

WEBSTER COUNTY BOARD OF COMMISSIONERS

The Webster County Board of Commissioners met at 8:40am on Tuesday, September 18, 2018, 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 Karr, second by Shipman, to approve the minutes of the September 4th, 2018 meeting. Upon roll call vote, voting to approve the minutes: Karr, Shipman, Reiher, Bohrer and Buschow. Absent, voting no or abstaining: none.

At 8:35am, Jeff Kuhn, Road Maintenance Coordinator, met with the Board. The Road Crews have been repairing the roads after the heavy rains. Kuhn has had a resident contact him about removing rails from a bridge on 300 Road coming in from Franklin County. Kuhn has been finalizing gravel orders. Project No. 651 will be completed this week. Discussion with the Nebraska Department of Roads concerning the low water crossing near Guide Rock will take place on September 21, 2018. Kuhn is finalizing bridge match money on two projects.

Commissioner Buschow stated that he had had complaints about the disking of county roads. The disking is done to control the weeds that have grown in the road. It also helps to repack the road.

The pre-advertised Public Hearing for the approval of the 2018/2019 Webster County Budget was opened at 9:00am. No members of the public attended the hearing. Sarah James, CPA and Accounting Manager for Lutz, presented the Budget document. After review of the Budget, motion was made by Karr, seconded by Bohrer, to approve of an additional 1% increase above the Allowable Base Limit increase over the 2017/2018 Restricted Funds Authority. Upon roll call vote, voting in favor: Karr, Bohrer, Reiher, Shipman and Buschow. Voting no, absent or abstaining: none.

Motion was made by Shipman, seconded by Bohrer, to approve **RESOLUTION 30 – 2018:**

RESOLUTION 30 – 2018

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2018, to June 30, 2019, prepared by the Budget Making Authority, was transmitted to the County Board on the 18th day of September, 2018.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Webster County, Nebraska as follows:

Section 1. That the budget for the Fiscal Year July 1, 2018, to June 30, 2019, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for WEBSTER County for said fiscal year.

Section 2. That the offices, departments, activities and institutions herein are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2018, and ending June 30, 2019.

Section 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Upon roll call vote, voting in favor: Shipman, Bohrer, Reiher, Karr and Buschow. Voting no, absent or abstaining: none. All members of the Board signed **RESOLUTION 30 – 2018.**

Motion was made by Shipman, seconded by Karr, to approve **RESOLUTION 31 – 2018:**

RESOLUTION 31 – 2018

PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of Webster County passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is the best interests of Webster County that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE, the Governing Body of Webster County, by majority vote resolves that:

1. The 2018-2019 property tax request be set at \$3,707,000.00.
2. A copy of this resolution be certified and forwarded to the County Clerk on or before September 18, 2018.

Upon roll call vote, voting in favor: Shipman, Karr, Bohrer, Reiher and Buschow. Voting no, absent or abstaining: none. All members of the Board signed **RESOLUTION 31 – 2018.**

Motion was made by Bohrer, seconded by Reiher, to approve **RESOLUTION 32 – 2018:**

RESOLUTION 32 – 2018

WHEREAS, Nebraska Statute §77-3443 states: Each County Board, City Council, Village Board or Council shall adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to political subdivisions and forward a copy of such resolution to the Chairperson of the governing body of each of its political subdivisions. No final levy allocation shall be changed after September 1 except by agreement between both the County Board, City Council, Village Board or Council which determines the amount of the final levy allocation and the governing body of the political subdivision whose final levy is an issue;

WHEREAS, The Webster County Board of Commissioners passed **RESOLUTION 42 – 97** on November 18, 1997 which stated that the Webster County Board of Commissioners hereby support the introduction of a Legislative Bill that would exempt the various fire districts from the County tax levy limit imposed by LB 1114 since these entities operate under laws entirely different from laws for counties due to their separate organization, structure and election;

NOW BE IT RESOLVED, By the Webster County Board of Commissioners that Webster County will not grant levy allocation to the Guide Rock Fire District.

Upon roll call vote, voting in favor: Bohrer, Reiher, Shipman, Karr and Buschow. Voting no, absent or abstaining: none. Chairman Buschow signed **RESOLUTION 32 – 2018**.

