



Colfax County Board Minutes



May 22, 2018
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 22nd day of May 2018. The County Board of Commissioners met at 8:30 a.m. Present were: Jeffrey L. Bauman, Jerry Heard and Gil Wigington, County Commissioners and Rita M. Mundil, County Clerk. 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 Bauman; second Heard 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 5/8/18. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

The clerk provided the fund balance, STOP Revenue and March Lodging Tax Revenue.

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

The Colfax County Visitors Promotion committee provided the list of the organizations, copies of their invoices, applications and expenses to the board and they will be placed on file.

The county attorney entered the meeting at 8:40 a.m.

The county attorney gave a report of the activities of her office; correspondence from Domina Law Group offering to represent the county with claims on opioid pharmaceutical litigation was read.

Motion Wigington; second Bauman 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	51,537.12
Ameritas Life Ins. Co.	Retirement Premiums	14,126.28
EFTPS	FICA/Medicare	15,057.14

<u>Attorney Grant Fund</u>		
Salaries		297.00
Denise Kracl	Closet items	268.04
Sidnee M. Pavel	Cell phone	75.00

<u>Vet's Aid Fund</u>		
Robert Bender	Mileage	23.98
Colfax County Veterans Acct (Schuyler)	Transfer	1,856.62
Cecil Fields	Mileage	15.26

ROD P & M Fund

MIPS Inc. Microfilming/Deeds on Line 254.14

911 Fund

CenturyLink Service 91.93
CenturyLink Service 38.82
Frontier Service 79.04
Geo-Comm Maintenance 1,632.85

911 Wireless Fund

CenturyLink Service 448.87
CenturyLink Service 189.53
Frontier Service 385.88
Geo-Comm Maintenance 9,672.15

Visitor Promo Fund

American Legion Post #47 Visitor Promo 1,000.00
Javier Arizmendi Mileage 23.98
City of Clarkson Supplies 69.06
Clarkson Czech Festival Visitor Promo 3,000.00
Clarkson Historical Society Visitor Promo 900.00
Clarkson Opera House Inc. Visitor Promo 2,000.00
Clarkson Rodeo Assoc. Visitor Promo 1,500.00
Ducks Unlimited Visitor Promo 925.00
Kathy Heard Mileage 7.63
Howells Community Club Visitor Promo 2,000.00
Howells Community Fund Visitor Promo 600.00
Howells Historical Society Visitor Promo 900.00
Knights of Columbus (Schuyler) Visitor Promo 1,500.00
Leigh Alumni Assoc. Visitor Promo 800.00
Leigh Community Club Visitor Promo 900.00
Nancy Schaad Mileage 7.63
Schuyler Chamber of Commerce Visitor Promo 2,750.00
Schuyler Historical Society Visitor Promo 900.00

Road Bridge Fund

Salaries 53,027.26
AG 91 Energy LLC Fuel/propane 8,037.81
All Star Auto Glass Windshield 185.81
Arps Gravel & Concrete Gravel/hauling/rock 9,352.42
Alan Dean Arps Haul gravel 495.00
Bader's Highway & Street Maint. Inc. Sealing 4,847.00
Bomgaars Supply Shop supplies/chemicals/ parts/tools 494.16
Butler County Landfill Inc. Waste 54.15
CenturyLink Service 333.16
Christensen Bros. Inc. C19(513) C19 (501) 91,366.05
City of Clarkson Service 74.57
Clarkson Plumbing & Heating Shop supplies 8.99
Cooperative Supply Inc. Fuel 108.31
Dept. of Utilities Services 905.16
Doernemann Farm Service Inc. Equip. parts/labor/shop supplies 548.01
Eakes Office Products Office/janitorial supplies 222.11
Farmers Union Coop Gas Fuel/tire repair/gear lube 154.89
Fiala Automotive Inc. Shop supplies 32.00
Frontier Phone 118.94



