



# Custer County Board Minutes



## MINUTES OF THE CUSTER CO. BOARD OF SUPERVISOR

Oct 9th, 2018

The Custer Co. Board of Supervisors met in regular session, on Tuesday, October 9th, 2018, in the boardroom of the Custer Co. Courthouse. Chairman Fox called the meeting to order at 9:00 a.m. and reported the Open Meeting Laws are posted on the south wall. The following board members were present, Fox, McCullough, Olson, Bryner, Myers, Eggleston, and Constance Gracey, Custer Co. Clerk. KLEEB-ABSENT

Motion by Olson, 2<sup>nd</sup> Bryner, to approve the minutes of Sept. 25th, 2018. Roll call vote. Ayes- all

GENERAL FUND CLAIMS: Salary-\$101480.78;SS-7523.89;Ret-6688.70;Exp-1085.34;

A To Z Lawn Pro	Lawn care	180
Ace Hardware	parts	9.15
Ag-Land A.T.V.	Rep.	167.96
Arnold Sentinel	Elec., publ.	321
Bc/Bs Of Nebraska	Premium	20425
Black Hills Energy	Fuel	1226.43
Borders, Mike	Reg.	150
Broken Bow Municipal Util	Serv	6622.22
Capital One	Exp	362.28
Continental American Insurance	Fee	78.63
Custer Co Attorney Petty Cash	Reimb.	200.44
Custer Co Chief	Elec , pub.	276.33
Custer Co Court	Fees	1604
Custer Co Highway Dept	Fuel	796.05
Custer County Weed District	Supplies	20.63
Deb's Embroidery Shop	Badges	103.5
Dollar General Store	Supp.	174.4
Dugan Business Forms	Forms	217.89
Eakes Office Solutions	Off Supp	255.35
Election Systems & Software	Ballots	1739.67
Garrett Tires, Treads & Appl	Rep.	39.95
Grassland Veterinary Hospital	Care	12
Grocery Kart	Groc	463.94
Holcomb Pharmacy	Inmates	271.05
Interstate All Battery Center	Batt.	43
Madison County Sheriff	Fee	27.78
Melham Memorial Medical Center	Test.	175
Mid-Nebraska Individual Serv	Labor	152
Mips Inc	Prog.	513.07
Nansel's Best Service	Fuel	100.55
Nebraska Interactive	Card Machine	337.9
Officenet	Off Supp	912.01
Osa/Computers Plus	Off Supp	59.51



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Pitney Bowes Inc	Postage	150
Presto-X	Chem.	55
Sandhills Weed Management Area	Publ.	963.69
Schmick's Market	Groc	11.96
Sennett Duncan Jenkins Wickham	Fees	495.84
Seven Valleys Health Mart	Care	18.6
Stefka, Kim	Exp	84.5
T & S Signs	Sign	15
Trotter Service	Fuel	137.15
Us Postal Service	Pstge	2000
Varney-Rexall Health Mart	Presc.	18.95
V-Bar Sales & Service	Rep.	443.05
Verizon Wireless	Serv	79.88
Village Uniform	Shirt	20.7
Watch Guard Video	Prog.	1900

Motion by Eggleston, 2<sup>nd</sup> Bryner, to approve the General Fund claims. Roll call vote. Ayes-all

ROAD FUND CLAIMS: Salary-\$75992.00;SS-5674.25;Ret-4771.81;

Bc/Bs Of Nebraska	Premium	13876.36
Broken Bow Municipal Util	Serv	799.53
Callaway Light & Water	Serv	53.62
Centurylink	Serv	234.21
State Of Nebr Motor Fuel	Taxes	4322

Motion by McCullough, 2<sup>nd</sup> Olson, to approve the Road Fund claims. Roll call vote. Ayes-all Abstain-Myers

COMMUNICATIONS FUND CLAIMS: Salary-\$7125.88;SS-529.26;Ret-481.00;

Absolute Plumbing	Rep.	72.1
Bc/Bs Of Nebraska	Premium	2170.58
Btod.Com	44394	3357.17
Custer Public Power District	Serv	540.96
Das State Accounting	Support	448
Great Plains Communications	Serv	360

Motion by Eggleston, 2<sup>nd</sup> Olson, to approve the Communications Fund claims. Roll call vote. Ayes-all

DEEDS PRESERVATION AND MODERNIZATION FUND CLAIMS: Salary-\$138.00;SS-10.56.

