



Otoe County Board Minutes



February 27, 2018

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on February 27, 2018, 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 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.

Commissioner Sornson made a motion, seconded by Commissioner Hauptman 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.

Steve Cody, Deputy Emergency Management Director, presented proposed procedures for activating the Public Emergency Mass Notification Systems in Otoe County. This document is a guideline describing the process for notifying the public of an emergency situation such as child abductions, uncontrolled fire warnings, etc. Before an alert can be sent out, it must be approved by the jurisdiction's local governing body. Commissioner Parsons made a motion, seconded by Commissioner Hauptman to approve the proposed procedures for activating Public Emergency Mass Notification Systems in Otoe County. 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 made a motion, seconded by Commissioner Hauptman to authorize the County Treasurer to issue a tax refund in the aggregate amount of \$185.80 for taxes that were paid on four parcels owned by Tom Goeglin and to issue a tax refund in the amount of \$780.32 on a parcel owned by Terry Petersen. Both refunds resulted from TERC (Tax Equalization and Review



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Commissioner) orders adjusting their 2016 values. 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.

Former Veterans Service Officer, Sue Baumann, submitted a letter of recommendation to appoint Thomas Grooman to serve on the Otoe County Veterans Service Committee. He would fulfill the term of Mike Miller who has resigned and whose term did not expire until June 30, 2022. Commissioner Freshman made a motion, seconded by Commissioner Sornson to appoint Thomas Grooman as a member of the Otoe County Veterans Service Committee. 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 called for a recess at 8:43 a.m. At 8:45 a.m. the meeting resumed with all members being duly noted as present.

Chairman Freshman opened a public hearing to consider the approval of the Plat of Copper Meadow Subdivision located in the SW $\frac{1}{4}$ of NW $\frac{1}{4}$ of S7-T9-R9 as requested by Patrick Beans, Manager of Amandla LLC. Trevor and Kristi Dunkin were present who said they intend to build a house in this new subdivision. Surveyor Dave Schmitz said the lot has been approved for rural water hook-up; the driveway will come off of 190th Street. The plat was unanimously approved by the Planning Commission. There being no other comments, the public hearing was closed. Commissioner Sornson made a motion, seconded by Commissioner Parsons to authorize the Chairman to sign the Plat Map for Copper Meadow Subdivision, a 5.75 acre tract located in the SW $\frac{1}{4}$ NW $\frac{1}{4}$ S7-T9-R9; site location north of 5000 S 190th Street. 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 consider the approval of the Subdivision Plat of Bott Addition located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ S9-T9-R9 as requested by Aaron and Jennifer Bott. Dave Schmitz said a new house will be constructed on the north side of Hooper Creek. This 3.44 acre tract is being separated from a 58 acre parcel. The Botts will have to put in approximately 1000 feet of new water line to hook into the existing rural water line. The plat was unanimously approved by the Planning Commission. There being no other comments, the hearing was closed. Commissioner Hauptman made a motion, seconded by Commissioner Speth to authorize the Chairman to sign the subdivision plat map for Bott Addition located in the NE $\frac{1}{4}$ NW $\frac{1}{4}$ S9-T9-R9 as requested by Aaron and Jennifer Bott; site location on Hwy 43 directly west of 476 B Rd. 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.

Chairman Freshman opened a public hearing to hear comments regarding the issuance of a Conditional Use Permit as requested by Michael Hays of Burr Oak Lodge. The permit would allow him to construct an additional accessory building on an existing site where two other buildings were approved through a Conditional Use Permit in May 2017. Schmitz said Hays had to acquire 33 feet from a neighbor in order to meet the 30 foot set-back requirement, which will be filed in the Register of Deeds Office before a building permit is issued. Schmitz received one objection from a neighbor who complained of the noise created on an ATV track behind the buildings. There being no other comments, the hearing was closed. Commissioner Parsons made a motion, seconded by Commissioner Speth to approve the Conditional Use Permit as requested by Mike Hays for Burr Oak Lodge that allows him to construct an additional accessory building on his property located in the SE



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1/4 NW 1/4 and Part of the N 1/2 NW 1/4 S8-T9-R11; site location at 1445 N 3rd Rd. 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.

