



Otoe County Board Minutes



June 26, 2018

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on June 26, 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 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 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.

Vanessa Sherman, Otoe County Juvenile Diversion Coordinator, explained that the contract that was executed with CEDARS in April expires on June 30th, which is the end of their fiscal year. A renewal contract is needed with an effective term period of July 1, 2018 thru June 30, 2019. Ms. Sherman said she is very pleased with their truancy tracking program. Deputy County Attorney John Palmtag agreed; the program helps to get resources going quicker so that kids can get back on track without going to court. Commissioner Sornson made a motion, seconded by Commissioner Parsons to authorize the Chairman to sign a one year contract with CEDARS Youth Services who provide a Truancy Tracker for chronically absent youth as a means to divert them from the judicial or social services systems. 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.

Secondly, Ms. Sherman announced that Otoe County was awarded a Crime Commission Grant in the amount of \$56,754. The money will be used to fund Juvenile Diversion Programs. Commissioner



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Parsons made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign and accept the Grand Award, agreeing to all special conditions. There being no further comments, 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 the approval of River Ridge 3rd Subdivision located in the N ½ NE ¼ S25-T9-R13 as requested by Bruce Meyer, President of BC Meyer Homes Inc. Surveyor Dave Schmitz said two houses are currently in the process of being built, but now the developer needs to add another lot for a third buyer. He said the subdivision was approved by the Otoe County Planning Commission and an access road is being built to the three lots. There being no public comments, the hearing was closed. Commissioner Hauptman made a motion, seconded by Commissioner Parsons to authorize the Chairman to sign the plat map for River Ridge 3rd Subdivision as requested by Bruce Meyer, President of BC Meyer Homes Inc; Site location on E Road west of N 60th Road. 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 Herbert Wieckhorst Subdivision located in the NE ¼ SE ¼ S29-T8-R14 as requested by Harry Wieckhorst and Sherry Bitz, Co-Trustees of the Wieckhorst Family Trust. Schmitz said 3.08 acres are being separated from the 227 acre farm that includes the existing house and two outbuildings. The lot is being sold to Harry's daughter and son-in-law. There being no public comments, the hearing was closed. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign the plat map for the Herbert Wieckhorst Subdivision as requested by Harry Wieckhorst and Sherry Bitz, Co-trustees of the Wieckhorst Family Trust; site location at 6398 King Road. 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 the approval of Biere Subdivision located in the SW ¼ SW ¼ S9-T8-R13 as requested by Arlo and Diane Biere. Schmitz said the three acre tract includes an old farmstead. It has rural water hook-up and meets all setbacks and access requirements. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign the plat map for Biere Subdivision as requested by Arlo and Diane Biere; site location at 4215 I Road. 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.

Regarding approval of the Ullsperger Family Farm Subdivision located in the N ½ NW ¼ S33-T8-R13 as requested by David and Rhonda Ullsperger, Amy and Shane Allgood and Andrew and Micki Arthur: Schmitz said the owners decided to make minor changes to the boundary lines, so the Planning Commission tabled the matter at their June meeting. It will be resubmitted for approval at the July meeting. No action was taken.

Chairman Freshman opened a public hearing to hear comments regarding proposed amendments to the subdivision regulations that were adopted in January 2017. The Planning Commission conducted the first public hearing at their June 21st meeting. Schmitz furnished each Board Member with a copy of the proposed amendments. Schmitz said they pertain to small parcels containing three acres or less and replats resulting in three lots or less. The amendments would waive the need for pre-application conferences and engineered drainage plans that are required for larger subdivisions. He



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said the Planning Commission will hold their second public hearing next month; then he will seek final approval by the County Board at the July 24th meeting.

