

October 31, 2022
O’Neill, Nebraska

The Holt County Board of Supervisors met as a Board of Equalization with all members present. County Assessor Tim Wallinger, County Treasurer Shelly Ross and County Clerk Cathy Pavel were also in attendance. This meeting publicized pursuant to Section 84-1411 R.R.S. 1943. Notice of meeting given in advance thereof by publication in paper as shown by Affidavit of Publication on October 20, 2022, in the Holt County Independent. Chairman Frahm convened the meeting at 9:30 A.M. with the flag salute.

Motion by Keyes, 2nd by Butterfield, to approve the minutes of the October 14, 2022, meeting as printed. Voting Aye: Treptow, Keyes, Butterfield, Breiner, Paxton, Tielke and Frahm. Voting Nay: None. Motion carried.

Chairman Frahm convened a public hearing at 9:31 A.M. to receive public comment on the Motor Vehicle Tax Exemption Application on file for: Building Blocks for Community Enrichment on a 2013 Chevrolet Impala; Good Samaritan Society – Atkinson on a 2009 Ford Cutaway Van; West Holt Memorial Hospital on a 2001 Ford Ranger. No one appeared to comment.

Motion by Butterfield, 2nd by Treptow, to approve the tax list corrections #21-031 as submitted by the Assessor. Voting Aye: Keyes, Butterfield, Breiner, Paxton, Tielke, Treptow and Frahm. Voting Nay: None. Motion carried.

Motion by Butterfield, 2nd by Paxton, to approve the request for approval on the late Homestead Exemption Application on parcel #450064200 . Voting Aye: Butterfield, Breiner, Paxton, Tielke, Treptow, Keyes and Frahm. Voting Nay: None. Motion carried.

Motion by Paxton, 2nd by Tielke, to adjourn from public hearing at 9:35 A.M. and return to regular session. Voting Aye: Breiner, Paxton, Tielke, Treptow, Keyes, Butterfield and Frahm. Voting Nay: None. Motion carried.

Motion by Paxton, 2nd by Keyes, to approve the Motor Vehicle Tax Exemption Applications on file for: Building Blocks for Community Enrichment on a 2013 Chevrolet Impala; Good Samaritan Society – Atkinson on a 2009 Ford Cutaway Van; West Holt Memorial Hospital on a 2001 Ford Ranger. Voting Aye: Paxton, Tielke, Treptow, Keyes, Butterfield, Breiner and Frahm. Voting Nay: None. Motion carried.

Chairman Frahm adjourned the meeting at 9:37 P.M.

Doug Frahm, Chairman

Cathy Pavel, Clerk

October 31, 2022
O’Neill, Nebraska

The Holt County Board of Supervisors met in regular session as per adjournment with all members present. This meeting publicized pursuant to Section 84-1411 R.R.S. 1943. Notice of meeting given in advance thereof by publication in paper as shown by Affidavit of Publication on October 20, 2022, in the Holt County Independent. Chairman Tielke convened the meeting at 9:45 A.M. and informed the public of the location of the Open Meeting Poster.

Motion by Frahm, 2nd by Paxton, to approve the minutes of the October 14, 2022, meeting as printed. Voting Aye: Treptow, Keyes, Butterfield, Breiner, Paxton, Frahm and Tielke. Voting Nay: None. Motion carried.

9:50 A.M. being the time advertised, time was allowed for public comment. Grace Coleman spoke on Election Security and Ben Fuller and Robert Latimer with Turn Key Logistics representing Summit Carbon Solutions gave an update on the proposed CO2 pipeline in Holt County.

The Board reviewed claims on file.

Correspondence was reviewed.

Motion by Paxton, 2nd by Keyes, to approve Tammy Heiser as the Atkinson/Stuart Country Club Manager. Voting Aye: Keyes, Butterfield, Breiner, Paxton, Frahm, Treptow and Tielke. Voting Nay: None. Motion carried.

Motion by Paxton, 2nd by Butterfield, to approve the Special Designated Liquor License Application for O’Neill Chamber of Commerce for the Holiday Open House at Shamrock Nursery on November 11, 2022. Voting Aye: Butterfield, Breiner, Paxton, Frahm, Treptow, Keyes and Tielke. Voting Nay: None. Motion carried.

Steve Anson and Mary Reiser with Anson Insurance were present to discuss employee life insurance.

Motion by Frahm, 2nd by Keyes, to add to the employee benefit package a \$25,000.00 life insurance policy with double indemnity for \$4.75 per month for qualifying employees with Beam Insurance through Anson Insurance effective January 1, 2023. Voting Aye: Breiner, Paxton, Frahm, Treptow, Keyes, Butterfield and Tielke. Voting Nay: None. Motion carried.

Jeanene Conziemius with Meritain Health Insurance was present to discuss the renewal of the Employee Health Care Insurance with the Board.

Motion by Keyes, 2nd by Frahm, to accept the renewal for Employee Health Care Insurance with Meritain Health Insurance and stay with the \$50,000.00 self-insurance and continue with the Teledoc coverage option for all participants and renew the administration fee for 2 years. Voting Aye: Paxton, Frahm, Treptow, Keyes, Butterfield, Breiner and Tielke. Voting Nay: None. Motion carried.

Motion by Frahm, 2nd by Keyes, to allow the direct deposit payroll and other related claims. Voting Aye: Frahm, Treptow, Keyes, Butterfield, Breiner, Paxton and Tielke. Voting Nay: None. Motion carried.

