



Colfax County Board Minutes



November 23, 2021
Commissioners Meeting

Minutes

A meeting of the Board of Commissioners of Colfax County, Nebraska was held in the Commissioners Room of the County Courthouse, Schuyler, Nebraska on the 23rd day of November 2021. The County Board of Commissioners met at 8:30 a.m. Present were: Carl Grotelueschen, Jim Mejstrik and Terry V. Wendt, County Commissioners and Rita M. Mundil, County Clerk. Notice of this meeting was given in advance thereof by posting written notice in at least three different public places as shown by the Certificate of Posting Notice. Availability of the proposed agenda was communicated in the advance notice and in the notice to the board. Copies of the Open Meetings Act were posted and available to the public. All proceedings shown were taken while the meeting was officially convened and open to the public.

Motion Mejstrik; second Wendt to approve the agenda. Voting YES: Grotelueschen, Mejstrik and Wendt. Voting NO: None. Motion carried.

Motion Wendt; second Grotelueschen to approve the minutes of 11/9/2021. Voting YES: Mejstrik, Wendt and Grotelueschen. Voting NO: None. Motion carried.

The clerk provided the fund balance, September Lodging Tax Revenue and STOP Revenue received. Correspondence from Nebraska Commission on Law Enforcement and Criminal Justice confirmed that on November 29, 2021, the Colfax County Jail facility will have its annual inspection for the Nebraska Jail Standards Board.

The vet service officer provided October 12, 2021, November 9, 2021 and November 23, 2021 claim reimbursements of services for Colfax County Veterans which will all be placed on file.

The inmate log from Butler County was provided to the board and placed on file.

Julie Kreikemeier/Extension Educator gave a report of the activities of her office per phone conference; recommendations for Colfax County Extension Board for District #1 and District #2 were given. Motion Mejstrik; second Wendt to approve the re-appointment of Paula Grotelueschen to serve a 3-year term on the extension board. Voting YES: Wendt, Grotelueschen, and Mejstrik. Voting NO: None. Motion carried.

Motion Grotelueschen; second Mejstrik to approve the appointment of Galen Kehrli to serve a 3-year term on the extension board. Voting YES: Grotelueschen, Mejstrik and Wendt. Voting NO: None. Motion carried.

The weed superintendent gave a report of the activities of his department; he acquired a CDL license per job requirement and has been reviewing areas of weed notifications.

The county attorney entered the meeting at 8:50 a.m.

The county attorney gave a report of the activities of her office; discussion was held if the county should participate in the proposed Opioids Settlement Agreement with Johnson & Johnson, Janssen Pharmaceuticals, Inc, Ortho-McNeil-Janssen Pharmaceuticals, Inc. and Janssen Pharmaceutica, Inc. (collectively "Janssen"). The clerk will contact the state auditor to inquire if there are any restrictions on how the settlement funds are to be used and if a separate fund needs to be created. The sign-on period for subdivisions ends on January 2, 2022. This item will be placed on our December 14th meeting.

Motion Grotelueschen; second Mejstrik to approve the following claims and issue checks for them. Voting YES: Wendt, Grotelueschen and Mejstrik. Voting NO: None. Motion carried.