Mips Inc	Prog.	171.8
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Motion by Myers, 2<sup>nd</sup> Olson, to approve the Deeds P & M Fund claims. Roll call vote. Ayes-all

SINKING FUND CLAIMS:

Eakes Office Solutions	Supv. Chairs	5164.9
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Motion by Olson, 2<sup>nd</sup> Eggleston, to approve the Sinking Fund claims. Roll call vote. Ayes-all

VISITORS PROMOTION FUND CLAIMS:

Custer County Chief	Publ.	6.91
Maas, Rick	Exp	15.95

Motion by Eggleston, 2<sup>nd</sup> Olson, to approve the Visitors Promotion Fund claims. Roll call vote. Ayes-all



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Motion by McCullough, 2<sup>nd</sup> Eggleston, to adjourn as the Co. Board and convene as the **Board of Equalization at 9:20 a.m.** Roll call vote. Ayes-all Nays-none

Connie Braithwaite, Co. Assessor reviewed the Court Order to cancel taxes on these:

**Motion by Myers, 2<sup>nd</sup> McCullough, to approve a 2009 tax list correction for Stan Pieschke, deduct \$204.84; deduct 4.48.00, tax sale cancel taxes.**

**Motion by Myers, 2<sup>nd</sup> McCullough, to approve a 2009 tax list correction for Dennis Lindeman, deduct \$115.68, tax sale cancel taxes. Roll call vote. Ayes-all**

Motion by Olson, 2<sup>nd</sup> McCullough, to recess as the **Board of Equalization** and reconvene as the Co. Board at 9:30 a.m. Roll call vote. Ayes-all

Motion by McCullough, 2<sup>nd</sup> Eggleston, to close bids at 9:30 a.m. on Bridge C21(404)A1-Oconto SE1. Roll call vote. Ayes-all

Bids were opened from Midwest Service & Sales – total \$36801.46  
Ace/Eaton Metals - total \$35078.60

Motion by Eggleston, 2<sup>nd</sup> McCullough, to close the bids at 9:40 a.m. on Bridge C21(404)A2-Oconto SE2. Roll call vote. Ayes-all

Bids were opened from Midwest Service & Sales - total \$33767.30  
Ace/Eaton Metals - total \$32677.20

Motion by Myers, 2<sup>nd</sup> Bryner, to close the bids at 9:50 a.m. on Bridge C21(404)A4-Oconto SE4. Roll call vote. Ayes-all

Bids were opened from Midwest Service & Sales – total \$28911.96  
Ace/Eaton Metals - total \$29336.00

Motion by Eggleston, 2<sup>nd</sup> Olson, to award the bids to Ace/Eaton Metals for Bridge C21(404)A1 and C21(404)A2 and award the bid to Midwest Sales & Service for Bridge C21(404)A4. Roll call vote. Ayes-all

Motion by Bryner, 2<sup>nd</sup> McCullough, to approve an application for Black Hills Gas Distribution, to bore under county road for 4” pvc pipe, so.east BB, Roll call vote. Ayes-all

Motion by Bryner, 2<sup>nd</sup> Eggleston, to approve an application for Black Hills Gas Distribution, for encroachment of county r-o-w for 4” natural gas pipes, so. east BB, Rd. 440, Rd 797. Roll call vote. Ayes-all

Motion by Eggleston, 2<sup>nd</sup> Bryner, to adjourn as the Co. Board and convene as the **Board of Equalization at 9:50 a.m.** Roll call vote. Ayes-all Nays-none

Connie Braithwaite, Co. Assessor reviewed the Court Order to cancel taxes on these:

