

Howard County Board Minutes



HOWARD COUNTY BOARD MINUTES

Howard COUNTY BOARD OF COMMISSIONERS PROCEEDINGS

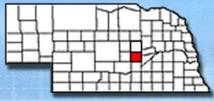
November 10, 2022, St Paul, NEBRASKA

The Howard County Board of Commissioners of Howard County, Nebraska, met in regular session at 8:30 A.M. on Thursday, November 10th in the Commissioners Meeting Room of the Courthouse in St Paul, Nebraska.

Chairman Boehle called the meeting to order, and Commissioners present for roll call were Dave Boehle, Kathy Hirschman, and Gary Rasmussen. Also present is County Clerk Brenda Klanecky. Absent is County Attorney Dave Schroeder. Chairman Boehle also stated to those in attendance that a current copy of the Nebraska Open Meetings Act is available for review and indicated the location of such copy in the room where the meeting is being held. Notice of the meeting was given in advance by publication in The Phonograph Herald on the 2nd day of November 2022, and the convened meeting was open to the public. The agenda was posted on the Howard County website; and a proof of publication filed in the Clerk's office. Copies of the agenda were posted in the courthouse, mailed to each Commissioner, and kept current and available to the public at the Clerk's office.

Pledge of Allegiance

Public Comment-Dave Boehle spoke to those in attendance, which included the following county officials: Neal Dethlefs, Assessor, Jackie Synowski, Treasurer, Dave Schroeder, Attorney and Brenda Klanecky, Clerk. Tomorrow is Veteran's Day. I believe I can speak on behalf of Howard County's elected officials that we know Veteran's Day is the special day to remember all the men and women who have served our Country. We honor your service and thank you for your courage and commitment to keeping us safe. Thank you for your sacrifices. I know it has been said innumerable times, but in these turbulent times all around the world, this motto rings crystal clear. "America, the Home of the Free because of the Brave." Happy Veteran's Day. On a personal note, I would like to thank our citizens that exercised their right to vote this past Tuesday. Although, I did not prevail in the election a special thanks to those that voted for me. For those who didn't vote for me, thanks for getting me started on my "bucket list" four years sooner than Sharon and I planned. Finally, to my fellow board members and elected and appointed officials, thank you. Thank you for the work you do. It is at times unpleasant, but our underlying responsibility is to deliver quality government services to all our citizens and do it well. That is what makes Howard



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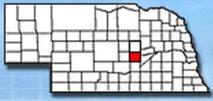
County a great place to call home. Many in the audience thanked Mr. Boehle for serving on the Board of Commissioners for the past 12 years.

County Road Discussion – Resolution Signing of the Year-End Certification of County Highway Superintendent. Hirschman made a motion to approve Resolution 2022-23 and seconded by Rasmussen. Roll Call: All Ayes. Janet Thomsen, Highway Superintendent brought in an estimate for a windshield claim for Jerrol Pearson in the amount of \$609.87 to replace a windshield regarding an incident with gravel coming off of a gravel truck in August. Mr. Pearson was not present to discuss the claim. Hirschman made a motion to deny the claim and seconded by Boehle. Roll Call: Boehle-Aye, Hirschman-Aye and Rasmussen-Nay. Claim is denied. Mr. Boehle had contact with a resident located at Friend Road and 19th Avenue regarding trees hanging over the county road by Cushing around a curve going west. Mrs. Thomsen will check into it. Mr. Rasmussen brought up trees growing close to the road around 19th and Eagle Road going South. Poor visibility due to the trees. Thomsen will look at getting the trees cut down. Hirschman brought up 12th Avenue east of Highway 281 needs to be graded. Boehle brought up posting a sign on a minimum maintenance road (Gordon Road).

Mail –Thank you card from the Village of Farwell for the use of a loader and dump truck for their fall cleanup day. Letter from NIRMA regarding a theft claim from December 2021. Sheriff's Department has recovered some of the stolen property. NIRMA had previously paid for some of the stolen property. NIRMA has an interest in the property and also who the suspect and if they are prosecuted, a Case Number. Roads Department is interested in purchasing the items back from NIRMA.

Unfinished Business – Mr. Boehle had contact with Jerry Berggren regarding the front steps of the courthouse. It sounds like the step project will become a spring project due to the weather. Other delays may have been due to obtaining the stone and to find someone to install the stone.

Public Hearing-Conditional Use Permit Application-Jacob Brothers, DBA Windmill Feeders and Jim Olsen, Manager- Hirschman made a motion to open the public hearing at 9:00 a.m. for a conditional use permit application regarding Jacob Brothers, DBA Windmill Feeders. Rasmussen seconded the motion. Roll Call: All Ayes. Cherri Klinginsmith, Planning and Zoning Administrator was present to discuss the conditional use permit application with the Board. Jacob Brothers, DBA Windmill Feeders located west of Elba is currently approved as a Class 3 feedlot for 10,000 head of cattle. They are asking to increase the number of head from 10,000 to 15,000 head of cattle. They would like to change from finishing cattle to

