

July 23, 2013

The Merrick County Board of Equalization met Tuesday, July 23, 2013 at 9:00 a.m. in the Supervisors Room, County Courthouse, Central City, NE, with Graves, Kucera, Hahn, Jefferson, Weller, and Wiegert present. Helgoth was absent 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 Jefferson, second Hahn to convene as Board of Equalization at 9:00 a.m. Roll Call: All Ayes

Weller led the Pledge of Allegiance to the Flag.

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

Minutes: Moved Kucera, second Graves to approve the minutes as published for July 9, 2013. Roll Call: All Ayes.

Vehicle Exemption: A vehicle exemption application from Nebraska Christian Schools for nine vehicles was presented to the Board for their approval. Move Hahn, second Jefferson to approve the vehicle exemption application from Nebraska Christian Schools for nine vehicles and have the Chairman sign. Roll Call: All Ayes.

Homestead Exemption extension: The Board received a copy of a letter from Ludmila Tedford requesting an extension on the filing of an Application for Homestead Exemption stating that she has not filed in the past and did not realize the dead line was June 30. Assessor Placke said that there was a misunderstanding between her office and Tedford about the filing deadline. Moved Graves, second Jefferson to approve of the extension on the filing of an Application for Homestead Exemption for Ludmila Tedford. Roll Call: All Ayes.

Tax Correction: Assessor Placke needed the Board's approval on tax correction 3661 for the Coffee Bean Company Inc. to accelerate taxes on personal property because the business has sold. Moved Jefferson, second Hahn to approve tax correction 3661 for the Coffee Bean Company Inc. to accelerate taxes on personal property because the business has sold. Roll Call: All Ayes.

Adjourn: Moved Jefferson, second Kucera to adjourn at 9:04 a.m. Roll Call: All Ayes.

/s/Roger Wiegert, Chairman

/s/Marcia Wichmann, County Clerk

July 23, 2013

Before the meeting began, Treasurer Dunham was presented a plaque for her 29 years of continued service to the County, by Board Chairman, Roger Wiegert.

The Merrick County Board of Supervisors met Tuesday, July 23, 2013 at 9:05a.m. in the Supervisors Room, County Courthouse, Central City, NE, with Graves, Kucera, Hahn, Jefferson, Weller, and Wiegert present. Helgoth was absent. Also present was County Attorney Lynelle Homolka.

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

Minutes: Moved Jefferson, second Kucera to approve the minutes of the July 9, 2013 as presented. Roll Call: Ayes: Hahn, Graves, Kucera, Jefferson and Wiegert. Nays: None. Abstain: Weller.

Meeting reports: Hahn and Graves attended the Senior Center meeting and Graves also attended the hospital meeting last Wednesday; Kucera attended the County Extension Board meeting and said they had gotten the kitchen professionally cleaned and were going to surplus some older kitchen items; Wiegert attended the Mid Plains meeting last night.

Official reports: Extension Educator Jeanette Friesen said the new Extension Educator Troy Ingram is in the training mode now and as of August 1, 2013 Tammy Stuhr will be the unit leader. Friesen is currently the unit leader. On Thursday, August 1 the Extension Office will close in the afternoon and all day of Friday, August 2, 2013 to give everyone a break before the state fair. Weed Superintendent, Corwin Roscoe said there is a lot of musk thistle in the

County. He had received a call about an area between 27th and “Z” Roads and it was a historic cemetery. He called the Clarks village and by the next day it was cleaned up. The cemetery on Upton by Palmer needs something done also.

Hospital update: Tad Hunt said the affiliation with Bryan Health started July 1, 2013. The hospital meeting date has been changed from the 3rd day of the month to the 4th day of the month. Bryan Health is doing the search for a CEO for Litzenberg. This will take about eight to nine months. The interim CEO will start on September 15 and Hunt’s last day will be September 20. The interim will be on contract until December.

Six month report: Treasurer Dunham presented her six month report to the Board for their approval. Moved Weller second Jefferson to approve the six month report from the Treasurer. Roll Call: All Ayes.

