



Colfax County Board Minutes



April 25, 2017
Commissioners Meeting

Minutes

A meeting of the Board of Commissioners of Colfax County, Nebraska was held in the Commissioners Room of the County Courthouse, Schuyler, Nebraska on the 25th day of April 2017. The County Board of Commissioners met at 8:30 a.m. Present were: Jeffrey L. Bauman, Jerry Heard and Gil Wigington, County Commissioners, Rita M. Mundil, County Clerk and Denise J. Kracl, County Attorney. Notice of this meeting was given in advance thereof by posting written notice in at least three different public places as shown by the Certificate of Posting Notice. Availability of the proposed agenda was communicated in the advance notice and in the notice to the board. Copies of the Open Meetings Act were posted and available to the public. All proceedings shown were taken while the meeting was officially convened and open to the public.

The chairman stated a copy of the Open Meeting Act statute is posted and available to the public.

Motion Heard; second Bauman to approve the agenda. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

Motion Wigington; second Bauman to approve the regular minutes of 4/11/17. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

The clerk provided the fund balance, STOP Revenue received and February Lodging Tax Revenue. The State Auditor provided the county's audit report and management letter for the fiscal year ending June 30, 2016.

The board received a copy of the March public defender report.

CASA's 2016 year-end report and 2017 1st quarter report were provided to the board and will be placed on file.

The vet service officer provided his claim reimbursements for: February 7, 2017; February 21, 2017; March 7, 2017; March 21, 2017 and April 4, 2017.

The February inmate log from Platte County and April inmate log from Butler County were provided to the board and will be placed on file.

The quarterly report on Nebraska Extension in Colfax County from January to March 2017 was provided to the board for their review.

The county attorney gave a report of the activities of her office; she attended the NIRMA workshop and gave an update on her office security project.

Motion Wigington; second Heard to approve the following claims and issue checks for them. Voting YES: Wigington, Bauman and Heard. Voting NO: None. Motion carried.

<u>All Funds</u>		
Blue Cross-Blue Shield	Health Premiums	42,914.88
Ameritas Life Ins. Co.	Retirement Premiums	13,479.12
EFTPS	FICA/Medicare	14,459.09
<u>Attorney Grant Fund</u>		
Salaries		1,104.00

Sidnee M. Pavel	Cell phone/mileage	148.83
Schuyler Community Schools	Truancy officer	4,000.00
<u>911 Wireless Service Fund</u>		
Century Link	Service	736.74
Frontier	Service	385.87
<u>E911 Fund</u>		
Century Link	Service	150.90
Frontier	Service	79.04
<u>ROD P & M Fund</u>		
MIPS	Microfilming/Deeds on Line	246.53
<u>Road Sinking Fund</u>		
Howells Plumbing, Heating A/C	Labor/Clarkson shop	150.00
Stern Oil Co. Inc.	Leigh oil tank	637.50
<u>Road Fund</u>		
Salaries		43,155.20
AG 91 Energy LLC	Fuel/heating fuel	4,699.55
Arps Gravel & Concrete	Gravel/hauling	16,561.50
Bill's Foodmart	Janitorial supplies	10.23
Bomgaars Supply	Shop supplies/tools/equip. parts	372.11
Butler County Landfill Inc.	Waste	241.17
California Custom Products	Decals and numbers	75.00
Century Link	Service	383.69
City of Clarkson	Service	69.20
Colfax County Treasurer	Title/tire tax fee	13.00
Cooperative Supply Inc.	Fuel	175.71
Dept. of Utilities	Services	833.37
Doernemann Farm Service Inc.	Shop supplies/equip. parts/labor	1,432.76
Eakes Office Solutions	Office/janitorial supplies/shredder	561.40
Farmers Union Coop Gas	Fuel	110.26
Fastenal	Shop supplies	16.75
Fremont Sanitation	April/May/June service	56.51
Frontier	Phones	114.96
Grovijohn Feeds	Ditch mix	775.00
Hegemann Hardware	Shop/tools/janitorial supplies	42.45
Holiday Inn of Kearney	Lodging	124.95
J & B Auto Parts	Equip. parts/shop/tool supplies	526.57
Jackson Services Inc.	Janitorial supplies	69.00
John Deere Financial	Equip. parts/labor/shop supplies	747.52
John's Tire Sales	Tire repair	32.00
Kroeger Sand & Gravel Co.	Gravel/hauling	120,014.50
Lerch Family LLC	Oats	62.40
Loup Public Power Dist.	Services	370.05
Main Express LLC	Fuel	413.38
Mainelli-Wagner & Associates Inc.	Contract	1,800.00
Martin Marietta Materials	Rock	506.07
Midwest Service & Sales Co.	Signs/posts	59.40
NE Assn. of County Hwy. Supt.	Registration	110.00
Nebraska Machinery Co.	Equipment parts/labor	2,178.32
OPPD	Services	114.83
Overhead Door Co. of Columbus	Building repair	163.75
Parkview One Stop	Fuel	654.98



