

Custer County Board Minutes



MINUTES OF THE CUSTER CO. BOARD OF SUPERVISOR

MINUTES OF THE CUSTER COUNTY BOARD OF SUPERVISOR
December 14, 2021

The Custer County Board of Supervisors met in regular secession, on Tuesday, December 14, 2021, in the boardroom of the Custer County Courthouse. Chairman Fox called the meeting to order at 9:00 a.m. and reported the Open Meeting Laws are posted on the north door and publication of the meet of the meeting notice was on December 9. The following board members were present – Fox, KleeB, Bryner, Stunkel, Myers, Olson, Longmore and Kelly Jacobsen, Deputy Custer County Clerk.

Motion by KleeB, 2nd by Stunkel to approve the minutes of the November 30, 2021.

Committee reports were given by: Stunkel, KleeB, Bryner, Fox and Longmore.

Communication Fund Claims: Salary-\$13641.60; SS-1028.62; Ret-660.79

Bc/Bs of Nebraska	Prem	2,697.72
Custer Public Power District	Serv	572.97
Great Plains Communications	Serv	457.28
Ne Central Telephone Co	Serv	220.16
Platte Valley Communications	Comp exp	690.00
Village Of Ansley	Serv	39.25

Motion by Stunkel, 2nd Bryner to approve Communication Fund Claims. Roll call vote. Ayes-all.

Preservation & Modernization Fund Claims: Salary-\$437.25; SS-33.45

Applied Connective Technologies	Computer	943.00
Microfilm Imaging Systems Mis	87708	36.00
Mips Inc	Prog	188.20

Motion by Bryner, 2nd Olson to approve Preservation & Modernization Fund Claims. Roll call vote. Ayes-all.

Reuse Grant Fund Claims

Performax Ag Tuning Llc	Refund Pmt	851.70
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Motion by Olson, 2nd Bryner to approve Reuse Grant Fund Claims. Roll call vote. Ayes-all.

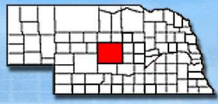
Road Buy Back Fund Claims

Midwest Service & Sales Co	Rd exp	47,958.14
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Motion by Olson, 2nd Stunkel to approve Road Buy Back Fund Claims. Roll call vote. Ayes-all.

Road Fund Claims: Salary-86,935.55; SS-6461.83 Ret-4140.84

Ace Machine Shop & Sales	5263	850.00
Bc/Bs of Nebraska	Prem	16,287.19
Bk Commodities Inc	160761	1,682.80
Broken Bow Municipal Utilities	Serv	



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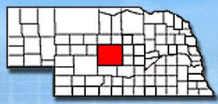
863.45

Callaway Light & Water	Serv	97.51
Callaway True Value	Parts	32.98
Carquest Of Broken Bow	Parts	20.34
Colonial Research Chemical Co	Supp	232.98
Custer County Chief	300017886	197.07
Custer County Highway Petty Cash	Reimb	16.00
Custer Public Power District	Serv	78.66
Eakes Office Solutions	Off supp	100.32
Great Plains Communications	Serv	150.11
Interstate Battery Systems	Parts	418.85
Island Supply Welding Company	254930	175.99
Kaco Supplies	6572	711.75
Martin Marietta	33830183	1,299.38
Mead Lumber	6967860	51.91
Nebraska Truck Center	Parts	1,247.40
NMC Exchange Llc Ne Machinery Co	Parts	5,654.27
O'Brien's Hardware	Parts	16.63
Orscheln Farm and Home	Parts	34.99
Paulsen Inc.	12/6/2021	40,311.84
Quill Corporation	Supp	119.98
Sandhills Motors	Pickup	48,459.00
Sargent Municipal Utilities	Serv	121.46
School House Graphics	1725	144.00
Trotter Service	548764	360.00
V-Bar Sales & Service	22955	12.64
Wenquist Inc.	Parts	754.06

Motion by Olson, 2nd Longmore to approve Road Fund Claims. Roll call vote. Ayes-all.

