

Garfield County Board Minutes



Garfield County Board of Commissioners Record

Burwell, Garfield County, Nebraska

The Garfield County Board of Commissioners met Tuesday, February 13th, 2018 at 1:30 p.m. in the Commissioners Room at the Garfield County Courthouse in Burwell, Nebraska pursuant to public notice posted in three public places & broadcast by KNLV Radio, Ord, NE. Chairman Krause called the meeting to order at 1:30 pm with the following present: Commissioners, Krause, Jeffres and Hurlburt.

Motion made by Jeffres to approve & adopt minutes of last County Commissioners meeting held January 23, 2018, second by Krause. Aye, all; Nay, none.

Keri Koenigsberg, County Clerk, presented the Clerk of the District Court January report and the revenue listing report for the County Treasurer.

At 1:34 p.m., Chairman Krause recessed the regular meeting and opened the Board of Equalization. Garfield County Assessor, Linda Molesworth, presented with tax list corrections #482 and #483 and a list of permissive exemptions. Motion made by Jeffres to approve the tax list corrections and permissive exemptions as presented, second by Hurlburt. Aye, all; Nay, none. At 1:36 p.m., Chairman Krause adjourned the Board of Equalization and reconvened the regular County Commissioners meeting.

Judd Allen, representative from NACO, presented the Board with information about a cash in lieu program offered through NACO benefit services and First Concord.

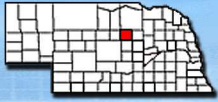
Kali Swett, Planning and Zoning Administrator, informed the Board of an upcoming NPZA conference to be held in Kearney and indicated that she would like to send a member of the Planning and Zoning Board to attend. The Board suggested that it was a good idea. Swett presented the Board with a list of members up for re-appointment on the Board of Adjustment. Motion made by Jeffres to re-appoint Dave Goff, Donna Garwood, Rob Burnham, Lex Jeffres, Mike Usasz to a new 3 year term on the Board of Adjustment with Linda Fryzek as the alternate, second by Hurlburt. Aye, all; Nay, none.

Swett also presented the Board with a statement of findings of fact from the Garfield County Planning and Zoning Commission with a unanimous vote to recommend approval of the conditional use permit for construction of a catch basin submitted by Vernyce Weber.

Orval Stahr, President of Stahr & Associates, Inc. and consultant for Garfield County, presented information on the legality of the Weber Livestock Operation. With aerial photos of the facility from 2001 to present, Stahr indicated that the Weber Livestock Operation is in violation of the Garfield County Zoning regulations adopted in 2000. Comments made by Steve Mossman, Attorney representing the Weber's, in regards to information provided on the legality of the Weber Livestock Operation.

With this information discovered in the County's investigation of the existing use and the recommendation of the planning commission, Chairman Krause proceeded with a motion for approval of the proposed catch basin to be required by NDEQ with the following conditions:

1. Based upon the aerial photography submitted at the last public hearing held by Board of Commissioners, such photography show that until 2016 there were only 4 small lots in use which were not cropped and thus are defined as intensive feeding use. Based upon this finding, intensive feeding on the Weber property shall be limited to said 4 lots. The capacity of which shall be determined by measuring the area of said lots and dividing 300 square feet per animal.
2. A 50% expansion of intensive feeding based upon said calculated existing capacity may occur, but only to the south.
3. All other lots on the Weber property may be used for backgrounding of cattle, but said lots MUST be cropped or serve as pasture and the applicant shall be limited to backgrounding of cattle not exceeding 275 days in any 12 month period.



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4. If a catch basin is still required by DEQ, after the applicant's compliance with the above conditions. The location proposed is hereby approved, provided that the catch basin must be located at least 30 feet south of the South Right of Way line of the highway in accordance with Section 609 of the County Zoning Regulations.

5. The catch basin shall be screened from the highway by trees and or shrubs of sufficient size and density to create opaque screen within 3 years.

6. If the catch basin is required the intensive feeding use may be expanded an additional 500 head, but only to the south of the existing intensive feeding lots.

7. Cattle on site as of February 13, 2018 must be reduced in number to the allowable number set forth above within 6 months of this date.

Second by Jeffres. Aye, Krause and Jeffres; Nay, Hurlburt.

Bert Meschke, Garfield County Court Magistrate, requested that she be allowed to reallocate the money in her budget to allow for the purchase of new office furniture. Motion made by Jeffres to approve request for reallocating money in budget to cover the expenses of new office furniture, second by Krause. Aye, all; Nay, none.

Dale Crandall provided information on the agreement with DHHS for Child Support, motion made by Krause to approve such agreement, second by Jeffres. Aye, all; Nay, none.

Discussion about reducing the speed limit for Windy Hill Road was held. Motion made by Jeffres to authorize the County Road Superintendent to conduct a speed study, second by Hurlburt. Aye, all; Nay, none.

Gary Kinney, County Road Superintendent, presented with the bridge study report from the NDOT and the road department employee evaluations.

Linda Molesworth, County Assessor, presented with tax list acceleration #484.

With no further business, Chairman Krause adjourned the meeting at 3:15 p.m.

Attest:

Keri L. Koenigsberg,
Garfield County Clerk

Attest:

Scott L. Krause,
Chairman of the Board