



# Otoe County Board Minutes



October 10, 2017

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on October 10, 2017, 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 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 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 Hauptman made a motion, seconded by Commissioner Sornson 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.

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 Hauptman, Parsons, Speth, Freshman and Sornson. Nay – none. Motion carried.

Nicki Baker, County Treasurer, presented a list of taxpayers and business owners whose personal property taxes are two years delinquent and remain unpaid even though distress warrants have been issued. By statute, the Board can strike the taxes from the tax roll to stop additional distress warrants from being issued; however, the taxes can still be collected at any time. Ms. Baker said she would like to have a letter hand delivered by a law enforcement officer giving them one more opportunity to pay their back taxes in full or set up a short term partial payment plan by October 20th. Therefore, she suggested not to stricken the taxes at this time and will present an updated list at the October 24<sup>th</sup> meeting.

Ms. Baker contacted the financial institutions that are designated depositories for the County to request interest rates on Certificates of Deposit. She chose three banks that had the best rates and made the following recommendations: Reinvest \$200,000 with Premier Bank by renewing two "12 month" CDs at the rate of 1.35% interest; Invest in three "13 month" \$100,000 CDs with FirstBank of Nebraska, Syracuse Branch at 1.35% and two "18 month" \$100,000 CDs with Arbor Bank at rate of 1.40%. Ms. Baker noted the CDs can be cashed in with little or no penalty if the funds are needed elsewhere. Commissioner Sornson made a motion, seconded by Commissioner Parsons to approve the CD investments with Premier Bank, FirstBank of Nebraska and Arbor Bank as recommended by the County Treasurer above. There being no further discussion, Chairman Freshman called for a



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vote. Voting aye were Commissioners Parsons, Speth, Freshman, Sornson and Hauptman. Nay – none. Motion carried.

## Bridge/Road Matters:

County Attorney Dave Partsch said two separate Petitions for Drainage Assistance were filed by Michael Cooper. Partsch said he and Jon Brinkman met with the landowner to discuss the drainage issues before the petitions were filed. Brinkman had scheduled to clean out the road ditches over a year ago, but the landowner wouldn't allow it. Cooper feels that he owns the ditch and half the road and wants the County to get his permission to work there. Brinkman has rescheduled to start the north project next year, but will have to acquire easements from neighboring landowners to do the work. Partsch said the statute regarding drainage assistance is vague; it is something that is not used very often. He recommended that the Board deny the petitions, noting that fixing the drainage problem is nothing more than regular road ditch maintenance. Commissioner Parsons made a motion, seconded by Commissioner Sornson to deny the Petitions for Drainage Assistance as filed by Michael Cooper and received August 26, 2017. 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.

The County has been negotiating with the Local 251 Union to renew the Collective Bargaining Agreement for the Road Department. County Attorney Dave Partsch said they came to a verbal agreement two months ago, but the employees never voted on it. They had agreed to a three year contract and a .25 per hour annual raise. Chairman Freshman said he would like to change the language of the section specifying the hours of work. Currently, it sets the 8 hour work days from September 1<sup>st</sup> through April 30<sup>th</sup> and 10 hour work days from May 1<sup>st</sup> through August 31<sup>st</sup>. He would like the flexibility to set the 8 or 10 hour work days without mandatory dates. Attorney Partsch said he found a few clerical errors and suggested some minor changes; however, the Union has not responded to his mark-ups. He recommended tabling any action until a clean and final draft is received.

County Attorney Partsch presented construction and easement agreements regarding a railroad crossing on the K Rd Extension from Hwy 50 to the Co-op Grain Handling Facility. OPPD, owner of the railroad line, will grant the County permission to construct a new at-grade public road crossing over a portion of the railroad tracks; all expenses to be paid by the County. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to approve and sign the construction agreement and easement that allows the County to construct a road crossing over OPPD's railroad tracks located on the K Rd Extension. 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.

Pursuant to State Statute 33-106.02, Chairman Freshman acknowledged receipt of the monthly report from the Clerk of the District Court certifying fee collections in the amount of \$45,049.94 for the month of September 2017. Said report will be filed in the County Clerk's Office.

Pursuant to State Statute 33-117 Chairman Freshman acknowledged receipt of the quarterly report from the County Sheriff denoting the amount of certain fees collected, from whom and for what service. The total amount received in the second quarter of the year was \$11,584.55.



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Chairman Freshman acknowledged receipt of the financial reports for quarter ending September 30, 2017, of the petty cash accounts held by Janene Bennett, County Clerk; Gregg Goebel, Emergency Management; Teresa Johnson, Child Support Officer; Jan Reed, Register of Deeds; Jim Gress, Sheriff; Dave Partsch, County Attorney; Janis Riege, Clerk of the District Court and Cindy Cich, County Court Magistrate. Said reports will be kept on file in the County Clerk's Office.

Lead Supervisor Jon Brinkman submitted the following project report:

- The deck has been poured on Project BRO (43) south of P-28
- The milling machine is on site for the old Hwy 2 overlay with intentions to begin work this week
- The East Crew has removed the bridge at D-38 and will replace it with twin 96"x43' culverts aka Project (537)
- The West Crew installed a culvert east of N-20 ask Project (597)
- Both crews continue to haul rock and blade roads as weather permits; they also are seeding roadsides and installing new road signs

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 9:10 a.m. The next regular meeting will be held on October 24, 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 10<sup>th</sup> day of October 2017.

Janene Bennett  
Otoe County Clerk