

MINUTES: April 26, 2022 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. Absent: Murdoch. Others present: Colin Palm-County Attorney, Gerri Draper-County Clerk

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

1. Discuss/Action- Motor Vehicle Exemption Application(s): The Nebraska Masonic Home (1) 2017 Chrysler Pacifica Van

MOTION: Sharp moved, Peterson seconded to approve motor vehicle exemption filed by the Nebraska Masonic Home. Motion carried 4-0, Murdoch absent.

8:06am CONVENE – BOARD OF COMMISSIONERS

CONSENT AGENDA: Previous Meeting Minutes, Claims, Payroll/Time Balance Reports and fees: Fees- County Clerk Misc. \$1,689.55; Zoning – Misc. \$12,747.02; Register of Deeds- Preservation \$2,512.00, ST DOC Stamps- \$36,530.54. CO General DOC Stamps - \$10,435.96, CO General \$15,834.00; District Court - Misc. \$3,858.96; Sheriff – Mileage \$2,752.08, Commission \$2,197.79.

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

GENERAL CLAIMS: All Copy Products Inc \$23.13 (srv) Raymond Althouse \$42.96 (reim) Ameritas Life Insurance Corp \$29,977.03 (ins) Autographix Inc \$1,350.00 (sup) Betterway Tire & Auto \$74.00 (srv) Black Hills Energy \$4,736.33 (srv) Scott Bornemeier LLC \$34.99 (srv) Boundtree Medical LLC \$667.11 (sup) Linda Brouhard \$13.22 (reim) Carahsoft Technology Corporation \$10.00 (srv) Cash-Wa Distributing \$1,281.90 (srv) Cass County Refuse \$193.05 (srv) Cass County Sheriff-Civil Process Division \$96.87 (srv) Cass County Sheriff \$865.06 (reim) Cass County Treasurer \$75.00 (srv) Cassgram \$117.00 (srv) Charter Communications \$229.99 (srv) Clerk of the District Court \$110.00 (srv) Cornhusker State Industries \$1,877.80 (srv) DAS State Accounting \$201.60 (srv) Roger Dennis \$36.53 (reim) Diamond Drugs Inc \$347.43 (srv) Diamond Medical Supply \$77.31 (srv) Diamond Vogel \$451.72 (srv) Dollar General \$136.20 (sup) Eakes Office Solutions \$1,621.30 (sup) Eastern Nebraska Human Services Agency \$22,738.00 (srv) Gayle Casey \$91.50 (srv) Deborah Null \$165.00 (srv) Electronic Contracting Company \$300.00 (srv) ES&S \$48.48 (srv) Environmental Systems Research Institute \$13,100.00 (srv) Steve Felthousen \$31.38 (reim) First Concord \$67.50 (ins) First State Bank Nebraska \$29,320.76 (tax) Frontier Cooperative \$86.55 (srv) Galls LLC \$1,887.66 (sup) Grainger \$699.97 (sup) Rand Group \$58.00 (reim) Hayes Mechanical LLC \$1,107.42 (srv) Hometown Leasing \$780.57 (srv) HRDirect \$363.76 (srv) HyVee \$404.79 (srv) I Heart Media \$3,351.99 (srv) Iowa Prison Industries \$209.00 (sup) JEO Consulting Group Inc \$1,125.00 (srv) John's Appliance \$41.99 (srv) Johnson & Pekny LLC-Gerald D Johnson \$826.50 (srv) Jones Automotive Inc \$920.00 (srv) Jones Polygraph Service \$350.00 (srv) JP Cooke Company \$36.85 (srv) Keckler Oil Company \$25.25 (srv) Kerns Excavating Co Inc \$390.00 (srv) Valerie Kochevar RPR CSR MTDS Reporters \$696.00 (srv) Gerald M Liess \$360.00 (srv) Lincoln Journal Star \$520.08 (srv) Amy Luttmann \$622.50 (srv) Meeske Ace Hardware \$681.74 (sup) Meeske Auto Parts \$40.93 (sup) Menards \$16.70 (sup) Microfilm Imaging Systems Inc \$270.00 (srv) Alan Mueller \$29.04 (reim) NACO \$25.00 (srv) Nebraska District Court Clerks Assoc \$75.00 (srv) Nebraska Health & Human Services \$465.00 (srv) Nebraska Public Power District \$90.09 (srv) NE State Fire Marshal/Elevator Division \$360.00 (srv) No Wait Inside LLC \$174.00 (srv) John Oehlerking \$34.07 (reim) Office Depot \$215.66 (sup) Omaha Public Power District \$602.05 (srv) H.S.A. Optum Bank \$2,200.00 (ins) O'Reilly Auto Parts \$6.17 (sup) Otoe County Sheriff Dept \$62.28 (srv) Oxen Technology \$9,637.00 (srv) Perfection Auto Repair \$112.98 (srv) Physicians Laboratory Services Inc \$4,520.00 (srv) PIP Marketing Signs & Printing \$2,565.22 (srv) Pottawattamie County Court \$36.93 (srv) Thomas Prickett \$85.50 (srv) Quill Corporation \$743.35 (sup) Reliance Standard \$-251.60 (county adjust) Ricoh USA Inc \$118.70 (srv) Sarpy County Sheriff Dept \$42.04 (srv) Sarpy County Treasurer \$2,083.31 (srv) E Michael Slattery-Public Defender \$1,843.99 (reim) Software Unlimited \$256.00 (srv) Robert Staben \$19.79 (reim) Bill Sullivan \$25.48 (reim) Summit Food Service LLC \$12,805.30 (srv) George Tesar Jr \$42.03 (reim) The Center for Municipal Solutions \$575.00 (srv) The Home Depot Pro \$62.42 (sup) Thomson Reuters-West \$1,358.18 (srv) Thyssenkrupp Elevator Corp \$488.79 (srv) Bobie Touchstone \$2,964.00 (srv) Transunion Risk & Alternative \$75.00 (srv) Unifirst Corporation \$202.32 (srv) United Healthcare \$81,119.68 (ins) The Nebraska Medical Center \$3,029.91 (srv) US Bank \$431.97 (srv) US Bank Voyager Fleet Systems \$12,167.25 (srv) Verizon Connect \$971.40 (srv) Verizon Wireless \$3,366.51 (srv) Voss Lighting \$91.20 (srv) VSP Vision \$-195.26 (county adjust) Justin Widick \$28.34 (reim) Windstream \$23,082.11 (srv) CLAIMS: \$296,532.08; PAYROLL: \$343,839.95; TOTAL: \$640,372.03 ROADS: Allied Oil & Tire Company \$718.25 (sup) Aramark \$185.97 (sup) Audio Video Solutions \$5,793.00 (srv) Black Hills Energy \$473.76 (srv) Cassgram \$169.00 (srv) Copple Chevrolet GMC Inc \$1,031.15 (srv) Cornhusker International Truck \$943.12 (srv) Eakes Office Solutions \$61.70 (sup) Hotsy Equipment Co \$484.99 (srv) Husker Auto Group \$33,529.00 (srv) Inland Truck Parts Co \$130.02 (srv) J&A Traffic Products \$431.90 (sup) Martin Marietta \$122,295.84 (srv) Meeske Ace Hardware \$612.45 (sup) Metal Culverts \$96,437.85 (srv) Midwest Right of Way Services Inc \$42.50 (srv) Murphy Tractor & Equipment \$82.39 (srv) Nebraska Iowa Supply Co Inc \$18,956.05 (srv) NMC Inc \$3,247.03 (srv) Omaha Public Power District \$680.53 (srv) Pomp's Tire Service Inc \$1,731.36 (srv) Quality Signs \$122.50 (sup) RDO Truck Center Co \$234,638.44 (srv) Safety-Kleen Systems Inc \$288.38 (srv) Shaffer Communications \$822.00 (srv) Stock Seed Farms \$5,400.00 (srv) Syracuse Iron Works \$111.59 (srv) Productivity Plus Account \$2,410.79 (srv) Wessels Trucking \$23,855.78 (srv) Whetrock Inc \$59,909.40 (srv) CLAIMS: \$615,596.74; PAYROLL: \$57,937.47; TOTAL: \$673,534.21 JUVENILE DIVERSION: TOTAL: \$1,445.50 VISITOR PROMOTION: Linda Behrns \$34.52 (reim) Nancy Bose \$97.11 (reim) Flagship Publishing Inc \$3,040.00 (srv) Nebraska Game & Parks Commission \$250.00 (srv) Nebraska Travel Association \$100.00 (srv) Carl E Reichart \$274.58 (reim) Barbara J Slattery \$99.45 (reim) CLAIMS: \$3,895.66 PAYROLL: \$1,105.00 TOTAL: \$5,000.66 VISITOR IMPROVEMENT: Cattlemen's Ball of Nebraska \$3,000.00 (srv) Firespring \$3,379.34 (srv) Maly Marketing \$2,845.00 (srv) TOTAL: \$9,224.34 FEMA: Badge & Wallet \$422.00 (srv) Electronic Engineering \$2,262.60 (srv) TOTAL: \$2,684.60 KENO/LOTTERY: Nebraska Department of Revenue \$4,566.00 (srv) TOTAL: \$4,566.00 E911: Electronic Engineering \$6,980.34 (srv) Nebraska Regional Interoperability \$7,200.00 (srv) Windstream \$1,216.24 (srv) TOTAL: \$15,396.58 E911 WIRELESS: Windstream \$1,990.36 TOTAL: \$1,990.36 OVERALL GRAND TOTAL: \$1,354,214.28

