



Otoe County Board Minutes



August 14, 2018

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on August 14, 2018, 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 Hauptman, Commissioner Parsons and Commissioner Speth. Commissioner Sornson was 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 Parsons to accept the agenda as posted. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Freshman, Hauptman, Parsons and Speth. Nay – none. Motion carried.

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

Having reviewed the regular claims in advance of this meeting, Commissioner Hauptman 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 and Hauptman. Nay – none. Motion carried.

Joy Schroder, spokesperson for the Otoe County Veterans Service Committee, said they are recommending that Chad Miller be appointed as the new Veterans Service Officer. The current Officer, Leslie Durr, has resigned to take on a new position with the State. Dave Ramold, another member of the Veterans Service Committee, said he found that the average salary for a Veterans Officer is \$50,000 plus and hoped that the County will consider paying wages closer to the average. Ms. Durr introduced Mr. Miller who is available to assume the position on August 20th. Commissioner Hauptman made a motion, seconded by Commissioner Speth to appoint Chad Miller as the Otoe County Veterans Service Office effective August 20, 2018. Ms. Durr will spend next week training Mr. Miller, but her final work day will be August 24th. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Speth, Freshman, Hauptman and Parsons. Nay – none. Motion carried.

Last week, personnel from the State Auditor's Office conducted the annual financial audit for Otoe County. It was discovered that \$1700 was receipted into the General Fund and should have gone into the Diversion Fund. Since the error was made in the prior fiscal year, they advised the County Treasurer to get board approval to correct it. Therefore, Commissioners Parsons made a motion, seconded by Commissioner Speth to grant County Treasurer, Nicki Baker, permission to transfer funds from the General Fund into the Diversion Fund as the means for correcting a clerical error that



Otoe County Board Minutes



was made in March. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Freshman, 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 \$45,088.71 for the month of July 2018. Said report will be filed in the County Clerk's Office.

Commissioner Parsons made a motion, seconded by Commissioner Hauptman to cancel check #18070194 in the amount of \$136.65 due to double payment. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Hauptman, Parsons, Speth and Freshman. Nay – none. Motion carried.

County Attorney, Dave Partsch, explained the reason why Kane County Utah has filed a lawsuit against the U.S. Government for not paying the appropriate portion of "in-lieu taxes" in accordance with a statutory formula. He said the U.S. Court of Federal Claims has certified this lawsuit to be a Class Action lawsuit which allows other local governments to join in the pursuit of reclaiming money that the federal government owes them without having to file individual lawsuits. The shortages occurred in the fiscal years of 2015, 2016 and 2017. Even though Otoe County's portion may be small, Mr. Partsch recommended that Otoe County join the Class Action lawsuit to receive a settlement of funds. Commissioner Hauptman made a motion, seconded by Commissioner Parsons to authorize the Chairman to sign the "Class Action Opt-In Notice Form" declaring Otoe County's intent to participate in the Class Action lawsuit of Kane County, Utah v. United States Case Nos. 17-739C and 17-199C (Consolidated); said notice to be submitted by the County Attorney on behalf of Otoe County. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Parsons, Speth, Freshman and Hauptman. Nay – none. Motion carried.

Barb Otto, a resident of Holt County, Nebraska, said she accepted a challenge from a lady in California three years ago and volunteered to visit the 93 counties in Nebraska to encourage them to prominently display the national motto in every courthouse. She noted that on July 30, 1956 during President Dwight D. Eisenhower's administration, the U.S. Congress adopted "In God We Trust" as the national motto for the United States of America. Thus, displaying our motto is a legal right protected by the first amendment. She said each county determines the type of sign used to display the motto – she has seen them made from vinyl, wood and metal. Most signs are paid for using individual donations rather than tax dollars. County Attorney Partsch suggested that the Board form a committee of 2 to 3 people who should determine the location and type of sign to display. Commissioner Parsons made a motion, seconded by Commissioner Hauptman to sign a resolution supporting the display of the National Motto "In God We Trust" in a prominent location in the Otoe County Courthouse. There being no further discussion, Chairman Freshman called for a vote. Voting aye were Commissioners Speth, Freshman, Hauptman and Parsons. Nay – none. Motion carried.

Josie Kassube worked as an intern in the County Attorney's Office this summer collecting data as part of the "Stepping Up Initiative" – a movement to aid counties in dealing with jail inmates who struggle with mental illness. She compiled a power point presentation using information obtained from jail booking sheets that is self-reported. About 20% admitted to a problem with mental illness upon booking. Additional data included types of substance abuse, usage frequency, percentages of users, and types of medications prescribed. She noted 26% admitted to inflicting harm to themselves or attempting suicide. Statistics show that these inmates remain in jail 2-3 times longer than those without these problems. County Attorney Partsch recommended that the County promote and develop programs to treat inmates with mental illness. Without proper treatment, they become part of



Otoe County Board Minutes



a vicious cycle who tend to re-offend, resulting in more jail time. Providing treatment for mental illness and rehabilitation for those with addictions should save the County money in the long run. County Attorney Partsch also noted that Josie's internship was funded by a \$5000 grant from Healthy Minds of Southeast Nebraska through CHI Health St. Mary's Hospital.

Highway Superintendent Jon Brinkman submitted the following report:

- Paving is complete on K Rd extension - road is now open for traffic
- Bridge north of G-2 has been removed; they are getting ready to pour the floor of a new box culvert [known as Project (616)]
- Contractor has cleared trees and dug down to old box culver east of P-64 [known as Project (557)]
- Old culvert was removed and road has been back filled east of P-70 [known as Project (617)]
- West crew completing projects north of P-16 and south of P-14
- East crew completing ditching projects south of K-68 and west of R-62; completed a culvert replacement east of F-54

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 August 28, 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 14th day of August 2018.

Janene Bennett
Otoe County Clerk