All Funds

| | | |
|-------------------------------|--|------------|
| Blue Cross-Blue Shield | Health Premiums | 39,201.70 |
| Ameritas Life Ins. Co. | Retirement Premiums | 16,095.15 |
| EFTPS | FICA/Medicare | 17,755.11 |
| <u>Attorney Grant Fund</u> | | |
| Salaries | | 714.75 |
| COR Therapeutic Services LLC | Service | 1,592.46 |
| Mental Behavioral Health Inc. | Service | 270.00 |
| Schuyler Community School | Truancy wage | 4,856.77 |
| <u>911 Wireless Fund</u> | | |
| Century Link | Service | 504.29 |
| Century Link | Service | 248.62 |
| Century Link | Service | 12.14 |
| Century Link | Service | 248.78 |
| Frontier | Service | 409.12 |
| Sleuth Systems | Maintenance renewal | 12,261.00 |
| <u>E911 Fund</u> | | |
| Century Link | Service | 68.77 |
| Century Link | Service | 33.90 |
| Century Link | Service | 1.66 |
| Century Link | Service | 33.93 |
| Frontier | Service | 55.79 |
| <u>Vet's Aid Fund</u> | | |
| Joseph Bohaboj | Mileage | 25.09 |
| Cecil Fields | Mileage | 31.48 |
| Duane Schlautman | Mileage | 25.20 |
| <u>ROD P & M Fund</u> | | |
| MIPS | Microfilming/Deeds on Line | 283.48 |
| <u>Road Bridge Fund</u> | | |
| Salaries | | 58,173.23 |
| AG 91 Energy LLC | Fuel | 5,239.01 |
| All Makes | Copies | 27.76 |
| Arps Gravel & Concrete | Dirt | 450.00 |
| Alan Dean Arps | Hauling | 200.00 |
| Barjes Enterprises LLC | Material hauling | 3,468.75 |
| Bomgaars Supply | Janitor/shop supplies/sander/bolts/oil | 285.55 |
| Century Link | Service | 118.86 |
| Circulation Payment Center | Subscription | 49.01 |
| City of Clarkson | Utilities | 82.17 |
| Clarkson Plumbing & Heating | Shop supplies | 34.66 |
| Cooperative Supply Inc. | Fuel/chemicals | 336.76 |
| Corral | Equipment parts/labor | 589.01 |
| Culligan | Bottled water/cooler | 96.05 |
| Dept. of Utilities | Services | 199.71 |
| Doernemann Farm Service Inc. | Equipment parts/oil | 41.65 |
| Eakes Office Solution | Office/janitorial supplies | 72.18 |
| Farmers Union Coop Gas | Fuel/chemicals | 354.80 |
| Fremont Sanitation | Service | 120.00 |
| Frontier | Service | 121.27 |
| Herbst Construction Inc. | C19(553 & 554) | 267,024.52 |
| J & B Auto Parts | Equipment parts/shop towels | 306.16 |
| Jackson Services Inc. | Janitorial supplies | 38.66 |



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| John's Tire Sales | Oil change/tires | 18,459.95 |
| Kroeger Sand & Gravel Co. | Gravel/hauling | 23,131.68 |
| Leigh Motor Service | Oil | 6.50 |
| Lincoln Star Journal | Ad | 112.60 |
| Loup Public Power-Columbus | Services | 384.46 |
| Main Express LLC | Fuel | 391.28 |
| Mainelli-Wagner & Associates Inc. | Contract/engineering | 51,674.56 |
| Matheson-Linweld | Oxygen | 66.20 |
| Menards | Vests | 101.94 |
| Midwest Service & Sales | Culverts/blades/bolts/signs/barricades | 6,079.06 |
| Nebraska Machinery Co. | Equipment parts/labor/oil | 9,001.43 |
| Occupational Health Services | Screening | 62.00 |
| Parkview One Stop | Fuel | 1,271.34 |
| Pinnacle Bank | Camera | 360.50 |
| Power Plan | Equipment parts/labor | 2,061.40 |
| Road Builders | Equipment parts | 115.44 |
| Safelite Auto Glass | Windshield repair | 49.95 |
| Schuyler Cooperative Assn. | Fuel | 7,339.20 |
| Schuyler Home & Building Supply | Trailer repair | 52.51 |
| U & I Sanitation Service | Service | 35.00 |
| Verizon Connect | Vehicle tracking | 431.75 |
| Verizon Wireless | Cell phone | 122.05 |
| Village of Howells | Service | 70.37 |
| Village of Leigh | Service | 16.25 |

