

June 25, 2013

The Merrick County Board of Equalization met Tuesday, June 25, 2013 at 9:00 a.m. in the Supervisors Room, County Courthouse, Central City, NE, with Graves, Helgoth, Kucera, Hahn, Weller, Jefferson, and Wiegert present. Also present was County Attorney Lynelle Homolka.

Notice of the meeting was given thereof by publications in the Republican Nonpareil and The Palmer Journal and the Merrick County Website. Proof of publication is filed in the Clerk's Office. Copies of the agenda were mailed to each Supervisor and kept current and available to the public at the County Clerk's Office.

Chairman Wiegert declared the meeting was preceded by publicized notice and having acknowledged and identified the location of the posting of the current copy of the Open Meetings Act, called the meeting to order and in open session at 9:00 a.m.

Moved Hahn, second Graves to convene as Board of Equalization at 9:00 a.m. Roll Call: All Ayes

Helgoth led the Pledge of Allegiance to the Flag.

Agenda: Moved Kucera, second Jefferson to approve the agenda as presented. Roll Call: All Ayes.

Minutes: Moved Graves, second Kucera to approve the minutes as published for June 11, 2013. Roll Call: All Ayes.

Adjourn: Moved Weller, second Kucera to adjourn at 9:02 a.m. Roll Call: All Ayes.

/s/Roger Wiegert, Chairman

/s/Marcia Wichmann, County Clerk

June 25, 2013

The Merrick County Board of Supervisors met Tuesday, June 25, 2013 at 9:05a.m. in the Supervisors Room, County Courthouse, Central City, NE, with Graves, Helgoth, Kucera, Hahn, Weller, Jefferson, and Wiegert present. Also present was County Attorney Lynelle Homolka.

Moved Kucera, second Hahn to convene as Board of Supervisors at 9:05 a.m. Roll Call: All Ayes

Notice of the meeting was given thereof by publications in the Republican Nonpareil and The Palmer Journal and on the Merrick County website. Proof of publication is filed in the Clerk's Office. Copies of the agenda were mailed to each Supervisor and kept current and available to the public at the County Clerk's Office.

Chairman Wiegert declared the meeting was preceded by publicized notice and having acknowledged and identified the location of the posting of the current copy of the Open Meetings Act, called the meeting to order and in open session at 9:05 a.m.

Agenda: Moved Jefferson, second Kucera to approve the agenda as presented. Roll Call: All Ayes.

Minutes: Moved Hahn, second Graves to approve the minutes of the June 11, 2013 as presented. Roll Call: All Ayes.

Meeting reports: Hahn attended the Housing Authority meeting in Loup City; Graves attended the hospital meeting; Weller attended the Economic Develop meeting; Helgoth attended the Central Community Services last Tuesday and Kucera attended the 4-H Council and Extension meeting. Kucera said the Council and Extension are looking at raising money to fix up the 4-H Building and then they will be raising the rent.

Officials reports: Weed Superintendent Roscoe said that he would be making a call to Leonard Pelican because Roscoe has been using an outdated Plat Book. County Attorney Homolka attended an open meetings and open records act meeting in Lincoln. Clerk of District Court Good said that she would start interviewing next week for Jessie Carlson's job and that Friday will be Jessie's last day.

Hospital update: Tad Hunt gave a hospital update and informed the Board that he has accepted another position in Crete. Darrel Widman said they are in the process of looking for a replacement.

USA Communications: Becky Lynch with USA Communications wanted to know what questions the Board had before USA could proceed and Kucera said she had contacted businesses in Central City that have USA Communications services and also contacted Nance County. Kucera said the business did not like the e fax. The cost per line would be \$16.95. Some did not like their phone service. There were no complaints on the internet service. Lynch said she was not aware of any of these problems or concerns. The Sheriff's Office will be hooked up to USA Communications services on June 28, 2013. The Board wants to see how the Sheriff's Office likes the USA Communications phone service and e fax before they commit to it in the Courthouse. The Board does want to go to USA Communications internet service for the entire courthouse and the Sheriff's Office for three years. Moved Weller, second Graves to have the Sheriff's Office hooked up to USA Communications phone, e fax, and the Courthouse and Sheriff's Office hooked up to USA Communications internet for a three year contract. If the Sheriff's Office likes their services then the Board will then consider the rest of the courthouse for the phone and e fax services. Roll Call: Ayes: Helgoth, Jefferson, Hahn, Graves, Weller, and Wiegert. Nays: Kucera

RESOLUTION 2013-22: Treasurer Dunham presented RESOLUTION 2013-22 for the foreclosure and sale of Real Estate properties upon which Tax Sale Certificates have been placed and delinquent for three years and Tax Sale Certificate Number 549 has been placed. This resolution authorizes the foreclosure and sale of Tax Sale Certificate Number 549. Moved Weller,

second Kucera to approve and sign RESOLUTION 2013-22 for the foreclosure and sale of Real Estate properties upon which Tax Sale Certificates have been placed and delinquent for three years and Tax Sale Certificate Number 549 has been placed. This resolution authorizes the foreclosure and sale of Tax Sale Certificate Number 549. Roll Call: All Ayes. RESOLUTION 2013-22 is filed in the County Clerk's Office for public viewing.