RESOLUTION 24: Treasurer Dunham read RESOLUTION 2013-24 to the Board allowing her to close the Courthouse Building checking account at Cornerstone Bank. Moved Weller, second Graves to approve and have the Chairman sign RESOLUTION 2013-24 allowing the Treasurer to close the Courthouse Building checking account at Cornerstone Bank. Roll Call: All Ayes. RESOLUTION 2013-24 is on file in the Clerk’s Office for public viewing.

Central Nebraska Child Advocacy: Brady Kerkman, Executive Director of Central Nebraska Child Advocacy Center came before the Board and gave them an over view of what the Child Advocacy is and what they do. This is the first time they have asked for funding from the Counties, and there are eleven counties surrounding Grand Island that they service. They are a nonprofit that does forensic interviewing, sexual abuse exams, etc. County Attorney Homolka said they are very helpful in her cases. The Crisis Center is for the adult and Child Advocacy is for the children. Homolka said she strongly supports this. Kerkman was asking for \$4,000.00 a year for support. Weller told him that the Board would be looking at numbers after dinner and will see what they can do.

Special liquor license: Steve Loeffelbein, DBA Nitecrawlers Bar & Grill requested the Board’s approval for a special liquor license for a UBT Bull Riding event that he will be holding at his business; Nitecrawlers Bar & Grill, Worm, NE on Saturday, August 17, 2013. He wants to extend his license to his personal yard. Moved Weller, second Kucera to approve the special liquor license for Steve Loeffelbein DBA Nitecrawlers Bar & Grill for Saturday, August 17, 2013. Roll Call: All Ayes.

Special liquor license: Harley Conway DBA Bootleggers needs the Board’s approval of a special liquor license for a wedding reception at Riverside, Saturday, September 28, 2013. Moved Weller, second Kucera to approve the special liquor license for Harley Conway DBA Bootleggers for a wedding reception at Riverside, Saturday, September 28, 2013. Roll Call: All Ayes.

Juvenile Diversion: Because of LB561, County Attorney Homolka said Julie Beyer, Juvenile Diversion Officer will be applying for a different grant for funding. The money involved with this new grant is money earmarked for Merrick County already and it will promote services through Juvenile Diversion and will also be used for health insurance for Julie and her family. Beyer needs the Board’s approval and the Chairman’s signature for the new grant. Moved Weller, second Jefferson to approve and have the Chairman sign the new grant for Juvenile Diversion. Roll Call: All Ayes.

Board took a five minute break.

Pipeline: Meghan Hammond urged the Board not to hurry in signing the crossing permits and haul routes. Hammond said there is not a presidential agreement and the easements are perpetual. York County neglected to have a time frame in the haul agreement to make repairs or hear complaints. She urged the Board to call the Seward County Commissioners and also passed out a pipeline information pamphlet and urged the Board to attend a meeting on August 23 from 9a.m. to noon at York, NE and for the Board to wait to hear from experts before going any further.

Permit to perform work on ROW: Highway Superintendent Meyer asked for the Board’s approval for the Chairman to sign permits to perform work on public ROW of the proposed Keystone Pipeline Crossing of 23rd Road, “Z” Road, 24th Road, “Y” Road, 25th Road, 26th Road, “X” Road, 27 Road, and “W” Road. Moved Weller, second Jefferson to approve the Chairman signing the permits to perform work on public ROW of the proposed Keystone Pipeline Crossing of 23rd Road, “Z” Road, 24th Road, “Y” Road, 25th Road, 26th Road, “X” Road, 27 Road, and “W” Road but would not go in effect until the government approval goes into effect. Roll Call: All Ayes. County Attorney Homolka asked if the Board had received copies of the permits before hand because she was seeing them for the first time and had not been able to read them over. There was a line for performance guarantee that was not filled in and the where the voucher and warrant for return of guarantee shall be made payable to and delivered was not filled out. Homolka said that she advised the Board to be careful signing the permits without a performance guarantee or bond. Denisha Cummings with TransCanada said they would do a bond for the permits. The vouchers and warrants would be payable to Merrick County and delivered by TransCanada. The haul agreements that were approved in 2011 by the Board had

a \$2,000,000.00 performance guarantee and they could do the same on the permits. Moved Weller, second Jefferson to add the performance guarantee amount to the permits that was in the haul agreement upon government approval. Roll Call: Ayes: Graves, Jefferson, Weller, and Wiegert. Nays: Kucera. Abstain: Hahn.

