

Johnson County Board of Commissioners December 17, 2024

The Johnson County Board of Commissioners met in regular session on Tuesday December 17, 2024, County Commissioners present were David Borrenpohl District 1, Ted Evans District 2, Les Agena District 3.

Kathleen M. Nieveen County Clerk is recording the minutes.

Notice of the Johnson County Commissioner's meeting was sent to each post office in Johnson County, it was posted on the Johnson County Website at johnsoncounty.ne.gov and was sent to the Tecumseh Chieftain on Wednesday December 13, 2024.

The meeting was called to order Chairman Evans at 9:00 A.M.

The Pledge of Allegiance was recited by all in the room.

Chairman Evans acknowledged that the open meetings act was posted by the entrance of the Johnson County Board Room.

AGENDA: A motion was made by Agena and was seconded by Borrenpohl to approve the agenda. Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried.

MINUTES: A motion was made by Agena, and was seconded by Borrenpohl, to approve the minutes of the December 3, 2024, board meeting. Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried.

A motion was made by Borrenpohl and was seconded by Agena to approve the bills as presented. Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried. The following is a list of claims that were paid on funds as follows:

GENERAL FUND: Payroll: \$53,190.04

Claims: \$ 248,608.16

A STREET AUTO PARTS TECUMSEH – Wipers & Wiper Fluid - 41.46, AFLAC – Insurance - 119.34, AMERICAN NATIONAL BANK FICA & Federal Taxes - 17,191.94, AMERITAS LIFE INSURANCE CORP. – Vision Insurance - 130.84, BEAR GRAPHICS – Paper for Register of Deeds - 351.47, BEN BEETHE – Reimbursement for ½ Dues - 189.00, BLUE CROSS/BLUE SHEILD OF NE – Health Insurance - 17,255.10, BARRETT BODEN – Meals & Fuel @ Training - 78.17, BRINKMAN BROTHERS INC. – Repairs - 55.13, CAPITAL BUSINESS SYSTEMS – Copier Expense - 80.55, CHARM-TEX – Inmate Apparel - 200.58, CHARTER COMMUNICATIONS 2 Internet & HD Converters - 972.87, CITY OF TECUMSEH – Handi-Bus - 3,000.00, DAS STATE ACCTING - CENTRAL FINANCE0100 Support, Radio Usage & Computer Lease - 484.00, MIKE DAVISON – Mileage - 172.86, DEPT OF CORRECTIONAL SERVICES – Inmate Housing & Medical - 3,096.65, EAKES OFFICE SOLUTIONS – Office & Jail Supplies - 508.34, ERIN M. MCCARTNEY 264.00, FIRST CONCORD BENEFITS GROUP – Cafeteria Plan & Flex Spending - 62.69, HIDDEN GEM BISTRO – Inmate Meals – 11/25-30 & 12-8-7, No Sundays - 848.00, MICHELLE HUTT – Reimbursement for Postage and Jail Supplies - 111.63, JOHNSON COUNTY PETTY CASH FUND – Courthouse & Jail Utilities and Trash Pickup - 2,831.20, JOHNSON COUNTY SHERIFF DEPT. – Paper Service - 18.00, JOHNSON COUNTY TREASURER – 2 months of Road transfers - 173,560.08, CARRIE KASTER – Reimbursement for ear plugs - 8.55, KERNER ACE HARDWARE – Building Supplies - 35.53, KUDU LAWN CARE – Winter Fertilizer - 245.00, LAFFMAN HOT ROD GARAGE – Oil Changes - 169.88, LIBERTY NATIONAL LIFE INSURANCE CO – Life Insurance - 88.52, MICROFILM IMAGING SYSTEMS – Scanner Rental - 40.00, MIDWEST ALARM SERVICES - S/O Monitoring 12/15/24-3/14/25 - 131.25, MORAN PLUMBING AND HEATING,LLC – Sheriff's office toilet & sink repairs - 201.00, MORRISSEY,MORRISSEY,DALLUGE – Oct & Nov Rent, 1/3 Utilities, ½ Phone and Internet Secretary Fees, Postage

