



Hayes County Board Minutes



Hayes County Commissioners
January 10, 2017

The Regular meeting of the Hayes County Board of Commissioners was scheduled for Tuesday, January 9, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 8:35 A.M. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, Craig Softley, Boyd Gigax, Phil Dixon, D. Eugene Garner, Leon Kolbet, Tom Dow and Joe Miller. Visitors were James Skelton, Phillip Black, Roger Scott.

Richards moved, second by Unger to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Richards moved, second by Christner to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the December 12, 2017 meeting. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The floor was opened for nominations to reorganize the Board for calendar year 2018. Richards moved, second by Christner to retain Unger as Chairman and Christner as Vice-Chairman. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Unger moved second by Richards to adopt Resolution 2018-1, designation of Pinnacle Bank as Official Hayes County Depository for 2018. Roll call vote: Christner, yes, Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to adopt Resolution 2018-2 to designate The Hayes Center Times Republican and/or the McCook Daily Gazette as official newspapers of publication for Hayes County for 2018 and to designate the County's website, <http://www.hayescounty.ne.gov> as an additional method of providing notices. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to adopt Resolution 2018-3, authorization for Hayes County Treasurer to invest monies. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Christner moved, second by Richards to adopt Resolution 2018-4, authorization for Hayes County Treasurer to transfer monies. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to adopt Resolution 2018-5, authorization for Hayes County Treasurer to have funds secured with a pledge receipt. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

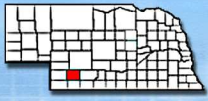
Richards moved, second by Christner to appoint Char Hamilton as 2018 Hayes County Emergency Manager for \$750.00 per month. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Unger to appoint Boyd Gigax as 2018 Hayes County Weed Superintendent for \$450.00 per month. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Richards moved, second by Christner to appoint Garald Unger as 2018 Hayes County Veterans Service Officer for \$175.00 per month. Roll call vote: Unger, abstain; Richards, yes; Christner, yes. Motion carried.

Christner moved, second by Unger to appoint Leon Kolbet as 2018 Hayes County Zoning Administrator/Flood Plain Manager for \$150.00 per month. Roll call vote: Richards, no; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Richards to set indigent funeral costs at \$1500. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.



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Unger moved, second by Richards to appoint Phillip Dixon as the 2018 Highway Superintendent at the contracted rate of \$9,900.00 per year, and Bridge inspector for \$100.00 per bridge. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The following 2018 appointments were made:

Region II Human Service County Representative – Christner

West Central Area of Aging County Representative – Christner

West Central Nebraska Development District Representative – Unger/Richards, alternate

Southwest Nebraska Public Health Department Representative – Richards

Economic Development Board - Richards

NIRMA contact person –Messersmith

Planning and Zoning Commission Secretary –Schwenk

Safety Committee Chairman –Unger

James Skelton joined the meeting to request approval of above & below ground work permit and discuss road closing procedures.

Christner moved, second by Unger to approve application to occupy road right-of-way, 2018-01, for installation of an electric line and water line between the SW4 of Section 30, T-7N, T35W and SE4 of Section 29, T-7N 35W. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Boyd Gigax joined the meeting to review the Weed Superintendent's annual weed reports. Unger moved, second by Richards to approve the five annual weed reports for 2018. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Jack Baker with Baker & Associates of Studio 120 Architecture joined the meeting via telephone to discuss contractual details for the ADA/Elevator project.

Unger moved, second by Richards to solicit bids for elevator installation and ADA updates to the Courthouse. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger recessed the Regular Meeting at 10:35 A.M. for the Road Closing Public Hearing and reconvened the Regular Meeting at 11:01 A.M.

Unger moved, second by Christner to vacate and abandon Hayes County Road 744 running east and west on the South Side of Section Thirty-five (35), Township Eight (8) North, Range Thirty-Three (33) West of the 6th P.M., Hayes County, Nebraska. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

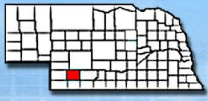
Unger moved, second by Richards to approve Resolution 2018-06, vacation and abandonment of Hayes County Road 744 running east and west on the South Side of Section Thirty-five (35), Township Eight (8) North, Range Thirty-Three (33) West of the 6th P.M., Hayes County, Nebraska, and that the road right-of-way revert to private ownership to the owners of the adjacent real estate, one-half on each side. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Richards moved to reconsider the motion to accept the minutes of the December 2017 regular meeting. Motion died for lack of a second.

Chairman Unger recessed the meeting at 12:20 P.M. for lunch and reconvened the meeting at 12:55 P.M.

Unger moved, second by Christner to submit a tire recycling grant application to the Nebraska Department of Environmental Quality Waste Reduction and Recycling. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to approve the Nebraska Department of Environmental Quality Waste Reduction and Recycling Grant Application. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.



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Adrian Smith's local representative Philip Black, visited with the commissioners on a variety of topics including tax reform, regulatory reform, infrastructure, welfare reform, the farm bill, trade, care facility regulations, electronic log books and 2290 forms.

Unger moved, second by Christner to set the following meeting dates and holidays for 2018.

Regular Meeting dates for 2018:

January 9	July 10
February 13	August 14
March 13	September 11
April 10	October 9
May 8	November 13
June 12	December 11

Holidays for 2018

January 1	July 4
January 15	September 3
February 19	October 8
March 30	November 12
April 27	November 22/23
May 28	December 24/25
	December 31

Roll call vote: Christner, yes; Unger, yes; Richards, no. Motion carried.

Richards moved to include Monday April 2, 2018 to the 2018 Holiday schedule. Motion died for lack of a second.

Richards moved to hold salaries steady and not increase for the 2019-2022 term. Motion died for lack of a second.

Christner moved, second by Unger to approve Resolution 18-07:

WHEREAS, the County Commissioners must set salaries for certain County Officers for the new term beginning January 3rd, 2019 and ending January 4th, 2023 in accordance with *NEB. REV. STAT.* §23-1114.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF HAYES COUNTY, NEBRASKA:

That the following salaries should be and hereby are affixed for the following County Officials of Hayes County, Nebraska for the term beginning January 3rd, 2019 and ending January 5th. 2023:

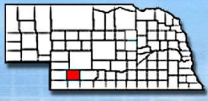
County Attorney	\$36,586.21
County Clerk/Assessor.....	\$48,871.81
County Commissioner	\$19,916.75
County Sheriff	\$48,871.81
County Treasurer	\$48,871.81

The annual salary for the listed offices has been established for the calendar year 2019, plus an increase during the term of office (2020, 2021, and 2022) of two percent (2%) annually. Said salaries shall be full compensation in consideration of performance of all statutory duties relating to said office.

BE IT FURTHER RESOLVED that in addition to the above stated salary the elected official shall be eligible to participate in the County's health and medical plan as offered to all county employees, as may be amended from time to time.

Passed and approved this 9th day of January, 2018.

Roll call vote: Unger, yes; Richards, no; Christner, yes. Motion carried.



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Richards moved, second by Unger to approve the Sheriff's Quarterly Report and 2017 Distress Warrant report. Roll call vote: Richards yes, Christner, yes; Unger: yes. Motion carried.

Christner moved, second by Richards to approve the Treasurer's Report. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Motion by Richards, second by Christner to approve payroll for \$63,574.62. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Motion by Richards, second by Christner to approve claims, excluding claims 01801004 and 01801053, in the amount of \$40,607.01. Roll call vote: Richards yes; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Christner to approve claim 01801053 in the amount of \$5,508.00. Roll call vote: Christner, yes; Unger, yes; Richards, abstain. Motion carried.

Richards moved, second by Unger to approve claim 01801004 in the amount of \$216.91. Roll call vote: Richards, yes; Christner, abstain, Unger, yes. Motion carried.

Unger moved, second by Christner to solicit bids for a new or used Motor Grader with less than 1500 hours. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried. Full bid specifications are on file at the Clerk's Office.

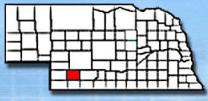
Unger moved, second by Richards to adopt Resolution 2018-8, certification of compliance for project No. HRRR-STWD (90) Horizontal Curve Signage. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to adjourn the meeting at 4:20 P.M.. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The next Regular Meeting will be February 13, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
February 13, 2018

A Regular meeting of the Hayes County Board of Commissioners was scheduled for February 13, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 8:35 A.M. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, Craig Softley and D. Eugene Garner. Visitors were Gary Dicenta, Brian Langenberg, Tyson Bardsley, Gregg O'Brien and John Webster.