Agreement for haul roads for proposed pipeline: Highway Superintendent Meyer needed Board approval to sign the agreements for haul roads of the proposed pipeline as shown on the haul road map. Meyer did not have the agreement but Denisha Cummings with TransCanada said it was the same as the one signed in 2011 but with a different map. Homolka said that Hammond had made some very good issues. Attorney Homolka briefly went through the agreement from 2011 and commented that we have problems with a few paragraphs such as paragraph 3a liability, paragraph 3b and third parties, restoration paragraph d weather permitting, etc. Moved Weller, second Jefferson to table the agreement for haul roads until the next Board meeting. Roll Call: All Ayes.

Advertise sale of motor grader: Highway Superintendent Meyer asked for the Board's approval to advertise the sale of the motor grader at Chapman, Caterpillar 12H4M12202. Moved Weller, second Kucera to give permission to Highway Superintendent Meyer to advertise the sale of the motor grader at Chapman, Caterpillar 12H4M12202. Roll Call: All Ayes.

4-H Building: Kucera said she wanted to let the Board know that the Extension Board owns the 4-H Building until it no longer has 4H activities and then it reverts to the Agricultural Society. Triangle Insurance has the insurance on all the buildings at the fair grounds and just charges the cost of the insurance for the 4-H building to the Extension Board.

Closing of streets in Archer: Dwayne Braun, Plant Manager for Green Plains, asked the Board to consider closing south Depot Street, south Ford Street, and a small portion of Stark Street along the alley. They would like to develop more. Graves said that Highway Superintendent Meyer has to make a study to see if this is good for closure, then talk to the township board and then bring a recommendation to the Board and then a hearing. Moved Weller, second Graves to have Highway Superintendent Meyer do a study, and talk to the township about the closing of south Depot Street, south Ford Street, a small portion of Stark Street along the alley. Roll Call: All Ayes.

Depot Street: Tracey Hefner and Brian Jefferson came in place of Dean Hartwig for the Agricultural Service in Archer. Hefner said if they are going to abandon South Depot to go all the way for security reasons. They are under homeland security and someday may have to put up a fence. Moved Weller, second Graves to have Highway Superintendent Meyer do a study and talk to the township Board about closing South Depot Street on the east side of the highway. Roll Call: All Ayes.

Video Franchise: County Attorney Homolka asked the Board to table the discussion of the taxing ability on the video franchise and the signing of the video franchise agreement with CenCom Inc. because there are a lot of city, state, and federal laws involved. Moved Weller, second Graves to table the discussion of the taxing ability on the video franchise and the signing of the Video Franchise Agreement with CenCom, Inc. until the next Board meeting. Roll Call: All Ayes.

Emergency management: Weller said he had talked to Helgoth and the Emergency Manager was asking for a 6% increase in wages and that Helgoth recommends a 3%. County Attorney Homolka said that ours was 2% and Graves said 2% was not an option for the Emergency Manager. Moved Weller, second Jefferson to recommend a 3% increase in wages for the Emergency Manager. Roll Call: All Ayes.

