



# Otoe County Board Minutes



December 13, 2016

The Otoe County Board of Commissioners convened in regular session at 8:45 a.m. on December 13, 2016, to audit and sign regular claims and to take care of such other matters as are on the agenda for this meeting. Advance notice of this meeting was published in the Nebraska City News Press and Syracuse Journal Democrat and posted in at least three public places, including the County's website. This meeting was open to the Public, and the agenda was kept current, and is on file for public inspection at the office of the Otoe County Clerk during regular business hours.

The meeting was called to order by Chairman of the Board, Timothy Nelsen. Answering present at roll call were Commissioner Nelsen, Commissioner Freshman, Commissioner Hauptman, Commissioner Lade and Commissioner Sornson; none absent.

Chairman Nelsen informed the public in attendance that a current copy of the Open Meetings Act is posted on the south wall of the meeting room. Additional copies are available upon request.

Commissioner Hauptman made a motion, seconded by Commissioner Nelsen to accept the agenda as posted. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Nelsen, Freshman, Hauptman, Lade and Sornson. Nay – none. Motion carried.

Commissioner Sornson made a motion, seconded by Commissioner Freshman to accept the minutes from the previous meeting and not have them read as each member was furnished with a copy of same. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Freshman, Hauptman, Lade, Sornson and Nelsen. Nay – none. Motion carried.

Having reviewed the regular claims in advance of this meeting, Commissioner Lade made a motion, seconded by Commissioner Hauptman to approve payment of the regular claims. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Hauptman, Lade and Freshman; Commissioner Nelsen approved payment of all claims except those claims submitted by the Public Defender's Office and the County Attorney's Office to which he abstained. Commissioner Sornson approved payment of all claims except the one made payable to Johnny's Cycle to which he abstained. Nay – none. Motion carried.

Chairman Nelsen opened a public hearing to hear comments regarding the proposed 2016 Comprehensive Development Plan. There being no public comments, the hearing was closed. Dave Schmitz, Otoe County Zoning Administrator, and Keith Marvin, the County's Contracted Planning Consultant, highlighted a few of the new provisions: A Flex Zone is being established to allow more commercial uses for businesses located on a highway without going through the process of a zone change; An "I-1 Industrial" Zoning District was added; The Transitional Agriculture Zoning District remains, allowing residential and some commercial development in its designated areas; A river protection corridor was added which protects our waters from allowing shipment of hazardous materials on the river. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to adopt the proposed 2016 Comprehensive Development Plan as presented. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Lade, Sornson, Nelsen, Freshman and Hauptman. Nay – none. Motion carried.

Commissioner Hauptman made a motion, seconded by Commissioner Sornson to adopt Resolution 12-13-16-39 authorizing the Chairman to sign an agreement with NDOR and Union Pacific Railroad Company for the installation of flashing light signals and gates and constant warning circuitry and



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auxiliary lights at a crossing west of Intersection C-57. Chairman Nelsen said 90% of the cost will be paid from Federal Rail Safety Funds, while the remaining 10% is being paid by Union Pacific. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Sornson, Nelsen, Freshman, Hauptman and Lade. Nay – none. Motion carried.

Lead Supervisor Jon Brinkman said he worked with County Attorney Dave Partsch to draft an addendum to the On-Call Services Contract with Midwest Underground. At the request of the contractor's bonding company, the original agreement is being changed so that when the contractor is working on multiple projects at the same time, the warranty on each project will commence as it is completed. As it is currently written, the warranty would not begin until all projects have been completed. Commissioner Lade made a motion, seconded by Commissioner Freshman to authorize the Chairman to sign the First Addendum to Bridge and Construction On-Call Services Contract between the County and Midwest Underground accepting the amended terms as described above. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Nelsen, Freshman, Hauptman, Lade and Sornson. Nay – none. Motion carried.

## Road Supervisors Project Reports:

- Syracuse Southeast is now open to local traffic; will finish up channel work in the spring.
- Anticipating a January bid letting for Syracuse Southwest
- 90% of the plans are complete for Nebraska City Northwest; expects construction to begin in 2018
- Syracuse West is complete except for guard rails; will finish channel work in the spring
- Plan to open the bridge north of Otoe soon. It will remain open during the winter; however, they will have to close it a couple weeks in the spring to finish
- The contractor is driving steel pilings on Dunbar West
- Supervisor Neemann said they are finishing up the last three FEMA projects. His crew has been hauling old material from the Dunbar Bridge site
- Supervisor Watkins reported that his crew has been cleaning out ditches and performing routine maintenance on the rock trucks and motor graders.

Commissioner Sornson made a motion, seconded by Commissioner Hauptman to adopt Resolution 12-13-16-40 directing the County Attorney to institute action to foreclose the lien on parcels of real estate that were issued Certificates of Tax Sale three years ago. County Treasurer, Nicki Baker, said under the provisions of State Statute 77-1809, the right of redemption by these landowners has expired. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Freshman, Hauptman, Lade, Sornson and Nelsen. Nay – none. Motion carried.

Pursuant to State Statute 33-106.02, Chairman Nelsen acknowledged receipt of the monthly report from the Clerk of the District Court certifying fee collections in the amount of \$28,793.43 for the month of November 2016. Said report will be filed in the County Clerk's Office.

The State Auditor's Office has been performing the County's annual financial audit for the past several years. Commissioner Lade made a motion, seconded by Commissioner Freshman to renew the contract with the State Auditor to perform the County's annual audit for an additional three years which includes fiscal years 2017, 2018 and 2019. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Hauptman, Lade, Sornson, Nelsen and Freshman. Nay – none. Motion carried.



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Gregg Goebel, Emergency Management Director, explained the need to re-sign the Memorandum of Agreement between Otoe County and FEMA. He said he was notified by FEMA that they lost the original memorandum that was signed in January 2014. In order for Otoe County to have access to the IPAWS (Integrated Public Alert and Warning System) a signed memorandum must be on file. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign the Memorandum of Agreement between the Board of Commissioners and FEMA which allows the County to utilize FEMA's public alert system known as IPAWS. There being no further discussion, Chairman Nelsen called for a vote. Voting aye were Commissioners Lade, Sornson, Nelsen, Hauptman and Lade. Nay – none. Motion carried.

There being no further business to come before the Board at this time, and since all items on the agenda have been disposed of, Chairman Nelsen declared this meeting adjourned at 9:05 a.m. The next regular meeting will be held on December 27, 2016.

I, Janene Bennett, County Clerk of Otoe County, do hereby certify that the above minutes were taken by me, and are true and correct to the best of my knowledge, and I therefore set my hand and affix the county seal this 13<sup>th</sup> day of December 2016.

Janene Bennett  
Otoe County Clerk