



# Otoe County Board Minutes



July 24, 2018

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on July 24, 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 Hauptman 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 Parsons 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 Parsons, Speth, Freshman, Sornson and Hauptman. Nay – none. Motion carried.

Tom Farrell with Miller-Monroe-Farrell Insurance Company came before the Board to review the County's general liability and workers compensation insurance policies. He noted the total premium decreased about \$20,000 from last year. He said he negotiated with Berkshire Hathaway to keep the same coverage while holding down the cost for premiums. He also attributed additional savings to the reduction of workman's comp claims. For the past few months, Farrell has worked with elected officials to update the "statement of values" and found that the building contents were significantly underinsured. He will continue to work with the Sheriff's Department and Emergency Management to determine values for their new and/or underinsured equipment.

Chairman Freshman opened a public hearing to hear comments regarding approval of the plat map for Ullsperger Family Subdivision located in the N 1/4 SW 1/4 S33-T8-R13 as requested by David and Rhonda Ullsperger, Amy and Shane Allgood, and Andrew Ullsperger and Micki Arthur. Surveyor Dave Schmitz said the family is separating 4.05 acres (that includes the house and outbuildings) from a 20 acre parcel. There being no other comments, the hearing was closed. Commissioner Parsons



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made a motion, seconded by Commissioner Sornson to authorize the Chairman to sign the plat map for Ullsperger Family Farm Subdivision as requested by David and Rhonda Ullsperger, Amy and Shane Allgood, and Andrew Ullsperger and Micki Arthur; site location at 5268 L Road. Chairman Freshman called for a vote. Voting aye were Commissioners Speth, Freshman, Sornson, Hauptman and Parsons. Nay –none. Motion carried.

Schmitz said the Planning Commission unanimously approved the proposed amendments to the Otoe County Subdivision Regulations that were adopted in January of 2017. He said the amendments were reviewed by a consultant who agreed to the minor changes that will alleviate some of the issues with smaller subdivisions. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to authorize Chairman Freshman to sign Resolution 7-24-18-28 adopting amendments to Article 1: Title, Purpose and Definitions; Article 2: General Provisions; and Article 3: Procedures of the Otoe County Subdivision Regulations. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Freshman, Sornson, Hauptman, Parsons and Speth. Nay – none. Motion.

Schmitz explained the need for board approval of a conservation and preservation agreement being filed by the Wachiska Audubon Land Management LLC as the Grantor and the Wachiska Audubon Society, a Nebraska non-profit corporation as the Grantee. According to State Statute 76-2, 112 this type of easement shall be approved by the appropriate governing board to minimize conflicts with land-use planning. Schmitz said the agreement was reviewed and approved by the Otoe County Planning Commission as well. Since a legal entity cannot both hold and own a conservation easement on the same tract of real estate, the Wachiska Audubon Land Management LLC was named the “owner of record” and is granting an easement to the Wachiska Audubon Society. The purpose of conveyance of this easement to the nonprofit corporation is to assure that if future generations of Audubon members determine that owning and managing real estate is not in the organization’s best interests, this property will be preserved forever in its natural condition as a native tallgrass prairie. Commissioner Speth made a motion, seconded by Commissioner Parsons to adopt Resolution 7-24-18-29 accepting the conservation and preservation easement filed by Wachiska Audubon Land Management LLC on a tract of land located in the NW 1/4 of the NW 1/4 of S15-T8-R10 in Otoe County. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Sornson, Hauptman, Parsons and Speth. Nay – none. Motion carried.

Janet Reed, Register of Deeds, reported that she has had the current printer/plotter in her office since 2009. The lease agreement has expired and she can no longer get good maintenance service. She obtained a quote from Capital Business Systems for a new machine that will cost \$170 a month to lease plus \$75 a month for a service and supply agreement. She is currently paying \$370 a month for the outdated machine. Commissioner Freshman made a motion, seconded by Commissioner Sornson to approve the Installation & Integration Agreement with Capital Business Systems for the installation of a Canon Printer/Plotter in the Register of Deeds Office at the quoted fee of \$245 per month. 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.