Wage dispute: Janet Carson from the Treasurer's office came before the Board and wanted to know why she was paid hourly in June but in July was put on a monthly rate. She said that by doing that the County was shorting her pay. Clerk Wichmann told her that she was paid hourly in her office because she worked 6 days in the Clerk's office and the rest of the month she was in the Treasurer's office. Weller said that what she is saying is that she will be shorted \$140.00 by being paid hourly in June in the Treasurer's office and then going to a monthly rate in July. She worked full time and worked a full month. She feels that she should remain on the hourly wage through August because that way she will make up for what she was shorted in June because it was a short work month. Carson said that you can't pay hourly and then on the 15th of the next month when time sheets are due want her to sign a sheet saying she will be getting paid a monthly rate. Treasurer Dunham said she was being paid the same way the other girls in her office are paid and the reason she was paid different in June was because she was paid for the Clerk's Office and the Treasurer's Office which are two different budgets. Graves said that Carson has done payroll and should have been aware of how it was going to be done. Wichmann said that Carson's check in June was \$20.00 less than a full monthly rate she would be getting and Carson said by the end of the year she would be short \$140.00 by doing it that way. Assessor Placke said she thinks the problem is that June is a short month. June is one day shorter than other months said Graves. Placke said it is thirteen hours short because her hourly is figured on 173 hours per month and she was only paid 160 hours for the month of June. Placke said in order to get this to work out you have to pay her

hourly. Graves said what should probably have happened is Wichmann should have paid Carson for a fourth of a month and Dunham pay her for $\frac{3}{4}$ of a month. Carson said that is why she wants to be paid hourly for the month of July and Placke said that July would have 23 days. Placke said you take her annual salary and divide it 12 months or figure there is 2080 hours for a year so that averages out to 173.5 per month and the month of June only had 160 hours. Homolka said it wasn't that it was figured wrong because Wichmann was just paying off of the sheet turned in by Dunham. Wichmann said that it wasn't that they were trying to short Carson it was just how it has always been figured. Placke said this is a good example of why everyone should go to an hourly rate 12 times and every check be different. Wichmann said that MIPS is working on a system where every employee will be hourly and the time they check in will be directed straight to the payroll system. Placke said what Carson is saying is that if she is paid hourly for the month of July it will kind of make up the different of the short month. Graves said it was a bad deal that the job in the Clerk's office ended and the job in the Treasurer's office started in mid month. Weller asked Carson if what she was requesting is to remain hourly and Carson said yes until August until she catches up. Weller said until August or through August and Carson said until the end of August. It is Treasurer Dunham's call not the Board's. Weller said, so the down side of granting the request would be and Dunham said she did not know if there was a down side because at some point if you want to keep going hourly the monthly salary will be \$1680.00 on a 20 day month coming up. Graves said she just wants to go hourly for July and August. Graves said that the way payroll is done now is the way it has been done for years and was approved by the auditors. Graves said the only thing Dunham could do is if she thinks that Carson has been unfairly treated is to pay her hourly for July and August and then go to a monthly rate after that. Otherwise it is just one of those situations where it caught up with her. Weller said that they cannot make a motion because it is up to the elected official but if it can be taken care of why not. Weller said obviously it was a short fall due to no fault of Carson's. Placke said or either office and Weller said yeah. Weller said there should be a way to straighten out without breaking any federal laws that anybody cares about. Weller said if he had an unhappy employee over \$140.00 a month and liked the work she was doing, he would take care of it. Treasurer Dunham said that she would have to get with Clerk Wichmann to figure it out and Wichmann said that was a decision that needed to be made by Dunham and Bolte because it was an employee in their office. Wichmann just pays what the officials turn in. Weller told Carson that Dunham and Bolte would have to make the decision on how she was going to be paid and Wichmann said that would have to happen before the Board meeting was over because the payroll needed to be approved by the Board today.

Recess: Moved Weller, second Graves to recess for lunch at 12:15 p.m. Roll Call: All Ayes.

Reconvene: Moved Kucera, second Graves to reconvene at 1:15 p.m. Roll Call: All Ayes.

Preliminary tax requests: Wichmann read the Board the preliminary tax requests from Prairie Creek Township, Clarksville Township, Prairie Island Township, Vieregg Township, Palmer Fire District, and Platte Valley Fire District.

