



Otoe County Board Minutes



July 23, 2019

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on July 23, 2019, to audit and sign payroll 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, Jerad Sornson. Answering present at roll call were Commissioner Sornson, Commissioner Parsons, Commissioner Freshman, Commissioner Speth and Commissioner Thurman; none absent.

Chairman Sornson informed the public in attendance that a current copy of the Open Meetings Act is posted on the wall. Additional copies are available upon request.

Commissioner Freshman made a motion, seconded by Commissioner Parsons, to accept the agenda as posted. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Sornson, Parsons, Freshman, Speth, and Thurman. Nay – none. Motion carried.

Commissioner Parsons made a motion, seconded by Commissioner Freshman 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 Sornson called for a vote. Voting aye were Commissioners Parsons, Freshman, Speth, Thurman and Sornson. Nay – none. Motion carried.

Having reviewed the regular claims in advance of this meeting, Commissioner Freshman made a motion, seconded by Commissioner Thurman, to approve payment of the regular claims. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Freshman, Speth, Thurman, and Parsons. Commissioner Sornson approved all claims, abstaining any claims to Johnny's Cycle. Nay – none. Motion carried.

Commissioner Parsons made a motion, seconded by Commissioner Speth to audit and sign payroll claims. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Speth, Thurman, Sornson, Parsons and Freshman. Nay – none. Motion carried.

Commissioner Sornson opened a public hearing to hear comments regarding the subdivision plat of Johnson Gas & Go Subdivision located in the W ½ of the VW ¼ of S12- T9N-R13E as requested by James J. Johnson, President of Johnson Gas & Go, Inc. and Carl E. Stukenholtz and Kay L. Stukenholtz. The site is located at 1430 N 58th Rd. David Schmitz, Otoe County Surveyor and Zoning Administrator, stated that Jim Johnson is purchasing the ground from Carl and Kay Stukenholtz. The ground will be used for adding tank(s) and for future planning of growth/expansion. Commissioner Thurman made a motion, seconded by Commissioner Freshman, to approve the subdivision plat. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Thurman, Sornson, Parsons, Freshman and Speth. Nay none. Motion carried.

Commissioner Sornson opened a public hearing to hear comments regarding a vacation plat of Lot 2B, Beckman Subdivision, a 4.01+- acre tract located in the W ½ of the NW ¼ of S30-T9N-R10E as requested by Harry L. Chaffin and Karin J. Chaffin. The site is located at 840 N 12th Rd. Mr. Schmitz stated that the land was subdivided 5+ years ago. The landowners are requesting to vacate the subdivision and return the land back to the farm as they are unable to get water to the property and it could be over 10 years until there could be water hookup. Commissioner Parsons made a motion, seconded by Commissioner Speth, to approve the vacation plat. Being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Sornson, Parsons, Freshman, Speth and Thurman. Nay – none. Motion carried.



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Commissioner Sornson opened a public hearing to hear comments regarding an application for a conditional use permit for an outdoor recreational facility and campground/RV park located on a 61.58+- acre tract in the S ½ of the SE ¼ of S15-T8-R9E as requested by Tyson Franzen. The site is located at 278 S 8th Rd. Mr. Schmitz stated that the property is in a TA1 (transitional ag)

District and is mostly farming and residential. He felt that a permit is needed as campers pay a fee to stay on the property. Mr. Franzen stated that there is a site similar to Airbnb, but for camping and is used for travel and short-term rentals. LB 628 was discarded and signed as LB57. The new bill included the authority for cities, municipalities, townships and villages, but omitted the verbiage for counties. He said the State is in favor of keeping this type of activity as it is good for tourism. Mr. Franzen does not feel that this activity falls under the current RV park stipulations and feels the cost of the conditional use permit is steep for the small use. He would like to work with the State and County to update the regulations. A current regulation would require a driveway to be moved and concreted. Dan Hodges, Otoe County Planning Board Member, was present and stated that the board made the decision to deny the conditional use permit due to the current regulations not being met. He would like to work with Mr. Franzen on updating the regulations for this new type of business. Jenniffer Panko-Rahe, Otoe County Attorney, stated that the classification of campground best fits at this time. She indicated some of the requirements listed in section 8.04 of the Otoe Co. Zoning regulations are potable water, restrooms and electrical outlets. At this time, she feels that too many requirements are not being met and would not recommend the approval of the conditional use permit. Mr. Franzen indicated that the campers have access to a hose for water and there are two porta pots on the property for the campers use. He also stated that there is insurance available through and paid for by Airbnb/Hip camp sites and if this property is deemed to be an RV park, that will not be available and they would need to purchase insurance. Mr. Schmitz stated that if the new bill passes to include counties for this type of activity, he would recommend the property to be classified in the flex district. There was discussion that the regulations and requirements will need to be updated for this type of business. Commissioner Parsons made a motion, seconded by Commissioner Freshman, to deny the application for conditional use permit. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Parsons, Freshman, Speth, Thurman and Sornson. Nay – none. Motion carried.

Jessica Jones, Council President of Five Rivers RC & D, Inc., submitted a letter requesting sponsor dues in the amount of \$3,000 for Fiscal Year 2019-2020. The amount is the same as the previous year. Commissioner Freshman made a motion, seconded by Commissioner Parsons, to approve the dues request in the amount of \$3,000.00. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Freshman, Speth, Thurman, Sornson and Parsons. Nay – none. Motion carried.

Jon Brinkman, Highway Superintendent, explained an agreement with Nebraska Department of Transportation to conduct inspections of fracture critical bridges in Otoe County. There are eighteen structures listed on the agreement. Mr. Brinkman noted that one of the bridges, C006614120, was closed prior to the inspections and one bridge, U169516315, is property of the City of Nebraska City. The total cost of the project is estimated at \$31,729.85, with the County portion of 20% being \$6,345.97. Commissioner Parsons made a motion, seconded by Commissioner Freshman, to approve and authorize the Chairman to sign the agreement and Resolution #7-23-19-14 with the exception of the two structures noted by Mr. Brinkman. Being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Speth, Thurman, Sornson, Parsons and Freshman. Nay – none. Motion carried.

Commissioner Freshman made a motion, seconded by Commissioner Parsons, to declare a 1998 Mack Truck Tractor, Model #CH600/613 and a 2003 Corn Belt Trailer, Model #S-4403 as surplus. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Thurman, Sornson, Parsons, Freshman and Speth.

Commissioner Parsons made a motion, seconded by Commissioner Thurman, to approve and authorize the Chairman to sign Resolution #7-23-19-15 authorizing Jon Brinkman to advertise and sell the 1998 Mack Truck Tractor and Corn Belt Trailer as surplus. It was discussed that the items are compatible and that the items will be advertised separately. There being no further discussion, Chairman Sornson called for a vote. Voting aye were Commissioners Sornson, Parsons, Freshman, Speth and Thurman. Nay – none. Motion carried.



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Highway Superintendent, Jon Brinkman, reported updates on several projects:

Project (55), located at G & 60 North – the guardrail is installed, will need to seed & rock; Project (586), located at J & 52 South – waiting on contractor. The East Crew has been cleaning ditches, backfilling, repairing & replacing culverts and removing debris. The West Crew has been backfilling and replacing culverts. Both crews have been blading and hauling rock.

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 Sornson declared this meeting adjourned at 9:14 a.m. The next regular meeting will be held on August 13, 2019.

I, Jennifer Bassinger, 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 23rd day of July 2019.

Jennifer Bassinger
Otoe County Clerk