

# CHEYENNE COUNTY BOARD OF COMMISSIONERS AND BOARD OF EQUALIZATION MEETING

**MARCH 6, 2023**

The Cheyenne County Board of Commissioners and Board of Equalization held an open and public meeting on Monday, March 6, 2023 in the Cheyenne County Commissioners Meeting Room, Cheyenne County Court House, 1000 10<sup>th</sup> Avenue, Sidney, Nebraska. A notice of this meeting was published in the Sidney Sun-Telegraph, aired on KSID 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 County Clerk's Office.

Chairman Darrell J. 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 to the Board
Paul B. Schaub	County Attorney

Everyone present joined in the Pledge of Allegiance.

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

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

The Minutes of the meeting on February 21, 2023 were reviewed. A motion was made by Miller, seconded by Sanders to approve the Minutes as written. Roll Call: Aye: Johnson, Miller, Sanders. 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 106,616.46-Sa; Abacus 436.46-Ex; Stacy Bach 5,000.00-Se; Greg Bailey 129.00-Ex; Benzel Pest Control 106.43-Se; Best P&H 137.00-Se; Best Western Inn 96.00-Ex; BC/BS 88,179.49-In; Bluffs Facility Solution 484.32-Su/Ex; Boarders Inn & Suites 288.00-Ex; Brandt Court Reporting Serv 2,854.90-Se; C-Weed Mgmnt 5,092.50-Se; CenturyLink 469.47-Ut; Cheyenne Co Clerk 2,302.83-Ut; Cheyenne Co Clerk 7,315.32-Re; Cheyenne Co Clerk 7,805.60-Ta; Cheyenne Co Court 838.82-Se; Cheyenne Co District Court 574.50-Se; Cheyenne Co Sheriff 1,057.12-Se; Cheyenne Co Sheriff Imprest 200.00-Ex; Cheyenne Co Treas 18,865.68-Ex; City of Sidney 7,500.00-Ex; City of Sidney 1,666.67-Ex; City of Sidney 4,364.96-Ut; Cranmore Pest Control 55.00-Se; Culligan 124.90-Su; DP Electronics 2,993.98-Se/Ex; Audrey Elliott Law 7,024.85-Se; Fair Law Office 363.00-Se; Grainger 413.65-Ex; GreatAmerica Finan Serv Corp 27.95-Ex; Hall Co Dept of Corrections 55.00-Se; Hamilton Telephone 89.90-Se; Lois Hart 538.81-Ex; Hinton Lock & Alarm 57.40-Se; Hometown Leasing 1,654.20-Ex; Amber Horn 76.00-Mi; Huber & Assoc 250.00-Ex; Ron Kissler 125.00-Se; Lyle Kurth 17.50-Re; J Leef Law 372.72-Se; Lincoln Co

Detention Ctr 4,650.00-Se; Christina Lotton 188.96-Mi/Ex; Miller Law Office 14,012.00-Se; MIPS 3,314.02-Se; NebraskaLand Tire 990.07-Ex; Paul Schaub 5.82-Ex; Schuh Rentals 135.00-Ex; ScottsBluff Co Sheriff 21.96-Se; Security First Bank 948.28-Re; Darlene Shafer 90.63-Mi; Sidney Public Schools 3,800.00-Se; Sidney Regional Med Ctr 1,100.00-Se; Sidney Sun Telegraph 2,699.38-Se; Sirchie 485.33-Su; Spectrum 400.88-Se; State of NE DAS 99.00-Se; Verizon 80.02-Se; Viaero 557.05-Se; Western Pathology Consultants PC 1,000.00-Se; WiMacTel 99.00-Ex; Youngs P&H 1,586.00-Se.  
TOTAL: \$ 312,884.79.

#### **ROAD FUND**

Employee Payroll 35,640.26-Sa; Barco Municipal Products 103.57-Ex; BC/BS 34,554.41-In; Bomgaars 31.99-Ex; Cheyenne Co Clerk 2,371.99-Re; Cheyenne Co Clerk 2,608.19-Ta; City of Sidney 769.74-Ut; Contractors Materials 120.20-Ex; Cornhusker Internat'l 411.52-Ex; E&S Auto 632.57-Ex; Finneys 13.06-Ex; Gledhill Road Machinery 902.30-Ex; Hometown Leasing 187.47-Ex; Ideal Linen 94.04-Su; Laca Equipment 420.19-Ex; Luft LLC 2,178.00-Ex; NE Machinery 3,853.59-Ex; Sidney Glass 498.00-Ex; Triple Os 31.96-Ex; Verizon 93.56-Se; Village of Dalton 67.75-Ut; Village of Lodgepole 151.20-Ut; 21<sup>st</sup> Century 265.48-Ex.  
TOTAL: \$ 86,001.04.

#### **VISITORS FUND**

Employee Payroll 1,782.40-Sa; Black Hills Energy 169.42-Ut; BC/BS 2,317.37-In; Cheyenne Co Clerk 120.31-Re; Cheyenne Co Clerk 132.68-Ta; Flagship Publishing 2,951.00-Ex; Lamar 400.00-Ex; Viaero 102.87-Se.  
TOTAL: \$ 7,976.05.

#### **FAIR**

Auctioneers Miller & Assoc 3,347.50-Ex; NE Dept of Rev 59.60-Ta; Petty Cash Fair Board 2,821.07-Se/Ex; Sidney Sun Telegraph 5.50-Se; Shelley Sutherland 93.02-Su.  
TOTAL: \$ 6,326.69.

#### **PRESERVATION & MODERNIZATION**

MIPS 332.82-Se.  
TOTAL: \$ 332.82.