Motion was made by Bohrer, seconded by Reiher, to approve **RESOLUTION 33 – 2018**:

RESOLUTION 33 – 2018

WHEREAS, Nebraska Statute §77-3443 states: Each County Board, City Council, Village Board or Council shall adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to political subdivisions and forward a copy of such resolution to the Chairperson of the governing body of each of its political subdivisions. No final levy allocation shall be changed after September 1 except by agreement between both the County Board, City Council, Village Board or Council which determines the amount of the final levy allocation and the governing body of the political subdivision whose final levy is an issue; **WHEREAS**, The Webster County Board of Commissioners passed **RESOLUTION 42 – 97** on November 18, 1997 which stated that the Webster County Board of Commissioners hereby support the introduction of a Legislative Bill that would exempt the various fire districts from the County tax levy limit imposed by LB 1114 since these entities operate under laws entirely different from laws for counties due to their separate organization, structure and election;

NOW BE IT RESOLVED, By the Webster County Board of Commissioners that Webster County will not grant levy allocation to the Blue Hill Fire District.

Upon roll call vote, voting in favor: Bohrer, Reiher, Shipman, Karr and Buschow. Voting no, absent or abstaining: none. Chairman Buschow signed **RESOLUTION 33 – 2018**.

Motion was made by Bohrer, seconded by Reiher, to approve **RESOLUTION 34 – 2018**:

RESOLUTION 34 – 2018

WHEREAS, Nebraska Statute §77-3443 states: Each County Board, City Council, Village Board or Council shall adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to political subdivisions and forward a copy of such resolution to the Chairperson of the governing body of each of its political subdivisions. No final levy allocation shall be changed after September 1 except by agreement between both the County Board, City Council, Village Board or Council which determines the amount of the final levy allocation and the governing body of the political subdivision whose final levy is an issue; **WHEREAS**, The Webster County Board of Commissioners passed **RESOLUTION 42 – 97** on November 18, 1997 which stated that the Webster County Board of Commissioners hereby support the introduction of a Legislative Bill that would exempt the various fire districts from the County tax levy limit imposed by LB 1114 since these entities operate under laws entirely different from laws for counties due to their separate organization, structure and election;

NOW IT BE IT RESOLVED, By the Webster County Board of Commissioners that Webster County will not grant levy allocation to the Red Cloud Fire District.

Upon roll call vote, voting in favor: Bohrer, Reiher, Shipman, Karr and Buschow. Voting no, absent or abstaining: none. Chairman Buschow signed **RESOLUTION 34 – 2018**.

Motion was made by Bohrer, seconded by Reiher, to approve **RESOLUTION 35 – 2018**:

RESOLUTION 35 – 2018

WHEREAS, Nebraska Statute §77-3443 states: Each County Board, City Council, Village Board or Council shall adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to it political subdivisions and forward a copy of such resolution to the Chairperson of the governing body of each of its political subdivisions. No final levy allocation shall be changed after September 1 except by agreement between both the County Board, City Council, Village Board or Council which determines the amount of the final levy allocation and the governing body of the political subdivision whose final levy is an issue; **WHEREAS**, The Webster County Board of Commissioners passed **RESOLUTION 42 – 97** on November 18, 1997 which stated that the Webster County Board of Commissioners hereby support the introduction of a Legislative Bill that would exempt the various fire districts from the County tax levy limit imposed by LB 1114 since these entities operate under laws entirely different from laws for counties due to their separate organization, structure and election;

NOW BE IT RESOLVED, By the Webster County Board of Commissioners that Webster County will not grant levy allocation to the Bladen Fire District.

Upon roll call vote, voting in favor: Bohrer, Reiher, Shipman, Karr and Buschow. Voting no, absent or abstaining: none. Chairman Buschow signed **RESOLUTION 35 – 2018**.

Motion was made by Bohrer, seconded by Reiher, to approve **RESOLUTION 36 – 2018**:

RESOLUTION 36 – 2018

WHEREAS, Nebraska Statute §77-3443 states: Each County Board, City Council, Village Board or Council shall adopt a resolution by a majority vote of members present which determines a final allocation of levy authority to political subdivisions and forward a copy of such resolution to the Chairperson of the governing body of each of its political subdivisions. No final levy allocation shall be changed after September 1 except by agreement between both the County Board, City Council, Village Board or Council which determines the amount of the final levy allocation and the governing body of the political subdivision whose final levy is an issue; **WHEREAS**, The Webster County Board of Commissioners passed **RESOLUTION 42 – 97** on November 18, 1997 which stated that the Webster County Board of Commissioners hereby support the introduction of a Legislative Bill that would exempt the various fire districts from the County tax levy limit imposed by LB 1114 since these entities operate under laws entirely different from laws for counties due to their separate organization, structure and election;

NOW BE IT RESOLVED, By the Webster County Board of Commissioners that Webster County will not grant levy allocation to the Webster County Ag Society.