RESOLUTION 2013-23: Treasurer Dunham presented RESOLUTION 2013-23 directing the purchase of tax sale certificates. Dunham said that tax sale certificates that are delinquent for three years go on the County tax sale. Moved Helgoth, second Jefferson to approve and sign RESOLUTION 2013-23 directing the purchase of tax sale certificates. Roll Call: All Ayes. RESOLUTION 2013-23 is filed in the County Clerk's Office for public viewing.

Deposit for USA Communications: USA Communications requested money for the installation in Sheriff's Office when they hook the Sheriff's Office up to their services on June 28, 2013. The Sheriff is requesting a check from the Treasurer for the amount needed. The contract given to the Sheriff by USA Communications is for 5 years. They also have one for 3 years. The Board would like the County Attorney to look over the contracts before anyone signs them. County Attorney Homolka was in agreement with that. She also didn't think an elected official should sign a contract for any amount of time longer than their term of office. Moved Jefferson, second Graves to have the Treasurer issue a check for the hook up of USA Communications in the Sheriff's Office after the review and approval of a three year contract by the County Attorney. Roll Call: Ayes: Hahn, Helgoth, Weller, Graves, Jefferson, and Wiegert. Nays: Kucera.

Subgrant Agreement: A Subgrant Agreement between the District Court Clerk and DHHS Child Support Enforcement. This agreement is for a quarterly refund of between \$2,000.00 and \$3,000.00. Moved Weller, second Hahn to approve the Subgrant Agreement between the District Court Clerk and DHHS Child Support Enforcement. Roll Call: All Ayes.

Gravel bid hearing: Moved Graves, second Kucera to open the gravel bid hearing at 10:00 a.m. Roll Call: All Ayes. Bids were as follows for two areas: Tri County Sand & Gravel, Elba, NE : Gravel F.O.B. area 1: \$10.55 / cubic yard and area 2: \$10.55/cubic yard; Fill Sand F.O.B. area 1: \$6.25 per yard and we pick up and area 2: \$6.25 per yard and we pick up; Hooker Brothers, Grand Island, NE: Gravel F.O.B. area 1: \$9.45/cubic yard and area 2: \$9:45 /cubic yard; Fill Sand F.O.B. area 1: \$2.70 per yard and area 2: \$2.70 per yard; Mud Rock F.O.B.: area 1: \$9.20 per yard and area 2: \$9.20 per yard; Overland Sand & Gravel: Gravel: area 1: \$14.07/cubic yard and area 2: \$13.69/cubic yard; Gravel F.O.B. area 1: \$9.70/cubic yard and area 2: \$9.70/cubic yard; Fill Sand F.O.B. area 1: \$3.00 /cubic yard and area 2: \$3.00 /cubic yard; Mud Rock F.O.B. area 1: \$13.00/per yard and area 2: \$13.00/per yard; Screen Mud Rock F.O.B. area 1: \$35.00/cubic yard and area 2: \$35.00/cubic yard. Moved Graves, second Jefferson to accept all of the bids so that Highway Superintendent Meyer has the right to choose where he get gravel for the jobs they will be doing. Roll Call: All Ayes. Moved Hahn, second Graves to go out of the hearing at 10:40 a.m. Roll Call: All Ayes.

State Grant Award: Juvenile Diversion Officer, Julie Beyer presented the Board with a State Grant Award and special condition from the Nebraska Commission on Law Enforcement and Criminal Justice. The grant is for \$13,988 for county aide to Merrick County. Moved Jefferson, second Graves to approve the grant award and have the Chairman sign it. Roll Call: All Ayes.

ADA Policy Statement and Assurances: The NDOR was requesting a ADA Policy Statement and Assurances for the Civil Rights Office of the NDOR. The County Attorney and County Clerk had completed the statement for the Board's approval. Any County that would be receiving federal money was asked to prepare this. Moved Graves, second Hahn to approve the ADA Policy Statement and Assurances. Roll Call: All Ayes.

Temporary driveways for TransCanada: Highway Superintendent Meyer presented a document from TransCanada Keystone Pipeline LP that says that Merrick County grants to TransCanada Keystone Pipeline, LP permission to create temporary driveway approaches for the purpose of constructing the Keystone Pipeline providing Ingress and Egress for a contractor's yard within NW1/4 of Section 2, Township 14, Range 6. The temporary driveway is to be constructed on the south side of U Road, approximately 658 feet east of the section corner. After some discussion a motion was made. Moved Weller, second Graves to table this matter until the next Board meeting on July 9, 2013 and ask land owners and TransCanada to be present to answer questions. Roll Call: Ayes: Helgoth, Kucera, Weller, Graves, and Wiegert. Nays: Jefferson. Abstain: Hahn.

