



Saline County Board Minutes



SALINE COUNTY BOARD OF COMMISSIONERS

The regular meeting of the Saline County Board of Commissioners was called to order at 9:35 a.m. on Tuesday, March 3rd, 2020 by Chairperson, Marvin A. Kohout. Present were Kohout, Stephanie A. Krivohlavek, Janet J. Henning, Phil Hardenburger and Russ Karpisek, 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 as presented, seconded by Hardenburger. Voting aye were Karpisek, Kohout, Hardenburger, Henning and Krivohlavek, nays none, motion carried.

Henning moved to approve the minutes of the February 18th, 2020 regular meeting, seconded by Krivohlavek. Voting aye were Kohout, Karpisek, Henning and Krivohlavek, abstaining Hardenburger, nays none, motion carried.

Under citizens forum, Jeff Koll spoke about an upcoming item on the agenda concerning an amendment to the road use agreement with Milligan 1 Wind, LLC. His belief is that the use of the roads by construction traffic should be approved prior to the actual use of the roads. He also questioned the legality of the lay down yard for the Milligan 1 wind project, located between Highway 15 and County Road 1200 on County Road N.

Gary Veprovsky spoke next, commenting that he believes that the part of the amendment to the road use agreement which allows the County to levy fines for use of county roads by construction equipment that are not in the road use agreement was a good idea. He also questioned why Milligan 1 Wind, LLC is being allowed to bury cable on property that is not included in the conditional use permit.

EDF representative Ric Nelson was present, answering that the conditional use permit allowed for construction of wind turbine towers, and that the use of private land for burying cable is a contract between his company and the landowners and, therefore, does not need to be included in the conditional use permit.

County Attorney Eickman gave an opinion, specifically speaking of the lay-down yard for Milligan 1 Wind, that the property owned by Doug Horak could be used for this purpose, as this is private property and the contract that he has with Milligan 1 is between them, and is not part of the conditional use permit.

Koll then spoke again, stating that tower number 16 is not included in the map of the conditional use permit and that the County did not approve moving the electrical substation. Nelson answered that Nebraska Public Power District would not allow construction of the substation where it was originally planned, so EDF had purchased 80 acres of land to site the substation.

Krivohlavek noted that she believes that all of the Saline County Planning and Zoning rules and regulations were followed by the Board.

County Attorney Eickman informed the Board that he believes that such an extended conversation concerning one subject should be a separate agenda item.

At 10:22 a.m., Veteran Service Committee member Lyle Bartels introduced the Veteran of the Month, Alfred G. Brejcha, Jr. Mr. Brejcha enlisted in the US Army on November 28th 1945 at Ft. Lawton, WA. He served with the 63rd Infantry Regiment as a heavy mortar crewman with a rank of Private First Class. He earned the WWII Victory Medal, the Army of Occupation Medal and the lapel button (honorable discharge pin). He served in the Asiatic-Pacific theater from February to November of 1946 and was discharged at Camp Beale, CA on December 6th, 1946. Since he was unable to attend, he was presented, in absentia, a Certificate of Appreciation by Board Chairman Marvin Kohout. The certificate reads "The Saline County Commissioners wish to recognize your military service to the United States of America. Throughout our Nation's history, it is the effort of the men and women, such as yourself, that have provided the freedoms we, as Americans, dearly enjoy today. Please accept our deepest gratitude and appreciation. Let us never forget your demonstrated sacrifice, service, love, and commitment to your country. Thank You, God Bless You, and God Bless the United States of America". Mr. Brejcha received a standing ovation.



Saline County Board Minutes



At 10:25 a.m., Kohout announced that the Board would recess.

At 10:42 a.m., Kohout announced that the Board would reconvene.

Planning and Zoning Administrator Lyle Weber presented an administrative subdivision application from Lori J. Fuller and Troy M. Steuer to divide an irregular 8.30 tract from the property in the SW ¼ of section 2-8-4. Henning moved to approve the application, seconded by Krivohlavek. Voting aye were Henning, Hardenburger, Kohout, Krivohlavek and Karpisek, nays none, motion carried.

