



# Otoe County Board Minutes



May 22, 2018

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on May 22, 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 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 Parsons 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 Hauptman to approve payment of the regular claims. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Speth, Freshman, Sornson and Hauptman. Commissioner Parsons approved all claims except the one submitted by Mueller Trenching which involves a criminal case that he is associated with as a Deputy Sheriff. Nay – none. Motion carried.

Jody York, Chief Probation Officer for District #2, came before the Board to explain the changes that will be occurring as a result of legislation that was adopted in April. Effective July 1<sup>st</sup>, Otoe County Court will be moved to County Court Judicial District #1. Since probation district boundary lines follow County Court Judicial District boundary lines, Otoe County will become a part of Probation District #1 which is based in Beatrice. The services will remain the same for adult and juvenile probation as before, including electronic monitoring and pre-sentencing investigations. There are currently 77 Otoe County residents under probationary supervision. Ms. York thanked the Board for their support over the years and introduced Jeremy Behrends as the Chief Probation Officer for District #1. He said he anticipates the transition from Probation District #2 to Probation District #1 will be seamless and is looking forward to the change.



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Commissioner Sornson said the County's phone system has been causing serious issues for the past few weeks by dropping voice mails and phone calls. The phone system is over 20 years old and can't be fixed since no parts are available. County Attorney Partsch said the County may waive the bidding requirements of the County Purchasing Act when a purchase is unique, when obtaining professional services or equipment or when a situation is deemed as an emergency. Commissioner Sornson made a motion, seconded by Commissioner Parsons to declare an emergency for purchasing a new phone system and to waive competitive bidding requirements so that the outdated phone system can be replaced as soon as possible. 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 the issuance of a Conditional Use Permit to Midwest Farmers Co-op, allowing the Co-op to install two 30,000 gallon propane storage tanks at 3176 K Road. Craig Schultz, Chief Operations Officer, said they already have 6 plants in southeast Nebraska from where they currently haul propane. By installing these two tanks at this location, they can provide more efficient service to their customers in the Syracuse area. Each plant is inspected annually by the State Fire Marshal and OSHA. All of their employees are trained in safety procedures and all truck drivers must have a CDL with a hazardous materials endorsement. They plan to install a chain link fence around the tanks. There being no other public comments, the hearing was closed. Commissioner Parsons made a motion, seconded by Commissioner Sornson to approve issuance of a Conditional Use Permit to Midwest Farmer's Co-op allowing them to install two 30,000 gallon propane storage tanks at 3176 K Road, Syracuse. 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.

Chairman Freshman opened a public hearing to hear comments regarding approval of the plat map for DeRoe Subdivision located in the NW  $\frac{1}{4}$  NW  $\frac{1}{4}$  of S17-T7-R10. Surveyor, Dave Schmitz, said Kenneth and Beverley DeRoe are separating 3 acres from their original farm that includes the house where his son will live and several farm buildings. There being no public comments, the hearing was closed. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign the plat map for DeRoe Subdivision as requested by Kenneth and Beverley DeRoe; site location at 1319 S 14<sup>th</sup> Rd. 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 opened a public hearing to hear comments regarding approval of the plat map for D&H Teten-Wellsandt Subdivision located in the SE  $\frac{1}{4}$  of S5-T7-R13 as requested by Diane Teten. Dave Schmitz said Ms. Teten is separating the home site from a 40 acre farm in order to sell the acreage to an interested buyer. The subdivision was unanimously approved by the Planning Commission. There being no public comments, the hearing was closed. Commissioner Sornson made a motion, seconded by Commissioner Parsons to authorize the Chairman to sign the plat map for D&H Teten-Wellsandt Subdivision as requested by Diane Teten; site location at 5125 N Rd. 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 proposed amendments to the Otoe County Zoning Regulations adopted January 10, 2017. Schmitz said a few minor changes were made at the Planning Commission meeting held on May 17<sup>th</sup> that were not included on the copies provided to the Commissioners last week. Therefore, he recommended that the Board table



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any action today and he will bring revised copies of the amendments to the next meeting for consideration to approve.

Vanessa Sherman and Lisa Chaney, representing Partners for Otoe County, explained that Heartland Family Service for Crisis Response & Mediation has requested to withdraw their contract with Otoe County, stating they did not receive as many referrals as expected. Ms. Sherman said they will transfer the dollars approved for this program to the truancy tracker program sponsored by Cedars; however, she will continue to explore other options as well. She wants to find another provider who offers family service programs that will divert juveniles from bad behavior and the court system. Commissioner Parsons made a motion, seconded by Commissioner Sornson to accept early termination of the contract with Heartland Family Service for Crisis Response & Mediation at their request, with an effective date of June 30, 2018. 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.

Ms. Sherman briefly reviewed the components of the Otoe County Juvenile Services Comprehensive Community 3 Year Plan that must be compiled and submitted in order to receive juvenile justice grants from the Crime Commission. The Plan includes demographic data, identifying organizational priorities, and corresponding strategies to attain their goals. Ms. Sherman said her primary goal is to work on the front end of the problem – meaning she likes to work with families to prevent juveniles from committing crimes or making bad choices. County Attorney Partsch commended Ms. Sherman and Ms. Chaney for doing a good job in putting the plan together. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to approve the Otoe County Juvenile Services Comprehensive Community Plan for years 2018-2021 as presented. 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.

Chief Deputy Mike Holland presented an interlocal agreement to enact Law Enforcement Mutual Aid and Assistance with Lancaster County. Captain Josh Clark with Lancaster County is initiating interlocals with bordering counties that will allow them to work together in controlling criminal activities. For example, there are instances when a criminal crosses county lines during a high speed chase. County Attorney Partsch approved the agreement as to content and form. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign an interlocal agreement with Lancaster County enabling both counties to provide mutual aid and assistance when handling law enforcement emergencies between the bordering counties. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioner Freshman, Sornson, Hauptman, Parsons and Speth. Nay – none. Motion carried.

Commissioner Sornson said the Road Department is replacing an 8 foot culvert with a smaller culvert on P Road between Roads 70 and 72. The smaller culvert will cause water to pool on property owned by Robert and Lorene Trail which is located in the SE 1/4 of S13-T7-R14, creating the need for a Ponding Easement. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign the Ponding Easement with Robert and Lorene Trail which allows the County to install, inspect and maintain the drainage project. 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 led a discussion regarding payroll periods and procedures. He proposed that county employees be paid every two weeks and that the County implement a paperless payroll



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system. Chairman Freshman suggested that a Payroll Committee be formed to conduct an employee survey and feasibility study and to research all possibilities before making any decisions.

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 9:28 a.m. The next regular meeting will be held on June 12, 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 22<sup>nd</sup> day of May 2018.

Janene Bennett  
Otoe County Clerk