

Nemaha County Board Minutes



July 11, 2018

County of Nemaha, Nebraska
BOARD OF COMMISSIONERS
Commissioner's Chambers
Nemaha County Courthouse, Suite 201
1824 N St Auburn NE

County Board of Commissioners of the County of Nemaha, State of Nebraska met on Wednesday, July 11, 2018, Commissioner's Chambers, Nemaha County Courthouse, Auburn NE for a regular scheduled meeting. Notice of meeting was published weekly in the Nemaha County Herald. The agenda for the meeting was kept continually current and available for public inspection at the office of the Nemaha County Clerk during normal business hours and also on the Nemaha County website. The agenda was held open until one business day prior to the meeting for appearance before the board and items for approval by the Board of Commissioners. The Board of Commissioners has the right to modify the agenda to include items of an emergency nature only at such public meeting.

Meeting Called to Order – Chairman Bohling called the meeting to order at 8:04 a.m. Present for the meeting: Commissioner District 1 Bob Hutton, Commissioner District 3 Marvin Bohling and County Clerk Joyce Oakley. Chairman Bohling led the Pledge of Allegiance and noted the posting of the Open Meeting Poster and the availability of the Open Meeting Handouts to the public. Absent: Commissioner District 2 Bryan Mellage.

Approval of Agenda – Motion by Hutton, seconded by Bohling to approve the agenda as presented. Roll call vote: Hutton, aye; Bohling, aye.

Commissioner District 2 Bryan Mellage arrived at 8:05 a.m.

Approval of Minutes – Motion by Hutton seconded by Bohling to approve the June 30, 2018 regular scheduled meeting minutes with no corrections. Roll call vote: Bohling, aye; Hutton, aye; Mellage, aye.

8:05 a.m. Foremen's Mtg: need Inter-local Agreements expense reports for villages & schools etal; Fuel & Rock summary reports for June, 2018; NIRMA's ball bank indicator (who has it?); culvert order; bridge plank order – Discussion items: culverts order for FY18-19 foremen's need to submit needs by end of the week; discussion on the new cat, air filter gets plugged after about 176 hours; grader demo returned, not impressed; need truck/grader tires state bid; chips hauled for Agricultural Society for county fair, District 1 made a tarp out of silt fence; silts fences are needed for bridge projects; need a seeder preferably a drill; King project bridge project put off for a while; Foreman Boring asked about the other shops ordering their own signs, he thought he was in charge of ordering signs.

Discussion Items/Commissioners Reports/Report of Meeting(s) Attended: Recognition of retiring employees/officials; Household Hazardous Waste

Appointments

8:50 a.m. Jim Biaggi reg: keeping his hourly wage for Project Liaison duties for Fed. Aid Projects – Jim Biaggi was present to discuss the salary he is receiving for Responsible Charge/Project Liaison duties. Biaggi indicated he visited with Paul Kieper, with the NDOT, regarding upcoming Federal Aid Projects and Kieper indicated the county would need a Responsible Charge or Project Liaison for any bridge projects with a cost over \$500,000.00. Kieper indicated that in October or November, NDOT will review the scour and fractural bridge inspections that were conducted and determine if any bridges would qualify for Federal Aid that the county could apply for.



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Commissioner Mellage indicated he also visited with Kieper regarding the job requirements and the need for a Responsible Charge or Project Liaison on future county bridge projects. Mellage indicated he thought the county should leave the salary with the position until October or November, when the NDOT decides if a bridge would qualify for Federal Aid dollars.

Commissioner Bohling stated the county doesn't have any bridges large enough to qualify for Federal Aid dollars. The R.C. position was offered to Biaggi several years ago when we had 2 Federal Aid projects, which are now completed. Bohling indicated he would like to wait until October/November to see if there are any new bridge projects.

Motion by Bohling, seconded by Hutton to not change Biaggi's hourly wage to the road crew wage until November 1, 2018 and to revisit changing after NDOT reviews the county bridge inspections. Roll call vote: Hutton, aye; Bohling, aye; Hutton, aye.

