

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, March 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 March 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 Krivohlavek. Voting aye were Krivohlavek, Hardenburger, Henning, Karpisek and Kohout, nays none, motion carried.

Karpisek moved to approve the minutes of the March 14, 2023 meeting, seconded by Kohout. Voting aye were Hardenburger, Henning, Karpisek, Kohout and Krivohlavek, nays none, motion carried.

Under Citizens Forum, Hannes Zetsche, Attorney with Baird Holm and Lester Ralston addressed the Board.

Under Correspondence, Bartels reported receiving from Blue Valley Community Action the agenda for their March 21st meeting, minutes of their February 21st meeting and the March 2023 Reports to the BVCA Board of Directors; from the City of Crete Notices of Public Hearings to be held on March 27th and April 4th, Notice the City Council Committees and City Council would meet on March 21st; from SENDD their March 23rd meeting agenda and minutes of their February 23rd meeting; an email from Ebony Cooksey with Nextlink, sending broadband information regarding the Nebraska Broadband Bridge Program grant.

Karpisek reported receiving telephone calls regarding the wind turbine decibel change.

Krivohlavek received a letter regarding the Crete Public Hearings on annexations.

Hardenburger reported receiving telephone calls regarding a Crete bridge and the wind turbines.

Under Report of Offices, Henning reported on a meeting with Public Health Solutions.

Kohout reported on meetings with the SE District NACO, Hometown Housing, Planning & Zoning, Employee Recognition, Seward/Saline County Waste Management and on Friday he will be meeting at the old jail regarding possible renovation.

Krivohlavek reported there was a good turnout for the Aging Services Shamrock Shuffle.

Karpisek reported on a Wellness Committee meeting and a Broadband webinar.

Hardenburger reported on the SE District NACO meeting, meetings on Workforce Development, Hometown Housing, County Extension Board, and Legislative Updates, along with listening to State legislative testimony at the Capitol. He noted on Friday he will also be at the old jail regarding possible renovation.

At 10:00 a.m. Michaela Nielsen with Soarin, updated the Board on recent Human Resource activities involving the payroll software iSolved, upcoming training for manager/supervisors and establishing an employee insurance committee with the option of sending a survey to all employees for feedback on what insurance options would be important to them.

Krivohlavek moved to approve an employee health insurance committee, consisting of members Phil Hardenburger, Stephanie Krivohlavek, Dee Drake, Jamie Woltemath, Kara Burda, Lyle Weber, Lori Moldenhauer, Daryl Clark, Melanie Kunc and Michaela Nielsen, seconded by Kohout. Voting aye were Henning, Karpisek, Kohout, Krivohlavek and Hardenburger, nays none, motion carried.

The first meeting of the employee health insurance committee was set for Thursday, April 13, 2023 at 8:30 a.m. in the Commissioner's boardroom.

At 10:15 a.m. Marci Fehlhafer, SE Nebraska CASA, discussed Child Abuse Prevention Month and requested permission to place a table with information inside the courthouse and pinwheels on the courthouse lawn. Henning moved to grant permission, seconded by Krivohlavek. Voting aye were Karpisek, Kohout, Krivohlavek, Hardenburger and Henning, nays none, motion carried. Fehlhafer also announced there would be Coffee with CASA at Hennings in Crete, Thursday, March 30th from 9:00 a.m. to noon.

Sheriff Alan Moore requested approval of Resolution #2023-13 to establish Fund #2411 (DOJ) Federal Drug Forfeiture and Fund #2412 (USDOT) Federal Drug Forfeiture. Moore explained separate funds are to be in place for the County to receive a percentage of monies seized by deputies during drug arrests.

Henning moved to approve Resolution #2023-13, seconded by Karpisek. Voting aye were Kohout, Krivohlavek, Hardenburger, Henning and Karpisek, nays none, motion carried.

Moore reported he has renegotiated the U.S. Marshall's contract for the housing of Federal inmates, increasing the per diem to \$110.00 and transport rate to \$39.00 per hour, for a term of three (3) years.. Kohout moved to approve, seconded by Krivohlavek. Voting aye were Krivohlavek, Hardenburger, Henning, Karpisek and Kohout, nays none motion carried.

At 10:41 a.m. Hardenburger announced a short recess;

At 10:52 a.m. Hardenburger announced the Board would reconvene;

Assessor Brandi Kelly updated the Board on a 2020 TERC case and advised there would be a tax list correction submitted for approval at the April 11th meeting. Kelly advised the Board the Appellant for the March 10, 2023 TERC hearing was a no show.