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Power Plan	Equipment parts/labor	5,053.56
Prusa Welding	Labor	325.00
QC Supply L.L.C.	Shop supplies/equip. Parts	122.69
Richards Garage	Equipment parts/labor	179.98
Sapp Bros. Petroleum Inc.	Fuel	834.46
Schuyler Cooperative Assn.	Fuel	1,716.21
Schuyler Lumber Co. Inc.	Lumber	45.50
Ernst Shonka	Clay	1,924.00
Time Clock Plus	Time clocks	136.10
Tom's Auto Service	Tire repair	16.20
U & I Sanitation Service	Service	27.00
Verizon Wireless	Cell phone	81.07
Village of Howells	Service	60.25
Village of Leigh	Service	188.13
Joan Wemhoff	Custodial	50.00

General Fund

Salaries		149,505.57
Alley, Poyner, Macchietto Architect	Restoration project	5,413.40
Americom Communications Corp.	Travel/labor	255.00
Ryan Andel	Cell phone/uniforms	80.00
Mary Kay Bailey	Donuts	14.98
Adam Bell	Mileage/per diem	55.68
Viola Bender	Mileage	72.76
Robert Bierbower P.C. L.L. O	Atty's fees	1,871.50
Black Hills Energy	Service	305.19
Bomgaars Supply	Janitorial supplies	108.68
Butler County Detention	BOP	225.00
Butler County Health Care Center	Medical expenses	6,576.76
Butler County Sheriff	Blood test	150.00
Cada Electric LLC	Building repair	434.27
Genex Voyager Fleet	Fuel	790.05
CenturyLink	Long distance	219.81
Century Link	Extension/Weed	113.58
	General	259.89
Ciox Health	Blood test	27.00
Circulation Payment Center	Subscription	86.40
Clarkson Motor Company	Pickup repairs	170.94
Clerk of Supreme Court	Court Costs	126.00
Clerk of the District Court	Court Costs	138.00
Colfax County Court	Court Costs	304.00
Colfax County Press	Notices	1,784.00
Colfax County Sheriff	Uncollected fees	85.47
Colfax County Treasurer	Road transfer	311,530.90
Columbus Community Hospital	Laboratory	28.00
Columbus Telegram	Notice/proceedings	658.03
Consolidated Management Company	Meals	109.79
Corral Auto Repair & Towing	Vehicle repair	296.39
Culligan	Equipment/water	281.30
DAS State Central Finance	Network serv #6507	245.68
DAS State Central Finance	Network serv #6506	1,077.27

