

Nemaha County Board Minutes



March 9, 2016

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, March 9, 2016, Commissioner's Chambers, Nemaha County Courthouse, Auburn NE for a regular scheduled meeting. Notice of meeting 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 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 Wittmann called the meeting to order at 8:00 a.m. Present for the meeting: Commissioner District 1 Bob Hutton, Commissioner District 2 Dennis Wittmann, Commissioner District 3 Marvin Bohling and County Clerk Joyce Oakley. Chairman Wittmann 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.

Visitors present – Dave Swanson, Nemaha County Herald

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

Approval of Minutes – Motion by Hutton, seconded by Bohling to approve the February 24, 2016 regular scheduled meeting minutes with no corrections. Roll call vote: Hutton, aye; Bohling, aye; Wittmann, aye.

Claims – Motion by Bohling, 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: Bohling, aye; Wittmann, aye; Hutton, aye.

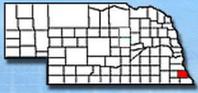
8:05 a.m. Foremen's Mtg – Copies of 2016-2021 One & Six Year Plan; Repair on Equipment; Annual Trailer DOT inspections thru RDO; object markers installation instructions; Road Dam Inspection Sec. 5 T5N R13E; 2015 Fracture Critical Bridge Inspections

8:45 a.m. Sine Die to meet as Board of Equalization – Chairman Wittmann sine die the Board of Commissioners meeting at 8:45 a.m. to meet as Board of Equalization.

9:00 a.m. Board of Commissioners reconvened.

9:00 a.m. Public hearing for Road Closure between Sec 5 T5N R14E & Sec. 32 T6N R14E – Chairman Wittmann called the public hearing open at 9:00 a.m. for the closing or vacation county road located between Section 32 T6N R14E (Road #38) & Section 5 T5N R14E (Road #37) from the east RR ROW west to the Nemaha River. Present for the hearing were: Jim Oestmann, Tim Clarke, Marvin Biere, Jim Biere and John Abrahams. Also present were: Renee Crister and Dave Swanson, Nemaha County Herald. Discussion was held on the request from Jim Oestmann to barricade the road after vacating. Chairman Wittmann closed the public hearing at 9:05 a.m.

9:15 a.m. Open Sealed Bids for pest control of county bldgs. – Public Notice for receipt of sealed bids for pest control for county buildings was advertised in the Nemaha County Herald on Febr. 25, 2016 and March 3,



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2016. The following sealed bids were received: Pest Control Services of SE NE – monthly pest control service \$125.00, monthly termite bait station inspection (weather permitting) \$50.00, annual fogging for spiders \$200.00; Buss Pest Control – Monthly termite (weather permitting) \$50.00, monthly pest control service \$175.00. Motion by Bohling, seconded by Hutton to table the awarding of the bid until March 23, 2016 Board meeting so each company representative can be present to explain their bid. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.

9:30 a.m. *David Goebel, Ameresco – energy study on county bldgs. (rescheduled for 3-23-16 BOC mtg)*

9:45 a.m. Legal Opinion from County Attorney on County Road between Sec. 32 T6N R14E – Jim Biere, Marvin Biere and John Abrahams were present at the meeting to discuss the legal opinion from the County Attorney of the location of a county road in Sec. 31 T6N R14E. County Attorney Louie Ligouri was unable to attend, due to his District Court schedule. Wittmann explained that he had visited with Ligouri prior to the Board of Commissioners meeting and he explained to the attendees that their issue is more of a court issue that would be needed to be settled through court.

10:00 a.m. *Steve Hassler & T.O. Davison, NCDA – renew lease for NCDA at Multi-Plex Bldg. (to be rescheduled for 3-23-16 BOC mtg)*

10:15 a.m. Jacob Hurla, 360 Energy – Preliminary Engineering Audit for Co. Bldgs. – Jacob Hurla and Nick Peterson representatives of 360 Energy presented a Preliminary Engineering Audit that was conducted by their company on the courthouse regarding the replacement of the courthouse boiler system, lighting and electrical system. Board reviewed their findings and placed the audit on file for future use.

