

## HOWARD COUNTY COMMISSIONER'S MINUTES

December 12, 2023

A Meeting of the Howard County Board of Commissioners was convened in open and public session on the 12th day of December, 2023, in the Boardroom, Howard County Courthouse, St. Paul, Nebraska.

Notice of the meeting was given thereof on the 6th day of December 2023, a proof of publication filed in the Clerk's office. Copies of the agenda were posted in the courthouse, delivered to each Commissioner, and kept current and available to the public at the Clerk's office.

Chairman Hirschman called the meeting to order at 8:30 a.m. Roll Call: Gary Rasmussen, Aye; Kathy Hirschman, Aye; and Jessie Urbanski, Aye. Also, present is County Clerk, Brenda Klanecky.

### **Pledge of Allegiance -**

Chairman Hirschman stated to those in attendance that a current copy of the Nebraska Open Meetings Act is available for review and indicated the location of such copy in the room where the meeting is being held.

### **Public Comment-** None

**County Road Discussion** – Highway Superintendent, Janet Thomsen was present to discuss roads. Among the items discussed were road and bridge allocations, flagging 12<sup>th</sup> Avenue and dump trucks.

**Mail** –IRS Letter-Letter was received that the County would be receiving a refund, Nitrate Drinking Water Test, and Heartland CASA-asking for donation.

### **Unfinished Business-** None.

**Waste Reduction and Recycling Incentive Grant-Program** –Emergency Manager, Allen Wilshusen was present to discuss the Waste Reduction and Recycling Incentive Grant-Program for scrap tires in the amount of \$27,426.00 for 175 tons of scrap tires. A date, time, and location will need to be set. The Lower Loup NRD may be able to help if the County goes over the amount. This item will be placed back on the agenda after the 1<sup>st</sup> of the year. Also discussed were NIRMA Assist Grants and EMPG Grant updates.

**Front Steps-Certificate of Substantial Completion, Billing** – The Certificate was presented at the last meeting but was not mentioned in the motion. Urbanski made a motion to approve signing the Certificate of Substantial Completion and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. A check was received from Berggren and Associates for \$6,430.00 made payable to Howard County for the replacement treads. Billing was received from MCR in the amount of \$8,905.00, which is based off of percentage completed. Urbanski made a motion to pay MCR the amount of \$8,905.00 and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Jacob Brothers DBA Windmill Feeders-Extend Conditional Use Permit** –Planning and Zoning Administrator, Cherri Klinginsmith was present to discuss the extension of the conditional use permit for Jacob Brothers DBA Windmill Feeders. Mrs. Klinginsmith explained that the Planning and Zoning had met in 2022 and approved the conditional use permit for one year. If there were no issues or

complaints, the conditional use permit could be extended for an additional five years. The Planning and Zoning Board approved the five-year extension. Urbanski made a motion to approve the five-year extension of the Jacob Brothers DBA Windmill Feeders conditional use permit and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Jerad Reimers-Rep. Adrian Smith's Office** – Congressman Adrian Smith's District Coordinator out of the Grand Island office, Jerad Reimers was present to update the Board on the legislative updates. Congressman Smith will soon represent 80 of the 93 counties in Nebraska. Mr. Smith handles case work assistance to constituents to navigate federal red tape. Examples are processing tax returns and securing passports (which can take up to almost a year to receive). People are encouraged to plan ahead. Mr. Smith is the chairman of the Trade Sub-Committee and he is also involved in a couple of bills regarding expanded funding to the IRS of which he is against and for taking decision making power away from Washington DC.

**Public Hearing-Rolling Hills Subdivision** –Planning and Zoning Administrator, Cherri Klinginsmith and Dan Vech were present for the hearing. Urbanski made a motion to open the public hearing for Rolling Hills Subdivision at 10:00 a.m. and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Mrs. Klinginsmith stated the Planning and Zoning Board approved the subdivision at their meeting. The fire chief had recommended placing a well on the property in case of a fire. Mr. Vech is checking into a well. This is not a requirement to obtaining the subdivision. The subdivision will have a Home Owners Association and the roads in the subdivision will be taken care of by the Home Owners Association. The road on the south end of the subdivision has an easement in place. Mr. Vech currently has six sales pending. Utilities will be located underground. There has been an application for a conditional use permit submitted to the Planning and Zoning for a private air strip to be located on Lot One. Mrs. Klinginsmith received two public comments Judy Puncochar had a comment against the subdivision for the commissioners which was read by Mrs. Klinginsmith. Karen Olinger Smith also had a comment against the subdivision which was read by Mrs. Klinginsmith. The minimum of the lot size is six to ten acres. Urbanski made a motion to close the public hearing for Rolling Hills Subdivision at 10:13 a.m. and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Rasmussen made a motion to approve the Rolling Hills Subdivision to include the non-dedicated road which was added to the plat, and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Public Hearing-Vacate Freedom Acres-Wade and Melinda Kroeger** –Present were Wade Kroeger and Planning and Zoning Administrator, Cherri Klinginsmith. Motion to open the public hearing to vacate the Freedom Acres Subdivision at 10:15 a.m. was made by Urbanski and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. The subdivision was created in 2008 for loan purposes. Owner would like to place the land back into ag land. The Planning and Zoning Board approved the vacate at their November, 2023 meeting. Rasmussen made a motion to close the public hearing at 10:23 a.m. and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Motion to approve the vacate of Freedom Acres Subdivision was made by Urbanski and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Connie Holmes-Central NE Council on Alcoholism and Addictions** – Connie Holmes who represents the Howard County Community Substance Abuse Prevention Team, which is a group concerned about prevention and to create community resources to address substance use issues among youth. This

