

**March 15, 2022 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](http://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: Sommer, Peterson, Henry and Murdoch. Absent-Henry. Others present: Colin Palm-County Attorney, Gerri Draper-County Clerk

Vice-Chair Peterson asked those in attendance to observe a moment of silence for the people of Ukraine

CONSENT AGENDA: Previous Meeting Minutes, Claims, Payroll/Time Balance Reports and Fees: County Clerk- Misc. \$563.00; Register of Deeds-Preservation \$2,058.00, State DOC Stamps-\$25,646.98, CO General DOC Stamps \$7,326.77, General Fund \$13,357.00; Zoning- Misc. \$16,483.80; Dist. Court Clerk- Misc. \$4,091.17; Sheriff- Mileage \$1,796.00, Commission \$1,710.37

MOTION: Murdoch moved, Sharp seconded to approve consent agenda as prepared. Motion carried 4-0, Henry absent

GENERAL CLAIMS: Accelerated Graphx \$40.00 (Srv) Agrivision Equipment Group \$574.08 (Srv) All Copy Products \$23.13 (Sup) American Eagle Computer Products \$400.00 (Sup) American Heart Association \$200.00 (Srv) Ameritas Life Insurance \$2,801.36 (Ins) Ameritas Life Insurance \$29,118.87 (Ins) Betterway Tire & Auto \$57.00 (Srv) Black Hills Energy \$110.92 (Srv) Blue 360 Media \$174.59 (Srv) Boundtree Medical \$81.56 (Srv) Dr. Lawrence Carlsson MD \$2,000.00 (Srv) Cash-Wa Distributing \$817.60 (Srv) Cass County Court \$2,523.08 (Srv) Cass County Sheriff \$472.87 (Srv) Cass County Sheriff \$519.08 (Srv) Cass County Treasurer \$1,000,015.00 (Srv) Cassgram \$967.00 (Srv) Charter Communication \$175.60 (Srv) Chemsearch \$472.48 (Srv) Clerk of the District Court \$361.00 (Srv) Brian Coffman \$1,822.52 (Reim) Comdata Corporation \$2,303.91 (Srv) Control Masters \$4,509.00 (Srv) Crawford Supply Company \$176.34 (Srv) Percival Culligan Water \$61.25 (Srv) Cummins Sales & Service \$348.58 (Srv) Datashed Corporation \$115.00 (Srv) Douglas County District Court \$9.25 (Srv) Eakes Office Solutions \$1,373.27 (Sup) EMS Connect \$72.00 (Srv) Es&S \$3,675.00 (Srv) ESO Solutions \$3,290.00 (Srv) Family Physicians of Plattsmouth \$13.00 (Srv) Fankhauser, Nelsen, Werts, Ziskey & Merwin \$2,755.00 (Srv) First Concord \$67.50 (Srv) First State Bank \$31,173.06 (Srv) Frontier Cooperative \$893.91 (Srv) Galls \$420.61 (Sup) Grainger \$853.30 (Sup) Hampton Inn \$114.95 (Srv) Hayes Mechanical \$578.14 (Srv) Helget Home Care \$26.00 (Srv) Henry-Hobscheidt Service Center \$86.07 (Srv) Tammy Hetherington \$372.75 (Srv) HTBS Credit \$6.76 (Srv) Brady Hoekstra \$2,647.75 (Srv) Hometown Leasing \$1,209.64 (Srv) Intoximeters \$1,134.60 (Srv) Gerald Johnson \$580.50 (Srv) Lisa Gonzalez \$4,197.22 (Srv) Jones Automotive \$17,116.10 (Srv) Keckler Oil Company \$25.25 (Srv) Keefe Supply Company \$451.71 (Sup) Lancaster County Sheriff Dept \$25.24 (Srv) LG Cleaners \$211.00 (Srv) Gerald Liess \$800.00 (Srv) The Plattsmouth Journal \$56.00 (Srv) Lincoln Journal Star \$1,458.60 (Srv) Mainelli Mechanical Contractors \$1,755.19 (Srv) Marking Refrigeration \$6,330.50 (Srv) Matheson Tri-Gas \$238.79 (Srv) Meeske Ace Hardware \$47.26 (Sup) Meeske Auto Parts \$523.75 (Srv) Menards \$74.99 (Sup) Menards Capital One Commercial \$74.96 (Sup) Microfilm Imaging Systems \$270.00 (Srv) Midlands Printing \$165.65 (Srv) Mill Creek Auto Parts \$1.84 (Sup) MIPS \$3,219.04 (Srv) NACO \$70.00 (Srv) Nebraska Notary Association \$100.00 (Srv) NPPD \$86.11 (Srv) Nebraska.gov \$33.00 (Srv) Office Systems Division \$1,152.34 (Srv) Office Warehouse \$423.33 (Sup) Omega Chemical \$488.82 (Srv) H.S.A \$2,150.00 (Srv) O'Reilly Auto Parts \$110.39 (Sup) Oxen Technology \$10,514.50 (Srv) Paper Tiger Shredding \$152.00 (Srv) Papillion Sanitation \$377.58 (Srv) City of Plattsmouth \$1,318.02 (Srv) Thomas Prickett \$432.25 (Srv) Professional Heating & Air Conditioning \$460.60 (Srv) Reliance Standard Life Ins -\$29.90 (County Adjust) Reliance Standard ACC \$81.22 (County Adjust) Reliance Standard CRIT \$31.26 (County Adjust) Reliance Standard HOSP \$238.68 (County Adjust) Reliance Standard LONGT \$5.09 (County Adjust) Reliance Standard SHORT \$53.78 (County Adjust) Reporting Services \$179.20 (Srv) Reid Richter \$150.00 (Srv) Ricoh \$137.23 (Srv) Roby Funeral Home \$1,000.00 (Srv) Rural Water District #3 \$36.00 (Srv) Sarpy County Treasurer \$2,518.76 (Srv) Mirissa Scholting \$276.18 (Reim) Skyebrowse \$1,890.00 (Srv) Public Defender \$349.50 (Srv) Staples Business Credit \$493.49 (Sup) Stericycle \$88.21 (Srv) Summit Food Service \$8,684.47 (Sup) The Home Depot Pro \$259.01 (Sup) Thomson Reuters – West \$1,358.18 (Srv) Thyssenkrupp Elevator Corp \$254.18 (Srv) Mary Tilson \$500.00 (Srv) Bobie Touchstone \$9,557.00 (Srv) Transunion Risk & Alternative \$75.00 (Srv) Uline \$126.38 (Srv) Unifirst Corporation \$399.66 (Srv) United Health Care 81,159.07 (Ins) US Bank \$1,990.88 (Srv) US Bank Voyager Fleet \$9,924.89 (Srv) VSP Vision \$200.17 (County Adjust)Windstream \$15,450.11 (Srv) Woodhouse Ford \$36,791.00 (Srv) Zelle \$4,565.52 (Srv) 4H Showworks Billing \$175.00 (Srv) CLAIMS: \$1,336,656.13 PAYROLL: \$365,527.53 TOTAL: \$1,702,183.66 ROADS CLAIMS: Ace Irrigation \$5,755.50 (Srv) AKRS Equipment \$54.10 (Srv) Allied Oil Company \$1,425.20 (Srv) Aramark \$436.51 (Srv) Ashland Disposal \$32.55 (Srv) Audio Video Solutions \$350.00 (Srv) Village of Avoca \$63.00 (Srv) Black Hills Energy \$308.27 (Srv) Bobcat of Omaha \$132.38 (Srv) Cass County Refuse \$167.85 (Srv) Cassgram \$260.00 (Srv) Eakes Office Solutions \$15.49 (Sup) Village of Elmwood \$61.73 (Srv) Fireguard \$968.00 (Srv) Frontier Cooperative \$14,658.78 (Srv) Village of Greenwood \$194.88 (Srv) Haney Shoe Stores \$179.99 (Sup) Lincoln Journal Star \$26.04 (Srv) Mainelli Wagner & Association \$39,341.60 (Srv) Matheson Tri-Gas \$19.26 (Srv) Medical Enterprises \$180.00 (Srv) Meeske Ace Hardware \$167.25 (Sup) Meeske Auto Parts \$701.50 (Sup) Michael Todd & Company \$2,641.40 (Srv) Mid-America Termite & Pest Control \$100.00 (Srv) MIPS \$142.18 (Srv) OPPD \$45.92 (Srv) Papillion Sanitation \$2,159.56 (Srv) RDO Truck Center \$8,750.60 (Srv) Rural Water District #3 \$33.25 (Srv) Schemmer \$9,295.00 (Srv) Syracuse Iron Works \$696.90 (Srv) US Bank \$142.57 (Srv) US Bank Voyager \$382.46 (Srv) Van Kirk Bros Contracting \$520,850.79 (Srv) Whetrock \$807.36 (Srv) CLAIMS: \$611,547.87 PAYROLL: \$60,427.52 TOTAL: \$671,975.39 JUVENILE DIVERSION: CLAIMS: \$404.05 PAYROLL: 1,041.45 TOTAL: \$1,445.50 VISITOR PROMOTION: Lincoln Journal Star \$5.48 (Srv) Carl Reichart \$277.56 (Reim) CLAIMS: \$283.04 PAYROLL: \$1105.00 TOTAL: \$1,388.04 RECORD PRESERVATION: MIPS \$276.64 TOTAL: \$276.64 E911 FUND: DAS Central Finance \$1,144.49 (Srv) Electronic Engineering \$2,681.48 (Srv) NPPD \$167.69 (Srv) OPPD \$172.78 (Srv) Windstream \$1,213.37 (Srv) TOTAL: \$5,379.81 E911 WIRELESS: Windstream \$1,992.80 (Srv) TOTAL: \$1,992.80 OVERALL GRAND TOTAL: \$2,384,641.84

