



Saline County Board Minutes



SALINE COUNTY BOARD OF COMMISSIONERS

The regular meeting of the Saline County Board of Commissioners was called to order at 9:30 a.m. on Tuesday, November 10th, 2020 by Vice Chairperson Russ Karpisek. Present were Karpisek, Janet J. Henning and Stephanie A. Krivohlavek, present via teleconference were Marvin Kohout and Philip Hardenburger Commissioners, County Clerk Anita K. Bartels, Deputy County Clerk Jennifer Hermsmeier, and Administrative Assistant Tim McDermott. County 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.

Karpisek advised those present of the open meetings act posted at the back of the room. He also announced the Governor has signed Executive Order No. 20-34 which states elected officials ordered to quarantine or isolate due to exposure to COVID-19, in conformance with guidance from the Nebraska Department of Health and Human Services, may fully participate, vote and be counted as part of a quorum in meetings when attending by videoconference or by telephonic conferencing or by conferencing by other electronic communication without having the meeting site where that elected official is located open to the public. This waiver shall apply to all public governing body meetings that occur through December 31, 2020.

Henning moved to approve the agenda with the addition of Emergency Management Manager John McKee to give a COVID update at 11:00, seconded by Krivohlavek. Voting aye were Krivohlavek, Henning, Hardenburger, Kohout and Karpisek, nays none, motion carried.

Krivohlavek moved to approve the minutes of the October 27th, 2020 regular meeting, seconded by Henning. Voting aye were Karpisek, Kohout, Krivohlavek, and Henning, Hardenburger abstained, nays none, motion carried.

The Citizens Forum and discussion of the Moratorium for Poultry Confinement Farms were combined;

To open the discussion Karpisek stated he suggested a possibility of moratorium at the last meeting and requested this discussion be placed on this meeting's agenda. Krivohlavek asked why he thought a moratorium may be needed. Karpisek response was to give the Planning and Zoning Committee a chance to review the regulations as currently written, based on the determination of whether the current applications should have been two separate building permit applications or a conditional use permit.

Joel Weber, Weber Feedyards, stated he has serious concerns and reservations when it comes to a moratorium on any type of livestock. Saline County is a livestock friendly county, which has done a lot for this county, and will continue to do so. Weber's comments included that in today's market climate you must be diversified to include both farming and livestock. If you put a moratorium on the poultry business, all of a sudden you will be asking for moratoriums on hogs and cattle which will curtail any operations for future generations.

Scott Spohn from Friend, a corn and soybean farmer. He has served on the Friend school board for 10 years where they are begging for additional revenues. Livestock consumes the corn and soybeans grown by farmers. He stated Saline County is a perfect spot for these types of operations. After serving on the school board, he is reminded you do not do what is best for one or two families, you do what's best for hundreds of kids. Friend gets almost 80% of their revenue from ag land. Ag land is supported by the livestock industry. If one or two people complain about having one of these is their backyards, what does this do to our industry and tax revenue. He stated it is absolutely ridiculous to even be talking about it as a livestock friendly county. This isn't about one or two families, it's about what's best for the county.

Karpisek stated he agrees with the statements made. He asked to have the moratorium issue placed on the agenda because there was not a lot known about the chicken barns and wanted further discussions held.

Dan Nerud a Pleasant Hill, Dorchester, Crete area farmer, voiced his opinions, he is against a moratorium, we are an ag related community/county. Where do you think our grain goes? He stated he just wanted to make that point.

Steve Mossman, attorney for R&R Christo Construction, LLC, does livestock planning across the State. He stated in his mind a moratorium is legally problematic, especially when it's directed towards a certain type



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of livestock. The current permits in questions, followed the current Planning & Zoning Regulations. His understanding is the current moratorium hasn't been heard by the Planning & Zoning Committee and would amend the current Planning & Zoning regulations, approved by the Board. By putting this on the agenda without running it through the Planning & Zoning Committee was against the Planning & Zoning regulations, causing a legal problem with moratoriums.

