

WEBSTER COUNTY BOARD OF COMMISSIONERS

The Webster County Board of Commissioners met at 8:30am on Tuesday, March 7, 2017, for a regular business meeting at the Courthouse in Red Cloud. The following Board Members were present for roll call: Dan Shipman (District One), Trevor Karr (District Two), Roger Bohrer (District Three), Keith Buschow (District Four) and JoAnn Reiher (District Five). The Board stood and recited the Pledge of Allegiance to the Flag. Chairman Buschow gave notice of the Nebraska Open Meetings Act Laws. Motion was made by Reiher, second by Bohrer to approve the minutes of the February 21, 2017. Upon roll call vote, voting to approve the minutes: Reiher, Bohrer, Karr, Buschow, and Shipman. Voting no, abstaining or absent: none.

At 8:35am, Jeff Kuhn, Road Maintenance Coordinator, met with the Board. On the topic of the Canal Bridge Maintenance and/or repairs, Kuhn will be meeting with Mike Delka to discuss agreements in place and will report back to the Board.

Kuhn presented the following Easement Agreements for approval and signature:

STATE OF NEBRASKA
LOCAL POLITICAL SUBDIVISION
ACQUISITION CONTRACT
Project No: C009110420

THIS CONTRACT, made and entered into this 15th day of February, 2017 by and between, Wesley and Diane Cornelius, 2377 42nd Rd, Kenesaw, NE 68956, hereinafter called the OWNER, and Webster County, Nebraska, hereinafter called the BUYER.

RIGHT OF WAY
TRACT 1: Tract in SE 1/4 Sec 5-T4N-R9W
Webster County, Nebraska

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RIGHT OF WAY
TRACT 3: Tract in NE ¼ Sec 8-T4N-R9W
Webster County, Nebraska

Motion was made by Bohrer, seconded by Shipman, to approve these two Agreements. Upon roll call vote, voting in favor: Bohrer, Shipman, Karr, Buschow and Reiher. Voting nay, absent or abstaining: none.

Kuhn presented the following Contractor Agreement for approval and signature:

CONTRACTOR AGREEMENT
Project No: C009110420

THIS AGREEMENT, made and entered into this 7th day of February, 2017, by and between Webster County, Nebraska, acting through its authorized Board of Commissioners, party of the first part and hereinafter called the owner or the County, and Vogtscares, Inc., authorizing agent, party of the second part and hereinafter called the Contractor.

The Contractor did, on the 7th day of February, 2017, submit a proposal for construction of concrete box culverts and associated grading in Webster County and other work incidental thereto as shown on Plans and Specification entitled "Bid Documents and Specifications for Webster County Culvert, Project No. C009110420, Webster County, Nebraska" and previously filed with the County Clerk, a copy of which proposal is hereto attached and made a part hereof. The amount of the proposal was \$332,391.85 and such is the amount of this contract with no additions or deletions except by written change order from the Engineer, and if any such change orders are written, they shall be at the unit prices outlined in the proposal or as negotiated with the Owner in writing.

In consideration of the following mutual agreements and covenants to be kept by each party, the Contractor agrees to furnish all work in accordance with said Plans and Specifications. The Owner agrees to pay the Contractor in accordance with the provisions of said specifications and the accepted proposal.

It is mutually agreed by each party hereto that all provisions of said Plans and Specifications shall be strictly complied with and conformed to the same as if rewritten herein, and that no substitution or change in said Plans and Specifications shall be made except upon written consent of the Owner's Engineer, and such allowance shall in no manner be construed to release either party from any specified or implied obligation of said Plans and Specifications.

This Contract is let subject to the following conditions:

R.O.W. acquisition and all permits received if required.

Motion was made by Bohrer, seconded by Shipman, to approve these two Agreements. Upon roll call vote, voting in favor: Bohrer, Shipman, Karr, Buschow and Reiher. Voting nay, absent or abstaining: none.

Road Maintenance Crews have been trying to keep up with road repairs and have been doing tree work along Showboat Road. Discussion was had on landowners doing road maintenance. Discussion was had on drainage at the Guide Rock shop.

At 9:05am, Lonnie Knehans, Webster County Zoning Administrator, met with the Board. Knehans presented a building permit for a grain bin for Doug Hubl. After discussion, the building permit was approved. Hubl will need to apply for a driveway permit.