#### **KENO**

Ironheart Training Ctr 1,600.00-Ex; Sidney Veterinary Hospital 62.95-Ex.  
TOTAL: \$ 1,662.95.

#### **E911 FUND**

Employee Payroll 12,989.12-Sa; BC/BS 12,324.95-In; CenturyLink 4,811.60-Ex; Cheyenne Co Clerk 815.35-Re; Cheyenne Co Clerk 941.54-Ta; DAS State Acctg 448.00-Se; Frontier 34.19-Se; Lingo Commun 336.32-Ut.  
TOTAL: \$ 32,701.07.

#### **WIRELESS 911**

Hamilton Info System 1,141.30.  
TOTAL: \$ 1,141.30.

## EMERGENCY MANAGEMENT FUND

Employee Payroll 3,968.60-Sa; Kay Anderson 350.00-Se; Black Hills Energy 574.63-Ut; BC/BS 4,342.87-In; Cheyenne Co Clerk 267.88-Re; Cheyenne Co Clerk 273.29-Ta; Eakes 325.33-Su; Adam Hayward 350.00-Se; Insurance Store 6,780.00-Ex; Brandon Loy 350.00-Se; Charles Roderick 275.00-Se; Elizabeth Yost 350.00-Se.  
TOTAL: \$ 18,207.60.

**GRAND TOTAL: \$ 467,234.31.**

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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: Miller, Sanders, Johnson. Nay: None.

There was no correspondence.

The Board discussed a cyber security audit. One option was to contact Homeland Security to perform an audit. Clerk Fiegenschuh has been in contact with Nicholas Brand, Cyber Security Advisor with the U. S. Department of Homeland Security. After the discussion, a motion was made by Miller, seconded by Sanders to direct Clerk Fiegenschuh to get in touch with Nicholas Brand to begin the audit process. Roll Call: Aye: Sanders, Johnson, Miller. Nay: None.

The next item on the Agenda was the discussion of the American Rescue Plan Act Funds (ARPA). Several possibilities for the use of the ARPA funds were explored. Some of the items discussed were: erecting an evidence building for the use by the County Sheriff's Office, installing handicap accessible ramps at the County fairgrounds, purchasing a new generator, buying additional motor graders for the use by the Road Department, putting in a new telephone system in the Sheriff's Office, investing in a cyber security system, installing a new console in the Emergency Communications Center, purchasing new culverts for use by the Road Department, obtaining vehicles for the Sheriff's Office and Road Department. Further information will be gathered on these options.

At 8:45 A.M., Chairman Johnson opened the public hearing to review and consider approval of recommended additions and amendments to the Cheyenne County Planning Regulations Regarding Wellhead Protection Regulations new Section 29, Conservation Easements Regulations new Section 30, and the renumbering of the current Section 29. Planning Commission Chairman Bill Sydow addressed the subject. After a discussion, a motion was made by Miller, seconded by Sanders to adopt Resolution 2023-10 approving the changes as proposed. Roll Call: Aye: Johnson, Miller, Sanders. Nay: None. A complete copy of the Resolution together with adopted changes is on file at the Office of the County Clerk.

At 9:00 A.M., Chairman Johnson closed the public hearing.

Ernest Schmidt and James Pelster spoke to the Board regarding the condition of County Road 109.

The Agenda topic regarding the discussion of per diem rates for County travel was tabled to the March 20, 2023 meeting.

Mike Fleming talked to the Board about the proposed warning siren that is to be located in Lorenzo. Ron Leal, Emergency Management Coordinator, was present and spoke to the matter. The siren will be located across the street from Mr. Fleming's residence. While Mr. Fleming was not against locating the siren in Lorenzo, he was concerned about the planned placement. Fleming offered an option for the warning siren to be situated on other property owned by him. After a discussion, the Board directed Coordinator Leal to research other possible locations for the warning siren placement.

Cheyenne County Attorney Paul Schaub updated the Board on the National Opioid settlement funds.

Next, County Attorney Schaub reviewed with the Board Resolution 2023-9 which authorized the Cheyenne County Sheriff and Cheyenne County Highway Superintendent jointly to temporarily close the County roads when they are impassable or unusually dangerous to travel. Pursuant to Neb. Rev. Stat. Sec. 39-1402, the supervision and control of the public roads in Cheyenne County vests in the Cheyenne County Board of Commissioners. Neb. Rev. Stat. Sec. 39-1801 states, in part, that whenever a County road or part of a road is temporarily closed, the Board or designated person shall erect, at both ends of the closed road, barricades, fences or other enclosures and post signs warning the public that the road is closed by authority of law. A motion was made by Miller, seconded by Sanders to adopt Resolution 2023-9 granting unto the Cheyenne County Sheriff and the Cheyenne County Highway Superintendent joint authority to suspend travel on County roads as set forth in Neb. Rev. Stat. Sec. 39-1801. This authority shall remain in place until and unless modified by the Cheyenne County Board of Commissioners. 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.

The review and consideration of the proposed Agreement for Tree and Shrub removal was tabled pending further research.

Doug Hart, Highway Superintendent, spoke to the Board regarding the purchase of culverts. Hart then updated the Board on road activities.

Comments from the public were received.

There being no further business to come before the Board, Chairman Johnson declared the meeting adjourned at 10:02 A.M.

Dated this 6th day of March 2023.

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Darrell J. Johnson, Chairman

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Philip E. Sanders, Vice-Chairman

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Randal D. Miller, Member

ATTEST:

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Beth E. Fiegenschuh, Cheyenne County Clerk