On July 12, 2018, bids were opened and publically read for the purchase of materials required to construct corrugated metal pipes with steel headwalls and wingwalls. Those present were Commissioner Freshman, Engineer Mark Mainelli, Highway Superintendent Jon Brinkman and representatives from the three vendors who submitted the following bids:

Vendor	Amount	Delivery
Contech Engineered Solutions, Lincoln	\$295,553.00	8-16 weeks per project



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Ace/Eaton Metals, Kearney	\$295,870.20	12-22 weeks
Metal Culverts, Jefferson City MO	\$366,394.00	8-14 weeks

The materials will be used for Project C-66(580) located west of B-8 in Otoe County and six additional projects located in Saunders, Nemaha and Cass Counties. These projects are a part of the County Bridge Match Program Round 2 (CBMP)(2) whereby all expenses are funneled through Otoe County. The State will reimburse 70% of the total bid to Otoe County; then Otoe disburses to the other three counties. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to award the bid to the low bidder, Contech Engineered Solutions, in the amount of \$295,553.00 that includes materials for seven projects listed in Round 2 of the County Bridge Match Program. The total cost for the Otoe County project alone is \$61,176. Of that amount, Otoe County will get reimbursed approximately \$50,248.00, which includes compensation for installation by the county road crew. 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.

Superintendent Brinkman said all projects from the County Bridge Match Program Round 1 have been completed. A “Completion Agreement” must be submitted in order for the County to receive the final reimbursement. Commissioner Hauptman made a motion, seconded by Commissioner Sornson to adopt Resolution 7-24-18-30 declaring that all projects listed in the STWD-CBMP(1) Program have been satisfactorily completed. 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.

Greg Kreifels, on behalf of Dunbar Rural Fire District, came before the Board to question when the low water crossing west of H-46 would be repaired and reopened. He said it has been closed since June of 2016. Brinkman replied that he has scheduled this project for September/October. He likes to get projects requiring dirt work done while the weather is dry. He will use rock for compaction of the LWC project and there is less chance of heavy rains in the fall that could hinder work if done during the summer. The pipes have already been purchased; it should take two weeks to complete once they get started. A brief discussion ensued regarding the use of scarifiers when grading county roads. Comments were made by Greg, Dennis and Tom Kreifels.

Superintendent Brinkman submitted the following report:

- The paving of K Rd extension is complete; however, the contractor still needs to grind a few rough spots and paint stripes before opening the road.
- West crew completed Project (598) – a culvert replacement west of P-32
- East crew working on culvert replacements west of L-62 and west of G-38

Chairman Freshman acknowledged receipt of the Distress Warrant Report submitted by the County Sheriff, indicating a total of \$25,056.21 unpaid personal property taxes as of June 30, 2018.

Effective July 19, 2018, Otoe County District Court was reassigned to the First Judicial District of the State of Nebraska. As Judge Julie Smith will preside over the District Courts of Otoe, Nemaha and Richardson Counties, she will bring her District Court Bailiff to assist. An interlocal agreement has been drawn up to split the cost of the bailiff among the three counties, based on caseloads. It also referred to a \$20 per hour rate of pay for FY19. Otoe County will be responsible for 48% of the total cost; Richardson County 35%; and Nemaha County 17%. Commissioner Sornson made a motion, seconded by Commissioner Hauptman to authorize the Chairman to sign the Interlocal Agreement with Nemaha and Richardson Counties agreeing to the cost proportions allocated to each county for bailiff services. There being no further discussion, Chairman Freshman called for a vote. Voting aye



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were Commissioners Freshman, Sornson, Hauptman, Parsons and Speth. 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 9:16 a.m. The next regular meeting will be held on August 14, 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 24<sup>th</sup> day of July 2018.

Janene Bennett  
Otoe County Clerk