



# Otoe County Board Minutes



August 22, 2017

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on August 22, 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 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 Parsons 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 Parsons 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 Hauptman made a motion, seconded by Commissioner Sornson 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.

County Attorney Dave Partsch explained that Otoe County must renew an agreement with DHHS annually which allows Otoe County to receive reimbursement for time and costs incurred by the County Attorney's Office for assisting the State in child support enforcement. He noted there were no changes in the agreement from the previous year. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign and enter into an agreement with the Department of Health and Human Services guaranteeing the County Attorney will be reimbursed for services rendered regarding child support enforcement. There being no further discussion, the Chairman called for a vote. Voting aye were Commissioners Speth, Freshman, Sornson, Hauptman and Parsons. Nay – none. Motion carried.

In the absence of Road Supervisor Brinkman, Commissioner Sornson read the following Road/Bridge Report as prepared by Brinkman:

- Contractor is on site and working on Bridge Project BRO-(43) south of P-28
- Contractor began work on Project (601) on 8/17; This is one of the last FEMA projects and is located west of G-24



# Otoe County Board Minutes



- The East Crew completed Project (543) west of L-54; While in the area, they cleaned out ditches and culverts south of L-54; They continue to repair and clean out culverts along old Hwy 2 in preparation for the new overlay
- The West Crew completed a crossover culvert and driveway culvert replacement west of E-28; they reinstalled a culvert washed out by heavy rain near I-22 and repaired a culvert and cleaned out ditch west of I-16

Gregg Goebel, Emergency Management Director, came before the Board to explain the terms of a Memorandum of Understanding between the State and the County involving receipt and use of Homeland Security Grant Funding. Goebel said the County will be allocated \$10,000 to help support the cost of purchasing a generator for Otoe County Rural Water Tank #2 that will provide back-up power for the site's pumps, HVAC system and NRIN communications equipment. This federal grant money goes directly to the State, who must allocate it to a local government. The County will utilize the money on behalf of the Rural Water District. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign the Memorandum of Understanding with the State of Nebraska stating the terms for receiving a \$10,000 grant to be used for helping with the purchase of a generator for RWD Tank #2. 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.

In accordance with State Statutes 77-3442 and 77-3443, it is the County Board's responsibility to determine the allocation of levy authority to the Rural Fire Districts, Hospital District and Ag Society. Chairman Freshman introduced Resolution 8-22-17-28 listing each valuation, tax request and calculated levy. Commissioner Hauptman made a motion, seconded by Commissioner Parsons to authorize the Chairman to sign Resolution 8-22-17-28 allocating levies to meet the tax requests submitted by the political subdivisions listed above. 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.

By September 1<sup>st</sup> of any given year, elected officials and department heads are required to submit Inventory Statements to the County Board listing all personal property in the custody of each office holder with a value of \$1000 or more. Commissioner Parsons made a motion, seconded by Commissioner Sornson to approve the 2017 inventory statements as presented by the elected officials and department heads. 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.

Chairman Freshman opened a public hearing to hear comments regarding Lechner Subdivision located in the SE ¼ SW ¼ S35-T9-R13 as requested by Carolyn M Lechner, Robert & Debbie Lechner, Ronald & Katherine Lechner and Janelle Krisko. Surveyor Dave Schmitz said the Lechner family wants to separate an existing house and two Quonset buildings from a 60 acre parcel that was once used as a towing and junkyard site. One of the Quonset buildings is only 24.8 feet from the boundary line, but is grandfathered in since it was built before the setback regulations were adopted. There being no other comments, the hearing was closed. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign and approve the plat map for Lechner Subdivision; site location at 5739 G Road. There being no other discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Parsons, Speth, Freshman, Sornson and Hauptman. Nay –none. Motion carried.



# Otoe County Board Minutes



Chairman Freshman opened a Public Hearing to hear comments regarding issuance of a Conditional Use Permit that would allow controlled shooting on a 301 acre tract of land located in the NW1/4, S 1/2 of the SW1/4 and Part of the N1/2 of the SW1/4 S33-T8-R10 as requested by William D Glaser, owner and Matt Beede, lessee. Matt Beede appeared before the Board to explain his plans for the controlled hunting site. Beede said he has operated a controlled shooting facility in Otoe County for the past five years, but the property he was leasing has been sold. He ensured the Board that he follows the State's Game and Parks regulations for conducting pheasant, chucker and quail hunts. He said he has partnered with Arbor Links to use their cabins for housing hunters overnight. In addition to providing safe hunting for adults, he plans to conduct hunts for youth. He will also offer dog training in the summer. He raises his own bird stock, with plans to release 7000 to 10,000 birds on this property. Schmitz said the Planning Commission approved the Conditional Use Permit with four conditions. Three letters were presented to the Board supporting the controlled hunt operation. Schmitz said only one neighbor expressed concern for noise, but became receptive after it was explained that the hunting would take place on the 200 acres south of the housing development. There being no further comments, Chairman Freshman closed the public hearing. Commissioner Sornson made a motion, seconded by Commissioner Parsons to approve issuance of the Conditional Use Permit to Matt Beede allowing him to conduct controlled hunting on property located in the NW1/4, S 1/2 of the SW1/4 and Part of the N1/2 of the SW1/4 S33-T8-R10 with the following four conditions: 1) The hunting time will be from 8:00 a.m. to 6:00 p.m. 2) Any youth hunting must be accompanied by an adult. 3) Beede must retain a \$2,000,000 liability insurance policy. 4) Only shotguns will be allowed. 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 River Ridge 2<sup>nd</sup> Subdivision located in the N 1/2 NE 1/4 S25-T9-R13 as requested by Bruce Meyer – Site location on E Road west of N 60<sup>th</sup> Road. Dave Schmitz said Mr. Meyer owns 20 acres where two existing lots were platted 2 years ago. These two lots have not sold, but Meyer now has a buyer who wants to purchase a lot further from the road and on higher ground. Schmitz said this plat includes a 66' ingress-egress drive easement dedicated for use by future lots as the subdivision develops. There is rural water and electrical hook-up available. There being no further comments, the public hearing was closed. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign the plat map for River Ridge 2<sup>nd</sup> Subdivision as requested by Bruce Meyer. Voting aye were Commissioners Freshman, Sornson, Hauptman, Parsons and Speth. Nay – none. Motion carried.

Commissioners Freshman, Sornson and the County Clerk gave a brief overview of the proposed budget for FY18. The two Commissioners met with all department heads to go over their budget requests; then determined where tax dollars should be spent to be most beneficial. All employees will receive an annual cost of living raise in January. A 14% increase in health insurance premiums was offset by offering Medicare eligible employees a cash-in-lieu option. In order for the County to meet the lid requirements, some road projects will have to be funded with inheritance tax. The formal budget hearing will be held on September 12th.

At 9:11 a.m. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to go into executive session to discuss pending litigation regarding District Court Case CI 15-117 with the County Attorney; closed session is necessary for the protection of public interest. Voting aye were Commissioners Sornson, Hauptman, Parsons, Speth and Freshman. Nay – none. Motion carried. Chairman Freshman reiterated that the only topic that will be discussed in closed session will be



# Otoe County Board Minutes



pending litigation of District Court Case CI 15-117. The County Clerk and Administrative Assistant remained for closed session.

At 9:15 a.m. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to go back into regular session. Voting aye were Commissioners Hauptman, Parsons, Speth, Freshman and Sornson. Nay – none. Motion carried. There was no action taken while in executive session.

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 a.m. The next regular meeting will be held on September 12, 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 22<sup>nd</sup> day of August 2017.

Janene Bennett  
Otoe County Clerk