General Fund Payroll Total: \$211,306.15

Road Fund Payroll Total: \$153,099.76

Payroll Expenses: \$142,609.57

Internal Revenue	Payroll Tax	82118.97
Nebraska Department of Revenue	Payroll Tax	12802.87
Meritain Health	Insurance	2550.00
Nebraska Child Support Payment	Wage Assignment	1760.35
Ameritas	Retirement	38101.85
AFLAC	Insurance	3035.35
Liberty Insurance	Insurance	491.50
Ameritas Insurance	Insurance	369.04

Appera	Uniform	123.00
Colonial Life	Insurance	1279.20
General Fund Claim Total: \$815.35		
Century Link	Serv	815.35
Road Fund Claim Total: \$5,543.60		
Jim Hoerle	Parts	1300.00
Overhead Door Co of Norfolk	Repairs	4243.60

RESOLUTION #2022-16
OF THE

HOLT COUNTY BOARD OF SUPERVISORS

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 details the requirements that must be met in order for the county to qualify for an annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st of each year) the appointment(s) of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent’s appointment, i.e., meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable) and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

Be it resolved that the County Board Chairperson of Holt County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).

The foregoing resolution was introduced by Supervisor Keyes, who moved its adoption. Supervisor Paxton seconded the motion. Voting Aye: Treptow, Keyes, Butterfield, Breiner, Paxton, Frahm and Tielke. Voting Nay: None. Motion carried.

Motion by Butterfield, 2nd by Paxton, to approve the Right of Way permit applications for: Three River Teleco for fiber optic telephone cable in 25-29-12; Viaero Fiber Networks LLC for fiber optic cable Atkinson 33-30-14 & 4-29-14, Emmet 14-29-13 and O’Neill sections 13, 14, 15, 16, 17 & 18-29-12 and 13-29-13. Voting Aye: Keyes, Butterfield, Breiner, Paxton, Frahm, Treptow and Tielke. Voting Nay: None. Motion carried.

Motion by Frahm, 2nd by Paxton, to direct the County Clerk to certify road mowing charges to the County Treasurer, for collection, as submitted by the Road Superintendent. Voting Aye: Butterfield, Breiner, Paxton, Frahm, Treptow, Keyes and Tielke. Voting Nay: None. Motion carried.

Road Superintendent Gary Connot presented his Department Activity Report.

UNL Extension Educators Amy Timmerman and Jay Jenkins were present to give an Extension update.

At 11:50 A.M., Motion by Frahm, 2nd by Paxton, to enter into closed session to discuss the recommendation of the attorney representing Holt County related to the lawsuit filed by Rick Hill, naming county clerk Cathy Pavel, along with numerous other county officials and state officials. Voting Aye: Breiner, Paxton, Frahm, Treptow, Keyes, Butterfield and Tielke. Voting Nay: None. Motion carried.

The Board members, County Attorney and County Clerk were present in the closed session.

At 12:01 P.M., Motion by Keyes, 2nd by Butterfield, to adjourn from closed session and reconvene in open session. Voting Aye: Paxton, Frahm, Treptow, Keyes, Butterfield, Breiner and Tielke. Voting Nay: None. Motion carried. Chairman Tielke stated the only item discussed in closed session was the pending litigation.

Motion by Breiner, 2nd by Keyes, to approve entering into a joint defense agreement and approving the county’s joint representation by an attorney provided by the County’s insurance company, EMC Insurance Companies, along with certain other county clerks who are also named as defendants in the lawsuit filed by Mr. Hill. Voting Aye: Frahm, Treptow, Keyes, Butterfield, Breiner, Paxton and Tielke. Voting Nay: None. Motion carried.

The Board recessed for lunch at 12:16 P.M.

Chairman Tielke reconvened the meeting at 1:25 P.M. Due to the amount of people in attendance Chairman Tielke moved the meeting to the Holt County Annex meeting room.

Chairman Tielke opened the public hearing at 1:46 P.M. He stated it would be one hearing with 3 topics/amendments. The 3 amendments were CO2 pipeline, solar energy and updated wind farm regulations.

Those speaking on the amendment regarding the CO2 pipeline were: Robert Randall, Diana Steskal, Jesse Walmer with Green Plains, Seth Harder with Husker Ag, Brent Niese with Summit Carbon Solutions, Bernard Anderson, Sheryl Winkler, Mary Kaczor. Mary Kaczor explained the solar energy regulations are new regulations to the Holt County Planning and Zoning Regulations. Those speaking on the wind energy regulations were: Keith May, Dave Wright, Ned Porter with Invenergy, Rod Heiss, Bill Kaczor, Dave Sehi, Steve Boshart, Mary Kaczor and Wayne Kaup.

Motion by Frahm, 2nd by Paxton, to adjourn from the public hearing at 4:26 P.M. and return to regular session. Voting Aye: Treptow, Keyes, Butterfield, Breiner, Paxton, Frahm and Tielke. Voting Nay: None. Motion carried.

Motion by Frahm, to accept all recommendations presented by the Planning and Zoning Board with 1 change to the carbon pipeline recommendation, to change the 400’ set back to include the verbiage, unless otherwise agreed upon by both parties to be less. And one change to the wind farm to change the 6000’ setback to 5,280’, or one mile. This motion died for lack of a second.

Motion by Keyes, 2nd by Breiner, to table all 3 recommendations for further review until the next meeting, November 16, 2022. Voting Aye: Keyes, Butterfield, Breiner, Paxton, Frahm, Treptow and Tielke. Voting Nay: None. Motion carried.

Chairman Tielke adjourned the meeting at 4:45 P.M. until November 16, 2022, at 9:45 A.M.

William J. Tielke, Chairman

Cathy Pavel, Clerk