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Howells Plbg, Heating A/C	Building repair	699.00
J & B Auto Parts	Equipment parts/shop supplies	405.47
J.P. Construction	Varmint control	100.00
Jackson Service	Janitorial supplies	35.48
John Deere Financial	Equipment parts/labor	450.51
John's Tire Sales	Vehicle serviced/tire repair	60.95
Koch Excavating	Rip rap	5,038.81
Kroeger Sand & Gravel Co.	Gravel/hauling	76,370.11
Loup Public Power-Columbus	Services	339.25
Main Express LLC	Fuel	297.03
Mainelli-Wagner & Associates Inc.	Shell Creek	1,115.72
Martin Marietta Materials	Rock	13,584.77
Matheson-Linweld	C19(510)	497.33
Midwest Service & Sales	Signs/bolts/C19(510)	55,110.96
Midwest Underground, Inc.	C19(514)	212,130.47
Nebraska Machinery Co.	Equipment parts/labor/C19(510)	7,966.66
Parkview One Stop	Fuel	1,120.37
Prusa Welding	Equipment parts/labor	48.94
QC Supply LLC	Building repair/tools/parts/safety	227.39
RDO Truck Centers	Equipment parts/labor	3,088.38
Sapp Bros. Petroleum Inc.	Fuel	924.00
Schuyler Cooperative Assn.	Fuel/battery/propane	6,308.80
Spenser's Trenching & Electric LLC.	Building repair	217.41
Sunbelt Rentals	C19(510)	2,837.33
Timeclock Plus	Time clocks	140.10
Tire Outlet Inc.	Used tires	70.00
Tom's Auto Service	Equipment parts	66.25
U & I Sanitation	Service	27.00
Verizon Wireless	Cell phone	80.03
Village of Howells	Service	60.55
Village of Leigh	Service	159.05
Joan Wemhoff	Janitor	50.00

General Fund

Salaries		149,266.78
Advanced Correctional Healthcare	Pharmacy	78.23
Alley, Poyner, Macchietto Architect	Restoration project	2,465.43
Americom Communications Corp.	Monthly maintenance	135.00
Ryan Andel	Uniforms/cell phones	80.00
Beard-Warren Heating & Air Conditioning	Extension office	6,872.00
Robert J. Bender	Per diem	25.00
Bierman Contracting Inc.	Restoration project	127,287.90
Black Hills Energy	Utilities	298.20
Jean Blum	Election	154.48
Butler County Detention Center	BOP March/April	21,465.00
Cenex Voyager Fleet	Fuel	1,552.15
CenturyLink	Services (CH)	249.86
	Agent/Weed	114.90
CenturyLink Communications	Long distance	250.47
Ann Cerny	Election	138.13
Gisela F. Chavez	Election	135.00