Discussion Items/Commissioners Reports/Report of Meeting(s) Attended

1. Dollar amount allowed for a commissioner to spend (without board approval) for repair of equipment/purchases/expenses – Discussion was held regarding the dollar amount a commissioner can spend on repair, equipment or supplies without official board approval. Board decided that open communication between the commissioners needs to be done and anything above \$500.00 should be brought to the attention of another board member.

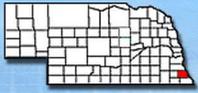
2. Mechanic for county road department – Harry Bowman's time sheet for used vacation, sick leave and comp. time was reviewed by the Board.

3. Zoning for Nemaha County - Dave Hunter, Manager Board of Public Works visited with the Board regarding the Nebr. Dept. Env. Quality law regarding subdivision of a tract of land for less than 3 acres. Hunter presented information from the Nebr. Department of Environmental Quality, that state law requires 'prior to construction of a development area where an onsite wastewater treatment system is proposed on any lot less than 3 acres in size, the owner of the development area shall submit an application for subdivision review and receive Department (DEQ) approval for the use of onsite wastewater treatment systems for the development area in accordance with this Chapter or on a form provided by the Director'.

4. Review Road expenses as of 2-29-16

Action Business

1. Report on cost for an additional attendee to attend the Futureview Pictometry Conference (Lempka) – County Assessor Mallory Lempka presented the invoice for the cost for an additional attendee to attend the Futureview Pictometry Conference in Nashville TN, August 2017. Cost for one registration to attend the conference was built in the contract with Vanguard and if the county would like to send another employee the cost would be \$2,165.00.



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- a. Board approval to pay for 1 more attendee to attend Futureview Pictometry Conference – Board took no action and tabled paying the cost for another employee to attend Futureview Pictometry Conference in Nashville TN, August 2017.
2. Informal Quotes for purchasing scarifier (Amount estimated to be between \$5,000.00 & \$20,000.00) – The following informational quotes were received for purchasing a scarifier quick tack: Nebraska Machinery Co. \$6,041.62; Murphy Tractor \$6,128.00. Motion by Bohling, seconded by Hutton to approve the quote from Nebr. Machinery Co. in the amount of \$6,041.62 for a scarifier quick tack in the amount of \$6,041.62. Roll call vote: Wittmann, aye; Hutton, aye; Bohling, aye.
3. Resolution 2016-10 Subdivision of tract of land in Sec. 26 T5N R15E for Patrick Andrew et al – Motion by Bohling, seconded by Hutton to table Resolution 2016-10 for the subdivision of a 1.55 acre tract of land in Section 26 T5N R15E for Patrick Andrew (et al) until March 23, 2016 BOC meeting. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.
4. Permit 2016-01 Permit for Under Crossing of County Road or Occupying Co. Rd ROW – Omaha Public Power District – Motion by Hutton, seconded by Bohling to issue Permit 2016-01 for Under Crossing County Road or Occupying Co. Road Right of Way to Omaha Public Power District. Roll call vote: Hutton, aye; Wittmann, aye; Bohling, aye.
5. Request from Sheriff Lottman to transfer 50% EMA Deputy Director to 100% Deputy Sheriff – Motion by Bohling, seconded by Hutton to approve the request from Sheriff Brent Lottman to transfer Joshua Medeiros 50% position as Emergency Management Deputy Director to 100% Deputy Sheriff. Roll call vote: Bohling, aye; Hutton, aye; Wittmann, aye.
6. Authorize County Clerk to adv. for sealed bids to purchase 2 law enf. vehicles for Sheriff's Dept. – Motion by Bohling, seconded by Hutton to authorize County Clerk Oakley to advertise for sealed bids to purchase 2 law enforcement vehicles for the Sheriff's Department with the opening of the sealed bids on April 6, 2016. Roll call vote: Hutton, aye; Wittmann, aye; Bohling, aye.
7. Resolution 2016-11 Vacating Co. Road located between Section 32 T6N R14E (Road #38) & Section 5 T5N R14E (Road #37) – Motion by Bohling, second by Hutton to adopt Resolution 2016-11 vacating county road located between Section 32 T6N R14E (Road #38) & Section 5 T5N R14E (Road #37) from the east RR ROW west to the Nemaha River. Roll call vote: Wittmann, aye; Hutton, aye; Bohling, aye.
8. Adopt Nemaha County Visitors Committee By-Laws (Rev. 1-26-16) – Motion by Bohling, seconded by Hutton to adopt the revised Nemaha County Visitors Committee By-Laws, Revised on January 26, 2016 as recommended by the County Visitors Committee Members. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.
9. Floodplain Permit #74 for Nemaha Nat. Res. District (Steamboat Trace Trail) – Motion by Bohling, seconded by Hutton to approve Floodplain Permit #74 for Nemaha Natural Resource District, Steamboat Trace Trail. Roll call vote: Wittmann, aye; Bohling, aye; Hutton, aye.
10. Resolution 2016-12 Request to close/vacate county road #146 located between Sections 23, 24, 25, 26 T5N R14E (request by adj. owners) – Motion by Hutton, seconded by Bohling to adopt Resolution 2016-12 to request Mainelli Wagner & Associates to conduct a study on the request to vacate or close county road located between Sections 23, 24, 25, 26 T5N R14E from Half Breed Road, east to Nemaha River, as requested by adjacent land owners. Roll call vote: Hutton, aye; Wittmann, aye; Bohling, aye.
11. Resolution 2016-13 Request to close/vacate county road #284 located between Sections 32 & 33 T6N R15E (request by L. Ellison) – Motion by Bohling, seconded by Hutton to adopt Resolution 2016-13 to request Mainelli Wagner & Associates to conduct a study on the request to vacate or close county road located