**Motion by Myers, 2<sup>nd</sup> McCullough, to approve a 2010 tax list correction, deduct \$217.20; deduct 5.16, tax sale cancel taxes.**

**Motion by Myers, 2<sup>nd</sup> McCullough, to approve a 2010 tax list correction, deduct \$122.68, tax sale cancel taxes. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Olson, to approve a 2011 tax list correction, deduct \$184.70; deduct 21.82. Roll call vote. Ayes-all**

**Motion by Myers, Olson, to approve a 2011 tax list correction, deduct \$156.16. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Bryner, to approve a 2012 tax list correction, deduct \$184.10 and 21.76. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Bryner, to approve a 2012 tax list correction, deduct \$155.66. Roll call vote. Ayes-all**



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**Motion by Myers, 2<sup>nd</sup> Eggleston, to approve a 2013 tax list correction, deduct \$183.78 and deduct 21.72. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Eggleston, to approve a 2013 tax list correction, deduct \$155.36. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Eggleston, to approve a 2014 tax list correction, deduct \$173.42 and 20.48. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Eggleston, to approve a 2014 tax list correction, deduct \$146.62. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Olson, to approve a 2015 tax list correction, deduct \$158.04 and 18.68. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Olson, to approve a 2015 tax list correction, deduct \$133.64. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Bryner, to approve a 2016 tax list correction, deduct \$214.24 and 18.00. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Bryner, to approve a 2016 tax list correction, deduct \$128.76. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Eggleston, to approve a 2017 tax list correction, deduct \$209.14 and 7.04. Roll call vote. Ayes-all**

**Motion by Myers, 2<sup>nd</sup> Eggleston, to approve a 2017 tax list correction deduct \$107.94. Roll call vote. Ayes-all**

**Motion by Bryner, 2<sup>nd</sup> McCullough, to approve a 2017 tax list correction for Mid Plains Community College, deduct \$242.42; deduct \$115.62; deduct \$91.18, exempt subdivision. Roll call vote. Ayes-all**

**Motion by Bryner, 2<sup>nd</sup> Eggleston, to approve a 2018 tax list correction, add \$37.92, move house off. Roll call vote. Ayes-all**

Motion by Eggleston, 2<sup>nd</sup> Bryner, to recess as the **Board of Equalization** and reconvene as the Co. Board at 10:05 a.m. Roll call vote. Ayes-all

Motion by Eggleston, 2<sup>nd</sup> McCullough, to Open a Public Hearing at 10:00 a.m. on Prairie Hills Wind, LLC, Conditional use permit #18-8-10. Roll call vote. Ayes-all

Richard Chandler, Sempra rep. reviewed with the County Board the plan, size, location, and had a power point presentation. Several individuals/landowners spoke in favor of the turbines.

D. Tibbs, Zoning Adm., read the Planning Commission recommendation to approve with their findings of fact and contingent on the listed attached conditions.

Motion by McCullough, 2<sup>nd</sup> Bryner, to close the Public Hearing at 10:40 a.m. for Prairie Hills Wind. Roll call vote. Ayes-all

Motion by McCullough, 2<sup>nd</sup> Bryner, to approve the Conditional Use Permit #18-8-10, as recommended by the Planning Commission Board, based on the following findings: follows CC Zoning Reg., follows Article 16, follows CC Compensation Plan, and to be contingent on the conditions listed on attached document, for Prairie Hills Wind LLC. Roll call vote. Ayes-all

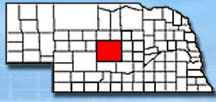
Motion by Olson, 2<sup>nd</sup> Eggleston, to Open a Public Hearing at 10:45 a.m. on Cedar Ridge Dog Rescue/L. Burgess, Conditional Use Permit #18-9-1. Roll call vote. Ayes-all

Dave and Larinda Burgess explained the use of the dog rescue shelter and answered questions from the Co. Board.