Claritus	Ink cartridge	248.49
Clarkson Fire & Rescue	Rent	50.00
Lavern Clausen	Danish Lutheran	550.00
Clerk of Supreme Court	Court Costs	126.00
Clerk of Dist. Court	Court Costs	144.00
Colfax County Court	Court Costs	322.00
Colfax County Press	Notices/election notices	4,465.60
Colfax County Sheriff	Uncollected fees	52.00
Colfax County Treasurer	Transfer	290,343.04
Columbus Telegram	Notices/minutes/election notices	1,008.66
Connecting Point	Hub/cable	74.98
Constellation NewEnergy Gas Div.	Service	2,694.74
Culligan	Bottled water/water cooler	291.10
Das State Acct-Cent Finance (6507)	Network serv #6507	366.68
Das State Acct-Cent Finance	Network serv #6506	1,017.27
David City Discount Pharmacy	Pharmacy	84.44
Dept. of Utilities	Utilities	2,962.94
Alejandra Dimas	Election	81.00
Richard Dostal	Per diem	25.00
Eakes Office Prod. Center	Office & janitorial supplies/calculator	1,467.07
Egan Supply Company	Janitorial supplies	251.82
Egr, Birkel & Wollmer	Atty's fees	988.00
Janet Eisenmann	Election	172.20
Election Poll workers/training	Election	2,223.00
Election Systems & Software	Election	4,869.36
Loretta Engelbart	Election	255.60
Ernst Auto Center	Vehicle repair	1,618.56
Michelle Evert	Cell phone/mileage	129.60
Sharon Evert	Election	137.18
Farmers Union Coop Gas	Fuel	589.87
Chad Ferrari	Uniform/cell phone	80.00
Fiala Automotive, Inc.	Vehicle serviced	135.10
Cecil Fields	Per diem	25.00
First Concord Benefits Group	Participation fee	45.00
Daniel Freed	Uniforms/cell phones	80.00
Julie Gall	Election	15.00
Graham Tire	Tires	571.08
Grant & Grant	MH hearing	213.75
Megan Gronethal	Witness/mileage	37.44
Juana Hanson	Cell phone	41.58
HHS Institution Payments	Norfolk	90.00
	Beatrice	90.00
	Lincoln	29,089.00
Tony W. Hemmer	Uniforms/cell phones	80.00
Emilee Lynn Higgins	Atty's fees	38.95
Hometown Leasing	Copiers	1,221.43
Howells Journal	Notices/election notices	708.97
Indoff	Office supplies	614.82
Jackson Services Inc.	Janitorial supplies	68.56
JEO Consulting Group	Surveys	160.00
John Kohl Law Firm	Atty's fees	1,045.00
John's Tire Sales	Vehicle serviced/tire repair	155.90
Just Another Mini Mart	Fuel	90.26
Karel/Seckman	Atty's fees	280.25
Brian Kluck	MH hearing	131.40



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Denise Kracl	Mileage/meals/supplies/lodging	1,164.95
Lori Kracl	Election	30.00
Julia Kreikemeier	Program supplies/mileage	131.06
Paul Kruse	Culligan	40.75
Linda Ladwig	Election	15.00
Language Line Services	Interpreting	228.15
Latimer Reporting	Transcript	585.02
Lincoln Anesthesiology Group	Medical expense	1,200.00
Jaidy Lopez	Election	130.50
Madison County Sheriff's Dept.	Paper service	22.60
Main Express LLC	Fuel	823.80
PQL Inc.	Building repair	158.93
Maximus Inc.	Cost allocation	1,178.70
Minda McKitrick	Election	15.00
Shawn Messerlie	Uniforms/cell phone	80.00
Microfilm Imaging Service	Service	290.00
Mid-American Benefits Inc.	Deductible reimbursement	4,024.52
Midwest Special Services	Transport	210.00
MIPS	Software support	3,004.32
Thomas Morrison	Cell phone	26.17
Rita Mundil	Training refreshments	36.90
Ron Mundil	Election	15.00
Mundo Latino Publications	Election notice	199.00
Nebr. Assn. of County Clerk/ROD	Workshop	125.00
Nebraska Auditor of Public Accounts	Audit final billing	10,748.27
Nebraska Public Health Service System	Blood test	105.00
Nebraska.gov	Certified records	8.00
Northeast NE Economic Dev. District	Dues	890.00
Northeast NE Juvenile Services	BOP	4,350.00
Northeast Nebraska Area on Aging	County share	4,369.00
Aaron Nygren	Program supplies	182.85
O'Keefe Elevator Co. Inc.	Service call/repair	135.00
Occupational Health Services	Screening	140.00
Officenet	Copier copies/supplies	800.65
Sharon Oltmer	Mileage	61.04
Parkview One Stop	Fuel	41.92
Sidnee M. Pavel	Mileage/meals	172.43
Lambert Perina	Per diem	25.00
Pinnacle Bank	Registration	358.22
Platte County Detention Facility	BOP	5,550.00
Platte County	Vet Service contract/reimbursements	3,973.42
Platte County Court	Certified copy	2.75
David H. Ptak	Service	100.00
Quill Corp.	Office supplies	200.41
Ramada Inn	Lodging	284.40
Register Law Office	Contract	5,000.00
Brian Reiner	Program supplies	22.04
Mary Ann Rocheford	Election	156.66
Kelli Scheffler	Bill of Exceptions	26.25
Schuyler Cooperative Assn.	Fuel/chemicals	729.91
Schuyler Fire Station	Rent	50.00
Schuyler Home & Building Supply	Building repair/supplies	64.64

