

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
January 10, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, January 10, 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 (1-2-2024), 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: Ted Connealy, Gary “Bird” Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Samuel M. Titus and David Schold.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. County Clerk Sarah Freidel informed the public that the Open Meeting Act is posted on the wall.

The first order of business was **reorganization**. County Clerk Freidel asked for nominations for Chairman of the Board. Pearson motioned to nominate Ted Connealy, and Schold seconded the motion. Swanson moved that the nominations cease, seconded by Schold, and Connealy was elected Chairman of the Board for 2024. By roll call vote. Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Motion passed. Ted Connealy will be Chairman for 2024.

The next order of business, also part of reorganization, was to appoint a Vice-Chairman. Chairman Connealy asked for nominations for Vice-Chairman of the Board. Swanson moved to nominate David Schold, and Titus seconded the motion. Richards moved that the nominations cease and that David Schold be elected Vice-Chairman of the Board for 2024, Pearson seconded. By roll call vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Motion passed. David Schold will be Vice-Chairman for 2024.

The agenda was approved; upon motion by Kutchera, seconded by Schold. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the Dec. 28, 2023 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Richards, seconded by Schold. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The Financial Reports of County Clerk Fees, County Court fines, the District Court Fees and the Zoning Report for December; the Sheriff’s Quarterly Report and Treasurer’s 6 month report; the following Miscellaneous Receipts in the amount of \$601,258.69 and Fund Balances were all approved upon motion by Schold, seconded by Richards. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Motion passed.

TOBACCO LICENSE & POSTAGE	30.00 + 10.00	40.00
ZONING PERMITS		900.00
MV PRO RATE (COUNTY SHARE)		1,736.58
TAX SALE REDEMPTION (COUNTY ISSUANCE)		22.00
BAIL BOND COSTS -10%		100.00
CO CLERK-FILING & RECORDING FEES		2,334.50
CO CLERK-DOC STAMPS (COUNTY SHARE)		1,954.30
CO CLERK-MISC FEES		715.00
DISTRICT COURT-FILING FEES		200.00
COURT COST REFUNDS		102.00
DISTRICT COURT - FEES & COSTS		72.00
DISTRICT COURT-MISC FEES & REVENUE		697.50

DEPT SOCIAL SERVICES IV-D	3,042.07
CO COURT - MISC FEES	85.00
CO SHERIFF-SERVICE FEES	582.00
CO SHERIFF-MILEAGE & COSTS	436.05
TITLE INSPECTIONS	410.00
GUN PERMITS	70.00
FINGER PRINT	20.00
OVERLOAD FINES - 25% COUNTY SHARE	125.00
INTEREST EARNED	990.17
HIGHWAY/STREET ALLOCATION	124,697.88
ROAD-MISC REVENUE: CREDIT (NE NEBR. TELEPHONE)	808.24
TRANSFER GEN-RD	300,000.00
LODGING TAX - OCT	1,356.39
ROD -PRESERVATION & MODERNIZATION	379.50
STOP	200.00
INHERITANCE TAX- Yvonne Niewohner	47,600.55
INHERITANCE TAX & INTEREST- Dan L. Smith	1,475.83
INHERITANCE TAX- Vincent Lindstrom	40,126.92
INHERITANCE TAX- Ione Lipps	24,618.94
INHERITANCE TAX- Ella Monson	15,840.44
PLAT BOOKS	60.00
911 WIRELESS SERVICE FUND	3,293.94
COUNTY 911 SURCHARGE	999.06
BUILDING FUND -PRO RATE	78.75
OVERLOAD FINES - 75% STATE SHARE	375.00
MV PRO RATE	9,674.98
COUNTY COURT FINES-REGULAR	4,504.00
COUNTY COURT FINES-BOND FORFEITURES	6,728.00
LIQUOR LICENSE	275.00
CRAIG FIRE GENERAL	66.96
LYONS FIRE GENERAL	0.65
LYONS FIRE BOND	0.07
DECATUR FIRE BOND	35.96
OAKLAND FIRE GENERAL	70.63
TAX SALE REDEMPTION	3,332.29
IN LIEU TAXES-1957 PRIOR	24.54

OFFICE UPDATES (2): (1) Veterans – Penny Warren (2) Assessor – Katie Hart (3) County Attorney – Edmond Talbot

Omaha Public Power District Update:

Michaela Valentin, OPPD Govt & Community Relations Manager, gave an update from OPPD.

Eagle Island Subdivision:

No action taken today. Dave Brainard was present to disclose to the Board that he has decided to no longer create a housing subdivision; he intends to have approx. 74 campsites created outside of the flood zone on the land that is currently platted as Eagle Island Subdivision. Future action will be required for Conditional Use and possible vacation of the currently platted Subdivision. Resolution 2024-03 was presented, but no action taken due to zoning administrator not being present at today's meeting.

2024 Depository Designations:

Board Members Schold and Kutchera moved for adoption of Resolution 2024-01 approving County Depositories for 2024 calendar year. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Resolution was adopted.

County Depositories

DATED this 10th day of January, 2024, at Tekamah, Nebraska.

Ted Connealy, Chairman
Burt County Board of Supervisors

January 10, 2024

(2) That Samuel M. Titus shall serve as the County of Burt’s representative to the Northeast Nebraska Solid Waste Coalition Board of Directors until his resignation from the Board of Directors or until his successor is appointed by Resolution of the County Board of Supervisors, whichever shall occur first.

PASSED AND APPROVED this 10th day of January 2024.

County Website Designation:

As part of reorganization for 2024, the Board passed a motion to designate the Burt County Website as an additional method of providing meeting dates, holiday closing dates, notice of meetings and other publications for Burt County business. Upon motions by Schold and Titus. Motion Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Communications (3): (1) 2024 seal report completed per statute; (2) IRS compliance reminders for employees meals, travel guidelines, etc; (3) 2024 mileage rates: \$0.67 and \$0.70 for civil process

Burt County Economic Development Corp.

Board member appointments: motion was made by Pearson, seconded by Titus, to appoint Jodi Peterson for a four-year term; she is replacing Jen Hinman whose term ended. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none. The following (2) board members’ terms were re-affirmed via Board Committee Appointment action: Gary Swanson and Ted Connealy.

Northeast Nebraska Area Agency on Aging

Upon motion by Schold, seconded by Kutchera, the Board approved the appointment of Linda Elliott to serve a 3-year term on the Advisory Board of NENAAA. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Motion passed. David Schold was re-affirmed to their Governing Board via Board Committee Appointments.

Veterans Service Office - Software:

Upon motion by Schold, seconded by Richards, the Board approved an update to the Memo of Understanding with NE Dept. of Veteran Affairs for VetraSpec software use. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Motion passed.

ROADS:

Appoint 2024 Highway Superintendent: The Board appointed Ann Chytka as Burt County Highway Superintendent for 2024, upon motion by Kutchera, seconded by Pearson. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

There being no further business to come before the Board at this time, the meeting adjourned at 10:04 A.M. upon motions by Schold and Titus.

Next meeting: January 26, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL BURT COUNTY CLERK	TED CONNEALY DAVID SCHOLD , CHAIRMAN BURT COUNTY BOARD OF SUPERVISORS
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These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
January 26, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, January 26, 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 (1-23-2024), 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, David Schold and Ted Connealy.

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

The agenda was approved; upon motion by Titus, seconded by Kutchera. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 1/10/2024 Board of Supervisors meeting were approved; upon motion by Swanson, seconded by Pearson. By roll call vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The claims for January in the amount of \$1,017,996.00, including \$168,627.76 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 - Kutchera, Richards, Pearson, Titus and Connealy. Nays – Swanson and Schold. The following claims were approved:

ADAM SIPPLE - SIPPLE LAW	ATTY FEES	1,453.50
ALYSHA PETERSON	MILEAGE	70.92
AMANDA BARRON	ATTY FEES	1,795.23
ANDY'S QUICK SHOP	FUEL	123.35
APPLIED CONNECTIVE TECHNOLOGIES LLC	MONITOR/SUPPORT	5,123.90
BLUE360 MEDIA	SUPPLY	94.95
BOMGAARS -COURTHOUSE	SUPPLIES	104.92
BRANIFF SERVICE INC	FUEL	3,233.63
BRITTANY HEDLUND	MEALS	80.82
BRUMMOND DISPOSAL	GARBAGE	225.00
BRYAN DUNN	MILEAGE	40.50
BUDDIES MINI MART, LLC	FUEL	408.33
BURT COUNTY COURT	COURT FEES	68.00
BURT COUNTY DISTRICT COURT	COURT FEES	36.00
BURT COUNTY PUBLIC POWER DIST	SERVICES	316.25
BURT COUNTY SHERIFF	FEES	116.56
BURT COUNTY TREASURER -TRANSFER	GEN-ROAD	60,000.00
BURT COUNTY TREASURER - TRANSFER	ROAD - INHERITANCE	400,000.00
CANON FINANCIAL SERVICES	EQUIPMENT	27.09
CENTURY LINK	SERVICES	323.04
CHRISTINE A DREGALLA	JAIL MEDICAL	121.00
CITY OF TEKAMAH	UTILITIES	142.00
CLARK PEST AND TERMITE CONTROL	SERVICES	75.00
CLASSIC CLEAN CARWASH	MAINTENANCE	69.53
CUBBY'S	FUEL	1,330.39
DAKOTA COUNTY SHERIFF	COURT FEES	23.48
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75

DAVID SCHOLD	CHECKING ROADS	41.92
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,250.23
DODGE COUNTY	DC PROBATION	3,586.38
EAKES OFFICE PLUS	SUPPLIES	750.03
FASTWYRE BROADBAND	UTILITIES	1,575.05
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	1,657.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	199.74
FIRST NORTHEAST BANK OF NEBRASKA	CHECK ORDER	104.00
FRANCES FRENCH	PRIOR SERVICE	66.00
GARY SWANSON	CHECKING ROADS	66.81
GOVERNMENT FORMS AND SUPPLIES	SUPPLIES	1,027.36
GRAHAM TIRE STORE	FLEET MAINTENANCE	682.20
GREAT AMERICA FINANCIAL SVCS	EQUIPMENT	247.63
HERMANSON LAW & MEDIATION LLC	ATTY FEES	3,410.50
HOMETOWN LEASING	EQUIPMENT	114.20
JACK'S UNIFORMS & EQUIPMENT	UNIFORMS	1,126.79
JEFF KUTCHERA	CHECKING ROADS	390.38
JOHNSON & MOCK, PC, LLO	ATTY FEES	836.00
JOSH TOWNSEND	MILEAGE	99.06
JURY DUTY	JURY DUTY	1,818.24
LA QUINTA INN AND SUITES	TRAINING	535.00
LAUREEN CANARSKY	PRIOR SERVICE	46.16
LAW OFFICE OF KATE M JORGENSEN PC	ATTY FEES	61.39
LEONARD CANARSKY	PRIOR SERVICE	46.16
MARIE RAGER	PRIOR SERVICE	115.40
MELINDA WICKS	ATTY FEES	1,007.00
MID-AMERICAN BENEFITS INC	BENEFITS	256.00
MIPS INC	SOFTWARE	2,234.74
MIPS INC - COUNTY COURT	SOFTWARE	101.03
MOCIC	SUPPLIES	100.00
NEBR PLANNING & ZONING ASSOC	DUES	40.00
NE ASSOCIATION OF COUNTY ASSESSORS	2024 DUES	75.00
NE CLERKS OF DIST COURT ASSN	2024 DUES	50.00
NEBR WORKFORCE DEVELOPMENT	UNEMPLOYMENT	2,660.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	861.52
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	38.17
OFFICE WAREHOUSE	SUPPLIES	299.98
ONE OFFICE SOLUTION	SUPPLIES	316.92
PAUL RICHARDS	CHECKING ROADS	133.62
PELAN FUNERAL SERVICES INC	BURIAL ASSIST	2,275.00
PHYSICIANS LABORATORY PC	SERVICES	3,186.00
POCKET PRESS INC	SUPPLIES	159.92
RAY O'HERRON	COURT COSTS	1,037.60
REGION IV INC	QUARTERLY	3,305.50
SAVE MORE MARKET	SUPPLIES	53.08
SECURITY SHREDDING SERVICES	SERVICES	40.00
STACEY KEYS	MILEAGE	44.45
STAMP FULFILLMENT SERVICES	SUPPLIES	405.75
STEPHEN J KRAVIEC P.C.,L.L.O.	CHILD SUPP. ENFORCE	2,064.54
TAMMI BURBACH	COURT COSTS	293.15
THE APOTHECARY SHOP	JAIL MEDICAL	105.51
THEODORE CONNEALY	CHECKING ROADS	309.82
THURSTON COUNTY SHERIFF	JAIL	7,440.00
TIPSY PIG	JURY COSTS	188.68
TK ELEVATOR CORPORATION	MAINTENANCE	318.97
UNIVERSITY OF NEBRASKA-LINCOLN	QTRLY WAGES	12,552.81
VERIZON WIRELESS	SERVICES	820.61
VISUAL EDGE IT,INC	EQUIPMENT	37.97

WASHINGTON COUNTY SHERIFF	JAIL	9,230.00
WELLS FARGO FINANCIAL SERVICE	EQUIPMENT	60.22
YOST LAW FIRM	ATTY FEES	4,023.23
A A WHEEL & TRUCK SUPPLY INC	SUPPLIES/REPAIR	217.74
ANN CHYTKA	MILEAGE	81.22
BAUER BILT	EQUIPMENT	12,108.96
BLACK HILLS ENERGY	UTILITIES	446.38
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	1,806.89
BONINE GARAGE DOORS	REPAIR	350.00
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CAPITAL ONE TRADE	FLEET	1,450.05
CITY OF LYONS	UTILITIES	430.47
CITY OF OAKLAND	UTILITIES	21.33
CUMING COUNTY INDUSTRIES	SUPPLIES	1,906.53
FARMERS PRIDE	FUEL	3,556.42
FILTER CARE OF NEBRASKA, INC.	REPAIR/MAINT.	47.55
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	132.37
GINI, LLC	FUEL	86.37
JAMES WATSON	FUEL	44.68
KEN'S TRAILER SALES & REPAIR LLC	FLEET	12,500.00
MIDWEST SERVICE CO	FUEL/FLEET	17,411.32
NMC	FLEET REPAIR	72,693.42
OAKLAND EXPRESS	FUEL	201.43
RDO TRUCK CENTERS, LLC	REPAIR	323.26
SAPP BROS PETROLEUM INC	FUEL	31.75
SCOTT'S HARDWARE	SUPPLIES	167.98
SEALS & SERVICE INC	SUPPLIES	49.01
SHAMBURG AUTO SUPPLY	SUPPLIES	697.55
SPENCER QUARRIES, INC	MATERIAL ROADS	2,118.17
STEINY'S GENERAL STORE	FUEL	10.78
TRI-STATE COMMUNICATIONS INC	BC ROADS TOWER	158.50
VERIZON CONNECT FLEET USA LLC	SERVICES	1,180.82
VILLAGE OF CRAIG	UTILITIES	68.00
VILLAGE OF DECATUR	UTILITIES	194.38
WELDON PARTS OMAHA	PARTS	51.84
BURT COUNTY ECONOMIC DEV CORP	HALF YEAR	18,000.00
JUSTICE DATE SOLUTIONS INC	911	3,700.00
CENTURYLINK (HARDWARE WARRANTY)	911 EQUIP	707.20
GEOCOMM, INC	911 EQUIP	4,648.30
NORTHEAST NEBR TELEPHONE CO	UTILITIES	130.47
AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	57.22
BLUE CROSS & BLUE SHIELD	INSURANCE	53,823.67
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	BANKRUPTCY	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FED TAXES	48,783.23
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	466.77
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	30.96
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	25,130.62
STATE TAX COMMISSIONER	STATE TAXES	7,751.27
VISION SERVICE PLAN (CT)	EMPE PD ADDL	723.67
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	487.63
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Burt County Weed Control Authority Activities and Information Report:

The board reviewed the report for 2023; Chairman Connealy signed.

Burt County Extension Office: *Angi Heller, Engagement Zone 8 Coordinator*

(a) *staffing:* Angi introduced Marina Duarte de Val as the new Water & Cropping Systems Extension Educator for Burt, Thurston & Dakota Counties; her office will be in the Burt County Courthouse.

(b) *2023 Annual Report:* Presented and placed on file.

(c) *Burt County employee payroll:* The board asked the Extension staff overseeing the front desk office employee to keep more detailed hours for payroll reporting for that County position.

ROADS: *Ann Chytka, Highway Superintendent*

January Snow Event Report: Between the dates of Jan. 8-26 motor graders cleared 5,025 miles; plow trucks ran on hard surfaces, miles reported for two of those were 1,606 miles and 2,090 miles. There were only minor breakdowns to deal with. Ann reported that she had to make a request to NEMA to get assistance from the State to blow snow in one area.

2023 Fleet Report: Chytka shared a spreadsheet showing 2023 Hours and Mileage for the equipment in the Roads Fleet.

Road Committee Report: Committee expressed that in the near future, they want to discuss the roads fleet.

Board Members Schold and Titus moved for adoption of Resolution 2024-03. The Resolution was adopted By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Resolution 2024-03 *Vacate Eagle Island Subdivision*

WHEREAS, on September 14th, 2021 David L Brainard came before the Burt County Board of Supervisors to seek approval to subdivide property located in PTS2SW4 SEC 6 & PTE2NW4 & PRIVATE RD SEC 7, Township 21N, Range 12E of the sixth pm in Burt County, Nebraska for Eagle Island Subdivision.

AND WHEREAS, the Burt County Board of Supervisors passed Resolution #21-20 granting David L Brainard and Elizabeth K Brainard may begin the process of subdividing and platting property he owns in Burt County, in accordance with the Zoning Regulations of Burt County, Article III, Section 1 for Eagle Island.

AND WHEREAS, on October 28th, 2022 the Board of Supervisors approved the Final Plat of Eagle Island Subdivision.

On January 10th, 2024 David L Brainard and Elizabeth K Brainard Came before the Burt County Board of Supervisor asking that the Eagle Island Subdivision be vacated.

NOW THEREFORE BE IT RESOLVED by the Burt County Board of Supervisors that Eagle Island Subdivision located in PTS2SW4 SEC 6 & PTE2NW4 & PRIVATE RD SEC 7, Township 21N, Range 12E of the sixth pm in Burt County, Nebraska be Vacated.

Dated the ~~10th~~ 26th day of January 2024 at Tekamah, Nebraska.

- signed by Chairman Connealy, attested by County Clerk Freidel

Board Members Schold and Titus moved for adoption of Resolution 2024-04. The Resolution was adopted By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Resolution 2024-04 *Road Maintenance*

Agreement with Bell Creek Township County Road M East of State Highway 77 to County Road 13.

WHEREAS, PURSUANT TO REQUEST OF THE BURT COUNTY BOARD OF SUPERVISORS AND BELL CREEK TOWNSHIP OF BURT COUNTY NEBRASKA, AN AGREEMENT THAT BURT COUNTY WILL ASSIST WITH TREATMENT OF ICY CONDITIONS AND/OR PLOW SNOW ON THE HARD SURFACE COUNTY ROAD M EAST OF STATE HIGHWAY 77 TO COUNTY ROAD 13.

BE IT FURTHER RESOLVED, THIS AGREEMENT WAS DISCUSSED AND ACCEPTED BY THE BURT COUNTY BOARD OF SUPERVISORS AND BELL CREEK TOWNSHIP. THE CHARGE WILL BE AT THE CURRENT HOURLY RATE.

NOW THEREFORE BE IT RESOLVED, BURT COUNTY WILL TREAT ICY CONDITIONS, AND/OR PLOW SNOW ON COUNTY ROAD M EAST OF STATE HIGHWAY 77 TO COUNTY ROAD 13 AT THE REQUEST OF THE BELL CREEK TOWNSHIP WHEN NECESSARY. THE CHARGE WILL BE AT THE CURRENT HOURLY RATE.

APPROVED this 26th day of January 2024 at Tekamah, Nebraska.
- signed by Chairman Connealy, attested by County Clerk Freidel

Board of Equalization:

Kutchera moved the Board recess at 10:20 AM for *Board of Equalization*, Schold seconded, motion passed with All Ayes. The Burt County Board of Supervisors reconvened at 10:32 AM upon motion by Schold, seconded by Pearson with All Ayes. See separate minutes for BOE.

Special Designated Liquor Licenses (SDLs):

Upon motion by Kutchera, seconded by Schold, the Board approved special designated liquor licenses for Chatterbox at St Patrick’s Catholic Church (Tekamah) for 2024 Lenten fish fry dinners on Feb. 16 & 23, March 1, 8, 15 & 22. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Public Comment: (1) Donette Jackson, 5000 CoRd. HI, Tekamah- posed a question about the right-of-way on County Roads with reference to fields being planted in the ditch.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Pearson and Schold at 10:47 A.M.
Next Meeting: Wednesday, February 14, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL BURT COUNTY CLERK	TED CONNEALY, CHAIRMAN BURT COUNTY BOARD OF SUPERVISORS
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OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
February 14, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, February 14, 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 (2-6-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Titus, seconded by Kutchera, the agenda was approved. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 1/26/2024 Board of Equalization and Board of Supervisors meetings were approved; upon motion by Richards, seconded by Swanson. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of January Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, and the following Miscellaneous Receipts in the amount of \$2,089,984.03 were all approved upon motion by Swanson, seconded by Schold. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	50.00
TAX SALE REDEMPTION (COUNTY ISSUANCE)	66.00
CO CLERK-FILING & RECORDING FEES	3,275.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	2,053.29
CO CLERK-MISC FEES	722.50
ELECTION FILING FEES (4)	620.00
DISTRICT COURT-FILING FEES	450.00
DISTRICT COURT - COURT COST REFUNDS	153.00
DISTRICT COURT-MISC FEES & REVENUE	713.50
DISTRICT COURT - FEES & COST	108.00
DISTRICT COURT - BAIL BONDS 10%	14.00
DEPT SOCIAL SERVICE IV-D	4,435.21
CO COURT-MISC FEES	17.00
CO SHERIFF-SERVICE FEES	1,043.00
CO SHERIFF-MILEAGE & COSTS	1,316.45
TITLE INSPECTIONS	340.00
GUN PERMITS	105.00
FINGER PRINT	10.00
CHILD SUPPORT ENFORCE	2,689.77
INTEREST ON INVESTMENTS	1,087.40
MISC. SHERIFF CIVIL FEES	46.96
HIGHWAY/STREET ALLOCATION	125,850.71
MOTOR VEHICLE FEES - HWY ALLOCATION	22,252.63
RESTITUTION _ COUNTY COURT CASE	29.75
REIMBURSE - Ann Chytka - conference meals	7.93
TRANSFER GEN-RD	60,000.00

LODGING TAX	1,239.05
ROD -PRESERVATION & MODERNIZATION	545.00
STOP	100.00
INHERITANCE TAX- Arla Jean Landholm	5,485.37
INHERITANCE TAX- Helen M. Erickson	4,346.34
INHERITANCE TAX- Karen A. Smidt	19,496.68
PAYBACK (PARTIAL) INTO INHERITANCE	400,000.00
COUNTY 911	1,420.00
E-911 (WIRELESS)	3,293.94
COUNTY COURT FINES-REGULAR	2,190.00
STATE FINES TO SCHOOLS	1,000.00
DECATURE FIRE - GENERAL	1,065.65
OAKLAND FIRE -GENERAL	3,701.68
LYONS FIRE - GENERAL	3,443.50
DECATUR FIRE BOND	623.49
LYONS FIRE BOND	734.28
MFO	82,655.00
TAX SALE REDEMPTION	7,307.15
REAL ESTATE TAX CREDITS (IN) this \$\$ goes back out	1,323,879.80

OFFICE UPDATES (2): (1) Building & Grounds – Bruce Nathan (2) ~~Zoning—Ann Chytka~~

COMMUNICATION (2): (1) opposition letters were sent to the committee and Senator Hansen regarding LB1067, Inheritance taxes phase out legislation proposal; (2) Lwr. Elkhorn municipality funding available via cost share grants, application deadline is March 14, 2024.