Budgets: The Board went over the budgets for the Sheriff, Civil Service, Communications, Jail, Canine, Emergency Management, E911, and Wireless E911 with Sheriff Campbell. The Canine Fund does not involve tax dollars, it is all gifts and donations. Tammy Stuhr was asked about the large increase in wages for the girls in the Extension Office and after refiguring Stuhr said she figured wrong and would take care of it. Kucera questioned the Veteran Service Officers budget concerning his increase in wages and the \$2095.00 budgeted for continuing education. Some other counties are questioning paying for the continuing education to go to nationals every year and only two are paying for their officer to go. The only benefit he doesn't get is health insurance. Child Support and Juvenile Diversion do not get insurance now either. His budget increase was 19% increase. Increase was in equipment and wages. Kucera said that the Board had asked for a 2% increase from the offices and Weller said yes that was the guideline. Assessor Placke said that he is wanting a copier/fax combination because he has been using an excess one from her office for the last six years. Kucera said that she doesn't have a problem with the increase in equipment but with the salary and continuing education. Placke said he has been going to National's every year which is out of state. Placke said that Berry had told her that he didn't increase wages as long as he got to go to Nationals. Placke said that the money Berry brings into the County doesn't go into the County coffers and the Assessor's Office brings in a huge amount of money too if you want to stretch it. Weller said that we send other people to meetings, and he sometimes question how much we get out of it, but drop the salary request of the Veteran Service Officer to \$22,100.00 which will be right at 2% increase. Kucera was still questioning the out of state education because we all go to meetings and they are as locally as possible but do we need to pay for him to go out of state every year. Weller suggested dropping the continuing education to \$1,000.00 instead of \$2,095.00. Weller said that Assessor Placke's budget had a pretty high increase too but that was partly due to putting in that new system and Placke said no that she wants to get a new color printer/copier and is wanting to purchase it because it would be cheaper than leasing it. That is why her budget was over the 2%. Weller asked her about the new online program and Assessor said that it was coming out of the

Inheritance Fund so we added \$4,000.00 over what was spent last year. Weller said dropping the continuing education to \$1,000.00 would not be unreasonable because he believes that the agreement with Darrel Widman was that he could go to nationals every other year. Assessor Placke wanted to know if they had added the \$28,500.00 for Planning and Zoning for the grant and that they would have to do the same for her for a grant she wants to apply for from the Records Department. Wichmann told her that she had added the \$28,500.00 for Planning & Zoning but couldn't do it at the last meeting because she did not have a number for it. The Placke said that she wants to apply for a grant for \$4,800.00 for development cost for the website for the mapping systems on line. Wichmann will put that in the Assessor's budget. Graves asked Tammy Stuhr to give him an overview of how they figured wages. They tried to get their office people to the deputy clerks because that is what Darrel was trying to do a couple of years ago. Their budget now, Graves said that one has a 4.2% increase and the other is a 4.3%. They were trying to get the office manager up to where the deputy clerks were. Graves said last year they had more responsibility and this year they should not have because there are three people above them. If Graves has anything to do with it the salaries will go down below 4%. Stuhr asked what the cost of living increase is and was told the Board was asking 2%. Assessor Placke said the officials' increase is 2.2%. The Board reviewed the revenue numbers.

July 2013 payroll: The July 2013 payroll was submitted for approval: General: Gross: \$103,213.37 Net: \$74,554.24 Roads: Gross: \$47,834.58 Net: \$31,0126.98 Juvenile Diversion: Gross: \$2,331.33 Net: \$2,043.18 Dennis O'Nele is on workman's comp but he would like to use his sick and vacation leave with the County and turn his workman's comp check into the County. O'Nele will be paid his regular pay and turn his workman comp checks into the County. The Treasurer put Janet Carson back to hourly until the end of August 2013 and then she will go to a monthly rate.

Moved Jefferson, second Weller to approve the July 2013 payroll with Carson's wages amended. Roll Call: Ayes: Hahn, Graves, Weller, Jefferson, and Wiegert. Kucera said Aye to the ones that she signed.

Adjourn: Moved Weller, second Graves to adjourn at 5:10 p.m. Roll Call: All Ayes.

/s/Roger Wiegert, Chairman

/s/Marcia Wichmann, County Clerk