At 9:00 a.m. Chairman Freshman opened a public hearing regarding the application for a Class C Liquor License by Glacial Till Vineyard & Winery located at 344 S 2nd Road. Due to Liquor Control changing the classification of hard cider from a wine to a beer, the winery must obtain a Class C Liquor License to sell the hard cider. There being no other comments, the hearing was closed. Commissioner Sornson made a motion, seconded by Commissioner Speth to make a recommendation to the Liquor Control Commission to issue a Class C Liquor License to Glacial Till Winery and Vineyard. Voting aye were Commissioners Speth, Freshman, Sornson, Hauptman and Parsons. Nay – none. Motion carried.

Highway Superintendent Brinkman said the County entered into an original agreement with Felsburg Holt & Ullevig last year to conduct an environmental study for Project HRRR 7915(1). The road improvement project includes the realignment of a road and construction of a new bridge southwest of Palmyra. Supplement #1 of the original agreement increases the consulting fee by \$14,206.71 to compensate for the additional work needed to complete the required services. Brinkman said the County's share of this cost would be about \$900. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to sign Resolution 6-26-18-17 authorizing the Chairman to sign the Professional Services Agreement Supplement No. 1 with Felsburg Holt & Ullevig agreeing to the additional work and cost. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Freshman, Sornson and Hauptman. Commissioners Parsons and Speth abstained. Motion carried.

Regarding Project (557) located in the SW ¼ S16-T7-R14 east of P-64: Brinkman said the road crew is installing a slow release tube near property owned by Keith and Susan Lyon. Water will pool for a short period of time, resulting in the need for a Ponding Agreement. The Lyons have already signed the agreement; therefore, he is bringing it to the Board for county approval. Commissioner Sornson made a motion, seconded by Commissioner Parsons to sign a Ponding Agreement with Keith and Susan Lyon regarding Project (557) east of Intersection P-64. 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.

Jon Brinkman gave the following project report:

- The bulk of concrete is poured regarding the paving of K Road extension known as Project (594). Once complete, the roadway will need to be shouldered and seeded.
- The West Crew completed ditching Project (555) east of G-30 and have started a culvert replacement Project (598) east of P-32
- The East Crew completed several ditching and culvert replacements including Project (627) west of G-54; and miscellaneous projects north of D-48, south of R-47 and east of D-40. They replaced a 48" crossover culvert at O-60 and repaired a concrete culvert and patched black top on the Lewis & Clark Road
- They continue to haul rock and grade roads as part of routine maintenance countywide

The County Clerk reported that three budgets will require a fund transfer to meet their obligations for fiscal year 2018. Commissioner Parsons made a motion, seconded by Commissioner Sornson to adopt Resolution 6-26-18-18 transferring \$4,938.20 to the County Commissioner Budget; to adopt Resolution 6-26-18-19 transferring \$718.30 to the County Clerk Budget and to adopt Resolution 6-26-18-20 transferring \$2,947.41 to the County Treasurer Budget. Funds will be transferred from the



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Miscellaneous Budget – all within the General Fund. 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.

It is the County's responsibility to provide care and safekeeping to certain acutely mentally ill individuals who are under the County's lawful authority pursuant to Nebraska State Statutes. Region V Systems has provided such care for the past several years, but the agreement must be renewed annually. There will be no increase in rates, so the cost per day remains a \$191.00. Deputy County Attorney, John Palmtag, said the psychiatric services are valuable and necessary for people who are not criminals, but need to be stabilized when they threaten harm to themselves or others. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to sign and renew the Agreement for EPC (Emergency Protective Custody) Services between Region V Systems and Otoe County. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Parsons, Freshman, Sornson and Hauptman. Commissioner Speth abstained. Motion carried. The duration of this agreement is effective July 1, 2018 through June 30, 2019.

Commissioner Hauptman made a motion, seconded by Commissioner Sornson to cancel check #18060061 in the amount of \$10.00. The check was written to cover court costs in Brookings Circuit Court, but was returned when the court waived the fee. 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.

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 9:15 a.m. The next regular meeting will be held on July 10, 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 26th day of June 2018.

Janene Bennett
Otoe County Clerk