Henning moved to open the public hearing for consideration of approval of a conditional use permit to Keystone XL Pipeline to create a lay down yard along County Road 1600 between Highway 33 and County Road DD for supplies and equipment. The motion was seconded by Hardenburger. Voting aye were Krivohlavek, Karpisek, Henning, Hardenburger and Kohout, nays none, motion carried. Dan Forbes and Brittany Brockway were present to explain the project. Forbes noted that the driveway permits had already been approved. Karpisek questioned whether there would be any structures placed on the property. Forbes answered that there may be temporary contractor trailer(s) placed there, but nothing permanent. He explained that he expects work to begin on the property sometime in April. Jeff Koll commented that he thinks that Keystone is following the rules, and that is a good thing.

Henning moved to close the public hearing for the Keystone XL conditional use permit, seconded by Karpisek. Voting aye were Krivohlavek, Karpisek, Henning, Hardenburger and Kohout, nays none, motion carried.

Henning moved to approve the conditional use permit for the Keystone XL pipeline lay-down yard, seconded by Krivohlavek. Voting aye were Hardenburger, Kohout, Krivohlavek, Karpisek and Henning, nays none, motion carried.

Under correspondence, Fikar reported receiving, from the Southeast Nebraska Emergency Management Group, Regional Governance Board, their February 6th meeting minutes and their March 5th meeting agenda. From the Southeast Nebraska Development District, their January 23rd meeting minutes and February 27th meeting agenda.

Under report of officials, Henning reported that she has a Region V meeting on March 9th and will be assisting with the Reading Classic on March 12th.

Hardenburger reported that he had attended an Ag. Society meeting on February 12th and, coming up, has a Blue Valley Community Action meeting and another Ag. Society meeting.

Kohout reported attending an Employee Safety Committee meeting, a meeting with Cheever Construction, a Planning and Zoning meeting, an Employee Recognition planning meeting, a meeting at the Nebraska Safety Council last week, he attended a Saline County Wind Association meeting on Sunday and will attend the "Know Your Numbers" meeting tomorrow.

Krivohlavek reports that she attended a Saline County Aging Services budget meeting last week, she has a meeting with Aging Partners on Thursday, she attended the Saline County Area Transit fund raising luncheon, reporting that 128 people participated. She also investigated a complaint of road dust due to windfarm construction equipment and reported receiving an email from Sandra Koll asking for a copy of a letter that EDF distributed to the Commissioners during the previous meeting.

Karpisek reported that he has an Employee Wellness Committee meeting next Monday.

McDermott reported that he attended an Employee Safety Committee meeting on February 19th, a Workwell Connections meeting on February 26th, he attended a Continuum EAP Leadership Academy class on February 27th, he has a CURB Coalition meeting on March 16th, he will be attending the "Know Your Numbers" meeting tomorrow, an LEPC meeting on Thursday, an Employee Wellness Committee meeting on March 9th, a Crime Commission Diversion meeting on March 11th and the NACO Southeast District meeting on March 12th. He also informed the Board that there will be a small piece of property on the south end of Crete that will be coming up on a tax sale, and reminded the Board of the observation report sent by Jerry Berggren concerning the mortar replacement and stone repair of the courthouse and old jail building.



Saline County Board Minutes



At 11:13 a.m., Henning moved to open the public hearing for the one-and six-year road plan. The motion was seconded by Karpisek. Voting aye were Karpisek, Krivohlavek, Kohout, Hardenburger and Henning, nays none, motion carried.

County Highway Superintendent Bruce Filipi explained that there are 3 projects that have been completed that were on the 2019 plan. He also updated the Board that there are 15 projects added to the 2020 one-year plan and 4 projects added to the 2020 six-year plan.

At 11:17 a.m., Henning moved to close the public hearing for the one-and six-year road plan, seconded by Karpisek. Voting aye were Hardenburger, Henning, Karpisek, Krivohlavek and Kohout, nays none, motion carried.

Henning moved to adopt resolution #2020-009, approving the 2020 one-and-six-year road plan, seconded by Karpisek. Voting aye were Krivohlavek, Kohout, Hardenburger, Henning and Karpisek, nays none, motion carried.

Filipi then presented a request to occupy right of way from Norris Public Power District to construct an underground electric line at County Road 400, 1250 feet south of the northeast corner of section 9-8-1. Karpisek moved to approve the application, seconded by Krivohlavek. Voting aye were Henning, Karpisek, Krivohlavek, Kohout and Hardenburger, nays none, motion carried.

