

# Howard County Board Minutes



## HOWARD COUNTY COMMISSIONER'S MINUTES

February 14, 2023

A Meeting of the Howard County Board of Commissioners was convened in open and public session on the 14<sup>th</sup> day of February, 2023, in the Boardroom, Howard County Courthouse, St. Paul, Nebraska.

Notice of the meeting was given thereof on the 8<sup>th</sup> day of February 2023, a proof of publication filed in the Clerk's office. Copies of the agenda were posted in the courthouse, delivered to each Commissioner, and kept current and available to the public at the Clerk's office.

Chairman Hirschman called the meeting to order at 8:30 a.m. Roll Call: Gary Rasmussen, AYE; Kathy Hirschman, AYE; and Jessie Urbanski, AYE. Also present is County Clerk, Brenda Klanecky.

### **Pledge of Allegiance**

Chairman Hirschman 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.

**Public Comment-** None.

**Road Discussion-** Highway Superintendent, Janet Thomsen was present to discuss the current condition of the County Roads. Roads workers have been very busy trying to remove water and muck from the roads. Also discussed was the use of gravel retrievers. Some improvements have been hindered by mud and frozen roads. Roads will continue to be repaired the best they can until the roads dry out.

**IBEW- Addendum to Agreement-Road Workers-** Motion was made by Urbanski and seconded by Rasmussen to approve an Addendum to Howard County Roads Workers Agreement with the County of Howard under Article 27, "HOURS WORKED Section 1." Holiday hours will be considered as hours worked effective January 1, 2023. Roll Call: All Ayes.

**Mail** – NIRMA Safety Shorts, Email from Doug Cramer regarding safety training, National Opioids Settlement Payment, Email on Elevator Update, NIRMA-Investing in your Leaders Seminar, NIRMA Cyber Liability Insurance, NIRMA Check-Emergency Manager, NIRMA 2022 Annual Report, Zelle Intel.

**Unfinished Business** – Assessor's Overhead Door. No information has been received on when the door will be repaired.

**Public Hearing – Open Gravel and Hauling Bids** - A motion was made by Rasmussen and seconded by Urbanski to open the public hearing at 9:00 a.m. to open gravel and hauling bids. Roll Call: All Ayes. Bids received from:

Hooker Bros. Sand & Gravel Inc.

Liberty Sand & Gravel

Island Landhandlers

Mid-Nebraska Aggregate Inc.

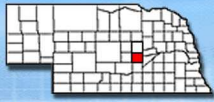
Ulrich Gravel Inc.

Wilson River Bottom Express-Hauling Only

Motion was made by Rasmussen and seconded by Urbanski to close the public hearing at 9:17 a.m. Roll Call: All Ayes.

Motion was made by Urbanski and seconded by Rasmussen to accept all the gravel and hauling bids as presented. Roll Call: All Ayes.

**LATCF Funds Grant-Resolution 2023-7-**Motion was made by Rasmussen and seconded by Urbanski to approve Resolution 2023-7, to follow the State Auditor's recommendation that the County establish a separate fund for the LATCF Funds for the purpose of handling the money, in a new Fund #2585, and that the Howard County Treasurer is to establish a new Fund known as Fund #2585 following Revenue Code 339.25. Roll Call: All Ayes.



# Howard County Board Minutes



**New National Opioids Settlement Grant** - Motion was made by Urbanski and seconded by Rasmussen to have the County Clerk apply for additional funds through the New National Opioids Settlement Grant. Roll Call: All Ayes.

**New IT Security Grant Program** - Motion was made by Urbanski and seconded by Rasmussen to have the County Clerk apply for the New IT Security Grant Program. Roll Call: All Ayes.

**Emergency Manager-Radio** - Emergency Manager, Allen Wilshusen was present to discuss the purchase of a handheld radio which is the same radio as the Sheriff's office purchased to be used by the Emergency Manager to monitor and respond to emergency situations with the fire departments and law enforcement. Urbanski made a motion and seconded by Rasmussen to approve the purchase of a radio for the Emergency Manager. Payment is to be made out of the General Fund as a miscellaneous line item in the amount of \$874.28. Roll Call: All Ayes.