Public Transit (JOYRIDE):

Interlocal Agreement to collectively provide local funding for a Rural Transit Program to be operated by Franciscan Healthcare Services, Inc. for the benefit of residents of Cuming and Burt County. The funds will partially reimburse Franciscan Healthcare Services, Inc. up to 25% of operating expenses, 10% of admin expenses, and 10% of vehicle acquisition expenses incurred by the Transit Program. Agreement is effective March 1, 2024. Entities and funding involved are: Cuming County (\$20,000.00); Burt County (\$20,000.00); City of West Point (\$4,500.00); City of Tekamah (\$4,000.00); City of Oakland (\$2,500.00); City of Wisner (\$2,000.00); City of Lyons (\$2,000.00); Village of Beemer (\$1,500.00); Village of Bancroft (\$1,500.00); Village of Decatur (\$1,500.00); and Village of Craig (\$500.00). Supervisor Schold made a motion to sign the Interlocal Agreement; Kutchera seconded, motion passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Boardroom Equipment:

A quote for a second tv/display monitor was approved upon motions by Kutchera and Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Black Diamond Electronics will install the tv on the North wall; project cost ~\$1,500.00.

ROADS: *Ann Chytka, Hwy Supt (not present).
Leon Anderson and Kirby Bowland, present from the roads dept.*

Plow Trucks: Two new trucks from Kenworth will arrive soon. The (2) trucks being replaced can either be traded in or sold on auction; the board will decide at a later date.
2014 Motor Grader (fleet # 7): It was previously discussed to possibly get rid a motor grader, but the roads department does still utilize this machine enough that they’d like to keep it. The board agreed to keep it in the fleet.

Burt County Audit for FY 2022-2023:

Correspondence Received: from Mark Avery, CPA- Assistant Deputy Auditor
A letter dated January 25, 2024, notifying our current Auditing firm, Ritterbush & Piotrowski, LLP, that the Nebraska Auditor of Public Accounts (APA), from this date forward, will not be accepting audit report filings from this firm because the firm has not demonstrated the desire to follow required professional standards. Due to the correspondence, Burt County must secure a new Auditing firm to complete the FY22-23 Audit. *Bids:* County Clerk, Sarah J Freidel reached out to multiple firms to request services/quotes; two firms returned quotes: Ric Ortmeier & Assoc. LLC (\$30,000.00); Contryman Assoc. (\$14,500.00- \$17,500.00).
The Board voted to hire Contryman Assoc. to complete the Audit; upon motions by Schold and Swanson. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

PUBLIC COMMENT: Bill Price, 1615 CoRd. 10, Lyons – shared a handout ‘Wind, Solar, and Electricity Prices in Europe’.

There being no further business to come before the Board at this time, the meeting adjourned at 9:49 A.M. upon motions by Schold and Titus.
Next meeting: February 28, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

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

The Burt County Board of Supervisors met in regular session on Wednesday, February 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 (2-20-2024), 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 David Schold. Absent- Ted Connealy, Chairman. Pearson had to leave the meeting early.

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

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

The minutes of the 2/14/2024 Board of Supervisors meeting were approved; upon motion by Swanson, seconded by Titus. By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus and Schold. Absent- Connealy. Nays – none.

The claims for February in the amount of \$1,262,349.19, including \$162,981.44 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 – Kutchera, Richards, Pearson, Titus and Schold. Absent- Connealy. Nays – Swanson. The following claims were approved:

ADAM TRIPP	ATTY FEES	950.00
ANDY'S QUICK SHOP	FUEL	65.32
APPLIED CONNECTIVE TECHNOLOGIES LLC	TECH SUPPORT	7,148.93
BLACK DIAMOND ELECTRONICS LLC	BOARD ROOM EQUIP	1,500.83
BLACK HILLS ENERGY	UTILITIES	859.20
BOMGAARS -COURTHOUSE	SUPPLIES	159.83
BRANIFF SERVICE INC	FUEL/REPAIR	1,060.91
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY CLERK	POSTAGE	89.52
BURT COUNTY COURT	NON WAIVE FEES	243.00
BURT COUNTY DISTRICT COURT	NON WAIVE FEES	296.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	136.19
BURT COUNTY SERVICE FUND	VETERAN RELIEF	1,700.00
BURT COUNTY SHERIFF	MISC SERVICE	268.67
BURT COUNTY TREASURER	FUNDS TRANSFER	265,015.00
CANON FINANCIAL SERVICES	COPIER	27.09
CENTURY LINK	911 SERVICE	323.04
CIOX HEALTH	JAIL MEDICAL	1,384.37
CITY OF TEKAMAH	UTILITIES	139.50
CLASSIC CLEAN CARWASH	BC SHERIFF	70.33
CLEANING MART	SUPPLIES	506.76
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	730.68
CUBBY'S	FUEL	1,264.50
CVSOAN - TOM REIMERS TREASURER	REGISTRATION	60.00
DAS STATE ACCOUNTING-CENTRAL FIN.	TELE TYPE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DAVID SCHOLD	CHECKING ROADS	64.32
DE LAGE LANDEN PUBLIC FINANCE LLC	EM PICKUP PAYMENT	3,758.08

DECATUR EXPRESS - KB'S MINI MART	FUEL	2,141.40
DES MOINES STAMP MFG. COMPANY	SUPPLIES	68.00
DREW LAW FIRM PC LLO	ATTY FEES	13,916.76
EAKES OFFICE PLUS	SUPPLIES	598.70
FASTWYRE BROADBAND	UTILITIES	1,450.82
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	1,257.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	302.70
FIRST NORTHEAST BANK OF NEBRASKA	BANK BOX	50.00
GARY SWANSON	CHECKING ROADS	91.12
GENE STEFFY	REPAIR	433.74
GRAIG MCELMURAY	MILEAGE	126.23
GREAT AMERICA FINANCIAL SVCS	COPIER	247.63
HOMETOWN LEASING	COPIER	228.20
JACK'S UNIFORMS & EQUIPMENT	UNIFORMS	198.75
JEFF KUTCHERA	CHECKING ROADS	192.96
JENNIFER HANSEN	MILEAGE	57.62
JENNIFER WALKINGSTICK	REIMBURSEMENT	4.80
JOHNSON & MOCK, PC, LLO	ATTY FEES	304.00
JONI L. RENSHAW	PRIOR SERVICE	156.00
KATHY RAY	OFFICE SUPPORT	110.50
KENNETH JACOBS	ATTY FEES	2,641.00
KONEXUS	SOFTWARE EM	3,500.00
LAW OFFICE OF KATE M JORGENSEN PC	ATTY FEES	1,613.63
MCH HEALTH SYSTEM	JAIL MEDICAL	11,117.87
MELINDA WICKS	ATTY FEES	646.00
MID-AMERICAN BENEFITS INC	BENEFITS	232.00
MIDTOWN BODY SHOP	BC SHERIFF	451.75
MILLS LAW OFFICE	ATTY FEES	1,733.75
MIPS INC	SOFTWARE	3,892.88
MIPS INC - COUNTY COURT	SOFTWARE	101.03
MODERN IMAGING SOLUTIONS INC	SUPPLY SHERIFF	96.00
NACO - NORTHEAST DIST MEETING	MEETINGS	260.00
NEBR ASSN OF CO CLERK,ROD,ELECTIONS	DUES	50.00
NEBR ASSN OF COUNTY TREASURERS	DUES	50.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING/TREATMENT	93.00
NEBRASKA ASSOC OF COUNTY EXTENSION	DUES	140.00
NEBRASKA EXTENSION IN BURT COUNTY	OFFICE EQUIP	2,252.89
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	957.93
NEBRASKA STATE PATROL	SHERIFF	735.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	305.43
OFFICE WAREHOUSE	SUPPLIES	571.87
ONE OFFICE SOLUTION	SUPPLIES	1,529.46
PAUL RICHARDS	CHECKING ROADS	149.41
PELAN FUNERAL SERVICES INC	TRANSPORT	497.00
PENNY A. WARREN	TRAVEL EXPENSE	200.90
PHYSICIANS LABORATORY PC	AUTOPSY	3,035.00
PLAINDEALER	PUBLISHING	1,595.90
POSITIVE CONCEPTS INC	SOFTWARE SHERIFF	230.00
RELENTLESS LLC DBA DESERT SNOW	LAW ENFORCE SCHOOL	1,398.00
SAVE MORE MARKET	SUPPLIES	289.52
SCOTT'S HARDWARE	SUPPLIES	314.27
SIDNER LAW	ATTY FEES	437.00
SOPINSKI LAW	ATTY FEES	2,318.00
STACEY KEYS	MILEAGE	125.29
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPPORT ATTY	2,051.40
STOKELY FUNERAL HOME	TRANSPORT	700.00
STONACEK FUNERAL CHAPEL	TRANSPORT	410.00
TERRY G PICKELL	MATERIALS	3,545.93

THE APOTHECARY SHOP	JAIL MEDICAL	374.33
THEODORE CONNEALY	CHECKING ROADS	44.89
THOMSON REUTERS WEST PAYMENT CENTER	SOFTWARE/EQUIP	799.00
THURSTON COUNTY SHERIFF	JAIL	4,020.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97
UNIVERSITY OF NE LINCOLN EXTENSION	SUPPLIES	225.00
VANGUARD APPRAISALS INC	SOFTWARE	13,725.00
VERIZON WIRELESS	PHONE/SERVICES	992.13
VISUAL EDGE IT, INC	COPIER	97.80
WASHINGTON COUNTY SHERIFF	JAIL	8,255.00
WEIMER LAW PC	ATTY FEES	804.50
WELLS FARGO FINANCIAL SERVICE	COPIER	60.22
WOODHOUSE FORD CHRYSLER INC	BC ROAD DEPT	313.20
ARBY'S BODY SHOP LLC	BC ROADS	75.00
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	1,479.99
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
BUDDIES MINI MART, LLC	FUEL	1,560.69
CASS PLUMBING & HVAC LLC	BC ROAD SHED	10.88
CITY OF LYONS	UTILITIES	720.10
CITY OF OAKLAND	UTILITIES	22.70
CUMING COUNTY INDUSTRIES	SUPPLIES	250.51
FARMERS PRIDE	FUEL	12,320.00
FILTER CARE OF NEBRASKA, INC.	BC ROADS	81.90
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	592.28
GINI, LLC	FUEL	67.33
LOGEMANN AUTO PARTS & MACHINE LLC	BC ROADS	7.49
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	3,442.28
MIDWEST ENGINEERING INC	BRIDGE INSPECTS	13,265.00
MIDWEST SERVICE AND SALES CO	BC ROADS	9,266.00
MIDWEST SERVICE CO	BC ROADS	1,536.75
NELSON CONSTRUCTION LLC	SNOW REMOVAL	6,382.50
NMC CAT RENTAL	PARTS/LABOR	6,812.56
OAKLAND EXPRESS	FUEL	72.74
OMAHA SLING INC	BC ROADS	2,474.59
RDO TRUCK CENTERS, LLC	BC ROADS	388.42
ROGERS SOD FARMS INC	SNOW REMOVAL	7,862.50
SAPP BROS PETROLEUM INC	FUEL	490.65
SHAMBURG AUTO SUPPLY	SUPPLIES	769.07
STEINY'S GENERAL STORE	SUPPLIES	87.84
TRI-STATE COMMUNICATIONS INC	BC ROADS	6,419.02
VERIZON CONNECT FLEET USA LLC	ROADS EQUIP	417.52
VILLAGE OF DECATUR	UTILITIES	217.82
WELDON PARTS OMAHA	PARTS BC ROADS	204.36
WKI WICHITA KENWORTH	TRUCKS	475,102.60
LOFFLER	SUPPLIES	412.00
FARM & HOME PUBLISHERS LTD	PLAT BOOKS	260.00
JOYRIDE PUBLIC TRANSIT	PUBLIC TRANSIT PROGRAM	20,000.00
CENTURYLINK (HARDWARE WARRANTY)	911 SERVICE	707.20
LANGUAGE LINE SERVICES	911 SERVICE	14.75
NORTHEAST NEBR TELEPHONE CO	911 SERVICE	129.17
AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	57.22
BLUE CROSS & BLUE SHIELD	INSURANCE	52,055.70
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	BANKRUPTCY	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	47,009.77
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	466.77
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	26.16
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00

RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	24,370.09
STATE TAX COMMISSIONER	STATE TAXES	7,480.32
VISION SERVICE PLAN (CT)	EMPE PD ADDL	733.29
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	28.82
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Stalp Gravel 2024 prices:

Glen Schuetze quoted the following prices effective March 1, 2024: \$18.50 per ton F.O.B., West Point and Wisner Pits. Delivered: \$21.50 per ton to Craig (down-haul), \$21.00 per ton to Oakland (down-haul) & \$22.50 per ton to Tekamah (down-haul). ³/₄ Washed Rock: \$35.00 per ton (F.O.B. Pit). Schuetze reported they currently have no supply available and anticipates it will be limited when they do get some.

Budget Authority is overspent in the Jail (671) office budget: Board Members Schold and Titus moved for adoption of Resolution 2024-05. The Resolution was adopted By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Schold. Absent- Connealy. Nays – none.

Resolution 2024-05 TRANSFER OF BUDGET AUTHORITY FY 2023-2024

WHEREAS, the Jail (671) budget within the General Fund (0100) is over by \$40,069.41 as of January 2024 expenditures.

AND WHEREAS, there is Budget Authority remaining in the Sheriff’s Office (651) budget within the General Fund (0100).

NOW THEREFORE BE IT RESOLVED by the Burt County Board of Supervisors that Budget Authority be transferred within the General Fund (0100) to cover the above-mentioned office budget authority.

DATED this 28th day of February 2024, at Tekamah, Nebraska.

- signed by Vice-Chairman Schold, attest by County Clerk Freidel

(Zoning) Update Matrix for Campgrounds:

Update Zoning for Camp Grounds (General and Group) to require a conditional use permit in ALL zoning districts; currently (A-1, A-2, R-M, C-1, and PU) a CUP is needed. Update would add (R-1, I-1, and I-2) to also require a CUP.

A PUBLIC HEARING was opened at 9:46 a.m. Speaking during public hearing: Three (3) members of the public voiced concerns about campgrounds in residential areas (1) Florence Stevenson; (2) Deanna Goodwin; (3) Jared Goodwin. Vice-Chairman Schold closed the public hearing at 9:58 a.m. Zoning Administrator, Ann Chytka reported that the Burt County Planning Commission held a hearing for this on 2/26/2024 and recommend their approval of the changes. Chytka explained that the County Board would pass a Resolution if they wanted to approve the changes.

Board Members Swanson and Pearson moved for adoption of Resolution 2024-06. The Resolution was adopted By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Schold. Absent- Connealy. Nays – none.

Resolution 2024-06 A RESOLUTION UPDATING THE BURT COUNTY LAND USE MATRIX

WHEREAS, on February 26th, 2024, the Planning Commission of Burt County, Nebraska did hold a public hearing for updates made to the Burt County Land Use Matrix. By updating Camp Grounds-General and Camp Ground-Group to need a conditional use permit in all zoning districts.

WHEREAS, by updating the Burt County Land Use Matrix updates were needed in Section 4.05 R-1 Residential District, B. Permitted Conditional Uses add 7. Camp Grounds, Section 4.08 I-1 Light Industrial, B. Permitted Conditional Uses add 9. Camp Grounds, and Section 4.09 I-2 Heavy Industrial, B. Permitted Conditional Uses add 27. Camp Grounds

WHEREAS, the Burt County Board of Supervisors held a public hearing on February 28th, 2024 to consider the updates recommended by the Planning Commission for the Burt County Land Use Matrix in the Burt County Zoning Regulations.

WHEREAS, the Burt County Board of Supervisors now believes that it is in the public interest to adopt said Land Use Matrix.

NOW, THEREFORE, BE IT RESOLVED by the Burt County Board of Supervisors that:

1. The public hearing had advanced notice as required by Nebraska law and conformed with the Nebraska Opens Meeting Act, and Section 9.01-Amendments of the Burt County Zoning Regulations and,
2. Upon consideration of all matters presented to the Board, the Board of Supervisors did vote to amend the Burt County Zoning Regulations relating to Burt County Land Use Matrix and Sections 4.05, 4.08, and 4.09
3. A copy of the amended regulation is attached hereto as Exhibit "A" and incorporated herein by reference, and,
4. This resolution shall be in full force and effect from and after its passage.

DATED this 28th day of February, 2024 at Tekamah, Nebraska.

- signed by Vice-Chairman Schold, attested by County Clerk Freidel

(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 opened at 10:12 a.m. OPPOSED: Eleven (11) members of the public voiced concerns about the development: (1) Jennifer Heisler, written; (2) Theresa DeVries; (3) Arnie Tatreau; (4) Deanna Goodwin, handouts of floodplain maps; (5) Donette Jackson, flood pictures; (6) David Welton; (7) Florence Stevenson, several handouts supporting her concerns of development; (8) Tiffany Pettit; (9) Jared Goodwin; (10) Janelle Jack Barton; (11) Brian Stevenson, written. NEUTRAL: One (1) Kelly Adamson, Tekamah City Council Member. SUPPORT: Three (3) people: (1) Michael Nolan, written; (2) Rachel Hadden; (3) project developer and landowner David Brainard, shared a plat and details about the project. Seasonal campground with 55 lots initially platted and possible phase 2 and 3 in the future. Vice-Chairman Schold closed the public hearing at 11:10 a.m.

Zoning Administrator, Ann Chytka reported that the Burt County Planning Commission approved the CUP at their 2/26/2024 meeting. The Burt County Board held discussions and asked questions about the project. No Action was taken on the CUP.

(Zoning) Conditional Use Permit (CUP) application- James Swanson- house: CUP for a house with barn and in-law quarters located on 1 acre in pt. SE¼ SW¼ of Sec. 36, TWP 22N, Rg. 10E of sixth PM, Burt County, NE. Zoning Administrator, Ann Chytka reported that the Burt County Planning Commission approved the CUP at their 2/26/2024 meeting. A PUBLIC HEARING was opened at 11:41 a.m.; having no public comments, Vice-Chairman Schold closed the public hearing at 11:42 a.m.

The Burt County Board approved the CUP upon motion by Titus, seconded by Richards. Motion Passed by Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Schold. Absent – Connealy. Nays – none.

Burt County Surveyor: Fred Franklin

(i) *Update-* With regards to helping Assessor with areas of concern along river: Franklin said he is working on updated State Line survey information he received from Corp of Engineers; he can create an electronic version of the information and have it inserted into gWorks. This will create an updated State line for assessor to work from for assessment purposes for property along the River.

(ii) *original corners and section lines:* Fred would also like to send Lat./Long. info to gWorks to have 'original corners' referenced in the software, as well as section line information when he has that information to submit. This work will make gWorks more accurate for Burt County.

(ii) *Zoning & Lot Splits* – Fred and Zoning Admin Chytka discussed bringing in surveyor signoff for Lot Splits. An updated Lot Split Application will be used from today on.

Lots Splits(2): signed by Vice-Chairman Schold.

- (1) HUNDAHL HOMEPLACE – 4.74 ac. pt. NE⁴ NE⁴ in Sec. 24 TWP 22N Rg 10E of 6th p.m., Burt County, NE
- (2) DUANE MULLER – 4.43 ac. pt. NE⁴ SE⁴ in Sec. 2 TWP 20N Rg 9E of 6th p.m., Burt County, NE

ROADS: Ann Chytka, Highway Superintendent

Burt County Bridge Inspections (2024): Ann had (2) contracts to offer for County Bridge Inspections; 54 structures are on the list for 2024.

- (1) Midwest Engineering \$110.00/structure (54) = \$5,940.00
- (2) Mainelli Wagner \$137.00/structure (52) & \$90/structure (2) = \$7,304.00

The board approved the contract with Midwest Engineering, Inc; motions by Swanson, seconded by Titus, Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus and Schold. Nays – none. Absent -Connealy.

Board of Equalization:

Richards moved the Board recess at 12:29 PM for *Board of Equalization*, Kutchera seconded, motion passed with Ayes-6, Absent -1. The Burt County Board of Supervisors reconvened at 12:39 PM upon motion by Titus, seconded by Kutchera with Ayes-6, Absent -1. See separate minutes for BOE.

Burt County Deeds (2):

- (1) Parcel # 430801900 – 1.5 ac. in 14-23-10. Assessor Hart had found this parcel while researching for her “intent to tax Notices”; the County had obtained this due to a landowner submitting a petition for a road in 1957. The board agreed that at this time Burt County has no public use for this parcel and a deed was executed to transfer it to the adjoining landowner Dennis Gill. Upon motion by Titus, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Titus and Schold. Absent – Connealy and Pearson. Nays-none.
- (2) Parcel # 112616100 – L.18-20, Blk 47, Hulberts Add, Oakland. Assessor Hart had found this parcel while researching “intent to tax Notices”; the County had obtained this in 1999 to assist Region IV with a lease purchase to build the duplex. A quit claim deed was signed to deed the property back to Region IV. Upon motion by Swanson, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Titus and Schold. Absent – Connealy and Pearson. Nays-none.

Emergency Management -KC Bang:

(i) *January Snow Event Report:* Bang reported that all went smoothly with communications during the event. (ii) *Office Hours:* Bang confirmed he holds M-F regular office hours, unless there is time outside of those hours taken for meetings, events, etc. (iii) *Defibrillators:* Bang confirmed he checks the machines that are on site in the courthouse.

Public Comment: (1) Bill Price, Lyons- (1) shared the opportunity for the Decatur Bridge Survey. (2) Thanked the board for their careful considerations during the public hearings today.

Public Comment: (1) Bill Price, Lyons- (1) shared the opportunity for the Decatur Bridge Survey. (2) Thanked the board for their careful considerations during the public hearings today.