Andy Sholting, Nutrient Advisors, West Point, NE, stated he had worked with the applicant on a couple of different sites. Nutrient Advisors has worked with several livestock producers to permit sites throughout Nebraska, Iowa and South Dakota. Sholting stated as they worked through our livestock regs, we have a very quality set of regulations. When producers complete a permit, there are several requirements that must be met, noting we have pretty significant setbacks. There is a lot of work in planning and finding a site to meet all the requirements. The applications submitted were within the threshold of size. Citizen concerns are almost exclusively caused by the fear of the unknown. There are over 400 houses operating in eastern Nebraska with no problems.

Steve Martin, Alliance for the Future of Agriculture in Nebraska (AFAN), previously with the Nebraska Department of Agriculture, worked with the Saline County Planning and Zoning Committee on the Livestock Friendly applications. He doesn't feel moratoriums are the way to go about changing planning and zoning regulations, it would give a negative connotation. The fear of the unknown is legitimate, but now we do know. He gave an example of Lincoln Premium Poultry, and offered to facilitate a tour of their operations. Martin submitted copies of a letter from Jessica Kolterman, Director of Administration with Lincoln Premium Poultry. Her letter discouraged implementing a moratorium on poultry operations in Saline County. She stated they have approximately 12 poultry farms in Seward County. As a resident of Seward County, she is often asked "when will the poultry barns be built and get birds?" Many of these barns have been in place with birds for around a year and a half, no one even knows they are there. Close neighbors have shared with her they have seen little or no impact.

Gary Veprovsky noted two meeting ago individuals on the opposite side of the poultry barn issue spoke and it is good to hear from both sides now. More citizens, on both sides need to be involved and come to the Planning and Zoning and Commissioner meetings, this is democracy in progress. We need everybody there at the same time, so everybody can hear what's really going on. He pointed out there wasn't one who complained last time here, they needed to come today too.

At 10:00 a.m. Karpisek excused himself to attend a court hearing, stating he appreciated everyone's input and although it was his request to put it on the agenda, he did not wish to move forward with the moratorium.

Chris Bousquet, representing the Nebraska Dairy Association and Nebraska Dairy Farmers spoke. He works with Steve Martin in recruiting for dairy farms across the State of Nebraska. He wanted to get the point across that any moratorium of livestock gives the sense that Saline County might not be open for business. A moratorium of livestock is not a good image.

Hardenburger stated he made his living in livestock for over 40 years. Most of the concerns are about the unknown. He understands their concerns and wanting to be heard. When he heard concerns regarding odors, flies, rodents and dead birds, he had to stop them and explain that is not how modern agriculture works. Chicken barns or hog confinement facilities have the latest technologies. It's a matter of being educated. Livestock is the best way to diversify to keep young people on farms, stating a moratorium sends the wrong message and is a bad idea. Grain farming and livestock is the backbone of the State of Nebraska and we must not hinder that.

Kohout agreed with Hardenburger, stating as a farmer with sheep and cattle he has to diversify, he does not think it's a good idea either.

No action was taken on the moratorium.

Krivohlavek reported to her knowledge, the two building permits submitted for the chicken barns have been pulled.



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At 10:08 a.m., Scott Keene with Piper Sandler presented the 2020 Doane Refunding Documents and Resolution #2020-077 for approval. Keene stated the County was only facilitating this refunding, it is well stated in the documents the County has no obligation or liability in payment should Doane default. Henning moved to approve, seconded by Hardenburger. Voting aye were Hardenburger, Henning, Krivohlavek and Kohout, nays none, Karpisek was absent, motion carried.

Henning moved to approve resolution #2020-078 to transfer \$145,000 from the Inheritance Fund to the General Fund to be reimbursed when funds become available, seconded by Krivohlavek. Voting aye were Hardenburger, Henning, Krivohlavek and Kohout, nays none, Karpisek absent, motion carried.

Henning moved to approve resolution #2020-079 to transfer \$3,100 from the Inheritance Fund to the Juvenile Services Aid Program Fund to be reimbursed when funds become available, seconded by Hardenburger. Voting aye were Kohout, Hardenburger, Krivohlavek and Henning, nays none, Karpisek absent, motion carried.

