



# Saline County Board Minutes



## SALINE COUNTY BOARD OF COMMISSIONERS

The regular meeting of the Saline County Board of Commissioners was called to order at 9:32 a.m. on Tuesday, June 26<sup>th</sup>, 2018, by Chairperson Marvin A. Kohout. Present were Kohout, Janet J. Henning, Russ Karpisek, Willis D. Luedke and Stephanie A. Krivohlavek, Commissioners, County Clerk Daryl Fikar, and Administrative Assistant Tim McDermott. County Attorney Tad Eickman was present between court commitments.

Notice of said meeting was posted in the County Clerk's Office, on the Saline County Website, and published in all three County newspapers prior to the meeting, in compliance with State Statutes.

Let the record show that all proceedings are electronically recorded.

Kohout advised those present of the open meetings law posted at the back of the room.

Krivohlavek moved to approve the agenda with the addition of a personnel issue and a general assistance request in Executive Session, seconded by Karpisek. Voting aye were Luedke, Kohout, Karpisek, Henning and Krivohlavek, nays none, motion carried.

Luedke moved to approve the minutes of the June 12<sup>th</sup>, 2018 regular meeting, seconded by Henning. Voting aye were Henning, Luedke, Kohout, Krivohlavek, and Karpisek, nays none, motion carried.

Under Citizens Forum, Pam Wakeman of Crete was present to provide information, description, and concerns that she has about a proposed chicken feedlot at 13350 West Wittstruck Road in Lancaster County, which is just over one-half mile from the Lancaster/Saline County line. The application was heard by the Lincoln-Lancaster Planning Department on June 20<sup>th</sup>, with a decision deferred to another meeting on July 18<sup>th</sup>. Ms. Wakeman is concerned mainly due to the economic and health impact on the area and citizens around the proposed feedlot and on the valuation of land and homes in the immediate area as well as wear and tear on the roads along the proposed route of the trucks that will be hauling chickens, feed and manure. She asks that the Board of Commissioners investigate her concerns and express any doubts that they have involving the feedlot to the Lincoln-Lancaster County Planning Department. Following Ms. Wakeman, Ken Tesar of rural Lancaster County also expressed his concerns that the benefits of the feedlot would be outweighed by the adverse effects.

Under correspondence, Fikar reported receiving the May 20<sup>th</sup> meeting minutes of the Saline County Historical Society, the May 17<sup>th</sup> meeting minutes and June 21<sup>st</sup> meeting agenda from 5 Rivers RC&D, the June 11<sup>th</sup> meeting minutes of the Regional Governing Board, a notice from the Nebraska Emergency Management Agency that the deadline for the 5 year modification of the Local Emergency Operation Plan is July of 2019, a notice from the Saline County Attorney's Office of tax foreclosure sales, the annual report from G&P Development, the April 17<sup>th</sup> meeting minutes, June 19<sup>th</sup> agenda, June CEO report and March-May news clippings, all from Blue Valley Community Action, a \$1,300 check from Lancaster County as reimbursement for a burial assistance that was paid by Saline County for a Lancaster County resident, a \$231.84 check from Metlife as an insurance dividend refund, a \$10.00 check from Bandwidth.com and a \$5.00 check from Hughes Networks, both for 911 surcharges.

At 9:51 a.m., Randy Jones, Executive Director of Aging Partners presented their annual report and budget request, followed by Aging Services Director Lori Moldenhauer and Aging Services client Georgia Walter, who both reported on the services offered by the local Aging Services Office.

At 10:13 a.m., Ryan Pootz of Eagle View presented their Pictometry software again, offering their Q2 (second calendar quarter) incentive, stating that his company is offering 3-inch image resolution for the original offered price of 9-inch image resolution, saving the County approximately \$22,000.00. After discussion, the Board requested that the contract be amended to include language that would let the County out of the contract should the budget not allow for the expense. Krivohlavek moved to approve the contract, contingent upon the amended language being deemed acceptable, seconded by Henning. Voting aye were Henning, Luedke, Kohout and Krivohlavek, voting nay, Karpisek, motion carried.

