

## HOWARD COUNTY COMMISSIONER'S MINUTES

May 9, 2024

A Meeting of the Howard County Board of Commissioners was convened in open and public session on the 9th day of May, 2024, in the Boardroom, Howard County Courthouse, St. Paul, Nebraska.

Notice of the meeting was given thereof on the 1st day of May, 2024. Copies of the agenda were posted in the Courthouse, St. Paul Post Office, Citizens Bank & Trust and Homestead Bank and emailed to each Commissioner, and kept current and available to the public at the Clerk's office.

Chairman Hirschman called the meeting to order at 8:51 a.m. Roll Call: Gary Rasmussen, Aye; Kathy Hirschman, Aye; and Jessie Urbanski, Aye. Also, present is County Clerk, Brenda Klanecky.

**Pledge of Allegiance-** The Pledge of Allegiance was recited during the Board of Equalization meeting.

Chairman Hirschman 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:

**Steve Johnson-Road Discussion** – Steve and Joyce Johnson, as well as Jon Kuck were present to discuss the county road, (Gordon Road), which goes by their property. Drainage from the county road into the ditch located south of their home was discussed. Ms. Thomsen will work with the road department to make improvements for the drainage. All parties were in agreement. Ms. Thomsen hopes to start this project next week.

**Mail** –Urban Security Solutions LLC, letter from Nebraska Department of Transportation, Capital Business Systems Inc., NIRMA

**Unfinished Business-** None

**Veteran's Service Budget, Re-appoint Cyboron-Don Shuda**– Veteran's Service Officer, Don Shuda, Margy Goerl, Larry Kiser, David Cyboron, Dale Rasmussen and Bryce Pearson were present to discuss the 2024-2025 budget. Last year's budget was set at \$39,910.00. Mr. Shuda asked that the budgeted amount stay the same for fiscal year 2024-2025. Howard County currently has 402 veterans living in Howard County. There are 66, 100% disabled veterans in Howard County. Mr. Shuda also provided an update on the Veteran's Cemetery in Grand Island. Also included was information regarding LB 1300. Urbanski made a motion to approve the budget for fiscal year 2024-2025 in the amount of \$39,910.00 and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Rasmussen made a motion to re-appoint David Cyboron and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**GCA Days-Ben Hancock** –Ben Hancock was present to request that the Board allow the Royal Coachman to close part of Paul Street during GCA Days on July 13, 2024, from 12:00 p.m.-8:00 p.m. for the drag races. The Royal Coachman have purchased liability insurance. Rasmussen made a motion to approve