group has been associated with the Crime Commission Grant Community Based Aid process since 2015. This is a continuation of the services and the Grant amount this year of \$30,927.00. Ms. Holmes went over the Grant application and where the funds are spent and how the grant aids with the expense of the school interventionist that goes to St. Paul, Centura and Elba Schools with the Commissioners. The Grant is due January 5, 2024. There will be another Grant and Ms. Holmes would like to be on the next agenda on December 27, 2023. Urbanski made a motion to approve the grant application in the amount of \$30,927.00, as presented and Rasmussen seconded the motion. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Windows** – Kathy Hirschman had contacted two companies to get estimates on what it would cost to replace the 128 windows in the courthouse. Previously the Board had agreed to use ARPA money to update the courthouse. The estimates have come back around \$120,000.00. The ARPA funds need to be obligated by December, 2024 and spent by December, 2026. Mrs. Hirschman asked the Commissioners if they want to pursue replacing the windows. Rasmussen made a motion to pursue the replacement of the windows and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. The next step will be putting a spec sheet together to send out to vendors.

**Change May 14, 2024 Meeting Date/December 24, 2024 Meeting Date** – The May 14, 2024, commissioner meeting is scheduled on the primary election date. The December 24, 2024, commissioner meeting is scheduled on a paid holiday. Motion was made by Urbanski to approve changing the May 14, 2024, commissioner meeting to May 9, 2024 and the December 24, 2024 meeting date to December 26, 2024, and seconded by Rasmussen. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

**Employee Evaluations** – Hirschman spoke with the Board and handed out the evaluation forms for the Emergency Manager, Planning and Zoning Administrator, Janitor and Highway Superintendent. These evaluations will be on the December 27, 2023 Agenda. Hirschman also asked the Assessor, Sheriff, Treasurer and Clerk to join the meeting and emphasized the importance of performing evaluations on employees.

**Executive Session-Courthouse Security** -Rasmussen made a motion to go into executive session at 10:50 a.m. to discuss deployment of security personnel or devices and seconded by Urbanski. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Hirschman stated the Board was going into Executive Session at 10:50 a.m. to discuss deployment of security personnel or devices. Those present were Gary Rasmussen, Kathy Hirschman, Jessie Urbanski and Sheriff Tom Busch. Motion was made by Hirschman and seconded by Urbanski to come out of Executive Session at 11:10 a.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Action - The Commissioners suggested to Sheriff Tom Busch that the Sheriff's office be staffed from 8:00 a.m. to 5:00 p.m., Monday-Friday except for holidays or if an emergency arises to place a sign on the window or door to the office with contact information.

**Consent Agenda** -

The Board reviewed the minutes, payroll and claims as presented. Motion was made by Rasmussen and seconded by Urbanski to approve the Commissioner Meeting Minutes for 11/28/2023, Claims for 12/12/2023: General-\$81,003.44; Roads-\$119,307.48; Tourism Improvement Fund-\$2,000.00; 911 Emergency Management Fund-\$748.21 and E911 Wireless Holding Fund-\$237.60, for a total of

\$203,296.73, and the Clerk, District Court and Treasurer's reports. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye.

There being no further business to come before the Board, motion was made by Urbanski and seconded by Rasmussen to adjourn the meeting at 11:42 a.m. Roll Call: Rasmussen, Aye; Hirschman, Aye; and Urbanski, Aye. Meeting adjourned. The next regular meeting of the Howard County Board of Commissioners will be December 27, 2023.

Dated this 12th day of December, 2023.

Kathy Hirschman  
Howard County Commissioners

ATTEST: Brenda Klanecky  
Howard County Clerk