

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, February 28, 2023, by Chairperson Phil Hardenburger. Present were Hardenburger, Marvin A. Kohout, Janet J. Henning, Russ Karpisek and Stephanie A. Krivohlavek Commissioners, County Clerk Anita K. Bartels and County Attorney David C. Solheim.

Notice of said meeting was posted in the County Clerk's Office and published in all three county newspapers on February 22, 2023, in compliance with State Statutes.

Hardenburger advised those present of the open meetings act posted at the back of the room and that all proceedings are electronically recorded.

Henning moved to approve the agenda, seconded by Kohout. Voting aye were Kohout, Krivohlavek and Hardenburger, nays Henning and Karpisek, motion carried.

Henning moved to approve the minutes of the February 14, 2023 meeting, seconded by Krivohlavek. Voting aye were Kohout, Krivohlavek, Hardenburger and Henning, abstain without conflict Karpisek, nays none, motion carried.

Under Citizens Forum, Jeff Koll, Gary Veprovsky, Chuck McKay, Gerald Brown, Les Ralston, Elizabeth Shotkoski Ferneding and David Levy addressed the Board regarding the upcoming public hearing. McKay submitted a copy of Statute 23-114.03, requested it be placed into the record.

Under Correspondence, Bartels reported receiving from the City of Crete the February 21, 2023 meeting agendas for the City Council and Public Works, Public Safety and Finance Committees and the February 28, 2023 meeting agenda for the Planning Commission; from SENDD their financial statement ending January 31, 2023 for the February 2023 meeting; from Blue Valley Community Action their February 21, 2023 meeting agenda, the minutes of the January 17, 2023 meeting and the February 2023 reports to the Board of Directors; from the Nebraska Department of Natural Resources, a notice to inspect Wilber Dam 1 this year. Bartels reported Ebony Cooksey with Nextlink has been placed on the March 14, 2023 agenda at 9:45 to discuss broadband; the State Auditors are currently working on the 2021-22 audit with an expected completion date end of April 2023; a meeting with Michaela and Mallory discussing the iSolved transition, employee/personnel documentation and training schedules for officials and supervisors which will begin next month; and she reported on the search for an engineer for the old jail renovation.

Karpisek reported referring Gage County Supervisor Emily Haxby to Hardenburger regarding the possible paving of the road from DeWitt to Highway 77. Hardenburger confirmed he did correspond with Haxby and he drafted a letter of support to be included in a grant application Haxby was working on for this paving project.

Under Report of Officials, Karpisek reported on attending the SENDD broadband meeting in Crete and a Five Rivers RC & D meeting along with Weed Superintendent Lyle Weber.

Krivohlavek reported on a road complaint, a phone call on odor from the chicken facility and announced the Western Soup and Sandwich event, March 18, 2023 from 11:00 a.m. – 1:00 p.m.

Kohout reported on an Employee Recognition Banquet meeting, Planning & Zoning Meeting and Storm Watcher training at the Homestead Monument in Beatrice.

Henning reported on attending a CASA meeting and stated she had also received a call regarding the odor from the chicken facility.

Hardenburger reported on a Blue Valley Community Action meeting; an Allo Communications meeting; receiving calls on the odor from the chicken facility and calls on road conditions around Crete.

At 10:07 a.m. Henning moved to Open a Public Hearing to amend noise restrictions in the Planning & Zoning Regulations, section 619(E), from a limit of 40 decibels from any dwelling to a limit of 50 decibels from any dwelling as it relates to Wind Energy Conversion Systems, seconded by Krivohlavek. Voting aye were Kohout, Krivohlavek, Hardenburger, Henning and Karpisek, nays none, motion carried.

Solheim gave an opinion it was OK to hold the Public Hearing and not take action at this time. He noted the Planning & Zoning Committee is requesting a sound study be conducted before any action is taken.

Hardenburger asked if there is anyone with a conflict of interest, seeing none.

Planning & Zoning Administrator Lyle Weber, read letters of opposition to the decibel limit change to 50 decibels from: Russell Korinek, Marjie Andrews, Terry

Brandt, Alan Brunkow, Gerald Dvorak, Jessica Formanek, Neil Formanek, and Jake & Melanie Kunc.

Elizabeth Shotkoski Ferneding, addressed the hearing, reporting she is volunteering to educate people and communities on the Public Health issues as a result of living near wind turbines.

David Levy, attorney for wind energy agreed for a sound study, noting a sound study runs on conservative assumptions. Noting 40-50 dBA is consistent with the current By-Laws, believing 50 dBA is an appropriate level.

Kurt Oates addressed the hearing, explaining wind energy as a commodity can not replace conventional power generation, such as coal, oil, etc.

At 11:05 a.m. the Public Hearing was recessed:

At 11:06 a.m. Henning moved to open the bids for the Swanton West Bridge Replacement Project, seconded by Kohout. Voting aye were Krivohlavek, Hardenburger, Henning, Karpisek and Kohout, nays none, motion carried.