At 10:42 a.m., Blue Valley Behavioral Health Executive Director John Day was present to give their annual update and budget request. The request will be considered when the budget is up for approval.

At 10:46 a.m., Kohout announced that the Board would take a short recess.

At 10:55 a.m., Kohout announced that the Board would reconvene.



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Planning and Zoning Administrator Lyle Weber presented three applications for conditional use permits from APEX Clean Energy to erect meteorological towers. The first application is on property in the SW  $\frac{1}{4}$  of section 30-5-2 near the intersection of County Roads 700 and X, owned by Douglas and Sheila Garrison. Henning moved to approve the application, seconded by Krivohlavek. Voting aye were Luedke, Kohout, Krivohlavek, Karpisek and Henning, nays none, motion carried.

The next application is on property in the NW  $\frac{1}{4}$  of section 13-5-1 near the intersection of County Roads 600 and U, owned by Larry and Roger Haake. Karpisek moved to approve the application, seconded by Krivohlavek. Voting aye were Karpisek, Henning, Luedke, Kohout and Krivohlavek, nays none, motion carried.

The third application is on part of the NE  $\frac{1}{4}$  of section 32-5-1 near the intersection of County Roads 300 and X, owned by G&K Holtmeier. Henning moved to approve the application, seconded by Karpisek. Voting aye were Kohout, Krivohlavek, Karpisek, Henning and Luedke, nays none, motion carried.

At 10:59 a.m., Henning moved to open the public hearing to consider testimony for and against approving the new Planning and Zoning Regulations and Comprehensive Plan. Luedke seconded the motion. Voting aye were Henning, Luedke, Kohout, Krivohlavek and Karpisek, nays none, motion carried.

Present from Hanna:Keelan Associates was Keith Carl, who explained that the major changes to the regulations and comprehensive plan consisted of regulations pertaining to wind and solar power generation. The change concerning wind generation is the increase of set-back distance, changing from 1,000 feet to 1,200 feet from any building that is intended to be occupied by human beings. Member of the public Jack Sukovaty spoke, stating that he believes that there is a disconnect in the regulations, comparing the set-back between livestock operations and wind generation towers. He states that the larger the confined operation, the greater distance to the set-back. He believes that the same should be true for wind generation towers, meaning the taller the tower, the greater set-back distance should be required. His recommendation would be that the set-back distance for wind generation towers be one half mile.

Speaking next was Dennis Broz, who expressed his concern that wind farms will interfere with aerial spraying operations. He states that the towers present obstacles and danger for pilots, and would increase the cost of spraying due to an increased number of passes that the pilot would have to make to cover the same amount of ground. He also believes that the set-back distance should be one-half mile.

Next up were David and Jacklyn Bishop, who stated that they believe that Saline County is becoming too commercialized and should make their regulations more restrictive to keep the County more rural and family friendly.

Dave Savage of APEX Clean Energy spoke to some of the concerns, stating that the windfarms are well aware of the concerns of sprayer pilots, and work with them to curtail turbine operations during the time when spraying is occurring, also that the lighting on the top of the turbines will be activated by aircraft transponders, so they are not constantly operating, and that the towers are limited in height due to the proximity of the Lincoln airport.

Larry Brydl addressed the Board, stating that he believes that farmland should be kept as farmland and not developed, but he realizes that, eventually, we must use wind and the sun to generate electricity, as fossil fuels will eventually become scarce.

Daryl Hayek informed the Board that wind power companies will not allow their workers to approach an operating wind tower within 1,375 feet, so he believes a fair set-back would be 1,400 feet.

Keith Carl stated that he believes that a 1,200 foot set-back is a good fit for Saline County.

At 11:35 a.m., Luedke moved to close the public hearing, seconded by Henning. Voting aye were Krivohlavek, Karpisek, Henning, Luedke and Kohout, nays none, motion carried.

Luedke moved to approve the final draft of the Planning and Zoning Regulations and Comprehensive Plan, seconded by Krivohlavek. Voting aye were Luedke, Kohout, Krivohlavek and Henning, voting nay, Karpisek. Motion carried.