General Fund

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|--------------------------------|--------------------------------------|------------|
| Salaries | | 177,608.01 |
| Daniel Acosta | Uniforms/cell phone | 100.00 |
| Amer-Chem Inc. | Law enforcement supplies | 172.00 |
| AT & T Mobility | Internet | 560.56 |
| Axon Enterprise Inc. | Cartridges/training | 2,308.71 |
| Mary Kay Bailey | Clock/jury supplies | 103.84 |
| Robert J. Bender | Per diem | 25.00 |
| Viola Bender | Postage | 126.30 |
| Black Hills Energy | Utilities | 111.12 |
| Jeffrey J. Black Jr. | Uniforms/cell phone | 100.00 |
| Joseph Bohaboj | Per diem | 25.00 |
| Bomgaars Supply | Extension cord/batteries | 21.97 |
| Burke Brown III | Atty's fees | 1,251.15 |
| Butler County Detention Center | BOP | 19,500.00 |
| Cenex Voyager Fleet | Fuel | 2,651.29 |
| CenturyLink | Long distance | 175.01 |
| CenturyLink | General | 333.73 |
| CHI Health | Medical expense | 934.00 |
| City of Norfolk | Snare | 1,500.00 |
| Clarkson Plumbing & Heating | Watch battery | 9.98 |
| Clerk of District Court | Court Costs | 213.00 |
| Colfax County Court | Court Costs | 351.00 |
| Colfax County Press | Proceedings/ad/subscriptions/notices | 1,738.50 |
| Colfax County Sheriff | Uncollected fees | 18.50 |
| Colfax County Title & Abstract | Title search | 150.00 |

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| Colfax County Treasurer | Transfer | 374,432.96 |
| Connecting Point | Computer repair | 130.00 |
| Constellation NewEnergy Gas Div. | Service | 141.26 |
| Corral Auto Repair & Towing | Vehicle repair | 186.65 |
| Culligan | Bottled water/cooler | 327.00 |
| Cummins Central Power LLC | Generator maintenance | 2,798.19 |
| DAS State Acct-Central Finance | Network serv #6506 and #6507 | 1,574.95 |
| David City Discount Pharmacy | Pharmacy | 126.81 |
| Dept. of Utilities | Utilities | 3,073.73 |
| Didier's Grocery Inc. | Sheriff trunk/treat | 155.00 |
| Douglas County Court | Certified copy | 3.75 |
| Eakes Office Solutions | Office & janitorial supplies/chair | 988.25 |
| Don Eckstein | Per diem | 25.00 |
| Egan Supply Company | Janitorial supplies | 259.25 |
| Egis Technologies | Monthly service | 3,786.10 |
| Escobar Interpreting LLC | Interpreting/translations | 1,250.00 |
| Mary Ellen Faltys | Jury expenses | 70.45 |
| Farmers Union Coop Supply Company | Fuel | 497.70 |
| Fiala Automotive, Inc | Oil changes/tire rotation | 77.85 |
| Cecil Fields | Per diem | 25.00 |
| First Concord Benefits Group | Participation fee | 27.50 |
| Daniel Freed | Uniforms/cell phone | 100.00 |
| Fuelman | Fuel | 104.62 |
| Great American Financial Services | Copiers | 120.00 |
| Great Plains Communication | Internet/telephone | 843.48 |
| Great Plains Uniforms LLC | Law enforcement supplies | 164.00 |
| Hanel Oil, Inc. | Fuel/oil change | 195.70 |
| Juana Hanson | Cell phone | 45.22 |
| Health & Human Services | Norfolk | 93.00 |
| | Beatrice | 93.00 |
| Emilee Lyn Higgins | Atty's fees | 561.45 |
| Holiday Inn of Kearney | Lodging | 233.90 |
| Hometown Leasing | Copiers | 1,105.40 |
| Howells Journal | Notice | 18.73 |
| Indoff | Office/janitorial supplies | 371.21 |
| J & B Auto Parts | Fuel line hose/electronic cleaner | 8.20 |
| Jack's Uniforms & Equipment | Law enforcement supplies | 302.98 |
| Jackson Services Inc. | Janitorial supplies | 61.94 |
| John's Tire Sales | Oil change/vehicle repair | 413.79 |
| Jones Automotive Inc. | Labor | 575.00 |
| Jury Duty | Jury trial | 1,265.88 |
| Just Another Mini Mart | Fuel | 382.81 |
| Kelly Supply Co. | Building repair | 3,321.94 |
| Julia Kreikemeier | Mileage/registration fee | 258.00 |
| La Quinta | Lodging | 359.85 |
| Lancaster County Corrections | BOP | 255.00 |
| Lancaster County Sheriff | Paper service | 7.18 |
| Latimer Reporting | Depositions | 364.15 |
| Alyssa Ledon | Uniforms/cell phone | 100.00 |
| Lincoln Journal Star | Notice | 21.04 |
| Madison National Life Insurance Co. | Life/LTD insurance | 56.32 |
| Main Express LLC | Fuel | 836.31 |
| Minda McKitrick | Bailiff | 150.00 |
| Shawn Messerlie | Uniforms/cell phone | 100.00 |
| Microfilm Imaging Service | Service | 290.00 |
| Mid-American Benefits Inc. | Deductible reimbursement | 1,774.50 |
| Midwest Alarm Services | Fire extinguisher inspections | 170.88 |