**Public Hearing – Rasmussen & Son Administrative Subdivision** – Motion was made by Rasmussen and seconded by Urbanski to open the public hearing at 10:15 a.m. Roll Call: All Ayes. Cherri Klinginsmith, Planning and Zoning Administrator and Dale and Deb Rasmussen were present to discuss the subdivision with the Commissioners. Motion was made by Rasmussen and seconded by Urbanski to close the public hearing at 10:17 a.m. Roll Call: All Ayes. Motion was made by Urbanski and seconded by Rasmussen to approve the Rasmussen & Sons Administrative Subdivision. Roll Call: All Ayes.

**Conditional Use Permit – Application to install Verizon Wireless Communication Tower** – Motion was made by Urbanski and seconded by Rasmussen to open the public hearing at 10:30 a.m. regarding an Application to install a Verizon Wireless Communication Tower. Roll Call: All Ayes.

Cherri Klinginsmith, Planning and Zoning Administrator and Jeffrey Skinner with Verizon Wireless were present to discuss the Conditional Use Permit with the Commissioners. The tower is to be located two miles north of Dannebrog on 8<sup>th</sup> Avenue. The Permit was approved by the Planning & Zoning Board on November 16, 2022, with a 25 year lease on the condition it was also approved by the FAA. The FAA approved the tower on January 24, 2023. Motion was made by Rasmussen and seconded by Urbanski to close the public hearing at 10:35 a.m. Roll Call: All Ayes. Motion was made by Rasmussen and seconded by Urbanski to approve the Conditional Use Permit to install a Verizon Wireless Communication Tower. Roll Call: All Ayes.

**Single Lot Subdivision – Grateful Ag Subdivision** - Motion was made by Rasmussen and seconded by Urbanski to open a public hearing at 10:45 a.m. Roll Call: All Ayes. Cherri Klinginsmith, Planning and Zoning Administrator and John Swanson were present to discuss the Single Lot Subdivision with the Commissioners.

Motion was made by Rasmussen and seconded by Urbanski to close the public hearing at 10:48 a.m. Roll Call: All Ayes. Motion was made by Rasmussen and seconded by Urbanski to approve the Single Lot Subdivision-Grateful Ag Subdivision as presented. Roll Call: All Ayes.

**Review Compensation for Snow Days re: Courthouse Employees/Employee Handbook** – Several employees were present to discuss when the Courthouse closes due to weather, whether employees should be paid or whether the employees should have to take vacation to make up the hours. In the past, employees had been compensated for the hours the Courthouse was closed. The current dates in question were January 18, 2023, the Courthouse closed at 2:30 p.m. due to snow. On January 19, 2023, the Courthouse opened at 10:00 a.m. No information regarding snow days was found in either the employee handbook or in the union contracts. At the January 24<sup>th</sup> meeting a motion had been made and approved that when the Courthouse closes due to weather, County employee snow hours can be made up with



# Howard County Board Minutes



vacation time if the employee chooses. After discussion, Urbanski made a motion to rescind the motion passed on January 24, 2023, and compensate employees for up to 2.5 hours on January 18, 2023, and up to 2.0 hours on January 19, 2023, not to exceed the hours of employee's regular work day. Rasmussen seconded the motion. Roll Call: All Ayes.

Also discussed was that the Employee Handbook had not been updated in several years. It was decided to have a committee to work on updating the handbook. Neal Dethlefs, Jerry Thompson, Melissa Paxton and Kathy Hirschman agreed to be on the committee.

**Courthouse Telephone System** - The current phone system is no longer able to be updated, repaired or maintained. Urbanski made a motion and Rasmussen seconded the motion to go out for quotes for a new telephone system. Roll Call: All Ayes.