Upon roll call vote, voting in favor: Bohrer, Reiher, Shipman, Karr and Buschow. Voting no, absent or abstaining: none. Chairman Buschow signed **RESOLUTION 36 – 2018**.

At 9:15am, Philip Jensen, Account Manager for Great Plains Communication, met with the Board. Tony Martin, Manager for Great Plains Communication, was speaking via telephone. The proposed phone system was reviewed. After discussion, motion was made by Bohrer, seconded by Reiher, to approve the installation of the proposed system. Upon roll call vote, voting in favor: Bohrer, Reiher, Shipman and Buschow. Voting no: Karr. Absent or abstaining: none. Chairman Buschow signed the contract.

Motion was made by Karr, seconded by Reiher, to approve **RESOLUTION 37 – 2018**:

RESOLUTION 37 – 2018

WHEREAS, The 2018-2019 County Budget, adopted September 18, 2018 by the Webster County Board of Commissioners, provided for transfers of funds in the total of \$780,000.00 from the General Fund to the County Road/Bridge Fund #300;

WHEREAS, Sufficient funds are available in the County Treasurer's General Fund (#100) to allow for the first transfer;

WHEREAS, There are pending bridge projects that require funding;

BE IT RESOLVED, By the Board of Commissioners of Webster County, Nebraska that \$195,000.00 be transferred from the County General Fund (#100) to the County Road/Bridge Fund (#300) as the first transfer of funds as stated in the 2018-2019 Webster County Budget Document;

BE IT FURTHER RESOLVED, That the above designated transfer of funds shall be made by submitting a claim from the General Fund Account (0100-705-7-0200) and issuing an Imprest Check to the Road/Bridge Fund (0300-590.2).

Upon roll call vote, voting in favor: Karr, Reiher, Shipman, Bohrer and Buschow. Voting no, absent, or abstaining: none. Chairman Buschow signed **RESOLUTION 37 – 2018**.

Motion was made by Karr, seconded by Reiher, to approve **RESOLUTION 38 – 2018**:

RESOLUTION 38 – 2018

WHEREAS, The 2018-2019 County Budget provided for the transfers of funds in the total of \$600,000.00 from the General Fund to the County Road Construction Fund (#800);

WHEREAS, Sufficient funds are available in the County Treasurer's General Fund (#100) to allow for this transfer;

WHEREAS, There are pending bridge replacement projects that require funding;

BE IT RESOLVED, By the Board of Commissioners of Webster County, Nebraska, that \$200,000.00 be transferred from the General Fund (#100) to the Road Construction Fund (#800) pursuant to the requirements set forth in the 2018-2019 County Budget.

BE IT FURTHER RESOLVED, That the above designated transfer of funds shall be made by submitting a claim from the General Fund Account (0100-705-7.0202 Expense) and issuing an Imprest Check to the Road Construction Fund (0800-590.02 Revenue).

Upon roll call vote, voting in favor: Karr, Reiher, Shipman, Bohrer and Buschow. Voting no, absent, or abstaining: none. Chairman Buschow signed **RESOLUTION 38 – 2018**.

At 10:10am, the Board recessed for a break. The Board reconvened at 10:15am with 5 members present.

At 10:15am during open forum, Audrey Berns met with the Board. Berns asked if the Webster County Agricultural Society received funding from the County and what the funds were spent on. She had questions concerning the Election process. She also voiced concerns about the Sound Study done by NextEra. She asked the Board to revisit the zoning regulations and strongly consider increasing the setback from the wind towers for non-participating members. She suggested that the Board address the variance in the shadow flicker regulations.

At 10:50am, Dave Murman, Candidate for District 38 Legislature, met with the Board.

At 11:00am, the pre-advertised Public Hearing for adopting the new Comprehensive Plan was held. Tami Scheuneman discussed changes made to the Plan. Motion was made by Bohrer, seconded by Shipman, to approve **RESOLUTION 39 – 2018**:

RESOLUTION 39 – 2018

WHEREAS, the County Board of Commissioners has entered into an agreement with HANNA:KEELAN ASSOCIATES, P.C. COMMUNITY PLANNING AND RESEARCH to provide professional planning services with regard to simplifying the current Comprehensive Plan, and

WHEREAS, HANNA:KEELAN ASSOCIATES, P.C. COMMUNITY PLANNING AND RESEARCH has assisted the Webster County Planning & Zoning Board in the simplification of the Comprehensive Plan for the unincorporated areas of the County and that the Webster County Planning and Zoning Board has reviewed such Plan, and

