

April 12, 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. 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 Sommer, 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- Correction to Tax Rolls/Omitted Property/Assessment Rolls (Real/Personal) Parcel #(s): 130062782-RE (2021), 130394002-PP (2021), 130120146-RE (2019), 130120227-RE (2019)

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

8:03am CONVENE – BOARD OF COMMISSIONERS

CONSENT AGENDA: Previous Meeting Minutes, Claims, Payroll/Time Balance Reports

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

GENERAL CLAIMS: Ameritas Life Insurance Corp \$31,513.07 (ins) Betterway Tire & Auto \$25.00 (srv) Bomgaars \$343.99 (sup) Brian P. Harvey Funeral Home \$1,000.00 (srv) Brooks-Jeffrey Marketing Inc \$2,995.00 (srv) Linda Brouhard \$60.00 (reim) William Brueggemann \$60.00 (reim) Carahsoft Technology Corporation \$10.00 (srv) Lawrence Carlsson MD \$2,500.00 (srv) Cash-Wa Distributing \$728.90 (srv) Cass County Agricultural Society \$836.65 (srv) Cass County Extension \$38.48 (reim) Cass County Historical Society \$2,500.00 (srv) Cass County Sheriff-Civil Process \$1,060.89 (srv) Cass County Sheriff \$973.38 (reim) Cass County Treasurer \$14,569.06 (trans) Cassgram \$146.00 (srv) Chemsearch \$472.48 (srv) Clerk of the District Court \$144.00 (srv) Conner Psychological Service PC \$300.00 (srv) Control Masters Inc \$407.50 (srv) Copple Chevrolet GMC Inc \$51,940.00 (srv) Crawford Supply Company \$352.70 (srv) Percival Culligan Water \$43.75 (sup) CVSOAN \$60.00 (srv) DAS Central Finance \$1,144.49 (srv) Dept of Revenue-Property Assessment \$400.00 (srv) Geri Draper \$60.00 (reim) Eakes Office Solutions \$1,932.98 (sup) Harold Ehmke \$15.00 (ret) Encartele Inc \$3,000.00 (srv) ES&S 44,908.13 (srv) Eugene Farris \$9.00 (ret) Cindy Fenton \$59.08 (reim) Ferguson Enterprises LLC \$62.14 (srv) Fillmore County Sheriff \$32.14 (srv) First State Bank Nebraska \$31,003.59 (tax) First State Bank Nebraska \$2,960.00 (srv) Hometown Leasing \$1,684.06 (srv) Horwath Laundry Company \$1,479.81 (srv) Mike Jensen \$60.00 (reim) John's Appliance \$110.19 (srv) Johnson & Pekny LLC-Gerald D Johnson \$209.50 (srv) Johnson & Pekny LLC-Lisa M Gonzalez \$4,345.84 (srv) Johnson Hardware Company \$36.50 (srv) Jones Polygraph Service \$700.00 (srv) Keckler Oil Company \$107.53 (srv) Keefe Supply Company \$426.99 (srv) LG Cleaners Inc \$251.00 (srv) Lincoln Journal Star \$860.80 (srv) Meeske Ace Hardware \$61.02 (sup) Menards \$59.99 (sup) Midlands Printing \$166.65 (srv) Mill Creek Auto Parts \$47.17 (srv) MIPS Inc \$6,034.42 (srv) Montgomery County Clerk of Court \$41.73 (srv) Linn Moore \$60.00 (reim) Nebraska Assoc of County Treasurers \$125.00 (srv) NE Law Enforcement Training \$175.00 (srv) Nebraska Public Power District \$7,532.93 (srv) Nebraska Title Company \$500.00 (srv) Nebraska.gov \$391.00 (srv) Todd O'Connor \$60.00 (reim) Office Depot \$135.04 (sup) Office Warehouse \$202.94 (sup) Omaha Compound Co \$721.92 (sup) Omega Chemical Co Inc \$163.06 (srv) Owen Law Office \$3,500.00 (srv) Oxen Technology \$247.50 (srv) Colin Palm \$60.00 (reim) Paper Tiger Shredding Inc \$152.00 (srv) Papillion Sanitations \$420.59 (srv) Perfection Auto Repair \$40.00 (srv) City of Plattsmouth \$983.43 (srv) Plattsmouth Community Foundation \$100.00 (srv) Sandra