There being no further business to come before the Board at this time, the

meeting adjourned upon motions by Swanson and Titus at 1:12 P.M.
Next Meeting: Wednesday, March 13, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL	TED CONNEALY, CHAIRMAN
BURT COUNTY CLERK	DAVID SCHOLD, VICE-CHAIRMAN
	BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
March 13, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, March 13, 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 (3-5-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Kutchera, seconded by Titus, the agenda was approved. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 2/28/2024 Board of Equalization and Board of Supervisors meetings were approved; upon motion by Swanson, seconded by Schold. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of February Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, and the following Miscellaneous Receipts in the amount of \$530,228.78 were all approved upon motion by Schold, seconded by Richards. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

TRAILER COURT LICENSES	50.00
ZONING PERMITS	425.00
TAX SALE REDEMPTION (COUNTY ISSUANCE)	66.00
CO CLERK-FILING & RECORDING FEES	2,055.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	2,370.76
CO CLERK-MISC FEES	142.00
DISTRICT COURT-FILING FEES	280.00
DISTRICT COURT - COURT COST REFUNDS	206.00
DISTRICT COURT-MISC FEES & REVENUE	1,746.45
DISTRICT COURT - FEES & COST	148.00
CO COURT-MISC FEES	52.00
CO SHERIFF-SERVICE FEES	758.00
CO SHERIFF-MILEAGE & COSTS	1,043.42
TITLE INSPECTIONS	200.00
GUN PERMITS	70.00
FINGER PRINT	60.00
INTEREST ON INVESTMENTS	1,701.42
DEC. MTG. REIMBURSEMENT	100.00
MISC. SALE OF OLD LIC.PLATES FOR SCRAP	50.00
HIGHWAY/STREET ALLOCATION	126,309.81
STATE PAYMENT - HWY INCENTIVE	9,000.00
SALE OF CULVERTS	1,568.25
TRANSFER GEN-RD	265,000.00
LODGING TAX	1,973.57
ROD -PRESERVATION & MODERNIZATION	342.50
JUVENILE DIVERSION	100.00

STOP	150.00
INHERITANCE TAX- Elmer J. Swanson Estate	560.20
INHERITANCE TAX- Lavern Louis Yeoman	300.12
PLAT BOOK SALES	60.00
COUNTY 911	90.00
E-911 (WIRELESS)	3,293.94
COUNTY COURT FINES-REGULAR	2,771.12
DECATURE FIRE - GENERAL	850.50
OAKLAND FIRE -GENERAL	1,453.17
LYONS FIRE - GENERAL	2,195.73
DECATUR FIRE BOND	498.95
LYONS FIRE BOND	499.95
HOMESTEAD ALLOCATIONS	88,651.69
TAX SALE REDEMPTION	6,266.90
IN LIEU	6,767.83

OFFICE UPDATES (2): (1) Treasurer – Robin Olson (2) District Court – Michele Quick

COMMUNICATION (2): (1) Nebr. Loess Hills RC&D – 2023 Annual Report; (2) LATCF (Local Assistance and Tribal Consistency Fund) Report for 2023 financials was completed; all funds are now expended and reported.

Board of Equalization:

Kutchera moved the Board recess at 9:13 AM for *Board of Equalization*, Richards seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 9:38 AM upon motion by Pearson, seconded by Titus, All Ayes-6. See separate minutes for BOE.

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

Kevin provided a year in review of the current P&C Insurance period (May 2023-April 2024). Carrier Plan changes were presented for the 24-25 renewal year that will begin May 1, 2024. Rates are not yet available, Brenneis will return to the next meeting with updated plan/rate information for the new P&C Ins. year.

Closed Session:

Schold made a motion to go into *Closed Session*, Titus seconded, and the motion passed with All Ayes. Chairman Connealy declared at 9:57 A.M. the board went into closed session *for the protection of public interest to discuss collective bargaining*. Pearson made a motion to come out of Closed Session, Schold seconded, and motion passed with All Ayes. Chairman declared the public meeting back in regular session at 10:23 A.M. No action was taken during closed session.

Emergency Management -*KC Bang:*

KC turned in a resignation letter effective 3/31/2024. An employment ad will be placed immediately for a full-time emergency manager.

Planning Commission Members:

Dean Carlson was appointed to the Planning Commission to replace Clayton Olson. Upon motion by Richards, seconded by Pearson, Passed By Roll Call Vote: Ayes-Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none.

Special Designated Liquor License:

An SDL for Ronnie’s Bar to serve a wedding at ‘the Loft’ (rural Craig) on 4/27/2024 was approved upon motions by Titus and Pearson. Approved By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none.

Burt County Deeds:

Parcel # 433201500 – 1.0 ac. in pt. NW ¼ NE ¼ of Section 35, Township 22North, Range 10 East of p.m., Burt County, NE. Assessor Hart had found this parcel while researching for her “intent to tax Notices”; the County had obtained this in 1960; at this time Burt County has no public use for this parcel. A deed was executed to transfer it to the adjoining landowner Norman Petersen & Sons, Inc., upon motion by Richards, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none.

Assessor/Surveyor work: *Katie Hart, Assessor & Fred Franklin, Surveyor*

Assessor is still requesting help with approx. 8 parcels; she reports that gWorks is not able to utilize surveys that the surveyor has previously supplied. Franklin offered to talk directly with gWorks. The board directed the two officials to get together with a call to gWorks first thing tomorrow in order to resolve the project ASAP.

PUBLIC COMMENT: none.

There being no further business to come before the Board at this time, the meeting adjourned at 11:09 A.M. upon motions by Schold and Titus.
Next meeting: March 28, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

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

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
April 10, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, April 10, 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 (4-2-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Swanson, seconded by Kutchera, the agenda was approved. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 3/28/2024 Board of Supervisors meeting were approved; upon motion by Titus, seconded by Richards. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of March Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report; Fund Balances and the following Miscellaneous Receipts in the amount of \$530,228.78; and Sheriff’s Quarterly Report were all approved upon motion by Schold, seconded by Richards. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	975.00
EM MGMT GRANT	11,345.75
MV PRO-RATE (GEN FUND)	495.90
TAX SALE REDEMPTION <CO. SHARE>	572.00
TAX SALE REGISTRATION FEES <12 BIDDERS>	300.00
TAX SALE CERTIFICATE FEES <CO. SHARE>	1,140.00
CO CLERK-FILING & RECORDING FEES	2,497.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	2,079.29
CO CLERK-MISC FEES	43.75
LIQUOR LICENSE - ADVERTISING & POSTAGE	40.00
DISTRICT COURT - FILING FEES	590.00
DISTRICT COURT - COURT COST REFUNDS	508.00
DISTRICT COURT - MISC FEES & REV.	1,935.45
DISTRICT COURT- FEES & COSTS	415.73
DISTRICT COURT - BAIL BONDS 10%	250.00
DEPT SOCIAL SERVICES IV-D	4,190.91
CO COURT-MISC FEES	17.00
CO SHERIFF-MILEAGE & COSTS	333.80
CO SHERIFF-SERVICE FEES	447.00
TITLE INSPECTIONS	320.00
GUN PERMITS	35.00
INTOX	75.00
INTEREST ON INVESTMENTS	13,851.53
OPIOID SETTLEMENTS	994.34
MISC REVENUE (ZONING COPIES)	14.25
ROAD: HIGHWAY/STREET ALLOCATION	130,460.75
ROAD: HIWAY BUYBACK	130,558.26

ROAD: BRIDGE BUYBACK	99,931.42
TWP REIMBURSE: (JULY-DEC 2023) QUINNEBAUGH	5,145.00
TWP REIMBURSE: (JULY-DEC 2023) ARIZONA	28,115.59
TWP REIMBURSE: (JULY-DEC 2023) DECATUR	35,229.06
RESTITUTION - GUARDRAIL JUDGEMENT	339.45
LODGING TAX	1,278.36
ROD-PRESERVATION & MODERNIZATION	372.50
STOP	50.00
INHERITANCE TAX - Norma Goll	32,470.82
INHERITANCE TAX - John Hardy	4,611.66
INHERITANCE TAX - Mildred Moseman	23,193.85
INHERITANCE TAX & INTEREST - Elinor Beaver	8,486.93
COUNTY 911 SURCHARGE	971.15
MV PRO-RATE (BLDG FUND)	22.08
MV PRO-RATE (TO ENTITIES)	20,835.86
TAX SALE REDEMPTION <HOLDING FUNDS>	22,310.45
LIQUOR LICENSE	250.00
FINES & LICENSE -COUNTY COURT REGULAR FINES	5,880.75
DECATUR FIRE - GENERAL	375.17
DECATUR FIRE - BOND	213.42
LYONS FIRE -GENERAL	242.70
LYONS FIRE -BOND	51.50
OAKLAND FIRE - GENERAL	17.62
HOMESTEAD ALLOCATION	91,025.99
IN LIEU TAXES	177,484.05
STATE OF NE: NAMEPLATE CAPACITY TAX (wind/solar)	2,322.00

OFFICE UPDATES (2): (1) Sheriff – Eric Nick (2) ~~Emergency Manager~~ – vacant position

COMMUNICATION (2): (1) SLFRF (State and Local Fiscal Recovery Funds) Report for 2024 financials was completed; ARPA (American Rescue Plan) close out report was also completed because all awarded funds are expended. (2) Robin Olson, Burt County Treasurer’s 2024 Tax Sale Certification was placed on file per §77-1813

Omaha Public Power District Update:

Michaela Valentin, OPPD Govt & Community Relations Manager introduced Chris Meeks, Govt & Community Relations Strategist. Chris gave an update from OPPD.

NACO Updates: *Luke Bonkiewicz, Research Program Analyst*

Nebraska Association of County Officials provided updates from the Organization such as: educational opportunities, lobbying they do on behalf of Counties, offices that provide the NACO services, etc.

Closed Session:

Kutchera made a motion to go into *Closed Session*, Schold seconded, and the motion passed with All Ayes. Chairman Connealy declared at 9:17 A.M. the board went into closed session *for the protection of public interest to discuss negotiations*. Pearson made a motion to come out of Closed Session, Titus seconded, and motion passed with All Ayes. Chairman declared the public meeting back in regular session at 10:20 A.M. No action was taken during closed session.

Congressional District #3 Updates: *Heidi Borg, Agricultural Liaison*

Congressman Adrian Smith’s office updates from Nebraska Congressional District #3.

Burt County Economic Development Corp: (2) Grant Applications

(1) Lodging Tax Grant: Burt County Museum applied for advertising expenses for the Nebraska Life Magazine, ads in two different campaigns. \$650.00 (max. allowed) was approved to pay out of the Lodging Tax Fund (0990); motion by Pearson, seconded by Richards, Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none.

(2) Residential Demo Grant: James Kelly to demo house and garage at 1022 H ST., Tekamah. The board did not take action on this application; there were not enough bids collected in order to proceed with awarding of the Grant.

Emergency Management -hiring:

Hiring committee reported they reviewed applicants, held interview, and they invited Jason Redding-Geu to attend today's meeting. After the board held discussions with Jason, the board approved motions to hire Jason Redding-Geu as full-time Emergency Manager; motions by Schold and Kutchera, passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none. *Jason accepted the position, his start date will be April 15, 2024.*

Pay (salary): starting at \$49,000.00; additional \$2,000.00 after a successful probationary period of 6 months; additional \$3,000.00 after Jason is fully certified.

EM Vehicle use: approval was given for 'to and from Courthouse' (Oakland-Tekamah), Jason lives in Oakland; the board also requested the vehicle be parked at the Oakland County Shed.

Roads: Ann Chytka, Highway Supt.

(i) board requested she talk to road crew about making room in the Oakland Shed for the Emergency Management vehicle to park there. The Em. Mgr. lives in Oakland, and he will leave this vehicle sit at that shed rather than parked on street by his home.

(ii) board requested a plan be made and carried out for the maintenance of Hard Surfaced Roads, i.e. crack seal, etc.

Board of Equalization:

Schold moved the Board recess at 11:20 AM for *Board of Equalization*, Kutchera seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 11:23 AM upon motion by Schold, seconded by Pearson, All Ayes. See separate minutes for BOE.

Sam Titus and Ted Connealy reported that they will be attending a meeting with other stakeholders to listen in on information about Federal money being used to hard surface the road going out to the Tekamah Airport. The meeting will be at the Tekamah City Auditorium on April 30, 2024 at 1:00 p.m.

PUBLIC COMMENT: none.

There being no further business to come before the Board at this time, the meeting adjourned at 11:25 A.M. upon motions by Schold and Titus.
Next meeting: April 26, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
April 26, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, April 26, 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 (4-23-2024), 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, David Schold and Ted Connealy.

The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman 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, Schold and Connealy. Nays – none.

The minutes of the 4/10/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Richards, seconded by Swanson. By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The claims for April in the amount of \$ 723,065.77, including \$ 153,736.45 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Schold, seconded by Richards. By Roll Call Vote: Ayes - Kutchera, Richards, Pearson, Titus Schold and Connealy. Nays – Swanson. The following claims were approved:

ACCREDITED SECURITY	LAW ENFORCE SUPPLY	1,813.00
ADAM TRIPP	ATTY FEES	1,542.00
ALLISON JONES	MILEAGE	29.48
ANDY'S QUICK SHOP	FUEL	66.54
APPLIED CONNECTIVE TECHNOLOGIES LLC	IT SUPPORT/MONITOR	5,146.95
BLACK HILLS ENERGY	UTILITIES	325.57
BOMGAARS -COURTHOUSE	SUPPLIES	205.44
BRANIFF SERVICE INC	FUEL	2,953.71
BRENNEIS INSURANCE AGENCY INC	P& C INS.	230,237.36
BRUCE NATHAN	MILEAGE	93.80
BRUMMOND DISPOSAL	GARBAGE	225.00
BUDDIES MINI MART, LLC	FUEL	28.44
BURT COUNTY COURT	COURT COSTS	131.00
BURT COUNTY DISTRICT COURT	COURT COSTS	36.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	206.21
BURT COUNTY SHERIFF	SERVICE FEES	28.00
CANON FINANCIAL SERVICES	EQUIPMENT	27.09
CENTURY LINK	911	323.04
CHRISTINE A DREGALLA	JAIL MEDICAL	121.00
CITY OF TEKAMAH	UTILITIES	141.00
CLASSIC CLEAN CARWASH	MISC EXPENSE	103.15
CONSOLIDATED MANAGEMENT CO.	LAW ENFORCE SCHOOL	58.00
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	374.09
CUBBY'S	FUEL	1,345.56
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,613.88
DODGE COUNTY	PROBATION	3,586.38

DOUGLAS COUNTY SHERIFF	SERVICE FEES	12.90
EAKES OFFICE PLUS	SUPPLIES	558.76
ELECTION SYSTEMS & SOFTWARE	ELECTION	2,413.40
FASTWYRE BROADBAND	UTILITIES	1,377.45
FIRST CONCORD BENEFITS GROUP LLC	EMPE PD ADDL	1,257.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	1,072.35
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	212.56
GARY SWANSON	CHECKING ROADS	104.52
GREAT AMERICA FINANCIAL SVCS	SUPPLY/EQUIP	247.63
GREAT PLAINS UNIFORMS	EQUIPMENT	24.00
HALL LAW FIRM	ATTY FEES	2,119.76
HERMANSON LAW & MEDIATION LLC	ATTY FEES	3,258.50
HOLIDAY INN	WORKSHOP	347.85
HOMETOWN LEASING	EQUIPMENT	114.20
HUNTEL COMMUNICATIONS	PHONE/SERVICE	408.00
JACK'S UNIFORMS & EQUIPMENT	EQUIPMENT	119.95
JEFF KUTCHERA	CHECKING ROADS	199.66
JENNIFER HANSEN	MILEAGE	115.24
JOHNSON & MOCK, PC, LLO	ATTY FEES	760.00
KATHY RAY	OFFICE SUPPORT	435.50
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPPORT ATTY	2,034.94
LANCASTER COUNTY SHERIFF	SERVICE FEES	8.10
LORI A BLUME	COURT COSTS	31.20
MID-AMERICAN BENEFITS INC	INSURANCE	20,232.00
MIDWEST SERVICE CO	CHEM SUPPLY	7,262.74
MILLS LAW OFFICE	ATTY FEES	4,183.25
MIPS INC	SOFTWARE	2,029.24
MIPS INC - COUNTY COURT	SOFTWARE	101.03
MPH INDUSTRIES INC	INTOX EQUIP	168.66
NACO - ANNUAL CONFERENCE	WORKSHOP	125.00
NE CLERKS OF DIST COURT ASSN	WORKSHOP	75.00
NE NEBR ECONOMIC DEV DIST	24-25 DUES	920.00
NEBR ASSN OF COUNTY TREASURERS	WORKSHOP	150.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGE/PROGRAM	93.00
NEBR WORKFORCE DEVELOPMENT	UNEMPLOYMENT	940.59
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	765.91
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	671.00
ONE OFFICE SOLUTION	OFFICE SUPPLIES	981.27
PATRICK R RUNGE	ATTY FEES	380.00
PAUL RICHARDS	CHECKING ROADS	179.56
PEGGY SMITH	OFFICE SUPPORT	50.00
PENNY A. WARREN	MILEAGE	384.58
PHYSICIANS LABORATORY PC	AUTOPSY COSTS	10,624.00
PLAINDEALER	PUBLISHING	940.48
QUADIENT INC	POSTAGE EQUIP	154.85
REGION IV INC	QTRLY	3,305.50
SARPY COUNTY SHERIFF	JAIL	7,233.21
SCOTT'S HARDWARE	SUPPLIES	235.60
SHAMBURG AUTO SUPPLY	SUPPLIES	636.99
STACEY KEYS	MILEAGE/SUPPLY	467.86
STRATTON, DELAY & DOELE, P.C.,L.L.O	ATTY FEES	2,196.50
TAMMI BURBACH	ATTY FEES	163.80
TERRY G PICKELL	CARPET	1,823.12
THE APOTHECARY SHOP	JAIL MEDICAL	232.26
THEODORE CONNEALY	CHECKING ROADS	32.16
THURSTON COUNTY SHERIFF	JAIL	11,340.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97
TORY PENNY	MILEAGE	93.80

UNIVERSITY OF NEBRASKA-LINCOLN	WAGES/BENEFITS	12,714.70
VANGUARD APPRAISALS INC	SOFTWARE	2,380.00
VERIZON WIRELESS	CELL/GPS	888.63
VISUAL EDGE IT,INC	SUPPLIES	44.32
WASHINGTON COUNTY BANK -BLAIR	SHERIFF CHECKS	425.65
WASHINGTON COUNTY CLERK	3RD QTR DUES	3,170.36
WASHINGTON COUNTY DRUG COURT	DRUG COURT	116.97
WASHINGTON COUNTY SHERIFF	JAIL	15,990.00
WELLS FARGO FINANCIAL SERVICE	EQUIPMENT	60.22
ARBY'S BODY SHOP LLC	BC ROADS	390.00
BARCO MUNICIPAL PRODUCTS INC	SUPPLY/EQUIP	2,271.55
BLUFF AGGREGATE LLC	MATERIALS	15,939.90
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	748.61
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CITY OF LYONS	UTILITIES	416.57
CITY OF OAKLAND	UTILITIES	22.43
CUMING COUNTY INDUSTRIES	SUPPLIES	53.68
FARMERS PRIDE	FUEL	4,517.80
GINI, LLC	ROADS FUEL	74.75
JOHN DEERE FINANCIAL	EQUIPMENT	515.00
KEVIN C BRANIFF	RENTAL	1,380.00
KIRBY L BOWLAND	FUEL	91.59
LAWSON PRODUCTS	SUPPLIES	329.62
MARTIN MARIETTA	MATERIALS	7,310.83
MIDWEST SERVICE AND SALES CO	BC ROADS	6,248.45
NEBR ASSOC OF COUNTY ENGINEERS	REGISTRATION	50.00
NMC CAT RENTAL	EQUIPMENT	4,252.27
RDO TRUCK CENTERS, LLC	PART/SUPPLY/EQUIP	3,712.94
SAPP BROS PETROLEUM INC	FUEL	399.91
STALP GRAVEL CO	MATERIALS	2,465.13
STEINY'S GENERAL STORE	FUEL	29.43
TOM FARRENS	GRASS SEED	2,055.00
TRI-STATE COMMUNICATIONS INC	TOWER RENTAL	158.50
TRUCK CENTER COMPANIES	BC ROAD PARTS	110.36
VERIZON CONNECT FLEET USA LLC	CELL/GPS	417.52
VILLAGE OF DECATUR	UTILITIES	188.80
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
GEOCOMM, INC	911	4,258.00
NORTHEAST NEBR TELEPHONE CO	911	130.47
AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	50,281.29
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	GARNISHMENT	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FED. TAXES	42,753.42
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	639.71
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	22,668.97
STATE TAX COMMISSIONER	STATE TAXES	6,640.73
VISION SERVICE PLAN (CT)	EMPE PD ADDL	723.67
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	28.82
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

COMMUNICATIONS (2) : (1) Northeast Nebr. Eco Devo District – Burt County’s loan history report – on file. (2) National Assoc Counties: children’s book available

Building and Grounds:

Communication from Jacob Hurla, *Community Building Solutions* was shared regarding facility improvement projects for public entities. Building and Grounds Superintendent asked that the board be informed about the company and asked the board to let him know when/if they are ready to consider such enhancements to the building functionality (i.e. energy efficient upgrades, replace boiler, windows, etc).

BURT COUNTY SOLAR update– Sandhills Energy.

Brian Borner reports the project is in its second year of a 2-year extension of the Conditional Use Permit (CUP) with Burt County. They anticipate construction to start prior to the expiration of the CUP, which will be April 2025. At this point, they are still in planning phase for distribution within the *Southwest Power Pool*. They offered to come back with updates in the Fall of 2024.

Burt County Extension Office: *Angi Heller, Engagement Zone 8 Coordinator*
Rescheduled – no action.

Zoning: *Ann Chytka, Burt County Planning & Zoning Administrator*

Chytka is requesting more time to further review wind regulations, she is asking for a 90-day extension from the current 6-month extension already in place. Resolution 2024-07 was presented for consideration. Board Members Kutchera and Swanson moved for adoption of Resolution 2024-07. The Resolution was adopted By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Resolution 2024-07 EXTENSION ON TEMPORARY MORATORIUM ON WIND ENERGY CONVERSION SYSTEMS WITHIN BURT COUNTY, NEBRASKA.

WHEREAS, the Board of Supervisors of Burt County, Nebraska (the “Board”), contemplates amendments to the existing Burt County, Nebraska, Zoning Regulations, to include provisions regulating wind energy conversion systems (WECS); and

WHEREAS, the Board desires to extend the current moratorium Resolution No. 2023-19 an additional 90 days on prohibiting the Administrator of Planning and Zoning, Planning Commission, and the Zoning Board of Adjustment, from accepting or otherwise acting on any application to develop a wind energy conversion system (WECS).

WHEREAS, the Board of Supervisors will grant the extension until September 30th 2024, or until the Board completes its review and amendment of the Regulations regulating wind energy conversion systems, whichever is earlier.

NOW THEREFORE, BE IT RESOLVED, the Board hereby approves this resolution. The moratorium described above shall be effective as of the date below and continue until September 30th 2024.