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| Midwest Service & Sales | Sign | 44.20 |
| MIPS | Software support/website | 2,962.88 |
| ML Smith Law Office | Atty's fees | 836.00 |
| Thomas Morrison | Uniforms/cell phone | 100.00 |
| NACo | Membership | 450.00 |
| Nebr. Assn. of County Officials | 2nd half dues | 1,895.66 |
| Nebraska Weed Control Assoc. | Registration | 120.00 |
| Katelynn Ness | Mileage/program supplies | 275.17 |
| Officenet Inc. | Printer repair | 285.71 |
| Cody Parker | Uniforms/cell phone | 100.00 |
| Parkview One Stop | Fuel | 176.72 |
| Pinnacle Bank Visa | Program supplies/registrations | 504.85 |
| Platte County | Veteran contract/reimbursements | 2,432.64 |
| Quinn's Quality Reporting LTD | Depositions | 97.25 |
| Ramada Inn | Lodging | 156.00 |
| Duane Schlautman | Per diem | 25.00 |
| Schuyler Cooperative Assn. | Fuel | 563.40 |
| Schuyler Home & Building Supply | Keys/dog fence | 298.71 |
| Sipple/Hansen/Emerson/Schumacher | Atty's fees | 7,011.36 |
| Brett Struebing | Uniforms/cell phone/fuel | 154.72 |
| Thomson Reuters-West | West Law | 879.27 |
| Shane Titus | Uniforms/cell phone | 100.00 |
| Tower Plastics Mfg. Inc. | Office supplies | 1,167.38 |
| Trane | Building repair | 3,960.73 |
| Trouba Law Offices LLC | Contract/Atty fees | 6,731.76 |
| U & I Sanitation Service | Service | 153.78 |
| US Cellular | Cell phone | 89.82 |
| Luis Venzor | Uniform/cell phone | 100.00 |
| Verizon | Vehicle tracking | 379.00 |
| Verizon | Cell phone | 120.40 |
| Vigilnet | GPS monitoring | 215.45 |
| Tony Zakrzewski | Meal | 13.69 |
| 911 Custom | 911 custom installation | 5,270.70 |

Motion Mejstrik; second Wendt to approve Homestead Bank, Pinnacle Bank, Citizens Bank, Clarkson Bank and Nebraska Public Agency Investment Trust (NPAIT) as a depository of county funds for year 2022. Voting YES: Grotelueschen, Mejstrik and Wendt. Voting NO: None. Motion carried.

