

(ALL MINUTES ARE UNOFFICIAL UNTIL APPROVED AT THE NEXT REGULAR MEETING)

October 17, 2023

The Brown County Commissioners met in regular session on Tuesday, October 17, 2023, at 1:15 PM., in the Brown County Courthouse meeting room with members Chairman Buddy Small, Dennis Bauer and Jeremiah Dailey present. Also present was Brown County Clerk (BCC) Travis Hobbs, Brown County Highway Superintendent (BCHS) Kenneth Turpin and Brown County Attorney (BCA) Andy Taylor.

Chairman Small acknowledged the Open Meeting Act posted near the entrance to the Meeting Room.

Those in attendance rose and stated the Pledge of Allegiance.

Small moved to approve minutes from the October 3, 2023, Commissioner meetings as officially recorded in Commissioner Book 23. Bauer seconded. Roll Call: All three Ayes, motion carried.

BCHS Kenneth Turpin gave a road department report.

BCHS Turpin discussed the Notice to file the Annual Certification of Program Compliance and the Resolution with the Nebraska Board of Public Roads Classifications and Standards due by October 31, 2023.

Bauer moved to approve Resolution #2023-53 Signing of the County Annual Certification of Program Compliance to Nebraska Board of Public Roads Classifications and Standards 2023. Dailey seconded. Roll Call: All three Ayes, motion carried.

Don Fling was present to discuss right of way issues and a reimbursement for a survey that he had done to determine the right of way. Fling and BCHS Turpin have discussed a plan to remedy the situation.

Bauer moved to reimburse Fling for the survey he had done for \$1,313.00. Dailey seconded. Roll Call: All three Ayes, motion carried.

Max Fay was present to discuss his request for closing the road near his property. BCA Taylor spoke on the legalities of closing the road.

The Board discussed the rules and regulations for the community fishpond. Brown County Sheriff (BCS) Brent Deibler discussed potential issues to be addressed for the pond. Specifically, a fenced parking lot and entrance and hours of operation. Small, suggested hours of Dawn until Dusk, signage regarding walk in access and prohibit swimming. BCA Taylor discussed the county creating an ordinance. Public comments were heard regarding trash, grilling, water levels and drainage in the event of a large rain event.

Small moved to enter executive session for strategy relating pending litigation. Bauer seconded. Roll Call: All three Ayes, motion carried. Sheriff Brent Deibler and Brown County Attorney Andy Taylor were invited to stay in session.

Chairman Small restated the reason for entering executive session.

The Board entered executive session at 2:17 PM.

Bauer moved to come out of executive session. Dailey seconded. Roll Call: All three Ayes, motion carried.

The Board came out of executive session at 2:35 PM.

The Board discussed the Sand Draw Bridge payment and where it should be paid from.

Bauer moved to pay the bill from the Inheritance fund and when the reimbursement for the Meadville Avenue detour is received that money will be paid back into the Inheritance fund. Small seconded. Roll Call: All three Ayes, motion carried.

No action taken on the Courthouse repairs.

The Board discussed the Courthouse Custodian salaries.

Small moved to increase the hourly rate of the Courthouse Custodian to \$20.00 effective October 13, 2023. Bauer seconded. Roll Call: All three Ayes, motion carried.

Small moved to approve payment of the claims. Dailey seconded. Roll Call: All three Ayes, motion carried.

No correspondence letters were received.

No public comments were made.

The meeting was adjourned at 2:55 PM.

The next regular meeting of the Brown County Commissioners will be Tuesday, November 7, 2023, at 1:15 PM, Brown County Courthouse, Ainsworth, Nebraska.

This meeting's public notice was published in the Ainsworth Star-Journal, aired on KBRB Radio, and posted at the Brown County Clerk's office, where all agendas and minutes are kept current for public inspection at any time.