APPROVED this 26th day of April 2024 at Tekamah, Nebraska.

- signed by Chairman Connealy, attested by County Clerk Freidel

Zoning - Wind Survey: Chytka suggested sending a survey to all Burt County registered voters : ‘Do you want wind turbines in Burt County?’ ‘yes/no/undecided’. The board discussed the pros and cons of doing such survey. (There was no action on the survey as it was not on the agenda.)

Lot Split:

Chairman Connealy signed a lot split for JEFFREY ANDERSON - 4.43 ac in pt. SW⁴ SW⁴ in Sec.31, TWP 23N, Rge.10E, Burt County, NE.

Closed Session:

Titus made a motion to go into *Closed Session*, Kutchera seconded, and the motion passed with All Ayes. Chairman Connealy declared at 9:33 A.M. the board went into closed session *for the protection of public interest to discuss collective bargaining*. Pearson made a motion to come out of Closed Session, Schold seconded, and motion passed with All Ayes. Chairman declared the public meeting back in regular session at 9:54 A.M. No action was taken during closed session.

Emergency Management - Jason Redding-Geu:

Jason reported on all that he has been working on since he started; he explained that there will be daily tasks recorded for anyone interested.

Vehicle/Equipment: Jason asked for permission to set up his vehicle with the Verizon GPS fleet tracking equipment (same as that the road's vehicles are fitted with); fee will be \$19.95/month. The equipment was approved by the Board; upon motions by Richards and Swanson, By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none.

Cont. Ed: Jason asked permission to take a defensive driving class. The board asked for further details: cost, location, etc.

Certification update: Jason is planning final coursework to be done in October 2024 for full certification.

Grant: The EMPG paperwork (Emergency Management Performance Grant) has all been caught-up and is now in good standing for Burt County's reimbursements.

Assessor – permissive exemptions: Katie Hart

Katie shared that 2024 is a year of full review by the State on permissive exemption filings across all Counties. She reports that the State is asking if Burt County wants to reconsider their approval for Tekamah-Herman Wrestling Club property.

Assessor's office opinion remains that the property is exempted under 'charity', and she explained that the Board has a right to change their recommendation. If the board does not change their recommendation of approval, the State can still take the decision to review via TERC action. The board will have to put on a future agenda if they want to take any different action.

Special Designated Liquor License:

Nelson's Food Pride requested SDL's for (3) dates that they are serving for wedding receptions at Harvest Moon: June 8, August 3, August 31; and for a Truck Show at the Burt County Fairgrounds on August 2. Burt County Board approved the SDLs for all dates requested; upon motions by Schold and Kutchera. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

ROADS: Ann Chytka, Highway Superintendent

Road Employees 'summer' schedule: The Weeds and Roads department outside crews will run on a weekly schedule of four (4)- ten (10) hour days from May 6, 2024 – Aug. 30, 2024, hours being 6:00 a.m. to 4:30 p.m. Chytka explained there will be roads crew members all five (5) days a week; some will work Monday-Thursday, and some will work Tuesday-Friday. Holiday hours will be 6:00 a.m. to 2:30 p.m., in order to maintain an 8 hour work day.

PUBLIC COMMENT (3): (1) Julie Drennen, outreach manager for RWE Clean Energy- offered resources and help to connect anyone with questions/concerns for wind projects. (2) Bill Price, 1615 CoRd. 10, Lyons- shared opinion of setbacks from property lines, not from dwellings. Expressed appreciation of the board taking more time with the moratorium and expressed his favor of a county-wide survey. (3) Sue Hansen, RWE Clean Energy (Development Manager for Burt County Wind) – expressed that there are setbacks in place that address Mr. Price's concerns.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Titus and Schold at 11:12 A.M.
Next Meeting: Wednesday, May 8, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
May 8, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, May 8, 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 (4-30-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Titus, seconded by Kutchera, the agenda was approved. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 4/26/2024 Board of Supervisors meeting were approved; upon motion by Swanson, seconded by Kutchera. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of April Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, and the following Miscellaneous Receipts in the amount of \$1,673,667.60 were all approved upon motion by Schold, seconded by Pearson. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	1,675.00
AIRLINE TAX FROM STATE	4,436.58
TAX SALE REDEMPTION <CO. SHARE>	242.00
TAX SALE - COLLECTION OF FEES	323.88
TAX SALE CERTIFICATE FEES <CO. SHARE>	60.00
CO CLERK-FILING & RECORDING FEES	3,458.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	5,642.94
CO CLERK-MISC FEES	105.00
LIQUOR LICENSE - ADVERTISING & POSTAGE	35.00
DISTRICT COURT - FILING FEES	400.00
DISTRICT COURT - COURT COST REFUNDS	256.00
DISTRICT COURT - MISC FEES & REV.	1,780.45
DISTRICT COURT- FEES & COSTS	384.00
CHILD SUPPORT ENFORCE	5,011.17
ELECTION REIMBURSEMENT - BRSDSP24	93.97
CO COURT-MISC FEES	28.00
CO SHERIFF-MILEAGE & COSTS	661.14
CO SHERIFF-SERVICE FEES	508.00
TITLE INSPECTIONS	460.00
GUN PERMITS	70.00
INTOX	150.00
FINGER PRINTS	40.00
INTEREST ON INVESTMENTS	22,001.82
OPIOID SETTLEMENTS	8,802.23
UNCLAIMED PROPERTY	25.23
MISC REVENUE (SHERIFF)	27.00
ROAD: HIGHWAY/STREET ALLOCATION	112,426.24
MOTOR VEHICLE FEES	33,918.79

LODGING TAX	589.92
ROD-PRESERVATION & MODERNIZATION	548.50
STOP	150.00
INHERITANCE TAX - Sandra Parcel	13,755.40
INHERITANCE TAX -Doris I Peterson	1,998.24
INHERITANCE TAX & INTEREST - JoAlice Chamberlain	1,527.79
INHERTIANCE TAX & INTEREST - Rick A. Andersen	766.46
PLAT BOOK SALES	90.00
COUNTY 911 SURCHARGE	1,111.00
E 911 WIRELESS	6,587.88
TAX SALE REDEMPTION <HOLDING FUNDS>	14,777.01
LIQUOR LICENSE	200.00
FINES & LICENSE -COUNTY COURT REGULAR FINES	3,100.00
STATE FINES TO SCHOOL DISTRICTS	2,750.00
DECATUR FIRE - GENERAL	168.65
DECATUR FIRE - BOND	97.53
LYONS FIRE -GENERAL	164.86
LYONS FIRE -BOND	37.54
OAKLAND FIRE - GENERAL	309.17
HOMESTEAD ALLOCATION	91,025.69
PROPERTY TAX CREDIT - 2nd HALF 2023	1,323,879.80
PERSONAL PROPERTY TAX RELIEF - FROM CARLINE TAX	7,009.22

OFFICE UPDATES (2): (1) Attorney – Edmond Talbot, via phone. (2) Surveyor – Fred Franklin – No Show

COMMUNICATION: NDOT- opportunity to provide input on the FY 2025 - FY 2028 State Transportation Improvement Plan (STIP).

Special Designated Liquor Licenses (2):

(1) SDL for LaHacienda Restaurant (Fremont) to serve a wedding at Harvest Moon (Oakland) on 6/1/2024; (2) SDL for Andreassen LLC/Tipsy Pig (Tekamah) for Beer Garden at Hoot Gibson Rodeo (Tekamah Rodeo Grounds) on 5/31 - 6/1/2024. Both approved upon motions by Schold and Kutchera, By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none.

(Zoning) Conditional Use Permit (CUP) application- SHOOFLY LLC: CUP to build a 625 sq ft seasonal dwelling in pt. S½ NE¼ of Sec. 23, TWP 23N, Rg.10E of sixth PM, Burt County, NE. Zoning Administrator, Ann Chytka reported that the Burt County Planning Commission approved the CUP at their 5/6/2024 meeting. A PUBLIC HEARING was held at 9:15 a.m., Daniel Marquis the property owner explained the project lies within a current 4.68 ac parcel; there was no public comment. The Burt County Board approved the CUP upon motion by Richards, seconded by Swanson. Motion Passed by Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Planning Commission - Board:

Wally Lydick resigned; at this time there is not a replacement.

ROADS: *Ann Chytka, Hwy. Supt. and Adam Mace, Engineer with Mainelli Wagner*

Bridge project “Craig East, C-11(425)”- bids: Bids were opened at 9:20 a.m.

Pruett Grading (Logan, IA)	\$271,078.15	July 1 – Aug. 1, 2024
M.E. Collins (Wahoo, NE)	\$344,688.80	Sept. 2 – Nov. 1, 2024
Malone Construction (Douglas, NE)	\$198,205.70	Aug. 30 – Nov. 1, 2024

Midwest Infrastructure (Lincoln, NE)	\$206,006.91	Sept. 3 – Nov. 1, 2024
Tim Sisco Construction (Sterling, NE)	\$163,997.00	July 2024 – 30 days after
Husker Grading (Burwell, NE)	\$227,004.00	Aug. 8 – Sept. 8, 2024
Maslowsky Grading (Tekamah, NE)	\$289,174.05	Aug. 1 – Nov. 1, 2024
Nelson & Rock Contracting (Onawa, IA)	\$182,786.60	Aug. 1 – Sept. 15, 2024

The board voted to accept the bid from Tim Sisco Const. for \$163,997.00, upon motion by Schold, seconded by Swanson. By Roll Call Vote: Ayes- Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none. Motion passed.

Burt County Economic Development (BCEDC) Cindy Chatt, director BCEDC:
(3) Grants: Chatt reported that the BCEDC board has reviewed and recommended their approval for all three of the following Private Foundation Grants: *(# 1) Fund 0900, Demolition Grant* for James Kelly to demo a house at 1022 H St., Tekamah, this application is coming back to the board for reconsideration after three bids were turned in; \$8,750.00 (50% of the low bid); approved upon motion by Pearson, seconded by Richards. By roll call vote: Ayes – 6. Nays – Swanson. Motion passed 6-1. *(#2) Fund 0900, Commercial Reno Grant* for Swedish Heritage Museum (Oakland) for a new roof. One building can only receive \$15,000.00 max of Grant monies; this building has previously received Grant monies for two other projects, so the max they can receive is \$8,141.20 (which is less than 50% of the low bid). Approved upon motion by Titus, seconded by Swanson. By roll call vote: Ayes – 7. Nays – none. Motion passed. *(#3) Fund 0900, Commercial Reno Grant* for VFW building (Tekamah) for new roof. This building currently requires many improvements, however, the VFW organization reported that they have no choice as they have nowhere else to go; they plan to fund this new roof via this grant and donations. \$8,250.00 (50% of the low bid) was approved upon motion by Richards, seconded by Titus. By roll call vote: Ayes – 7. Nays – none. Motion passed.
Tourism Campaign: Chatt presented a Burt County Tourism marketing plan proposal; she is proposing the cost of the 3-part plan be split between BCEDC and Burt County Visitor’s Promotion Fund (0990); she is still in the process of getting approval from the Tourism Board members.

County Health Insurance:
Employee Health and Dental Insurance premium options were presented for July 1, 2024 renewal date. The Board agreed to stay within NACO’s group pool BCBS insurance and continue with the offering package as follows:
Health Ins with Blue Cross Blue Shield NACO (\$6,100 deductible -QHDHP)
Dental Ins with Blue Cross Blue Shield NACO (option 3)
Deductible Buy-down via Mid-American (no amount was decided today)
(12 mth.) Option for Section 125 plan with First Concord
Option for Cash-in-Lieu plan with First Concord; paying \$400 (single), \$800 (family)
Employee Pay Option for Vision Insurance with VSP
Employee Pay Options for Supplemental Life/Disability Buy-up
The board asked that Mike Boden with NACO Benefit Services come to the next meeting to review the County’s buy-down usage throughout the last year. A buy-down package will be decided on and the final benefit package will be approved after those discussions on May 28, 2024.

PUBLIC COMMENT: Donette Jackson (5000 CoRd. HI)- stated she cannot hear during the meetings sometimes; she asked if the County Board would consider getting a microphone for the Boardroom.

There being no further business to come before the Board at this time, the meeting adjourned at 10:10 A.M. upon motions by Schold and Titus.
Next meeting: May 28, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

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

The Burt County Board of Supervisors met in regular session on Friday, May 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 (5-21-2024), 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, Carl Pearson, Sam Titus, and Ted Connealy. Paul Richards came at 10:10 a.m. after Terry Metzler’s funeral. Absent – David Schold.

The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman Connealy informed the public that the Open Meeting Act was posted. A MOMENT OF SILENCE WAS HELD IN REMEMBRANCE OF TERRY METZLER; Terry worked in the Burt County Road Department for 14 years.

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

The minutes of the 5/8/2024 Board of Supervisors meeting were approved; upon motion by Pearson, seconded by Swanson. By Roll Call Vote: Ayes – Swanson, Kutchera, Pearson, Titus and Connealy. Nays – none. Absent – Richards and Schold.

The claims for May in the amount of \$949,556.30, including \$161,403.02 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Pearson, seconded by Kutchera. By Roll Call Vote: Ayes – Kutchera, Pearson, Titus and Connealy. Nays – Swanson. Absent – Richards and Schold. The following claims were approved:

ADAM TRIPP	ATTY FEES	1,510.50
ALLISON JONES	MILEAGE	21.44
ANDY'S QUICK SHOP	FUEL	85.96
APPLIED CONNECTIVE TECHNOLOGIES LLC	SECURITY.SUPPORT	5,146.95
AXON ENTERPRISE	SHERIFF SUPPLY	731.00
B & B TECHNOLOGIES INC	EQUIP REPAIR WEEDS	897.59
BLACK HILLS ENERGY	UTILITIES	203.08
BOMGAARS -COURTHOUSE	SUPPLIES	154.21
BRANIFF SERVICE INC	FUEL/REPAIR	1,190.63
BRENNEIS INSURANCE AGENCY INC	P&C INS -DRONE	873.00
BRUMMOND DISPOSAL	GARBAGE	225.00
BRYAN EVANS	SHERIFF SUPPLY	73.77
BUDDIES MINI MART, LLC	FUEL	569.12
BURT COUNTY AG SOCIETY	1/2 FAIR COST	50,000.00
BURT COUNTY COURT	COURT FEES	374.00
BURT COUNTY DISTRICT COURT	COURT FEES	144.00
BURT COUNTY EXTENSION SERVICE	OFFICE EQUIP	794.55
BURT COUNTY PUBLIC POWER DIST	UTILITIES	195.94
BURT COUNTY SHERIFF	SUPPLIES	110.34
BURT COUNTY TREASURER	FUNDS TRANSFER	150,000.00
CANON FINANCIAL SERVICES	COPIER	27.09
CENTURY LINK	UTILITIES	323.04
CHARLEY CULL	PLANNING MILE	96.48
CHRISTINE A DREGALLA	JAIL MEDICAL	121.00
CITY OF TEKAMAH	UTILITIES	160.25

CLARK PEST AND TERMITE CONTROL	SERVICES	75.00
CLASSIC CLEAN CARWASH	BC SHERIFF	131.00
CLAYTON OLSEN	PLANNING MILE	135.07
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	198.30
CONSOLIDATED MANAGEMENT CO.	LAW ENFORCE TRAINING	17.15
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	331.60
CRESTON FERTILIZER MCL FARMS INC	CHEM SUPPLY	6,746.00
CUBBY'S	FUEL	1,216.14
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DAVID SCHOLD	CHECKING ROADS	52.26
DE LAGE LANDEN PUBLIC FINANCE LLC	EM FLEET PAYMENT	3,758.08
DEAN CARLSON	PLANNING MILE	14.74
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,570.24
DEREK WARNER	LAW ENFORCE TRAINING	211.72
DON JOHNSON	PLANNING MILE	117.25
DREW LAW FIRM PC LLO	ATTY FEES	3,734.45
EAKES OFFICE PLUS	SUPPLIES	297.81
ELECTION SYSTEMS & SOFTWARE	PR24 ELECTION	5,063.86
ELECTION WORKER	PR24 ELECTION	10,785.99
FASTWYRE BROADBAND	UTILITIES	1,494.36
FIRST CONCORD BENEFITS GROUP LLC	EMPLOYEE BENEFITS	1,257.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	205.10
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	776.03
FIRST NATIONAL BANK OMAHA CLERK 2	SUPPLIES	862.13
GARY SWANSON	CHECKING ROADS	45.56
GREAT AMERICA FINANCIAL SVCS	SUPPLIES	320.55
GREAT PLAINS UNIFORMS	SHERIFF EQUIP	239.98
GWORKS	SOFTWARE	23,870.00
HOMETOWN LEASING	EQUIPMENT	114.20
IRVIN W LYDICK	B&G EQUIPMENT	591.00
JACK'S UNIFORMS & EQUIPMENT	SHERIFF.EM UNIFORMS	1,032.20
JANE PAUL	OFFICE SUPPORT	279.50
JAY HOVENDICK	PLANNING MILE	85.76
JEFF KUTCHERA	CHECKING ROADS	184.92
JENNIFER HANSEN	EXTENSION MILE	36.85
JENNIFER PETERSON	EXTENSION FUEL	20.00
KATIE HART	APPRAISE MILE	40.20
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPPORT ATTY	2,030.34
MARINA DUARTE DE VAL	EXTENSION SUPPLY.DUES	33.26
MID-AMERICAN BENEFITS INC	EMPLOYEE BENEFITS	232.00
MIDWEST ALARM SERVICES	SERVICES.MAINTENANCE	363.00
MILLS LAW OFFICE	ATTY FEES	1,496.25
MIPS INC	SOFTWARE	2,029.24
MIPS INC - COUNTY COURT	SOFTWARE	101.03
NACO - ANNUAL CONFERENCE	2024 WORKSHOP	250.00
NE OMS SPECIALITY DENTAL SERVICES	JAIL MEDICAL	1,233.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING.SERVICES	90.00
NEBR LAW ENFORCEMENT TRAINING	SHERIFF TRAINING	525.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	865.05
NEBRASKA.GOV	SUBSCRIPTION	1.00
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	1,596.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	272.34
OFFICE WAREHOUSE	SUPPLIES	51.90
ONE OFFICE SOLUTION	SUPPLIES	879.21
PAUL RICHARDS	CHECKING ROADS	85.76
PENDER HOSPITAL	JAIL MEDICAL	3,377.00
PENNY A. WARREN	TRAVEL EXPENSE	42.94

PLAINDEALER	PUBLISHING	1,886.83
PLAINDEALER PUBLISHING	SUBSCRIPTION	100.00
RODNEY BROMM	PLANNING MILE	25.46
ROGER POND	PLANNING MILE	150.75
SAMUEL TITUS	CHECKING ROADS	107.20
SARAH FREIDEL	MILEAGE	140.37
SAVE MORE MARKET	SUPPLIES	165.76
SCOTT RONNFELDT	PLANNING MILE	168.84
SECURITY EQUIPMENT INC	MONITORING	1,092.00
SECURITY SHREDDING SERVICES	SERVICES	40.00
SIRCHIE ACQUISITION COMPANY LLC	LAW ENFORCE SUPPLY	8.08
STACEY KEYS	EXTENSION MILE	272.20
STAMP FULFILLMENT SERVICES	POSTAGE	1,221.35
SUSAN M. LANGLEY	OFFICE SUPPORT	58.50
THE APOTHECARY SHOP	JAIL MEDICAL	479.47
THEODORE CONNEALY	CHECKING ROADS	50.92
THURSTON COUNTY SHERIFF	JAIL	14,100.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97
TRI-STATE COMMUNICATIONS INC	EQUIPMENT	238.50
TRISHA SHEETS	ELECTION MILE	104.52
TYLER WEITZENKAMP	PLANNING MILE	60.30
UNIVERSITY OF NE LINCOLN EXTENSION	EXTENSION SUPPLY	499.50
VERIZON WIRELESS	SERVICES	820.42
VISUAL EDGE IT,INC	EQUIP.SUPPLY	487.55
WALLY LYDICK	PLANNING MILE	49.04
WASHINGTON COUNTY DRUG COURT	COURT	75.82
WASHINGTON COUNTY SHERIFF	JAIL	17,550.00
WEIMER LAW PC	ATTY FEES	1,632.17
ANDREW BRANIFF	FUEL	66.00
ARIZONA TOWNSHIP TREASURER	TWP ASSISTANCE	27,612.90
BELL CREEK TOWNSHIP	TWP ASSISTANCE	26,025.30
BLUFF AGGREGATE LLC	BC ROADS	18,431.10
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	34.20
BONINE GARAGE DOORS	OAKLAND SHOP	1,640.00
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CAPITAL ONE TRADE	REPAIR	7.42
CITY OF LYONS	UTILITIES	211.81
CITY OF OAKLAND	UTILITIES	24.63
CRAIG TOWNSHIP TREASURER	TWP ASSISTANCE	42,099.75
DECATUR TOWNSHIP	TWP ASSISTANCE	18,144.00
EVERETT TOWNSHIP	TWP ASSISTANCE	13,721.40
FARMERS PRIDE	FUEL	8,056.17
GLUP PIPE SALES	BC ROADS	2,692.00
LOGAN TOWNSHIP	TWP ASSISTANCE	25,203.15
MAINELLI, WAGNER & ASSOCIATES INC	BC ROADS	460.00
MARTIN MARIETTA	BC ROADS	742.48
MEL'S SMALL ENGINE	EQUIP.REPAIR	87.00
MHC KENWORTH -OMAHA	BC ROADS	89.70
MIDWEST SERVICE CO	BC ROADS	5,733.15
NMC	REPAIR.RENT EQUIP	5,623.89
OAKLAND TOWNSHIP	TWP ASSISTANCE	12,785.85
OMAHA SLING INC	BC ROADS	207.04
PERSHING TOWNSHIP TREASURER	TWP ASSISTANCE	17,803.80
QUINNEBAUGH TOWNSHIP	TWP ASSISTANCE	8,221.50
RAKA RENTALS	BC ROADS	1,215.61
RANDY L RAGER	PRIOR SERVICE	69.24
RIVERSIDE TOWNSHIP	TWP ASSISTANCE	11,396.70
SCOTT'S HARDWARE	BC ROADS	153.01

SHAMBURG AUTO SUPPLY	SUPPLY	116.31
SIGN DEPOT	BC ROADS	94.60
SILVER CREEK TOWNSHIP	TWP ASSISTANCE	15,649.20
SPENCER QUARRIES, INC	ROADS	744.17
STALP GRAVEL CO	ROADS	11,983.75
SUMMIT TOWNSHIP	TWP ASSISTANCE	29,654.10
VERIZON CONNECT FLEET USA LLC	ROADS EQUIP	417.52
VILLAGE OF DECATUR	UTILITIES	180.57
WPCI	TESTING	32.00
STEVE DEVENING_DEVENING TRUCKING	DEMO GRANT	3,600.00
GEOCOMM, INC	911	3,237.44
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
CITY OF FREMONT - CITY CLERK	911	1,588.36
LANGUAGE LINE SERVICES	911	24.39
NORTHEAST NEBR TELEPHONE CO	911	130.47
AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	50,192.63
COUNTY COURT OF DOUGLAS COUNTY	GARNISHMENT	812.75
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	GARNISHMENT	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	46,924.77
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	626.71
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	24,284.31
STATE TAX COMMISSIONER	STATE TAXES	7,367.93
VISION SERVICE PLAN (CT)	EMPE PD ADDL	714.05
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	43.01
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Lot Split Applications (3) - Signed by Chairman Connealy:

SANDRA CHRISTENSEN – 7.06 ac. (house site) and 1.62 ac. (bin site) in part of SW ¼ SW ¼ of Section 3, Township 22N, Range 9, East of the 6th P.M., Burt County, NE.
CHRISTENSEN FARMS - 6.96 ac. in part of NW ¼ NW ¼ of Section 10, Township 22N, Range 9, East of the 6th P.M., Burt County, NE.

