



Otoe County Board Minutes



March 28, 2017

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on March 28, 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 Parsons made a motion, seconded by Commissioner Hauptman 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 Parsons 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 Sornson to audit and sign payroll claims. 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.

Having reviewed the regular claims in advance of this meeting, Commissioner Sornson made a motion, seconded by Commissioner Parsons 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.

Susan Keholm, CCAP Development Director for SENCA (Southeast Nebraska Community Action) came before the Board to present her annual report and review the 2016 regional assessment report. The agency's goal is to help people help themselves by providing assistance with affordable housing, utilities, job skills training, financial literacy, etc. They also sponsor "Head Start" which is a preschool program for 3-5 year old children from low-income families. She noted that SENCA celebrated its 50th Anniversary last May. She furnished each board member with a written copy of the 2016 Annual Report and a booklet containing the State and Regional Community Assessments. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign a Proclamation declaring May as Community Action Month. 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.

Chairman Freshman opened a public hearing to hear comments regarding approval of the final plat for Evergreen Plaza Subdivision located in the W 1/2 of SW 1/4 S30-T9-R9 as requested by Roland



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Meyer. Mr. Meyer said the subdivision is divided into 6 commercial lots. Zoning Administrator Dave Schmitz said the Planning Commission approved the final plat at their March 16th meeting with a few minor waivers, such as the requirement to install fire hydrants, sidewalks and block lengths. An agreement containing these provisions was drawn up and will be recorded with the Register of Deeds when the final plat is filed. There being no other comments, Chairman Freshman closed the public hearing. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to approve the Final Plat of Evergreen Plaza Subdivision and to authorize the Chairman to sign an agreement setting forth waivers and conditions that will be recorded with the Final Plat. Chairman Freshman called for a vote. Voting aye were Commissioners Freshman, Sornson, Hauptman, Parsons and Speth. Nay – none. Motion carried.

The appointment of two members to the Otoe County Planning Commission was tabled until the next regular meeting.

Vanessa Sherman, Juvenile Justice Coordinator, briefly explained the need to amend the budget summary of the Crime Commission Enhancement Grant. Due to budget cuts on the state level, the original grant request of \$10,781 has been reduced to \$3,798. Areas cut included travel expenses to attend conferences and wages for an administrative assistant. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign the revised budget summary for the Crime Commission Enhancement Grant as presented by Ms. Sherman. 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.

Charles Severin and Devin Townsend, representing the Timber Lake Home Owners Association, appeared before the Board to express their concerns for public safety within their subdivision. A letter was drafted and sent to the County Board in January requesting the Commissioners to consider making the streets at Timber Lake Subdivision public so that they would be owned and maintained by the County and traffic laws could be enforced by the Sheriff's Department. According to subdivision zoning regulations, streets within a subdivision are labeled as "private", but must allow public access. They pay taxes, but are provided no road maintenance. Mr. Severin said their biggest concern is for the safety of the children. A farmer who owns land directly north and west of the subdivision, drives heavy equipment and trucks down their streets, causing a danger to their residents and eventual repair problems. The HOA has the authority to post traffic control signs, but they are not enforceable by the Sheriff. They have erected barricades to keep the farmer from using their streets, but he takes them down. Mr. Severin said the farmer can access his farm ground without using their streets, but he chooses not to. County Attorney Dave Partsch said the term "public access" was meant for the use of fire trucks, rescue units and other utility services within the community. Mr. Townsend agreed that "public access" was written in the plat to serve the HOA members and not the general public. Partsch suggested they retain an attorney and possibly amend the original plat to specify the definition of "public access".

Upon the recommendation of the Otoe County Visitors Committee and upon reviewing the applications submitted by Ben Heusinkvelt and Sue Saathoff, Commissioner Parsons made a motion, seconded by Commissioner Sornson to appoint Ben Heusinkvelt and Sue Saathoff to serve as members of the OCVC. 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.



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In 2002, a 911 policy was adopted that set the fee for the purchase of a 911 address plate at \$15.00. Since then, the cost has increased significantly. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to adopt Resolution 3-28-17-06 amending the fee assessed to a property owner for the purchase and installation of a 911 address plate and sign post from \$15 to \$25. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioner Parsons, Speth, Freshman, Sornson and Hauptman. Nay – none. Motion carried.

Commissioner Sornson made a motion, seconded by Commissioner Hauptman to approve a tax refund in the aggregate amount of \$297.34 to Tom Goeglin as a result of a TERC appeal. 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.

On March 25th, bids were publicly opened and read for the purchase of a 108” x 70’ metal pipe with two elbows, steel headwalls and wingwalls. Vendors submitting bids were:

Vendor	Price	Delivery Date
Metal Culverts, Jefferson City, MO	\$29,330.50	4-6 weeks
Ace/Eaton Metals, Kearney	\$30,885.50	6-12 weeks
Midwest Service & Sales, Schuyler	\$31,223.20	10-12 weeks
Contech Engineer'd Solutions, Lincoln	\$31,823.40	8 weeks

Brinkman said the new pipe will replace a worn out pipe east of P-32. Commissioner Parsons made a motion, seconded by Commissioner Hauptman to purchase the metal pipe and related materials from the low bidder, Metal Culverts, for the quoted price of \$29,330.50. 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.

Lead Road Supervisor, Jon Brinkman gave the following report:

- 1) The new hires are attending motor grader training in Lancaster County. Other crew members continue to haul rock and work on signs
- 2) Project C-66(584) east of Douglas has been completed by Midwest Underground
- 3) Project C-66(551) north of Paul North – Bridge is closed; deck and stringers have been removed
- 4) Project C-66(408) Otoe North – Road is closed while contractor installs drop pipes and guard rail; will probably re-open in 2-3 weeks
- 5) Project C-66(577) west of G-40 – Contractor has delivered their equipment; now waiting for good weather to begin work
- 6) Project C-66(585) south of I-42: Bridge is completely done and road is open to traffic

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 9:18 a.m. The next regular meeting will be held on April 11, 2017.

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 28th day of March 2017.

Janene Bennett



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Otoe County Clerk