the closing of Paul Street on July 13, 2024 from 12:00 p.m. – 8:00 p.m. for the drag races and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Public Hearing-Conditional Use Permit-John Ropp-Kimball Kalf Ranch** – Rasmussen made a motion to open the public hearing at 9:30 a.m., and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Present were Planning and Zoning Administrator, Cherri Klinginsmith and John Ropp, James Swantz and two other individuals. Ms. Klinginsmith explained the operation at Kimball Kalf Ranch. Mr. Ropp is not expecting to go over 750 head of calves. The operation will be kept under 1,000 head of calves. The Planning and Zoning Board had previously approved the Conditional Use Permit 9-0 for a 1-year permit. The permit will have to be renewed in a year. Motion was made by Urbanski and seconded by Rasmussen to close the public hearing at 9:40 a.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Motion was made by Rasmussen and seconded by Urbanski to approve the Conditional Use Permit for John Ropp of Kimball Kalf Ranch. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Public Hearing-Rezoning Application-Nicholas Busch and Isaiah Graham** –Rasmussen made a motion to open the public hearing at 9:45 a.m. and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Present were Planning and Zoning Administrator, Cherri Klinginsmith, Isaiah Graham, Emily Graham, Nick Busch, Liz Busch, Brian Brown, Nick Earixson, Kay Meyer, Jerry Woodgate, John Ropp, Blake Schwartz, Eric Antonson, Brian Sack, James Swantz, Bob Hymer, Zack Rasmussen, Justin Killinger, Fire Chief, Mike Becker, and Kevin Brown. Those listed spoke during the public hearing both in support and against the re-zoning application. There were other individuals present that did not speak. Nicholas Busch, current landowner and Isaiah Graham, future landowner are applying to re-zone property from A-1 (Agricultural District) to A-2 (Agricultural -Transitional District) located in the SW1/2 of 25-14-10. The zoning change on the original application was for approximately 135 acres. An Official Survey Record was recorded in the Howard County Register of Deeds office on April 29, 2024, at Book 24, pages 1588, 1589, and 1590. The survey shows three tracts of land. Tract 1 (61.24 acres) is being purchased by Graham, Tract 2 (78.34 acres) to eventually be sold, and Tract 3 (106.12 acres) to be retained by Busch. A permanent easement between Nicholas and Elizabeth Busch and Wayne and Susan Knapp is shown on the survey to provide access to Tract 2, formerly known as Tract B and that said parcel is to be subdivided into no more than two separate parcels. The Planning and Zoning Board denied the request on April 17, 2024, 9-0, prior to the survey and easement being recorded. Phone calls and texts were received by Ms. Klinginsmith and the Board which were shared at the meeting. Public comment was addressed to the commissioners. The Board questioned the original application and what was published in the newspaper. Mr. Graham stated that they only want to re-zone Tract 2 from A-1 to A-2. Hirschman questioned whether the change could be made as a conditional use permit to Klinginsmith. Klinginsmith stated the Planning and Zoning Board would probably look at a variance. If the variance would be denied, they could look at a conditional use permit. Fire Chief, Mike Becker talked about access for the fire department. The Board questioned whether they could approve the current request when it was not advertised that way. Klinginsmith left the meeting to contact Planning and Zoning Attorney David Ptak. Per Mr. Ptak, the current request is for less acres than what was advertised and would be acceptable. Motion was made by Urbanski and seconded by Rasmussen to close the public hearing at 10:40 a.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Motion was made by Rasmussen and seconded by Urbanski to approve re-zoning from A-1 to A-2, the remaining portion of Tract 2 as designated on the Official Survey recorded on April 29, 2024 in Book 24, pages 1588, 1589 and 1590, which includes the permanent easement between Nicholas and Elizabeth

Busch and Wayne and Susan Knapp, that will stay with the land including the condition of subdividing Tract 2 into no more than two separate parcels. The condition will be added to the current application. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**SCEDD-Sharon Hueftle** –Sharon Hueftle, Executive Director of the South Central Economic Development District and Laura Berthelsen, South Central Representative for Howard County were present to bring their 2023 Annual Report. Ms. Hueftle updated the Board on projects they are helping with in Howard County.

**Bristol Windows-Marty** – Todd Hosek with Bristol Windows provided a demonstration of windows.

**Skyler Mamot-Administrative Subdivision-** Planning and Zoning Administrator, Cherri Klinginsmith was present along with Jim Arends to discuss the Skyler Mamot Administrative Subdivision. A motion was made by Hirschman and seconded by Rasmussen to approve the Skyler Mamot Administrative Subdivision. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Audrey Worthing-Adrian Smith Office-** Audrey Worthing was present to provide updates from 3<sup>rd</sup> congressional district, Adrian Smith's office. Ms. Worthing set up a mobile office on the first floor of the Courthouse following her updates.

**Midland Area on Aging-Budget Request-Casey Muzic-** Casey Muzic was present to discuss their annual funding request in the total amount of \$23,609.00 for fiscal year 2025. This includes the membership fee of \$1,609.00 and program support in the amount of \$22,000.00. Ms. Muzic talked about the services provided to Howard County. Ms. Muzic has concerns with future funding with the cost increases.

**Recess-**Rasmussen made a motion to recess at 12:05 p.m. and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. The Board recessed at 12:05 p.m.