Budget Authority Proposal for FY24-25 Budget Prep:

On motion by Kutchera, seconded by Titus, the Board voted to accept Sarah Freidel and Jeannette Blanc’s proposal to do the County’s budget for 2024-2025 for the total amount of \$4,000.00. Freidel will receive \$2,500.00 for Budget Prep, preparation of all notices, preparation of required power point per LB148, and submission of all documents to the State; Blanc will receive \$1,500.00 for assisting within Budget Prep Software and prep of any working and/or final documents for submission. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Pearson, Titus and Connealy. Nays – none. Absent – Richards and Schold.

Budget Prep for FY24-25:

For purposes of planning Budgets; Officials will include “up to 6 %” on salaries/wages for c.o.l. for their employees per Resolution 2022-02 “not to exceed 6% increase” for Jan-June 2025.

County Health Insurance:

Mike Boden (via zoom) with NACO Benefit Services gave a review of the County’s deductible buy-down usage throughout the last year. Kutchera made a motion to leave the buy-down as is, employees have \$1,100 out of pocket deductible; seconded by Pearson. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Pearson, Titus and Connealy. Nays- none. Absent – Richards and Schold. The final benefit package for Employee Health and Dental Insurance eff. July 1, 2024 via the NACO pool is as follows: Health Ins with Blue Cross Blue Shield NACO (\$6,100 deductible -QHDHP)
Dental Ins with Blue Cross Blue Shield NACO (option 3)
Deductible Buy-down via Mid-American (employees \$1,100.00 out of pocket deductible) (12 mth.) Option for Section 125 plan with First Concord
Option for Cash-in-Lieu plan with First Concord; paying \$400 (single), \$800 (family)
Employee Pay Option for Vision Insurance with VSP
Employee Pay Options for Supplemental Life/Disability Buy-up

Proposals/Bids for Audit services beyond FY 2022-2023:

An ad was run and letters were sent to request proposals. Two proposals were received, both had options for 3-year contract (FY 2023-24, FY 2024-25, FY 2025-26):

Contryman Associates	\$15,000 – 18,000	2023-2024
	\$16,000 – 19,000	2024-2025 and 2025-2026
	separate fees to be quoted for single audit (if need)	
Ric Ortmeier	\$20,000 - 23,000	for each year
	\$3,000 for single audit (if need)	

Upon motion by Titus, seconded by Swanson, the board approved the 3-year contract with Contryman Assoc., By Roll Call Vote: Ayes – Swanson, Kutchera, Pearson, Titus and Connealy. Nays – none. Absent- Richards and Schold.

Burt County Economic Development (BCEDC) Cindy Chatt, director BCEDC:

(4) Grants: Chatt reported that the BCEDC board has reviewed and recommended their approval for two (2) Private Foundation Grants: (# 1) Fund 0900, Demolition Grant for City of Tekamah to demo the Tiger Bowl building; \$15,000.00 (max allowed). (#2) Fund 0900, Commercial Reno Grant for Studio Sheets (Tekamah) for facia repairs to North side of the building; \$13,661.50 (50% of the low bid). Both approved upon motion by Titus, seconded by Swanson. By roll call vote: Ayes – Swanson, Kutchera, Pearson, Titus and Connealy. Nays – none. Absent – Richards and Schold. Chatt reported that the BCEDC board has reviewed and recommended their approval for two (2) Lodging Tax Grants: (#3) Fund 0990 – Tri County Saddle Club (Tekamah) for advertising 2024 Hoot Gibson Rodeo; \$500.00 was approved. (#4) Fund 0990 - Burt County Tourism marketing campaign, the expense will be split between BCEDC and Burt County Visitor’s Promotion Fund (0990); \$6,588.00 was approved for Burt County’s half. Both approved upon motion by Swanson, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Pearson, Titus and Connealy. Nays – none. Absent – Richards and Schold.

Closed Session:

Titus made a motion to go into Closed Session, Pearson seconded, and the motion passed with All Ayes. Chairman Connealy declared at 10:04 A.M. the board went into closed session for the protection of public interest to discuss collective bargaining. Swanson made a motion to come out of Closed Session, Richards seconded, and motion passed with All Ayes. Chairman declared the public meeting back in regular session at 10:25 A.M. No action was taken during closed session.

Planning Commission – board member appointment:

Wally Lydick has resigned from the planning commission board. Two members of the public showed interest in serving on the board; a committee from Burt County Board held discussions with both candidates. Upon motion by Pearson, seconded by Richards, the Board appointed JILL SPENNER to the Planning Commission; passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Nays – none. Absent- Schold.

Liquor License:

Oakland Golf Club – Manager’s Application update; remove Andrew Smeal and new manager listed will be: Jeff Parcel. Burt County Board approved the updated manager’s application; upon motions by Swanson and Titus. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Nays – none. Absent- Schold.

Child Support Contract:

A current Child Support Enforcement contract will end June 30, 2024. County Attorney Talbot requested a contract be signed with Kraviec Maurstad Law, P.C.,L.L.O., Laura R. Maurstad, Attorney, and Stephen J. Keaviec, Attorney as authorized attorneys for Child Support Enforcement. Burt County will pay an annual contract sum of \$24,000.00 (to be paid \$2,000.00 monthly) + mailing, filing, sheriff fees. It will be a two-year contract running from July 1, 2024 – June 30, 2026. Signed upon motions by Pearson and Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Nays – none. Absent- Schold.

Phone/Internet Services:

Currently FastWyre is our provider (previously American Broadband before the company was sold to FastWyre). Since FastWyre has taken over, we have had multiple phone outages (more than 15 times in the last 6 months, some lasting several days). They do not have technicians locally anymore, and when you call in an outage, their call center is out of the State. Also, during and after our outages, we have never received call backs with service time expected or explanations of why the outage occurred. We enlisted the help of Huntel (our phone system provider) to explore other provider options; they have found that GREAT PLAINS can provide us with local service. Great Plains main office and call center are both out of Blair, NE; the technicians will come out of Blair, and their quoted pricing for internet and phone trunk services show a savings in costs. The current phone system will require some licensing updates, but in doing so, the current phones can then still be utilized. The board approved to allow the switch over to Great Plains, upon motion by Richards, seconded by Kutchera; passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Nays – none. Absent – Schold. The timeline is unknown, but plans will begin for navigating the changeover.

Burt County Audit FY2022-23

Chairman Connealy signed an Understanding of Services for Contryman Associates (Auditors); the letter is for both the Federal and State Audits being performed for Fiscal Year ending June 30, 2023. Signed upon motions by Titus and Richards. Passed By Roll Call Vote: Ayes- Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Nays- none. Absent- Schold.

PUBLIC COMMENT: none.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Titus and Pearson at 10:45 A.M.
Next Meeting: Tuesday, June 11, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
June 11, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Tuesday, June 11, 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 (6-4-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Richards, seconded by Titus, the agenda was approved. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 5/28/2024 Board of Supervisors meeting were approved; upon motion by Swanson, seconded by Pearson. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of May Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report; Fund Balances and the following Miscellaneous Receipts in the amount of \$469,186.62 were all approved upon motion by Schold, seconded by Richards. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	325.00
INSURANCE PREMIUM TAX FROM STATE	23,746.38
EM GRANT	9,845.18
CO CLERK-FILING & RECORDING FEES	3,063.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	1,805.82
CO CLERK-MISC FEES	63.50
DISTRICT COURT - FILING FEES	140.00
DISTRICT COURT - MISC FEES & REV.	592.45
DEPT SOCIAL SERVICES IV-D	5,647.25
CO COURT-MISC FEES	17.00
CO SHERIFF-MILEAGE & COSTS	823.88
CO SHERIFF-SERVICE FEES	960.00
TITLE INSPECTIONS	520.00
GUN PERMITS	50.00
FINGER PRINTS	10.00
INTEREST ON INVESTMENTS	1,737.54
ROAD: HIGHWAY/STREET ALLOCATION	118,272.13
TRANSFER GEN-RD	150,000.00
LODGING TAX	677.34
ROD-PRESERVATION & MODERNIZATION	509.00
STOP	150.00
INHERITANCE TAX - Harvey C. Lydick	7,074.03
PLAT BOOK SALES	30.00
COUNTY 911 SURCHARGE	234.00
E 911 WIRELESS	3,293.94
FINES & LICENSE -COUNTY COURT REGULAR FINES	3,365.00
COUNTY COURT BOND FORFEIT	219.00
DECATUR FIRE - GENERAL	1,706.13

DECATUR FIRE - BOND	1,000.90
LYONS FIRE -GENERAL	4,344.06
LYONS FIRE -BOND	989.09
OAKLAND FIRE - GENERAL	4,294.31
HOMESTEAD ALLOCATION	91,025.69
MFO - 2nd half 2024	32,655.00

OFFICE UPDATES (2): (1) Weed Supt. – Tory Penny (2) Clerk, Reg. of Deeds and Elections – Sarah Freidel (3) Surveyor – Fred Franklin

Foreclosure property for Sale:

Treasurer’s Tax Deeds were executed for the following properties. County Attorney Talbot explained that these parcels will now be available for the public to purchase from Burt County. Assessor reports that Burt County will receive intent to tax notices for any properties that remain in the County’s name for 2025.

BURT COUNTY FORECLOSURES			
CRAIG	2024	Wes Puffer	ID: 110204300
		Lots 7 & 8, Block 9, Village of Craig	
	2024	LGM Corp	Commercial Property ID: 310205800
		Lot 6 & 7, Block 16, Village of Craig	
DECATUR	2024	Terree Graham	lot only ID: 110904100
		Lot 6, Block 22, Village of Decatur	
	2015	Harold Swanson & LaVonne Arnold Yanke	ID: 210601800
		Lots 1-3 & 23-28, Block 26, Village of Decatur	
OAKLAND	2024	Steve Block ETUX	Commercial Property ID: 312808100
		North Half Lot 11, ex. South 1 ft. of West 46 ft, Block 7, City of Oakland	
	2024	Kim Danielson	lot only ID: 112705300
		Lot 8 and North Half of Lot 7, Block 14, City of Oakland	
TEKAMAH	2024	Roger Snow	ID: 114201300
		PT lot 1 and adjacent ST., Block 121, City of Tekamah	
RURAL	2024	Leonard Patterson	ID: 434800200
		North of RR in pt. NE4 NE4 30-21-10 Summit TWP	

Protests and Budgets -2024 meetings

The board reviewed dates for 2024 Protests and FY 2024-2025 Budget:
Budgets: July 10 – dept. head requests Protests: July 11 – hearings, July 12 – hearings (cont. if need)
 July 26 – 1st round July 19 – Protest decisions
 Sept – adopt FY 24-25 budget

Designation of Vendor for LB644 Joint Hearing Postcard Printing:

Upon motion by Schold, seconded by Kutchera, the Board approved designation of STATE PRINT SHOP as the vendor for the printing of the LB644 joint hearing postcards (if/when necessary for FY 2024-25 Budget cycle). Approved By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays- none.

Medicare SHIP Program:

Mary Loftis presented an overview of her services provided during her 2023-2024 contract for Medicare SHIP Programming. Loftis reported the services/contract agreement is working out well, and she will continue to serve all three Counties of Burt, Dodge and Washington. Loftis presented a contract for July 1, 2024-June 30, 2025; contract fees will be assessed to each County as follows: Burt County - \$12,400.00; Dodge County - \$3,100.00; and Washington County - \$3,100.00. The Counties will be billed quarterly. The board agreed the services are very helpful for constituents and the new contract was approved upon motion by Kutchera, seconded by Titus. By Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays- none.

Community Development Block Grant (CDBG) for Midwest Vet:

Chairman Connealy signed the closeout paperwork for Midwest Vet’s business expansion project via CDBG Grant; upon motions by Pearson and Titus. By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays- none. Final Paperwork included: Final performance monitoring report and a loan forgiveness notice.

Board of Equalization:

Schold moved the Board recess at 9:54 AM for *Board of Equalization*, Richards seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 10:00 AM upon motion by Pearson, seconded by Swanson, All Ayes. See separate minutes for BOE.

Roads: *Ann Chytka, Highway Supt. - NOT PRESENT*

No County Roads action at this time.

COMMUNICATION: *Decatur Bridge Project / Missouri River crossing: Burt County, NE and Monona County, IA.* Correspondence from Nebr Dept of Transportation: public info open house meetings for Decatur Bridge Project; June 26th at Onawa Community Center and June 27 at Decatur City Hall. Project website for up-to-date info: www.ndot.info/32395. Supervisor Richards gave an overview of information previously shared during meetings he has attended with regards to bridge replacement and/or relocation; he encouraged all to attend the public meetings.

PUBLIC COMMENT: Julie Drennen, RWE Clean Energy – Shared an opportunity for the public to meet with representatives from the company to learn and ask questions about wind energy. ‘Wind energy coffee chats’ will be held in Burt County: June 27, 2024 in Oakland, NE, location TBD; and July 1, 2024 at the Craig Fire Hall. The public is encouraged to ‘drop in’ between the hours of 10 a.m. and 1 p.m.

There being no further business to come before the Board at this time, the meeting adjourned at 10:17 A.M. upon motions by Swanson and Titus.
Next meeting: June 28, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
Special Meeting
June 27, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors held a special meeting on Thursday, June 27, 2024 in the County Boardroom at the Burt County Courthouse in Tekamah, Nebraska. Notice of the meeting was given in advance thereof by Publication in the Plaindealer (6-18-2024), 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 Burt County Board Members were present: Gary "Bird" Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus, David Schold and Ted Connealy.

The meeting opened at 10:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

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

Chairman declared that the purpose of the special meeting is to discuss collective bargaining, there is no intent to take any action today on the discussions. Kutchera made a motion to go into *Closed Session*, Titus seconded, and the motion passed with All Ayes. Chairman Connealy declared at 10:01 A.M. the board went into closed session *for the protection of public interest to discuss collective bargaining per §84-1410(1)(a)*. Those present during closed session: County Attorney Talbot; Brittany Hedlund- Burt County Sheriff's Deputy, President and bargaining unit speaker F.O.P. Lodge #95; Amanda Gatewood a/k/a Aronson- Dispatcher for Burt County and bargaining unit speaker of F.O.P. Lodge #95; Jim Gage and Gary Young - Attorneys of Keating Ogara Law for F.O.P. County Clerk was not present during closed session. Richards made a motion to come out of Closed Session, Titus seconded, and motion passed with All Ayes. Chairman declared the meeting back in regular session at 11:47 A.M.
No action was taken during closed session.

The meeting was adjourned upon motions by Richards and Titus at 11:47 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS



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

The Burt County Board of Supervisors met in regular session on Friday, June 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 (6-18-2024), 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, David Schold and Ted Connealy.

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

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

The minutes of the 6/11/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Kutchera, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The claims for June in the amount of \$675,158.52, including \$167,401.18 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Schold, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. The following claims were approved:

ADAM TRIPP	ATTY FEES	807.50
APPLIED CONNECTIVE TECHNOLOGIES LLC	CYBER.IT	7,112.45
BLACK HILLS ENERGY	UTILITIES	180.98
BLANC'S BODY SHOP	EXTENSION	636.95
BOMGAARS -COURTHOUSE	SUPPLIES	706.13
BRANIFF SERVICE INC	FUEL	1,305.98
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY COURT	NON WAIVE FEES	102.00
BURT COUNTY DISTRICT COURT	NON WAIVE FEES	184.00
BURT COUNTY EXTENSION SERVICE	TRAVEL EXPENSE	364.32
BURT COUNTY PUBLIC POWER DIST	UTILITIES	204.60
BURT COUNTY SHERIFF	SERVICE	125.07
BURT COUNTY TREASURER	FUNDS TRANSFER	50,000.00
CANON FINANCIAL SERVICES	COPIER	27.09
CENTEC CAST METAL PRODUCTS	GRAVE MARKER	1,469.04
CENTURY LINK	UTILITIES	323.04
CITY OF TEKAMAH	UTILITIES	171.50
CLASSIC CLEAN CARWASH	AUTO MISC	149.84
COMFORT INN	CONFERENCE	119.95
CONSOLIDATED MANAGEMENT CO.	SUPPLIES	104.40
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	38.33
CONTRYMAN ASSOCIATES P.C.	AUDIT fy22-23	16,000.00
CRESTON FERTILIZER MCL FARMS INC	SUPPLIES	3,755.29
CROWN PLAZA KEARNEY	CONFERENCE	699.75
CUBBY'S	FUEL	1,516.32
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60

DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DECATUR EXPRESS - KB'S MINI MART	FUEL	2,091.27
DEREK WARNER	MILEAGE	244.55
EAKES OFFICE PLUS	OFFICE SUPPLIES	1,262.84
ED FEILING CABINETRY & CONSTRUCTION	CONCRETE	1,550.00
ELISE ANDERSON	MILEAGE	49.78
EMBASSY SUITES BY HILTON	CONFERENCE	214.00
FASTWYRE BROADBAND	UTILITIES	1,478.82
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	1,257.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	557.73
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	355.56
FRED FRANKLIN	SURVEY EQUIP	14,400.00
GARY SWANSON	CHECKING ROADS	68.34
GREAT AMERICA FINANCIAL SVCS	COPIER	247.63
HOMETOWN LEASING	COPIER	268.06
IRS	PCORI FEE	157.78
JANE PAUL	OFFICE SUPPORT	110.50
JEFF KUTCHERA	CHECKING ROADS	92.46
JENKINS LAW PC	ATTY FEES	180.50
JULIE FLEISCHMAN	MILEAGE	36.68
KATHY RAY	OFFICE SUPPORT	221.00
KATIE HART	MILEAGE	73.70
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPP ATTY	2,017.16
LOFFLER	COPIER	854.59
MARY LOFTIS	MEDICARE QTRLY	2,818.50
MAXIMUS INC	CONTRACT	577.44
MICHELE QUICK	TRAVEL EXPENSE	171.62
MID-AMERICAN BENEFITS INC	INSURANCE	40,232.00
MIPS INC	SOFTWARE	2,151.44
NACO	CONFERENCE	2,022.84
NEBR HEALTH & HUMAN SERVICES SYSTEM	SERVICES.LODGING	93.00
NEBR LAW ENFORCEMENT TRAINING	COSTS	525.00
NEBR STATE FIRE MARSHAL/BOILER DIV	INSPECTIONS	36.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	865.30
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	769.50
NORTHEAST ASSESSORS' ASSOC	DUES	25.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	417.48
OFFICE WAREHOUSE	SUPPLIES	1,333.83
ONE OFFICE SOLUTION	SUPPLIES	1,239.09
PEGGY SMITH	OFFICE SUPPORT	75.00
PENDER HOSPITAL	JAIL MEDICAL	205.00
PLAINDEALER	PUBLISHING	3,260.12
PLS - POLICE LEGAL SCIENCES	SUPPLIES	600.00
QUADIENT LEASING USA, INC	POSTAGE MACHINE	817.53
RADIOLOGY CONSULTANTS	JAIL MEDICAL	28.00
ROBIN OLSON	MILEAGE	483.52
ROCHESTER 100 INC	SUPPLIES	433.25
SARAH FREIDEL	MILEAGE	298.51
SARPY COUNTY SHERIFF	JAIL	292.65
SCOTT'S HARDWARE	SUPPLIES	399.99
STACEY KEYS	MILEAGE	1,364.05
STATE OF NEBRASKA	ELECTION SUPPLY	10.00
THE APOTHECARY SHOP	JAIL MEDICAL	462.62
THEODORE CONNEALY	CHECKING ROADS	26.13
THURSTON COUNTY SHERIFF	JAIL	8,160.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97
UNIVERSITY OF NEBRASKA-LINCOLN	QTRLY WAGES	12,754.03
UNL PRINT & COPY SERVICES	SUPPLIES	340.31

VERIZON WIRELESS	SERVICES	906.09
VISUAL EDGE IT,INC	EQUIPMENT	2,677.32
WASHINGTON COUNTY DRUG COURT	PROGRAM COSTS	56.73
WASHINGTON COUNTY SHERIFF	JAIL	8,208.00
WEIMER LAW PC	ATTY FEES	1,414.55
ANDREW BRANIFF	REIMBURSE SUPPLY	148.00
ANN CHYTKA	MILEAGE	335.00
ARBY'S BODY SHOP LLC	REPAIR/PARTS	415.00
BARCO MUNICIPAL PRODUCTS INC	BARRICADES	7,775.42
BLUFF AGGREGATE LLC	GRAVEL	29,832.66
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	1,048.56
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CHRISTENSEN ELECTRIC LLC	BUILD REPAIRS	853.72
CITY OF LYONS	UTILITIES	133.35
CITY OF OAKLAND	UTILITIES	22.15
FARMERS PRIDE	SUPPLY/FUEL	8,401.67
JOHN DEERE FINANCIAL	PARTS	115.26
KIRBY L BOWLAND	DOT PHYSICAL	80.00
LAWSON PRODUCTS	SUPPLIES	56.80
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	5,127.49
MARTIN MARIETTA	MATERIALS	9,089.84
MCH HEALTH SYSTEM	TESTING	56.00
MIDWEST SERVICE CO	FUEL.SUPPLY	8,746.88
NIOBRARA LODGE	CONFERENCE	321.00
NMC	EQUIPMENT	1,110.24
OAKLAND EXPRESS	FUEL	92.63
RDO TRUCK CENTERS, LLC	EQUIP.REPAIR	1,745.16
SHAMBURG AUTO SUPPLY	SUPPLY	471.22
STALP GRAVEL CO	MATERIALS	31,560.11
STEINY'S GENERAL STORE	SUPPLIES	34.80
TRI-STATE COMMUNICATIONS INC	TOWER RENTAL	158.50
VERIZON CONNECT FLEET USA LLC	FLEET	417.52
VILLAGE OF DECATUR	UTILITIES	147.77
WELDON PARTS OMAHA	SUPPLIES	66.96
SWEDISH HERITAGE CENTER	RENO GRANT	8,141.20
TEKAMAH BATAAN POST 3304 VFW	RENO GRANT	8,250.00
REDTHREAD	BC TOURISM	6,588.00
MARY ALICE CONNEALY TRUSTEE	INH. TAX REFUND	28,758.16
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
LANGUAGE LINE SERVICES	911	4.72
NORTHEAST NEBR TELEPHONE CO	911	129.17
AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	52,663.20
COUNTY COURT OF DOUGLAS COUNTY	GARNISHMENT	812.75
FIRST NAT'L BANK-NORTHEAST-EFPTS	EMPE FICA	46,668.18
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	626.71
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	24,562.71
STATE TAX COMMISSIONER	STATE TAXES	7,278.69
VISION SERVICE PLAN (CT)	EMPE PD ADDL	712.79
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	43.01
LVNV FUNDING, LLC	GARNISHMENT	38.79
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

COMMUNICATION: City of Oakland - Notice of Hearings for Blighted Area study.