**Radios/Radio Tower – Melissa Paxton** – Sheriff Tom Busch, Head Dispatcher, Melissa Paxton and Aaron Hoffman with Platte Valley were present to discuss moving law enforcement equipment off of a tower owned by Midland Telecom located south of Elba to the County tower. Law Enforcement could use digital and fire frequencies during the transition between towers. The Board asked Mr. Hoffman to provide them with a quote to be discussed at a future meeting.

**Midland Area on Aging – Letter** – Motion was made by Urbanski and seconded by Rasmussen to approve the funding request of Midland Area on Aging in the amount of \$16,609.00 for FY 24 and FY 25. Roll Call: All Ayes.

**Howard County Extension-Annual Report 2022** – Howard County Extension submitted the Annual Report for 2022. The report was reviewed with no action taken.

**Closed Session – Possible Litigation** – Motion was made by Urbanski and seconded by Rasmussen to go into Closed Session to discuss possible litigation at 9:34 a.m. Roll Call: All Ayes. Hirschman stated the Board was going into Closed Session to discuss possible litigation at 9:34 a.m. Those present in Closed Session are Rasmussen, Hirschman, Urbanski and County Clerk, Brenda Klanecky.

Motion was made by Rasmussen and seconded by Urbanski to come out of Closed Session at 9:54 a.m. Roll Call: All Ayes. Motion was made by Rasmussen and seconded by Urbanski to pay the Internal Revenue Service a Penalty Increase-Failure to make a proper federal tax deposit for the 4<sup>th</sup> Quarter of 2021 (\$8,770.25) and 2nd Quarter of 2022 (\$8,896.30) for a total of \$17,666.55. Payments are to come out of the ARPA fund. Roll Call: All Ayes.

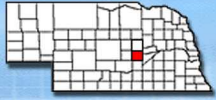
Motion was made by Rasmussen and seconded by Urbanski to contract with Almquist, Maltzahn, Galloway & Luth to file an abatement letter for reduction in penalties on behalf of Howard County and authorizing Tim Vaughn to speak on behalf of Howard County with the IRS regarding the additional penalties. Roll Call: All Ayes.

**Closed Session – Job Applications – Possible Action**- Rasmussen made a motion to go into Closed Session to review job applications at 12:01 p.m. and seconded by Urbanski. Roll Call: All Ayes. Hirschman stated the Board was going into Closed Session to discuss job applications at 12:01 p.m. Those present in Closed Session are Rasmussen, Hirschman, Urbanski and Highway Superintendent, Janet Thomsen.

Rasmussen left the meeting at 12:30 p.m.

Hirschman made a motion to come out of Closed Session at 12:40 p.m. and seconded by Urbanski. Roll Call: Rasmussen, Absent; Hirschman, Aye; and Urbanski, Aye. Urbanski made a motion and Hirschman seconded to direct Highway Superintendent, Janet Thomsen to continue the hiring process. Roll Call: Rasmussen, Absent; Hirschman, Aye; and Urbanski, Aye.

**Consent Agenda** - Motion was made by Urbanski and seconded by Hirschman to approve the Commissioners Meeting Minutes for 1/24/2023 and 2/2/2023, Clerk's Report, Sheriff's Report, Treasurer's Report, and Claims in the amount of



# Howard County Board Minutes



General- \$75,990.06 and Roads- \$352,670.31 for a total of \$448,938.65. Roll Call: Rasmussen, Absent; Hirschman, Aye; and Urbanski, Aye.

There being no further business to come before the Board, motion was made by Urbanski and seconded by Hirschman to adjourn the meeting at 1:00 p.m. Roll Call: Rasmussen, Absent; Hirschman, Aye; and Urbanski, Aye. Meeting adjourned. The next regular meeting of the Howard County Board of Commissioners will be February 27, 2023.

Dated this 14th day of February, 2023.

Kathy Hirschman  
Howard County Commissioners

ATTEST:

Brenda Klanecky  
Howard County Clerk