

HOWARD COUNTY COMMISSIONER'S MINUTES

March 14, 2023

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

Notice of the meeting was given thereof on the 8th day of March 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

County Road Discussion- Highway Superintendent, Janet Thomsen was present to discuss the following:

1. **One and Six Year Plan.** Ms. Thomsen presented a list for the Commissioners to review. It was decided to discuss the One and Six Year Plan during a Road Department Work Session. Other items discussed were additions to the list, equipment inventory and vehicles, as well as ongoing maintenance and the bridge located at 12th and Wausa.
2. **Resolution 2023-9 Engineering Study** located at the intersection at the common corner of Sec. 5 and 6 of Township 13, Range 9 and Section 31 and 32 of Township 14, Range 9, also known as the intersection of 7th Avenue and Eagle Road. The recommendation is to place a stop sign at the northeast corner of the intersection. Motion was made by Rasmussen and seconded by Urbanski to approve **Resolution 2023-9**. Roll Call: All Ayes.
3. **Resolution 2023-10 Engineering Study** located at the intersection at the southwest corner of Section 4 and 5 of Township 13, Range 9 and Section 32 and 33 of Township 14, Range 9, also known as the intersection of 7th Avenue and Denton Road. The recommendation is to place stop signs at the northeast corner and the southwest corner of the intersection. Motion was made by Urbanski and seconded by Rasmussen to approve Resolution **2023-10**. Roll Call: All Ayes.
4. **Road Department Work Session-**Due to the large number of agenda items the Commissioners were all in agreement to set an additional date for a Road Department Work Session. During this session, they plan to review the One and Six Year Plan. The date set is March 21, 2023 at 1:00 p.m. in the Commissioners Room.
5. **County Pickup Purchase-**Highway Superintendent, Janet Thomsen, purchased a 2011 Chevrolet Silverado 4 x 4 pickup for \$15,000.00. Ms. Thomsen had other proposed bids as comparables.

Mail –

1. Opioid Settlement Check Received - \$2,055.06

2. Email from Connie Holmes-She submitted the contingency responses for the Howard County Community Based Aid Grant.
3. Nirma Registration for Investing in your Leaders

Unfinished Business – Signing Form 17 (Purchasing Agent Appointment) for Total Construction Solutions Inc. Motion was made by Rasmussen and seconded by Urbanski to approve Kathy Hirschman, Board Chair signing Form 17. Roll Call: All Ayes.

Public Hearing –Amend Zoning Regs on Wind Generator Facilities - A motion was made by Urbanski and seconded by Rasmussen to open the public hearing at 9:00 a.m. regarding the amending of zoning regulations. Roll Call: All Ayes.

Cherri Klinginsmith, Planning and Zoning Administrator was present to discuss the amendments with the Board.

1. Add Gun Clubs to the Matrix – “C” for Conditional Use.
2. Supplementary: Section 6 Sanitary Requirements. Items were updated and added.
3. Nebraska Department of Environmental Quality (NDEQ) changed to Nebraska Department of Environment and Energy (NDEE) in all areas of regulations.
4. Wind Generator Facilities. Added, removed and revised wording.

Ms. Klinginsmith presented a Resolution to the Board amending certain sections of the Howard County Nebraska Zoning Regulations. All items are included on the Resolution.

Motion was made by Rasmussen and seconded by Urbanski to close the public hearing at 9:12 a.m. Roll Call: All Ayes. Motion was made by Urbanski and seconded by Rasmussen to approve **Resolution 2023-11**, as presented. Roll Call: All Ayes.

Public Hearing-Dana and RaeJean Hawk-Re-Zone from C-S to R-1-Motion was made by Rasmussen and seconded by Urbanski to open the public hearing at 9:15 a.m. regarding Dana and RaeJean Hawk re-zoning from C-S to R-1. Roll Call: All Ayes.

Cherri Klinginsmith, Planning and Zoning Administrator, Dana, and RaeJean Hawk were present to discuss re-zoning from C-S to R-1. An Amendment of Amendment to Restrictive Covenants for Country Acres Subdivision was presented with signatures of residents in approval of the re-zoning change.

Motion was made by Rasmussen and seconded by Urbanski to close the public hearing at 9:18 a.m. Roll Call: All Ayes. Motion was made by Urbanski and seconded by Rasmussen to approve the re-zoning from C-S to R-1 of Dana and RaeJean Hawk property as presented. Roll Call: All Ayes.

Public Hearing-Wendy Johnson-RiversEdge LLC-Bed and Breakfast- A motion was made by Rasmussen and seconded by Urbanski to open the public hearing at 9:30 a.m. regarding RiversEdge LLC-Bed and Breakfast. Roll Call: All Ayes.

Cherri Klinginsmith, Planning and Zoning Administrator was present to discuss the RiversEdge LLC-Bed and Breakfast.

Motion was made by Rasmussen and seconded by Urbanski to close the public hearing at 9:34 a.m. Roll Call: All Ayes. Motion was made by Rasmussen and seconded by Urbanski to approve the RiversEdge LLC Bed and Breakfast. Roll Call: All Ayes.

Public Hearing- Kevin Lukasiewicz-Conditional Use Permit- Motion was made by Rasmussen and seconded by Urbanski to open the public hearing at 9:45 a.m. regarding Kevin Lukasiewicz-Conditional Use Permit. Roll Call: All Ayes.

Cherri Klingensmith, Planning and Zoning Administrator and Kevin Lukasiewicz were present to discuss the conditional use permit. Mr. Lukasiewicz is applying for a conditional use permit to expand from a Class 1 Feedlot limit of 950 head of cattle to a Class 1 Feedlot limit of 2500 head of cattle. Others present to speak at the hearing were Randy Kauk, Pam Jerabek, Janet Thomsen, Tom Kasson and Tyler Petersen.