Henning moved to approve the October 2020 District Court Fees in the amount of \$12,312.29, seconded by Kohout. Voting aye were Krivohlavek, Henning, Hardenburger, Kohout and Karpisek, nays none, Karpisek absent, motion carried.

Henning moved to approve the October 2020 Sheriff Fees, Writ Fees \$1,319.00, Mileage \$1,403.00, Vehicle Inspections \$610.00 and Gun Permits \$70.00, totaling \$3,402.00, seconded by Hardenburger. Voting aye were Henning, Kohout, Hardenburger and Krivohlavek, nays none, Karpisek absent, motion carried.

At 10:20 a.m., Karpisek rejoined the meeting.

County Treasurer Deb Spanyers, stated according to Statute 77-1718, she presented to the Sheriff the 2020 Distress Warrants for unpaid taxes. As of October 30th, 2020 there are 63 warrants totaling \$39,333.74 for unpaid taxes. Karpisek moved to approve, seconded by Henning. Voting aye were Karpisek, Krivohlavek, Kohout, Henning and Hardenburger, nays none, motion carried.

McDermott reported on the highlights of the final draft of the 2021 Saline County Employee Wellness Program. He stated the main change was to incorporate all participants into the wellness portal for data accuracy. Kohout, moved to approve the 2021 Wellness Program, seconded by Krivohlavek. Voting aye were Kohout, Hardenburger, Krivohlavek, Karpisek and Henning, nays none, motion carried.

Sheriff Alan Moore introduced “Buster” to the Board. Buster is the new edition to the K-9 program. The Saline County K-9 program has been in effect since the early 90s and has been a great program for law enforcement. Moore has entered into a Memorandum of Understanding (MOU) agreement with Sheriff Gustafson at Gage County to acquire Buster. Indy, currently handled by Tom Hudiburgh will retire soon and Buster will take her place with Hudiburgh. Buster is a 5-year old Belgian Malinois and was acquired from Gage County at no cost through the MOU. As part of the MOU, Saline County would offer K-9 assistance as available to Gage County.

At 10:36 a.m. Karpisek announced the Board would recess;

At 10:47 a.m. Karpisek announced the Board would reconvene;

Under report of officials Krivohlavek reported receiving a few calls regarding the chicken farm building permits; stated Joel Weber called her regarding the poultry moratorium and his interest in serving on the Planning & Zoning Committee; Krivohlavek apologized if she missed phone calls or voicemail messages, she switched phone plans, which caused an issue for a few days;

Henning reported participating in a zoom CASA meeting last Wednesday and yesterday she attended a Region V Services meeting;

Kohout reported having a NACO Board of Directors zoom meeting; this Sunday he has a Saline County Historical Society meeting in Dorchester; an upcoming Planning & Zoning meeting and an upcoming zoom meeting with the Governor;

Hardenburger reported he has an upcoming zoom meeting with Blue Valley Community Action and he received calls on the chicken farm and moratorium;

McDermott reported he was introduced to our new Windstream Account Advocate, Val Chavez; yesterday he attended the Wellness Committee Meeting where the discussion of the Health Fair, which is



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tentatively set for the 3rd week of February; he has a Spyglass meeting on Thursday, a Leadership Webinar on the 17th, Safety Committee meeting scheduled for the 18th and on the morning of the 19th a NIRMA Webinar series lead by Brandi Johnson begins;

Assistant Highway Superintendent Bill Slezak submitted the Fourth Amendment to the County Roads Agreement with Milligan 1 Wind LLC, to increase road violation fines to \$5,000 each. Henning moved to approve, seconded by Krivohlavek. Voting aye were Krivohlavek, Henning, Hardenburger, Kohout and Karpisek, nays none, motion carried.

Slezak reported the Plymouth is completed and the road is open. They will finish replacing a bridge with large culverts, northwest of Swanton today. As weather permits, Roads will continue to replacing several more bridges with culverts.

Emergency Management Manager John McKee gave a quick briefing of the information he received from Kim with Public Health Solutions. Rural hospital COVID units are at full capacity. Right now, there are no major issues with personal protection equipment, supplies are flowing good. At the current rate, expect most, if not all counties will be in the red risk dial within the next three to four weeks. Another issues PHS is having is many people are still refusing to cooperate with contact tracing or not quarantining as instructed. There is an element of personal responsibility needed. Kim is appreciative of any input from elected leaders on how to deal with those not cooperating. McKee encouraged the continuation of County employees to wear masks if they are within 6 feet of each other or whenever they are helping the public.