David City Discount Pharmacy	Pharmacy	16.50
Susanne Dempsey	Atty's fees	489.25
Department of Utilities	Utilities	2,921.02
Didiers Grocery Inc.	Grocery	4.16
Double "R" Graphics	Black Vinyl Lettering	257.00
Eakes Office Solutions	Office supplies	1,319.35
Egan Supply Company	Janitorial supplies	680.37
Egis Technologies	Monthly service	1,795.00
Egr, Birkel & Wollmer	Atty's fees	2,261.00
Electronic Engineering	Service call/labor	225.00
Michelle Evert	Cell phone/mileage	120.66
Farm & Home Publishers LTD	Plat books	1,225.00
Farmers Union Coop Gas	Fuel	405.77
Chad Ferrari	Cell phone/uniforms	80.00
First Concord Benefits Group LLC	Participation fee	40.00
Janelle M. Foltz LLC	Atty's fees	731.50
Fornoff & Schutt	Atty's fees	1,368.00
Francotyp-Postalia Inc.	Postage machine	77.85
Daniel Freed	Cell phone/uniforms	11.33
Haessler, Sullivan & Klein LTD	Atty's fees	246.25
Juana Hanson	Cell phone/mileage/meals	296.66
Health & Human Services	Lincoln	93.00
	Norfolk	93.00
	Beatrice	93.00
Tony W. Hemmer	Cell phone/uniforms	80.00
Hometown Leasing	Copiers	1,238.95
Indoff	Office supplies	806.69
J & B Auto Parts	Air filters	55.15
Jack's Uniforms & Equipment	Safety equipment	313.84
Jackson Services Inc.	Service	77.60
JEO Consulting Group, Inc.	Surveys	337.50
John Kohl Law Firm	Atty's fees	826.50
Johns Tire Sales	Tire repair/vehicle serviced/battery	330.95
Jones Automotive Inc.	Install emergency equipment	5,294.30
Just Another Mini Mart	Fuel	247.64
Danny W. Kluthe	Mileage/per diem	89.92
Denise Kracl	Lodging/meals/mileage	366.89
Julia Kreikemeier	Program supplies	23.54
Paul Kruse	Culligan/uniforms/training material	255.00
Andrew Lange	Atty's fees	693.50
Language Line Services	Interpreting	71.50
Laser Technology	STOP funds	2,049.00
Main Express LLC	Fuel	505.34
McGill Restoration	Restoration project	8,995.00
McKown Funeral Home	Morgue/transportation	225.00
Menards	Janitorial supplies	23.94
Shawn Messerlie	Cell phone/uniforms	80.00
Microfilm Imaging Service	Service	290.00
Mid-American Benefits Inc.	Deductible reimbursement	3,999.08
Midwest Special Services	Transport	3,500.00
MIPS	Software support/website	2,890.16
Rita Mundil	Breakfast	64.22
NACT	Summer workshop/Janis	125.00
NE Dol/Boiler Program	Boiler certificate	24.00
Nebraska Assn. of County Clerks	Summer workshop/Rita	100.00
Nebr. Assoc. of County Officials	Registration	260.00