Bids were opened on February 23, 2018, in the presence of Commissioners Hauptman and Sornson and Highway Superintendent Jon Brinkman for the concrete paving of K Rd from the Midwest Farmers Co-op west to Hwy 50 aka Project (594). Five contractors submitted the following bids:

Contractor	Total Cost	Start / Completion Dates
TCW Construction, Lincoln	\$615,615.00	7-18-18 / 8-31-18
ME Collins Contracting, Wahoo	\$581,444.56	7-16-18 / 9-1-18
Constructors Inc, Lincoln	\$556,725.63	none / 9-1-18
Werner Construction, Hastings	\$529,737.61	7-18-18 / 9-1-18
Knife River Midwest LLC, Sioux City IA	\$481,802.94	7-17-18 / 9-1-18

Superintendent Brinkman said he was meeting with the Co-op tonight to discuss cost sharing of this project. He said the County Attorney is going to drawing up a contract that will specify the terms; therefore, he recommended that the bid award be tabled until contract negotiations are finalized.

Regarding Project STWD-CBMP(2): Brinkman explained that this is the only bridge match project approved by NDOT this year. It involves the removal of Bridge C006600415 west of Intersection B-8 and replacing it with a metal culvert. The County will buy the materials and install it; then the State will reimburse the County for 55% of the cost, which will include county labor. Commissioner Speth made a motion, seconded by Commissioner Sornson to sign Resolution 2-27-18-09 authorizing the Chairman to sign the Program Agreement with NDOT setting forth the various duties and funding responsibilities of both parties for Project STWD-CBMP(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.

At 9:00 a.m. Chairman Freshman opened the public hearing to hear comments regarding the proposed 1&6 Year Road Plan for 2018-2023. Superintendent Brinkman listed several major projects scheduled in the One Year Plan including: Project BRO-7066(29) located on N 60th Rd - construction to begin March 26th; Project (598) located east of P-32 - installation of a large culvert; Project (594) – concrete paving of K Rd from Midwest Farmers Co-op to Hwy 50; Projects (536) south of D-44 and (586) south of J-52 – both involve bridges being replaced with concrete box culverts; Project (579) north of G-2 – replacing a bridge with a box culvert; Projects (557) east of P-64 and (617) east of P-70 – constructing dam-type structures, including flow pipes; and Project (580) west of B-8 replacing the bridge with a metal culvert.

County Attorney Dave Partsch said he is working with Jim Beecham to get an access road to his property where his son intends to build a home. Therefore, he may have a potential project to add the One Year Plan at a later date. This property was deemed isolated in 1989 and a portion of the Herman and Viola Royal property was found to be the most reasonable public access to it. A resolution was adopted to create a 33 foot wide private road for the benefit of the Beechams with the stipulation that the County would not “open a public road over, across or though said public private road”. The second half of this road has never been vacated and is assumed to be a minimum maintenance road, but Brinkman will double check with NDOT to see how they have the road classified. It would be the Beechams responsibility to rock the portion of roadway that leads to their new home site. Jim Beecham said he just wants to connect the two portions of roadway to make it a minimum maintenance road, while being fair with his neighbor. There being no further discussion, Chairman Freshman closed the public hearing. Commissioner Sornson made a motion and seconded by Commissioner Hauptman to adopt Resolution 2-27-18-10 approving the One & Six Year Plan for



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2018-2023 as presented. 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.

Bids were opened on February 23, 2018, for the construction of two concrete box culverts known as Projects (536) located on 44th Road between D and E Roads and (586) located on 52nd Road between J and K Roads. Only two bids were submitted:

Contractor	Total Cost	Start / Completion Dates
ME Collins, Wahoo	\$457,903.29	8-16-18 / 10-15-18 for (536) 10-16-18 / 12-15-18 for (586)
Gus Construction, Casey IA	\$473,117.25	6-6-18 / 8-29-18 for both

Commissioner Hauptman made a motion, seconded by Commissioner Sornson to award the bid to ME Collins as the low bidder in the total amount of \$457,903.29. 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.

Superintendent Brinkman said there is not much construction going on; they remove snow and haul rock as needed and continue to perform shop and machinery maintenance.

Judd Allen, NACO representative, came before the Board to ask if they had any questions or concerns regarding the NACO health, dental or vision insurance plans. He anticipates that the BCBS premiums will increase again, but NACO has a pool for buying down premiums if need be. He endorsed the “Cash-in-lieu Program” as a good way to save premium money.

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 9:38 a.m. The next regular meeting will be held on March 13, 2018.

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 27th day of February 2018.

Janene Bennett
Otoe County Clerk