Flooding 2024: *Emergency Manager, Jason Redding-Gau:*

Jason reported that he learned about the event on June 21, 2024 and has been monitoring it daily. He posted information on Burt County EM Facebook page and is doing all he can to be out there to monitor and help. Ann Chytka, Hwy Supt. is keeping an updated map of roads affected in her office. At this point there are several County Roads with portions under water, several fields/crops, some reported structures/homes with flood waters in. He has and will continue to keep a log throughout the entire event. The board noted that on June 24, 2024 Governor Pillen had declared STATE OF EMERGENCY for Nebraska Counties along the Missouri River.

Eagle Island Update: *Dave Brainard, landowner*

Mr. Brainard is required to give an update on Eagle Island Campground per conditions placed on the conditional use permit approved March 28, 2024. Mr. Brainard was unable to attend today's meeting due to flood waters on his road preventing him from getting here. Next update is to be September 2024.

Burt County Economic Development (BCEDC) Cindy Chatt, director BCEDC:

(2) *Grants:* Chatt reported that the BCEDC board has reviewed and recommended their approval for two (2) Private Foundation Grants: (#1) *Fund 0900, Demolition Grant* for Mindy Tallman to demo house (due to house fire) at 221 N. 12th ST., Tekamah; \$6,950.00 (50% low bid). (#2) *Fund 0900, Commercial Reno Grant* for Pump Shop (Tekamah) for concrete and exterior paint; \$11,800.00 (less than 50% of the low bid, but previously the building used Grant monies, so this is the portion remaining of \$15,000.00 max per building). Both approved upon motion by Schold, seconded by Swanson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Board of Equalization:

Schold moved the Board recess at 9:46 AM for *Board of Equalization*, Swanson seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 9:48 AM upon motion by Schold, seconded by Swanson, All Ayes. See separate minutes for BOE.

Veterans Service Board - member appointment:

Larry Nelson was re-appointed for another 5 year term as the Tekamah rep; upon motion by Pearson, seconded by Richards. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Schold and Connealy. Nays – Titus.

Roads: *Ann Chytka, Highway Superintendent*

Chairman Connealy signed a contract with Tim Sisco Construction, LLC for "Craig East, C-11(425)" structure. Bid was approved at the May 8, 2024 meeting.

PUBLIC COMMENT (2): (1) Bill Price, 1615 County Road 10, Lyons- handout of a model followed for lawsuits filed due to COVID vaccine mandates. He suggested that in his opinion these business practices are being implemented in the climate change environment; 'facemasks during COVID' and 'wind turbines being a good answer for climate change', these are much the same. (2) Sue Hansen, RWE representative- reported that they held their first coffee chat in Oakland on June 27; next coffee chat will be at Craig Fire Hall on July 1, 2024.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Schold and Kutchera at 10:00 A.M.

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

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and June be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
July 10, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, July 10, 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 (7-2-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Kutchera, seconded by Titus, the agenda was approved. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 6/27/2024 special meeting of the Board of Supervisors, 6/28/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Swanson, seconded by Pearson. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of June Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report; Fund Balances and the following Miscellaneous Receipts in the amount of \$321,183.20; as well as Sheriff’s Quarterly report and Treasurer’s 6-month report were all approved upon motion by Schold, seconded by Kutchera. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	50.00
MV PRO-RATE <CO SHARE>	300.60
TAX SALE REDEMPTION <CO SHARE>	88.00
CO CLERK-FILING & RECORDING FEES	2,833.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	1,835.32
CO CLERK-MISC FEES	65.50
DISTRICT COURT - FILING FEES	370.00
DISTRICT COURT -COURT COST REFUND	101.00
DISTRICT COURT - MISC FEES & REV.	1,010.40
DISTRICT COURT - FEES & COSTS	77.00
DISTRICT COURT - BAIL BOND COSTS 10%	100.00
ELECTION REIMBURSEMENT	2,659.00
CO SHERIFF-MILEAGE & COSTS	837.80
CO SHERIFF-SERVICE FEES	608.00
INTOX	25.00
TITLE INSPECTIONS	490.00
GUN PERMITS	50.00
FINGER PRINTS	20.00
CHILD SUPPORT INCENTIVE FROM STATE	4,945.00
OVERLOAD FINES - 25%	18.75
OPIOID SETTLEMENT	1,836.85
DONATION - SHERIFF	1,000.00
REFUND ENVELOPES PURCHASED	383.80
INTEREST ON INVESTMENTS	1,906.49
ROAD: HIGHWAY/STREET ALLOCATION	120,179.29
PILT	7,014.00
TRANSFER GEN-RD	50,000.00

LODGING TAX	650.85
ROD-PRESERVATION & MODERNIZATION	459.50
STOP	50.00
INHERITANCE TAX - Elda J. Minton	403.27
PLAT BOOK SALES	0.00
COUNTY 911 SURCHARGE	1,311.94
E 911 WIRELESS	0.00
MV PRO-RATE <BLDG FUND>	13.39
OVERLOAD FINES - 75% STATE SHARE	56.25
COUNTY COURT FINES REGULAR	3,028.00
DECATUR FIRE - GENERAL	931.02
DECATUR FIRE - BOND	545.57
LYONS FIRE -GENERAL	233.37
LYONS FIRE -BOND	53.14
OAKLAND FIRE - GENERAL	1,699.37
TAX SALE REDEMPTION <ADMIN FEES>	200.00
TAX SALE REDEMPTION	9,086.63
MV PRO_RATE	12,629.91
HOMESTEAD ALLOCATION	91,025.69

OFFICE UPDATES (2): (1) Assessor – Katie Hart (2) Planning/Zoning – Ann Chytka

Eagle Island Update: *Dave Brainard, landowner*

Mr. Brainard shared a handout showing the property during the flood. Brainard reported that he has listed the property for sale, and he is no longer pursuing development of a campground. Based upon Mr. Brainard’s comment of no longer pursuing a campground, Titus made a motion to revoke the conditional use permit for the campground that was approved March 28, 2024, Kutchera seconded the motion. Roll Call Vote as follows: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Motion passed; zoning will be advised that the cup on file is now revoked thereby eliminating the need for Mr. Brainard to provide further updates.

Audit FY2022-2023:

Chairman Connealy signed Management Representation letter for Contryman Associates for the FY audit. The Audit is expected to be completed by end of July; this is only one month late due to the trouble that previous auditor had.

Foreclosure property for Sale:

Newspaper ad was run, and bids were collected; sealed bids were opened today. The County Board accepted the highest bid for each parcel; upon motion by Richards, seconded by Kutchera, By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Schold and Connealy. Nays – Pearson. Abstained- Titus. (Craig) ID #110204300 – Danny Meyers; ID #310205800 – J&A Recyclers; (Summit TWP) ID #434800200 – Bernie Maslowsky; (Decatur) ID #110904100 – Bernie Maslowsky; ID #210601800 – NOT SOLD; (Oakland) ID #312808100 – NOT SOLD; ID #112705300 – Lon Enstrom; (Tekamah) ID #114201300 – Sam Titus. Quit Claim Deeds will be signed by Chairman after buyers remit payment. The (2) remaining unsold parcels are still available for public purchase, anyone interested can contact the County Clerk’s office to inquire.

Zoning: *Ann Chytka, Planning & Zoning Admin.*

A public hearing for wind regulation updates was set as follows: Public Hearing will be held on August 14, 2024 at 9:00 a.m. in the Burt County Courtroom, this date is in conjunction with a regular Board of Supervisors meeting.

Lot Split: signed by Chairman Connealy

JOANNE HAWK - 6.43 ac. in pt. NE4 NE4 of Sec. 35 and pt. NW4 NW4 of Sec.36, all in TWP21N, Rge.10E of 6th p.m., Burt County, Nebraska.

Roads: Ann Chytka, Highway Supt.

DUMP TRUCKS: The two new trucks are here now; Riverside Auction will facilitate the sale of the two old trucks.

ANNUAL CERTIFICATION OF THE HIGHWAY AND BRIDGE BUYBACK PROGRAMS FOR FY23-24:

Reviewed and signed by Highway Superintendent. \$377,265.87 was used on two overlay projects.

EASEMENT: Contract for Ease and Easement Deed for 0.12 ac lying in SW 1/4 of Section 16, TWP21N, Rge.10E of 6th p.m. Burt County requires land rights for bridge project C-11(425); 0.33 acres is needed, 0.21 ac. is existing public R.O.W. and 0.12 ac is the land acquired via the permanent easement. Land Owner Frederick J. Gordon ETUX Co-Trustees agreed to donate the 0.12 ac. Contract and Easement deed were signed by Chairman, and Easement Deed will be filed with Register of Deeds.

WEIGHT LIMIT SIGN: Board Members Schold and Swanson moved for adoption of Resolution 2024-09. By Roll Call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Resolution was adopted.

RESOLUTION NO. 2024-09 RESOLUTION FOR WEIGHT LIMIT SIGN ON COUNTY ROAD G SOUTH OF HIGHWAY 32 WITHIN BURT COUNTY, NEBRASKA.

WHEREAS, in accordance with Section 60.681 of the Revised Statutes of Nebraska, the County Board has the authority to prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles, for a total period not to exceed one hundred eighty days in any one calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which such local authorities are responsible whenever any such highway by reason of deterioration, rain, snow, or other climatic condition will be seriously damages or destroyed unless the use of vehicles thereon is prohibited or the permissible weight thereof reduced and

WHEREAS, local authorities enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway effected thereby, and the ordinance or resolution shall not be effective until such signs are erected and maintained. Local authorities may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

NOW THEREFORE, BE IT RESOLVED, by the Burt County Board of Supervisors that the County Highway Superintendent by given the authority pursuant to, Sec 60.681 of the Revised Statutes of Nebraska to enact weight restriction on any road in the county when deemed feasible to protect such road from serious damage due to any climatic condition for a period not to exceed 180 days in any one calendar year. Be it further resolved that this resolution shall take effect immediately and that it be in effect for any subsequent year until rescinded at a future date.

Dated this 10th day of July, 2024 at Tekamah, Nebraska.

Sarah J. Freidel, Burt County Clerk

Ted Connealy, Board Chairperson

PUBLIC COMMENT: Sue Hansen, RWE Clean Energy – Shared that 12 people attended their two ‘Wind energy coffee chats’ that they held in Burt County. Hansen shared comments about sound and decommissioning concerns; and stated that RWE representatives are available to present facts anytime and at any public meeting. Handouts were shared.

2024-2025 FY Budget:

The Board met with officials and department heads to discuss their expenditure requests for the 2024-2025 budget. A recess was taken for lunch 12:56 p.m. – 1:22 p.m. Budget changes may be made after seeing initial budget projections.

There being no further business to come before the Board at this time, the meeting adjourned at 2:40 P.M. upon motions by Pearson and Schold.

Next meetings: July 11 (and 12 if need) Board of Equalization for Protest Hearings; July 19, 2024 Board of Equalization for Protest Decisions and Form 425s; and next Board of Supervisors meeting July 26, 2024. All meetings will start at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
July 19, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, July 19, 2024 in the Boardroom of the Burt County Courthouse in Tekamah, Nebraska; the meeting was held following adjournment of the Board of Equalization meeting. Notice of meeting was given in advance thereof by Publication in the Plaindealer (7-16-2024), 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, David Schold and Ted Connealy.

The meeting opened at 11:11 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

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

ROADS: Ann Chytka, Highway Superintendent

ONE & SIX YEAR PLAN: Chytka shared the working document for FY24-25; a public hearing will be held at a later date for the plan.

DRAINAGE STUDY: Chytka requested drainage study be done on County Road HI and County Road IJ to create a plan to preserve the integrity of the roads. Supervisors Pearson and Swanson motioned and seconded to allow Chytka to have an engineering firm proceed with drainage studies. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

CONSIGNMENT AGREEMENT: Chairman Connealy signed a consignment agreement with Riverside Auction for sale of surplus property – (2) dump trucks (roads fleet #18 & #19)

A break was taken for lunch from 11:32 a.m. to 12:01 p.m.

CLOSED SESSION:

Pearson made a motion to go into *Closed Session*, Schold seconded, and the motion passed with All Ayes. Chairman Connealy declared at 12:01 P.M. the board went into closed session *FOR THE PROTECTION OF PUBLIC INTEREST TO DISCUSS COLLECTIVE BARGAINING PER §84-1410(1)(A)*. Only board members and County Clerk (board secretary) were present during closed session. Swanson made a motion to come out of Closed Session, Pearson seconded, and motion passed with All Ayes. Chairman declared the meeting back in regular session at 1:28 P.M. No action was taken during closed session.

FOP Lodge #95 (Fraternal Order of Police) Union:

In regular session- Discussion was held regarding benefits and pay for Sheriff Deputies and Dispatchers who are members of the FOP#95. Pearson made a motion and Schold seconded to offer the following: *Benefits* – will be same offering as all Burt County employees receive per the Burt County Handbook; *Pay* – it was approved to allow the FOP to offer annual raises per their request, the offer did not allow cost of living that County employees may receive. Amount of pay is still under negotiation; FY24-25 Budget will reflect the amounts if an agreement is reached before the Budget is submitted to the State. Motion for the offer was Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

PUBLIC COMMENT: none.

There being no further business to come before the Board at this time, the meeting adjourned at 2:01 P.M. upon motions by Richards and Titus.
Next meeting: July 26, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

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OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
July 26, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, July 26, 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 (7-23-2024), 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, Sam Titus, David Schold and Ted Connealy. Absent – Carl Pearson.

The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman 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, Titus, Schold and Connealy. Nays – none. Absent – Pearson.

The minutes of the July 10 & 19, 2024 Board of Supervisor meetings and the July 11-12 & 19, 2024 Board of Equalization meetings were approved; upon motion by Richards, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Titus, Schold and Connealy. Nays – none. Absent – Pearson.

The claims for July in the amount of \$991,201.74, including \$159,772.07 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Titus, seconded by Schold. By Roll Call Vote: Ayes – Kutchera, Richards, Titus, Schold and Connealy. Nays – Swanson. Absent – Pearson. The following claims were approved:

ANDY'S QUICK SHOP	FUEL	327.55
APPLIED CONNECTIVE TECHNOLOGIES LLC	IT SUPPORT.SERVICE	5,109.45
BLACK HILLS ENERGY	UTILITIES	177.03
BOMGAARS -COURTHOUSE	SUPPLIES	228.86
BRANIFF SERVICE INC	FUEL.REPAIR	6,528.98
BRENNEIS INSURANCE AGENCY INC	P&C INS	168.00
BRUMMOND DISPOSAL	GARBAGE	225.00
BUDDIES MINI MART, LLC	FUEL	783.96
BURT COUNTY AG SOCIETY	FAIR BOOTH	85.00
BURT COUNTY CLERK	STAMPS	73.00
BURT COUNTY COURT	COURT COSTS	83.00
BURT COUNTY DISTRICT COURT	COURT COSTS	113.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	248.38
BURT COUNTY SHERIFF	SERVICE FEE	443.24
BURT COUNTY TREASURER	FUNDS TRANSFER	205,000.00
CANON FINANCIAL SERVICES	EQUIPMENT	35.27
CENTURY LINK	911	323.04
CHRONICLE CAPITAL MANAGEMENT	ANNUAL AT&T TOWER	1,998.09
CITY OF TEKAMAH	UTILITES	228.25
CLARK PEST AND TERMITE CONTROL	SERVICE	75.00
CLASSIC CLEAN CARWASH	FLEET MAINTENANCE	181.33
CONSOLIDATED MANAGEMENT CO.	LAW ENFORCE SCHOOL	132.90
CONTRYMAN ASSOCIATES P.C.	AUDIT FY22-23	2,000.00
CUBBY'S	FUEL	1,697.03
CVSOAN - TOM REIMERS TREASURER	CO. VETS ASSOC - FALL SCHOOL	60.00
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60

DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DAVID SCHOLD	CHECKING ROADS	69.68
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,679.91
DEREK WARNER	MILE – LAW ENFORCE SCHOOL	224.45
DODGE COUNTY	DIST. 6 PROBATION – QTRLY.	3,586.38
DOUGLAS COUNTY SHERIFF	SERVICE FEES	12.90
EAKES OFFICE PLUS	SUPPLIES	523.82
FASTWYRE BROADBAND	UTILITIES	1,516.97
FIRST CONCORD BENEFITS GROUP LLC	INS. ADMIN FEE	1,262.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	170.43
FIRST NATIONAL BANK OMAHA CLERK 2	SUPPLIES	1,249.59
GARY SWANSON	CHECKING ROADS	68.34
GREAT AMERICA FINANCIAL SVCS	EQUIPMENT LEASE	290.31
GREAT PLAINS UNIFORMS	UNIFORMS.SUPPLY	256.50
HERMANSON LAW & MEDIATION LLC	ATTY FEES	1,985.50
HOMETOWN LEASING	EQUIPMENT LEASE	114.20
JACK'S UNIFORMS & EQUIPMENT	UNIFORMS.SUPPLY	197.85
JEFF KUTCHERA	CHECKING ROADS	415.92
JENNIFER HANSEN	MILE – EXTENSION	131.32
JOHNSON & MOCK, PC, LLO	ATTY FEES	1,738.50
JOHNSON & PEKNY, L.L.C.	ATTY FEES	726.75
JONES AUTOMOTIVE INC	FLEET REPAIR	911.31
JRAY'S REPAIR	FLEET REPAIR	37.60
KATHY RAY	OFFICE SUPPORT	110.50
KATIE HART	MILE – APPRAISAL	56.28
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPPORT CONTRACT	2,039.06
LANCASTER COUNTY SHERIFF	SERVICE FEES	34.85
LAZY DAY'S DETAILING	FLEET MAINTENANCE	175.00
LEE AGRI-MEDIA	PUBLISHING	1,043.77
MCH HEALTH SYSTEM	JAIL MEDICAL	4,792.75
MEMORIAL COMMUNITY HOSPITAL	JAIL MEDICAL	225.00
MID AMERICA ENTERPRISES LLC	FLEET REPAIR	365.25
MID-AMERICAN BENEFITS INC	INSURANCE	232.00
MIPS INC	SOFTWARE	1,999.13
MIPS INC - COUNTY COURT	SOFTWARE	68.00
MUNDERLOH-SMITH FUNERAL HOME	AUTOPSY.TRANSPORT	488.00
NE NEBR AREA AGENCY ON AGING	2025 FY	5,440.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING & SERVICES	90.00
NEBR LAW ENFORCEMENT TRAINING	SCHOOL	415.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITES	1,171.81
NEBRASKA.GOV	SOFTWARE OVERAGE	1.00
NORTHEAST NEBR JUVENILE SERV	ANNUAL SERVICES	1,671.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	137.36
ONE OFFICE SOLUTION	SUPPLIES	891.85
PAUL RICHARDS	CHECKING ROADS	221.10
PENNY A. WARREN	MILEAGE -VSO	87.77
REGION IV INC	QTRLY FEES	3,305.50
REGION 4 BEHAVIORAL HEALTH SYS	QTRLY FEES	5,564.00
SAVE MORE MARKET	SUPPLIES	395.00
SECURITY EQUIPMENT INC	SECURITY MONITORING	514.35
SECURITY SHREDDING SERVICES	SHREDDING	120.00
SHARON WIMER	OFFICE SUPPORT	208.00
STACEY KEYS	MILEAGE/SUPPLY – EXTENSION	212.43
TEAM LABORATORY CHEMICAL LLC	SUPPLIES	1,318.50
THE APOTHECARY SHOP	JAIL MEDICAL	145.91
THEODORE CONNEALY	CHECKING ROADS	41.54
THURSTON COUNTY SHERIFF	JAIL	5,520.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97

TORY PENNY	POSTAGE	8.97
VERIZON WIRELESS	CELL PHONES – GENERAL	906.65
VISUAL EDGE IT, INC	SUPPLIES	147.01
WASHINGTON COUNTY	DIST. JUDGE (DIST. 6) - QTRLY	2,707.00
WASHINGTON COUNTY SHERIFF	JAIL	4,940.00
WAYNE COUNTY SHERIFF	SERVICE FEES	18.50
WOODHOUSE FORD CHRYSLER DODGE JEEP	FLEET MAINTENANCE	314.85
YOST LAW FIRM	ATTY FEES	1,457.19
ZACHARY L. BLACKBURN	DIST. COURT	175.18
ARBY'S BODY SHOP LLC	ROADS FLEET REPAIR	150.00
BARCO MUNICIPAL PRODUCTS INC	RD. SIGNS. SUPPLIES	1,291.10
BLUFF AGGREGATE LLC	ROADS MATERIALS	4,247.12
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	677.30
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CITY OF LYONS	UTILITIES	110.22
CITY OF OAKLAND	UTILITIES	22.43
CUMING COUNTY INDUSTRIES	RD. REPAIRS & PRODUCT	1,280.63
FARMERS PRIDE	FUEL	5,242.17
FILTER CARE OF NEBRASKA, INC.	RD. FLEET MAINTENANCE	42.40
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	19.99
GLUP PIPE SALES	CULVERTS	2,692.00
JOHN DEERE FINANCIAL	PARTS	105.03
K-C PARTS & REPAIR	PARTS	26.50
LEON D. ANDERSON	DOT PHYSICAL	80.00
MIDWEST SERVICE CO	SUPPLY.FUEL	7,082.25
NMC CAT RENTAL	EQUIPMENT	612.25
RDO TRUCK CENTERS, LLC	FLEET MAINTENANCE	8,058.87
SCHAEFFER'S SPECIALIZED LUBRICANTS	PART.REPAIR	675.47
SCOTT'S HARDWARE	SUPPLIES	24.54
SEALS & SERVICE INC	FLEET MAINTENANCE	3,376.25
SHAMBURG AUTO SUPPLY	SUPPLIES	207.96
STALP GRAVEL CO	MATERIAL	50,105.43
STEINY'S GENERAL STORE	SUPPLIES	48.00
TRI-STATE COMMUNICATIONS INC	RADIO	158.50
TRUCK CENTER COMPANIES	PARTS	83.03
VILLAGE OF DECATUR	UTILITIES	159.48
WELDON PARTS OMAHA	PARTS.SUPPLY	526.92
WEST POINT AUTO & TRUCK CENTER	PARTS.SUPPLY.REPAIR	663.29
WESTPOINT IMPLEMENT INC	PARTS	378.08
WKI WICHITA KENWORTH	TRUCK PAYMENT	290,391.40
WPCI	TESTING	32.00
JAMES KELLY IV	DEMO GRANT	8,750.00
BURT COUNTY ECONOMIC DEV CORP	2024 INVESTMENT	18,000.00
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
LANGUAGE LINE SERVICES	911	55.27
NORTHEAST NEBR TELEPHONE CO	911	130.46
AFLAC	EMPE PD ADDL.	412.74
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE BENEFITS	52,663.20
COUNTY COURT OF DOUGLAS COUNTY	GARNISHMENT	812.75
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	44,146.10
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	589.08
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	23,538.50
STATE TAX COMMISSIONER	STATE TAXES	6,798.72
VISION SERVICE PLAN (CT)	EMPE PD ADDL	712.79
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79

CREDIT MANAGEMENT SERVICES	GARNISHMENT	43.01
LVNV FUNDING, LLC	GARNISHMENT	38.79
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

COMMUNICATION: (1) Salaries will be published per §23-122.