& Website Maintenance - 3,466.63, NATIONAL ASSOCIATION OF COUNTIES – Dues - 450.00, NEBRASKA CHILD SUPPORT PAYMENT CNTR - 113.08, NEBRASKA DEPT. OF REVENUE – State Taxes 2,698.48, NEBRASKA LAW ENFORCEMENT TRAINING CENTER – Uniform & Fees for Deputy - 252.00, PAPER TIGER SHREDDING Shredding - 238.25, PEPPERHILL VETERINARY SERVICES – Mako vet visit - 140.87, PERMAR SECURITY SYSTEMS – 6 months service agreement - 624.00, POSTMASTER – Veterans Services PO Box rent - 100.00, POSTMASTER – Stamps - 1,224.00 - REGION V SYSTEMS – 2 EPC’s in September - 428.00, RETIREMENT PLANS DIV OF AMERITAS – Retirement - 8,770.80, SCHENDEL PEST CONTROL – Pest Control - 54.00, SOARIN GROUP,LLC - IT & Support - 2,109.50, SUN AUTO TIRE & SERVICE – Repairs - 840.48, SUNSET LAW ENFORCEMENT – Ammo - 874.50, TECUMSEH CENTRAL MARKET – Inmate Meals & Groceries - 390.41,TECUMSEH CHIEFTAIN – Publications - 69.35, US BANK CORPORATE PAYMENT SYSTEMS – Miscellaneous Purchases & Fuel - 1,190.09 , U.S. CELLULAR – Cell Tower Rent - 525.60, FIBER PLATFORM,LLC - Internet x 2 - 1,101.78, UNIVERSITY OF NEBRASKA - LINCOLN ShoWorks Renewal - 225.00, UNIVERSITY OF NEBRASKA LINCOLN – Parking - 40.00, WINDSTREAM – Landline Phones - 137.71

ROAD FUND: Payroll: \$15,422.53

Claims: \$ 128,516.44

A STREET AUTO PARTS, INC – Parts - 445.87, AMERICAN NATIONAL BANK – FICA & Federal Taxes - 4,668.99, AMERITAS LIFE INSURANCE CORP. – Vision Insurance - 52.85, BARCO MUNICIPAL PRODUCTS, INC – Parts - 7,537.64, BLUE CROSS/BLUE SHEILD OF NE – Health Insurance - 6,343.13, BRINKMAN BROTHERS INC. – Parts - 50.75, CARD SERVICES – Tractor Supply Purchases 20.81, EGGERS BROTHERS INC. – Shop Supplies - 709.51, GOTTULA PROPANE SERVICES,INC – Fuel - 19,325.41, JOHNSON COUNTY PETTY CASH FUND – Barn Utilities - 567.34, KEIM FARM EQUIPMENT – Parts - 17.76, KERNER ACE HARDWARE – Shop Supplies 33.55, LIBERTY NATIONAL LIFE INSURANCE CO – Life Insurance - 87.78, MARTIN MARIETTA MATERIALS – Rock - 52,236.69 NEBRASKA DEPT. OF REVENUE – State Taxes - 676.59, NEBRASKA PUBLIC POWER – Sterling - 31.58, POMP’S TIRE SERVICE, INC Tires - 4,180.00, RAY J SANITATION – Trash Pickup - 65.00, RDO TRUCK CENTER COMPANY – Parts - 137.80, RETIREMENT PLANS DIV OF AMERITAS – Retirement - 2,347.39, TRUCK CENTER COMPANIES – Parts - 109.67, TURNBULL AG TIRES – Tires/Repairs 6,764.00, US BANK CORPORATE PAYMENT SYSTEMS – Safety Equipment - 1,228.90, WESSELS TRUCKING – Hauling - 20,877.43

INHERITANCE TAX FUND:

Claims: \$ 166,924.08

BERGGREN ARCHITECTS – Invoice # 21 - 10,009.08, KINGERY CONSTRUCTION COMPANY – Courthouse & HVAC Repairs – 156,915.00

AMBULANCE SERVICE FUND:

Claims: \$ 4396.50

HMKB BILLING, LLC – Contract Billing - 2,138.87, TECUMSEH RESCUE – Reimbursement for EMT Supplies & Books – 2257.63

Megan Buckley Emergency Manager informed the board that the poster contest has been sent to all schools, Heavy Equipment workshop is scheduled for March. The training will focus on wild land fire operations, she also gave the board an update on the pagers.

Highway Supt. Matt Schardt was present. He told the board that Johnson County was not selected for the Bridge Match Program this year, and the new grader is in and will be in the Elk Creek Shop. He talked about Driveway installations.

A motion was made by Agena and was seconded by Borrenpohl to approve Resolution 24-21 a Resolution for the signing of the Year-End certification of County Highway Superintendent 2024. Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried.

Fuel bids were opened and placed on file in the County Clerk's Office. One bid was received from Gottula Propane Service Inc.

A motion was made by Borrenpohl and was seconded by Agena to approve the bid from Gottula Propane Service Inc. as follows:

Tecumseh Shop Unleaded with 10% Ethanol \$2.349, Diesel Low Sulfur #1 on Road \$3.249, Diesel Low Sulfur #2 On Road \$2.849

Cook, Crab Orchard, Elk Creek and Sterling Shops Diesel Low Sulfur #1 off Road \$2.949, Diesel Low Sulfur #2 Off Road \$2.549.

Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried.