Christner moved, second by Unger to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Richards moved, second by Christner to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the January 10, 2018 meeting and hearing. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

One bid for maintenance/snow removal was received for Board consideration. Richards moved, second by Unger to accept the bid of Joseph Miller for \$250.00 per month for 2018 maintenance/snow removal. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

One bid for lawn care was received for Board consideration. Unger moved, second by Richards to accept the bid of Jeremy Erickson for \$3000.00 for 2018 lawn care. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

One bid for janitor was received for Board consideration. Unger moved, second by Christner to accept the bid of Debbie Cox for \$650.00 per month with future negotiations of pay during the elevator construction period.

Motion by Richards, second by Christner to direct Chairman to sign the Hitchcock County-Hayes County Interlocal Agreement for the County Bridge Match Program. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

County Surveyor Gary Dicenta joined the meeting. Dicenta announced his resignation as County Surveyor effective February 16, 2018.

Unger moved second by Richards to accept Dicenta's resignation and declare a vacancy in the County Surveyor position. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to appoint Brian Langenberg with Miller & Associates, for the remainder of the term ending January 2, 2019. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Christner to direct Chairman to sign the Memorandum of Understanding for the appointment of Hayes County Surveyor. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richard to accept Amendment Two between Nebraska Department of Health and Human Services and Hayes County dated January 2018. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The following road grader bids were received for Board consideration:

Murphy Tractor & Equipment Co.



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Option #1 2018 John Deere 672G, 255 HP, 6WD for \$265,550, 60 month/5000 hours full machine warranty includes service every 1000 hours for 5000 hours. Trade value of the county owned 1999 JD 770CH is \$18,000.

Option #2 2018 John Deere 772G, 275 HP, 6WD for \$273,882, 60 month/5000 hours full machine warranty includes service every 1000 hours for 5000 hours. Trade value of the county owned 1999 JD 770CH is \$18,000.

Option #3 A used 2014 John Deere 772G, 275 HP, 6WD for \$238,000, 60 month/5000 hours full machine warranty which expires July 31, 2018 or 5000 hours, whichever comes first. Trade value of the county owned 1999 JD 770CH is \$18,000.

Nebraska Machinery CO. CAT,

Option #1 2018 Caterpillar 12M3, 252 HP, AWD for \$279,500 includes a 12 month warranty and \$22,000 parts or service credit. Optional blade extension add \$1,950. Trade value of the county owned 1999 JD 770CH is \$16,600.

Option #2 2018 Caterpillar 12M3, 252 HP, AWD for \$279,500 with a 5 year/5000 hour warranty and \$11,000 parts or service credit. Optional blade extension add \$1,950. Trade value of the county owned 1999 JD 770CH is \$16,600.

No action was taken. Bids will be addressed at the February 15, 2018 meeting.

Softley joined the meeting and updated the Commissioners on the USDA revolving loan fund through USDA, the application through Bwtelcom for the elevator project and a possible joint meeting with the school in March.

Unger moved, second by Richards to set all road employees wage at \$17.35/hour effective for the March 1, 2018. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The Board acknowledged receipt of the 2017 Hayes County Sheriff's Final Distress Warrant Register.

Richards moved, second by Christner to direct Chairman to sign the intent to continue financial support of Hitch & Hay Public Transit for budget year 2018-19. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to appoint Jason Cox, Dan Loomis and Tim McKillip to a three year term on the Planning and Zoning Board beginning January 2018. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The Board acknowledges receipt of the Dana F. Cole & Company, LLP Audit Report of Hayes County, Nebraska for fiscal year ending June 30, 2017.

Unger recessed the Regular Meeting at 12:20 P.M. for lunch and reconvened the Regular Meeting at 1:10 P.M.

Richards moved, second by Christner to approve payroll for \$67,503.81. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Richards moved, second by Christner to approve claims, excluding claims 01802031 and 01802047, in the amount of \$34,064.99. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Christner to approve claim 01802031 in the amount of \$118.81. Roll call vote: Unger, abstain; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to approve claim 01802047 in the amount of \$3,060.00. Roll call vote: Richards, abstain; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Richards to forgive Owner Occupied Rehab Loans 09-HO-3043 at the following locations: 403 Hamilton, with an approximate remaining balance of \$ 6,556.44.

713 Hayes Ave, Hayes Center, with an approximate remaining balance of \$ 1,448.10

202 Morton, Hayes Center, NE with an approximate remaining balance of \$ 3,148.80

Loan forgiveness is contingent upon all Real Estate taxes due and assessed being paid in full. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.



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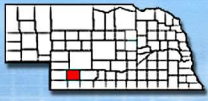


Unger moved, second by Richards to adjourn the meeting at 2:52 P.M. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The next Regular Meeting will be March 13, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
February 15, 2018

The meeting of the Hayes County Board of Commissioners was scheduled for February 15, 2018 at 2:00 P.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 2:00 P.M. The Open Meetings Act was available for review and Chairman indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith and D. Eugene Garner. Visitors were Anthony Krajewski, Reuben Echols and Gregg O'Brien.

Richards moved, second by Christner to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

One bid for ADA Courthouse remodel was received for Board consideration: RWF Inc for \$470,000.00 for all material, labor, equipment and services necessary to complete the construction of the Hayes County Courthouse and elevator Remodel.

Anthony Krajewski with Studio 120 Architecture was present to review the bid. The bid document will be addressed on February 21, 2018 at 2:00 P.M. in the Courthouse in Hayes Center, Nebraska.

Unger moved, second by Christner to purchase a 2018 John Deere 672G Motor Grader, 255 hp with 6WD, 60 month or 5000 hours full machine coverage warranty, and includes service every 1000 hours for 5000 hours for cash price of \$265,550 less trade allowance of \$18,000.00 for County owner 1999 John Deere 770CH SN DW770CH572390 for total purchase price of \$247,550.00. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

The cash-in-lieu of health insurance plan was discussed.

Unger moved, second by Christner to accept the Treasurers Report. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to adjourn the meeting at 4:41 P.M. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The next Regular Meeting will be March 13, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
February 21, 2018

The meeting of the Hayes County Board of Commissioners was scheduled for February 21, 2018 at 2:00 P.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 2:05 P.M. The Open Meetings Act was available for review and Chairman indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith and D. Eugene Garner. Visitors were Reuben Echols and Hal Elmshaeuser.

Richards moved, second by Christner to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Two petitions were submitted by James Skelton requesting a portion of Road #153 located in Section 32, T-7-N; R-35-W be vacated or abandoned.

Richards moved, second by Christner to adopt Resolution 2018-9, requesting Hayes County Highway Superintendent to study the use being made of a portion of County road #153 located in Section 32, T-7-N; R-35-W., more particularly described as follow: Commencing at the SW corner of Section 32, T.7 N., R.35 W. of the 6th P.M., Hayes County, Nebraska; thence East on the existing county road, being on the approximate south line of said Section, approximately 4,250 +/- feet to the east side of an existing driveway to the south, also being the Point of Beginning of the portion of said County Road #153 to be vacated; thence east continuing on said existing county road, approximately 1,020 +/- feet to the SW corner of Section 33; thence in an easterly direction following the existing county road that meanders along the south line of said Section 33, a distance along the south line of said Section 33 approximately 1,790 +/- feet to a point where existing county road intersects the south line of said Section 33; thence northerly along existing county road to a point on the approximate north line of the S ½ of said Section 33; thence easterly on the existing county road on the said approximate north line, to an existing auto gate being the Point of Termination, said auto gate being approximately 2174 +/- feet west of the E ¼ corner of said Section 33. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Hal Elmshaeuser with Titan Machinery, joined the meeting to explain the services and benefits of National Joint Powers Alliance. National Joint Powers Alliance (NJPA) is a government agency that establishes an alliance between buyers and suppliers for use by education, government and non-profits.

Reuben Echols with RWF Inc. joined the meeting to discuss the elevator project.

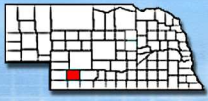
Unger moved, second by Richards to accept the bid of RWF, Inc for \$445,000.00 for the Courthouse Elevator project, excluding bathroom remodel, contingent upon proof of full performance, material and labor bonding. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Christner moved, second by Richards to adjourn the meeting at 3:50 P.M. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The next Regular Meeting will be March 13, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
March 13, 2018

A Regular meeting of the Hayes County Board of Commissioners was scheduled for March 13, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 8:36 A.M. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, Phil Dixon, Craig Softley, D. Eugene Garner, Tom Dow and Joe Miller. Visitors were Leah Widger, Jack Loomis, Forrest Matti, Reuben Echols, Tony Armer and Dayton Maul.

Christner moved, second by Richards to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Christner moved, second by Unger to approve the consent agenda consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the February 13, 15 and 21, 2018 meetings. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Leah Widger met with the Board regarding vehicle damage sustained at an unmarked washout on Avenue 355.

Jack Loomis met with the Board regarding road concerns on Avenue 372.