(2) FY2022-2023 Audit is complete, on file and available for public review.

This audit was turned in one month late due to the contracted Auditor’s standing with the NE Auditor’s office.

Audit FY2022-2023:

The Board voted to accept the FY22-23 Audit; upon motions by Titus and Kutchera. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Titus, Schold and Connealy. Nays – none. Absent – Pearson. This audit was submitted to the State Auditor’s Office one month late; this was due to the originally contracted Auditor’s standing with the State as discussed at 2-14-2024 County Board meeting.

NOTICE of Burt County Financial Statements FY22-23: The Independent Auditor’s Report for fiscal year ending June 30, 2023, for Burt County has been completed by Contryman Associates. A copy of the audit is available in the County Clerk’s Office for review.

Burt County Economic Development (BCEDC) Cindy Chatt, director BCEDC:

Demo Grant: Chatt reported that the BCEDC board has reviewed and recommended their approval for the Private Foundation Grant: (#1) *Fund 0900, Demolition Grant* for Sam & Lori Titus to demo house at 1501 L ST., Tekamah; \$6,227.50 (50% low bid). The grant application was approved upon motion by Swanson, seconded by Kutchera. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Schold and Connealy. Nays – none. Abstain – Titus. Absent – Pearson.

Board of Equalization:

Kutchera moved the Board recess at 9:33 AM for *Board of Equalization*, Schold seconded, motion passed (6) Ayes, (1) Absent. The Burt County Board of Supervisors reconvened at 9:38 AM upon motion by Titus, seconded by Kutchera, (6) Ayes, (1) Absent. See separate minutes for BOE.

IT Services Contract:

Brandon Petersen with Applied Connective Technologies gave an overview of the IT and cybersecurity service contracts that will renew August 1, 2024. The IT support & email/office software portion of the contract will be \$41,100.00 annually; the cybersecurity & monitoring contract costs will be \$21,924.00 annually. Schold moved to accept the annual contracts, Titus seconded the motion. Passed By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Titus, Connealy and Schold. Nays – none. Absent – Pearson.

Unpaid/Stricken Distress Warrants:

Burt County Sheriff Eric Nick prepared a list of unpaid distress warrants for the Board’s review. Burt County Treasurer Robin Olson submitted a report citing that there were no distress warrants to be stricken at this time.

Roads: *Ann Chytka, Highway Superintendent*

FLEET: Motorgraders were discussed with regards to the number needed and replacement order; Ann will start the bidding process, it is anticipated that equipment won’t be available until FY25-26 budget year.

PERSONNEL: Ann reported that she has interviews set up for replacement of one position.

EASEMENT: Contract for Ease and Easement Deed for 0.08 ac lying in SW 1/4 of Section 16, TWP21N, Rge.10E of 6th p.m. Burt County requires land rights for bridge project C-11(425); 0.23 acres is needed, 0.15 ac. is existing public R.O.W. and 0.08 ac is the land acquired via the permanent easement. Land Owner Wyatt Sumey agreed to donate the 0.08 ac. Contract and Easement deed were signed by Chairman, and Easement Deed will be filed with Register of Deeds.

PUBLIC COMMENT: Donette Jackson, 5000 County Road HI, Tekamah- (reference to Missouri River flooding June 2024) She shared a contact from the Corp of Engineers: John Remus, Chief of USACE water management division. Donette suggested that the County Board members communicate with the Corp of Engineers on behalf of our community who live and work along the Missouri River.

FY 2024-2025 Budget:

At the end of the meeting, the board spent time re-reviewing office expenditure requests; another review will take place on August 14. Final numbers will not be decided upon until *after* the valuation is available August 20th.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Titus and Kutchera at 12:14 P.M.
Next Meeting: Wednesday, August 14, 2024 @ 9:00 A.M. in the Courtroom (3rd floor)

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

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Burt County NOTICE pursuant to §23-122:
Burt County Positions and Salaries

CLERK, TREASURER, ASSESSOR, CLERK DISTRICT COURT: \$5,200.00/month
DEPUTY: CLERK, TREASURER, ASSESSOR, CLERK DISTRICT COURT: \$22.50/hour
OFFICE CLERICAL in CLERK, TREASURER, ASSESSOR: \$19.62/hour
REAPPRAISAL REVIEWER: \$20.80/hour
ATTORNEY: \$5,200.00/month
DEPUTY ATTORNEY: \$3,900.00/month
ATTORNEY SECRETARY: \$19.62/hour
SURVEYOR: \$866.66/month
COUNTY BOARD: \$1,343.33/month
SHERIFF: \$5,980.00/month
SHERIFF DEPUTIES: \$5,083.00 - \$4,186.00/month
SHERIFF SECRETARY: \$21.09/hour
911 DISPATCHERS: \$19.41/hour
HIGHWAY SUPT: \$5,551.58/month
HIGHWAY CLERICAL: \$21.96/hour
ROAD DEPT: \$28.12 - \$20.28/hour
MAINTENANCE & BUILDING: \$21.96/hour
WEED AUTHORITY & ROAD SIGNS: \$25.94/hour
VETERANS SERVICE OFFICER: \$28.45/hour
EMERGENCY MANAGEMENT: \$4,750.00/month
EXTENSION CLERICAL: \$19.74/hour
EXTENSION ASSISTANT part time: \$13.00/hour
ZONING & FLOODPLAIN ADMIN: flat rate - \$1,250.00/month

SARAH J. FREIDEL, BURT COUNTY CLERK

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
August 14, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, August 14, 2024 in the 3rd Floor Courtroom 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 (8-6-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

The agenda was approved; upon motion by Kutchera, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy.

The minutes of the 7/26/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Swanson, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of July Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, and the following Miscellaneous Receipts in the amount of \$583,956.12 were all approved upon motion by Schold, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	325.00
EM GRANT	6,269.76
TAX SALE REDEMPTION <CO SHARE>	44.00
CO CLERK-FILING & RECORDING FEES	2,801.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	3,926.61
CO CLERK-MISC FEES	121.50
DISTRICT COURT - FILING FEES	240.00
DISTRICT COURT - MISC FEES & REV.	654.31
DISTRICT COURT - BAIL BOND COSTS 10%	250.00
ELECTION REIMBURSEMENT	1,594.10
CO SHERIFF-MILEAGE & COSTS	477.10
CO SHERIFF-SERVICE FEES	356.00
INTOX	50.00
TITLE INSPECTIONS	380.00
GUN PERMITS	55.00
FINGER PRINTS	30.00
CO ATTY FEES - CHECK COLLECTION	20.00
CHILD SUPPORT ENF - REIMBURSE OF IV-D FROM STATE	4,929.46
INTEREST ON INVESTMENTS	1,184.40
MOTOR VEHICLE FEES: HIGHWAY ALLOCATION	24,698.75
ROAD: HIGHWAY/STREET ALLOCATION	124,937.04
TWP REIMBURSE - PERSHING TWP	77,935.27
TRANSFER GEN-RD	205,000.00
LODGING TAX	622.49
ROD-PRESERVATION & MODERNIZATION	444.50
STOP	150.00
INHERITANCE TAX - Dorothy E. Miller	7,793.60

INHERITANCE TAX - Clarence E. Chamberlain	7,813.44
INHERITANCE TAX - Lavonne E. Martin	10,310.20
INHERITANCE TAX AND INTEREST- Sandra L. Gilliam	245.92
PLAT BOOK SALES	0.00
COUNTY 911 SURCHARGE	1,276.03
E 911 WIRELESS	4,012.69
STATE FINES TO SCHOOLS	250.00
COUNTY COURT FINES REGULAR	2,978.35
DECATUR FIRE - GENERAL	12.21
DECATUR FIRE - BOND	7.17
LYONS FIRE -GENERAL	9.78
LYONS FIRE -BOND	2.22
OAKLAND FIRE - GENERAL	122.19
MUNI COURT FINES - TEKAMAH	15.00
TAX SALE REDEMPTION	4,271.54
IN LIEU OPPD	24.54
HOMESTEAD ALLOCATION	87,314.45

OFFICE UPDATES (2): (1) Building & Grounds – Bruce Nathan (2) Veterans Services – Penny Warren

Communications: (a) District Six Probation FY23-24 budget report & FY24-25 budget request. (b) *Decatur Bridge Project / Missouri River crossing:* Burt County, NE and Monona County, IA. Correspondence from Nebr Dept of Transportation: public info open house meetings for Decatur Bridge Project - August 28th at Onawa Community Center and August 29th at Decatur City Hall. Project website for up-to-date info: www.ndot.info/32395.

Special Designated Liquor License:

SDL for Ronnie’s Bar (Tekamah) to serve an event on 10/12/2024 at The Loft (Craig); approved upon motions by Schold and Titus. By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none.

Foreclosure property - Sold:

Previously in July 2024 newspaper ad was run, and bids were approved for foreclosed parcels now owned by the County. Two parcels did not sell at that time; today one bid was received for consideration. The County Board accepted the following bid upon motion by Schold and Swanson. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. (Decatur) ID #210601800 – Anita Faye Swanson for \$100.00. A Quit Claim Deed will be signed by Chairman after buyers remit payment. There is (1) remaining unsold parcel still available for public purchase, anyone interested can contact the County Clerk’s office to inquire.

Burt County Zoning Regulations - Section 6.03 Wind Energy – Public

Hearing: Chairman Connealy announced that Supervisor Schold was going to lead the Public Hearing. Schold clarified that the hearing is for the rules and regulations of zoning section 6.03 for all wind projects, not for any one particular project. Schold cited multiple topics and thoughts that the board has to consider during a process of review of such regulations. Ann Chytka, Zoning Administrator presented a PowerPoint to show a review of planning and zoning commission’s decisions, and considerations and topics that the County Board is reviewing.

SUPERVISOR SCHOLD OPENED A PUBLIC HEARING AT 9:19 A.M. to take public comments on Burt County Zoning Regulations, Section 6.03; those speaking were given 3 minutes to speak.

SPEAKING DURING PUBLIC COMMENT:

OPPOSITION (13) Jennifer Dolezal; Savannah Smith; Sean Connealy; Phyllis Rieken;

Gregg Smith; Lucille Smith; Bill Price; Dawne Price (provided handout); Colby Hansen; Jane Gorman; Laura Rieken; Deb Bigelow; Janet Wiltse.

IN SUPPORT (17) - Dawn Anderson; Josh Moenning – Chairman Norfolk Community Development Agency; from RWE – Julie Drennen (provided handout), Sue Hansen (provided handout), Silas Scott; Atty for RWE – David Levy; Mandy B; Ken Kaliski – engineer studying noise (provided handout); Kate MacEwan – wildlife biologist; Steve Bowland; Leo Bowland; Mike Bowland; Graham Christensen; Kevin Anderson; Brooke Peterson; Beverly J. Lydick; Walter S. Lydick.

NEUTRAL – (3) Dustin Marvel -OPPD rep.; Dean Carlson; Mark VanDerHart – comment on a definition.

WRITTEN COMMENTS SUBMITTED: (AUG. 5-14)

OPPOSITION (1) Bill Price.

IN SUPPORT (11) – Max Christensen; Graham Christensen; Javier Fernandez, President & CEO of OPPD (submitted by Dustin Marvel, OPPD); Roxy Pettit (submitted by Graham Christensen); Julie Drennen; *Leo Bowland; *James A. Nelson; *Dianne Schlichting; *Steve Bowland; *Mike Bowland; *Ron Schlichting (*submitted by Julie Drennen of RWE).

SUPERVISOR SCHOLD DECLARED THE PUBLIC HEARING CLOSED AT 10:49 A.M., and the Board went back into regular session.

Schold announced that no further action or discussion would be held on this topic today, and the board moved on with the rest of the 8/14/2024 agenda items.

Inventory Statements per §23-347:

Chairman Connealy signed the oath certifying the collection of inventories from all Burt County Officers. Inventory statements of all County personal property are valid and on file with the County Clerk's office.

Collective Bargaining Union: FOP (Fraternal Order of Police) Lodge #95

Contract with Woods Aitken, LLP (Law Firm) was approved upon motion by Titus, seconded by Kutchera. Approved By Roll Call Vote: Ayes – Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – Swanson. Motion included a limit of up to \$1,500.00 be spent to have the law firm review any final FOP contracts before Burt County signs off.

Board of Equalization:

Pearson moved the Board recess at 11:28 AM for *Board of Equalization*, Kutchera seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 11:30 AM upon motion by Schold, seconded by Pearson, All Ayes. See separate minutes for BOE.

PUBLIC COMMENTS (4): (1) *Bill Price, 1615 CoRd. 10, Lyons* – (i) comments on FOP negotiations (ii) shared his opinion that Burt County should lobby OPPD for a nuclear power site in Burt County. (iii) Thanked the board for holding the public hearing on Wind Reg. updates. (2) *Jill Spenner, 1105 CoRd. 45, Tekamah* – ref. to FOP, shared her opinion of the importance of supporting law enforcement (3) *Julie Drennen, RWE representative* – offered that RWE will send more information to board members about sound with regards to the concerns that were expressed during the public hearing. (4) *Colby Hansen, 2699 CoRd. O, Craig* – expressed his opinion regarding wind regs, suggested the Board consider when building out the regs. that there could be requests for larger towers.

There being no further business to come before the Board at this time, the meeting adjourned at 11:39 A.M. upon motions by Kutchera and Titus. Next meeting: August 21, 2023 special meeting and August 28, 2024, both meetings start at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
Special Meeting
August 21, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors held a special meeting on Wednesday, August 21, 2024 in the County Boardroom at the Burt County Courthouse in Tekamah, Nebraska. Notice of the meeting was given in advance thereof by Publication in the Plaindealer, 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 Burt County Board Members were present: Gary "Bird" Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

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

Collective Bargaining for FOP (Fraternal Order of Police) Lodge #95:

Schold made a motion to go into *Closed Session*, Titus seconded, and the motion passed with All Ayes. Chairman Connealy declared at 9:01 A.M. the board went into closed session *for the protection of public interest to discuss collective bargaining per §84-1410(1)(a)*. Also present during closed session: Sheriff Eric Nick. Swanson made a motion to come out of Closed Session, Richards seconded, and motion passed with All Ayes. Chairman declared the meeting back in regular session at 10:28 A.M. No action was taken during closed session.

The board reviewed wage and benefit requests from Union Lodge #95, an offer was drafted to respond; upon motion by Kutchera, seconded by Titus. By Roll Call Vote: Ayes – Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – Swanson. The written offer was given to Deputy Brittany Hedlund, FOP representative.

Budget FY24-25:

The board reviewed budget numbers with the certified valuation. Budget hearing is anticipated for Sept 11, 2024.

The meeting was adjourned upon motions by Kutchera and Titus at 11:47 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk's Office.

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

The Burt County Board of Supervisors met in regular session on Wednesday, August 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 (8-20-2024), 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, David Schold and Ted Connealy.

The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman 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, Schold and Connealy. Nays – none.

The minutes of the August 14 & 21, 2024 Board of Supervisors meetings and Aug. 14, 2024 Board of Equalization meeting were approved; upon motion by Swanson, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The claims for August in the amount of \$609,725.77, including \$165,130.77 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Kutchera, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. The following claims were approved:

ADAM TRIPP	ATTY FEES	2,109.00
ALLISON JONES	POSTAGE	61.20
ANDY'S QUICK SHOP	FUEL	162.90
APPLIED CONNECTIVE TECHNOLOGIES LLC	SUPPORT/MONITOR/IT	5,046.34
ARBY'S BODY SHOP LLC	EQUIP REPAIR	60.00
BLACK HILLS ENERGY	UTILITIES	168.96
BOMGAARS -COURTHOUSE	SUPPLIES	79.05
BRANDI MOORE	MILEAGE	199.66
BRANIFF SERVICE INC	FUEL	1,026.67
BRUCE NATHAN	MILEAGE	112.96
BRUMMOND DISPOSAL	GARBAGE	225.00
BUDDIES MINI MART, LLC	FUEL	519.80
BURT COUNTY CLERK	POSTAGE	124.69
BURT COUNTY COURT	COURT COST FEE	100.00
BURT COUNTY DISTRICT COURT	COURT COST FEE	206.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	252.63
BURT COUNTY SHERIFF	SERVICE/COURT	709.07
BURT COUNTY TREASURER	FUNDS TRANSFER	30,000.00
BURT COUNTY TREASURER	DRAINAGE TAXES	31,488.88
BURT COUNTY 4-H COUNCIL	STAFF MEALS	192.99
CANON FINANCIAL SERVICES	COPIER	27.09
CENTURY LINK	UTILITIES	322.96
CITY OF TEKAMAH	UTILITIES	348.25
CLASSIC CLEAN CARWASH	MISC FLEET	185.00
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	275.96
CRESTON FERTILIZER MCL FARMS INC	CHEMICAL	1,092.39
CUBBY'S	FUEL	1,615.26

DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DECATUR EXPRESS	FUEL	1,419.47
DODGE COUNTY	PROBATION QTRLY	3,408.20
EAKES OFFICE PLUS	SUPPLIES	481.70
ELISE ANDERSON	MILEAGE	91.12
FASTWYRE BROADBAND	UTILITIES	1,433.48
FIRST CONCORD BENEFITS GROUP LLC	INS ADMIN FEES	841.65
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	319.91
FUTURITY IT, INC	SOFTWARE	1,500.00
GARY SWANSON	CHECKING ROADS	113.90
GENESIS PSYCHIATRIC GROUP LLC	JAIL MEDICAL	266.00
GREAT AMERICA FINANCIAL SVCS	COPIER	247.63
HOMETOWN LEASING	COPIER	382.26
JACK'S UNIFORMS & EQUIPMENT	EQUIPMENT	772.93
JEFF KUTCHERA	CHECKING ROADS	184.92
JEFFREY MADSEN	COURT MILEAGE	21.44
JENNIFER HANSEN	MILEAGE	115.24
JENNIFER HOLLIS	COURT MILEAGE	33.50
JENNIFER PETERSON	MILEAGE	20.10
ROTH WEINSTEIN, LLC	ATTY FEES	1,558.00
JOHNSON & PEKNY, L.L.C.	ATTY FEES	513.00
JONES AUTOMOTIVE INC	FLEET MAINTENANCE	270.00
JULIE FLEISCHMAN	MILEAGE	103.30
KATHY RAY	OFFICE SUPPORT	26.00
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPPORT CONTRACT	2,019.14
KRISTINE HABER	SUPPLIES	118.08
LEE AGRI-MEDIA	PUBLISHING	3,431.32
MICHELE QUICK	NOTARY FEE	30.00
MID-AMERICAN BENEFITS INC	INS ADMIN FEES	232.00
MIPS INC	SOFTWARE	1,999.13
MIPS INC - COUNTY COURT	SOFTWARE	68.00
NACO	OPEN MTG POST	7.00
NACO	NE DIST MEET	390.00
NEBR LAW ENFORCEMENT TRAINING	TRAINING	142.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	1,294.78
NSA/POAN LAW ENFORCEMENT	CONFERENCE	107.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	293.00
ONE OFFICE SOLUTION	SUPPLIES	920.55
PAUL RICHARDS	CHECKING ROADS	107.20
PELAN FUNERAL SERVICES INC	SERVICES	625.00
PENNY A. WARREN	MILEAGE	37.52
RADAR ROAD TEC	EQUIPMENT	200.00
REDFIELD DIRECT LLC	SUPPLIES	912.01
RMR COURT REPORTING	COURT COSTS	283.00
SAMUEL TITUS	CHECKING ROADS	309.80
SAVE MORE MARKET	SUPPLIES	210.26
SECRETARY OF STATE	ELECTION SUPPLY	20.00
SECURITY EQUIPMENT INC	MONITORING	239.00
SHAMBURG AUTO SUPPLY	SUPPLIES	156.89
SHARON WIMER	OFFICE SUPPORT	104.00
STACEY KEYS	MILEAGE	60.30
STAMP FULFILLMENT SERVICES	SUPPLIES	451.75
STATE OF NEBRASKA	SUPPLIES	20.00
THE APOTHECARY SHOP	JAIL MEDICAL	283.60
THEODORE CONNEALY	CHECKING ROADS	46.23
THURSTON COUNTY SHERIFF	JAIL	4,320.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97

US POSTAL SERVICE (NEOPOST POSTAGE)	POSTAGE	5,000.00
VERIZON WIRELESS	CELL PHONES	906.65
VISUAL EDGE IT, INC	COPIER	41.45
WASHINGTON COUNTY DRUG COURT	COURT FEES	699.54
WASHINGTON COUNTY SHERIFF	JAIL	3,120.00
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	537.10
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CITY OF LYONS	UTILITIES	121.22
CITY OF OAKLAND	UTILITIES	22.15
CUMING COUNTY INDUSTRIES	SUPPLY	82.64
DECATUR EXPRESS - KB'S MINI MART	FUEL	298.40
DPA TRUCK & EQUIPMENT SALES	PARTS	61.16
FARMERS PRIDE	FUEL	5,474.96
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	19.99
GINI, LLC	FUEL	88.72
JOHN DEERE FINANCIAL	EQUIPMENT	691.73
K-C PARTS & REPAIR	PARTS	312.02
KIRBY L BOWLAND	PARTS	8.99
KNIFE RIVER MIDWEST LLC	ROAD PROJECT	95,250.37
LORENSEN LUMBER & GRAIN LLC	SUPPLIES	185.00
MIDWEST SERVICE AND SALES CO	PARTS	300.00
MIDWEST SERVICE CO	FUEL	8,775.01
NICHOLAS KOPIETZ	PARTS	29.99
NMC	PARTS/REPAIR	1,473.41
SCOTT'S HARDWARE	SUPPLIES	45.58
STALP GRAVEL CO	MATERIALS	51,762.48
STEINY'S GENERAL STORE	FUEL	32.98
TRI-STATE COMMUNICATIONS INC	COMMUNICATIONS EQUIP	158.50
VILLAGE OF DECATUR	UTILITIES	156.79
WELDON PARTS OMAHA	PARTS	22.61
WOODHOUSE FORD CHRYSLER DODGE JEEP	FLEET REPAIR	1,813.23
MINDY TALLMAN	DEMO GRANT	6,950.00
SAM TITUS	DEMO GRANT	6,227.50
TRI-COUNTY SADDLE CLUB	PROMO GRANT	500.00
CENTURY LINK - LUMEN	911	9,087.32
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
LANGUAGE LINE SERVICES	911	1.77
NORTHEAST NEBR TELEPHONE CO	911	129.17
AFLAC	EMPE PD ADDL	412.74
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	52,663.20
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	45,716.75
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	589.08
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	23,780.12
STATE TAX COMMISSIONER	STATE TAXES	7,048.71
VISION SERVICE PLAN (CT)	EMPE PD ADDL	744.63
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	43.01
LVNV FUNDING, LLC	GARNISHMENT	38.79
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Collective Bargaining for FOP (Fraternal Order of Police) Lodge #95:

Deputy Brittany Hedlund, FOP representative, presented a full written agreement for final review. The board members will have the contracted attorney review the agreement in its entirety.