Southwest Nebraska Adult Drug Court Coordinator Amanda VanAsperen presented the annual report and budget request, informing the Board that, during the past year, the program has had a 91% success rate, that



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they have learned that there is a definite relationship between mental health and drug addiction, and that she was somewhat surprised to learn that a recent trend in the misuse of prescription drugs by 20-24 year-olds.

VanAsperen then presented the interlocal agreement between Saline County and the Southeast Nebraska Adult Drug Court. Krivohlavek moved to approve the agreement, seconded by Henning. Voting aye were Henning, Karpisek, Luedke, Kohout and Krivohlavek, nays none, motion carried.

At 11:46 a.m., Assistant Highway Superintendent Bill Slezak announced that, after studying the gravel bids, he recommends that the Board accept all bids. Luedke moved to accept the recommendation, seconded by Henning. Voting aye were Kohout, Krivohlavek, Karpisek, Henning and Luedke, nays none, motion carried.

Slezak made the recommendation for crushed rock purchases, advising the Board to accept all bids. Henning moved to accept the recommendation, seconded by Luedke. Voting aye were Krivohlavek, Karpisek, Henning, Luedke and Kohout, nays none, motion carried.

Slezak made his recommendation for culvert purchases, advising the Board to accept all bids. Karpisek moved to accept the recommendation, seconded by Luedke. Voting aye were Karpisek, Henning, Luedke, Kohout and Krivohlavek, nays none, motion carried.

Slezak then presented a request to occupy right-of-way from Zito Media to bury electric cable/utility line at the intersection of Highway 103 and County Road H. Henning moved to approve the request, seconded by Luedke. Voting aye were Kohout, Krivohlavek, Karpisek, Henning and Luedke, nays none, motion carried.

Slezak then presented to the Board a contract with the Nebraska Department of Transportation to perform fracture critical bridge inspections. He informed them that Saline County's share of the cost of \$3,573.74 will be paid from soft match funds, so it will not be a burden on the County.

Henning moved to approve Resolution #2018-38, authorizing the Board Chairman to sign the fracture critical bridge inspection agreement. Motion was seconded by Luedke. Voting aye were Henning, Luedke, Kohout, Krivohlavek and Karpisek, nays none, motion carried.

Karpisek moved to approve the agreement with the Nebraska Department of Transportation for fracture critical bridge inspections, seconded by Henning. Voting aye were Krivohlavek, Karpisek, Henning, Luedke and Kohout, nays none, motion carried.

Slezak informed the Board that the County had received approximately \$237,000 from FEMA for disaster reimbursement and approximately \$410,000.00 from the City of Crete as reimbursement for the west 13<sup>th</sup> Street bridge project.

At 11:56 a.m., Krivohlavek moved to enter Executive Session, seconded by Karpisek. Voting aye were Henning, Luedke, Kohout, Krivohlavek and Karpisek, nays none, motion carried. Kohout announced that, during closed session, the Board would be discussing general assistance application #2018-01, burial assistance application #2018-05 and a personnel issue.

At 1:05 p.m., Henning moved to exit Executive Session, seconded by Krivohlavek. Voting aye were Krivohlavek, Karpisek, Henning, Luedke and Kohout, nays none, motion carried. Kohout announced that, during closed session, the Board discussed general assistance application #2018-01, burial assistance application #2018-05 and a personnel issue and no action was taken.

Henning moved to approve general assistance application #2018-01 in the amount of \$464.00, seconded by Krivohlavek. Voting aye were Luedke, Kohout, Krivohlavek, Karpisek and Henning, nays none, motion carried.

Under report of officials, Henning reported that she attended a Blue Valley Community Action Board meeting on June 19<sup>th</sup>, where they celebrated Executive Director Rick Nation's retirement, and a joint meeting with the Crete City Council on June 14<sup>th</sup>

Luedke reported attending the Blue Valley Community Action Board meeting, two Saline County Agricultural Society meetings, a courthouse construction update meeting, a 5 Rivers RC&D meeting and a joint meeting with the Crete City Council on June 14<sup>th</sup>. Coming up, has another construction update meeting tomorrow and another Ag. Society meeting tomorrow night.

