

Johnson County Board of Commissioners November 7, 2023

The Johnson County Board of Commissioners met in regular session on Tuesday November 7, 2023, 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 Thursday November 3, 2023.

The meeting was called to order Chairman Evans at 8:15 A.M.

The Pledge of Alliance 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: Borrenpohl, Agena, Evans, Nays; none motion carried.

MINUTES: A motion was made by Agena and was seconded by Borrenpohl to approve the minutes of the October 24, 2023, board meeting. Yeas: Borrenpohl, Agena, Evans, Nays; none motion carried.

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

GENERAL FUND: Payroll:

Claims: \$ 70,891.87

23110001 23110001 AFLAC – Insurance - 100.10, AMERICAN NATIONAL BANK – Federal & FICA Taxes - 13,562.38, AMERITAS LIFE INSURANCE CORP. - VISION INS - 124.25, ARAMARK – Rugs - 61.16, BLUE CROSS/BLUE SHEILD OF NE – Health Insurance 14,862.86, BRINKMAN BROTHERS INC. – Oil Changes/Brakes - 84.20, CAPITAL BUSINESS SYSTEMS - Fax contract -64.99, CAPITAL BUSINESS SYSTEMS INC – COPIERS - 1,559.24, CHARM-TEX – Inmate Clothing - 328.70 , CHARTER COMMUNICATIONS – Phones/Internet - 854.88, CONSOLIDATED MANAGEMENT COMPANY – Meals at Training - 43.25,DAS STATE ACCTG-CENTRAL FIN. OCIO – Teletype & Point to Point -729.35, DEPT OF CORRECTIONAL SERVICES- Ramos Housing - 2,710.50, DISTRICT COURT JOHNSON COUNTY – Court Costs - 37.00, EAKES OFFICE SOLUTIONS – Office Supplies -237.01, ERIN M. MCCARTNEY – 257.00 FIRST CONCORD BENEFITS GROUP – Flex Spending - 50.00, FANKHAUSER,NELSEN,WERTS,ZISKEY & MERWIN – Public Defender 4,000.00, IDEAL PURE WATER OF LINCOLN – Bottled Water -8.00, IOWA LAW ENFORCEMENT ACADEMY – Training 2 Dispatchers 750.00, JOHNSON COUNTY HOSPITAL – Medical Records - 61.00, JOHNSON COUNTY PETTY CASH FUND – Courthouse & Jail Utilities - 1,695.77, KERNER ACE HARDWARE – Building Supplies - 206.44, LIBERTY NATIONAL LIFE INSURANCE CO - Insurance - 75.74, LINCOLN JOURNAL STAR – Subscription - 951.00 MIPS INC. – Support, Supplies - 1360.57, MORAN PLUMBING AND HEATING, LLC - Jail & Courthouse Repairs - 5,834.00, NACO – Dues & Registration - 1,537.11 NACVSO – Dues – 50.00, NEBRASKA CHILD SUPPORT PAYMENT CNTR - 113.08, NEBRASKA DEPT. OF REVENUE – State Taxes - 2,154.28, NEBRASKA LAW ENFORCEMENT TRAINING – Lodging at Training - 550.00, NEBRASKA WEED CONTROL ASSN – Membership - 125.00, PAPER TIGER SHREDDING – Shredding - 45.00, POSTMASTER

- PO Box Rent - 98.00, RETIREMENT PLANS DIV OF AMERITAS – Retirement 6,657.26, KRISTINE RIEKENBERG – Bill of Exceptions - 142.50, SCHENDEL PEST CONTROL – Pest Control -54.00, KIMBERLY SNYDER Mileage - 157.59, SOARIN GROUP,LLC – Computer Installation - 797.76, SUNSET LAW ENFORCEMENT – Ammunition - 2,444.18, TECUMSEH CENTRAL MARKET – Inmate Meals - 3,073.83,TECUMSEH CHIEFTAIN – Publications -274.74 TECUMSEH FIRE PROTECTION DISTRICT 1 - EM Rent & Utilities - 600.00, TOPP'S SMALL ENGINES – Snow Blower Parts -42.00 ,FIBER PLATFORM,LLC – Private Internet 2 months - 500.00, WUSK ELECTRIC – Sheriff’s Office Work - 866.15

ROAD FUND: Payroll:

Claims: \$ 124,684.68

AMERICAN NATIONAL BANK – Federal & FICA Taxes - 4,263.42, AMERITAS LIFE INSURANCE CORP. – Vision Insurance - 50.66, BLUE CROSS/BLUE SHEILD OF NE – Health Insurance - 11,554.41, EAKES OFFICE SOLUTIONS – Supplies - 305.61, EGGERS BROTHERS INC. – Supplies - 376.84, FIRST CONCORD BENEFITS GROUP – Flex Spending -63.46, GB AUTO SERVICE, INC – Tires/Repairs - 2,390.28, GOTTULA PROPANE SERVICES,INC - Fuel - 3,539.03, HUSKER STEEL - Supplies - 4,610.83, JOHNSON COUNTY PETTY CASH FUND – Barn Utilities - 244.97, LIBERTY NATIONAL LIFE INSURANCE CO- Life Insurance - 87.78, MARTIN MARIETTA MATERIALS – Rock - 22,496.78, MIDWEST SERVICE & SALES CO – Signs, Grader Blades & Posts - 4,528.65, NEBRASKA DEPT. OF REVENUE – State Taxes - 612.03, NEBRASKA PUBLIC POWER – Sterling Utilities - 31.58, NMC,INC – Labor, Parts & Oil 65,939.22, RETIREMENT PLANS DIV OF AMERITAS – Retirement -2,427.02, SPEERS TRUCK REPAIR LLC – Parts & Labor - 792.11,TECUMSEH CHIEFTAIN – Publications & Subscription - 100.00, TURNBULL AG TIRES – Tires/Repairs - 270.00