Bids were opened and read aloud from Simon Contractors, North Platte, NE; KEA Constructors, LLC, Milford, NE; Midwest Infrastructure, Inc., Lincoln, NE and JJK Construction LLC, Ceresco, NE. All bids are made a part of these minutes as Attachments 1, 2, 3 and 4.

Highway Superintendent Bruce Filipi thanked the companies who submitted bids and stated he would come back to the Board in two weeks with his recommendation.

At 11:19 a.m. the Public Hearing reconvened:

Gerald Brown addressed the hearing, stating at the last Planning & Zoning meeting, there was only 1 member of the public who indicated they were in favor of wind energy. Brown also stated he is for reliable safe electricity.

Jeff Koll addressed the hearing, noting Jefferson County Planning & Zoning is going through the modification of their regulations, noting he attended their January 26th Public Hearing. He stated the Planning & Zoning Committee's job is to protect the Health and Safety of Saline County. He inquired how formal complaints are being addressed.

Gary Veprovsky addressed the hearing, reporting he attended the Jefferson County Planning & Zoning Public Hearing on January 26th. He expressed the importance of quality of life for the neighbors of those who have wind turbines on their properties.

Chuck McKay addressed the hearing, noting his concern was this Public Hearing, which was impacted by the number of individuals in attendance.

At 11:45 a.m., with no other individuals coming forward to speak, Henning moved to close the public hearing, seconded by Kohout. Voting aye were Hardenburger, Henning, Karpisek, Kohout and Krivohlavek, nays none, motion carried.

Krivohlavek moved to table to discuss/approve/disapprove to amend the noise restrictions in section 619(E), from a limit of 40 decibels from any dwelling to a limit of 50 decibels from any dwelling as it relates to wind energy conversion systems, until more information is received from the Planning & Zoning Committee, seconded by Henning. Voting aye were Henning, Karpisek, Kohout, Krivohlavek and Hardenburger, nays none, motion carried.

County Assessor Brandi Kelly, presented an update from the Assessor's office. The assessing of the commercial properties in Friend, Dorchester and Wilber and the residential properties in Friend have been completed. Kelly is working with the County Attorney on the upcoming TERC hearings and she is continuing to research software for the Assessor's office.

Krivohlavek moved to approve the list of surplus property to be sold at the Saline Center March 19, 2023 sale, seconded by Kohout. Voting aye were Karpisek, Kohout, Krivohlavek, Hardenburger and Henning, nays none, motion carried.

Filipi presented for approval a Request to Occupy Right of Way for Mitch Hedden at 1675 County Road BB. Henning moved to approve, seconded by Karpisek. Voting aye were Kohout, Krivohlavek, Hardenburger, Henning and Karpisek, nays none, motion carried.

Filipi reported on various road projects and to address some of the road complaint issues, he stated the gravel Saline County uses meets the State specs.

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

Rebecca Anderson	Attorney Fees	527.25
Anytime Plumbing	Building Maint	54.00
Kara Burda	Mileage	82.39
Cedars	Contract	465.83
CAMC	Contract	794.26
Des Moines Stamp	Supplies	21.00
Dollar General	Supplies	41.00
Dee Drake	Reimburse	50.00
Drivers License Guide	Supplies	31.95
Eakes	Supplies	92.78
Ecolab	Building Maint	183.57
Electronic Contracting	Building Maint	170.00
Empower	Contract	300.00
Equifax	Contract	298.88
Jennifer Filipi	Reimburse	129.11
Flagz @ The Brand	Supplies	535.00
Friend Community Healthcare System	Contract	365.00
Scott Gropp	Attorney Fees	6,766.67
Philip Hardenburger	Mileage	90.39
Jay's Oil	Supplies	32.50
Kalkwarf & Smith	Attorney Fees	646.00
Melanie Kunc	Mileage	23.58
Mallory Safety	Supplies	149.11
Patrick Meister	Reimburse	359.52
Midwest Card and ID Solutions	Supplies	134.98
MIPS	Contract	264.97
NACO	Training	120.00
Nebraska Assn Cty Clerk	Training	50.00
Nebraska Law Enforcement Training	Training	30.00
Nebraska Weed Control Association	Training	150.00
Anita Novotny	Reimburse	100.00
Quadient	Supplies	75.89
Quadient	Contract	998.04
Region V Systems	Contract	3,638.00
Sarpy County Sheriff	Contract	10,810.00
Schuerman Welding	Supplies	37.80
Security Equipment	Contract	1,080.00
Seward County Independent	Print & Publish	161.91
Sid Dillon	Equipment Rpr	184.90
Soarin Group	Contract	1,497.00
State of NE	Contract	56.88
Anita Stougard	Mileage	72.71
Summit	Supplies	10,460.27
Thomson Reuters	Contract	922.00
Extension Saline Co	Reimburse	389.40
Us Bank	Contract	436.61
Becky Vales	Mileage	62.88
Verizon	Communication	2,084.69
Visa	Training	25.41
Visa	Postage	1,985.25
Visa	Communication	52.00
Visa	Fuel	72.22
Visa	Supplies	31.96
Visa	Fuel	39.69
Visa	Uniform	714.18
Visa	Supplies	46.96
Walker	Contract	36.41