Asphalt bid hearing: Moved Graves, second Kucera to open the asphalt bid hearing at 10:30 a.m. Roll Call: All Ayes. Two bids for asphaltic concrete type SPR – 8,290.000 ton, tack coat – 8,500.000 gal and cold milling class 1 – 196.680 Sta. were turned in as follows: J.I.L. Asphalt: asphaltic concrete type SPR \$61.55/ton for a total of \$510,249,25; tack coat \$1.00/gallon for a total of \$8,500.00; cold milling class 1 for \$204.25 per station for a total of \$40,170.89 for a grand total of \$558,921.14 with at start date of August 15, 2013 and finish date of September 15, 2013: Gary Smith Construction: asphaltic concrete type SPR; \$69.20 /ton for a total of \$573,668.00; tack coat: \$2.00 / gallon for a total of \$17,000.00; cold milling class 1: \$264.00 /station for a total of \$51,923.00 for grand total of \$642,591,52 with a start date of July 22, 2013 and finish date of August 22, 2013. Moved Weller, second Kucera to accept the bid from J.I.L. Asphalt with the lowest bid. Roll Call: All Ayes. Moved Kucera, second Helgoth to go out of the hearing at 10:45 a.m. Roll Call: All Ayes.

Electrical agreement: Highway Superintendent presented an electrical agreement for John Fritz between Section 8 and Section 17, Township 15, Range 5. Moved Helgoth, second Graves to approve the electrical agreement for John Fritz between

Section 8 and Section 17, Township 15, Range 5. Roll Call: All Ayes.

Stop sign studies: There were three stop sign studies done and presented to the Board for their approval. Helgoth that they needed a sign going west on U Road to 22nd Road. Moved Helgoth, second Graves to adopt the stop sign studies as presented. Roll Call: All Ayes.

NIFA Grant: Planning & Zoning Myers reported that she had researched a NIFA grant that is due July 12, 2013. She has contacted a consultant to start writing the grant. There are three villages that have low incomes and this grant is for a 50% match by an entity. The matching dollars can come from any entity but she nor the County Board can apply for it. The Planning Commission can. She is asking the Board to add \$30,000.00 to her Planning & Zoning budget and also asking the Board if they would be willing to write a letter of commitment for the grant consultant. County Attorney Homolka asked Myers who the consultant was that she contacted and she said it was Keith Marvin and he use to work for JEO. He is currently serving on the Nebraska Planning & Zoning Board. Homolka asked if he has already done some and Myers said he has done this for Butler County where he lives and has also done some for cities.

Myers said there is no guarantee that they will get the grant. It will cost \$57,000.00 for professional services and Myers said that is cheap. Moved Weller, second Kucera to write a letter of commitment for matching dollars. Roll Call: All Ayes. Weller asked Myers to write the letter for Chairman Wiegert to sign. Myers wrote the letter and County Attorney Homolka read and made the corrections needed. Myers asked Weller if he also wanted to read it. Myers made the changes the County Attorney made and Wiegert sign the letter of commitment.

4-H Building: The 4-H building is not a County building and really it is no ones building according to County Attorney Homolka. This building is run by the extension and they should budget for it. The question was raised as to who owned the 4-H building because of insurance. The insurance for the building is through Triangle Insurance and the last two years the County has paid the insurance which is mailed to the 4-H Council but this year it also had the Ag Society's name on it. NIRMA is the County's insurance and they do not want to insure the building, Graves said. Graves is on the NIRMA Board. County Attorney Homolka asked if whoever insures the other buildings at the fairgrounds could add the 4-H building to their policy. Kucera will check this out and give an update on the 4-H building at the next meeting.

Region 3 EPC Agreement: The agreement between Merrick County and Region 3 Behavioral Health Services which addresses each party's responsibilities regarding the cost of Emergency Protective Custody was presented for the Board's approval. Moved Jefferson, second Kucera to approve and sign the agreement between Merrick County and Region 3 Behavioral Health Services which addresses each party's responsibilities regarding the cost of Emergency Protective Custody. Roll Call: All Ayes.

Sheriff's report: Sheriff Campbell just wanted the Board to know that USA Communications will have nothing to do with the 911.

June 2013 payroll: The June 2013 payroll was presented for approval: General: Gross: \$106,797.50 Net: \$76,678.97 Roads: Gross: \$49,551.15 Net: \$ 32,246.52 Juvenile Diversion: Gross: \$2,331.33 Net: \$2,043.18 Moved Jefferson, second Graves to approve the June 2013 payroll as presented. Roll Call: Ayes: Weller, Hahn, Graves, Jefferson and Wiegert. Helgoth and Kucera approved only the ones they signed.

Recessed at 12:15 p.m. for lunch

Reconvened at 1:30 p.m. Jefferson absent after lunch.

Budget Workshop: The County Board worked on their Inheritance Fund, General Miscellaneous, County Board, and Building and Grounds budgets.

Adjourn: Moved Kucera, second Helgoth to adjourn at 4:10 p.m. Roll Call: All Ayes.

/s/Roger Wiegert, Chairman

/s/Marcia Wichmann, County Clerk