Sherwin Williams Co.	Building repair	75.80
Sipple/Hansen/Emerson/Schumacher	Atty's fees	2,585.90
Matisha Stratton	Atty's fees	41.25
Brett Struebing	Uniforms/cell phones	80.00
Sunset Law Enforcement	Law enforcement supplies	178.30
Lisa Svehla	Mileage	10.90
Alice M. Teply	Election	165.66
Thomson Reuters-West	Court rules/procedures	820.53
Shane Titus	Uniforms/cell phone	80.00
Total Fire & Security Inc.	Equipment repair	246.10
Total Funds by Hasler	Postage	4,000.00
Tower Plastics Mfg. Inc.	Office supplies	1,000.24
Trane	Renewal	3,558.93
Trouba Law Offices LLC	Atty's fees	451.25
U & I Sanitation Service	Service	127.75
University of Nebraska	Computer	1,931.17
UNL Print & Copy Services	Office supplies	200.25
US Cellular	Cell phone	89.68
Greg Vacha	Election	202.44
David J. Valish	Air conditioning	55.53
Luis Venzor	Uniforms/cell phone	80.00
Verizon	Cell phone	86.61
Verizon NetworkFleet Inc.	Cell phone	189.50
Verizon Wireless	Cell phone	80.02
Marlene Vetick	MH hearing	140.60
Vigilnet	Electronic monitoring	48.65
Village of Howells	Rent	50.00
Joan Wemhoff	Custodial	100.00
Vera Wieman	Election	156.66

Motion Bauman; second Wigington to approve Resolution 5-22-18 (1) to enter into an Interlocal Agreement between Colfax County and Colfax County Agricultural Society in regard to the operation and maintenance levy for the Ag Society. The agreement shall have an effective date of July 1, 2018. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

The NACO renewal rate for the county's health insurance will have a 3% increase (PPO plan with \$1500 individual/\$3000 family in-network calendar year deductible), and the dental plan rates will remain the same (Dental PPO Premier Option 3) for period of July 1, 2018 to June 30, 2019. Motion Wigington; second Heard to approve the 2018 NACO Subgroup Application Form which shall provide to eligible county employees health and dental coverage through the NACO endorsed program provided by BCBS. Coverage will provide a PPO-\$1500 deductible on Health and a Dental PPO Plan. Once the employee has \$500 applied toward their individual \$1500 deductible by BCBSNE, the next \$1000 that is applied toward the \$1500 deductible is paid at 100% by the county (administered by Mid-American Benefits, Inc.), to the provider of service. The employee shall pay all spouses, family and dependent children premiums (unless two Colfax County employees are married the County can provide a family health/dental policy with the employee paying the difference at no additional cost to the county). Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

The board reviewed an interlocal agreement between the following County's: Butler, Cass, Colfax, Dodge, Douglas, Lancaster, Platte, Sarpy, Saunders and Seward to create a Lower Platte Weed Management Area (LPWMA). Motion Wigington; second Heard to approve the Interlocal Agreement which will create a Lower Platte Weed Management Area as a Separate Legal Entity. Voting YES: Wigington, Bauman and Heard. Voting NO: None. Motion carried.

The board reviewed the ballot for the 2018 Election to the Nebraska Regional Interoperability Network (NRIN) Board of Directors for the East Central Region; discussion was held if they should cast a vote since Colfax County is using Century Link as the county's alternative state radio backup. Motion Heard; second Wigington to abstain any vote for the



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Board of Director on the NRIN Governance Board for the East Central Region. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

The Colfax County Visitors Promotion Committee is recommending the re-appointments of Karen Brabec, Linda Cech and Kathy Heard to serve for another four year terms. Motion Bauman, second Wigington to approve the re-appointments of Karen Brabec, Linda Cech and Kathy Heard to the Visitor Promotion Committee with four year terms. Voting YES: Wigington and Bauman. Abstaining: Heard. Voting NO: None. Motion carried.

