

**CHEYENNE COUNTY BOARD OF COMMISSIONERS
CHEYENNE COUNTY BOARD OF EQUALIZATION
January 2, 2024**

The Cheyenne County Board of Commissioners and Board of Equalization held an open and public meeting on Tuesday, January 2, 2024 in the Commissioners Meeting Room, Cheyenne County Court House, 1000 10th Avenue, Sidney, Nebraska. A notice of this meeting was published in the Sidney Sun-Telegraph on December 28, 2023, aired on News Channel Nebraska Radio, posted on the bulletin board in the County Court House and on the Cheyenne County website. Copies of the agenda were posted on the Court House bulletin board and on the Cheyenne County website, transmitted to each Commissioner and kept current and available to the public at the Office of the County Clerk. Chairman Darrell Johnson called the meeting to order at 8:00 A.M., with the following present:

Randal D. Miller	Commissioner of the First District
Darrell J. Johnson	Commissioner of the Second District
Philip E. Sanders	Commissioner of the Third District
Beth E. Fiegenschuh	County Clerk and Clerk of the Board
Paul B. Schaub	County Attorney

Everyone present recited the Pledge of Allegiance.

Chairman Johnson announced a copy of the current Open Meetings Act is posted on the wall in the Commissioners Meeting Room.

Chairman Johnson called for nominations for Chairman of the Board of Commissioners and Board of Equalization for the year 2024. Commissioner Sanders nominated Darrell J. Johnson for Chairman and moved that nominations cease and a unanimous ballot be cast for Darrell J. Johnson for Chairman of the Board of Commissioners and Board of Equalization for the year 2024. Miller seconded the motion. Roll Call: Aye: Sanders, Miller. Nay: None. Abstain: Johnson.

Next, Chairman Johnson called for nominations for Vice-Chairman of the Board of Commissioners and Board of Equalization for the year 2024. Commissioner Miller nominated Philip E. Sanders for Vice-Chairman and moved that nominations cease and a unanimous ballot be cast for Philip E. Sanders for Vice-Chairman of the Board of Commissioners and Board of Equalization for the year 2024. Johnson seconded the motion. Roll Call: Aye: Johnson, Miller. Nay: None. Abstain: Sanders.

The current agenda was reviewed. A motion was made by Sanders, seconded by Miller to approve the current agenda as presented. Roll Call: Aye: Miller, Sanders, Johnson. Nay: None.

The Minutes of the December 18, 2023 meeting were reviewed. A motion was made by Miller, seconded by Sanders to approve the Minutes as written. Roll Call: Aye: Sanders, Johnson, Miller. Nay: None.

Abbreviations for claims: Ex (Expenses), Ga (Garnishment), In (Insurance), Mi (Mileage), Re (Retirement), Sa (Salaries), Se (Service), Su (Supplies), Ta (Tax), Ut (Utilities).

GENERAL FUND

Employee Payroll 110,732.20-Sa; Abacus Data Systems 488.84-Ex; Stacy Bach 5,000.00-Se; Brent Barnes 708.59-In; Black Hills Energy 2,510.96-Ut; BC/BS 88,304.94-In; Blue360 Media 703.80-Ex; Brandt Court Reporting 713.45-Se; Jim Bush 950.44-In; First Call Commun 2,919.90-Se; C-Weed Mgmnt 11,668.60-Se/Ex; Campbell Drug 51.44-Se; CenturyLink 1,003.88-Ut; Cheyenne Co Clerk 1,526.44-In; Cheyenne Co Clerk 7,653.78-Re; Cheyenne Co Clerk 8,123.02-Ta; Cheyenne Co Court 2,424.00-Se; Cheyenne

