

February 13, 2012
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 13th day of February, 2012. The County Board of Commissioners met at 8:30 a.m. Present were: Jerry Heard, Skip Oehlrich 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 Oehlrich; second Wigington to approve the agenda. Voting YES: Heard, Oehlrich and Wigington. Voting NO: None. Motion carried.

Motion Wigington; second Oehlrich to approve the minutes of 1/24/12. Voting YES: Oehlrich, Wigington and Heard. Voting NO: None. Motion carried.

The general assistance clerk gave a report of the activities of her department, no need to enter into executive session.

Motion Heard; second Wigington to enter executive session at 8:35 a.m. to discuss potential litigation. Voting YES: Wigington, Heard and Oehlrich. Voting NO: None. Motion carried.

Motion Heard; second Oehlrich to exit executive session and resume regular session at 8:58 a.m. Voting YES: Heard, Oehlrich and Wigington. Voting NO: None. Motion carried.

The chairman stated no action was taken while in executive session.

The county attorney informed the board that on January 30th the Dept. of Justice, the clerk and herself reviewed each page of the consent decree; her recommendation is for the county to sign the consent decree pursuant to Section 203 of the Voting Rights Act. Motion Oehlrich; second Wigington to authorize the chairman to sign the Consent Decree Judgment and Order. Voting YES: Oehlrich, Wigington and Heard. Voting NO: None. Motion carried.

The weed superintendent gave a report of the activities of his department; he was presented a plaque at the North Platte Convention for Region III Supervisor.

The clerk provided the board with her monthly fees, STOP revenue received and the 2012 registration form on NACO Institute of Excellence. Correspondence from Nebraska Association of Emergency Management and Sequoia Consulting Group were reviewed.

The board received a copy of the monthly fee report from the district court clerk.

The county treasurer provided a change in safekeeping receipts from Pinnacle Bank.

The December inmate logs from Platte County were provided to the board and placed on file.

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

The board provided an opportunity for county employee's to attend an "Agenda-less meeting".

Recessed at 9:40 a.m. and reconvened at 10:00 a.m.

The Zoning/Flood Plain/Grant Writer administrator gave a report of the activities of her department; discussion was held on the application for a Construction and Operating Permit for Marvin Kasik Livestock Concentrated Animal Feeding Operation. A public hearing will be held at March 27th meeting. Folken Feed Yard was also discussed in regards in expanding their existing LFO.

The Emergency Manager gave a report of the activities of his department; discussion was held on the updates needed for the EOC room at the courthouse and the possibility of an interlocal agreement with the City of Schuyler for the use their EOC. A LEPC meeting and a NIMS training will be held next week; he also informed the board that the storm spotters will need to be certified for liability purposes.

An update was given on the Hughes Payzant Drainage Ditch project; we have not received a response from our request for an extension.

Motion Oehlrich; second Wigington to authorize the chairman to sign the Request for CDBG Funds of \$33,655.00; Kohl Construction Inc. - \$20,707.00 Mainelli Wagner & Associates - \$12,948.00. Voting YES: Oehlrich, Wigington and Heard.. Voting NO: None. Motion carried.

The highway department gave a report of the activities of the road department; a lengthy discussion was held on soft-match credit.

Motion Heard; second Oehlrich to approve Resolution 2-13-12(1) to authorize Mark Arps to prepare and sign the Colfax County One and Six Year documents for 2012. Voting YES: Wigington, Heard and Oehlrich. Voting NO: None. Motion carried.

Two agreements with the State of Nebraska Department of Roads were discussed; the first agreement is to ensure uniformity of inspection procedures by hiring consultants to conduct the fracture critical bridge inspections and re-load ratings; the second agreement is for project BRO-7019(10) Richland Northwest setting out modifications and/or additional duties and /or funding responsibilities.

The county's highway consultant advised the commissioners not to sign the agreements until clarification on whether or not the county may use their soft match credit. The county attorney will send a letter requesting clarification if the soft match credits apply as local funds for purposes of these two agreements.

The board set the gravel bids to be received March 12, 2012 at 11:00 a.m. in the commissioner's room and publicly opened and read. Discuss, consider and action taken on the gravel bids will be at March 27, 2012 meeting.

The board set the culvert bids to be received March 27, 2012 at 11:15 a.m. in the commissioner's room and publicly opened and read. Discuss, consider and action taken on the culvert bids will be at April 9, 2012 meeting.

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

Motion Heard; second Wigington to adjourn BOC at 11:55 a.m. and to meet again February 28, 2012. Voting YES: Wigington, Heard and Oehlrich. Voting NO: None. Motion carried.

A meeting of the Board of Equalization of Colfax County, Nebraska was held in the Commissioners Room of the County Courthouse, Schuyler, Nebraska on this 13th day of February, 2012. The County Board of Equalization met at 12:00 p.m. Present were: Jerry Heard, Skip Oehlrich and Gil Wigington, County Commissioners, Rita M. Mundil, County Clerk, and Viola Bender, County Assessor. Notice of this meeting was given in advance 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. A copy of the Open Meetings Act was posted and available to the public. All proceedings shown were taken while the meeting was officially convened and open to the public.

The board acknowledged a letter from the treasurer certifying the refund amount on the Cargill settlement for tax years of 2009, 2010 and 2011. A written plan for the refund will be submitted to the treasurer on February 13, 2012.

Motion Heard: second Wigington to adjourn the BOE meeting at 12:08 p.m. Voting YES: Heard, Oehlrich and Wigington. 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 14th day of February, 2012.

Rita M. Mundil, County Clerk