Motion Mejstrik; second Grotelueschen to approve Resolution 11-23-2021(1) adding the language "include CDBG administration" (Community Development Block Grant administration) at the end of the last paragraph to the interlocal agreement with Northeast Economic Development District. Voting YES: Mejstrik, Wendt and Grotelueschen. Voting NO: None. Motion carried.

Motion Wendt; second Mejstrik to recommend approval for the special designated liquor permit to Prairie Creek Vineyards, LLC for an event on December 18, 2021 to be held at the Colfax County Fair Grounds. Voting YES: Wendt, Grotelueschen and Mejstrik. Voting NO: None. Motion carried.

Will De Roos/Schuyler City Administrator and Chief Farber addressed the board concerning a joint law enforcement center and the possibility of building a jail. The board asks for more information on the costs and budgets before making any comments.

Recessed at 9:55 a.m. and reconvened at 10:00 a.m.

The Zoning/Flood Plain administrator gave a report of the activities of her department; DEE notice on Labenz Farms Concentrated Animal Feeding Operation for NPDES General Permit for Operations Confining Cattle was reviewed.

Motion Mejstrik; second Wendt to open a public hearing at 10:00 a.m. for the purpose of hearing testimony of support, opposition, criticism, suggestions or observation for Resolution 11-23-2021(2) to add the following Article 3 General Regulations, Section 3.40 Accessory Dwelling Unit to the Colfax County Zoning Regulations. Voting YES: Grotelueschen, Mejstrik and Wendt. Voting NO: None. Motion carried.

The zoning administrator included in her report that the Resolution is an amendment to the Colfax County Zoning Regulations by adding Section 3.40 Accessory Dwelling Unit - ADU to the Zoning Regulations/Matrix as well as definition of Accessory Dwelling Unit. This will allow a build on the home place next to the parents. Presently a hired hand is allowed to dwell. It is the recommendation of the planning commission to approve the addition/amendment of Article 3 General Regulations, Section 3.40 Accessory Dwelling Unit to be allowed through Conditional Use to the Colfax County Zoning Regulations.

No opposition to the addition of Article 3 General Regulations, Section 3.40 Accessory Dwelling Unit to the Colfax County Zoning Regulations was given.

Motion Grotelueschen; second Wendt to close the public hearing at 10:05 a.m. Voting YES: Mejstrik, Wendt and Grotelueschen. Voting NO: None. Motion carried.

Motion Mejstrik; second Wendt to accept the recommendation of the planning commission and approve Resolution 11-23-2021(2) to add the following Article 3 General Regulations, Section 3.40 Accessory Dwelling Unit to the Colfax County Zoning Regulations (to be allowed through Conditional Use). Voting YES: Wendt, Grotelueschen and Mejstrik. Voting NO: None. Motion carried.

Motion Wendt; second Mejstrik to open a public hearing at 10:07 a.m. for the purpose of hearing testimony of support, opposition, criticism, suggestions or observation for Resolution 11-23-2021(3) for revision of Colfax County Automotive/machinery repair shop from not being allowed in the A-1, TA-1 Districts to being allowed through Conditional Use. Voting YES: Grotelueschen, Mejstrik and Wendt. Voting NO: None. Motion carried.

The zoning administrator included in her report that the Resolution is a revision of Colfax County Automotive/machinery repair shop from not being allowed in the A-1, TA-1 Districts to being allowed through Conditional Use. It is the recommendation of the planning commission to approve the revision of the Colfax County Automotive/machinery repair shop from not being allowed in the A-1, TA-1 Districts to being allowed through Conditional Use to the Colfax County Zoning Regulations.

No opposition of the revision of Colfax County Automotive/machinery repair shop from not being allowed in the A-1, TA-1 District to being allowed through conditional use.

Motion Mejstrik; second Grotelueschen to close the public hearing at 10:10 a.m. Voting YES: Mejstrik, Wendt and Grotelueschen. Voting NO: None. Motion carried.

