

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
March 28, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Thursday, March 28, 2024 in the Boardroom of the Burt County Courthouse in Tekamah, Nebraska, pursuant to adjournment of their last meeting. Notice of the meeting was given in advance thereof by Publication in the Plaindealer (3-19-2024), upon a 1st floor bulletin board within the courthouse and on the County's Website. A copy of the proof of publication is on file in the office of the County Clerk. The following members were present: Gary 'Bird' Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus and Ted Connealy. Absent- Dave Schold

The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman Ted Connealy informed the public that the Open Meeting Act was posted.

The agenda was approved; upon motion by Kutchera, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Absent- Schold. Nays – none.

The minutes of the 3/13/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Swanson, seconded by Richards. By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Absent- Schold. Nays – none.

The claims for March in the amount of \$445,987.49 including \$149,712.45 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Richards, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Ted Connealy. Absent- Schold. Nays – none. The following claims were approved:

ADAM TRIPP	ATTY FEES	4,702.50
ANDY'S QUICK SHOP	FUEL	60.01
APPLIED CONNECTIVE TECHNOLOGIES LLC	TECH & SECURITY	5,146.95
AXON ENTERPRISE	SH.SUPPLY	499.20
BLACK HILLS ENERGY	UTILITIES	358.75
BOMGAARS -COURTHOUSE	SUPPLIES	301.24
BRANIFF SERVICE INC	FUEL/REPAIR	1,733.31
BRUCE NATHAN	MILEAGE	54.61
BRUMMOND DISPOSAL	GARBAGE	225.00
BUDDIES MINI MART, LLC	FUEL	365.26
BURT COUNTY CLERK	CERTIFIED MAIL	8.05
BURT COUNTY COURT	COURT FEES	160.00
BURT COUNTY DISTRICT COURT	COURT FEES	74.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	203.81
BURT COUNTY SHERIFF	SERVICES	79.30
CANON FINANCIAL SERVICES	EQUIP	27.09
CENTURY LINK	UTILITIES	323.04
CITY OF TEKAMAH	UTILITIES	161.00
CLASSIC CLEAN CARWASH	SH MISC.	155.41
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	555.46
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	563.22
CUBBY'S	FUEL	1,458.50
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DE LAGE LANDEN PUBLIC FINANCE LLC	FLEET PYMT.	3,758.08
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,477.56
EAKES OFFICE PLUS	SUPPLIES	1,453.96
ERIC NICK	TRAVEL EXPENSE	327.76

EVA MCCLUSKEY	PRIOR SERVICE	103.86
FASTWYRE BROADBAND	UTILITIES	1,552.34
FIRST CONCORD BENEFITS GROUP LLC	BENEFITS	1,257.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	205.91
FITZGERALD,VETER,TEMPLE,BARTELL	ATTY FEES	2,304.20
GARY SWANSON	CHECKING ROADS	88.44
GREAT AMERICA FINANCIAL SVCS	EQUIP	247.63
GREAT PLAINS UNIFORMS	UNIFORMS	298.96
HALL LAW FIRM	ATTY FEES	1,283.00
HOMETOWN LEASING	EQUIP	114.00
INTOXIMETERS INC	EQUIP	186.50
J.F. AHERN CO	MAINTENANCE	256.00
JACK'S UNIFORMS & EQUIPMENT	UNIFORMS	738.44
JEANNETTE BLANC	MILEAGE	24.39
JEFF KUTCHERA	CHECKING ROADS	61.64
JENKINS LAW PC	ATTY FEES	902.50
JOHNSON & MOCK, PC, LLO	ATTY FEES	2,137.40
KATIE HART	MILEAGE	93.80
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHLD SUPP SERV	2,048.74
LOFFLER	EQUIP	779.63
MADISON COUNTY SHERIFF	JAIL	50.00
MARY LOFTIS	JAN,FEB,MARCH	2,818.50
MICHELE QUICK	MILEAGE	94.47
MID-AMERICAN BENEFITS INC	INSURANCE	20,232.00
MILLS LAW OFFICE	ATTY FEES	2,612.50
MIPS INC	SOFTWARE	2,029.24
MIPS INC - COUNTY COURT	SOFTWARE	101.03
MONONA COUNTY SHERIFF'S OFFICE	SERVICES	33.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGE&SERVICE	87.00
NEBRASKA LOESS HILLS RC&D COUNCIL	2024 DUES	350.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	839.64
NEBRASKA.GOV	SOFTWARE	100.00
OAKLAND INDEPENDENT/LYONS MIRROR	SUBSCRIPTION	45.00
OFFICE WAREHOUSE	SUPPLIES	133.46
ONE OFFICE SOLUTION	SUPPLIES	1,064.63
PAUL RICHARDS	CHECKING ROADS	107.20
PENNY A. WARREN	MILEAGE	25.46
PHYSICIANS LABORATORY PC	SUPPLIES	542.00
PLAINDEALER	PUBLISHING	2,144.51
PLAINDEALER PUBLISHING	SUBSCRIPTION	80.00
QUADIENT FINANCE USA, INC	POSTAGE	4,000.00
QUADIENT LEASING USA, INC	POSTAGE LEASE	817.53
RAY O'HERRON	SUPPLIES	741.04
REGION 4 BEHAVIORAL HEALTH SYS	QTR 4	5,293.50
ROBIN OLSON	MILEAGE	97.15
SARAH FREIDEL	MILEAGE	110.19
SARPY COUNTY SHERIFF	JAIL	1,560.00
SAVE MORE MARKET	SUPPLY & CO GOVT DAY	1,363.00
SCOTT BURGETT	CPR TRAINING	280.00
SCOTT'S HARDWARE	SUPPLIES	129.66
SECRETARY OF STATE	SUPPLIES	20.00
SECURITY SHREDDING SERVICES	SERVICES	80.00
SIRCHIE ACQUISITION COMPANY LLC	SH SUPPLY	131.20
STACEY KEYS	MILEAGE	143.72
TEAM LABORATORY CHEMICAL LLC	SUPPLIES	125.00
THE APOTHECARY SHOP	JAIL MEDICAL	64.35
THURSTON COUNTY SHERIFF	JAIL	9,000.00
TK ELEVATOR CORPORATION	MAINTENANCE	637.94