Prall \$257.34 (reim) Thomas Prickett \$2,109.00 (srv) Quill Corporation \$189.93 (sup) Region 6 Behavioral Health Care \$18,168.50 (srv) Reliance Standard Life Ins Co \$176.00 (ins) Ricoh USA Inc \$137.23 (srv) Rock Bluff Restoration \$1,000.00 (srv) Otoe County Rural Water District #3 \$36.00 (srv) Rural Water Dist #1 \$38.20 (srv) Jennifer Serkiz \$19.68 (srv) E Michael Slattery-Public Defender \$412.50 (srv) Software Unlimited \$256.00 (srv) Staples Business Credit \$184.44 (sup) William Sterrett \$60.00 (reim) Stop n Shop \$78.82 (srv) Summit Food Service LLC \$4,241.48 (srv) George Tesar Jr \$21.20 (srv) Leonard Thorne \$60.00 (reim) Thyssenkrupp Elevator Corp \$254.18 (srv) Mary Tilson \$500.00 (srv) Bobie Touchstone \$2,033.00 (srv) Unifirst Corporation \$202.32 (srv) United Healthcare \$78,465.87 (ins) US Bank \$259.77 (srv) US Bank Voyager Fleet Systems \$830.36 (srv) Verizon \$506.05 (srv) Verizon Wireless \$3,642.37 (srv) Voss Lighting \$484.80 (sup) Warren Wade \$19.00 (ret) Sandra Weyers \$60.00 (reim) Windstream \$2,106.41 (srv) Zelle LLC \$4,631.04 CLAIMS: \$317,880.94; PAYROLL: \$365,398.36; TOTAL: \$683,279.30 ROADS: Aramark \$460.84 (srv) Village of Avoca \$63.00 (srv) Betterway Tire & Auto \$120.00 (srv) Black Hills Energy \$284.77 (srv) Bobcat of Omaha \$33.45 (srv) Cass County Refuse \$167.85 (srv) Cassgram \$104.00 (srv) Caterpillar Financial Services Corp \$32,732.16 (srv) Clark Equipment Company \$5,250.00 (srv) Eakes Office Solutions \$17.09 (sup) Village of Elmwood \$59.20 (srv) Frontier Cooperative \$20,001.31 (srv) Village of Greenwood \$173.14 (srv) Haney Shoe Stores Inc \$157.99 (sup) Hotsy Equipment Co \$1,040.06 (srv) Keckler Oil Company \$174.39 (sup) Martin Marietta \$80,476.27 (sup) Meeske Auto Parts \$2,982.52 (sup) Midwest Service & Sales Co \$38,312.40 (sup) MIPS Inc \$426.54 (srv) Mullenax Auto Supply Inc \$342.76 (sup) Omaha Public Power District \$42.53 (srv) Papillion Sanitations \$375.44 (srv) Pavers Inc \$334.95 (sup) Quik Dump Refuse Inc \$34.18 (srv) Raka Rentals \$2,056.00 (srv) Otoe County Rural Water District #3 \$33.25 (srv) Schemmer \$1,602.50 (srv) Shaffer Communications \$822.00 (srv) US Bank Voyager Fleet Systems \$1,557.77 (srv) CLAIMS: \$190,238.36; PAYROLL: \$58,307.80; TOTAL: \$248,546.16 JUVENILE DIVERSION: TOTAL: \$1,445.50 VISITOR PROMOTION: Carl E Reichart \$231.66 (reim) CLAIMS: \$231.66 PAYROLL: \$1,075.00 TOTAL: \$1,336.66 RECORD PRESERVATION: MIPS Inc \$276.64 (srv) TOTAL: \$276.64 FEMA: Black Hills Energy \$109.56 (srv) Comdata Corporation \$2,039.29 (srv) Danko Emergency Equipment Co \$302.35 (srv) Eakes Office Solutions \$43.56 (sup) EMS Connect \$72.00 (srv) Great Plains Uniforms LLC \$140.49 (srv) Hotsy Equipment Co \$478.99 (srv) Gerald M Liess \$440.00 (srv) Lincoln Journal Star \$7.58 (srv) Village of Manley \$63.00 (srv) Matheson Tri-Gas Inc \$263.09 (srv) Meeske Auto Parts \$14.40 (sup) Motorola Solutions \$7,822.80 (srv) PPE Inc DBA AED Zone \$250.00 (srv) Stericycle Inc \$88.21 (srv) Stryker Sales Corp \$148.80 (srv) Uline \$83.23 (srv) Worldpoint ECC Inc \$428.40 (srv) TOTAL: \$12,795.75 COVID-AMERICAN RESCUE PLAN: Electronic Contracting Company \$3,600.00 (srv) TOTAL: \$3,904.00 E911: Nebraska Public Power District \$157.74 (srv) Omaha Public Power District \$169.21 (srv) TOTAL: \$326.95 OVERALL GRAND TOTAL: \$951,606.96