Walker	Contract	62.34
Madeline Werner	Mileage	25.48
Wilber Plumbing	Building Maint	104.15
Windstream	Communication	1,860.29
Ace Irrigation	Supplies	25,136.09
B's Enterprises	Equipment Rpr	6,250.00
Beatrice Concrete	Gravel	5,929.56
City of Friend	Utility	46.70
Filtercare	Supplies	21.75
KT's Market	Supplies	8.68
Midwest Machinery	Supplies	227.88
Midwest Radiant Heaters	Equipment Rpr	2,595.00
Midwest Unlimited	Supplies	968.74
NPPD	Utility	421.00
Wilber Plumbing	Building Maint	28.98
Kathy Homolka	Mileage	289.51
Saline County Historical Society	Reimburse	100.00
Friend Legion Hall	Reimburse	1,200.00
Saline County Ag Society	Reimburse	1,200.00
Saline County Historical Society	Reimburse	3,600.00
Samantha Cosaert	Program	285.00
Crete Chamber of Commerce	Dues	150.00
Culligan	Contract	361.00
Tia Kreshel	Program	795.00
Plymouth Electric	Building Maint	465.77
Darlene Pribyl	Mileage	194.38
Visa	Program	148.54
Visa	Program	441.98
Visa	Program	1,219.58
Wilber Care Center	Program	774.00
Kalkwarf & Smith	Attorney Fees	1,200.00
Cedars Youth Services	Program	1,608.50
Anita Stougard	Program	1,087.19
Bonnie Bleich	Premium Pay	3,993.60
Janis Frey	Premium Pay	3,993.60
Lou Hajek	Premium Pay	3,993.60
Lloyd Hollibaugh	Premium Pay	3,993.60
Richard Kliment	Premium Pay	3,993.60
Vergene Kracke	Premium Pay	3,993.60
Laura Mackeprang	Premium Pay	3,493.44
Dennis Oliva	Premium Pay	3,993.60
Cathy Pallas	Premium Pay	2,350.08
Steven Reisdorff	Premium Pay	3,993.60
Tammy Scusa	Premium Pay	5,033.60
Eric Stehlik	Premium Pay	3,993.60
Diane Troshynski	Premium Pay	5,033.60
Randy Younger	Premium Pay	3,993.60
David Zeleny	Premium Pay	3,993.60
Windstream	Communication	249.37
Windstream	Communication	1,109.12
Summit	Supplies	8,782.70
Visa	Supplies	182.99
Visa	Equipment	432.17
iSolved Payroll, Taxes & Payments	Payroll & Taxes	243,020.00
Ameritas Life	Retire	28,345.54
BC/BS	Hlth Ins	117,352.64
Principal Dental	Dental Ins	2,149.89

Madison Nat'l Life	Life Ins	61.63
AFLAC	Ins	1,231.08
VSP	Eye Ins	490.30
Empower	Def Comp	2,217.00
First Concord	Café	1,947.39
Colonial Supp Ins	Ins	164.87
Madison Nat'l Life	Dis Ins	202.09
Teamsters	Dues	275.00
New York Life	Ins	95.64
Globe Life	Ins	280.67
Clear Recovery	Garnish	205.42

At 12:25 p.m. Henning moved to enter closed session to discuss a personnel matter, seconded by Karpisek. Voting aye were Hardenburger, Henning, Karpisek Kohout and Krivohlavek, nays none, motion carried.

At 12:53 p.m. Henning moved to exit closed session, seconded by Karpisek. Voting aye were Henning, Karpisek, Kohout, Krivohlavek and Hardenburger, nays none, motion carried.

Hardenburger announced during closed session no action was taken.

There being no further business to come before the Board, the meeting was adjourned at 12:54 p.m. The next regular meeting will be on Tuesday, March 14, 2023 at 9:30 a.m. in the Saline County Commissioners' Room, Court House, Wilber, NE.

ATTEST:

Anita K. Bartels, County Clerk

Janet J. Henning

Stephanie A. Krivohlavek, Vice-Chairperson

Marvin A. Kohout

Phil Hardenburger, Chairperson

Russ Karpisek

I, Anita K. Bartels, County Clerk in and for Saline County, do hereby certify that the minutes of the previous meeting held on February 14, 2023 were approved as presented.

Anita K. Bartels, County Clerk

Janet J. Henning

Stephanie A. Krivohlavek, Vice-Chairperson

Marvin A. Kohout

Phil Hardenburger, Chairperson

Russ Karpisek