Forrest Matti, Hamlet Village Board, met with the Commissioners to propose the Village of Hamlet relinquish responsibility to the County for the portion of Avenue 353 bordering the east side of Hamlet. Further research will be conducted prior to the April meeting.

Phil Dixon, Highway Superintendent, joined the meeting to discuss the county bridge match program agreement.

Richards moved, second by Christner to adopt Resolution 2018-10, signing of the Project Program Agreement – BL 1830. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Chairman Unger recessed the meeting at 10:20 A.M. for the One & Six Year Road Improvement Hearing, and reconvened the Regular Meeting at 10:28 A.M.

Christner moved, second by Richards to adopt Resolution 2018-11, approval of the One & Six Year Road Improvement Plan. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The following bids were received for the Hydraulic study for Bridge C004302510P: Mainelli Wagner & Associates, Inc. \$5,020.00, includes Corp of Engineers and flood plain permitting. Miller & Associates Consulting Engineers, \$4,500.00, does not include permitting costs. Oak Creek Engineering \$3,450.00, does not include permitting costs. No Action was taken at this time.

Reuben Echols joined the meeting to discuss the courthouse remodel project. Tentative start date for the remodel is April 2, 2018.

Economic Development Coordinator, Craig Softley, joined the meeting to provide an update on the status of the USDA Rural Economic Development Loan & Grant Program (REDLG.) BW Telcom will use the REDLG loan and grant to partner with Hayes County to assist with funding for the Courthouse ADA/Elevator project.

Richards moved, second by Christner to direct Chair to sign required documents for the REDLG application. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Unger recessed the Regular Meeting at 12:45 P.M. for lunch and reconvened the Regular Meeting at 1:20 P.M.



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Jack Baker, with Baker & Associates | Studio 120 Architecture joined the meeting via phone to answer questions regarding the owner/contractor agreement for construction.

Unger moved, second by Richards to approve the AIA Document A101-2017 Standard Form of Agreement Between Owner and Contractor. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to give written notice to proceed under Hayes County Courthouse Elevator Remodel Project # 5132-001-07 on April 2, 2018. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to approve the application of Tracy Tyan, dba T's Bar & Grill in Wallace NE, for a Special Designated License Retail License Holders for May 26, 2018, to be held at the Ag Building at the Hayes Center Fair Grounds. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Christner moved, second by Richards to approve payroll for \$65,959.40. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to approve claims, excluding claims 01803039, in the amount of \$32,362.58. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to approve claim 018023039 in the amount of \$3,385.00. Roll call vote: Richards, abstain; Christner, yes; Unger, yes.

Unger moved, second by Christner to approve the Treasurers Report. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

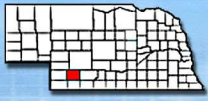
Richards moved, second by Unger to approve the bid of RWF, Inc for bathroom renovation in the amount of \$19,900. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to adjourn the meeting at 3:35 P.M. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The next Regular Meeting will be April 10, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
April 10, 2018

A Regular meeting of the Hayes County Board of Commissioners was scheduled for April 10, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 8:35 A.M. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, Craig Softley and D. Eugene Garner. Visitors were Angel Rohde, Kris Kressin, Reuben Echols, Forrest Matti, San-D Nolte and Chris Berry.

Christner moved, second by Richards to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. Angel Rohde and Kris Kressin were present to speak with the Board.

Richards moved, second by Christner to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the March 13, 2018 meeting and hearing. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Christner to adopt Resolution 2018-12, a resolution setting a public hearing on the 8th day of May, 2018 at 10:30 A.M. CT in the Commissioner's Room in Hayes County Courthouse to consider whether to vacate or abandon a portion of County Road #153 in Sections 32 and 33, T.7N., R.35W. of the 6th P.M.

Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Reuben Echols joined the meeting to discuss the steps on the east side of the courthouse and the door on the basement exit.

Forrest Matti joined the meeting and presented a memorandum signed by all Hamlet Village Board Members indicating their wish to return all responsibility of maintenance for the portion of Avenue 353 bordering the east side of Hamlet.

San-D Nolte joined the meeting to discuss State Statutes relating to Villages.

Chris Berry presented a Memorandum of Understanding between Chase, Dundy, Furnas, Hayes, Hitchcock and Red Willow Counties for Community-Based Juvenile Services Aid Program.

Richards moved, second by Christner to direct the Chair to sign the Memorandum of Understanding between Chase, Dundy, Furnas, Hayes, Hitchcock and Red Willow Counties for Community-Based Juvenile Services Aid Program. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Economic Development Coordinator, Craig Softley, joined the meeting to provide an update on the status of the USDA Rural Economic Development Loan & Grant Program (REDLG.) BW Telcom chose not to be partner with Hayes County on the elevator project, however Midwest Electric will consider the REDLG application. Softley will begin meeting with local business leaders to gauge interest in contributing to SWNE Angel Funds. Funds would be used to reinvest into Southwest Nebraska as low/no interest capital for use to create or regrow area businesses in Southwest Nebraska. Southwest Nebraska Community Betterment Corporation will be holding a public meeting in Hayes Center at the Senior Center on Wednesday, April 18th at 1:00 pm regarding the rehabilitation of owner occupied homes. Home owners living inside the village limits of Hayes Center, Hamlet or Culbertson needing assistance with home maintenance/repairs are encouraged to attend. Discussion was held regarding a fundraiser raffle for the Hayes County Economic Development Corporation.



Hayes County Board Minutes



Christner moved, second by Unger to approve the Treasurers Report. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Christner moved, second by Richards to approve claims, excluding claims 01804029 and 01804049, in the amount of \$45,065.19. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Richards moved, second by Christner to approve claim 01804029 in the amount of \$92.77. Roll call vote: Unger, abstain; Richards, yes, Christner, yes. Motion carried.

Unger moved, second by Christner to approve claim 01804049 in the amount of \$10,952.77. Roll call vote: Richards, abstain; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Unger to approve payroll for \$64,620.82. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to approve a three-year Subscription Contract for Basic Assessor GIS Technical Support and WebGIS Subscription with GIS Workshop for a fixed cost of \$7,108.50 per year. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to approve the Agreement with Studio 120 Architecture for construction oversite of the Hayes County Courthouse Elevator project at the cost of \$20,500.00. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

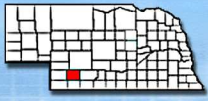
Unger moved, second by Richards to approve the Sheriff's Quarterly Report. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to adjourn the meeting at 12:40 P.M. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The next meeting will be April 26, 2018 at 8:00 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
April 26, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for April 26, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 8:35 A.M. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, and D. Eugene Garner. Visitor was Reuben Echols.

Christner moved, second by Richards to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Reuben Echols joined the meeting to update the Commissioners on the elevator project and discuss estimated costs for additional work to the steps on the east side of the courthouse and the basement door exit.

Unger moved, second by Christner to pay Goings Gravel bill in the amount of \$1,805.00. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Unger to appoint Travis Soundy to the Visitors Committee. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Chairman Unger recessed the meeting at 9:35 A.M. until Friday, April 27, 2018 at 8:30 A.M.

Chairman Unger reconvened the meeting April 27, 2018, at 8:40 A.M. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith and Reuben Echols.

Richards moved, second by Unger to pay RWF, Inc. \$15,000.00 for the elevator project. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to hire RWF, Inc. to replace the steps on the east side of the courthouse, add a ramp and railing for ramp at the cost of \$16,975.00. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Chairman Unger recessed the meeting at 9:45 A.M. until Monday, April 30, 2018 at 11:30 A.M.

Chairman Unger reconvened the meeting April 30, 2018, at 11:45 A.M. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith and Reuben Echols.

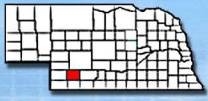
Unger moved, second by Richards to approve the claim of RWF, Inc in the amount of \$70,000.00 for the elevator project. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to adjourn the meeting at 12:05 P.M. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The next meeting will be May 8, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
May 8, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for May 8, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on May 3, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Phil Dixon, Craig Softley, Nancy Frecks and visitor Myra Stoney.

Christner moved, second by Richards to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Christner moved, second by Richards to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the April 10 and 26, 2018 meetings. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Myra Stoney with Southwest Nebraska Public Health Department met with the Board and reviewed the 2018 Annual Report of programs and services.

Craig Softley, Hayes County Economic Development Coordinator, updated the Board regarding the raffle of a Honda Pioneer side by side for Hayes County Economic Development Inc and the USDA Rural Economic Development Loan & Grant (REDLG) application submitted to Midwest Electric to assist with the Courthouse ADA/Elevator project.

