

# May 22, 2024

## County of Nemaha, Nebraska **BOARD OF COMMISSIONERS**

Commissioner's Chambers  
Nemaha County Courthouse, Suite 201  
1824 N St Auburn NE

- 8:00 a.m. Call meeting to order by Chairman  
Pledge of Allegiance  
Open Meeting Laws  
Approval of Agenda  
Approval of meeting minutes – May 8, 2024  
Action/Approval of claims
- 9:15 a.m. Open Sealed Bids for Road Rock
- 9:30 a.m. Open Sealed Bids for Pup Trailer

### **Executive Session \***

1. Discussion of letter from Nebraska State Auditor regarding TIF projects
2. Discussion regarding engaging legal Counsel to advise Nemaha County and sign contract

### **Discussion/Action – Business**

1. Fuel Bids for June, 2024
2. Approve ROW application #2024-09 for Nemaha County Rural Water #1 located at 648 Ave & 727 Road
3. Approve ROW application #2024-10 for OPPD located 628 Ave & Hwy 136
4. Approve and sign the SDL-Local Recommendation Application Liquor License for Sean Stevenson
5. Adopt Resolution #2024-08 land subdivision for Jay Fischer and Susan Thomas

### **Discussion/Action - Unfinished Business**

1. Approve and sign the Agreement with NPPD to reimburse Nemaha County \$60,000.00 for cost of work on the Nuclear Plant Road

### **Discussion/Action - Buildings/Grounds/Property**

### **Discussion/Action - Equipment/Office Equipment/Vehicles/Furniture**

### **Discussion/Action - Highway Superintendent**

1. Release Contract Bonds for STWD-CBMP(4) Projects completed
2. Discuss Eggers road

### **County Officials Reports/Correspondence/Reminders**

1. Reminder June 8, 2024 Tire collection - road workers

### **Adjournment**

County Board of Commissioners of the County of Nemaha, State of Nebraska met on Wednesday, May 22, 2024, Commissioner's Chambers, Nemaha County Courthouse, Auburn, NE for a regular scheduled meeting. Notice of meeting was published weekly in the Nemaha County Herald. The agenda for the meeting was kept continually current and available for public inspection at the office of the Nemaha County Clerk during normal business hours and also on the Nemaha County website. ([www.nemahacounty.ne.gov](http://www.nemahacounty.ne.gov)). The agenda was held open until one business day prior to the meeting for appearance before the board and items for approval by the Board of Commissioners. The Board of Commissioners has the right to modify the agenda to include items of an emergency nature only at such public meeting.

Chairman Weiss called the meeting to order at 8:00 a.m. with the Pledge of Allegiance. Present for the Meeting: Mike Hall, Commissioner District #1; Bryan Melage, Commissioner District #2; Michael Weiss, Commissioner District #3; and County Clerk Diane Johnson. Chairman Weiss noted the Open Meeting Laws posted on the bulletin board located in the Commissioner's room.

**Approval of Agenda** – Motion by Hall, seconded by Mellage to approve the agenda as presented. Roll call vote: Hall, aye; Mellage, aye; Weiss, aye.

**Approval of Minutes** – Motion by Mellage, seconded by Hall to approve the May 8, 2024 minutes as presented with no corrections. Roll call vote: Mellage, aye; Weiss, aye; Hall, aye.

**Claims** – Motion by Mellage, seconded by Weiss to approve the accounts payable claims as presented by the County Clerk and authorize for payment by the Board of Commissioners. Roll call vote: Weiss, aye; Hall, aye; Mellage, aye.

9:15 a.m. Open Sealed Bids for Road Rock - Public Notice was published in the Nemaha County Herald on May 2, 2024; May 9, 2024; and May 16, 2024 with the bids opening at 9:15 a.m. on May 22, 2024. No bids for road rock were received or opened.

9:30 a.m. Open Sealed Bids for a 2023 or newer Pup Trailer - Public Notice was published in the Nemaha County Herald on May 2, 2024; May 9, 2024; and May 16, 2024 with the bids opening at 9:30 a.m. on May 22, 2024 and specs were available upon request. Two sealed bids were received: Truck Equipment Service Co. for a Cornhusker800 Rock Pup \$61,200.00; and Jim Hawk Truck Trailers for a Ravens by Kruz Model RPP-16 \$75,388.00. Motion by Hall, seconded by Mellage to accept the sealed bid for a 2023 or newer Pup Trailer from Truck Equipment Service Co. for a Cornhusker800 Rock Pup \$61,200.00. Roll call vote: Hall, aye; Mellage, aye; Weiss, aye.

