

# Wheeler County Board Minutes



Bartlett, Nebraska  
November 27, 2018

The Wheeler County Commissioners met in regular session on this date at 8:00 a.m. Notice of the meeting was published and posted as required by law. Answering roll call were Commissioners Jack Poulsen, Jim Hoerle, and Mark Landgren. Also present were Clerk Cara Snider, County Attorney Jim McNally, Deputy County Attorney Joe McNally, Sheriff Adrian Lindsay, County Treasurer Heidi Wid, and Deputy Treasurer Carol Seamann. Others were David Durre, Tim Durre, Walt Koziol, Doug Pokorny, Doug Reiter, Steven Schrunk, Larry Shavlik, and Josh Framel and Ned Porter, representing Invenergy Wind Development.

Chairman Poulsen identified the location of the Nebraska Open Meetings Act Poster located on the Commissioners' board on the south wall and made reference to the open law literature available on the Commissioners' room table. The Clerk asked for the approval of the October 2018 proceedings and all Commissioners approved the proceedings as presented.

Fees from the various county offices were reviewed and approved for the month of October 2018. The claims were audited and approved as follows:

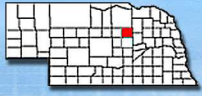
Reiter gave an update on the work that is being done west on 839<sup>th</sup> Road, as it is one way traffic now. Allemang is willing to take the materials that were removed from the ditches and use it other places. The board gave Reiter the verbal permission to let Doug Allemang have the material. Reiter was also asked to talk to Emme's to see about hauling the material away. Reiter also reported that they have put in the culvert in out by Thunker's on road \_\_\_\_\_. The road department has the culverts for the Green Valley road and for Fred Buhlman and they will be placed in the spring.

Framel along with Porter gave an update on the road agreement that had presented. After a lengthy discussion Framel was advised to work with Mr. McNally to get all the criteria that is needed for the Road Agreement portion for the Conditional Use Permit. Once there is a Road Agreement in place there will be a public hearing for the zoning board and a public hearing for the Board of Commissioners. Some of the topics that need to be included are maintenance during construction, stating that the County Engineer would work alongside to make sure that the roads are back to standard at the expense of Invenergy, maintenance to the road after construction, if they have to use large machinery to do any repairs, and the road is tore up. Construction would start spring of 2019 and finish in the fall of 2019. The board had asked Framel and McNally if they thought it would be possible to hear this matter again at the December meeting.

Shavlik visited with the board in regards to some of the regulations for the towers, and wanted some clarification, he also shared his thoughts on recommendations for the road agreement, and brought up a few topics to consider.

Treasurer Wid met with board and presented Resolution 20181101, to transfer \$100,000 from the Inheritance Tax Fund of Wheeler County to the General Fund of Wheeler County, to be reimbursed to the Inheritance Tax Fund as soon as monies become available in the General Fund. Poulsen made a motion to adopt resolution 20181101, seconded by Hoerle. On roll call by the Clerk voting aye: Poulsen, Hoerle, and Landgren. Voting nay: none.

McNally, presented Resolution 20181102. Resolution 20181102 talks the benefit the tax payers and residents if an opinion would be obtained by a knowledgeable, reputable attorney to investigate the intent of the 1867 Enabling Act to determine if the allocation made by the Nebraska Department of Educational Lands and Funds in distribution of the school land rental, and interest income, is in compliance with the intent of the 1864 Enabling Act. Poulsen made a motion to adopt Resolution 20181102, seconded by Landgren. On roll call by the Clerk voting aye: Poulsen, Landgren, and Hoerle. Voting nay: none.



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Due to the next Commissioner meeting falling on Christmas, Snider asked for the meeting be moved to December 20<sup>th</sup>, 2018 at 8 am.

No other business coming before the Board of Commissioners, the Chairman adjourned the meeting at 9:15 am.

Cara Snider, County Clerk  
Jack Poulsen, Board Chairman