Co Sheriff 37.65-Se; Cheyenne Co Sheriff 75.00-Ex; Cheyenne Co Treasurer 5,093.11-Ex; City of Sidney 7,500.00-Ex; City of Sidney 1,666.67-Ex; City of Sidney 1,869.74-Ut; Cranmore Pest Ctl 55.00-Se; John Deines 1,852.47-In; A Elliott Law 7,165.35-Se; Lois Farmer 538.81-Ex; Beth Fiegenschuh 562.46-In; Five Nines Tech 4,778.68-Se; Gehrig Stitt 1,702.72-Se; Gordons Body Shop 1,000.00-Ex; Robert Harvoy 1,518.82-Se; Hometown Leasing 1,693.72-Ex; Amber Horn 1,857.20-In; Todd Keller 1,850.00-In; Lori Kennedy 135.00-In; Ron Kissler 125.00-Se; Lyle Kurth 17.50-Re; Judy Larsen 65.00-Se; Lincoln Co Detention 5,725.00-Se; Matzke Mattoon Martens & Strommen 1,875.00-Se; Midwest Connect 336.00-Su; Midwest Special Services 991.55-Mi; Miller Law Office 14,432.00-Se; MIPS 722.00-Su; National Assoc of Counties 450.00-Ex; Lynn Namuth 90.00-Se; NE Law Enforcement Training 142.00-Ex; NE State Library 113.25-Ex; NE Weed Ctrl Assoc 125.00-Ex; NebraskaLand Tire 70.00-Se; Panhandle Weed Ctl Assoc 50.00-Ex; Pepsi Cola 154.36-Ex; Quadient Leasing 1,332.00-Ex; Regional West Garden Co 1,630.08-Se; Royal Flush Sanitation 100.00-Se; Paul Schaub 541.51-Mi/Ex; Schuh Rentals 150.00-Ex; ScottsBluff Co Sheriff 31.92-Se; Security First Bank 1,050.77-Re; Sidney Public Schools 3,538.75-Se; Sidney Regional Med Ctr 553.00-Se; Sidney Regional Med Ctr 1,100.00-Se; Spectrum 184.39-Se; Spectrum 159.98-Se; State of NE DAS 99.00-Se; Sutton Home Gallery 99.99-Ex; Verizon 257.36-Se; Westfield Pharmacy 117.44-Se.
TOTAL: \$ 322,866.53.

ROAD FUND

Employee Payroll 36,871.63-Sa; Black Hills Energy 2,236.45-Ut; BC/BS 36,652.05-In; Bomgaars 17.99-Ex; CenturyLink 265.63-Ut; Cheyenne Co Clerk 2,438.24-Re; Cheyenne Co Clerk 2,691.80-Ta; City of Sidney 728.75-Ut; Comfort Inn 359.85-Ex; E&S Auto 218.41-Ex; Finneys 120.77-Su/Ex; Ideal Linen 97.86-Su; Inland Truck Serv 3,998.27-Ex; NebraskaLand Tire 70.00-Ex/Se; PineBluffs Gravel 261.00-Ex; Powerplan 710.42-Ex; SAPP Bros 52.70-Ex; Sidney Regional Med Ctr 72.00-Se; Sidney Sun Telegraph 46.33-Se; Tyler Teague 2,126.43-In; 21st Century Equip 1,817.86-Ex. TOTAL: \$ 91,854.44.

VISITORS FUND

Employee Payroll 1,782.40-Sa; American Road 450.00-Ex; BC/BS 2,411.51-In; Cheyenne Co Clerk 120.31-Re; Cheyenne Co Clerk 132.68-Ta; Hometown Leasing 193.16-Ex; Power Play Mktg 2,500.00-Ex.
TOTAL: \$ 7,590.06.

FAIR

Troy Kurz 426.00-Ex.
TOTAL: \$ 426.00.

AMERICAN RESCUE PLAN

Motorola Solutions 84,357.21-Ex; Municipal Graphics 1,340.72-Se.
TOTAL: \$ 85,697.93.

KENO

Western Drug 16.55-Se.
TOTAL: \$ 16.55.

E911 FUND

Employee Payroll 14,294.49-Sa; BC/BS 15,236.30-In; CenturyLink 664.42-Ut; Cheyenne Co Clerk 964.88-Re; Cheyenne Co Clerk 1,033.71-Ta; DAS State Acctg 537.60-Se; FirstNet 308.32-Ut; Frontier 34.19-Se; Sidney Sun Telegraph 16.27-Se.
TOTAL: \$ 33,090.18.