WHEREAS, the Webster County Planning & Zoning Board did conduct a properly advertised public hearing on the September 6, 2018, presented the findings and recommendations contained in said proposed Comprehensive Plan to the public and upon completion of said public hearing did act to recommend said Comprehensive Plan to the County Board of Commissioners, and

WHEREAS, the County Board of Commissioners did conduct a properly advertised public hearing on the 18th day of September, 2018, reviewed the recommendations of the Webster county Planning & Zoning Board and did review all citizens comments,

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY BOARD OF COMMISSIONERS OF WEBSTER COUNTY, NEBRASKA

- SECTION 1: That the Comprehensive Plan for the unincorporated areas of Webster County, Nebraska be and hereby is adopted as a guide for the future development of the County and as a guide for the application of Zoning Districts and Zoning Regulations.
- SECTION 2: That this Resolution shall take effect and be in force from and after its publication in book form and publication by reference in the official newspaper of the County.

Upon roll call vote, voting in favor: Bohrer, Shipman, Karr, Reiher and Buschow. Voting no, absent, or abstaining: none. Chairman Buschow signed **RESOLUTION 39 – 2018**.

The Public Hearing for the Board of Commissioners to approve the revised Zoning Regulations will be on October 2, 2018 at 10:00am.

At 11:15am, Janet Knehans, Webster County Treasurer, presented **RESOLUTION 40 – 2018:**

RESOLUTION 40 – 2018

BE IT RESOLVED, by the Board of Commissioners of Webster County, Nebraska, that **SOUTH CENTRAL STATE BANK** be permitted to Pledge the following securities, held in escrow by the Webster County Treasurer (trustee) to secure deposits in the County in said bank, to wit:

FHL BANK-TOPEKA
IRREVOCABLE LETTER OF CREDIT #51955
AMOUNT: \$1,500,000.00
EXPIRATION DATE: 11/30/2018

Motion was made by Karr, seconded by Reiher, to approve **RESOLUTION 40 – 2018**. Upon roll call vote, voting in favor: Karr, Reiher, Shipman, Bohrer and Buschow. Voting no, absent, or abstaining: none. Chairman Buschow signed **RESOLUTION 40 – 2018**.

Knehans shared with the Board a Tax Remaining Report for 2011-2018. Tax statements will be mailed out in December.

At 11:20am, Jeff Kuhn, Road Maintenance Coordinator, and Lance Harter, Webster County Road Superintendent, met with the Board to discuss a Webster County Tree and Brush Policy. Kuhn also presented a Webster County Notice of Public Nuisance that will be mailed to landowners that are not in compliance of the Tree and Brush Policy. After discussion, the Board approved the policy and procedures.

At 12:00pm, Mirya Hallock, Red Cloud Community Hospital and Mike Clymer, Accountant, met with the Board. Hallock did not meet with the County Board to ask for money. Discussion was had on cash flow and the operations of a small town hospital. Discussion was had on the resignation of Jim Farmer from the Hospital Board. Commissioner Karr has someone in mind from the Bladen area to fill this position.

At 12:15pm, Casey Muzic, Executive Director for Midland Area Agency on Aging, met with the Board to discuss changes happening in Webster County Transportation. A Public Hearing will be held on October 16, 2018, at 1:00pm for a proposal of new transportation rates.

The following claims were approved for payment:

Wages for 45 salaried employees \$122,431.33.

	General Fund		
Ameritas Life Insurance Corp	Retire	\$	5,894.26
Anderson, Klein, Brewster & Brandt	Counsel		1,191.08
ASAAP	Funding		4,500.00
Black Hills Energy	Utility		245.54
Blue Cross/Blue Shield	Health/Life		22,704.50
Blue Hill Leader	Publish		304.13
Calkins Law Office	Counsel		987.35
CASA of South Central Nebraska	Funding		3,000.00
Charm-Tex, Inc	Supply		107.90
Cooperative Producers, Inc	Fuel		2,484.33
DAS State Accounting/Central Finance	Fees		225.52
S.S.	Fica		6,209.54
Eakes Office Solutions	Misc./Clk/Assessor		346.75
Farm & Home Publishers, LTD.	Plat Books		1,150.00
First Concord Benefits	Medical		300.03
First Concord Benefits Group	Fee		20.00
First Concord Benefits Group	Fees		222.00
Great Plains Communications	Phones		774.74
Marvin Hartman	Expense		50.90
Hastings Tribune	Subscription		125.00
Troy Himmelberg	Expense		65.07
Hometown Market	Supply		895.55
Jack's	Cleaning		1,500.00
Jared's Auto Expert	Repairs		91.80
Jordening's Body Shop	Repairs		250.00
Kenny's Lumber & Home Center	Supply		94.49
Krueger Land Surveying	Fees		360.00
Jerry Langer	Expense		50.90
Lieske Law Firm	Counsel		636.18
Lutz	Fees		4,800.00
Madison National Life Ins Co, Inc	Life		18.90
Midland Area Agency on Aging	Handibus		2,313.19