1. Current/Regular Agenda: Henry noted items 6F would be tabled, and item 6E, would be held in closed session via phone conference starting at 8:30am- item was not held in closed session at the decision of the board.

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

2. Past Meetings Attended by Commissioners:

- Sharp: None
- Sommer: Met with Zoning Department to review flood map/info
- Peterson: None
- Henry: Sarpy/Cass Health Department
- Murdoch: Absent

3. Open Public Hearing/Action 8:15am: None scheduled

4. Litigation & Legal Matters-S. Colin Palm, County Attorney:

4A. Closed Session- Alternate Public Defender Contract

EXECUTIVE SESSION: Chair stated for the protection of public interest or for the prevention of needless injury to the reputation of an individual, may I have a motion to go into executive session to allow board to discuss Alternate Public Defender Contract.

MOTION: Peterson moved, Henry seconded to enter into executive session to discuss the alternate public defender contract. Motion carried 4-0, Murdoch absent. Chair reiterated limited subject matter to be addressed: discuss alternate public defender contract before entering closed session. Time of entering closed session was 8:09am

CLOSE EXECUTIVE SESSION:

MOTION: Peterson moved, Henry seconded, to close executive session. Motion carried 4-0, Murdoch absent. Meeting reconvened in open session at 8:22am. Chair announced that the only topic discussed in closed session was alternate public defender contract. There was no action taken in closed session.

4B. Discuss/Action- Alternate Public Defender Contract

MOTION: Henry moved, Sharp seconded to terminate the alternate public defender contract with James Owen of Owen Law Office effective immediately based upon his breach or violation of the terms within the contract and his inability to perform the duties contained in the agreement. Motion carried 4-0, Murdoch absent.

5. Road Matters-Lenny Thorne, Highway Superintendent:

5A. Discuss/Action- RES 2022-03 Roads department declaring property surplus, disposal pursuant to State Statute 23-3115. Thorne asked to add 7 recycle trailers to surplus list.

MOTION: Henry moved, Sommer seconded to authorize Thorne to add 7 recycle trailers to surplus list, adopting resolution as presented. Motion carried 4-0, Murdoch absent.