1. Current/Regular Agenda:

MOTION: Sharp moved, Murdoch seconded to approve current agenda as prepared. Motion carried 4-0, Henry absent

2. Past Meetings Attended by Commissioners:

- Sharp: None
- Sommer: Met with I.T department, and discussions with Windstream, SENCA meeting
- Peterson: Planning Commissioner meeting, Region 6 meeting
- Henry: Absent
- Murdoch: Planning Commission meeting

3. Open Public Hearing/Action 8:14am: MOTION: Sharp moved, Murdoch seconded. Motion carried 4-0, Henry absent. Published: Plattsmouth Journal- March 3, 2022. Others present- Mike Jensen, Zoning Administrator 3A. PH. CUP #11256 Wright Sheds; legal description TL7, E1/2, NE1/4 34-12-9; Parcel 130395807-Sign Jensen noted CUP # 11256 meets the conditional use guidelines as set forth in the Cass County Zoning Regulations, referring board to exhibits A-F. Planning Commission Recommendation: 8-0 Approval. Owner-Chad Wright discussed location (due to power line) and height of sign. Comments received: Neighboring property owner had questions regarding location and safety concerns.

Published: Plattsmouth Journal- March 3, 2022; others present: Mike Jensen, Zoning Administrator 3B. PH. CUP #11168 Anthony Wojtalewicz; legal description: Buccaneer Bay Lot 1C-3 and SL2 of 2D 33/34-13-13; Parcel 130392331 & 130200670-Storage Facility Jensen noted CUP #11168 meets the zoning regulations definition mixed unit development, referring board to exhibits A-E. Planning Commission Recommendation: 4-4 Disapprove. Owner Anthony Wojtalewicz appeared to outline request. Comments received: 4 audience members for, 12 audience members against.

Close Public Hearing: 9:56am: MOTION: Murdoch moved, Sommer seconded. Motion carried 4-0, Henry absent PH: MOTION(S)

3A. PH. CUP #11256 Wright Sheds; legal description TL7, E1/2, NE1/4 34-12-9; Parcel 130395807-Sign MOTION: Sharp moved, Murdoch seconded to approve CUP #11256 as presented. Motion carried 4-0, Henry absent

3B. PH. CUP #11168 Anthony Wojtalewicz; legal description: Buccaneer Bay Lot 1C-3 and SL2 of 2D 33/34-13-13; Parcel 130392331 & 130200670-Storage Facility MOTION: Sharp moved, Murdoch seconded to disapprove CUP #11168 as presented. Motion carried 4-0, Henry absent

10:00am BREAK

3. Open Public Hearing/Action 10:15am: MOTION: Sharp moved, Murdoch seconded. Motion carried 4-0, Henry absent. Published: Plattsmouth Journal- March 10, 2022; others present: Lenny Thorne, Highway Superintendent 3C. Bid Opening: Aggregate 2022 \*Thorne noted the information received was for annual prices quotes, vendors are hesitant to enter into contact because products cannot be guaranteed.