WIRELESS 911

Hamilton Info Syst 1,554.20-Se; Invictus Apps 4,650.00-Se.
TOTAL: \$ 6,204.20.

EMERGENCY MANAGEMENT FUND

Employee Payroll 3,968.60-Sa; Kay Anderson 350.00-Se; Black Hills Energy 609.05-Ut; BC/BS 4,519.30-In; Cheyenne Co Clerk 267.88-Re; Cheyenne Co Clerk 271.40-Ta; City of Sidney 190.38-Ut; Evie Flessner 652.71-Mi/Ex; Adam Hayward 350.00-Se; Brandon Loy 350.00-Se; NAEM 150.00-Ex; Charles Roderick 350.00-Se; Roods Tire 27.50-Se/Ex; Elizabeth Yost 350.00-Se.
TOTAL: \$ 12,406.82.

GRAND TOTAL: \$ 560,152.71.

A motion was made by Sanders, seconded by Miller to approve and pay all claims as stated above. Delinquent taxes were deducted where owing. Roll Call: Aye: Johnson, Miller, Sanders. Nay: None.

There was no correspondence to review.

The Clerk presented Resolution 2024-1 for the Board's review. This Resolution reaffirms the E911 surcharge of \$1.00 per month per wired telephone line as defined in Resolution 1994-30. A motion was made by Miller, seconded by Sanders to adopt Resolution 2024-1 as above set forth. Roll Call: Aye: Miller, Sanders, Johnson. Nay: None. A complete copy of the Resolution as adopted is on file at the Office of the County Clerk. Next, the possibility of increasing the E911 surcharge was discussed. Communications Center Director Heidi Gillespie and County Attorney Paul Schaub were directed to gather more information regarding the increase of the E911 surcharge.

The Holiday Schedule for 2024 was reviewed by the Board. A motion was made by Sanders, seconded by Miller to approve the 2024 Holiday Schedule below. Roll Call: Aye: Sanders, Johnson, Miller. Nay: None.

Monday, January 1	New Year's Day
Monday, January 15	Martin Luther King Jr., Day
Monday, February 19	Presidents Day
Friday, March 29	Good Friday
Friday, April 26	Arbor Day
Monday, May 27	Memorial Day
Tuesday, July 4	Independence Day Observed
Monday, September 2	Labor Day
Monday, October 14	Columbus Day
Friday, November 11	Veterans Day
Thursday, November 28	Thanksgiving
Friday, November 29	Day After Thanksgiving
Tuesday, December 24	Christmas Eve Day
Wednesday, December 25	Christmas Day

Beth Fiegenschuh, Cheyenne County Clerk, addressed the Board regarding a Contractual Interest Statement concerning a contract with Schuh Rentals, LLC for the rental of a storage unit to be used for evidence storage for the Cheyenne County Sheriff. On May 1, 2006, the Board of Commissioners entered into a contract between the County and Schuh Rentals, LLC for the rental of a storage unit. The Board discussed the Contractual Interest Statement presented by Clerk Fiegenschuh disclosing the fact that Fiegenschuh is the sole member of Schuh Rentals, LLC. The Board is and was on May 1, 2006 fully aware of the

relationship between Clerk Fiegenschuh and Schuh Rentals, LLC. A motion was made by Sanders, seconded by Miller declaring that the Board is, and was on May 1, 2006, fully aware of the relationship between Fiegenschuh and Schuh Rentals, LLC and reaffirms the approval of the contract with Schuh Rentals, LLC for the rental of a storage unit to be used for evidence storage for the County Sheriff. Roll Call: Aye: Johnson, Miller, Sanders. Nay: None.

Commissioner Committee appointments for the year 2024 were next discussed. A motion was made by Sanders, seconded by Miller to approve the Committee appointments as follows. Roll Call: Aye: Miller, Sanders, Johnson. Nay: None.

