



Otoe County Board Minutes



January 24, 2017

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on January 24, 2017, to audit and sign payroll claims and 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, Rick Freshman. Answering present at roll call were Commissioner Freshman, Commissioner Sornson, Commissioner Hauptman, Commissioner Parsons and Commissioner Speth; none absent.

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

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

Commissioner Sornson made a motion, seconded by Commissioner Hauptman 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 Freshman called for a vote. Voting aye were Commissioners Sornson, Hauptman, Parsons, Speth and Freshman. Nay – none. Motion carried.

Commissioner Hauptman made a motion, seconded by Commissioner Parsons to audit and sign payroll claims. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Hauptman, Speth, Freshman and Sornson. Commissioner Parsons approved payment of all payroll claims except those claims submitted by the County Sheriff's Office to which he abstained. Nay – none. Motion carried.

Having reviewed the regular claims in advance of this meeting, Commissioner Sornson made a motion, seconded by Commissioner Hauptman to approve payment of the regular claims. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Parsons, Speth, Freshman, Sornson and Hauptman. Nay – none. Motion carried.

Other business matters were addressed at this time.

Commissioner Sornson made a motion, seconded by Commissioner Hauptman to cancel check #17010007 in the amount of \$109.95 due to double payment. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Speth, Freshman, Sornson, Hauptman and Parsons. Nay – none. Motion carried.

Commissioner Sornson volunteered to serve on the Land Reutilization Commission. Therefore, Commissioner Hauptman made a motion, seconded by Commissioner Parsons to appoint Commissioner Sornson to serve as a member of the Otoe County Land Reutilization Commission. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Freshman, Sornson, Hauptman, Parsons and Speth. Nay – none. Motion carried.



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Chairman Freshman noted that Commissioner Speth volunteered to serve on the Blue Rivers Board of Directors. Therefore, Commissioner Parsons made a motion, seconded by Commissioner Sornson to appoint Commissioner Speth to serve as a member of the Board of Directors for Blue Rivers Area Agency on Aging. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Sornson, Hauptman, Parsons, Speth and Freshman. Nay – none. Motion carried.

Chairman Freshman asked for a volunteer to serve as a member of the Southeast District Health Board. Commissioner Parsons volunteered; therefore, Commissioner Sornson made a motion, seconded by Commissioner Hauptman to appoint Commissioner Parsons as the County representative to serve on the Southeast District Health Board. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Hauptman, Parsons, Speth, Freshman and Sornson. Nay – none. Motion carried.

Vanessa Sherman came before the Board to explain the reason for adding an addendum to the agreement with Heartland Family Services that was approved in December. Under the original contract, the County agreed to reimburse the service agency at the rate of \$145 per hour not to exceed \$650 per call/mediation. However, the agency prefers to be paid a flat fee of \$650 per day. The fee is an eligible expense being paid from the Juvenile Justice Grant funds. Commissioner Sornson added that the money spent here is intended to save money in the long run by keeping juveniles out of the court system. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign the First Addendum to the Agreement with Heartland Family Service, changing the reimbursement method to \$650 per day. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Parsons, Speth, Freshman, Sornson and Hauptman. Nay – none. Motion carried.

Sarah Purcell, Otoe County Extension Educator, presented the Board with a copy of the Annual Report to be shared by all. She noted the 5th Annual 4-H Foundation Banquet will be held on Saturday, February 4th. Congressman Jeff Fortenberry will be the keynote speaker. All Board members were invited to attend. In June, Ms. Purcell will accompany 43 youth to Washington D.C. to participate in a Citizenship Washington Focus Conference.