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between Sections 32 & 33 T6N R15E from county road 733 south to the bridge as request by Linda Ellison. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.

12. Resolution 2016-14 Subdivision of tract of land in Sec. 9 T6N R13E (request by B. Anthony) – Motion by Hutton, seconded by Bohling to table Resolution 2016-14 request for Subdivision of a tract of land in Section 9 T6N R13E, requested by Blane Anthony. Roll call vote: Wittmann, aye; Hutton, aye; Bohling, aye.

13. Resolution 2016-15 Adopt Policies & Procedures for Design Build & Construction Management for Law Enf. Bldg Add/Remodel – Motion by Bohling, seconded by Hutton to adopt Resolution 2016-15 adopting ‘Policies and Procedures for Design Build & Construction Management at Risk Contracts’ for any present and future construction projects for Nemaha County. Roll call vote: Hutton, aye; Bohling, aye; Wittmann, aye.

14. Resolution 2016-16 Adopt Design-Build Delivery Contract for Law Enf. Bldg. Add/Remodel – Motion by Bohling, seconded by Hutton to adopt Resolution 2016-16 approving the Design-Build Delivery Method for the Law Enforcement Building Addition/remodel. Roll call vote: Bohling, aye; Hutton, aye; Wittmann, aye.

Buildings/Grounds/Property

1. Lower level Courthouse floor buckling/repair – Larry Holtzman was present to discuss the floor. No decision was made on future repair.
2. Update on furnace repair 19th Street Annex Bldg. (MB)
3. Amend the previous motion to authorize B. Lottman to neg. with American Tower to include amount of purchase price to be set by BOC – Motion by Bohling, seconded by Hutton to amend the previous motion from February 10, 2016 Board of Commissioners Meeting minutes to authorize Lottman to negotiate with American Tower for up to \$10,000.00 to purchase and up to \$50,000.00 for remediation for the 911 tower. Roll call vote: Hutton, aye; Bohling, aye; Wittmann, aye.

Equipment/Office Equipment/Vehicles/Furniture

1. Quote received from Access Elevator on replacement of chair lift (parts for the current lift will be obsolete in less than 2 yrs) – board did not want to replace the chair lift because a new mother board was just installed. Decided to wait for a couple of years on the replacement.