Kohout reported attending a NIRMA workshop on law enforcement liability, the joint meeting with the Crete City Council on June 14<sup>th</sup> and, coming up, a Saline/Seward County Solid Waste meeting on Thursday.





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Krivohlavek reported attending a joint meeting with the Crete City Council on June 14<sup>th</sup>, a Saline County Agricultural Society meeting on June 18<sup>th</sup> and a Saline County Aging Services full board meeting on June 25<sup>th</sup>.

Karpisek reported attending a joint meeting with the Crete City Council on June 14<sup>th</sup>, a SENDD meeting in Lincoln and, coming up will be attending the Wilber City Council meeting to discuss the joint street repair project on July 10<sup>th</sup> and an Employee Wellness Committee meeting on July 3<sup>rd</sup>.

McDermott reported attending a courthouse construction update meeting on June 13<sup>th</sup>, a joint meeting with the Crete City Council on June 14<sup>th</sup>, a CURB Coalition meeting on June 18<sup>th</sup>, an Employee Handbook Committee meeting on June 22<sup>nd</sup>, an Emergency Management budget meeting in Jefferson County on June 29<sup>th</sup>, he reported to the Board that AutoClear had been on site to repair the package scanner at the security station, he had helped the County Clerk's Office during their carpet replacement and that he has been contacted by Hall County, who wish to visit to observe our security measures.

At 1:16 p.m., Luedke presented change order #44, to engrave the county seal on marble to display in the courthouse entryway, costing \$10,002.00, change order #59, to modify door hardware, card readers and installation of wiring harnesses in County Court and hallways, costing \$33,592.00, change order #62, installing fire doors on the third floor, which will eliminate the need to modify the vaults on the fourth floor, costing \$26,368.00, change order #65, to provide emergency generator shutdown button outdoors neat the generator pit, costing \$2,546.00 and change order #66, providing for exterior lighting of the courthouse, costing \$45,110.00. Change orders #59, 64 and 65 are required by the Fire Marshall. Total cost of the change orders is \$117,618.00. Luedke moved to approve all change orders, seconded by Henning. Voting aye were Karpisek, Henning, Luedke, Kohout and Krivohlavek, nays none.

Krivohlavek moved to approve the claims as presented with the addition of \$464.00 for general assistance application #2018-01, seconded by Karpisek. Voting aye were Luedke, Henning, Karpisek, Krivohlavek and Kohout, nays none, motion carried.

## GENERAL FUND

General Payroll	Salaries	109,391.63
Anytime Plmbg	Spls	5.50
Bartels, Anita	Mil	7.63
Big Red Locksmiths	Bldg Rpr	475.00
Black Hills	Util	70.00
Brown's Tree Svc	Lawn Care	200.00
CBM Mngd Svcs	Spls	7,673.65
Cheever Construction	Courthouse	14,960.82
Chief Supply	Spls	121.22
Crete Ace Hdw	Bldg Spls	60.46
Crete Med Ctr	Hlth	617.00
Crete News	P&P	1,503.14
Crown Pointe Mngmt	GA Asst	464.00
CTM	Off Spls	1,348.91
Dawson County Court	Court Costs	3.50
Des Moines Stamp	Off Spls	36.40
Dollar General	Spls	33.50
Eakes	Off Spls	578.37
Engineered Controls	Contract	1,341.00
First Concord	Ins	19,256.58
First State Bank	Off Spls	253.97
Gropp, Scott	Contract	7,000.00
Hanson Hroch & Kuntz	Cost Costs	207.00
Henning, Janet	Mil	59.41
Holiday Inn	Trav	209.90