Chairman Freshman opened a public hearing to hear comments regarding approval of a conditional use permit to Verizon that would allow the erection of a new cell tower on property located in the E1/2 NE 1/4 S22-T9-R11 southwest of Intersection D-32. Sam Mandolfo, Agent for Verizon, said the original permit was approved over a year ago, but construction was delayed. According to Zoning Administrator, Dave Schmitz, conditional use permits are only good for one year; therefore, Verizon had to reapply for a new permit. Commissioner Parsons was concerned that when a permit is issued it ties up the property from being available to another company. Mr. Mandolfo said the reason the previous permit expired was due to a budget shortfall; they fully intend to erect the tower within the next twelve months. There being no other public comments, Chairman Freshman closed the public hearing. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to approve issuance of the Conditional Use Permit as requested by Sam Mandolfo on behalf of Verizon that will allow the company to erect a cell tower on property located southwest of D-32. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Speth, Freshman, Sornson, Hauptman and Parsons. Nay – none. Motion carried.

John Bebout presented the Annual Noxious Weed Report which must be submitted to the Nebraska Department of Agriculture by January 31st of any given year. Bebout said 2016 was a very wet year,



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causing the weeds to grow well. Commissioner Parsons made a motion, seconded by Commissioner Sornson to approve the report as written. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Freshman, Sornson, Hauptman, Parsons and Speth. Nay – none. Motion carried.

Craig Bolz, a concerned citizen from the North Palmyra area, appeared before the Board to speak about the County's tree & brush roadside policy. Within its content it was stated that it is the responsibility of the County to provide safe roadways to the public. Citing State Statute 39-1813 – "Whenever a landowner neglects to trim undergrowth or tree overhang from his land that is bordering public roads, a written complaint should be sent to the County Board and County Attorney. Upon receipt of such notice, the County Attorney shall send the landowner a written notice to have the shrubs/trees trimmed or removed within ten days". Mr. Bolz noted that some Commissioners want to enforce the law and some do not. County Attorney Partsch said he has never received a written complaint. Bolz said he takes pride in keeping his property and road ditches clean, but some of his neighbors fail to do so. The law also states that if the landowner refuses to comply, the County shall clean up the roadside (whether it be the county road crew or a hired contractor); then a lien shall be filed against the landowner's property to cover the cost, which is collected as a special assessment on his tax statement. Bolz commented that the county crew does a good job when cleaning up the roadsides, but thinks it's not fair that his tax dollars are being spent taking care of someone else's responsibility. Commissioner Sornson said that two of the Board Members are planning to meet regularly with the Road Supervisors to discuss road and bridge issues; then determine a plan of action to correct ongoing problems such as enforcing the brush/tree policy.

Lead Supervisor Brinkman reported that he advertised for bids for the purchase of aggregate that included a contract locking in unit prices and guaranteeing availability from February 1, 2017 through June 30, 2018. Only one envelope was received and opened on January 20th. It came from Lyman-Richey Sand & Gravel Company, but noted "NO BID". In November, Martin-Marietta sent notification of their price quotes for 2017. The Board agreed they would purchase most of the rock from Martin-Marietta, who said they will be able to keep up with a sufficient supply this year.

Each Board Member was furnished with a copy of the proposed 1 & 6 Year Road Plan prior to today's meeting. Supervisor Brinkman said he was comfortable with the plan as being realistic. His only question was whether he should add the Woodland Hills project to the plan which includes paving a portion of C Rd. The Board agreed to list it in the 6 Year Plan in the event the landowners choose to pursue the formation of a paving district. The final public hearing will be held at a regular meeting on Feb 27th

Supervisor Brinkman furnished each board member with a written report that included work order requests, progress report of pending projects, rock placement and grading maps and a listing of mechanical repairs. This report will be filed and may be seen in the Highway Department Office during regular business hours.

Chairman Freshman announced that the Commissioners will tour the Jail Facility and Sheriff's Office upon adjournment. The public and news media are welcome to join them. No action will be taken.

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 Freshman declared this meeting adjourned at 9:17 a.m. The next regular meeting will be held on February 14, 2017.



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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 24th day of January 2017.

Janene Bennett
Otoe County Clerk