Motion Wendt; second Mejstrik to accept the recommendation of the planning commission and approve Resolution 11-23-2021(3) for revision of Colfax County Automotive. Voting YES: Wendt, Grotelueschen and Mejstrik. Voting NO: None. Motion carried.

The assistant highway superintendent gave a report of the activities of his office; an update on road/bridge projects was given. Discussion was held on the procedure on removing obstruction in the county right-of-way.

Resolution 11-23-2021(4) authorizing the chairman to sign the Certification of County Highway Superintendent for Determining Incentive Payment for January 1, 2021 to December 31, 2021 was reviewed. Motion Mejstrik; second Grotelueschen to approve Resolution 11-23-2021(4) authorizing the chairman to sign the Certification of County Highway Superintendent for Determining Incentive Payment for January 1, 2021 to December 31, 2021. Voting YES: Grotelueschen, Mejstrik and Wendt. Voting NO: None. Motion carried.



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Pursuant to 23-151 along with the most recent federal decennial census (2020) the county board reviewed five proposals from gWorks for redistricting commissioner boundaries. Motion Grotelueschen; second Wendt to adopt Resolution 11-23-2021(5) which establishes commissioner district boundaries as follows:

- A. Commissioner District Number One: Richland, Shell Creek, Wilson, Stanton, all that part of the City of Schuyler lying south of the center of Fifteenth Street and east of Fort Street and south of the center of Fourteenth Street and west of Colfax, and all that part of Schuyler Precinct lying south of the Union Pacific Railroad Right-of-way and west of Colfax Street (Highway 15), containing, 3,534 residents.
- B. Commissioner District Number Two: Grant, Midland, Adams, all that part of the City of Schuyler lying north of the center of Sixteenth Street, north Fifteenth Street, north of Fourteenth St and all that part of Schuyler Precinct north of the Union Pacific Railroad Right-of-way, containing 3,673 residents.
- C. Commissioner District Number Three: Rogers, Colfax, Maple Creek, Lincoln Precincts, and all that part of the City of Schuyler lying south of the center of Sixteenth Street and east of Colfax Street and all that part of Schuyler Precinct south of the Union Pacific Railroad Right-of-way and east of Colfax Street (Highway 15), containing, 3,375 residents.

Voting YES: Mejstrik, Wendt and Grotelueschen. Voting NO: None. Motion carried. Resolution 11-23-2021(5) in its entirety is on file in the county clerk's office.

The county clerk summarized the day's agenda and action taken.

Motion Mejstrik; second Wendt to adjourn BOC at 10:45 a.m. to meet again December 14, 2021. Voting YES: Wendt, Grotelueschen and Mejstrik. Voting NO: None. Motion carried.

A meeting of the Board of Equalization of Colfax County, Nebraska was held in the Commissioners Room of the County Courthouse, Schuyler, Nebraska on the 23rd day of November, 2021. The County Board of Equalization met at 11:00 a.m. Present were: Carl Grotelueschen, Jim Mejstrik and Terry V. Wendt, County Commissioners, Rita M. Mundil, County Clerk, Viola Bender, County Assessor and Denise J. Kracl, County Attorney. Notice of this meeting was given in advance by posting written notice in at least three different public places as shown by the Certificate of Posting Notice. Availability of the proposed agenda was communicated in the advance notice and in the notice to the board. A copy of the Open Meetings Act was posted and available to the public. All proceedings shown were taken while the meeting was officially convened and open to the public.

The board approved two tax list corrections submitted by the assessor - #2324 and #2325.

Motion Grotelueschen; second Mejstrik to adjourn BOE at 11:05 a.m. Voting YES: Grotelueschen, Mejstrik and Wendt. Voting NO: None. Motion carried.

I, Rita M. Mundil, duly elected and qualified County Clerk of said county, do hereby state that the above minutes were recorded by me, are true and correct to my knowledge, are recorded in the Commissioners Records and were completed for public inspection and publication on the 24th day of November, 2021.

Rita M. Mundil