Claims – Motion by Mellage, seconded by Hutton to approve the accounts payable claims as presented by the County Clerk and authorized for payment by the Board of Commissioners. Roll call vote: Mellage, aye; Hutton, aye; Bohling, aye.

Motion by Bohling, seconded by Hutton to approve the accounts payable claim to Mellage Truck & Tractor in the amount of \$275.28 for parts. Roll call vote: Hutton, aye; Mellage, abstain; Bohling, aye.

9:00 a.m. Auburn Senior Center – Linda Ellison or Myron Gerdes reg: FY 2018-2019 funding – Linda Ellison, representing the Auburn Senior Center visited with the Board regarding the FY 2018-2019 funding request for the Auburn Senior Center. Previously the board allocated \$1,000.00 for support. Ellison indicated they would like to have \$2,000.00 for FY 2019-2020. Board took the request under advisement.

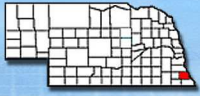
9:15 a.m. Donald Pepperl, Attorney – Conservation & Preservation Agreement Wachiska Audubon Land Management – Donald Pepperl, Attorney representing Wachiska Audubon Land Management LLC and Wachiska Audubon Society presented 2 Conservation and Preservation Agreements that have been executed by both groups for the preservation of the pristine undisturbed tallgrass prairie grass in Sec. 1 T6N R12E and Sec. 6 T6N R13E. Pepperl provided a copy of Neb. State Statute 76-2,112(3) noting "if such property is located outside the boundaries and a zoning jurisdiction of any city or village, approval of the county board shall be required" before filing the 2 agreements with the Register of Deeds Office.

9:30 a.m. Dave Merrill, Region V Services, C.J. Johnson Region V Systems – annual reports – C.J. Johnson with Region V Systems was present and provided the annual report. Johnson indicated there would be no increase in dues for FY 2018-2019. Dave Merrill, Region V Services was present and provided the annual report. Merrill, also indicated there would be no increase in dues FY 2018-2019.

Eldon Russell, representing Auburn Region V, provided the annual report and noted on the number of clients employed, home owners, have a driver's license and own their own car.

10:00 a.m. Phil Walker – brush growing along county roads (multiple roads!!) – Phil Walker visited with the board regarding trees growing and hanging in the road right of way. Walker indicated he has previously visited with the board and feels nothing has been done. He also indicated spraying the trees does help, because then you don't have leaves hitting your car, you have bare branches. Walker also had a copy of the notice in the newspaper indicating it's the responsibility of the landowner to control the trees. He also indicated the county shouldn't be responsible for removing the trees.

10:15 a.m. Mike Hall & Kellie Kennedy, Village of Nemaha – re: in kind service commitment from the county for building a new community center – Mike Hall and Kellie Kennedy representing the Village of Nemaha and Crystal Dunekacke, SENDD visited with the board regarding the Village applying for a CDBG grant for building a new community building. Hall indicated the village would like a letter of support from the



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county, to include with the Village's CDBG grant application, indicating the county will provide in-kind support for the demolishing the building.

Dunekacke also requested a letter of support from the county supporting the grant application.

11:30 a.m. Ruth Heywood – reg: Unprofessionalism and direction of illegal activity by a County Commissioner by not being allowed to dump box spring & mattress, door/cardboard at the Appliance/Furniture Drop Off Site (told to dump on personal farm ground); road erosion on 723 Rd east of Bill Hutton driveway – Ruth Heywood visited with the board regarding the unprofessionalism of County Commissioner Hutton at the Appliance/Furniture Drop Off Site. Heywood indicated she recently went to the drop off site to dispose of a mattress and box springs and card board and was told by Mr. Hutton that she owns 80 acres, she could dump that stuff there. Heywood indicated there is a lot of inconsistencies with what can or can't be disposed of at the site.

Heywood also brought to the attention of the board, problems with drainage on a road by her father's 80 acres. Several years ago, the culvert was removed due to being plugged and was not replaced and since the culvert was removed, water has been running over the road. Heywood would like to have the culvert replaced. Commissioners indicated they will look at the road and drainage issues.