Motion was made by Urbanski and seconded by Rasmussen to close the public hearing at 10:17 a.m. Roll Call: All Ayes. Motion was made by Rasmussen and seconded by Urbanski to approve the conditional use permit for Kevin Lukasiewicz. Roll Call: All Ayes.

Rasmussen Mechanical-Steve Kautz-Boiler Quote -Steve Kautz with Rasmussen Mechanical presented two quotes for a new boiler system. The current system is twenty years old. The first quote was the same system as the current system (\$95,521.00). The second quote was a high efficiency boiler system (\$92,773.00). Both quotes include equipment use, removal of existing system, materials, tools, labor, supervision, and services. The new unit would be available in 6-8 weeks. Also present, was Matt Hodgson with Rasmussen Mechanical with a quote on a chiller replacement. The present one is 20 years old. The quote is for a Daikin 51 ton air cooled chiller (\$100,205.00). Currently, this system, when ordered would take a minimum of 44 weeks to receive. Motion was made by Rasmussen and seconded by Urbanski to approve the purchase of the high efficiency boiler system (\$92,773.00) and the chiller unit (\$100,205.00), to be paid out of the ARPA Funds. Roll Call: All Ayes.

BTS-Telephone System-Loren Cleveland - Loren Cleveland and Jon Fischer with BTS were present to discuss two proposals for a new telephone system for the Courthouse, Roads Department and one phone at the E911 Center. A presentation of the different features that would benefit users as well as savings to the County were discussed. A demonstration of the new system is scheduled for March 22, 2023, in the Commissioner's Room. Rasmussen made a motion to table the new phone system until after the demonstration and seconded by Urbanski. Roll Call: All Ayes.

Platte Valley Communications-Tower – Howard County Sheriff, Tom Busch was present to discuss the proposal from Platte Valley Communications for \$5,539.78, to move equipment from the Midland Telecom's Tower located near Elba to the Howard County Tower located on Wausa Road. Urbanski made a motion to approve the proposal from Platte Valley Communications with the payment to come from the E911 Wireless Holding Fund if the expense fits the criteria or the amount will be taken out of the miscellaneous category of the Miscellaneous Fund. Rasmussen seconded the motion. Roll Call: All Ayes.

Nebraska Department of Transportation – The Board had received a letter at the last meeting from NDOT regarding upcoming highway projects. Board Chair, Kathy Hirschman contacted Wes Wahlgren, District 4 Engineer out of Grand Island to check on the status of constructing four lanes on Hwy 281 from the Hwy 58 Junction to St. Paul. At this time, the project is not on the list. No action taken.

COR Managed Services - Service Agreement and Quote – A new service agreement was received from COR Managed Services to include employee training via videos and phishing campaign testing. The new

monthly program price is \$2,025.00. Also received was a quote to add an access point in the courthouse network. Urbanski made a motion to approve the COR Managed Services Service Agreement and the quote to add the access point in the courthouse network. Rasmussen seconded the motion. Roll Call: All Ayes.

Letter to Internal Revenue Service – Urbanski made a motion to authorize Kathy Hirschman, County Board Chair, to sign a letter to the Internal Revenue Service regarding Form 720. Rasmussen seconded the motion. Roll Call: All Ayes.

Resolution 2023-12-Effective Date of Health Insurance Buyout Change –

Motion was made by Urbanski and seconded by Rasmussen to approve **Resolution 2023-12-Effective Date of Health Insurance Buyout Change**. Roll Call: All Ayes.

Executive Session – Land Negotiations-Possible Action – Motion was made by Rasmussen and seconded by Urbanski to go into Executive Session to discuss land negotiations at 11:43 a.m. Roll Call: All Ayes. Hirschman stated the Board was going into Executive Session to discuss land negotiations at 11:43 a.m. Those present in Executive Session are Rasmussen, Hirschman, Urbanski, and Klanecky.

Motion was made by Hirschman and seconded by Rasmussen to come out of Executive Session at 11:56 a.m. Roll Call: All Ayes. No action taken.

Executive Session – Litigation – Possible Action – Motion was made by Rasmussen and seconded by Urbanski to go into Executive Session to discuss litigation at 11:37 a.m. Roll Call: All Ayes. Hirschman stated the Board was going into Executive Session to discuss litigation at 11:37 a.m. Those present in Executive Session are Rasmussen, Hirschman, Urbanski, and Klanecky.

Motion was made by Rasmussen and seconded by Urbanski to come out of Executive Session at 11:42 a.m. Roll Call: All Ayes. No Action taken.

Consent Agenda - Motion was made by Urbanski and seconded by Rasmussen to approve the Commissioners Meeting Minutes for 2/27/2023, Clerk, District Court, Treasurer and Sheriff's Reports, Claims, General Fund-\$76,103.40; Roads Fund-\$64,536.55; 911 Emergency Management Fund-\$1,200.00 and E911 Wireless Holding Fund-\$4,649.54 for a total of \$146,489.49. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

There being no further business to come before the Board, motion was made by Rasmussen and seconded by Urbanski to adjourn the meeting at 11:58 a.m. Roll Call: All Ayes. Meeting adjourned. The next regular meeting of the Howard County Board of Commissioners will be March 28, 2023.

Dated this 14th day of March, 2023.

Kathy Hirschman
Howard County Commissioners

ATTEST: Brenda Klanecky
Howard County Clerk