**Reconvened-**The full Board reconvened at 1:00 p.m.

**Executive Session Personnel** - Motion was made by Urbanski and seconded by Rasmussen to go into Executive Session to discuss personnel at 1:09 p.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Those present in Executive Session are Janet Thomsen, Jerry Thompson and Mike Koperski. Hirschman stated the Board was going into Executive Session to discuss personnel at 1:09 p.m. Motion was made by Urbanski and seconded by Rasmussen to come out of Executive Session at 1:25 p.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Urbanski made a motion to amend the step increase for a road's worker effective July 1, 2024. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Motion was made by Urbanski and seconded by Rasmussen to approve insurance premium for insurance benefits of a road's worker on extended leave will be prorated based on hours worked. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Executive Session-Litigation-** Motion was made by Rasmussen and seconded by Urbanski to go into Executive Session to discuss litigation at 1:30 p.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Those present in Executive Session are Janet Thomsen and Brenda Klanecky. Hirschman stated the Board was going into Executive Session to discuss litigation at 1:30 p.m. Motion was made by Rasmussen and seconded by Urbanski to come out of Executive Session at 1:35 p.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. No action taken.

**Taser Gun Claim-Sheriff Hoff-** Sheriff Hoff was present to discuss the billing on the taser guns received in 2023 from Axon Enterprise Inc. The bill was in the amount of \$30,814.80, which was to be paid in five increments. Urbanski made a motion and seconded by Hirschman to pay the full amount of \$30,814.80, and take the funds out of the ARPA fund. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Update of Storm Damage in Howard County and Sign Disaster Declaration-Allen Wilshusen** – Emergency Manager, Allen Wilshusen was present to give updates on storm damage to the County. Mr. Wilshusen is working with NEMA to report all the damage. The Disaster Declaration was signed by Board Chair, Kathy Hirschman on April 29, 2024.

**Annual TIF Report** – The Board reviewed the Annual TIF Report received from Parker Klingensmith, Executive Director of the St. Paul Development Corporation.

**Ardent Living Quotes -Courthouse Remodel Projects** – The Board reviewed estimates received for updates to the County Clerk, County Treasurer and County Attorney’s offices. It was decided to go out for additional bids. Rasmussen made a motion to table and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Sign Grant#24-CB-0515 for Additional Funding-**Urbanski made a motion to approve signing the Grant # 24-CB-0515 for additional funding in the amount of \$1,000.00, and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Notaries-Courthouse-**We currently have employees that are also notary publics located in the courthouse. The public comes in on a regular basis asking for a notary public. One of the courthouse employees has agreed to become a notary. Urbanski made a motion to approve an additional notary public in the courthouse and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Elect Director-East Central Region** – Urbanski made a motion to approve voting for Tim Hofbauer for director in the east central region and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**AKRS Contract** – Motion was made by Rasmussen and seconded by Urbanski to approve and sign the AKRS Contract for a tower lease. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Approve Request to pay Claims Twice in June** - Rasmussen made a motion and seconded by Hirschman to approve paying claims twice in the month of June. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Close Planning and Zoning Office on May 14<sup>th</sup> due to Primary Election** – Urbanski made a motion to close the Planning and Zoning Office on May 14<sup>th</sup> due to the Primary Election as the room is used for a polling place and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Consent Agenda** - The Board reviewed the claims dated 5/9/2024, and the minutes dated 4/23/2024, (BOE and Regular Meetings) and Clerk, District Court, Treasurer and Sheriff monthly reports. Motion was made by Urbanski and seconded by Rasmussen to approve the claims dated 5/9/2024: General-\$127,349.43 and Roads-\$98,744.26, Covid American Rescue Plan-\$63,372.82 and 911 Emergency

Management Fund-\$1,040.99 for a total of \$290,507.50, the minutes dated 4/23/2024, and Clerk, District Court, Treasurer and Sheriff monthly reports. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

There being no further business to come before the Board, motion was made by Urbanski and seconded by Rasmussen to adjourn the meeting at 2:55 p.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Meeting adjourned. The next regular meeting of the Howard County Board of Commissioners will be May 28, 2024.

Dated this 9th day of May, 2024.

Kathy Hirschman  
Howard County Commissioners

ATTEST: Brenda Klanecky  
Howard County Clerk