<u>COMMITTEE</u>	<u>REPRESENTATIVE</u>	<u>ALTERNATE</u>
Water Quality	Miller	Sanders
Region 21 Emergency Management	Johnson	Sanders
Commission on Aging	Sanders	Miller
Mental Health	Johnson	Miller
Region I-Office of Human Dev.	Johnson	Miller
Panhandle Area Dev. District	Sanders	Miller
Panhandle Community Services	Miller	Johnson
Panhandle Disability Service Inc.	Johnson	Miller
Visitor Committee – Ex Officio	Sanders	---
Waste Management – Landfill	Johnson	Miller
E911 Board	Johnson	Miller
Panhandle Public Health District Board	Miller	Sanders
Cheyenne County Safety Committee	Sanders	---

The list of Appointed Officials for the year 2024 was reviewed. After a discussion, a motion was made by Miller, seconded by Sanders to approve the following appointments. Roll Call: Aye: Sanders, Johnson, Miller. Nay: None.

Tom Payne	Building and Grounds Superintendent
Doug Hart	Highway Superintendent
Ronald Leal	Emergency Management Coordinator
Heidi Gillespie	Emergency Communications Director
Fred Wiedeburg	Veterans Service Officer
Colleen Terman	Planning and Zoning Administrator
Kendra Mitchell	Tourism Director

The Board designated the official Cheyenne County newspaper. A motion was made by Miller, seconded by Sanders to designate the Sidney Sun-Telegraph as the official Cheyenne County newspaper. Roll Call: Aye: Johnson, Miller, Sanders. Nay: None.

Next, the Board designated the official Cheyenne County radio station. A motion was made by Miller, seconded by Sanders to designate News Channel Nebraska as the official Cheyenne County radio station. Roll Call: Aye: Miller, Sanders, Johnson. Nay: None.

A motion was then made by Miller, seconded by Sanders to approve the following methods of providing notice to the public: publishing the notice in the official Cheyenne County newspaper, broadcasting on the official Cheyenne County radio station, posting notice on the bulletin board in the Cheyenne County Court House, posting notice on the Cheyenne County website or posting notice in three public places. Roll Call: Aye: Sanders, Johnson, Miller. Nay: None.

Fair Board President Troy Kurz reported to the Board regarding voting members of the Fair Board. Also present were Fair Board members Pat Finney and Jason Juracek and Fair Board Secretary Shelby Roelle. At the November 27, 2023 Fair Board meeting, performance-based evaluations were completed for all Fair Board members. At the December 18, 2023 Fair Board meeting, an election was held to determine if a Fair Board member would or would not be retained. The members retained were Troy Kurz, Kip Miller,

Pat Finney, Tyler Bailey, Zach Oliverius and Ryan Filsinger. Jason Juracek was not retained as a Fair Board member. A motion was made by Miller, seconded by Sanders to accept the results of the Fair Board election. Roll Call: Aye: Johnson, Miller, Sanders. Nay: None.

Treasurer Shelley Bowlin presented Applications from the following Banks regarding the designation of official depositories for Cheyenne County: Adams Bank & Trust; Platte Valley Bank; Points West Community Bank; The Potter State Bank of Potter; Security First Bank Sidney; and Nebraska Public Agency Investment Trust (NPAIT). A motion was made by Sanders, seconded by Miller to designate the above as official depositories of Cheyenne County. Roll Call: Aye: Miller, Sanders, Johnson. Nay: None.

Treasurer Bowlin presented Resolution 2024-2 regarding the investment of County funds. Pursuant to Neb. Rev. Stat. 77-2313, the County Board and County Treasurer are allowed and authorized to invest funds of the County and believe it is in the best interest of Cheyenne County to require securities in lieu of a bond. The Board and Treasurer require the amount of pledged securities equal a value of 102% of the amount of investment over and above the amount insured under the Federal Deposit Insurance Corporation. Accordingly, a motion was made by Miller, seconded by Sanders to adopt Resolution 2024-2 authorizing the County Treasurer to hold pledged securities equal to a value of 102% of the amount of investment over and above the amount insured under the Federal Deposit Insurance Corporation. Roll Call: Aye: Sanders, Johnson, Miller. Nay: None. A complete copy of the Resolution as adopted is on file at the Office of the County Clerk.