BIDDER	Gravel	Crusher Run	Clean Rock	Rip-Rap
Western Sand & Gravel Co.	\$17.95	No bid	No bid	No bid
Martin Marietta	No bid	\$15.55/ton	\$20.45/ton	No bid

Published: Plattsmouth Journal- March 10, 2022; others present: Lenny Thorne, Highway Superintendent 3D. Bid Opening: 2022 Hauling

BIDDER	Hauling Truck<20tons	Hauling Truck/pup=tons	Hauling Rip-Rap
Wessels Trucking	.18/\$3.00 minimum	.16/\$4.00 minimum	.19/\$5.00 minimum
Westover Rock & Sand Inc.	.25/\$5.00 minimum	.21/43.00 minimum	.25/\$5.00 minimum

Close Public Hearing: 10:20am: MOTION: Sharp moved, Murdoch seconded. Motion carried 4-0, Henry absent PH: MOTION(S)

3C. Bid Opening: Aggregate 2022 MOTION: Sharp moved, Murdoch seconded to accept all aggregate bids submitted from Western Sand & Gravel and Martin Marietta. Motion carried 4-0, Henry absent

Thorne requested approval to purchase on the open market if needed due to receiving only annual price quotes. MOTION: Murdoch moved, Sharp seconded to authorize the Highway Superintendent to purchase on the open market for gravel and rock annually if needed. Motion carried 4-0, Henry absent

3D. Bid Opening: 2022 Hauling MOTION: Sharp moved, Murdoch seconded to accept hauling bids submitted from Wessels Trucking and Westover Rock & Sand Inc., chair authorized to sign contracts as needed. Motion carried 4-0, Henry absent

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

5. Road Matters-Lenny Thorne, Highway Superintendent: None scheduled

6. New Business & Unfinished Business:

6A. Discuss/Action- Jeff Leach- State Probation Senior Officer, request Community Center/Probation Family Pass renewal MOTION: Murdoch moved, Sharp seconded to authorize the clerk to process payment for probation family pass in the amount of \$660.99 from County General. Motion carried 4-0, Henry absent

6B. Discuss/Action- Chad Korte-EMS, Select Cass County Representative to serve on the NRIN Board  
MOTION: Sharp moved, Sommer seconded to nominate Chad Korte to serve on the NRIN Board. Motion carried 4-0, Henry absent

6C. Discuss/Action- Chad Korte-EMS, request authorization for chair to sign contract with NRIN  
MOTION: Sharp moved, Murdoch seconded to authorize the vice-chair to sign the MOU Agreement with NRIN. Motion carried 4-0, Henry absent

6D. Discuss/Action- Mike Jensen-Zoning Administrator, update from NFPA 70 NEC2014 to NFPA 70 NEC2017 electrical code  
MOTION: Murdoch moved, Sharp seconded to adopt the NFPS 70 NEC2017 Electric Code. Motion carried 4-0, Henry absent

6E. Discuss/Action- Mike Jensen-Zoning Administrator, change to prior Cell Tower Regulations per Robert Naumann- CMS  
MOTION: Peterson moved, Sharp seconded to rescind the current cell tower regulations and reinstate the previous cell tower regulations at the recommendation of Robert Naumann-CMS. Motion carried 4-0, Henry absent

6F. Discuss/Action- Annette Wiles, Presentation- Plattsmouth Country Club Estates. Presentation given no action taken. Adjacent land owner spoke against subdivision

7. Public Input & Comments:

Jennifer Serkiz-CCEDC appeared to announce she will be resigning from the Cass County Economic Development Council and Janet McCartney appeared to request an update on the bike trail.

11:28am RECESS until 2:15pm for 6G. Presentation

2:15 MEETING RECONVENED IN OPEN SESSION: Members Present: Sommer, Peterson, Henry and Murdoch. Absent-Henry. Others present: Colin Palm-County Attorney, Gerri Draper-County Clerk

6F. 2:15pm Presentation - Jeff Berggren-Valley AG Solar, Solar Energy. No action taken  
Audience members addressing the board: Attorneys David Begley and Lee Greenwald

3:45pm ADJOURN AS CASS COUNTY BOARD OF COMMISSIONERS: MOTION: Murdoch moved, Sharp seconded. Motion carried 4-0, Henry absent

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 15<sup>th</sup> day of March, 2022.

State of Nebraska)  
County of Cass) <sup>SS.</sup>

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 15<sup>th</sup> day of March, 2022.

Dale Sharp-Dist. 1, Jennifer Sommer-Dist. 2, James Peterson-Dist. 3, Dan Henry-Dist. 4, Duane Murdoch-Dist. 5  
*Cass County Board of Commissioners*