#### **Executive Session \***

Motion by Mellage, seconded by Hall to enter into Executive Session at 9:25 a.m. due to strategy session with respect to collective bargaining, pending litigation. Roll call vote: Mellage, aye; Weiss, aye; Hall, aye.

1. Discussion of letter from Nebraska State Auditor regarding TIF projects
  2. Discussion regarding engaging legal Counsel to advise Nemaha County and sign contract
- Motion by Mellage, seconded by Hall to leave Executive Session at 9:45 a.m. Roll call vote: Weiss, aye; Hall, aye; Mellage, aye

Motion by Mellage, seconded by Hall to sign the Engagement Agreement with Baylor Evnen Wolfe & Tannehill, LLP to represent and provide guidance relevant to correspondence received from the NE Auditor of Public Accounts regarding certain Tax Increment Financing (TIF) projects in the City of Auburn that are overseen by the City's Community Redevelopment Authority (CRA). Roll call vote: Hall, aye; Mellage, aye; Weiss, aye.

#### **Discussion/Action – Business**

1. Fuel Bids for June, 2024 - The following fuel bid for June, 2024 was received: Sapp Brothers #2 Clear Diesel \$2.899, Regular with ethanol \$2.789. Motion by Hall, seconded by Mellage to accept the fuel bid for June, 2024 from Sapp Brothers #2 Clear Diesel \$2.899, Regular with ethanol \$2.789. Roll call vote: Mellage, aye; Weiss, aye; Hall, aye.

2. Approve ROW application #2024-09 for Nemaha County Rural Water #1 located at 648 Ave & 727 Road - Motion by Hall, seconded by Mellage to approve the Right of Way application #2024-09 for Nemaha County Rural Water #1 located at 648 Ave & 727 Road. Roll call vote: Weiss, aye; Hall, aye; Mellage, aye.

3. Approve ROW application #2024-10 for OPPD located 628 Ave & Hwy 136 - Motion by Weiss, seconded by Hall to approve the Right of Way application #2024-10 for OPPD located 628 Ave & Hwy 136. Roll call vote: Hall, aye; Mellage, aye; Weiss, aye.

4. Approve and sign the SDL-Local Recommendation Application Liquor License for Sean Stevens - Motion by Mellage, seconded by Weiss to approve and sign the SDL-Local Recommendation Application Liquor License for Smittys Liquor LLC contact name Sean Stevens for June 8, 2024. Roll call vote: Mellage, aye; Weiss, aye; Hall, aye.
5. Adopt Resolution #2024-08 land subdivision for Jay Fischer and Susan Thomas - Motion by Mellage, seconded by Hall to Adopt Resolution #2024-08 which is a land subdivision for Jay Fischer and Susan Thomas. Roll call vote: Weiss, aye; Hall, aye; Mellage, aye.

**Discussion/Action - Unfinished Business**

1. Approve and sign the Agreement with NPPD to reimburse Nemaha County \$60,000.00 for cost of work on the Nuclear Plant Road - tabled, waiting for approval from Angelo Ligouri the County Attorney.

**Discussion/Action - Buildings/Grounds/Property**

**Discussion/Action - Equipment/Office Equipment/Vehicles/Furniture**

**Discussion/Action - Highway Superintendent**

1. Release contract bonds for STWD-CBMP(4) Projects completed - Motion by Weiss, seconded by Hall release the contract bond of JJK Construction LLC with Inland Insurance Company for the STWD-CBMP(4) Projects completed, C64(317) and C64(334). Roll call vote: Hall, aye; Mellage, aye; Weiss, aye.
2. Egger's road and land owner wants to hard surface the road at the owner's expense.

**County Officials Reports/Correspondence/Reminders**

1. Reminder June 8, 2024 Tire collection - road workers

The following claims were approved for payment by the Board of Commissioners and authorized the County Clerk for payment:

**General**

Salaries	68,938.59
Action Technology Svcs.	2,572.00
AFLAC	3,070.96
Americom	50.00
APACE	118.13
AT&T	516.48
Aub Auto Ctr.	335.00
Aub Design Shop	74.00
Aub Plumbing	608.18
Bender Reese Post #330	75.00
Black Hills	285.33
BC/BS	30,734.90
Capital Business	855.97
Charm-Tex	60.90
City of Peru	75.00
DAS	1,168.00
Douglas Co. Sheriff	32.60
Biere, Mary	189.36
Baltensperger, Nancy	260.24