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

GENERAL FUND

General Payroll	Salaries	112,714.31
Rebecca Anderson	Atty fees	855.00
Shayne Banzhaf	Crt Csts	66.15
Barnas	Spls	126.31
Bear Graphics	Off Spls	217.57
Black Hills	Util	864.77
Capital Business Sys	Off Equip	485.00
City of Wilber	Util	9,005.85
CNA Surety	Bond	40.00
CAMC	Hlth	500.00
Culligan	Off Spls	224.75
April Dinges	Crt Csts	48.54
Dee Drake	Mil	56.93
Eakes	Off Spls	914.38
ES&S	Elec Spls	162.26
Michelle Elieff	Mil	259.90
Engineered Controls	Cntrct	135.00
Friend Comm Hlthcr Sys	Hlth	430.00
Galls	Unif	38.04
Govconnection	Off Spls	1,430.05
Greatamerica Fin Svcs	Off Equip	377.63
Heath Sports	Unif	337.00
Jennifer Hermsmeier	Mil	8.63



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Jefferson County Em Mgmt	Cntrct	3,700.00
Jindra Irrigation	Bldg Maint	125.00
Dan Johnson	Mil	97.75
Jury Duty-Dist Co	Jury Duty	732.00
Lancaster Co Sheriff	Hlth	2.00
Anthony Lytle	Reimb	9.19
Mallory Safety & Supply	Unif	243.83
Marshall & Swift	Off Spls	656.20
Tim McDermott	Mil	93.15
Microfilm Imaging Sys	Off Equip	150.00
Midwest Court Reporting	Crt fees	85.00
MIPS	Off Equip	2,335.16
Joseph Murray	Atty fees	1,988.00
NACO	Trng	300.00
NACO	Trng	450.00
Norris Public Power	Util	209.00
Officenet	Off Spls	687.94
Tyson Osborn	Reimb	97.00
Quill	Off Spls	81.99
Sasha Rios	Crt Csts	108.75
Saline Co Dist Co	Crt Csts	405.00
Saline Co Sheriff	Crt Csts	882.00
Sapp Bros	Fuel	1,334.93
Schwarz Paper	Off Spls	55.70
Seward Co Ind	P&P	3,587.48
Shared Service	Off Spls	99.38
Ann Smets	Crt Csts	25.53
Solheim Law	Atty fees	1,090.90
Eric Stehlik	Mil	121.90
Anita Stougard	Mil	75.91
Summit	Off Spls	8,225.16
Diane Troshynski	Reimb	16.00
USPS	Pstg	100.00
Uline	Off Spls	72.59
Univar	Bldg Maint	1,000.00
Ext Saline Co	Reimb	162.27
US Bank	Off Equip	430.00
Verizon	Comm	200.46
Visa	Fuel	152.04
Visa	Off Spls	222.32
Walker	Bldg Maint	66.16
Walker	Off Spls	64.21
Windstream	Comm	6,831.44
Richard Zimmerman	Reimb	82.24
12 Point Tech	Crt Csts	756.00



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41 Auto	Equip Rep	1.56
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ROAD FUND