REGISTER DEEDS PRESERVATION & MOD. FUND

MIPS INC. – Register of Deeds & Deeds Online - 276.28

COVID AMERICAN RESCUE PLAN FUND

BERGGREN ARCHITECTS – Invoice #8 - 4,050.00

INHERITANCE TAX FUND

Claims: \$3,766.63,

BEN BEETHE – Mileage - 273.15, FANKHAUSER, NELSEN,WERTS, ZISKEY & MERWIN – Depositions - 2,350.00, MARVIN PLANNING CONSULTANTS - Comprehensive Plan - 1,050.00, SALINE COUNTY TREASURER – Jury Summons’ - 93.48

Megan Buckley Emergency Manager informed the board that the Policy and Procedure Books are out and asked if they would review them and let her know any concerns. She also gave the board an update on what she is working on.

Wayde Pickinpaugh Extension Educator introduced Angela Johnson as the new employee for Extension.

Matt Schaardt Highway Supt. presented the board the figures he came up with for the repairs to the bridge located on 735 Road, talked about the safety audit, and the MOU draft with NioCorp. Deputy Attorney Ladman will make the necessary changes to the MOU and have it ready for the November 21st meeting.

Judd Allen and Mike Boden were present at the meeting to discuss the proposed changes to the Blue Cross Blue Shield Insurance for County Employees. The County currently has a \$1,100.00 Deductible plan and discussed changing to \$2,600.00 with a buy down of the deductible of \$1,500.00 through First Concord.

A motion was made by Borrenpohl and was seconded by Agena to adopt the \$2,600.00 Deductible Plan with Blue Cross Blue Shield for County Employees with a buy down of \$1,500.00 through First Concord, and to Change the contribution levels for employees electing the 2 party or family members to 80% County and 20% being paid by the employee, the single policy will remain at 100% which is paid by the County. Yeas: Borrenpohl, Agena, Evans, Nays; none motion carried.

County Sheriff Josh Sterkel was present at the meeting to discuss changing the FLSA requirement of 86 hours of work (within a 2-week period) for Deputy Sheriff's before overtime is paid to 80 hours of work (2ithin a 2 week period. The board will consider this, and Deputy Attorney Ladman will draft a proposed Resolution with the change.

Chairman Evans declared the public hearing open at 10:00 A.M. the purpose of the hearing was to hear commits on Special Use Permit #SP2023 to construct 8 Poultry buildings in the SW ¼ SW ¼ Section 21 Township 4 Range 10 East. Present were Mike Davison, and Dean Settje.

It was noted that Notice of the Hearing was placed in the Tecumseh Chieftain at least ten days prior to the hearing and that all postings were done in accordance with the Comprehensive Plan.

During the hearing it was noted that the plan is in accordance with the following:

1. Be Compatible with and similar to the use permitted in the district.
2. Not be a matter which should require re-zoning of the property.
3. Not be detrimental to adjacent property.
4. Not tend to depreciate the value of the surrounding structures or property.
5. Be compatible with the stated intended use of the district.
6. Not change the character of the district.
7. Be in accordance with the Comprehensive Plan.

Dean indicated that the amount of animal units would be 2240.

The Requirements for the approval of the Special Use Permit is that they need to comply with the following requirements.

2. A management plan for the facility, acceptable to the Nebraska Department of Environmental Quality and the Johnson County Board, which provides for the proper disposal of animal waste and dead animals in a manner as not to contaminate ground water or any stream, creek or river and minimizes odor.

3. Disposal and storage of livestock confinement facility/operation animal waste shall be in conformance with the following:

- A. There shall be no storage, or disposal, of livestock waste from a livestock confinement facility/operation upon land designated as wetlands by the United States Department of Agriculture, Farm Services Commission.
- B. Paunch waste disposal shall only be allowed in the AG Agriculture District in conformance with a Special Use Permit process.
4. Special use permits granted under this section shall be subject to review by the County Board if not in compliance with the Nebraska Department of Environmental Quality regulations.
5. Any other requirement deemed appropriate and necessary by the County Board for the protection of the general health, safety and welfare of the residents of Johnson County.

A motion was made by Borrenpohl and was seconded by Agena to approve Special Use application SP#2023 as they have met all 7 of the requirements and all setbacks and agreed to all the 5 requirements. Yeas: Borrenpohl, Agena, Evans, Nays; none motion carried.

Chairman Evans closed the hearing at 10:20 A.M.

A motion was made by Agena and was seconded by Borrenpohl to approve the Distress Warrant Report and to approve to strike from the tax records \$254.33 on parcel 490055565 Personal Property Taxes as they have been uncollectable for the past 2 years. Yeas: Borrenpohl, Agena, Evans, Nays: none motion carried.

A motion was made by Evans and was seconded by Borrenpohl to table the Resolution to participate in NIRMA for the Period of July 1, 2024 through June 30, 2027. Yeas: Borrenpohl, Agena, Evans, Nays; none motion carried.

The board held a conference call with Jerry Berggren and informed him to go ahead with the application of the Nebraska State Historic Preservation Grant.

The board will continue to look into a new snow blower for the Courthouse.

A motion was made by Borrenpohl and was seconded by Agena to approve a \$2.00 per hour increase in the Emergency Manager hourly rate as she has completed the necessary certifications to be effective November 5, 2023. Yeas; Borrenpohl, Agena, Evans, Nays none motion carried.

The board acknowledges a copy of the Johnson County Sheriff's Office Balance Sheet as of October 31, 2023.

The Johnson County Board of Commissioners adjourned the meeting at 11:15 A.M. The board will meet again in regular session on Tuesday November 21, 2023, at 8:15 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