Filipi then presented the second amendment to the road use agreement with Milligan 1 Wind, LLC. He noted that the amendment would approve 7 roads or road sections for crane crossings, 15 roads or road segments for boring equipment, and the option for the County to levy fines for use of County roads that are not included in the original agreement, amendment 1 or amendment 2. Karpisek commented that he still believes that the roads should be approved prior to use by the construction companies. Krivohlavek moved to approve the second amendment to the road use agreement, seconded by Hardenburger. Voting aye were Hardenburger, Henning and Krivohlavek. Voting nay, Karpisek, abstaining, Kohout, motion carried.

Filipi then presented resolution #2020-010, an interlocal agreement between Saline County and Jefferson to construct two box culverts under the county bridge match program. One of the culverts will be in Saline County and the other in Jefferson County. The estimated cost of both projects is \$335,000.00, of which \$184,250.00 will be funded by the County Bridge Match Program. Krivohlavek moved to approve the agreement, seconded by Henning. Voting aye were Karpisek, Kohout, Hardenburger, Henning and Krivohlavek, nays none, motion carried.

The agenda also included consideration of an interlocal agreement between Saline and Lancaster Counties, but Filipi informed the Board that he was still waiting for information from Lancaster County, so he will present that agreement at a future meeting.

Filipi then updated the Board on various road and bridge projects going on around the county.

Henning moved to approve the claims as presented, seconded by Krivohlavek. Voting aye were Henning, Krivohlavek, Karpisek, Kohout and Hardenburger, nays none, motion carried.

GENERAL FUND

General Payroll	Salaries	110,362.46
Becwar & Assoc	Emp Recogn	1,000.00
Bishop Business Equip	Off Equip	120.54
Black Hills	Util	924.39
Bleich, Bonnie	Reimb	60.00
Bob Barker Co	Spls	525.37
Bryan Heart	Med	118.75
City of Wilber Amb	Med	252.85
Crete Ace Hdw	Spls	44.99
Crete Med Ctr	Med	724.00



Saline County Board Minutes



Dataspec	Off Equip	449.00
Des Moines Stamp	Off Spls	62.00
Dollar General	Spls	75.90
Eakes	Off Spls	574.44
Ecolab	Spls	717.85
Eickman,Tad	Reimb/Mil	166.14
Farmers Coop	Tire Rpr	22.50
Fort Western	Uniforms	119.98
Greatamerica Fin Svcs	Off Equip	370.75
Gt Distr	Uniforms	107.00
Heath Sports	Uniforms	88.85
Home Depot	Spls	125.19
Homolka, Ronda	Emp Recogn	100.00
Irhythm Tech	Med	995.00
Jefferson County Em Mgmt	Reimb	3,700.00
Kohout, Marvin	Mileage	205.28
Krupicka, Diane	Emp Recogn	150.00
Kubert Appraisal	Appraisals	2,750.00
Kuntz, Justin	Atty	675.00
Lincoln Fire/Rescue	Med	394.94
Lincoln Radiology	Med	709.85
Lytle, Anthony	Reimb	9.94
Mallory Safety	Spls	34.95
Midwest Med Transport	Med	377.51
NE Health & Human Svcs	Inst	385.05
NE Pub Hlth Lab	Court Costs	105.00
NE State Treas	Court Costs	20.00
NE Title	Court Costs	500.00
Physicians Lab	Autopsy	1,000.00
Quill	Off Spls	46.97
Region V Sys	Inst	1,516.00
Retchless, Jennifer	Reimb	115.83
Saline County Atty	Court Costs	86.49
Saline County Dist Court	Court Costs	69.00
Sapp Bros	Fuel	2,031.04
Security Equip	Bldg Impr	984.00
Seward County Ind	P&P	19.80
Soarin Group	Cntrct	749.50
State Dept Correction	Cntrct	7,458.47
Summit Food	Spls	8,142.74
UN Medical Ctr	Med	2,500.00
Verizon	Phone	1,630.93
Visa	Uniform/Sub	815.27
Walker Uniform	Spls	64.21
Walker Uniform	Spls	99.24