At 9:35am, Sara Bockstadter, Webster County Attorney, met with the Board. Bockstadter discussed the recent Sheriff's Sale. The property up for sale did not sell. Bockstadter outlined different scenarios with the Board. The decision was made to re-advertise and attempt to sell the property.

At 10:00am, the Public Hearing for the Road Closings was re-opened. Road Closing No. 99 was presented to the Board. Gene and Serena Boner and Martha Meyers attended this closing as members of the public.

Road Closing No. 99
FINAL RESOLUTION VACATING ROAD
RESOLUTION 20 – 2017

BE IT RESOLVED BY THE CHAIRMAN AND COUNTY BOARD OF COMMISSIONERS/SUPERVISORS OF WEBSTER COUNTY, NEBRASKA, that a public hearing was held in the Board of Commissioners/Supervisors Room on the 7th day of February, 2017, at 10:00a.m., pursuant to notice of public hearing published in the Red Cloud Chief and Blue Hill Leader for three consecutive weeks previous to such hearing.

BE IT FURTHER RESOLVED that at such public hearing no persons appeared regarding the vacating and abandonment of said roads as hereinafter described, and the Board being fully advised and upon consideration of the matter hereby orders that the following road be vacated and abandoned and that the public right-of-way shall be disposed of in the following manner:

Shall revert back to the adjacent landowners, one half to each such landowner.

Road Common to the Southeast (SE1/4) of Section 33, Township 1 North, Range 11 West, Webster County, Nebraska and the Northeast Quarter (NE1/4) of Section 4, Township 1 South, Range 11 West, Smith Center, Kansas.

County Road A from 1000 Road to One Quarter Mile West (0.25Mile).

A certified copy of this Resolution shall be filed with the register of deeds and indexed against all affected property.

Motion was made by Shipman, seconded by Karr, to approve **RESOLUTION 20 - 2017**. Upon roll call vote, voting in favor: Shipman, Karr, Bohrer, Buschow and Reiher. Voting no, abstaining or absent: none.

Road Closing No. 100 was presented to the Board. No public attended.

Road Closing No. 100
RESOLUTION 21 – 2017
OF

WEBSTER COUNTY, NEBRASKA

The following Resolution was introduced by Shipman, who moved its adoption, seconded by Reiher.

WHEREAS, the County Highway Superintendent of Webster County has prepared and presented a "Road Closing for County Road P from County Road 1100 to Three Quarter Mile East (0.75 Mile)", and

WHEREAS, the Commissioners of Webster County deems it to be in the best interest of the County;

THEREFORE be it resolved by the Webster County Board of Commissioners that the "Road Closing" as presented are hereby in all things accepted and adopted.

Motion was made by Shipman, seconded by Reiher, to approve **RESOLUTION 21 - 2017**. Upon roll call vote, voting in favor: Shipman, Reiher, Karr, Bohrer and Buschow. Voting no, abstaining or absent: none.

Road Closing No. 101 was presented to the Board. Doug Hubl attended as a member of the public.

Road Closing No. 101
RESOLUTION 22 – 2017
OF

WEBSTER COUNTY, NEBRASKA

The following Resolution was introduced by Karr, who moved its adoption, seconded by Shipman.

WHEREAS, the County Highway Superintendent of Webster County has prepared and presented a "Road Closing for County Road P from County Road 2500 to Three Quarter Mile West (0.75)", and

WHEREAS, the Commissioners of Webster County deems it to be in the best interest of the County;

THEREFORE be it resolved by the Webster County Board of Commissioners that the "Road Closing" as presented are hereby in all things accepted and adopted.

Motion was made Karr, seconded by Shipman, to approve **RESOLUTION 22 - 2017**. Upon roll call vote, voting in favor: Karr, Shipman, Bohrer, Buschow and Reiher.

At 10:30am, the Board recessed for a short break. The meeting resumed at 11:00am with all members present.

Discussion was had for the purchase of cell phones for the Webster County Public Transportation vehicles. The Board approved this purchase. Buschow signed the User Agreement.

The Board discussed a billing error by the City of Red Cloud for the bus barn. Clerk Klingenberger is to research.

Chairman Buschow signed the Decommissioning Agreement between Webster County, Nebraska and Cottonwood Wind Project, LLC.

The Webster County Board of Commissioners would like to publish the following statement: "The Webster County Board of Commissioners strive to continue to maintain the roads of Webster County to the best of our ability. We welcome any calls of any road needs at any time."