TOBIN'S TURF CARE	LAWN CARE	1,640.18
UNIVERSITY OF NEBRASKA-LINCOLN	SUPPLIES	100.00
VERIZON WIRELESS	SERVICES	906.37
VISUAL EDGE IT, INC	EQUIP	986.09
WASHINGTON COUNTY CLERK	2ND QTR DUES	2,707.00
WASHINGTON COUNTY DRUG COURT	JAN/FEB COSTS	141.42
WASHINGTON COUNTY SHERIFF	JAIL	8,775.00
WELLS FARGO FINANCIAL SERVICE	EQUIP	60.22
ANN CHYTKA	MILEAGE	93.80
BLUFF GRAVEL COMPANY	BC RDS GRAVEL	519.30
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	1,067.25
BONINE GARAGE DOORS	BC DEC SHOP	116.50
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CITY OF LYONS	UTILITIES	426.22
CITY OF OAKLAND	UTILITIES	27.93
CUMING COUNTY INDUSTRIES	BC ROADS	1,236.81
DELWIN D ANDERSON	PRIOR SERVICE	84.00
FARMERS PRIDE	FUEL/SUPPLY	3,842.39
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	437.35
HOTSY EQUIPMENT CO	EQUIP REPAIR	172.40
K-C PARTS & REPAIR	PARTS	44.03
LYLE FARRENS	PRIOR SERVICE	12.00
MARTIN MARIETTA	SUPPLY/GRAVEL/ROCK	20,758.10
MIDWEST SERVICE AND SALES CO	FUEL/SUPPLY	1,496.25
MIDWEST SERVICE CO	FUEL/SUPPLY	12,379.32
NEBR ASSOC OF COUNTY ENGINEERS	REGISTRATION	110.00
NMC CAT RENTAL	EQUIP	5,891.34
OAKLAND LUMBER LLC	SUPPLIES	45.15
PEGGY SMITH	PRIOR SERVICE	108.00
SAPP BROS PETROLEUM INC	FUEL	599.75
SEALS & SERVICE INC	REPAIR	163.59
SHAMBURG AUTO SUPPLY	SUPPLIES	613.14
SIGN DEPOT	SUPPLY	51.72
SPENCER QUARRIES, INC	SUPPLY/MATERIAL	1,395.93
STEINY'S GENERAL STORE	SUPPLIES	334.06
TRI-STATE COMMUNICATIONS INC	LAND RENT	158.50
VANDER HAAG'S	PARTS	357.76
VERIZON CONNECT FLEET USA LLC	EQUIP	417.52
VETTER EQUIPMENT	REPAIR	43.60
VILLAGE OF DECATUR	UTILITIES	195.63
WELDON PARTS OMAHA	PART/REPAIR	928.04
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
NORTHEAST NEBR TELEPHONE CO	911	130.46
ALLISON ELECTRIC INC	BLDG REPAIR	3,696.41
AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	50,219.92
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	GARNISH	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	41,986.52
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	639.71
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	29.52
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	22,099.43
STATE TAX COMMISSIONER	STATE TAXES	6,528.09
VISION SERVICE PLAN (CT)	EMPE PD ADDL	723.67
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISH	28.82
NEBR CHILD SUPPORT PAYMENT CTR	GARNISH	830.00