Krivohlavek moved to approve Resolution #2023-12, changing the July through December 2023 meeting dates to July 5, July 11, July 25, August 8, August 22, September 5, September 19, October 3, October 17, October 31, November 14, November 28, December 12 and December 26th, seconded by Karpisek. Voting aye were Hardenburger, Henning, Karpisek, Kohout, and Krivohlavek, nays none, motion carried.

At 11:07 a.m. Krivohlavek moved to close the bids for a Lowboy Trailer, seconded by Kohout. Voting aye were Henning, Karpisek, Kohout, Krivohlavek and Hardenburger, nays none, motion carried.

Two companies submitted bids, Murphy Tractor & Equipment, Lincoln and LMI LLC, Waverly, Tennessee. The bids were read aloud and are made part of these minutes as Attachments 1 and 2.

Highway Superintendent Bruce Filipi thanks the bidders for their submission and stated he would return to the meeting on April 11, 2023 with his recommendation.

Filipi presented for approval a Request to Occupy the Right of Way submitted by Shawn Cross in the SE1/4 of 4-8-1, Road 400 between A and B. Krivohlavek moved to approve, seconded by Kohout. Voting aye were Henning, Karpisek, Kohout, Krivohlavek and Hardenburger, nays none, motion carried.

Filipi reported he is starting to get larger culverts in and will begin replacing bridges with these culverts.

Discussion was held on broadband for rural Saline County. Karpisek reported there is a bill in the legislature to fund a State Broadband Committee. This Committee would be currently housed in the Public Service Commission, but may move to the Department of Transportation. Nextlink information was reviewed, noting Nextlink is bringing broadband to rural Gage and Seward counties. Currently, Nextlink has a grant application in place to bring broadband to the Village of Western and are requesting Saline County's support of the Nebraska Broadband Bridge Program Grant – FCC RDOF Rural Digital Opportunity Funding. Krivohlavek moved to provide support for this grant application, seconded by Kohout. Voting aye were Kohout, Krivohlavek, Hardenburger, Henning and Karpisek, nays none, motion carried.

It was noted Loel Brooks was hired by Gage County as a broadband consultant. The Board requested Attorney Solheim to contact Brooks to see if he would be willing to attend a board meeting to discuss exactly what services he could provide to Saline County, including cost, to move forward with the development of rural broadband internet.

Krivohlavek opened a discussion on what other Nebraska counties currently have as noise ordinances with wind farms. She explained the Planning & Zoning Regulations she was sharing were from counties who have had experience with wind farms in place since 2016, along with a study conducted by the University of Nebraska. The counties discussed were Kimball, Custer and Jefferson. It was noted in the regulations for Kimball and Custer counties, an acoustical analysis is required to be submitted with a conditional use permit application. Attorney Solheim, offered an opinion to the Board, the Planning & Zoning Committee is an advisory committee, in which it fails to act and does not make a decision on a regulation change after 3 consecutive meetings, the Board of Commissioners may initiate the change to the Planning & Zoning regulations. His suggestion was to file a petition to the Planning & Zoning Committee, to update the

Planning & Zoning Regulations to include but not limited to: an acoustical study as part of a wind turbine conditional use permit application and increasing the wind turbine sound level to 50 decibels using the "A" scale (dBA). Said petition request is to be on the April 11, 2023 meeting agenda for approval.

Planning & Zoning Administrator Lyle Weber reported the information he had received regarding the cost of doing a sound decibel study on the current wind turbines has not changed. The cost would be \$48,000 to \$50,000 to start.

Krivohlavek moved to disapprove making funds available to do a sound decibel study on the existing wind farm, Milligan 1 in Saline County, seconded by Kohout. Voting aye were Krivohlavek, Hardenburger and Henning, nays Karpisek and Kohout abstained with conflict, motion carried.

Krivohlavek moved to approve soliciting bids for a Public Defender contract, seconded by Henning. Voting aye were Hardenburger, Henning, Karpisek, Kohout and Krivohlavek, nays none, motion carried.

Karpisek moved to approve the 2023 County Treasurer's Return on the Public Tax Sale, seconded by Krivohlavek. Voting aye Karpisek, Kohout, Krivohlavek, Hardenburger and Henning, nays none, motion carried.