The following culvert bids were received for Board consideration to replace the Frenchman Creek structure C004300300. All bids were for a Quad 90", 46'10" long, 8 gauge with headwall and wingwalls on both ends at a 20 degree skew. Husker Steel - \$73,580.00; Midwest Service and Sales - \$69,796.08; Ace/Eaton Metals - \$62,942.02

Unger moved, second by Richards to approve the Treasurers Report. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

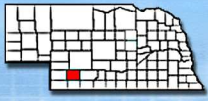
Unger moved, second by Richards to approve payroll for \$82,539.23. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger recessed the regular meeting and opened the hearing regarding the petition to close a portion of County Road #153 at 10:25 A.M. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* three consecutive weeks beginning April 19, 2018. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held and offered a copy to anyone wishing to have a copy. Craig Fanning was given a copy.

Those present and making comments were Craig Fanning, Jo Fanning, Beau Fanning, Tyler Rogers, Phil Dixon, Clint McCallum and Tim McKillip.

Chairman Unger asked if there were comments from those in attendance opposed to the proposed application. Those present made comments in opposition to the road closing.

Unger asked if there were any comments from those in attendance in favor of the proposed application. There were none.



Hayes County Board Minutes



There being no further comments from those in attendance, Chairman Unger closed the public hearing at 10:50 A.M.

Unger moved, second by Richards to not vacate or abandon said Hayes County Road #153 in Sections 32 and 33, Township Seven (7) North, Range Thirty-Five (35) West of the 6th P.M., Hayes County Nebraska, at this time and adopt Resolution 2018-13. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

RESOLUTION NO. 2018-13

WHEREAS, the County of Hayes County, Nebraska, is a political subdivision of the State of Nebraska; and

WHEREAS, pursuant to *NEB. REV. STAT.* § 39-1722 et. seq., the County Board of Commissioners of Hayes County, Nebraska, has adopted Resolution #2018-12 fixing the time, date and place for public hearing to consider whether the following public road of the County, to wit: of a portion of Hayes County Road # 153 in Sections 32 and 33, T.7 N., R.35 W of the 6th P.M., Hayes County, Nebraska, more particularly described as follow:

Commencing at the SW corner of Section 32, T.7 N., R.35 W. of the 6th P.M., Hayes County, Nebraska; thence East on the existing county road, being on the approximate south line of said Section, approximately 4,250 +/- feet to the east side of an existing driveway to the south, Also being the Point of Beginning of the portion of said County Road #153 to be vacated; thence east continuing on said existing county road, approximately 1,020 +/- feet to the SW corner of Section 33; thence in an easterly direction following the existing county road that meanders along the south line of said Section 33, a distance along the south line of said Section 33 approximately 1,790 +/- feet to a point where existing county road intersects the south line of said Section 33; thence northerly along existing county road to a point on the approximate north line of the S ½ of said Section 33; thence easterly on the existing county road on the said approximate north line, to an existing auto gate being the Point of Termination, said auto gate being approximately 2174 +/- feet west of the E ¼ corner of said Section 33.

WHEREAS, the County Board has received a written report of a study made by Phillip W. Dixon, County Highway Superintendent, recommending the vacation or abandonment of said County Road 153; and

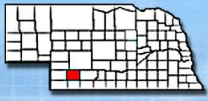
WHEREAS, the County Board held a public hearing to consider the question of vacating or abandoning said public road of the County on May 8, 2018 at 10:30 A.M. which hearing was duly published in the *Times Republican* on April 19, 2018, April 26, 2018, and May 3, 2018, and individual notice of which was served by certified or registered mail or by personal service upon the owners of land abutting on or adjacent to said road and to the public utility service providers having utilities located adjacent to said road, by mailing the same to the last known address of each owner not less than two (2) weeks in advance of said hearing; and

WHEREAS, It appearing to the County Board that all predicated requirements of the vacation or abandonment of such road have been complied with according to applicable Nebraska statutes; and

WHEREAS, the County of Hayes County, Nebraska, does not operate county roads on a township basis; and

WHEREAS, the County Board finds that the public good requires that at this time, the County refuse to vacate or abandon said Hayes County Road # 153 in Sections 32 and 33, T.7 N., R.35 W of the 6th P.M., Hayes County, Nebraska, more particularly described as follow:

Commencing at the SW corner of Section 32, T.7 N., R.35 W. of the 6th P.M., Hayes County, Nebraska; thence East on the existing county road, being on the approximate south line of said Section, approximately 4,250 +/- feet to the east side of an existing driveway to the south, Also being the Point of Beginning of the portion of said County Road #153 to be vacated; thence east continuing on said existing county road, approximately 1,020



Hayes County Board Minutes



+/- feet to the SW corner of Section 33; thence in an easterly direction following the existing county road that meanders along the south line of said Section 33, a distance along the south line of said Section 33 approximately 1,790 +/- feet to a point where existing county road intersects the south line of said Section 33; thence northerly along existing county road to a point on the approximate north line of the S ½ of said Section 33; thence easterly on the existing county road on the said approximate north line, to an existing auto gate being the Point of Termination, said auto gate being approximately 2174 +/- feet west of the E ¼ corner of said Section 33.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF HAYES COUNTY, NEBRASKA: to NOT vacate or abandon said Hayes County Road #153 in Sections 32 and 33, Township Seven (7) North, Range Thirty-Five (35) West of the 6th P.M., Hayes County, Nebraska, at this time.

PASSED AND APPROVED on this 8th day of May, 2018

Christner moved, second by Richards to accept the bid of Ace/Easton for a Quad 90", 46'10" long, 8 gauge with headwall and wingwalls on both ends at a 20 degree skew from Ace/Eaton Metals at the cost of \$62,942.02. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to rescind a March motion approving claim 1803044 in the amount of \$974.71 based upon the County's insurance carriers investigation and *Neb Rev Stat* 13-910 subparagraph 12. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried. The moving and seconding parties were both on the prevailing side of the original motion.

Chairman Unger recessed the meeting at 11:55 A.M. for lunch and reconvened the meeting at 12:50 P.M.

Unger moved, second by Richards to approve claims, excluding claims 01805052 and 01805051, in the amount of \$91,459.87. Roll call vote: Richards yes; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Christner to approve claim 01805052 and 1805051 in the amount of \$11,561.84. Roll call vote: Christner, yes; Unger, yes; Richards, abstain. Motion carried.

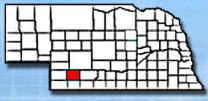
At 1:00 P.M. Chairman Unger recessed the Regular Meeting and opened the public hearing regarding the Application for Conditional Use submitted by Raicom Inc. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on April 26, 2018, and was posted in accordance with law.

Chairman Unger acknowledged receipt of the Hayes County Planning Commission's letter of recommendation to approve the Application for Conditional Use filed by Raicom Inc. for construction and location of a 190' wireless communications guy tower and pole mounted cabinet for wireless internet service being located in the Northwest corner of the Northwest Quarter of Section 24, Township 6 North, Range 31 West of the 6th P.M., Hayes County, Nebraska.

Randall Raile and Rhett Rogers were present to answer questions regarding the proposed tower application.

Chairman Unger asked if there were any comments from those in attendance opposed to the proposed application. There were none.

Unger asked if there were any comments from those in attendance in favor of the proposed application. There were none.



Hayes County Board Minutes



There being no further comments for those in attendance, Chairman Unger closed the public hearing at 1:32 PM.

Unger read the Planning Commissioner recommendation and acknowledged receipt by signing the same.

Finding the Conditional Use of said land is consistent with the Hayes County Comprehensive Plan and is permitted as a Conditional Use in the AG-G General Agricultural District pursuant to Sections(s) 1501, 1502, & 1503, Unger moved, second by Christner to approve the Conditional Use Permit with no exceptions and adopt Resolution 2018-14. Roll call vote: Unger, yes; Richards, no; Christner, yes. Motion carried.

RESOLUTION 18-14

WHEREAS, the Hayes County Board of Commissioners, having held a public meeting on May 8, 2018, for the purpose of reviewing the *Application for Conditional Use* filed by Raicom, Inc. for construction and location of a 190' wireless communications guy tower and a pole mounted cabinet for wireless internet service being located in the Northwest corner of the Northwest Quarter of Section 24, Township 6 North, Range 31 West of the 6th P.M., Hayes County, Nebraska and after review and research of said *Application*, to act to approve or disapprove of the same, and

WHEREAS, the Hayes County Board of Commissioners having held a public hearing on May 8, 2018 for the purpose of hearing said application and for hearing comments thereon from the public in attendance and to receive evidence in relation thereto; and

WHEREAS, the Notice of said Public Hearing was published in the *Times Republican* on April 26, 2018; and

WHEREAS, a copy of the notice of said Public Hearing was duly mailed on April 20, 2018 by U.S. Mail, proper first class postage prepaid, to all adjacent landowners as evidenced by the Certificate of Service on file in the office of the Hayes County Clerk; and

WHEREAS the Hayes County Board of Commissioners have received the recommendation of the Hayes County Planning Commission recommending approval of said application; and

WHEREAS the Hayes County Board of Commissioners, having found that the requested conditional use of said land is consistent with the *Hayes County Comprehensive Plan* and is permitted as a conditional use in the AG-G General Agricultural District pursuant to Section(s) 1501, 1502 and 1503 on the following conditions to wit:

CONDITION(S): Said tower shall comply with the Hayes County Zoning Regulations Article #15 Section 1501, 1502, & 1503.