Susie Jarecki/CASA Connection Director introduced their new outreach coordinator along with requesting funds for the volunteer program that helps children who are in the court system. The CASA Connection Director asked for our continued support of \$10,000.00 per year for the CASA Program.

Recessed at 9:35 a.m. to resume at 10:00 a.m. in the District Court room.

The meeting resumed at 10:00 a.m. in the District Court room; the chairman informed everyone that the Public Meeting Act is posted and the public hearings will be held very similar to public hearing at the state legislature. A court reporter will be used so that we have an accurate record of the meeting and of public testimony. The permanent record shall be maintained in the county clerk's office.

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 on a Livestock Feeding Operation (LFO) Conditional Use Application by Sindelar Land & Cattle Co LLC to add a Deep Pit Beef Barn Livestock Facility consisting of 1000 head of cattle (totaling a Class IV facility) to property in the A-1 Agricultural Preservation District located in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 16, Township 19 N, Range 4 E, East of the 6th P.M. (Principal Meridian) of Colfax County, State of Nebraska. Voting YES: Wigington, Bauman and Heard. Voting NO: None. Motion carried.

The zoning administrator included in her report that the applicant wants to add a deep pit beef barn to hold 1000 head of cattle. Waivers of Distance were signed by all surrounding neighbors that did not meet the setback. Documents received: Survey, DEQ application, Proposed Operation and Maintenance Plan and Proposed Manure Management Plan. 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 10:12 a.m. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

Motion Bauman; second Heard to accept the recommendation of the planning commission and approve the condition use application by Sindelar Land & Cattle Co LLC. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

Motion Wigington; second Bauman to open a public hearing at 10:13 a.m. for the purpose of hearing testimony of support, opposition, criticism, suggestions or observation on a Livestock Feeding Operation (LFO) Conditional Use Application by Josh Faltys to construct a Class 2 Poultry Facility consisting of 3,800 animal units in the A-1 Agricultural Preservation District located at 1646 Rd 12 on 15 acres in Section 13, Township 19N, Range 3E, of the 6th P.M. (Principal Meridian) of Colfax County, State of Nebraska. Voting YES: Wigington, Bauman and Heard. Voting NO: None. Motion carried.

The zoning administrator included in her report that the applicant wants to construct a Class 2 Poultry Facility to house and raise approximately 380,000 chickens. The setback from other residences is 1,980' which exceeds the setback

requirement. Documents received: Survey, DEQ application, Proposed Operation and Maintenance Plan and Proposed Manure Management Plan. 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 with the following conditions: 1) Have such operation approved by the Department of Environment Quality before operation; 2) Applicant shall construct a wind row of trees, such type of trees to be determined by applicant; 3) Applicant shall build the compost shed on site per application

Josh Faltys/applicant and Andy Schoulting/Nutrient Advisor were present to answer any questions; nine supporters gave testimony in favor of conditional use; ten opposes spoke in opposition of conditional use.

Motion Bauman; second Wigington to close the public hearing at 11:30 a.m. Voting YES: Bauman, Heard and Wigington. Voting NO: None. Motion carried.

Motion Heard; second Wigington to accept the recommendation of the planning commission and approve the conditional use application by Josh Faltys with the three conditions supplied by the planning and zoning board along with adding the height requirement of three feet of the wind row of trees, but then amended the height requirement to eight feet wind row of trees. Voting YES: Heard, Wigington and Bauman. Voting NO: None. Motion carried.

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

Motion Wigington; second Bauman to adjourn BOC at 11:46 a.m. to meet again June 12, 2018. Voting YES: Wigington, Bauman and Heard. 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 23rd day of May, 2018.

Rita M. Mundil, County Clerk