(Zoning) Conditional Use Permit (CUP) application- David Brainard for

campground: CUP for a Campground located in pt. S½ SW¼ of Sec. 6 and in pt. E½ NW¼ & private road in Sec. 7, all in TWP 21N, Rg. 12E of sixth PM, Burt County, NE. A Public Hearing was previously held on 2/28/2024; no action was taken. Ann Chytka, Zoning Administrator explained that at this point in time, any information needed for the CUP approval has been provided by Mr. Brainard; however, the project will require a multitude of permits that are yet to be obtained by the landowner (such as water, sewer, electric, etc) after the CUP is approved. Supervisor Pearson made a motion to approve the CUP with the following conditions: (i) Must follow all Local, State, and Federal regulations including FEMA and NEMA regarding campground in the floodplain. Make sure that Planning and Zoning Administrator has copies of all permits. (ii) Private roads are to be maintained by owner for fire and rescue. (iii) This Conditional Use Permit will have a term of 2 Years at which time it will be reviewed for additional term. (iv) Dave Brainard must report to the Bd. of Supervisors every 90 days with progress for 1 year. (iv) No occupancy until there is a clearance from NEMA and FEMA. Supervisor Swanson seconded, Roll Call Vote: Ayes- Swanson, Kutchera, Richards, Pearson. Absent – Schold. Nays- Titus and Connealy. Motion passed, CUP was approved.

Special Designated Liquor License:

An SDL for Tilted Table (Oakland) Bar to serve a reception at Harvest Moon (Oakland) on 5/4/2024 was approved upon motions by Titus and Kutchera. Approved By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Absent- Schold. Nays-none.

Emergency Management -position:

(i) *applicants:* At this point in time, there are three (3) applicants; March 31st is the deadline for resume submissions. (ii) *Hiring Committee:* Richards, Kutchera and Swanson. The board held discussions about a possibility of sharing the position with multiple Counties; consensus was to continue forward with interviews for stand-alone EM for Burt County.

The new Voter ID law was discussed while waiting for the 10:00 appointment with Brenneis Insurance.

P&C Insurance- Renewal: *Kevin Brenneis, Brenneis Insurance Agency*

Kevin shared the premium for 2024-25 renewal year will be \$210,582.00; renewal will be May 1, 2024. Deductible buy down options for wind/hail coverage were presented; Supervisor Titus made a motion to purchase a buydown (\$250,000.00 per occurrence to \$5,000.00 per occurrence) for cost of \$18,718.80 + fees. Richards seconded the motion, Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Absent- Schold. Nays – none. Buydown will be purchased. Chairman Connealy signed renewal paperwork for P&C insurance plan with Travelers for May 1, 2024 - April 30, 2025.

Public Comments (7):

- (1) Donette Jackson, 5000 CoRd. HI, Tekamah- RE: Dave Brainard CUP and flood concerns in the project area.
- (2) Theresa DeVries, 800 N. 17th ST, Tekamah- RE: Dave Brainard CUP, questioned if the Burt County Comprehensive Plan priorities were considered by the Board before a decision was made for the CUP approval.
- (3) Florence Stevenson, (Harbor 671) 4866 Lakeshore Dr., Tekamah- RE: Dave Brainard CUP. She cited concerns of permits being expired during Brainards initial project work. She questioned the Board's knowledge and review of the Zoning Matrix

decisions, Burt County's Floodplain Management Plan document, and Burt County's Private Campgrounds document. She cited further concerns with timelines being followed for CUP, and concerns of who is going to inspect all of the work during the project build.

(4) Bill Price, 1615 CoRd. 10, Lyons- shared a handout regarding wind turbines negative effects on animals due to underground vibrations.

(5) Julie Drennen, outreach manager for RWE Clean Energy- comment regarding wind turbine effects on animals; she stated that is not a wide-spread problem.

(6) Nick Seery, Oakland Fire Chief and President of Mutual Aid) – re: EM position, he urged the board to retain a standalone Burt County EM.

(7) Jason Redding-Geu, representative from Lyons-Mirror Sun/Oakland Independent- thanked the board and shared that this is the last meeting he will be covering for the newspapers.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Pearson and Kutchera at 10:29 A.M.

Next Meeting: Wednesday, April 10, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