1. Said tower shall meet or exceed current standards and regulation of the FAA, the FCC, and any other agency of the Federal government with the authority to regulate towers and antennas;
2. Said tower shall not interfere with the purpose of which the property is intended;
3. Said tower shall have no significant adverse impact on surrounding private property;
4. Facility owner/operator shall obtain and maintain all necessary licenses, permits and land use approvals/permits;
5. Facility owner/operator shall be solely responsible for constructing and maintaining appropriate road access to the base of the tower, antenna support structure or facilities;
6. Said tower shall comply with any applicable airport hazard height limitations and shall be setback from the right-of-way of any public roadway, from the nearest property line of any undeveloped lot of record of less than 20 acres in area or any public use area and from the nearest wall of any neighboring church, school, or residential dwelling unit of not less than one hundred ten percent (110%) of the tower height as measured at ground level from the property line of the parcel on which it is located to the base of the tower;



Hayes County Board Minutes



7. Said tower shall have a color generally matching the surroundings or background that minimizes its visibility, unless a different color is required by the FCC or FAA;
8. No signals, lights or signs shall be permitted on said tower unless required by the FCC or the FAA;
9. No banners or similar devices or materials may be attached to said tower, antenna support structure or antennas;
10. Ground level equipment, buildings and the tower base shall be screened from public streets and residentially zoned properties and shall not encroach in the building setback. Landscaping shall be required to screen as much of the support structure as possible. The County may permit any combination of existing vegetation, topography, walls, decorative fences or other features instead of landscaping, if they achieve the same degree of screening as the required landscaping;
11. In the event the use of said tower is discontinued for a period of three hundred and sixty-five (365) consecutive days, said tower shall be deemed to be abandoned. Upon such abandonment, the operator of the tower shall dismantle and remove said tower. If said tower is not removed within three hundred and sixty-five (365) days from the date of abandonment, the County may remove said tower, in accordance with applicable law, at the facility owner's expense.

EXCEPTION(S): None

NOW, THEREFORE, BE IT RESOLVED that the *Application of Conditional Use* filed by Raicom. Inc. for construction, maintenance and operation of a 190' wireless communications guy tower and an a pole mounted cabinet being located in the Northwest corner of the Northwest Quarter of Section 24, Township 6 North, Range 31 West of the 6th P.M., Hayes County, Nebraska, on the foregoing conditions and exceptions be approved. **PASSED AND APPROVED THIS 8th** day of May, 2018.

Nancy Frecks, Southwest 3 Counties Extension Educator, joined the meeting to present the 2017 Annual Report, financial summaries, Extension programming and program summary for educators.

Unger moved, second by Christner to adjourn the meeting at 2:15 PM. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The next meeting of the Hayes County Commissioners will be June 12, 2018 at 8:30 AM.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
May 29, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for May 29, 2018 at 4:00 P.M. in the Courthouse in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given by publication and posted in accordance with law. Chairman Unger called the meeting to order at 4:05 P.M. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Tom Dow, Rita Erickson, Susan Messersmith, D. Eugene Garner and visitor Ericka Cox.

Richards moved, second by Christner to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Erika Cox with Home Town Agency, joined the meeting to present options and answer questions regarding health insurance coverage for county employees.

Unger moved, second by Christner to approve the Hayes County Extension Board Members consisting of Makenzie Vapenik, Aaron Broz, Kent Fichtner and Kathy Barent. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

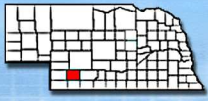
Unger moved, second by Richards to submit the NACO BC/BS Subgroup Application for health insurance. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to adjourn the meeting at 5:40 P.M. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The next meeting will be June 12, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
June 12, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for June 12, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on June 7, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Phil Dixon, Blake Gigax, Craig Softley and Leon Kolbet. Visitors present were Kathy Haas, Kris Kressin, Pamela Mann, Shirley Alberts, Tim Storts, Loyd Christner, Mike Sherman and Reuben Echols.

Christner moved, second by Richards to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Richards moved, second by Unger to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the May 8 and 29, 2018 meetings. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Kathy Haas representing the Family Resource Center in McCook, NE, reviewed the services provided by FRC, thanked the Board for their contributions in the past and explained their proposed budget for the 2018-19 fiscal year. Unger moved, second by Richards to contribute \$1000.00 to the Family Resource Center for the 2018-19 fiscal year. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Highway Superintendent Phil Dixon gave updates on bridge replacements and future projects. Richards left the meeting for a site visit with Dixon.

Reuben Echols gave an update on the courthouse remodel.

Unger moved, second by Christner to install sinks in the breakroom and the downstairs meeting room. Roll call vote: Unger, yes; Richards, absent; Christner, yes. Motion carried.

Pamela Mann, representing Region II Developmental Services, reviewed services provided and how monies are spent and thanked the Board for their past contributions. Shirley Alberts with SWATs Workshop in McCook reported on local efforts and programs.

Blake Gigax, Weed Superintendent and Tim Storts, regional inspector for the Nebraska Department of Agriculture Noxious Weed Program, joined the meeting to review the NDA's procedure for evaluating counties noxious weed programs and options to deal with infestations.

Richards and Dixon rejoined the meeting.

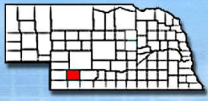
Unger moved, second by Richards to hire Oak Creek Engineering for the Engineering study on Road 728 between the SW4 of Section 23, Township-5N, Range-33W and the NW4 of Section 26, Township-5N, Range-33W. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger recessed the meeting at 12:20 P.M. for lunch and reconvened the meeting at 12:52 P.M.

Craig Softley, Hayes County Economic Development Coordinator, updated the Board on recent coordinator work.

Loyd Christner joined the meeting to discuss vandalism at Antelope Cemetery and the old Elmer Church Site.

Mike Sherman was present to answer questions concerning the US Department of Agriculture Animal and Plant Health Inspection Service-Wildlife Services (USDA APHIS-WS) contract.



Hayes County Board Minutes



Unger moved, second by Richards to approve a five year renewal of the work/financial plan between Hayes County and USDA for 7-1-2018 to 6-30-2023 at the cost of \$8,539.37 for the first year with a 3% increase every year for the next four years. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to approve the Treasurers Report. Roll call vote: Unger yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to adopt Resolution 2018-15, adoption of the Hayes, Frontier and Hitchcock Counties Multi-Jurisdictional Hazard Mitigation Plan. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Christner moved, second by Richards to direct Chairman to sign engagement letter with Daniel D Miller, CPA for budget services for the year July 1, 2018 to June 30, 2019 at the cost of \$2,600.00. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to approve claims, excluding claims 01806104, in the amount of \$200.049.46. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to approve claim 01806104 in the amount of \$5,304.00. Roll call vote: Richards, abstain; Christner, yes; Unger, yes. Motion carried.

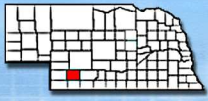
Unger moved, second by Christner to approve payroll for \$76,951.51. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to adjourn the meeting at 2:20 P.M.

The next meeting of the Hayes County Commissioners will be June 28, 2018 at 10:30 AM.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
June 28, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for June 28, 2018 at 10:30 A.M. in the Courthouse in Hayes Center, Nebraska located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on June 14, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, and D. Eugene Garner. Visitors present were Reuben Echols and Russ Spickelmier.

Christner moved, second by Richards to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Reuben Echols reported on the elevator/remodel project and discussed bathroom finishes with the Board.

Richards moved, second by Christner to direct Chairman to sign the Audit Engagement Letter with Dana F. Cole & Company, LLP for the 2017-2018 fiscal year audit services at the cost of \$9,600 plus additional expenses of \$1,300. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Christner to direct Chairman to sign a one year Maintenance and Supply Agreement with Capital Business Systems, Inc. for the county owned Canon copier at the cost of \$655.20. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to approve claims, excluding claim 01806179, in the amount of \$363,534.73. Roll call vote: Unger yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to approve claim 01806179 in the amount of \$15,631.50. Roll call vote: Richards, abstain; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Christner to adopt Resolution 2018-16, Fund Transfer Authorization. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Chairman Unger recessed the regular meeting at 12:45 P.M. for lunch and opened the public hearing at 1:25 P.M. regarding the proposed amendment(s) to the Hayes County Zoning Regulations and Application for Zoning Permit. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* June 14, 2018. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held.

Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Tammy Schwenk, Leon Kolbet and Russ Spickelmier.

The purpose of the Hearing is to hear all comments from the public in attendance and to hear testimony and receive evidence pertaining to the proposed amendment(s) to **Table 501.04** found at page 24 of the *Hayes County Zoning Regulations* and also the proposed amendments(s) to the *Application for Zoning Permit*.

Chairman Unger closed the hearing at 2:05 P.M. and returned to the Regular Meeting.

Chairman Unger acknowledged receipt of the Hayes County Planning Commission's recommendation to approve the proposed amendment(s) to **Table 501.04** found at page 24 of the *Hayes County Zoning Regulation* to wit: change "not allowed" to "1.25 miles."



Hayes County Board Minutes



Unger moved, second by Christner to accept the amendment to **Table 501.04** of the *Hayes County Zoning Regulations* as proposed by the Planning Commission. Roll call vote: Christner, yes; Unger, yes; Richards, no. Motion carried.

Chairman Unger acknowledged receipt of the Hayes County Planning Commission's recommendation to approve the proposed amendment(s) to the *Application for Zoning Permit*.

Unger moved, second by Christner to accept the new the amendments to the *Application for Zoning Permit* as proposed by the Planning Commission. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Richards moved, second by Unger to direct Chairman to sign Affidavit of Surplus Property for County offices. Roll call vote: Richards, yes; Christner, yes, Unger, yes. Motion carried.

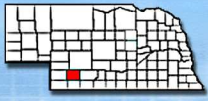
The Board visited with Emergency Manager Char Hamilton via telephone regarding road damage from June rains.

Unger moved, second by Richards to adjourn the meeting at 2:45 PM. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

The next meeting of the Hayes County Commissioners will be July 10, 2018 at 8:30 AM.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
July 10, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for July 10, 2018 at 8:30 A.M. in the Courthouse in Hayes Center, Nebraska located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on July 5, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Phil Dixon and Reuben Echols.

Richards moved, second by Christner to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Richards moved, second by Unger to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the June 12 and 28, 2018 meetings. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Richards to accept the Sheriff's Quarterly Report. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Christner moved, second by Unger to approve the Treasurers Report. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Richards moved, second by Unger to approve application to occupy road right-of-way, 2018-02, for installation of an underground electric line between the SE4 of Section 14, T-6N, R-31W and NW4 of Section 24, T-6N, R-31W. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Christner to direct Chairman to sign Affidavit of Surplus Property for County offices. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Reuben Echols gave an update on the elevator/remodel project.

Unger moved, second by Richards to approve claims for \$27,337.24. Roll call vote: Unger yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to approve payroll for \$79,380.78. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Phil Dixon joined the meeting to discuss DOT load rating changes for bridges and future projects.

Richards moved, second by Unger to approve the agreement for professional services between Hayes County and Oak Creek Engineering for services in Section 23/26 T-5N, R-33W for culvert replacement at the cost of \$4,350.00. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to appoint Leon Kolbet to serve as Hayes County representative on the Southwest Nebraska Public Health Department. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Richards moved, second by Christner to purchase a 66 inch, 5200 mower from Titan Machinery. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Christner to direct Chairman to sign Affidavit of Surplus Property for Road & Bridge Danuser Post Driver and T-post attachment. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.



Hayes County Board Minutes

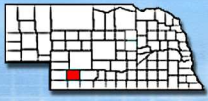


Unger moved, second by Christner to adjourn the meeting at 11:10 A.M. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The next meeting of the Hayes County Commissioners will be July 24, 2018 at 9:00 AM.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
July 24, 2018

A meeting of the Hayes County Board of Commissioners was held at the Hayes County Courthouse in Hayes Center, Nebraska, on July 24, 2018, as published in the *Times Republican* on July 12, 2018. Advanced notice of the meeting, time and place was posted and given to each Commissioner. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. Present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, and D. Eugene Garner. Visitors present were Reuben Echols and Jack Loomis. Chair announced that a current copy of the Open Meetings Act was available for review and was posted in the room where the meeting was being held.

Christner moved, second by Richards to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Reuben Echols reported on the elevator/remodel project. Echols discussed repair of the ceiling in the basement meeting room.

Unger moved, second by Christner to install a drop ceiling in the basement meeting room at the approximate cost of \$2,800.00. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Jack Loomis joined the meeting to discuss the extension of Avenue 372.

Richards moved, second by Christner to proceed with a survey of Avenue 372 between Sections 5 & 6 of Township 7 North, Range 31 West. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Richards moved, second by Christner to direct Chairman to sign the Federal Funds Purchase Program Annual Certification of HBP and STP Funds for the period of July 1, 2017 to June 30, 2018. Roll call vote: Unger yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to accept the June 30, 2018 County Office Inventories. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Preliminary budget requests for all offices and road and bridge were compiled.

Chairman Unger recessed the regular meeting at 11:25 A.M. for lunch.

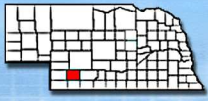
Chairman Unger opened the public hearing at 1:10 P.M. regarding the *Application of Intent to Construct* submitted by Red Willow Genetics, LLC to construct a Livestock Management Facility and/or Livestock Waste Handling Facility in the SW1/4SW1/4 of Section 11, Township 5 North, Range 33, West of the 6th PM, Hayes County, Nebraska. Advanced notice of the Public Hearing time and place was given to each Commissioner and was published in the *Times Republican* July 12, 2018. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held.

Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Tammy Schwenk and Leon Kolbet.

Chairman Unger closed the hearing at 1:45 P.M. and returned to the Regular Meeting.

Chairman Unger acknowledged receipt of the Hayes County Planning Commission's recommendation to approve the application of Intent to Construct submitted by Red Willow Genetics, LLC to construct a Livestock Management Facility and/or Livestock Waste Handling Facility in the SW1/4SW1/4 of Section 11, Township 5 North, Range 33, West of the 6th PM, Hayes County, Nebraska.

Unger moved, second by Christner to approve Red Willow Genetics, LLC *Application of Intent to Construct*. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.



Hayes County Board Minutes



Unger moved, second by Christner to adopt Resolution 2018-17. Roll call vote: Unger, yes; Richards, no; Christner, yes. Motion carried.

RESOLUTION 2018-17

WHEREAS, the Hayes County Board of Commissioners, having held a public meeting on July 24, 2018, for the purpose of reviewing the *Application of Intent to Construct* filed by Red Willow Genetics, LLC, for the construction of a Livestock Management Facility and/or Livestock Waste Handling Facility located in the SW1/4SW1/4 of Section 11, Township 5 North, Range 33 West of the 6th P.M., Hayes County Nebraska, and after review and research of said *Application*, to act to approve or disapprove the same; and

WHEREAS, the Hayes County Board of Commissioners, having held a public meeting on July 24, 2018, for the purpose of hearing said *Application* and for hearing comments thereon from the public in attendance and to receive information and exhibits in relation thereto; and

WHEREAS, the Notice of said Public Hearing was published in the *Times Republican* on July 12, 2018; and

WHEREAS, a copy of the notice of said Public Hearing was duly mailed on July 13, 2018, by U.S. Mail, proper first class postage prepaid, to all adjacent landowners as evidenced by the *Certificate of Service* on file in the office of the Hayes County Clerk; and

WHEREAS the Hayes County Board of Commissioners has received the recommendation of the Hayes County Planning Commission recommending APPROVAL of said *Application* with specific condition(s); and

WHEREAS The Hayes County Board of Commissioners, having found that the requested *Application of Intent to Construct* is consistent with the *Hayes County Comprehensive Plan* and is in full accordance with the AG-G General Agricultural District pursuant to Section(s) 1011 on the following conditions, to wit:

- 1) Approval of Conditional Use Application
- 2) Obtaining all required Nebraska Department of Environmental Quality Permits
- 3) Properly executed and recorded Impact Easements from all residential properties located within the 1/2 mile setback area

NOW THEREFORE, BE IT RESOLVED that the *Application of Intent to Construct* filed by Red Willow Genetics, LLC, for the construction of a Livestock Management Facility and/or Livestock Waste Handling Facility located in the SW1/4SW1/4 of Section 11, Township 5 North, Range 33 West of the 6th P.M., Hayes County Nebraska, be APPROVED subject to said condition(s).

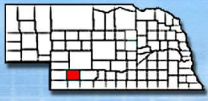
PASSED AND APPROVED THIS 24TH Day of July, 2018.