Road Payroll	Salaries	24,139.39
Ace Irrigation	Spls	5,601.60
Akrs Equip	Equip Spls	1,158.82
B'S Ent	Spls	6,353.00
Barnas	Spls	3.98
Beatrice Concrete	Gravel	41,201.96
Beaver Hardware	Spls	72.55
Black Hills	Util	221.80
City of Friend	Util	212.98
City of Wilber	Util	65.73
Crete Ace Hardware	Spls	277.07
Crete Auto	Equip Spls	492.53
Crete Lumber	Spls	5.39
Daykin Lumber	Equip Spls	20.50
Eakes	Off Spls	15.14
Farmers Coop	Fuel	13,114.54
Johnson Sand & Gravel	Gravel	8,783.42
Matheson Tri-Gas	Spls	192.50
Midwest Unlimited	Spls	36.00
NMC Exchange	Equip Spls	1,462.67
Officenet	Off Spls	58.50
Cory Parks	Reimb	14.50
Powerplan	Equip Spls	10,813.20
Praxair	Spls	72.49
Precision Diesel	Equip Spls	179.54
Rdo Truck Center	Equip Spls	133.64
Rock On	Gravel	3,677.78
Scherbarth Ace	Spls	79.70
Sid Dillon	Equip Rep	25.99
Total Tool	Spls	349.00
Village of Dewitt	Util	69.16
Village of Dorchester	Util	93.59
Village of Tobias	Util	57.20
Village of Western	Util	65.75
Walker	Unif	49.33
Waste Connections	Util	217.26
Young's Welding	Spls	181.60
41 Auto	Spls	162.95

BAILIFF FUND

Bailiff Payroll	Salaries	1,163.36
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VISITOR IMPROVEMENT FUND

Tabor Hall	Reimb	1,000.00
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EMPLOYEE WELLNESS FUND



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Tim McDermott	Mil	48.30
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AGING SERVICES FUND

Aging Services Payroll	Salaries	2,978.39
Body Basics	Equip	6,920.00
Samantha Cosaert	Prgm	100.00
Crete News	P&P	33.00
Eakes	Off Spls	604.52
Farmers Coop	Fuel	498.35
Food Mesto	Prgm	141.57
Tia Kreshel	Prgm	230.00
Lori Moldenhauer	Mil	64.40
Plymouth Electric	Bldg Maint	171.36
Wilber Care Center	Prgm	853.96

DRUG COURT FUND

Redwood Toxicology	Crt Csts	329.50
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JUVENILE SERVICES GRANT FUND

Family Service Assoc	Prgm	3,115.00
Ana Perez Mendez	Prgm	174.00
Anita Stougard	Prgm	1,020.00
Syerra Watson	Prgm	162.00

911 EMERGENCY MANAGEMENT FUND

Windstream	Comm	153.29
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911 WIRELESS SERVICE FUND

Windstream	Comm	701.97
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COMMISSARY FUND

Barnas	Spls	586.27
Bob Barker Co	Off Spls	566.68
Eakes	Off Spls	89.92
Summit	Off Spls	3,584.87
Visa	Off Spls	100.42

JAIL BOND FUND

UMB Bank	Bond Pmt	136,248.75
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COURTHOUSE BOND FUND

UBT	Bond Pmt	383,763.75
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ALL FUNDS

First State Bank	Fed Tax	15,418.03
NE Dept of Rev	State Tax	6,765.57
First State Bank	Soc Sec	29,232.30
Ameritas Life	Retire	23,530.78
Delta Dental	Dental Ins	2,318.73
VSP	Eye Ins	500.46
AFLAC	Ins	1,356.45
MassMutal	Def Comp	2,228.00
Colonial Supp Ins	Ins	233.81
Teamsters	Dues	294.50



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Madison Nat'l Life	Life Ins	48.36
Madison Nat'l Life	Dis Ins	186.22
First Concord	Café	2,197.07
New York Life	Ins	118.90
AZ Child Support	Garnish	86.06
General Collection	Garnish	186.40
Credit Mgmt Svcs	Garnish	163.42

There being no further business to come before the Board, the meeting was adjourned at 11:26 a.m. The next regular meeting will be on November 24th, 2020 at 9:30 a.m. in the Saline County Commissioners' Room, Court House, Wilber NE.

ATTEST:

Anita K. Bartels, County Clerk

Janet J. Henning

Marvin A. Kohout, Chairperson

Stephanie Krivohlavek

Phil Hardenburger

Russ Karpisek, Vice-Chairperson

I, Anita K. Bartels, County Clerk in and for Saline County, do hereby certify that the minutes of the October 27th, 2020 meeting were presented and approved as presented.

Anita K. Bartels, County Clerk

Janet J. Henning

Marvin A. Kohout, Chairperson

Stephanie Krivohlavek

Phil Hardenburger

Russ Karpisek, Vice-Chairperson