Mips, Inc	Fees	2,159.97
Nebraska Co Assessors Assn.	Dues	50.00
Nebraska Tech & Telecom, Inc	Phones	160.89
Pierce Electronics	Repairs	100.00
Ramada Midtown Conference Center	Lodging	546.00
Sam's Club	Supply	30.78
SASA Crisis Center	Funding	1,800.00
Scott Schmidt	Expense	68.34
Self-Insured Dental Fund	Premium	2,770.00
Skalka & Baack Law Firm	Counsel	3,101.60
South Central Pub Power Dist	Utility	24.80
Paul Stoner	Expense	51.99
Terwey Law Office	Counsel	2,580.50
Verizon Wireless	Phone	232.06
Village Pharmacy	Medical	187.41
Keith Waechter	Expense	70.52
Webster County Treasurer	Transfer	195,000.00
Webster County Treasurer	Transfer	200,000.00
Garth Wentworth	Expense	47.63
Zee Medical Service	Medical	57.80
	Road/Bridge Const Fund	
Ameritas Life Insurance Corp	Retire	2,425.74
Black Hills Energy	Utility	43.32
Bladen Sand & Gravel, Inc	Gravel	20,478.93
Village of Bladen	Utility	53.85
Blue Cross/Blue Shield	Health/Life	10,898.16
C & D Service Center	Repairs	749.18
Cooperative Producers, Inc	Fuel	4,403.16
Country Corner	Fuel	270.13
Diamond Lime, LLC	Rock	1,920.56
S.S.	Fica	2,698.73
First Concord Benefits Group	Fee	12.50
Fleetpride	Repairs	945.70
Great Plains Communications	Phone	209.78
Linda Grummert	Prior Service	57.00
Hometown Market	Supply	16.35
Jim's OK Tires	Repairs	157.50
John Deere Financial	Repairs	56.03
Mips, Inc	Fees	108.98
NAPA Auto Parts	Repairs	45.56
NCK Quarries, LLC	Surfacing	5,155.57
Nebraska Salt & Grain	Gravel	1,428.70
Nebraska Tech & Telecom, Inc	Phones	18.30
Nebraska Machinery Company	Repairs	4,145.05
Oak Creek Engineering, LLC	Fees	6,335.70
Olson Enterprises, LLC	Fuel	10,338.29
Self-Insured Dental Fund	Premium	1,072.00
South Central Pub Power Dist	Utility	161.90
C. Ardell Talkington	Prior-Service	42.00
Timm's Service	Fuel	1,842.85
Wiarcom, Inc	Trackers	275.40
	Road/Bridge Const Fund	
Bladen Sand & Gravel, Inc	Culverts	1,846.08
Diamond Lime, LLC	Culverts	2,698.42
Speece-Lewis Engineers	Fees	8,387.46
Van Kirk Contracting	Culverts	136,980.65
	Modern Records	
Mips, Inc	Fees	108.75
	County Medical/Relief Fund	
NE Health & Human Services System	Beatrice/Lincoln	186.00
Webster County Hospital	Medical	3,966.61

	Inheritance Tax	
Prochaska & Associates, Inc	Fees	2,430.69
	Noxious Weed	
Ameritas Life Insurance Corp	Retire	152.19
Blue Cross/Blue Shield	Health/Life	908.18
Blue Hill Leader	Publish	85.84
Cooperative Producers, Inc.	Fuel	222.80
S.S.	Fica	172.48
Great Plains Communications	Phone	47.42
Hastings Honda	Repairs	13.00
Nebraska tech & Telecom, Inc	Phone	12.20
Self-Insured Dental Fund	Premium	111.00
	Ambulance Fund	
Black Hills Energy	Utility	35.39
Cooperative Producers, Inc	Fuel	143.38
Great Plains Communications	Phone	48.19
Matheson Tri-Gas, Inc	Rental	53.92
Olson Enterprises, LLC	Fuel	70.44

Being no further business, Chairperson Buschow adjourned the meeting at 1:30pm. The next regular meeting will be held on Tuesday, October 2, 2018 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 18th day of September, 2018.
Webster County Board of Commissioners
ATTEST: Debra Klingenberger,
Webster County Clerk