1. Current/Regular Agenda:

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

2. Past Meetings Attended by Commissioners:

- Sharp: None
- Sommer: MAPA Conference call, Cybersecurity review with I.T. Department

- Peterson: NIRMA Claims Committee meeting, and Cybersecurity discussions
- Henry: None
- Murdoch: Deputy Interviews

3. Open Public Hearing/Action 8:15am: MOTION: Peterson moved, Murdoch seconded. Motion carried 5-0

3A. Bid Opening: 2022 EMS Building Concrete Flat Work; Published: Plattsmouth Journal 3/31/22 & 4/7/22

COMPANY:	BID BOND:	TOTAL:
JSM Concrete	Yes	\$67,400.00
Marsh Creek Concrete, Inc.	Yes	\$72,600.00
Van Winkle Construction	Yes	\$74,940.00

3B. Bid Opening: 2022 Foundation Work for EMS Building; Published: Plattsmouth Journal- 3/31/22 & 4/7/22

COMPANY:	BID BOND:	TOTAL:
Marsh Creek Concrete, Inc.	Yes	\$81,000.00

3C. Public Hearing: CUP #11278 Tincher Investments, Co., Inc. – Young Road in Plattsmouth – W1/2, NW1/4, SE1/4 & TL10 E1/2, NW1/4, SE1/4, 07-11-14 – Parcels 130157791 & 130392160 - Subdivision – Preliminary Plat; Published: Plattsmouth Journal- 3/31/22. Others present: Mike Jensen-Zoning Administrator, Mark Tincher-applicant and Ben Drews, Engineer- TD2 Engineering to discuss application.

Jensen introduced item stating applicant parcels are Zoned Transitional AG; Lakeview Estates III Phase 2 subdivision includes 26 lots; access will be off of Young Road which is paved. Overview by Jensen: request meets County Subdivision Regulations, noting one point of contention was the south access which connects Lakeview Estates II Phase 2. Jensen stating this access is needed because the cul-de-sac is more than 600’ long. Planning Commission vote: 7-1 to recommend approval based on Emergency Management’s review of the length of cul-de-sac and the connection road, noting the Emergency Management’s review states the connection is necessary.

Discussion continued regarding application: Jensen stated Lakeview Estates Phase II HOA is against the connection to Lakeview Estates III and his office received a letter from the Murray Fire Department with concerns of how fire trucks would be filled in the event of an emergency (closest hydrant is on Rock Bluff Road.) Colin Palm-County Attorney asked for clarification on ownership/agent listed on documents provided to the board. Drews and Tincher addressed questions raised regarding owner/agent and easement. With no further questions the board Chair asked for comments from the audience; 3 audience members (residents of Lakeview Estates II Phase 2) spoke against Phase III using Phase II roads for access. Hearing no additional comments chair asked for motion to close public hearing.

Close Public Hearing: 8:56am: MOTION: Peterson moved, Murdoch seconded. Motion carried 5-0

Public Hearing Motions:

3A. Bid Opening: 2022 EMS Building Concrete Flat Work

MOTION: Peterson moved, Sommer seconded to award bid to Marsh Creek Construction as bid in the amount \$72,600.00 for the concrete flat work. Motion carried 5-0

3B Bid Opening: 2022 Foundation Work for EMS Building

MOTION: Peterson moved, Sharp seconded to award bid to Marsh Creek Construction as bid in the amount of \$81,000.00 for foundation work. Motion carried 5-0

3C. Public Hearing: CUP #11278 Tincher Investments, Co., Inc. - Young Road in Plattsmouth – W1/2, NW1/4, SE1/4 & TL10 E1/2, NW1/4, SE1/4, 07-11-14 – Parcels 130157791 & 130392160 - Subdivision – Preliminary Plat

MOTION: Sharp moved, to approve CUP without the connecting access road. MOTION failed due to lack of second.