Unger moved, second by Christner to adjourn the meeting at 2:05 PM. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

The next meeting of the Hayes County Commissioners will be August 14, 2018 at 8:30 AM.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
August 14, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for August 14, 2018 at 8:30 A.M. in the Hayes County Courthouse, located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on August 9, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner and Craig Softley. Visitors present were Curtis Smith, Mark Wilcox, Reuben Echols, Senator Dan Hughes, Lance Harter and Dan Miller.

Richards moved, second by Christner to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Unger moved, second by Christner to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the July 10 and 24, 2018 meetings. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Curtis Smith and Mark Wilcox joined the meeting to review health insurance coverage options for county employees.

Senator Dan Hughes joined the meeting to answer questions and visit with the commissioners.

Craig Softley updated the commissioners on economic development activity.

Reuben Echols joined the meeting to give updates on the remodel project.

Unger moved, second by Richards to purchase and install three new toilets for the remodeled bathrooms. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Lance Harter joined the meeting to review engineer plans for current culvert projects. The following bids were received for Board consideration to replace the culvert on RD 728 between sections 23 and 26 of T5N, R33W. All bids were for a 72" culvert, elbows, bands and headwall. Ace/Eaton Metals - \$25,874.18; Midwest Service and Sales Co.- \$36,877.29.

Richards moved, second by Unger to accept the bid of Ace/Eaton Metals for a 72" culvert, elbow, band and headwall to replace the culvert on RD 728 between sections 23 and 26 of T5N, R33W at the cost of \$25,874.18. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

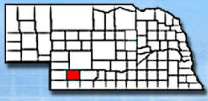
Dan Miller joined the meeting to discuss the 2018-2019 budget. The budget hearing will be September 11, 2018 at 9:00 A.M. The final tax request hearing will follow. The public is welcomed and encouraged to attend.

Richards moved, second by Christner to approve the Treasurers Report. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Christner to pay claims, excluding claims 1808028, 1808037, 1808064, 1808065, for \$256,057.41. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Richards moved, second by Christner to approve claim 1808037 for \$325.78. Roll call vote: Unger abstain; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to approve claims 1808028, 1808064 and 1808065 for \$8,385.28. Roll call vote: Richards, abstain; Christner, yes; Unger, yes. Motion carried.



Hayes County Board Minutes



Richards moved, second by Unger to authorize payment of the August 2018 payroll prior to September 1st contingent upon approval from Pinnacle Bank. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger left the meeting at 3:50 P.M.

Christner moved, second by Richards to approve payroll for \$88,340.24. Roll call vote: Unger, absent; Richards, yes; Christner, yes. Motion carried.

Pursuant to publication requirements of § 23-122 the following is a list of Hayes County job titles and current salaries.

Job Title	Salaries	
Commissioners	\$19,526.28	Yr
Sheriff	\$47,913.60	Yr
Pt-time Law Enforcement	\$25.00	Hr
Treasurer	\$47,913.60	Yr
Treasurer Office Asst	\$19.00	Hr
Ex-Officio Clerk	\$47,913.60	Yr
Ex-Officio Deputy	\$35,187.72	Yr
Clerk Office Assistant	\$16.00	Hr
Extension Office	\$30,600.00	Yr
Attorney	\$35,868.84	Yr
Attorney Secretary	\$13.00	Hr
Road Dept Employee	\$17.35	Hr
PT Road Employee	\$17.35	Hr
Zoning Administrator	\$1,800.00	Yr
Zoning Admin Sec.	\$16.06	Hr
Hwy Supt	\$9,900.00	Yr
Emergency Manager	\$9,000.00	Yr
Veterans Service Admin	\$2,100.00	Yr
Weed Superintendent	\$5,400.00	Yr
Ec Dev Coordinator	\$25.00	Hr
Courthouse Maintenance	\$3,000.00	Yr

The next meeting will be Monday, August 27 at 9:00 A.M.

Christner moved, second by Richards to adjourn the meeting at 4:50 P.M. Roll call vote: Richards, yes; Christner, yes; Unger, absent. Motion carried.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
August 27, 2018

The Hayes County Board of Commissioners was scheduled for August 27, 2018 in the Hayes County Courthouse located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on August 23, 2018. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public. Present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, Leon Kolbet, D. Eugene Garner and Reuben Echols. Chair announced that a current copy of the Open Meetings Act was available for review and was posted in the room where the meeting was being held.

Richards moved, second by Christner to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Discussion was held on a letter received from DEQ regarding comment period.

Discussion was held regarding tractors and mowers.

Unger moved, second by Richards to approve and electronically sign the annual agreement between the County Attorney and The Nebraska Department of Health and Human Services for Child Support Enforcement. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

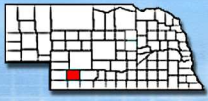
Unger moved, second by Christner to approve application to occupy road right-of-way, 2018-03, for installation of an underground electric line crossing Avenue 375 in the NE corner of Section 22, T-8N, R-31W. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to adjourn the meeting at 11:10 AM. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The next meeting of the Hayes County Commissioners will be September 11, 2018 at 8:30 AM.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
September 11, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for September 11, 2018 at 8:30 A.M. in the Hayes County Courthouse, located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on September 6, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Tom Dow, Joe Miller and Craig Softley. Visitors present were Loran Wach, Reuben Echols and Dan Miller.

Christner moved, second by Unger to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Unger moved, second by Christner to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the August 14 and 27, 2018 meetings. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Loran Wach met with the Board regarding road signage.

Dan Miller joined the meeting for 2018-19 Budget information.

Chairman Unger recessed the Regular Meeting at 9:10 A.M. for the Budget and Final Tax Request Hearing. The purpose of the hearing is to receive testimony in support, opposition, criticism, suggestions or observation of taxpayers relating to the proposed budget. Chairman Unger asked for comments. No public comment was received. Chairman Unger closed the hearings at 9:40 A.M.

Unger moved, second by Christner to adopt Resolution 2018-18 as follows:

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2018 to June 30, 2019, prepared by the Budget Making Authority, was transmitted to the County Board on the 11th day of September, 2018.

NOW THEREFORE, BE IT RESOLVED, by the Board of COMMISSIONERS of HAYES County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2018 to June 30, 2019, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for HAYES County for said fiscal year.

SECTION 2. That the offices, departments, activities and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2018 and ending June 30, 2019.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to approve the additional 1% increase in the restricted funds authority. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to set the final tax request at \$948,250.00 which is a different amount than the prior year tax request of \$951,515.00. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Reuben Echols joined the meeting to give updates on the remodel project.



Hayes County Board Minutes



Craig Softley updated the Commissioners on economic development activity.

Unger moved, second by Richards to pay claims, excluding claims 1809018, 1809025, 1809044, for \$102,151.21. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to approve claims 1809018 and 1809044 for \$8,167.11. Roll call vote: Unger yes; Richards, abstain; Christner, yes. Motion carried.

Richards moved, second by Christner to approve claim 1809025 for \$92.22. Roll call vote: Richards, yes; Christner, yes; Unger, abstain. Motion carried.

Unger moved, second by Richards to approve payroll for \$87,058.56. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to approve the Treasurers Report. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Four mower bids were received for Board consideration.

Schulte XH1000 Series 4 mower - Butler Ag Equipment \$24,445.88, Custom Rental Services \$20,695.00

Schulte XH1500 Series 4 mower – Butler Ag Equipment \$27,762.94, Custom Rental Services \$23,995.00.

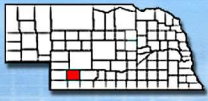
Richards moved, second by Unger to purchase a Schulte XH1000 Series 4 rotary mower from Custom Rental Services at the cost of \$20,695.00. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The next meeting will be October 9, 2018 at 8:30 A.M.

Unger moved, second by Christner to adjourn the meeting at 12:40 P.M. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
October 9, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for October 9, 2018 at 8:45 A.M. in the Hayes County Courthouse, located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on October 4, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Phil Dixon, Tom Dow, Leon Kolbet and Craig Softley. Visitors present were Reuben Echols.

Christner moved, second by Unger to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Richards moved, second by Christner to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the September 11, 2018 meeting. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Reuben Echols visited with the Board regarding the elevator project. The elevator has been inspected and is available for public use. A rear sidewalk, hall lighting and light switches were discussed.

Discussion was held on a letter received from DEQ regarding comment period.

Discussion was held regarding updating the County road book.

Phil Dixon, Hayes County Highway Superintendent joined the meeting to discuss potential projects for the 2019 CBMP (County Bridge Map Program) and final payment for the 2017 CBMP.

Craig Softley updated the Commissioners on economic development activity.