Jill Hahn was present at the meeting to review the 4 County Juvenile Diversion Grant and the 4-county community plan. A motion was made by Borrenpohl and was seconded by Agena to approve the Memorandum of Understanding for the County Juvenile Services Aid Program, and the Memorandum of Understanding for the purposes of obtaining Community-based Juvenile Services Aid Program Funds for July 1, 2025, through June 30, 2026. Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried.

Sheriff Josh Sterkel reviewed with the board the cost of replacing a door at the Office.

The Keno Contract was discussed and tabled.

A motion was made by Agena and was seconded by Borrenpohl to approve Directive Order No. 010 for the lump sum increase of \$78,968.00 to the Johnson County Courthouse Roof Project. Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried.

A motion was made by Borrenpohl and was seconded by Agena to approve Resolution 24-20 a Resolution for the Subdivision of a tract of land being part of the Southeast One-Quarter (SE ¼) of said section Twenty-Three (23), Township Five (5), Range Nine (9), East of the 6th P.M. Johnson County, Nebraska. Yeas: Agena, Borrenpohl, Evans, Nays; none motion carried.

At 10:00 A.M. Chairman Evans declared the Public Hearing open and to have public comments on Special Use Permit #3 for the building of (8) poultry buildings to be located on a tract of land in the East Half of the Northeast Quarter (E ½ NE ¼) of Section thirty-two (32), Township Six (6), North Range Nine (9) East of the 6th P.M. in Johnson County, Nebraska.

Roll Call, Agena here, Borrenpohl here, Evans, here

Chairman Evans acknowledged the Open meeting act was posted on the wall of the Courtroom.

Chairman Evans indicated that any Pro individual come and give their testimony.

Steve Mossman presented documents that he wanted as exhibits, those were marked as Exhibit #14.

Jim Erickson informed the board that his family was present in the room and explained that he wants to expand the operations of his family farm by putting up the proposed 8 Barns, that this facility will be located 1 ½ mile off of the Highway, that he will be working with Smart chicken.

Andy Schulting Nutrient Management plan was discussed. He indicated that the facility does meet the setbacks and introduced Document that were marked Exhibit #15, and exhibit #16 Soil Analysis

Chris Bosay supports the producer and why this project meets all regulations, and the setbacks are appropriate.

Jon Schmid announced that this is not being paid, and his concerns are roads, with the county needing to put the programs of getting new equipment back in place, he indicated that we need all revenue to stay in the County.

At this time there were no additional Pro- individuals wanting to speak

Chairman Evans now allowed the opposed individuals speak.

Pam Eisenhower's concern was the location of the projects, she is concerned about the water and who will monitor the facility.

Melissa Boldt- read a letter of concern about the location, general health and the general location. She offered the letter and was marked Exhibit #17.

Jodi Jasa-read a letter and was concerned about the Zoning Regulations she offered the letter, and it was marked as Exhibit #18.

Megan Weiss read her letter of concern mainly about the location.

Ben Brigges was concerned about bird flu and how that would be handled. He gave stats that he found of the CDC website.

Rachel Buehler read her letter of concern and offered her letter marked Exhibit #19 and #20 and #21.

Brenda Rathe read here letter of concerns for her family and her concerns on water.

Jonathan Leo was present speaking as a private citizen-his concerns were conditions, a process for complaints.

A motion was made by Borrenpohl and was seconded by Agena to close the public hearing and public comment. Yeas; Agena, Borrenpohl, Evans, Nays; none motion carried.

A motion was made by Borrenpohl and was seconded by Evans to approve Special Use Permit #3.

The board reviewed Section 6.2 Special Use Permit and Section 6.4 Livestock Confinement Facilities/Operations and found that all the requirements have been met.

Commissioner Borrenpohl's indicated that his answers the Section 6.2 and 6.7 are the same as Commissioner Evans, plus the permit meets the required animal units, wetlands would not be a factor, and the building that contains the manure and the de-composing of the dead birds is covered

Yeas: Borrenpohl, Evans, Nays; none Abstain Agena. Motion Carried.

A motion was made by Borrenpohl and was seconded by Evans to approve Resolution No. 24-22 a Resolution to Approve Special Use Permit #3 with the stated condition that they must have an enclosed manure and compost

building of at least 120' x 80' constructed by the time the first batch of chickens are put in any of the chicken houses. Yeas: Borrenpohl, Evans, Abstain Avena, Nays; none motion carried.

A motion was made by Borrenpohl and was seconded by Evans to adjourn the meeting at 11:00 A.M. Yeas: Avena, Borrenpohl, Evans, Nays; none motion carried.

The board will meet again in regular session on Tuesday December 31, 2024, at 9:00 A.M. All board meetings are open to the public; the agenda is kept current and available at the County Clerk's Office.

_____ Ted Evans Chairman

_____ Kathleen M. Nieveen County Clerk