D. Tibbs, Zoning Adm., reported on the Planning Comm. Board recommendation of approval.

Motion by Olson, 2<sup>nd</sup> Eggleston, to close the public hearing for Cedar Ridge Dog Rescue at 11:00 a.m. Roll call vote. Ayes-all

Motion by Olson, 2<sup>nd</sup> Eggleston, to approve the Conditional Use Permit #18-9-1, as recommended by the Planning Commission Board, for Cedar Ridge Dog Rescue. Roll call vote. Ayes-all



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Motion by Olson, 2<sup>nd</sup> Eggleston, to close bids on the Sheriff Patrol vehicles @11:00 a.m. Roll call vote. Ayes-all

Bids were opened from:

Ranchland Ford – 2019 F150-\$33770.00 and 2019 Explorer-\$35893.00

Sandhills Motors- 2019- 1500 Cr Cab Dodge-29500.00 and Durango-33400.00(18500 trade)

Gateway Motors – 2019 Chev Silverado - \$16280.00 w/trade and 2019 Chev Tahoe-\$18515.00 w/trade

Sheriff Osmond will take bids and review and get back to the Co. Board. Motion by Olson, 2<sup>nd</sup> Myers, to approve the bids from Sandhills Motors for 2 Dodge Pickups at \$29500.00 each, less trade of \$18500.00 for a 2015 Dodge Ram. Roll call vote. Ayes-all

Motion by Eggleston, 2<sup>nd</sup> Myers, to approve the September monthly fee reports for the Clerk, Reg of Deeds, Clerk District Court. and Co. Sheriff. Roll call vote. Ayes-all

Motion by Eggleston, 2<sup>nd</sup> Bryner, to adjourn as the Co. Board and convene as the **Board of Equalization at 11:10 a.m.** Roll call vote. Ayes-all Nays-none

**Chairman Fox, read Res. #34-2018 and reviewed the levies as set. Motion by Eggleston, 2<sup>nd</sup> Olson, to approve Resolution #34-2018, to set the final levies for all Custer County political subdivisions for FY2018-2019, and for LL NRD which must be set by the county with the greatest certified valuation for FY2018-2019. Roll call vote. Ayes-all**

Motion by McCullough, 2<sup>nd</sup> Eggleston, to recess as the **Board of Equalization** and reconvene as the Co. Board at 11:20 a.m. Roll call vote. Ayes-all

Supervisor McCullough reported on Elk Creek Township that all three members of the township board resigned and they need replaced. Attorney Bowers stated that an Affidavit had to be filed with the Co. Clerk stating the facts of the Township meeting. Lowell Eloie filed the notarized Affidavit with the Custer County Clerk on the action taken at the Elk Creek Township Meeting.

Motion by McCullough, 2<sup>nd</sup> Eggleston, to appoint Dennis Fread to replace Treasurer Douglas Nichols; appoint Becky Kramer to replace Clerk Marg Hawkins; appoint Kory Ostrand to replace Chairman Greg Racicky to finish the term to Dec. 31, 2018. Roll call vote. Ayes-all

Motion by Bryner, 2<sup>nd</sup> Myers, to approve the Sequoia Consulting Group Certificate of Cost Allocation Plan as presented for year ending June 30, 2017. Roll call vote. Ayes-all

K. Clark, Dep. Co. Attorney visited with the Co. Board on a Drug & Alcohol Awareness Program and speaker that would be at the Schools in Custer County.

M. Rempe, Emg. Mg. reported on the Training Exercise. Motion by Bryner, 2<sup>nd</sup> McCullough, to approve Res. #36-2018, to close the road from Hwy 70 on Memorial Drive to Laurel Drive, for this disaster preparedness training exercise from 8 a.m. to finish. Roll call vote. Ayes-all

K. Wolfe, for Myers Construction, reviewed four change orders requested. Motion by Olson, 2<sup>nd</sup> Eggleston, to approve Chg.#1, Chg #2; Chg #3; Chg #4. Roll call vote. Ayes-all(Fox-Aye) Abstain -Bryner, Myers

Meeting adjourned at 11:20 a.m.

Constance Gracey  
Custer Co. Clerk