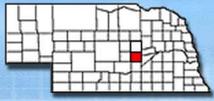


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backgrounding. Per Howard County regulations the Planning and Zoning Board approved 6-1 to approve the permit with a 1 year trial to increase from 10,000 to 15,000 head of cattle based on the size of the animals and staying as a Class 3 feedlot. Travis Caspersen was present to provide the Board with additional information regarding the feedlot. Jim Olsen spoke to the Board regarding the operation of the feedlot and how the records are kept. The cattle are kept at the feedlot for 100 days. Hirschman made a motion to open the public hearing for the conditional use permit application regarding JWH Farms LLC for the Hornady Gun Club at 9:15 a.m. Rasmussen seconded the motion. Roll Call: All Ayes. Discussion continued with Jim Olsen. Peggy Griffin asked why they planned to change the odor footprint. Mr. Caspersen stated they would not be changing the odor footprint. Mrs. Griffin did have some comments regarding the odor and the truck traffic. Terry Spilinek, member of the Planning and Zoning Board stated that their Board was invited out to look at the feedlot at anytime. He stated he may do that. Hirschman made a motion to close the public hearing at 9:25 a.m. Rasmussen seconded the motion. Roll Call: All Ayes. Rasmussen made a motion to approve the Conditional Use Permit for Jacob Brothers DBA Windmill Feeders along with the conditions as stated in the permit, a 1 year trial basis, 15,000 head of cattle based on a 100 day feeding schedule and the permit starting on November 11, 2022, with a request to submit information, seconded by Hirschman. Roll Call: All Ayes.

Public Hearing -Conditional Use Permit Application-JWH Farms LLC for Hornady Gun Club- Cherri Klinginsmith, Planning and Zoning Administrator, presented the information regarding the conditional use permit application for JWH Farms LLC for the Hornady Gun Club. A packet of conditions was given to each member of the Board. The Planning and Zoning Board with a 5-2 vote approved the application for the conditional use permit with the conditions for a duration of 3 years. The 3 years would require them to come in before the 3 years are up to re-review the conditions before renewing the permit. At the end of 3 years the permit would expire if it is not reviewed and renewed. The land sampling of the water is on a 5 year cycle. Jason Hornady spoke in regard to extending the permit to a minimum of 5 years to coincide with the water sampling. Pictures of the property were shown to the Board. Mr. Hornady answered the questions presented by the Board. Others present were Steve Hornady, Mitch Middlestaedt and Tom Dinsdale speaking on behalf of the conditional use permit application. Terry Spilinek with the Planning and Zoning Board was also present to answer any questions. Hirschman asked about a 911 address and signage. Hirschman had requested that Cherri Klinginsmith speak with council from NIRMA to review the conditions of the permit. The Planning and Zoning Board was commended for



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their work on the application for conditional use permit by NIRMA. One suggestion was a bond for decommissioning. Hirschman made a motion to close the public hearing at 9:40 a.m. Rasmussen seconded the motion. Roll Call: All Ayes. Hirschman made a motion to approve the conditional use permit for JWH Farms LLC for the Hornady Gun Club with the conditions as contained in the permit with the addition of adding a 911 address and signage and changing from a 3 year permit to a 5 year permit to coincide with the water sampling. Conditions to be reviewed will be in the permit. Rasmussen seconded the motion. Roll Call: All Ayes.

First Light Child Advocacy Center-formerly known as Central Nebraska Child Advocacy-This item had not been budgeted. Previously, the County had paid them \$4,000.00 in 2018. The County has not paid out anything in 2019, 2020, 2021 or in 2022. Hirschman made a motion to approve paying the \$4,000.00 out of the miscellaneous account for the First Light Child Advocacy Center. Rasmussen seconded the motion. Roll Call: All Ayes.

Treasurer, Jackie Synowski-Delete item from Inventory and Distress Warrant Report – Ms. Synowski recently purchased a miscellaneous receipt printer and would like to delete the previous printer from her inventory. The old printer would require additional repairs and it is not worth repairing. Hirschman made a motion to approve Ms. Synowski removing the old miscellaneous receipt printer from her inventory list and declaring it excess equipment. Rasmussen seconded the motion. Roll Call: All Ayes.

A copy of the Distress Warrant Report which includes people that haven't paid their personal property taxes or have an IOLL that haven't paid the taxes was presented to the Board. Ms. Synowski will turn the report over to the Sheriff's office and then it is the Sheriff's responsibility to collect the money for the unpaid taxes. The Sheriff's office will be mailing out letters to the individuals on the report to collect the taxes.

Jared Rasmussen-Roads -Jared and Sarah Rasmussen were present to discuss 20th Avenue and Inman Road. Janet Thomsen and Ray Hurt were also present for the discussion. The Rasmussen's brought pictures to show to the Board. They are concerned about school buses and family members driving on the roads. Hirschman stated the County would look into the Rasmussen's concerns. The Rasmussen's were advised to contact the Commissioners if they do not see improvement.



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CONSENT AGENDA

Motion was made by Hirschman and seconded by Boehle to approve the Commissioners Meeting Minutes 10/5/2022 and 10/25/2022, Sheriff's Report, Clerk's Report, Treasurer's Report and District Court Clerk's Reports for September and October. A claim to St. Paul Veterinary Clinic in the amount of \$100.00 was pulled until further clarification is provided. All other claims in the total amount of General-\$96,950.18, Roads-\$177,381.52, Emergency Management-\$600.00 for a total of \$274,931.70. Roll Call: All Ayes.

There being no further business to come before the Board, motion was made by Rasmussen, seconded by Hirschman to adjourn the meeting at 11:05 a.m. Roll Call: All Ayes. The next regular meeting of the Howard County Board of Commissioners will be November 22, 2022.

Dated this 10th day of November, 2022.

Dave Boehle

Howard County Commissioners

ATTEST:

Brenda Klanecky

Howard County Clerk