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Nebraska County Attys Assn.	Registration	1,015.00
NJJA	Juvenile Justice Conference	325.00
Keith Novak	Mileage/per diem	17.14
Officenet Inc.	Copier repair/copies	439.37
One Office Solution	Typewriter repairs	287.49
William Ouren	Autopsy costs	150.00
Sidnee M. Pavel	Meals	49.99
Physicians Laboratory Services Inc.	Autopsy costs	570.00
Scott Pieper	Per diem	15.00
Pinnacle Bank	CPR Keychain/office supplies	379.80
Pinnacle Bank	STOP funds	447.00
Platte Co. Detention Facility	BOP	4,400.00
Platte County	Vet Service contract/reimbursement	2,447.24
Preferred Plumbing & Heating	Building repair	125.00
Quill Corp.	Office supplies	314.04
Ramada Inn	Lodging	146.00
Region IV Inc.	4th quarter	3,210.75
Register Law Office	Contract	5,000.00
Brian Reiner	Supplies/travel expense	400.12
Safelite Auto Glass	Windshield repair	251.89
Schuyler Cooperative Association	Fuel	976.83
Schuyler Lumber Co. Inc.	Building repair	60.98
Sec. of State Rules & Regulations	Certify copy	60.00
Mark Shultz	Mileage/per diem	51.40
Standard Appraisal Services Inc.	Contract	16,021.00
Brett Struebing	Cell phone/uniforms	80.00
Sunset Law Enforcement	Law enforcement supplies	2,366.55
Thomson Reuter-West	Westlaw	1,414.46
Trane	Building repair	108.84
Adam Tripp	Atty's fees	2,498.50
Trouba Law Offices LLC	Atty's fees	2,740.75
U & I Sanitation Service	Service	130.75
Calvin Urban	Mileage/per diem	72.80
US Cellular	Cell phone	89.18
Luis Venzor	Cell phone/uniforms	80.00
Verizon	Cell phone	86.45
Verizon NetworkFleet Inc.	Cell phone	189.50
Verizon Wireless	Cell phone	297.56
Village of Howells	STOP funds	200.00
Irma Watt	Translation	50.00
Wayne's Repair Services	Service vehicle	41.95
Joan Wemoff	Janitor	100.00
Xerox Corporation	Copiers	249.07

Recessed at 9:15 a.m. to resume at 9:30 a.m.

Discussion was held on selling a 2012 Chevy Silverado pickup; per Colfax County's resolution all items deemed sellable surplus will be sold through either public auction or by public advertisement. The board directed to set a date for an active sale in the advertisement; set the price using the Blue Book value and accept the 1st offer that meets the advertised price.

LegalShield – ID Shield/Donald R. Mroczek and Ann Giebler representatives, presented information regarding identity theft protection, ID theft consulting and the ability to talk to an attorney about any personal matter without worrying about high hourly costs and have 24/7 emergency assistance. The plans each have a separate monthly fee for an individual or family insurance membership. The board stated that the county has NIRMA for any legal representation and are not interested in their product and if they meet with county employees it will not be during the county's working hours.

The Zoning/Flood Plain administrator gave a report of the activities of her department; she provided information from the wind turbine meeting she attended.

Motion Wigington; second Heard to open a public hearing at 10:00 a.m. for the purpose of hearing testimony of support, opposition, criticism, suggestions or observation for a conditional use application by Werner Construction, Inc, for construction of a temporary asphalt plant to produce material for an area road construction project (Highway 15) on approximately +/- 7 acres (of 111 acres) belonging to Roger Cech in the A-1 Agricultural Preservation District with a

floodplain overlay. This is located in part of the Southwest Quarter (SW ¼) along Road T just East of Highway 15 in Section 26, Township 20N, Range 3E, East of the 6th P.M. (Principal Meridian) of Colfax County, State of Nebraska. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

The zoning administrator included in her report that the applicant wants to operate a temporary asphalt plant to produce material solely for the Nebraska Dept. of Roads project (Highway 15). The proposed plant is in the "A" Zone Floodplain overlay district and all floodplain regulation must be followed. Adequate drainage paths shall be required in order to guide floodwaters away from structures and any other property not belonging to the applicant(s). Notice has been posted and published and all fees have been paid. It is the recommendation of the planning commission to approve the conditional use application.

The applicant was present to answer any questions; no opposition to the conditional use was given.

Motion Wigington; second Heard to close the public hearing at 10:05 a.m. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

Motion Bauman; second Wigington to accept the recommendation of the planning commission and approve the condition use application by Werner Construction. Voting YES: Wigington, Bauman and Heard. Voting NO: None. Motion carried.

