

November 20, 2023

The Otoe County Board of Commissioners convened in regular session at 8:30 a.m. on November 20, 2023, to audit and sign regular claims and payroll claims and to take care of such other matters as are on the agenda for this meeting. Advance notice of this meeting was published in the Nebraska City News Press and posted in at least three public places, including the County's website. This meeting was open to the Public, and the agenda was kept current, and is on file for public inspection at the office of the Otoe County Clerk during regular business hours.

The meeting was called to order by Commissioner Jerad Sornson. Answering present at roll call were Commissioner Sornson, Commissioner Freshman, Commissioner Parsons, Commissioner Crownover, and Commissioner Cole.

Commissioner Sornson informed the public in attendance that a current copy of the Open Meetings Act was posted to the right of the door of the courtroom.

Freshman made a motion, seconded by Cole, to accept the agenda as posted. Voting aye were Sornson, Freshman, Parsons, Crownover, and Cole. Nay – none. Motion carried.

Cole made a motion, seconded by Crownover, to accept the minutes from the previous meeting and not have them read as each member was furnished with a copy of same. Voting aye were Commissioners Freshman, Parsons, Crownover, Cole and Sornson. Nay – none. Motion carried.

Having reviewed the regular claims in advance of this meeting, Parsons made a motion, seconded by Cole, to approve payment of the regular claims. Voting aye were Parsons, Crownover, Cole, Sornson, and Freshman. Nay – none. Motion carried.

Freshman made a motion, seconded by Parsons, to audit and sign payroll claims. Voting aye were Crownover, Cole, Sornson, Freshman, and Parsons. Nay – none. Motion carried.

Crownover made a motion, seconded by Freshman, to cancel check #23110028999 in the amount of \$150.00 payable to NACO. This amount is due to the cancellation of a registration fee for the NACO annual conference in December. Voting aye were Cole, Sornson, Freshman, Parsons, and Crownover. Nay – none. Motion carried.

Freshman made a motion, seconded by Parsons, to renew Dean Shissler and Laura Giboo as Otoe County Visitor Committee members for four-year terms expiring December 31, 2027. Voting aye were Sornson, Freshman, Parsons, Crownover, and Cole. Nay – none. Motion carried.

Sornson opened a public hearing to hear comments regarding a conditional use permit for a proposed 245-foot self-support cell tower with a 100-foot x 100-foot fenced compound and lease area located in part of the North ½ of the NW ¼ of S19, T8N, R11E as proposed by Andrew Dewhirst, Powder River, agent on behalf of Tillman Infrastructure located on the Douglas and Lori Carlson property. The site is located at 2466 J Road. Zachary Williams, representing Andrew Dewhirst/Powder River, explained that Verizon was looking to build a cell tower and Tillman Infrastructure is the company that builds the tower. The proposed location is a portion of a parcel that currently has an uninhabitable homestead that would be removed. The area of the parcel is not being used for agricultural purposes. Mr. Williams answered questions regarding how the best location is determined. He explained that coverage needs are studied, property owners are contacted, flat property, proximity to power, height of tower needed, etc. He stated that a 50-year lease would be signed. Commissioner Freshman stated that an opposition

letter had been received and that the proposed tower may interfere with a personal runway on nearby property. During conversation, it was mentioned that the runway is not a regulated FAA runway. Ryan McIntosh, residing at 263 S 24 Road, was present to speak in opposition to the tower's location. His home is located a quarter mile from the proposed site, and he would like to see other locations of the property considered for the tower. Mr. Williams stated that there may be another site on the property, but the property owner does not want it to cut through his field, additional setbacks would be required, and there is no power in that area where there is at the current proposed site. During discussion, it was noted that the Planning Commission minutes note that the homestead would be imploded or torn down but does not state that removal. The public hearing was closed. Parsons made a motion, seconded by Freshman, to send the conditional use permit back to the Otoe County Planning Commission for re-review at the December 21, 2023, meeting. Voting aye were Freshman, Parsons, Crownover, Cole, and Sornson. Nay – none. Motion carried.

Freshman made a motion, seconded by Parsons, to approve an Application for Manager application submitted by Kimmel Orchard & Vineyard Educational Foundation, Inc. The new manager is Dena Stevenson. Voting aye were Parson, Crownover, Cole, Sornson, and Freshman. Nay – none. Motion carried.

Cole made a motion, seconded by Crownover, to adopt Resolution #11-20-23-37 to appoint Jon Brinkman, Hwy Superintendent, as agent for the County Commissioners to open and review sealed bids for Project Nebraska City Northwest, C-66 (610) on December 4, 2023, at 10:00 a.m. The bids will be reviewed and presented for approval at the December 5, 2023, Commissioners' meeting. Voting aye were Parsons, Crownover, Cole, Sornson, and Freshman. Nay – none. Motion carried.

Highway Superintendent Jon Brinkman presented the road report: bridge removal and replacement – contractor is driving in pile at E & 22 West, Project (678); the project has been completed at 36 & R North, CBMP (669); the project has been completed at 2 & B East, CBMP (670); all CBMP have been completed. Both crews have been rocking and grading roads.

I, Jennifer Bassinger, County Clerk of Otoe County, do hereby certify that the above minutes were taken by me, and are true and correct to the best of my knowledge, and I therefore set my hand and affix the county seal this 20th day of November 2023.

Jennifer Bassinger  
Otoe County Clerk