Unger moved, second by Christner to approve the Sheriff's Quarterly Report. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to approve claims, excluding claim 1810050 for \$112,249.50. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Christner to approve claim 1810050 for \$16,243.50. Roll call vote: Richards, abstain; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Richards to approve the Treasurers Report. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

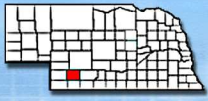
Christner moved, second by Richards to approve payroll for \$83,703.89. Roll call vote: Unger yes; Richards, yes; Christner, yes. Motion carried.

Discussion was held but no action taken on painting bids and gravel contracts.

Sign Tech job description and applications were discussed.

Unger moved, second by Richards to adjourn the meeting at 1:35 P.M. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

The next meeting will be November 13, 2018 at 8:30 A.M.



Hayes County Board Minutes



Hayes County Commissioners
November 13, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for November 13, 2018 at 8:30 A.M. in the Hayes County Courthouse, located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on November 1, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner and Phil Dixon. Visitors present were Reuben Echols, Matt Marple, Ericka Cox, Rick Einspahr, Curtis Smith, Lynn Rhods and Laura Clause.

Richards moved, second by Unger to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, absent. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Unger moved, second by Richards to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the October 9, 2018 meeting. Roll call vote: Richards, yes; Christner, absent; Unger, yes. Motion carried.

Christner arrived at 8:45 A.M.

Cheryl Remington, sales rep with Southwest Farm & Auto, joined the meeting to introduce herself and offer the opportunity for weekly delivery service of supplies to the County shop.

Reuben Echols visited with the Board regarding completed projects.

Three painting bids for the main floor hallway and ceiling, walls and ceilings in the Treasurer's office, Clerk's office and Commissioner room were received for Board consideration. Loomis Construction, \$7,852.00. Kent McMinn, \$6,780.00 and RWF Inc, \$5,900.00.

Unger moved, second by Richard to accept RWF Inc's painting bid for main floor hallway and ceiling, walls and ceilings in the Treasurer's office, Clerk's office and Commissioner room for \$5,900.00. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Corporate Plan Management representative Matt Marple, along with Ericka Cox and Rick Einspahr with Hometown Agency, visited with the Commissioners regarding options to reduce health insurance costs.

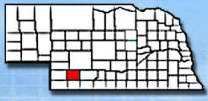
Curtis Smith, Lynn Rhods and Lara Clause, with Wilcox Financial, presented cost reducing health insurance options to the Commissioners.

Phil Dixon, Highway Superintendent, joined the meeting to review the SAAR financial report and future projects.

Richards moved, second by Christner to approve and sign the annual SAAR Report. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Chairman Unger recessed the regular meeting for lunch and interviews at 12:55 P.M. and reconvened the meeting at 2:30 P.M.

Unger moved, second by Richards to change the current county health and dental insurance to BC/BS/HSA plan with a layered health reimbursement account pursuant to the proposal submitted this date by Wilcox Financial Services to also include the wellness partner plan. Roll call vote: Richards, yes; Christner, yes; Unger, abstain. Motion carried.



Hayes County Board Minutes



Unger moved, second by Christner to adopt the job description for part-time sign technician. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Richards to approve 20 hours per week for the sign technician. Roll call vote: Unger yes; Richards, yes; Christner, yes. Motion carried.

Richards moved, second by Unger to direct the highway Superintendent to submit an application for County Bridge Match Program Project for Bridge C004302510P. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Unger to adopt the Southwest Nebraska Juvenile Services Comprehensive Plan. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Richards moved, second by Christner to approve payroll for \$68,675.67. Roll call vote: Unger yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to approve the Treasurers Report. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Christner to approve claims, excluding claim 1811070 for \$133,086.78. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to approve claim 1811070 for \$12,903.00. Roll call vote: Unger yes; Richards, abstain; Christner, yes. Motion carried.

Chairman Unger adjourned the meeting at 4:40 P.M.

The next meeting will be November 29, 2018 at 8:00 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
November 29, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for November 29, 2018 at 8:05 A.M. in the Hayes County Courthouse, located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on November 22, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson and Susan Messersmith.

Richards moved, second by Christner to approve the agenda. Roll call vote: Unger, yes; Richards, yes; Christner, present. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Unger moved, second by Richards to adopt and approve Resolution 2018-19, Fund Transfer Authorization. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

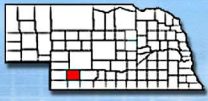
Unger moved, second by Richards to approve the BC/BS claim in the amount of \$11,147.54. Roll call vote: Christner yes; Unger, yes; Richards, yes. Motion carried.

Chairman Unger adjourned the meeting at 8:41 P.M.

The next meeting will be December 11, 2018 at 8:30 A.M.

Hayes County Clerk

Board Chairman



Hayes County Board Minutes



Hayes County Commissioners
December 11, 2018

A meeting of the Hayes County Board of Commissioners was scheduled for December 11, 2018 at 8:30 A.M. in the Hayes County Courthouse, located at 505 Troth St, in Hayes Center, Nebraska. Advanced notice of the meeting, time and place was given to each Commissioner and was published in the *Times Republican* on December 6, 2018, and posted in accordance with law. The Open Meetings Act was available for review and Chair indicated location of such copy in the room where the meeting was being held. Those present were Wayne Christner, Barry Richards, Jeffrey Unger, Rita Erickson, Susan Messersmith, D. Eugene Garner, Joe Miller, Tom Dow, Phil Dixon and Craig Softley. Visitors present were Robert Kitt, Aaron Kitt, Will Echols, Dennis Maggert, Mark Wilcox and Curtis Smith.

Christner moved, second by Unger to approve the agenda. Roll call vote: Unger, yes; Richards, absent; Christner, yes. Motion carried.

Chairman Unger requested comments from the audience. There were none.

Unger moved, second by Christner to approve the consent agenda, consisting of the financial reports of the Clerk, Clerk of District Court, and Imprest Account and the minutes of the November 13, 16, and 29, 2018 meetings. Roll call vote: Richards, absent; Christner, yes; Unger, yes. Motion carried.

One bid for Janitorial services was received for Board consideration. Unger moved, second by Christner to accept the bid of Debbie Cox for \$650.00 per month for 2019 Janitorial services. Roll call vote: Christner yes; Unger, yes; Richards, absent. Motion carried.

One bid was received for maintenance and snow removal. Christner moved, second by Unger to accept the bid of Joe Miller for \$275 per month for the 2019 maintenance and snow removal services.

Two bids were received for courthouse lawn and grounds care. Jeremy Erickson-\$3000.00 and Toby Cox-\$2950.00.

Unger moved, second by Christner to accept the bid of Jeremy Erickson for \$3000.00 for 2019 courthouse lawn and grounds care. Roll call vote: Richards, absent; Christner, yes; Unger, yes. Motion carried.

Phil Dixon, Highway Superintendent, joined the meeting to discuss the County Bridge Match Program application and the One and Six Year Road Program.

Robert and Aaron Kitt visited with the Commissioners regarding locating an irrigation well.

Will Echols joined the meeting to review contracts still pending with RWF Inc.

Christner moved, second by Unger to sign contract with RWF Inc for completion of the safety items. Roll call vote:

Christner, yes; Unger, yes; Richards, absent. Motion carried.

Economic Development Coordinator, Craig Softley, joined the meeting to provide an update on the status of the USDA Rural Economic Development Loan & Grant Program (REDLG), the local revolving loan fund, daycare and potential new business.

Chairman Unger recessed the regular meeting for lunch at 12:05 P.M. and reconvened the meeting at 12:59 P.M.

Dennis Maggert with NACO Benefit Services joined the meeting to discuss health insurance.

Richards arrived at 1:50 P.M.

Unger moved, second by Richards to adopt Resolution 2018-20, a resolution to appoint legal counsel to research and issue a legal opinion regarding the current distribution of funds received by the Nebraska



Hayes County Board Minutes



Department of Education Lands and Funds. Cost and expense to be shared with other participating Nebraska counties on a proportional basis. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Unger moved, second by Richards to accept the Treasurers Report. Roll call vote: Christner, yes; Unger, yes; Richards, yes. Motion carried.

Richards moved, second by Unger to approve payroll for \$65,214.34. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

Unger moved, second by Richards to approve claims, excluding claim 1812035 for \$61,254.09. Roll call vote: Richards, yes; Christner, yes; Unger, yes. Motion carried.

Richards moved, second by Unger to approve claim 1812035 for \$59.76. Roll call vote: Christner abstain; Unger, yes; Richards, yes. Motion carried.

Unger moved, second by Christner to adjourn the meeting at 4:15 P.M. Roll call vote: Unger, yes; Richards, yes; Christner, yes. Motion carried.

The next meeting will be January 8, 2019 at 8:30 A.M.

Hayes County Clerk

Board Chairman