The following claims were approved for payment:

Wages for 4 part-time employees & 16 EMTS: \$6,284.35

General Fund

Ameritas Life Insurance Corp	Retire	\$	281.84
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Black Hills Energy	Utility	1,410.96
Carrot-Top Industries, Inc	Flags	249.79
Central District NACO	Registrations	200.00
Cooperative Producers, Inc	Supply	468.98
Cooperative Producers, Inc	Fuel	1,490.75
DAS State Accounting/Central Finance	Fee	448.00
Dugan Printing & Promotions, LLC	Supply	645.41
S.S.	FICA	319.41
Eakes Office Solutions	Supplies	1,581.56
First Concord Benefits Group	Health	200.00
Franklin County Memorial Hospital	Medical	140.44
Germer Murray & Johnson	Counsel	1,118.50
Glenwood	Fee	10.00
John V Hodge	Counsel	1,669.23
Hometown Leasing	Lease	198.99
Jared's Auto Expert	Repairs	386.21
Liz Kierl	Expense	28.57
Deb Klingenberg	Expense	32.56
Carol Kumke	Expense	178.53
Steve Landon	Mileage	150.66
Leaf Capitol Funding, LLC	Equip	424.45
Duane Lienemann	Expense	553.17
Lincoln County Sheriff	Fees	105.44
Mips, Inc	Support	1,385.37
Nebraska.gov	Copy	6.00
Natalie G Nelsen	Counsel	408.50
Neofunds By Neopost	Postage	1,000.00
City of Red Cloud	Utility	1,790.58
Sam's Club	Supply	67.82
Secretary of State	Supply	10.00
Skalka & Baack Law Firm	Counsel	2,099.78
Sullivan Shoemaker P.C. L.L.O.	Counsel	172.00
Verizon Wireless	Phone	47.34
Village Pharmacy	Medical	11.87
Web Co Sheriff-Petty Cash Fund	Petty Cash	198.03
Williams Exterminating, Inc	Fee	88.00
Woodward's Disposal Service	Utility	5.00
	Road/Bridge Fund	
Black Hills Energy	Utility	194.69
Village of Bladen	Utility	27.47
City of Blue Hill	Utility	128.07
California Contractors Supply	Supplies	113.88
Central District NACO	Registration	40.00
Cooperative Producers, Inc	Fuel, etc.	1,510.54
Wesley & Diane Cornelius	ROW	1,733.30
Country Corner	Fuel	133.89
Frank Degener	Expense	101.64
S.S.	FICA	66.41
Glenwood Telecommunications	Phones	146.08
Village of Guide Rock	Utility	65.90
JEO Consulting Group, Inc	Fees	1,006.50
Jim's OK Tires	Repairs	350.00
LRNRD Rural Water Project	Water	20.00
Medical Enterprises, Inc	Supply	31.00
Mips, Inc	Support	108.98
NCK Quarries, LLC	Gravel	6,346.96

Olson Enterprises, LLC	Fuel/ etc.	4,444.07
Overhead Door	Repairs	471.35
Quill Corporation	Supply	190.25
R & K Services, Inc	Repairs	56.09
R & M Disposal, LLC	Utility	33.00
Red Cloud Hardware	Supplies	7.99
Sunbelt Rentals	Rental	830.67
C. Ardell Talkington	Prior Service	42.00
Timm's Service	Repairs/Fuel	5,658.03
Webster County Hospital	Medical	40.00
Windstream	Phone	61.95
	Road/Bridge Const Fund	
JEO Consulting Group, Inc	Fees	3,620.00
	Modern Records Fund	
Mips, Inc	Support	100.00
	Noxious Weed Fund	
Central District NACO	Registrations	40.00
Eakes Office Solutions	Supply	23.83
	Ambulance Fund	
Ameritas Life Insurance Corp	Retire	2.70
Black Hills Energy	Utility	384.73
Bound Tree Medical, LLC	Supplies	156.48
Cooperative Producers, Inc	Fuel	51.30
S.S.	FICA	94.96
Lifeguard MD, Inc	Supplies	419.20
Matheson Tri-Gas, Inc	Rental	42.60
Olson Enterprises, LLC	Fuel	326.61

Being no further business, Chairperson Buschow adjourned the meeting at 11:30am. The next regular meeting will be held on Tuesday, March 21, 2017 at 8:30am. A current agenda and complete minutes are on file at the County Clerk's office and at www.co.webster.ne.us.

Dated this 7th day of March, 2017.

Webster County Board of Commissioners
 ATTEST: Debra Klingenberger, County Clerk