorne, Highway Superintendent: Jerry Fleischman-Construction Manager appeared before the board

5A. Discuss/Action- Approve purchase of (1) 12' Poly Heavy Truck Snow Plow from Northern Truck and Equipment (State Contract # 14938C)

MOTION: Sharp moved, McCartney seconded to authorize purchase of 1 heavy truck plow costing \$7,384.98 using state contract #14938C. Motion carried 5-0

6. New Business & Unfinished Business:

6A. Discuss/Action- Sean Kennedy-GIS Coordinator, new aerial imagery flights.

Kennedy outlined changes from last flight-noting Lake Waconda was not included in the proposal; cost of flight as presented \$125,441.78. Commissions requested Kennedy add Lake Waconda to the flight.

MOTION: Henry moved, Peterson seconded to partner with NIROC for new imagery flights to include Lake Waconda. Motion carried 5-0

6B. Discuss/Action- Presentation by Angie Bertel-BrooksJeffery, Updating county webpage

MOTION: Sharp moved, Peterson seconded table item until the August 17th meeting. Motion carried 5-0

6C. Discuss/Action- Cass County Zoning Regulations-Available to view at www.cassne.org (tabled 7.20.21)

Mike Jensen-Zoning Administrator and Jeff Ray-JEO Consulting Group appeared to outline regulation noting landfill operation were removed as discussed at the July 20, 2021 public hearing. Lee Greenwald- Attorney, BairdHolm and Tim Obrien-OPPD were asked to speak on size for solar developments on solar projects.

MOTION: Henry moved, Peterson seconded to approve zoning regulation as presented, with the exception that there will be no expansion to the TA Map, the map will remain as is. Motion carried 3-2, Sharp and Murdoch voting no

6D. Discuss/Action- Cass County Zoning Subdivision Regulations (tabled 7.20.21)

Mike Jensen-Zoning Administrator and Jeff Ray-JEO Consulting appeared to review regulation changes that were discussed at the July 20, 2021 Public Hearing.

MOTION: Henry moved, Murdoch seconded to approve subdivision regulation as presented with the change of 4 to 3 lots for Administrative Subdivisions. Motion carried 5-0

6E. Discuss/Action- Authorize Chair to sign Consulting Services Proposal for EMS Building

MOTION: Henry moved, Sharp seconded to enter into consulting services agreement with E.K. Shultz to perform engineering services at a cost of 6% of construction cost for proposed building. Motion carried 5-0

6F. Discuss/Action- Continuous Agenda Items: Budgetary items, Buildings update. Discussion held no action taken
Chad Korte & Sandy Weyers appeared to review 2021-2022 budget request for EMS Department which includes
adding (1) additional employee and (1) additional pickup due to additional duties regarding tower maintenance.

Henry noted that (1) additional employee was also added to the Sheriff 2021-2022 budget due to video maintenance.

7. Other Business Matters/Public Input & Comments: None

10:19am ADJOURN AS CASS COUNTY BOARD OF COMMISSIONERS: MOTION: Sharp moved, Peterson seconded.
Motion carried 5-0

I, Gerri Draper, the undersigned Clerk of Cass County, Nebraska do hereby certify the above minutes were taken by
me, and are true and correct to the best of my knowledge and are part of the official records of this office. I therefore
set my hand and affix the County Seal this 3rd day of August, 2021.

State of Nebraska)
County of Cass) ^{ss.}

Gerri Draper
Cass County Clerk

We, the undersigned Board of Commissioners of Cass County, Nebraska do hereby certify the above minutes are
true and correct to the best of our knowledge, and are part of the official records of the Cass County Clerk's Office.
We therefore set our hands this 3rd day of August, 2021.

Dale Sharp-Dist. 1, Janet McCartney-Dist. 2, James Peterson-Dist. 3, Dan Henry-Dist. 4, Duane Murdoch-Dist. 5