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Jefferson County Em Mgmt	Reimb	3,700.00
Kalkwarf & Smith Law	Atty	1,260.00
Lincoln Radiology	Hlth	403.52
Lynn Peavey Co	Spls	825.40
Midwest Court Report	Hearing	75.00
NE Public Health Lab	Court Costs	525.00
Nitz, Arden	Spls	129.85
Oltman, Jim	Building Rpr	75.00
Region V Sys	Inst	1,719.00
Riekenburg, Jeff	Building Rpr	75.00
Sack Lbr	Spls	6.49
Saline County Atty Petty Cash	Court Costs	62.60
Sapp Bros	Fuel	1,193.68
Sec of State	Court Costs	20.00
Spanyers, Debbie	Mil/Reimb	344.37
Speece-Lewis	Engineering	863.33
State of NE Correction	Contract	1,025.52
Supplyworks	Spls	199.90
Thomson Reuters	Sub	137.43
Toshiba	Off Equip	194.00
U S Postal Svc	Pstg	4,120.60
Verizon	Phone	1,415.37
Visa	Spls	53.39
Visa	Data Proc	2,423.17
41 Auto	Equip Rpr	5.99
41 Auto	Equip Rpr	29.69
911 Custom	Spls	314.90

## ROAD FUND

Road Payroll	Salaries	23,277.86
Beatrice Concrete	Gravel	18,040.06
Beran, James	Equip	4,800.00
Black Hills	Util	80.93
Bryan Health	Contract	104.00
Eakes	Off Spls	37.99
Johnson Pharmacy	Spls	7.86
Johnson Sand	Gravel	14,934.14
MHC Kenworth	Equip Rpr	186.07
Orschelns	Spls	219.67
RDO Truck Ctr	Equip Rpr	526.66
Saline County Court	Filing Fees	124.00
United Rentals	Equip Rent	361.32
Von Busch & Sons	Garbage	21.00
Walker Uniform	Uniforms	25.40
Western Oil	Equip Rpr	36.69

## HIGHWAY BRIDGE BUYBACK FUND

JJK Construction	Culvert/Bridge	42,857.97
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## BAILIFF FUND

Bailiff Payroll	Salaries	1,109.69
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## AGING SERVICES FUND

Aging Services Payroll	Salaries	2,039.35
Eakes	Off Spls	41.69
Emal, Marcia	Prgm	155.00



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Pribyl, Darlene	Prgm	120.00
<b>JUVENILE SVCS AID PROGRAM FUND</b>		
Stougaard, Anita	Prgm	384.47
<b>COMMISSARY FUND</b>		
CBM Mngd Svcs	Spls	1,144.63
Eakes	Spls	83.90
<b>BUILDING FUND</b>		
O'Keefe Elevator	Maint Cntrct	297.00
<b>ALL FUNDS</b>		
First State Bank	Fed Tax	14,310.94
NE Dept of Rev	State Tax	6,160.05
First State Bank	Soc Sec	28,118.24
BCBS	Ins	125,965.54
Ameritas Life	Retire	22,849.81
Delta	Dental Ins	2,238.10
VSP	Eye Ins	485.30
AFLAC	Ins	1,537.26
MassMutual	Def Comp	2,228.00
Colonial Supp Ins	Ins	269.59
Teamsters	Dues	260.50
Madison Nat'l Life	Life Ins	41.29
Madison Nat'l Life	Dis Ins	173.03
First Concord	Café	2,111.19
New York Life	Ins	118.90
NE Child Support	Garnish	197.08
NE Child Support	Garnish	188.77
General Svc Bureau	Garnish	190.77
US Dept of Education	Garnish	163.58
Tiburon Fin/NAS	Garnish	174.41

There being no further business to come before the Board, the meeting was adjourned at 1:29 p.m. The next meeting will be on July 10<sup>th</sup>, 2018 at 9:30 a.m. in the Saline County Commissioners' Room, Courthouse, Wilber, NE.

ATTEST:

Daryl Fikar, County Clerk

Janet J. Henning

Marvin A. Kohout, Chairperson

Stephanie Krivohlavek

Willis D. Luedke, Vice-Chairperson

Russ Karpisek

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 I, Daryl Fikar, County Clerk in and for Saline County, do hereby certify that the minutes of the June 12<sup>th</sup>, 2018 Board of Commissioners' meeting were presented and approved as presented.



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Daryl Fikar, County Clerk

Janet J. Henning

Marvin A. Kohout, Chairperson

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Russ Karpisek