General Fund Claims: Salary-147,221.71; SS-10786.11; Ret-7664.10; Exp150.50

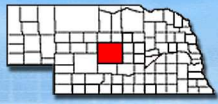
Bc/Bs of Nebraska	Prem	22,087.32
Black Hills Energy	Serv	1,111.76
Bonfire Grill	Jury Meal	233.91
Bootstraps Marketing	488	700.00
Broken Bow Municipal Utilities	Serv	4,530.35



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Central Ne Medical Clinic Pc	Inmate	113.40
Central Plains Valuation Llc	58	20,280.00
Cobblestone Hotel & Suites	1671767	190.00
Country Partners Cooperative	Serv	64.03
Culligan Water Conditioning	Serv	29.25
Custer County Attorney Petty Cash	Postage	22.50
Custer County Chief	Pub	141.25
Custer County Clerk of Dist Court	Fees	175.00
Custer County Highway Department	Fuel	988.92
Custer Transfer Station Inc	350634	12.00
Dollar General Store	Grocery	220.10
Eakes Office Solutions	Off Supp	149.37
Eggleston Oil	Fuel	124.69
Gary's Super Foods	Grocery	65.71
Gateway Motors Inc.	Serv	126.36
Great Plains Communications	Serv	995.62
Grocery Kart	Grocery	377.00
Jury Trial Fees	Jury Trial Fees	3,472.00
Kyle Charron	Lawn	170.00
Lancaster County Sheriff	Fees	13.18
Lanette Doane	Witness Fee	40.16
Lo'akeem Jackson	Witness Fees	195.84
Madison County Sheriff	Fees	28.99
Martin Klein	Mileage	510.72
Marvin Planning Consultants Inc	1185	1,000.00
Microfilm Imaging Systems Mis	87466	192.00
Mid-Nebraska Individual Services Bb	Labor	152.00
NACO	Reg	15.00
Ne State Bar Association	Dues	480.00
Ne Weed Control Association	Reg	135.00
Nebraska.Gov	6573010	12.50
Officenet	Office supp	843.68
Peterson Legal Services Pc Llo	Fees	800.00
Platte Valley Communications	Comp rep	666.74



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Presto-X	4457995	64.00
Quill Corporation	Office supp	45.16
Repco Marketing Inc	2014584	65.43
Sandhills Motors	Rep	768.00
Trotter Service	Rep	20.00
Unitech	Cleaning supp	502.45
Us Postal Service	Postage	2,000.00
Varney Healthmart	Inmates	25.15
Village Uniform	Cleaning	22.34
Wenquist Inc.	Parts	64.15
Woods & Aitken	Parts	58.50
Wroblewski & Gawrych Law Office Llc	Fees	890.00

Motion by Myers, 2nd KleeB to approve General Fund Claims. Roll call vote. Ayes-all.

**Motion by Olson, 2nd Longmore, to adjourn as the Co. Board and convene as the Board of Equalization at 9:35 a.m.
Roll call vote. Ayes-all**

County Assessor Lymber presented these corrections:

Motion by Stunkel, 2nd by KleeB to remove TIFF for 2021 on TAMAC LLC, deduct \$4558.10. TIFF was paid off, removal requited from City. Forrester's Auto Sales is finished per notification from City of Broken Bow. Roll call vote. Ayes-all

Motion by KleeB, 2nd by Bryner to remove TIFF for 2021 on TAMAC LLC, add \$4558.12. TIFF was paid off, removal requited from City. Forrester's Auto Sales is finished per notification from City of Broken Bow. Roll call vote. Ayes-all

**Motion by KleeB, 2nd Bryner, to adjourn as the Board of Equalization and reconvene as the County Board at 9:40 a.m.
Roll call vote. Ayes-all**

Motion by Myers, 2nd by Olson to approve Res. #42-2021 the transferring of money from the County General Fund to the County Road Fund, per the supporting schedule of transfers found in the 2021-2022 Custer County Budget. Roll call vote. Ayes-all

Suellen Koepke and Jessica Fenske, Program Director reported Healing Heart & Family is now serving 11 counties. Their funding has been cut by 37%. They reported grants are available and paperwork will be signed when available.