Saline County Board Minutes



Zito Media	Cable	204.95
41 Auto	Equip Rpr	13.99
41 Auto	Equip Rpr	99.93
ROAD FUND		
Road Payroll	Salaries	22,754.32
Ace Irrigation	Culverts	11,542.40
Beatrice Concrete	Gravel	5,316.61
Black Hills	Util	1,005.83
NE IA Industrial	Sppls	175.67
NE Salt	Ice Salt	1,633.82
Orschelns	Sppls	8.94
Pomp's Tire	Tires	19,120.00
RDO Truck Ctr	Equip Rpr	2,460.09
Scherbarth Ace	Sppls	30.52
Shaffer Comm	Radio Equip	66.00
Truck Equip Svc	Equip Rpr	151.11
Van Kirk Bros	Culvert Rpl	61,386.63
Village of Dewitt	Util	71.73
Vogt Electric	Sppls	195.00
Walker Uniform	Uniforms	49.33
Weldon Parts	Equip Rpr	409.96
HIGHWAY BRIDGE BUYBACK FUND		
Herbst Const	Culvert Rpl	131,052.35
BAILIFF FUND		
Bailiff Payroll	Salaries	1,178.58
EMPLOYEE WELLNESS FUND		
Kohout, Marvin	Mil	17.83
Workwell	Cntrct	675.00
AGING SERVICES FUND		
Aging Services Payroll	Salaries	2,854.24
Emal, Marcia	Prgm	150.00
Pribyl, Darlene	Prgm	130.00
JUVENILE SVCS AID PRGM FUND		
Perez Mendez, Ana	Prgm	174.00
Stougard, Anita	Prgm	807.50
Watson, Syerra	Prgm	138.00
INHERITANCE TAX FUND		
Electronic Contracting	Intercom	1,105.00
COMMISSARY FUND		
Eakes	Sppls	258.71
Justice Benefits	Sppls	1,866.04
Shared Service Sys	Sppls	67.75
Summit Food	Soc Sec	2,815.08
Thomson Reuters	Sub	353.00

ALL FUNDS



Saline County Board Minutes



First State Bank	Fed Tax	14,279.79
NE Dept of Rev	State Tax	6,290.68
First State Bank	Soc Sec	28,470.26
BC/BS	Hlth Ins	112,374.62
Ameritas Life	Retire	23,067.96
Delta Dental	Dental Ins	2,156.96
VSP	Eye Ins	474.44
AFLAC	Ins	1,400.40
MassMutal	Def Comp	3,228.00
Colonial Supp Ins	Ins	272.30
Teamsters	Dues	287.50
Madison Nat'l Life	Life Ins	43.88
Madison Nat'l Life	Dis Ins	259.44
First Concord	Café	2,166.88
New York Life	Ins	118.90
NE Child Support	Garnish	197.08
AZ Child Support	Garnish	86.06
Saline County	Garnish	186.40

Hardenburger moved to enter closed session, seconded by Henning. Voting aye were Karpisek, Henning, Krivohlavek, Hardenburger and Kohout, nays none, motion carried. Kohout announced that, during closed session, the Board would be discussing a personnel issue.

At 12:32 p.m., Krivohlavek moved to exit closed session, seconded by Henning. Voting aye were Hardenburger, Kohout, Karpisek, Henning and Krivohlavek, nays none, motion carried. Kohout announced that, during closed session, the Board discussed a personnel issue and no action was taken.

There being no further business to come before the Board, the meeting was adjourned at 12:32 p.m. The next regular meeting will be on March 17th, 2020 at 9:30 a.m. in the Saline County Commissioners' Room, Court House, Wilber NE.

ATTEST:

Daryl Fikar, County Clerk

Janet J. Henning

Marvin A. Kohout, Chairperson

Stephanie Krivohlavek

Phil Hardenburger

Russ Karpisek, Vice-Chairperson

I, Daryl Fikar, County Clerk in and for Saline County, do hereby certify that the minutes of the February 18th, 2020 meeting were presented and approved as presented.



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Daryl Fikar, County Clerk

Janet J. Henning

Marvin A. Kohout, Chairperson

Stephanie Krivohlavek

Phil Hardenburger

Russ Karpisek, Vice-Chairperson