MOTION: Henry moved, Murdoch seconded to table item until the next board meeting due to concerns on the connecting road easement between phase II and phase III, and ownership/agent on submitted documents. Henry asked the developer to work with the Planning/Zoning department to clean up areas of concern before resubmitting proposal on the CUP agreement that involves no connection between the two phases of Lakeview Estates. Motion carried 5-0

9:09am BREAK

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

5. Road Matters-Lenny Thorne, Highway Superintendent:

5A. Discuss/Action- Request by Keu, Inc. to use Waconda Road/30th Ave. Authorize Highway Superintendent to sign use and restoration agreement (No. 01-22) on haul roads

Thorne and a representative from Keu outlined the request- project is estimated to take 8 weeks (dependent on weather) materials being hauled filter sand, bentonite and rip-rap. Keu and County Roads Department will perform periodic inspections of the roads and Keu will be responsible for any damage to road.

MOTION: Henry moved, Sharp seconded to authorize Thorne to sign the use and restoration agreement No. 01-22 as requested. Motion carried 5-0

5B. Discuss/Action- Award Material Bid Proposal STWD-CMP(5): C-13(923), C-34(1208), C-64(249), C-66(668), C-66(669) and C-66(670) (tabled 3/29/22)

MOTION: Peterson moved, Sommer seconded to award bid to Contech Engineered Solutions, LLC., as bid in the amount of \$541,920; Cass Project C-13(923) Weeping Water SE C001314707P, cost \$119,090.00, authorize chair to sign contract as needed. Motion carried 5-0

6. New Business & Unfinished Business:

6A. Discuss/Action- Cindy Fenton-Treasurer, unsold property taxes request authorization to place parcels on county sale

MOTION: Murdoch moved, Peterson seconded to authorize Treasurer to place parcels on county sale. Motion carried 5-0

6B. Discuss/Action- Form 110 application for addition to Class C Liquor License #123802 (Tiki Time), addition of one story bldg., approx. 42 X 28 with North outdoor area approx. 28 X 8; SW outdoor area approx. 11 X 9; SE outdoor area approx. 39 X 9; walk-in cooler approx. 12 X 7, authorize clerk to sign

MOTION: Sharp moved, Peterson seconded to authorize Clerk to sign Form 110 submitted by Tiki Time for an addition to Class C Liquor License as presented. Motion carried 5-0

6C. Discuss/Action- Form 110 application for addition to Class I-116306 (Lofte Community Theater), addition of outdoor area approx. 25 X 30, authorize clerk to sign

MOTION: Peterson moved, Murdoch seconded to authorize Clerk to sign Form 110 submitted by Lofte Community Theater for an addition to Class C Liquor License as presented. Motion carried 5-0

6D. Discuss/Action- Potential 3-yr Cybersecurity contract with KnowBe4. Discussion held, Peterson will reach out to NIRMA to determine what services they provide. Item will be put back on next meeting agenda.

6E. Discuss/Action- RES 2013-06 (AMENDED), items added 2a. & 2b (law enforcement equipment- disposal)

MOTION: Sharp moved, Murdoch seconded to adopt amended RES 2013-06. Motion carried 5-0

6F. Discuss/Action- Linn Moore-Election Commissioner, 1st District Congressional Seat-Special Election Cost Moore provided information for the board on estimated costs of special election

MOTION: Henry moved, Murdoch seconded to authorize the cost of the June 28, 2022 special election to be paid from the general fund (970). Motion carried 5-0

6G. Discuss/Action- Hiring outside counsel for Solar Project

Discussion held on hiring outside counsel or a 3rd party engineering firm to assist Cass County on the Solar Project.

MOTION: Murdoch moved, Peterson seconded to interview outside counsel for zoning and solar project as needed. Motion carried 5-0

Chair asked if any member of the audience would like to speak on the subject; with 3 audience members addressing the board.

7. Public Input & Comments:

Sean Kennedy-GIS Coordinator, updated the board on the following items: 2022 Eagleview Imagery cost \$12,780.00. Option to join OPPD LiDAR Data (VeriDaaS) cost \$70,000.00. GIS Workshop contract (Project 0078-034 June 18, 2018)

10:36am ADJOURN AS CASS COUNTY BOARD OF COMMISSIONERS: MOTION: Sharp moved, Murdoch 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 12th day of April, 2022.

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

Gerri Draper, 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 12th day of April, 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