County Attorney Schaub presented an Easement Agreement among Cheyenne County, Nebraska, Grantor; Spinner Investments LLC, Grantee; and MKSE Norgard LLC, Grantee granting an easement over a portion of the County property located at 1212 Jackson Street, Sidney, Nebraska, also described as Lot A, Block 26, Original Town to the City of Sidney, Cheyenne County, Nebraska. The Grantees shall use the Easement Area only for the installation of an 8' x 10' concrete pad to install a glycol unit, walk-in refrigerator condensing unit and HVAC unit. After a discussion, a motion was made by Miller, seconded by Sanders to approve the Easement Agreement as presented by County Attorney Schaub. Roll Call: Aye: Johnson, Miller, Sanders. Nay: None. A complete copy of the Easement Agreement as approved is on file at the Office of the County Clerk.

Cheyenne County Highway Superintendent Doug Hart updated the Board on road activities. Superintendent Hart discussed with the Board the training that was required in order to obtain a Commercial Drivers License (CDL). The cost of the training is \$1,300.00 per person and it was the decision of the Board to pay the cost of the CDL training.

At 9:00 A.M., sealed bids were opened for the purchase of a motor grader for the Highway Department. The bids were as follows:

<u>BIDDER</u>	<u>YEAR</u>	<u>MODEL</u>	<u>HOURS</u>	<u>AMOUNT</u>	<u>TRADE-IN</u>	<u>TOTAL</u>
NMC	2019	Caterpillar 12M3	5,878	\$189,500	\$39,200	\$150,300
NMC	2019	Caterpillar 12M3	5,878	\$189,500	\$24,000	\$165,500
NMC	2016	Caterpillar 12M3	6,690	\$160,000	\$39,200	\$120,800
NMC	2016	Caterpillar 12M3	6,690	\$160,000	\$24,000	\$136,000
NMC	2016	Caterpillar 12M3 AWD	4,185	\$230,000	\$39,200	\$190,800
NMC	2016	Caterpillar 12M3 AWD	4,185	\$230,000	\$24,000	\$206,000
NMC	2016	Caterpillar 12M3 AWD	5,233	\$220,000	\$39,200	\$180,800
NMC	2016	Caterpillar 12M3 AWD	5,233	\$220,000	\$24,000	\$196,000

Murphy Tractor	2019	John Deere 770GP	5,798	\$192,500	\$45,000	\$147,500
Murphy Tractor	2019	John Deere 770GP	5,798	\$192,500	\$35,000	\$157,500
Murphy Tractor	2018	John Deere 770GP	5,614	\$182,500	\$45,000	\$137,500
Murphy Tractor	2018	John Deere 770GP	5,614	\$182,500	\$35,000	\$147,500
Murphy Tractor	2015	John Deere 770G	6,709	\$140,000	\$45,000	\$ 95,000
Murphy Tractor	2015	John Deere 770G	6,709	\$140,000	\$35,000	\$105,000
Murphy Tractor	2015	John Deere 770GP	6,773	\$140,000	\$45,000	\$ 95,000
Murphy Tractor	2015	John Deere 770GP	6,773	\$140,000	\$35,000	\$105,000

After a review of the bids and a discussion, a motion was made by Miller, seconded by Sanders to purchase from NMC the 2019 Caterpillar 12M3 with 5,878 hours, serial number N9F01068 for the amount of \$189,500 with no trade-in. Further, the purchase price will be paid from the American Rescue Plan Act funds. Roll Call: Aye: Miller, Sanders, Johnson. Nay: None.

There were no comments from the public.

There being no further business to come before the Board, the meeting was adjourned at 9:35 A.M.

Dated this 2nd day of January 2024.

Darrell J. Johnson, Chairman

Philip E. Sanders, Vice-Chairman

Randal D. Miller, Member

ATTEST:

Beth E. Fiegenschuh, Cheyenne County Clerk