Executive Session *

Road Superintendent/Consultant

Projects/Bridges/Roads

1. Update on Buck Creek NRD Bridge project (MB)

County Officials Reports/Correspondence

1. County Clerk’s Monthly Fee Report for February, 2016 - \$8,585.03
2. Vet. Service Officers Monthly Activity Report for February, 2016
3. District Court Monthly Fee Report for February, 2016 - \$1,477.51
4. Fund Balances as of Feb. 29, 2016

Correspondence/Reminders/Upcoming Meetings

1. EMA State Homeland Security Grant On-Site Monitoring Visit & Equipment Inventory, March 10, 2016, 1:30 p.m.
2. Auburn Historic Preservation Commission Workshop – March 11, 2016 1:00 p.m.
3. Registration to SE District Spring Mtg – March 29, 2016 Mahoney State Park

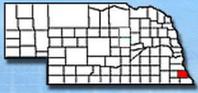
Visitors Comments

Adjournment

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

General

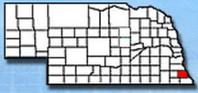
Salaries	\$43,560.15
Access Elevator, se	1,797.43
Action Technolgy, se	1,264.99
American Recycle, se	1,396.50



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As Central, se	448.00
Aub Newspaper, pub	4,135.62
Black Hills, ut	40.47
Bd Public Wks, ut	4,306.11
Bulldog Auto, su	13.14
Buss Pest, cont	175.00
Capital Business, ma ag	1,042.14
Capital Business, ma ag	2.78
Casey's, fu	382.71
Cody's U-Save, me su	142.39
Consolidated, me	27.50
Cornhusker, su	18.50
Critser, R, reim	18.88
Culligan, su	111.15
Darlings Cafe, bd pr	1,443.30
Douglas Co, bd pr	631.68
Fankhauser, atty fe	1,451.00
Fritz Appraisal, cont	3,000.00
Hector, A, reim	12.72
Interstate, su	105.92
Latimer Rep, se	146.80
Martin, M, cont	2,104.58
Mass Mutual, ret	50.00
Microfilm, se	123.00
MIPS, sftwr	1,634.58
MPH Ind, su	1,099.00
NE Law, trng	100.00
NE Notary, se	154.00
NE Pblc Hlth, bl al	105.00
Nem Co Clerk, hra	2,034.26
Nem Co Dist Ct, fe	64.00
Nem Co Ct, fe	340.87
Nem Co Sheriff, fe	795.71
Nem Co Tax, ret	6,830.00
Nem Co Tax, ss, fwh	14,330.04
Nem Co Tax, ret	100.00
Nem Co Treas, reim	163.78
Nestor Mercure, atty fe	500.00
Nichols, L, reim	150.00
OPPD, ut	29.97
Paper Tiger, se	35.00
Protex, su	168.00
Quill, su	1,154.33
Sack Lumber, su	258.81
SE District, reg	150.00
Shopko, su	149.99
Spartan, su	6.53
The Cleaners, se	255.00
US Bank, su	627.55
Verizon, se	1,916.12
Road	
Salaries	\$14,445.77
American Recycle, se	59.00
Beards, su	109.51



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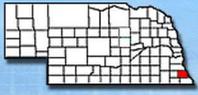
Bd Public Wks, ut	1,677.76
Bulldog Auto,pts,su	145.74
Eggers Bros, su	181.53
Kerford, rk	19,910.40
Martin Marietta, rk	17,079.17
Mellage Truck, pts, la	1,435.23
Midwest Coop, fu	11,122.71
NE Child Spt, garn	255.00
NE Weed, du	125.00
Nem Co Tax, ret	2,259.90
Nem Co Tax, ss, fwh	5,087.63
Nem Co Treas, fe	57.50
NMC, pts, la	2,773.66
RDO Truck, pts	125.25
Richardson Co, reim	858.56
Sack Lumber, su	2.00
Schneider OK, ti re	90.00
Stutheit Imp, pts	133.25
Tom's Radiator, la	260.00
Wick's, pts	77.88
Highway Buyback	
ME Collins, cont	222,084.98
Register of Deeds	
MIPS, sftwr	356.18
Inheritance Tax	
Vanguard, sftwr	37,000.00
911 Emergency Comm Study	
Lincoln Journal, pub	10.18
911 Emergency Service	
American Tower, se	805.98
Verizon, se	66.76

With no further business to come before the Board of Commissioners, motion by Bohling, seconded by Hutton to adjourn at 12:43 p.m. Roll call vote: Bohling, aye; Wittmann, aye; Hutton, aye.

Dennis Wittmann, 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.
Joyce Oakley
County Clerk

The next meeting of the Board of Commissioners will be Wednesday, March 23, 2016 Commissioners Chambers, Courthouse, Auburn NE



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