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

Rebecca Anderson	Atty	1,964.92
Anytime Plumbing	Bldg Maint	136.80
Black Hills	Utility	172.00
Kara Burda	Reimb	150.00
CAMC	Cntrct	4,219.56
Dollar General	Spls	81.20
Dee Drake	Mlg	61.05
Eakes	Spls	205.98
Ecolab	Spls	428.23
Emblem Ent	Spls	532.24
Equifax	Cntrct	305.89
Evident	Spls	66.50
Fehlhafer's	Spls	575.00
First Concord	Ins	476.00
Flood Comm	Ad	50.00
Stephanie Flynn	Atty	1,999.30
Friend Comm Hlthcr Sys	Cntrct	695.00
Mitch Fritz	Mlg	24.17
Galls	Unfm	19.71
Scott Gropp	Atty	6,666.67
Heath Sports	Unfm	77.96
The Home Depot Pro	Spls	139.15
Marvin Kohout	Mlg	318.13
Jeffrey Koll	mlg	33.34
Kay Kottas	Mlg	38.58
Sandra Krivohlavek	Mlg	37.27
Melanie Kunc	Mlg	15.52
Anthony Lytle	Reimb	12.01
Mckinnis	Spls	669.05
Menards	Spls	167.35
NACO	Trng	40.00
NE LE Trng	Trng	10.00
Austin Nicholson	Mlg	18.28
Aaron Niederklein	Mlg	22.86
Kellen Novak	Mlg	28.10
Tyson Osborn	Reimb	31.30
Aron Ourecky	Mlg	26.79
Physicians Lab	Cntrct	257.00

Region V Systems	Cntrct	214.00
Michele Renner	MIg	29.41
Jennifer Retchless	Reimb	10.26
Saline Co Atty	Reimb	724.69
Saline Co Dist Crt	Reimb	36.00
Sarpy Co Sheriff	Cntrct	5,170.00
Schuerman Welding	Spls	64.89
Sec of State	Spls	20.00
Shop Qwik	Fuel	79.82
Soarin Grp	Cntrct	1,497.00
State of NE	Cntrct	56.88
Deborah Steuk	MIg	50.37
Mark Strouf	MIg	17.62
Summit	Spls	9,750.11
U.S.P.S	Pstg	2,000.00
Ext Saline Co	Reimb	1,909.98
Us Bank	Cntrct	394.04
Becky Vales	MIg	15.72
Verizon	Comm	2,082.88
Theresa Vernon	MIg	29.41
Visa	Trng	192.00
Visa	Pstg	4.20
Visa	Dues	175.05
Visa	Unfm	2,073.75
Walker	Bldg Maint	36.41
Walker	Bldg Maint	62.34
Jennifer Warning	Reimb	8.18
Madeline Werner	MIg	315.12
Windstream	Comm	284.31
Keven Zumpfe	Reimb	50.00
Beatrice Concrete	Gravel	13,533.11
City of Friend	Utility	46.70
Filtercare	Spls	28.95
Matheson Tri-Gas	Spls	702.34
NPPD	Utility	1,094.02
Summit Fire	Cntrct	2,128.00
Truck Center	Spls	553.39
Eakes	Spls	5.69
Madonna Rehab Hosp	Hlth Scrn	5,859.19
Jessica Acosta	Reimb	70.94
Samantha Cosaert	Prgm	285.00
Marcia Emal	Prgm	275.94
Darlene Pribyl	mlg	157.74
Purfoods	Prgm	150.00
Visa	Prgm	109.77
Visa	Prgm	742.33
Kalkwarf & Smith	Atty	1,200.00
Redwood Toxicology Lab	Cntrct	89.50
Anita Stougard	Prgm	1,038.75
Forrest Doyle	Prm Pay	3,993.60
Stephen Sunday	Prm Pay	4,423.66
Windstream	Comm	249.37
Visa	Trng	812.69
Windstream	Comm	1,109.12
Summit	Spls	8,766.14
Visa	Spls	123.50
Visa	Prgm	29.08

iSolved Payroll, Taxes & Payments	Payroll & Taxes	234,899.82
Ameritas Life	Retire	31,355.61
BC/BS	Hlth Ins	117,353.06
Principal Dental	Dental Ins	2,154.54
Madison Nat'l Life	Life Ins	62.57
AFLAC	Ins	1,131.85
VSP	Eye Ins	486.04
Empower	Def Comp	2,217.00
First Concord	Café	1,700.62
Colonial Supp Ins	Ins	164.87
Madison Nat'l Life	Dis Ins	206.24
Teamsters	Dues	350.00
New York Life	Ins	95.64
Globe Life	Ins	213.64
Clear Recovery	Garnish	205.42
Bruce Wingerd	Garnish	512.74

At 12:30 p.m. Krivohlavek moved to enter closed session to discuss a personnel matter, seconded by Karpisek. Voting aye were Kohout, Krivohlavek, Hardenburger, Henning and Karpisek, nays none, motion carried.

At 12:49 p.m. Krivohlavek moved to exit closed session, seconded by Henning. Voting aye were Krivohlavek, Hardenburger, Henning, Karpisek and Kohout, nays none, motion carried.

Hardenburger announced during closed session a personnel matter as discussed with no action taken.

There being no further business to come before the Board, the meeting was adjourned at 12:51 p.m. The next regular meeting will be on Tuesday, April 11, 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 March 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