Bohling, Patsy	184.00
Covington, Julie	250.19
Decker, Miranda	266.24
Ehmke, Carol	212.00
DeBuhr, Judy	197.40
Eltiste, Fran	204.42
Furnas, Carol	201.74
Garver, Kathy	184.00
Gerdes, Raedeahna	184.00
Gravatt, Phyllis	205.43
Jaros, Anita	187.00
Kruger, Mary Lyn	200.40
Lueders, Becky	200.40
Lynch, Barb	209.00
Mitchell, Lisa	25.00
Nies, Linda	25.00
Pugh, Helen	203.08
Noa, Lacey	203.43
Rippe, Rebecca	252.20
Stanley, Pam	253.54
Stich, Susan	210.80
Witt, Andrea	200.40
Pruitt, Sara	207.10
McGargill, Dolores	184.00
Constantine, Mary	187.00
Schatz, Maxine	184.00
Collins, John	187.00
Jones, Marla	212.00
Stevenson, Dena	195.04
Woerlen, Carol	211.79
Wamsley, Patricia	201.42
Seeba, Irene	200.40
Fankhauser, Nelsen, Werts, Merwin	779.00
First Concord	526.16
First Concord	3,564.28
FTC	25.00
Great West Life	50.00
Holiday Inn Kearney	279.90
Hometown Leasing	712.44
Lancaster Co. Sheriff	27.10
Legalshield	38.90
Lempka, Mallory	578.58
Liberty National	485.60

Longs Creek	1,647.00
Madison National Life	52.39
Matthew Bender & Co.	124.43
NE HHS	180.00
Nebraska.gov	100.00
Nem Co Ag. Society	150.00
Nem Co Sheriff	331.10
Nem Co Tax Acct. Ret.	11,720.24
Nem Co Tax Acct. SS/Fwh	21,512.52
Nem Co Tax Acct. Nationwide	75.00
Nem Co Tax Acct. NWH	7,153.78
Nem Co Treasurer	250,000.00
Nemaha Methodist Church	75.00
New Life Church	75.00
New York Life	117.00
Physician's Lab	550.00
Pottawattamie Co Sheriff	123.00
Quill	680.35
Sarpy Co Sheriff	13.38
Schatz, Dale	30.00
Schendel Pest Control	210.00
St. Paul Lutheran Church	75.00
Thomson Reuters	426.74
UNL Extension	159.79
US Bank	2,546.56
Verizon	1,009.14
Village of Brock	75.00
Village of Brownville	75.00
VSP	285.98
Washington National	130.80
Windstream	97.27
Witness Fees	20.00
Witness Fees	78.66
Witness Fees	372.98
Witness Fees	121.17
Witness Fees	95.71
Witness Fees	130.55
Witness Fees	104.42
Wolfe's Printing	114.24
Zimmerman, Mary	39.13
<b>Road</b>	
Salaries	20,497.92
AFLAC	181.38

Aub Design Shop	24.00
Black Hills	52.54
BC/BS	15,307.76
Credit Management Svcs.	64.58
First Concord	150.00
Frontier Metal Supply	150.00
Gilbert's Svcs.	23.50
Graham Tire	3,020.80
Graybill Tire	116.54
Legalshield	32.90
Martin Marietta	49,961.39
Midwest Svc. & Sales	580.00
NE Child Support	229.50
NE Child Support	298.40
NE Public Employee Local #251	330.00
Nem Tax Acct. Ret.	3,165.29
Nem Tax Acct. SS/Fwh	6,108.53
Nem Tax Acct. NWH	1,905.32
New York Life	88.00
Pfeiffer Welding	1,635.03
RDO	381.43
Schlange, Kevin	452.92
Sioux City Truck Sales	1,130.91
Village of Johnson	51.18
VSP	102.23
<b>Juvenile Diversion Program Fund</b>	
Hahn, Jill	60.00
3rd Millennium Classrooms	75.00
<b>911 Emergency Management Fund</b>	
American Tower	2,204.68
Verizon	25.77
<b>Jail Commissary Fund</b>	
Combined Public Communications	275.00
US Bank	41.00

With no further business to come before the Board of Commissioners, motion by Mellage, seconded by Hall to adjourn at 10:10 a.m. Roll call vote: Mellage, aye; Weiss, aye; Hall.

I, Diane Johnson, the undersigned County Clerk of Nemaha County, Nebraska do hereby certify the foregoing minutes are true and are a part of the official records of this office. A complete copy of the minutes is available during normal business hours at the Nemaha County Clerk's office or on the Nemaha County's website: [www.nemahacounty.ne.gov](http://www.nemahacounty.ne.gov).

Diane Johnson  
County Clerk