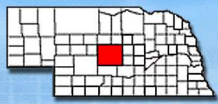
Motion by Olson, 2nd by KleeB to authorize Chairman Fox to sign needed grant paperwork. Roll call vote. Ayes-all

Motion by Bryner, 2nd by KleeB to accept all November fee reports as presented. Roll call vote. Ayes-all

Conservation Easement was presented by Zoning Administrator Tibbs from Thomas & Arlene Molczyk Trust/USDA – Natural Resources Conservation Service (Agricultural Conservation Easement Program-Wetland Reserve Easement) along with a recommendation from the planning committee to deny the request.

Discussion was held.

Motion by Stunkel, 2nd by Myers to deny approval of the application, submitted by USDA – Natural Resources Conservation Service (Agricultural Conservation Easement Program-Wetland Reserve Easement) in regard to acquiring a



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conservation easement on real property owned by Thomas & Arlene Molczyk Trust based on the following findings of Facts:

Chairman Fox read the following information:

1. Pursuant to State Statute 76-2,112 the easement is not in the public interest because it is inconsistent with the Custer County Comprehensive Plan for the area which had been officially adopted and was in force at the time of the conveyance.
2. Under the Custer County Comprehensive Plan Goals and Policies, Agricultural Land Use it states that the goal is to protect and support agricultural crop and livestock production in the rural areas of Custer County.

Policy 1: Identify areas of the County best suited for crop and /or livestock production, including confined and intensive feeding of livestock, and protect these areas from development of uses which could become incompatible with these agricultural production uses.

Policy 3: Restrict non-agricultural related residential uses in the areas of the County best suited for crop and livestock production activities to avoid conflicts which would be to the detriment of the agricultural producers.

Policy 6: Be protective of agricultural production uses, when considering the development of the public or private recreational uses areas, wildlife reserves, other public use areas or other non-agricultural uses in those areas of the County designated in the Future land Use Plan and Official Zoning Map for general agricultural production.

3. Nebraska Supreme Court ruled pursuant to 23-114.03 that such zoning regulations shall be consistent with an adopted comprehensive development plan and designed for the purpose of promoting the health, safety, morals, convenience, order, prosperity, and welfare of the present and future inhabitants of Nebraska, including, among others, such specific purposes as:
 - (9) Protecting the tax base;
 - (11) Securing economy in governmental expenditures;
 - (12) Fostering the state's agriculture, recreation, and other industries; and
 - (13) Encouraging the most appropriate use of land in the county
4. Perpetuity on land has detrimental effect on future use of the land.

Roll call vote. Ayes-all

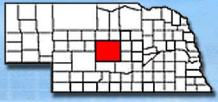
A correction for a scrivener's error on Res #21-2021 to correct a word was presented to the board.

Motion by Myers, 2nd by Stunkel to correct the error. Roll call vote. Ayes-all

Troy Walz Extension Educator reported one term up on the Extension Board. Motion by Longmore, 2nd by Myers to reappoint Kirk Foster in District IV. Roll call vote. Ayes-all

C. Jacobsen, Hwy Supt and N. Olson Asst Hwy Supt presented one application to cross ROW;

Motion by Stunkel, 2nd by Bryner, to approve an application for CPPD, for three phase underground line extension as part of an irrigation project approximately three miles southwest of Mason City. Roll call vote. Ayes-all



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Motion by Myers, 2nd by Stunkel to award asphalt bid Project No. 177-P10-007 to Paulsen Inc of Cozad. Roll call vote. Ayes-all

Motion by Olson, 2nd by Myers to deny change order #1 Project No 177-P10-007. Roll call vote. Ayes-all.

Motion by Kleeb, 2nd Bryner, to direct County Treasurer Bryant to mail the 2021 Tax Statements as per St. Stat. #77-1701. Roll call vote. Ayes-all

Motion by Fox, 2nd Bryner, at 10:17 a.m. to go into Executive session to discuss pending litigation, it being necessary for the protection of the public interest, or needless injury to the reputation of an individual, for the purpose of discussing strategy regarding pending litigation. Chairman Fox called the County Board out of executive session at 10:38 a.m. No decisions were made.

Meeting adjourned at 10:39 a.m.

Kelly I Jacobsen, Deputy County Clerk