Motion Wigington; second Heard to open a public hearing at 10:06 a.m. for the purpose of hearing testimony of support, opposition, criticism, suggestions or observation for Resolution 04-25-17(1) – Addition / Amendment to Section 4.19 FP Floodplain Overlay District

4.19.06 Flood Fringe Overlay District (including AO and AH Zones)

2.H – Appurtenant Structures may have their lowest floor below the one foot above the base flood elevation provided:

Add/Amend:

(3) The structure must be built using flood damage resistant materials. (**Amend** by removing the words *unfinished and*)

(4) The structure must be wet floodproofed and designed to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters. Designs for meeting this requirement must either be certified by a registered professional engineer or architect of the State of Nebraska or meet or exceed the following minimum criteria: A minimum of two openings having a total net area of the not less than one (1) square inch for every one (1) square foot of enclosed area subject to flooding shall be provided. The bottom of all openings shall be not higher than one foot above grade. Openings may be equipped with screens, louvers, valves, or other coverings or devices provided that they allow the automatic entry and exit of floodwaters. (**Add**)

(11) The maximum size of an appurtenant structure cannot exceed 400 square feet. (**Add**)

Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.



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The zoning administrator included in her report that the Resolution is an amendment to the Colfax County Zoning Regulations by an addition/amendment to Section 4.19FP Floodplain Overlay District. It is the recommendation of the planning commission to approve the addition/amendment of Section 4.19 FP Floodplain Overlay District.

No opposition to the addition of Section 4.19 FP Floodplain Overlay District was given.

Motion Wigington; second Heard to close the public hearing at 10:08 a.m. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

Motion Wigington; second Heard to accept the recommendation of the planning commission and approve Resolution 4-25-17(1) on the addition/amendment of Section 4.19 FP Floodplain Overlay District. Voting YES: Wigington, Bauman and Heard. Voting NO: None. Motion carried.

Motion Wigington; second Heard to open a public hearing at 10:10 a.m. for the purpose of hearing testimony of support, opposition, criticism, suggestions or observation for Resolution 04-25-17(2) – Amend Land Use Map to show Change of Zoning Request granted 02-21-17. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

The zoning administrator included in her report that the Resolution is an amendment to the Colfax County Land Use Map to show the change of zoning request that was granted on February 21, 2017 (to change a property to be zoned as TA-1(Transitional Agricultural District) due to the areas around all the other villages within the county is TA-1 and by allowing the request it provided uniformity). It is the recommendation of the planning commission to approve the amendment of the Land Use Map.

No opposition to the amendment to the Colfax County Land use Map was given.

Motion Wigington; second Heard to close the public hearing at 10:11 a.m. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

Motion Wigington; second Bauman to accept the recommendation of the planning commission and approve Resolution 4-25-17(2) on the amendment of Colfax County Land Use Map. Voting YES: Wigington, Bauman and Heard. Voting NO: None. Motion carried.

The highway superintendent gave a report of the activities of his department; an update on road/bridge projects was given. The on-site monitoring review of Colfax County's 2016 Emergency Management Performance Grant (EMPG) stated that Colfax County's records are well maintained and are in compliance. Discussion was held on the Lower Platte North NRD meeting that was held with other local units of government concerning Floodplain Maps along the Lower Platte River (Columbus to Ashland).

The board reviewed the two gravel bids that were opened and read at the April 11th meeting. The highway superintendent recommended accepting the two bids for the gravel and hauling with Kroeger Sand & Gravel (lowest bid) being the 1st company to be called.

Public comment was made on purchasing gravel by the ton as opposed to cubic yard.

Motion Wigington; second Heard to accept the two bids for gravel and hauling with Kroeger Sand and Gravel being the 1st company to be called. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

Public comment was made on damaged culvert on Road G.

Gene Novak did not attend the meeting.

The county clerk summarized the day's agenda and action taken.

Motion Wigington; second Bauman to adjourn BOC at 11:10 a.m. to meet again May 9, 2017. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

I, Rita M. Mundil, duly elected and qualified County Clerk of said county, do hereby state that the above minutes were recorded by me, are true and correct to my knowledge, are recorded in the Commissioners Records and were completed for public inspection and publication on the 26th day of April, 2017.

Rita M. Mundil, County Clerk