6. New Business & Unfinished Business:

6A. Discuss/Action- Carl Reichart-Visitor Promotion, 2022 Marketing Grants (clerical error noted -should have been listed as Capital Improvement Grants)

MOTION: Sommer moved, Peterson seconded to approve 2022 capital improvement grants (6 grants awarded/ totaling \$138,874.00). Motion carried 4-0, Murdoch absent.

6B. Discuss/Action- Sandy Weyers-EMA Director, Ballot for Nebraska Regional Interoperability Network (NRIN) Board of Directors for Southeast Nebraska

MOTION: Sharp moved, Henry seconded to authorize chair to sign ballot for NRIN board of directors, nominating Chad Korte. Motion carried 4-0, Murdoch absent.

6C. Discuss/Action- Sean Kennedy-GIS Coordinator, Amended agreement with MAPA/Eagleview (aerial imagery)

MOTION: Henry moved, Sharp seconded to amend agreement to include county-wide 3" imagery; at a cost of \$12,780.00. Motion carried 4-0, Murdoch absent.

6D. Discuss/Action- Sean Kennedy-GIS Coordinator, Agreement with gWorks (GIS Workshop) to manage Assessor's Data (continue/cancel). Kennedy noted canceling agreement would cost an estimated amount of \$6,000.

MOTION: Henry moved, Sommer seconded to authorize the termination of gWorks (GIS Workshop) project number 0078-034 for the management of the Assessors data. Motion carried 4-0, Murdoch absent.

6E. Discuss/Action- Retaining outside counsel for the solar farm CUP. Phone conference with David Jarecke with Blankenau-Wilmoth-Jarecke LLP. No action taken

6F. Discuss/Action- Emergency Management & Sue Krogman-NEMA, ENRIN project proposal. Item tabled until Ms. Krogman can appear before the board.

6G. Discuss/Action- Dr. Ernest-update on CCEMA EMS and adoption of T-CPR Statement

Update given on CCEMA EMS calls and the American Heart Association T-CPR (telecommunicator-cardiopulmonary-resuscitation) program.

MOTION: Peterson moved, Henry seconded to adopt resolution 2022-04. Motion carried 4-0, Murdoch absent.

6H. Discuss/Action- Potential 3-yr Cybersecurity contract with KnowBe4

MOTION: Sommer moved, Peterson seconded to enter into 3yr contract/per user cost of \$49.68 security awareness training subscription and \$23.76 PhisER subscription (estimated current users 200). Motion carried 4-0, Murdoch absent.

6I. Discuss/Action- Cass County Amusement License. Discussion held, clerk will update application process per State Statutes 23-813 through 23-818 and present to the board for approval.

6J. CUP #11278 Tincher Investments, Co., Inc.; Young Road-Plattsmouth Subdivision-Preliminary Plat (tabled 4/12/22). Ben Drewes-TD2 Engineering appeared with a modified preliminary plat option C
MOTION: Henry moved, Sommer seconded to approve CUP #11278 with preliminary plat option C limiting cul-de-sac to 600'. Motion failed 2-2, Sharp and Peterson voting no

MOTION: Peterson moved, Sharp seconded, to waive 600' requirement on subdivision regulations for CUP #11278. Motion failed 2-2, Sommer and Henry voting no

MOTION: Henry moved, Peterson seconded to approve CUP #11278 with preliminary plat option C limiting cul-de-sac to 600'. Motion carried 4-0, Murdoch absent (modified conditional use permit will be brought back for board approval on May 10, 2022)

7. Public Input & Comments:

Notice: The audit of Cass County Nebraska for year ending June 30, 2021 has been completed and is on file for public inspection during normal business hours at the office of the Cass County Clerk, 346 Main Street, Plattsmouth NE 68048

9:57am ADJOURN AS CASS COUNTY BOARD OF COMMISSIONERS: MOTION: Henry moved, Peterson seconded. Motion carried 4-0, Murdoch 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 26th 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 26th 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