Executive Session *

Discussion/Action – Business

1. Removing the Responsible Charge job classification from the Local 251 Union Contract effective July 16, 2018 – see 8:50 a.m. appointment above.
2. Floodplain Permit #89 – C-64(295) C006412435 (Heskett) – Motion by Hutton, seconded by Mellage to authorize the chairman to sign Floodplain Permit #89 1&6 Year Project C-64(295) Bridge C006412435. Roll call vote: Hutton, aye; Bohling, aye; Mellage, aye,
3. Resolution 2018-19 Subdivision of a 7.25 acre tract of land in Sec. 27 T5N R13E for Brent Meyer – Motion by Bohling, seconded by Hutton to adopt Resolution 2018-19 approving the subdivision of a tract of land in Sec. 27 T5N R13E for Brent Meyer. Roll call vote: Mellage, aye; Bohling, aye; Hutton, aye.
4. Application for Road Entrance in NE ¼ Sec. 7 T5N R15E for Luke Andrew – Motion by Mellage, seconded by Hutton to approve the application for road entrance for Luke Andrew in Sec. 7 T5N R15E on county road 725 with the county to provide the culvert. Roll call vote: Bohling, aye; Mellage, aye; Hutton, aye.
5. Application for Road Entrance in NE ¼ Sec. 7 T5N R15E for Luke Andrew – Motion by Hutton, seconded by Mellage to approve the application for road entrance for Luke Andrew in Sec. 7 T5N R15E on county road 642A Ave with the applicant to provide the culvert. Roll call vote: Mellage, aye; Hutton, aye; Bohling, aye.
6. PILT Law Suit – Co. Attorney approved completing and submitting paperwork – Motion by Mellage, seconded by Hutton to authorize the chairman to sign the Class Action Opt-In Notice Form, United States Court of Federal Claims for recovering additional sums of Payment in Lieu of Taxes (PILT Act) for the years 2015, 2016, and/or 2017. Roll call vote: Bohling, aye; Hutton, aye; Mellage, aye.

Discussion/Action - Buildings/Grounds/Property

1. Updates on the Bldg. Addition to the sheriff offices – Sheriff Lottman updated the board.
2. Dumping of construction materials at Household Hazardous Waste Site – Board noted a picture of illegal dumping of construction materials. Mellage also had a picture of dry wall that was thrown in the containers on July 7, 2018.
3. Court room security & courthouse emergency plan – Sheriff Lottman updated the board.
4. Radio tower – Sheriff Lottman has received an estimate on the cost of a tower
5. Future budgeting for Sheriff's Department, Brent Lottman

Discussion/Action - Equipment/Office Equipment/Vehicles/Furniture



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1. Surplus sheriff's vehicle – keeping for official's use

Discussion/Action - Highway Superintendent

1. ROW Easements for C-64(295) Bridge C006412435 – 2 landowners – Who's going to contact reg: donation or acquisition? – County Clerk will send letters to the landowners
2. ROW Easements for C-64(320) Bridge C006402710 – landowners contacted?? – Mellage will contact the owner regarding donation of row.
3. Contact Pavers Inc. reg: estimate of tonnage, etc. for contract
4. Storm Water Notice of Intent has been approved C-64(326) Rebuilding Co. Road Secs. 11&12 T6NR13E

County Officials Reports/Correspondence/Reminders

1. Nemaha County Fee Report for June, 2018 – fees collected \$7,200.75
2. Nemaha County Veterans Service Officer Report for June, 2018
3. Nemaha County Sheriff's Quarterly Fee Report – fees collected \$42,684.53
4. Nemaha County Clerk of District Court Fee Report – fees collected \$1,567.23
5. Fund Balances as of June 30, 2018
6. State Homeland Security Grant EMPG Monitor Visits Results

The following claims were approved for payment by the Board of Commissioners and authorized the County Clerk for payment:

General

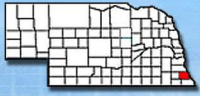
Salaries	\$49,229.50
Access Elevator, se	335.00
Action Tech, sftwr	1,014.99
Airespring, se	365.22
American Recycle, se	1,793.50
Aub News, pub	602.54
Aub Plumb, se	495.68
Auto Parts, su	78.48
Bd Public Wks, ut	7,511.76
Bradley Electric, se	90.00
Capital Bus, ma ag	1,397.22
Capital Bus, ma ag	76.04
Cody's U-Save, me su	133.31
Consolidated, me	114.23
Constellation, ut	4.72
Culligan, su	110.80
DAS State, se	448.00
Fankhauser, atty fe	4,250.00
Farmers Coop, fu	1,191.36
First Wireless,se	556.25
Glenn's Corner, su	13.77
Green Care, se	718.00
Johnson, E, mi	767.69
Kernes-Krause, mi	35.97
Knapp, S, se	315.02
Kravec, atty fe,pstg	2,063.50
Lesoing, G, mi	73.03
Lottman, B, se	250.00
Lynch's, su	16.14
Mass Mutual, ret	50.00
Mellage, B, mi	205.47
Merz Ink, su	1,050.00
Microfilm, se	103.00
MIPS, sftwr	1,326.34
Moore, R, se	241.69



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NE Law Enf, trng	50.00
Nem Co Clk, hra	6,102.88
Nem Co Clk Dist, fe	603.00
Nem Co Sheriff, fe	63.00
Nem Co Tax, ret	7,626.99
Nem Co Tax, ss, fwh	14,990.89
Nem Co Tax, ret	50.00
Nem Co Treas, reim	33.08
NIRMA, ins	85,511.20
Noerrlinger, atty fe	900.00
Oestmann, D, mi	32.70
OPPD, ut	65.25
Paper Tiger, se	35.00
Quill, su	15.99
Region V, se	3,225.25
Shopko, su	37.99
Sittler, J, mi	37.08
Spartan Stores, su	215.38
West Academic, su	54.00
Windstream, se	185.33
Zimmerman, T, mi	28.36
Road	
Salaries	\$15,161.41
American Recycle, se	59.00
Auto Parts, pts, su	1,534.06
Bd Public Wks, ut	528.30
Credit Manage, garn	78.95
Eggers, pts, su, pts	303.19
Farmers Coop, ut	17,386.92
Lynch's, su	17.94
Mellage Truck, pts	275.28
Midwest Coop, oil	125.00
NE Child Spt, garn	255.00
Nem Co Tax, ret	2,329.78
Nem Co Tax, ss, fwh	4,598.23
NIRMA, ins	22,076.80
Powerplan, pts	128.21
RDO, pts	323.51
Sack Lumber, su	383.07
Village Johnson, ut	29.00
County Visitors	
Brownville Hist, adv	400.00
Courtside Market, adv	674.00
Visitors Improvement	
City of Auburn, proj	3,500.00
Register Deeds	
MIPS, sftwr	350.69
911 Emergency	
American Tower, se	871.88
Haug Comm, se	1,039.50
911 Enhanced	
Nem Co Treasurer, trans	.02
Hospital Bond	
First Nat'l Bank	346,120.00



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With no further business to come before the Board of Commissioners, motion by Mellage, seconded by Hutton to adjourn at 12:15 p.m. Roll call vote: Bohling, aye; Hutton, aye; Mellage, aye.

Marvin Bohling, Chairman
Board of Commissioners

I, Joyce Oakley, the undersigned County Clerk of Nemaha County, Nebraska do hereby certify the foregoing minutes are true and are a part of the official records of this office. A complete copy of the minutes is available during normal business hours at the Nemaha County Clerk's office or on the Nemaha County's website: www.nemahacounty.ne.gov.

Joyce Oakley
County Clerk

The next Board of Commissioners meeting is scheduled for Wednesday, July 25, 2018 beginning at 8:00 a.m. Agenda for the meeting closes at 5:00 p.m., Monday, July 23, 2018. Current agenda and meeting minutes can be found on the Nemaha County's website: www.nemahacounty.ne.gov