DeYon McClintock, 380 N. Main St, Craig – Citizen shared a complaint of how a dog attack incident was handled by the Sheriff’s office. She went on to further explain that the Village of Craig does not have law enforcement, but she has also attended the Village board meetings to explain the incident to them as well. DeYon requested the Sheriff’s office enforce state laws regarding malicious/dangerous dogs. DeYon also requested more law enforcement presence in the Village from time to time and maybe especially trying to be there while children are loading buses. Deputy Hedlund confirmed the office did take action following the dog attack; Hedlund also offered to be present for busing the next morning.

Audit FY 2023-2024:

Chairman Connealy signed the Engagement Letter for the 2023-2024 Audit being performed by *Contryman Associates P.C.*

Burt County Economic Development (BCEDC) Cindy Chatt, director BCEDC:

(2) *Grants:* Chatt reported that the BCEDC board has reviewed and recommended their approval for two (2) Private Foundation Grants:

(#1) *Fund 0900, Demolition Grant* for Clay Gibbs and Hope Hasenkamp-Gibbs to demo house and garages on Lots 1-3, Blk. 18, Oakland; \$6,750.00 (50% low bid). Grant was approved upon motion by Pearson, seconded by Swanson, Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Connealy. Nays – Schold.

(#2) *Fund 0900, Commercial Reno Grant* for City of Lyons for concrete foundation repairs on the island in Brink Memorial Park; \$8,420.00 (50% low bid). No action was taken, discussion was held regarding concerns that the request was not for a commercial building; after discussion the board decided to send the Grant back to Burt County Economic Development Board with no action for approval at this time.

Board of Equalization:

Schold moved the Board recess at 11:06 AM for *Board of Equalization*, Kutchera seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 11:21 AM upon motion by Kutchera, seconded by Titus, All Ayes. See separate minutes for BOE.

ROADS: *Ann Chytka, Highway Superintendent*

One & Six Year Plan: Chairman Connealy opened a Public Hearing for the 2024-2025 One and Six Year Road Plan at 10:47 A.M. Chytka shared a map and listing (both placed on file, and also posted on Highway Superintendent’s webpage). Having no Public Comment offered, Chairman Connealy closed the Public Hearing and returned to regular session at 10:58 A.M. The board held discussion about the projects and Resolution 2024-11 was passed upon motion by Schold, seconded by Swanson. By Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. **RESOLUTION #2024-11**

“Whereas, the Burt County Highway Superintendent has prepared and presented a One-and- Six Year Plan for Highway Improvement for Burt County, Nebraska, and;

“Whereas, a public meeting was held on the 28th day of August, 2024 to present this plan, and all objections and recommendations said plan were considered;

“Therefore, be it resolved by the County Supervisors of Burt County, Nebraska, that the plan and data as furnished and/or revised are hereby in all things accepted and adopted.”

Whereupon, the Resolution was declared passed by the Burt County Board of Supervisors on the 28th day of August, 2024, at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL, BURT COUNTY CLERK TED CONNEALY, CHAIRMAN – BURT COUNTY BOARD OF SUPERVISORS

COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE – 2024 Board Members Kutchera and Titus moved for adoption of Resolution 2024-10. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy.

Nays – none. Resolution was adopted. **RESOLUTION #2024-10**
Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and
Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.
Be it resolved that the County Board Chairperson of Burt County is hereby authorized to sign the County Annual Certification of Program Compliance.
Adopted this 28th day of August 2024 at Tekamah, Burt County, Nebraska. Ted Connealy, Chairperson
Jeff Kutchera Gary Swanson Paul Richards Carl Pearson David Schold Sam Titus

Bids for Culvert Project “Decatur SW C-11(440)” Old Hwy 118 between CoRd. RS &S: Adam with Mainelli Wagner Assoc. was present to review bids before approval. The following bids were presented:

VanDorn Valley Constr. (Denton, NE)	\$258,735.60	Fall 2024 – Fall 2024
Husker Engineering (Burwell, NE)	\$232,236.00	Nov. 15 – Dec. 30, 2024
Vogtsapes Inc (Bennet, NE)	\$195,916.50	March – April 2025
General Excavating (Lincoln, NE)	\$272,370.90	March 1 – April 20, 2025
Nelson & Rock Contr. (Onawa, IA)	\$194,097.72	Sept. 16 – Nov. 25, 2024

The board voted to accept the bid from Nelson & Rock, a company rep confirmed that the road would only need to be closed for 30 days and they are willing to work around harvest schedules while still completing the project late fall/early winter 2024. The bid for \$194,097.72 was accepted upon motion by Schold, seconded by Titus. By Roll Call Vote: Ayes- Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none. Motion passed.

Skid Steer Lease: The lease on the skid loader is up for renewal; Ann presented for approval a municipal rental agreement with NMC for 1 year 250 hours, annual cost of \$8,150.00. The board approved agreement upon motions by Richards and Pearson, By Roll Call Vote: Ayes- Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Striping: Ann presented (2) quotes for striping. (1) Highway Signing Inc. - \$1,590.00/mile and (2) Straight-Line Striping - \$1,635.00/mile. The board approved Chytka to accept Highway Signing, Inc; upon motion by Schold, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none.

ZONING: *Ann Chytka, Burt County Zoning and Floodplain Administrator*
Lot Splits (2): (1) JAN BUHL & WILLIAM RIECKEN (6 tracts) in S ½ of Section 11, Township 23N, Range 8 E of 6th Principal Meridian, Burt County, Nebraska. – Chairman signed for approval. (2) VICKY PRUESS 4 ac. in PT. NE ¼ NW ¼ of Section 35, Township 21N, Range 9 E of 6th Principal Meridian, Burt County, Nebraska. – no action. Board recommended the zoning administrator advise that a conditional use permit will be necessary if a house is going to be built on the acreage.

Burt County Wind Regulations: Kevin Brenneis (Brenneis Ins. Agency), agent for Burt County’s Property and Casualty Insurance shared information regarding decommissioning bonds for Wind Turbines. No further discussions were held about wind regulations; the board announced that they need more time to review decommissioning bonds processes and other public concerns. Resolution 2024-13 was presented for consideration. Board Members Schold and Kutchera moved for adoption of Resolution 2024-13 with changes to extension dates. The Resolution was adopted By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Resolution 2024-13 RESOLUTION FOR AN EXTENSION ON TEMPORARY MORATORIUM ON WIND ENERGY

CONVERSION SYSTEMS WITHIN BURT COUNTY, NEBRASKA.

WHEREAS, the Board of Supervisors of Burt County, Nebraska (the “Board”), contemplates amendments to the existing Burt County, Nebraska, Zoning Regulations, to include provisions regulating wind energy conversion systems (WECS); and

WHEREAS, the Board desires to extend the current moratorium Resolution No. 2023-19, 2024-07 an additional ~~60~~ 92 days prohibiting the Administrator of Planning and Zoning, Planning Commission, and the Zoning Board of Adjustment, from accepting or otherwise acting on any application to develop a wind energy conversion system (WECS).

WHEREAS, the Board of Supervisors is sending revisions and suggestions to the Planning and Zoning Commission for further review and public comment.

NOW THEREFORE, BE IT RESOLVED, the Board hereby approves this resolution. The moratorium shall be extended from ~~September 30th until November 30th~~ 2024-October 1st until December 31st, 2024.

APPROVED this 28th day of August 2024 at Tekamah, Nebraska.

- signed by Chairman Connealy, attest County Clerk Freidel

FY 2024-2025 Budget:

The Board reviewed and revised the 2024-2025 budget figures with the current valuation. The Budget Hearing will be held September 11, 2024; the County will participate in a Joint Public Hearing per LB644 to be held September 19, 2024. Hearing notices will be published online and in the Plaindealer. Mort Pearson, representative from Burt County Ag Society - presented the 2024 Burt County Fair budget and requested \$100,000.00 of the County’s budget be allotted to help offset Burt County Fair expenditures.

As part of Burt County Fiscal Year 2024-2025 Budget/Levy business, the following Resolution was adopted: **RESOLUTION #2024-12**

Levy Limit Allocations

WHEREAS, under L.B. 1154 (1996) any property tax for political subdivisions will be included in the County’s tax levy. NOW THEREFORE BE IT RESOLVED by the Burt County Board of Supervisors that pursuant to law, the County has subdivisions levy authority as specified on the County Levy Limit Form hereby and by this reference incorporated herein.

Fire Districts:	up to 4 cents
Cemetery Districts:	up to 2 cents
Townships:	up to 9 cents

\$75,000.00 of the County’s five-cent miscellaneous levy will be allowed to the Ag Society under an Interlocal Agreement.

DATED this 28th day of August 2024, at Tekamah, Nebraska.

- signed by Chairman Connealy, attest County Clerk Freidel

Adopted upon motion by Swanson, seconded by Kutchera, By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Schold. Nays – none.

PUBLIC COMMENTS (2): (1) Donette Jackson, 5000 CoRd. HI, Tekamah – Thanked the board for all they do. (2) Bill Price, 1615 CoRd. 10, Lyons – (i) referenced Bradford Hill Report regarding low frequency noise research; expressed to the board when taking action, error on the side of caution. (ii) Thanked the board regarding extension of moratorium.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Titus and Richards at 12:38 P.M.

Next Meeting: Wednesday, September 11, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL BURT COUNTY CLERK	TED CONNEALY, CHAIRMAN BURT COUNTY BOARD OF SUPERVISORS
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These minutes are not the official record and June be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
FY 2024-2025 Budget Meeting
September 11, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met on Wednesday, September 11, 2024 in the Boardroom of the Burt County Courthouse in Tekamah, Nebraska, for the purpose of holding FY 2024-2025 budget meeting. The notice of budget hearing was published in the Plaindealer (9-3-2024), 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, David Schold and Ted Connealy.

Public/Press present for meeting: one (1) member from the press and four (4) members from the public.

The meeting opened at 9:00 A.M. with the Pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Chairman Connealy declared a Public Hearing open at 9:13 A.M., for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the proposed budget for FY 2024-2025. Proposed budget statements were made available for public review. County Clerk Sarah J. Freidel gave a presentation outlining key provisions of the proposed budget. PUBLIC COMMENT: Jill Spenner - offered comment about helpful presentation details to help the public understand better the levies of all Political Subdivisions. Chairman closed the hearing at 9:13 A.M., and the board returned to regular session.

In lieu of a Tax Request Hearing for FY24-25, Burt County will participate in a Joint Public Hearing to be held at the Courthouse, 3rd floor Courtroom on September 19, 2024 at 6:01 p.m.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

BURT COUNTY

NOTICE OF BUDGET HEARING AND BUDGET SUMMARY

PUBLIC NOTICE is hereby given, in compliance with the provisions of Section 13-501 to 13-512, R.R.S. 1943, that the governing body will meet on the 11th day of September 2024 at 9:00 AM at the Burt County Courthouse, 111 N. 13th ST, Tekamah, NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to the following proposed budget. The budget detail is available at the office of the Clerk during regular business hours.

Funds	Actual Disbursements 2022-2023 (1)	Actual Disbursements 2023-2024 (2)	Proposed Disbursements 2024-2025 (3)	Necessary Cash Reserve (4)	Total Available Resources Before Property Taxes (5)	Total Real and Personal Property Tax Requirements (6)
GENERAL	5,628,349.18	7,296,169.44	7,455,784.69	325,000.00	2,233,403.72	5,547,380.97
ROAD	3,293,264.95	5,199,530.10	4,823,022.10	0.00	4,823,022.10	0.00
PRIVATE FOUNDATION GRANTS	87,963.46	43,983.20	248,887.66	0.00	248,887.66	0.00
VISITORS PROMOTION FUND/LODGING TAX	2,014.00	6,748.00	55,380.02	0.00	55,380.02	0.00
REGISTER OF DEEDS PRES & MAINT	10,697.66	6,078.82	8,026.35	0.00	8,026.35	0.00
JUVENILE DIVERSION	0.00	0.00	2,822.63	0.00	2,822.63	0.00
STOP PROGRAM	0.00	1,978.00	6,902.53	0.00	6,902.53	0.00
DRUG LAW ENFORCEMENT & EDUCATION	0.00	0.00	1,000.00	0.00	1,000.00	0.00
K-9	10,590.88	7,612.02	16,125.03	0.00	16,125.03	0.00
CAPITAL IMPROVE./FLOOD DISASTER	0.00	1,210,000.00	524,140.84	0.00	524,140.84	0.00
ARPA FUNDS	33,826.50	1,166,081.00	0.00	0.00	0.00	0.00
CDBG -MIDWEST VET_2021	157,307.79	0.00	0.00	0.00	0.00	0.00
INHERITANCE	18,904.03	1,628,018.16	1,693,265.89	0.00	1,693,265.89	0.00
911	3,989.28	56,937.44	57,320.44	0.00	57,320.44	0.00
E 911	45,943.31	37,921.08	61,689.94	0.00	61,689.94	0.00
SET ASIDE FUNDS (911)	0.00	0.00	144,206.54	0.00	144,206.54	0.00
BUILDING FUND	0.00	137,800.00	1,306,895.84	0.00	1,106,895.84	200,000.00
GRAND TOTAL	9,292,851.04	16,798,857.26	16,405,470.50	325,000.00	10,983,089.53	5,747,380.97
Unused Budget Authority created for next year						1,284,701.47

BURT COUNTY

NOTICE OF SPECIAL HEARING TO SET FINAL TAX REQUEST

PUBLIC NOTICE is hereby given, in compliance with the provisions of State Statute 77-1632, that the governing body will meet on the 19th day of September 2024 at 6:01 PM at the Burt County Courthouse, 111 N. 13th ST, Tekamah, NE for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request at a different amount than the prior year tax request.

	2023	2024	Change
Operating Budget	21,374,615.27	16,405,470.50	-23.25%
Property Tax Request	4,690,990.97	5,747,380.97	22.52%
Valuation	2,175,738,440.00	2,326,291,276.00	6.92%
Tax Rate	0.215604	0.247062	14.59%
Tax Rate if Prior Tax Request was at Current Valuation	0.201651		

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
September 11, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, September 11, 2024 in the Boardroom of the Burt County Courthouse in Tekamah, Nebraska, following the budget meeting. Notice of the meeting was given in advance thereof by Publication in the Oakland Independent (9-5-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:13 A.M. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Kutchera, seconded by Titus, the agenda was approved. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The minutes of the 8-28-2024 Board of Equalization and Board of Supervisors meetings were approved upon motion by Pearson, seconded by Swanson. By Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

August

Approval of ~~September~~ Financial Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, and the following Miscellaneous Receipts in the amount of \$ 311,572.27 were all approved upon motion by Schold, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Webster, Schold and Connealy. Nays – none. Motion passed.

ZONING PERMITS	362.00
AIRLINE TAX FROM STATE	157.28
TAX SALE REDEMPTION <CO SHARE>	44.00
CO CLERK-FILING & RECORDING FEES	2,686.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	1,539.35
CO CLERK-MISC FEES	88.50
DISTRICT COURT - FILING FEES	400.00
DISTRICT COURT - COURT COST REFUNDS	53.00
DISTRICT COURT - MISC FEES & REV.	2,552.45
DISTRICT COURT - FEES & COSTS	136.00
DEPT SOCIAL SERVICES IV-D _DIST. COURT	6,253.16
CO COURT - MISC FEES	547.00
CO SHERIFF-MILEAGE & COSTS	1,141.94
CO SHERIFF-SERVICE FEES	774.00
DEPT SOCIAL SERVICES IV-D _CO ATTY _CH SUPPORT ENF.	1,614.93
TITLE INSPECTIONS	450.00
GUN PERMITS	50.00
OVERLOAD FINES - 25% <CO SHARE>	37.50
OPIOID SETTLEMENTS (4)	4,100.74
REIMBURSE CIVIL PROCESS _SHERIFF	18.00
SERVICE RETURN _SHERIFF FROM CUMING CO ATTY	31.50
INTEREST ON INVESTMENTS	720.93
ROAD: HIGHWAY/STREET ALLOCATION	122,771.90
SALE OF TRUCKS (2)	74,772.00
LEE VALLEY SALE _CULVERT, WELDER, RIM & TIRE	3,705.00

TRANSFER GEN-RD	30,000.00
LODGING TAX	978.90
ROD-PRESERVATION & MODERNIZATION	417.00
STOP	150.00
INHERITANCE TAX - Don Uhing Admin. Trust	40,813.00
PLAT BOOK SALES	30.00
COUNTY 911 SURCHARGE	228.00
E 911 WIRELESS	4,012.69
OVERLOAD FINES - 75% <ST. SHARE>	112.50
COUNTY COURT FINES REGULAR	3,725.00
COUNTY COURT BOND FORFEITURES	1,751.00
MISC FINE - DOG AT LARGE _LYONS CITY	50.00
DECATUR FIRE - GENERAL	85.31
DECATUR FIRE - BOND	50.06
LYONS FIRE -GENERAL	198.56
LYONS FIRE -BOND	45.21
OAKLAND FIRE - GENERAL	55.60
PERS PROPERTY TAX RELIEF _CARLINE TAX FROM ST.	849.98
TAX SALE REDEMPTION	3,012.28

OFFICE UPDATES (2): (1) Treasurer – Robin Olson (2) District Court – Michele Quick - not present; out of office for Jury Trial.

Phone/Internet – Courthouse Building:

The current phone system used in the courthouse (installed in 2014) has reached end of service, meaning the software is no longer being supported; updates and repair patches are no longer available to ensure continuity of the current system. Applied Connective Technologies (ACT) the County’s network system administrator and cyber monitoring company provided a quote for an up-to-date phone system that will operate and be supported with today’s technology. Along with the phone update, they will oversee a transition from Fastwyre internet to OPTK. The combination of the new system and new provider will allow SIP technology to be used in return providing more secure, reliable phone and internet systems for Courthouse business. The board approved the proposed changes and quotes, upon motion by Schold, seconded by Richards. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none.

Collective Bargaining for FOP (Fraternal Order of Police) Lodge #95:

Supervisor Pearson reported that the contract attorney had reviewed the proposed written agreement that FOP had presented to the board on 8/28/2024; there were some suggested changes. Next Step: Have County Attorney Talbot and Sheriff Nick both review and familiarize themselves with the agreement. No action for final approval at this point.

Board of Equalization:

Schold moved the Board recess at 11:06 AM for *Board of Equalization*, Kutchera seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 11:21 AM upon motion by Kutchera, seconded by Titus, All Ayes. See separate minutes for BOE.

ZONING: *Ann Chytka, Planning and Zoning Administrator*

The board reviewed (line by line) *Section 6.03 Wind Energy Installation* of the Burt County Zoning Regulations. Next Steps: Chytka will take the proposed changes back to the Planning Commission for their review.

PUBLIC COMMENT: Bill Price (1615 Co.Rd. 10, Lyons) – (i) Thanked the board for all of the time and effort they have spent on the review of Wind Energy Regulations; (ii) Shared handouts from an article by Eric Zou, economist – U.S. study researched direct correlation of low frequency noise causing sleep problems and an increase in suicide rates for people exposed.

There being no further business to come before the Board at this time, the meeting adjourned at 2:23 P.M. upon motions by Titus and Kutchera.
Next meeting: September 27, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL	TED CONNEALY, CHAIRMAN
BURT COUNTY CLERK	BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
September 27, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, September 27, 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 (9-24-2024), 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, David Schold and Ted Connealy.

The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman 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, Schold and Connealy. Nays – none.

The minutes of the September 11, 2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Richards, seconded by Schold. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Burt County Fiscal Year 2024-2025 Budget Business:

Motion to increase restricted funds spending authority by 2.5% - Motion made by Schold, seconded by Kutchera, Passed By Roll Call Vote. Ayes – all. Nays – none.

Motion to increase restricted funds spending authority by an additional 1% - Motion made by Schold, seconded by Richards, Passed By Roll Call Vote. Ayes – all. Nays – none.

Public Hearing for setting the final tax request: The County participated in the Joint Public Hearing on Sept 19, 2024 in lieu of having to hold a tax request hearing.

Resolution #2024-14: Motion was made by Swanson, seconded by Schold, to accept and approve the 2024-2025 Budget; Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none.

RESOLUTION #2024-14

BUDGET ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2024, to June 30, 2025, prepared by the Budget Making Authority, was transmitted to the County Board on the 11th day of September 2024.

NOW, THEREFORE, BE IT RESOLVED, by the Board of SUPERVISORS of Burt County, Nebraska as follows:

- SECTION 1. That the budget for the Fiscal Year July 1, 2024, to June 30, 2025, as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the Budget for Burt County for said fiscal year.
- SECTION 2. That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2024, and ending June 30, 2025.
- SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

DATED AND PASSED THIS 27th DAY OF SEPTEMBER 2024.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

CRESTON FERTILIZER MCL FARMS INC	CHEM SUPPLY	3,832.50
CUBBY'S	FUEL	1,908.05
DAKOTA COUNTY SHERIFF	JAIL	110.00
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	293.25
DE LAGE LANDEN PUBLIC FINANCE LLC	FLEET PAYMENT	3,758.08
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,095.74
DOUGLAS COUNTY DEPT OF CORRECTIONS	JAIL	6,600.00
DOUGLAS COUNTY SHERIFF	SERVICE FEE	12.90
EAGLE RIDGE FEEDLOT INC	COURT CASE	28,848.00
EAKES OFFICE PLUS	OFFICE SUPPLY	1,229.34
ELECTION SYSTEMS & SOFTWARE	GN24 ELECTION	2,949.00
EMILY HEDLUND	MILEAGE	106.53
ERIC NICK	TRAVEL EXPENSE	1,293.80
FASTWYRE BROADBAND	PHONE/INTERNET	1,442.33
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	25.00
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	40.98
GARY SWANSON	CHECKING ROADS	82.41
GRAHAM TIRE STORE	FLEET	639.12
GREAT AMERICA FINANCIAL SVCS	COPIER	248.79
HEARTLAND FIRE PROTECTION COMPANY	ANNUAL TEST/MAINTENANCE	702.80
HOMETOWN LEASING	COPIER	76.93
JACK'S UNIFORMS & EQUIPMENT	EQUIPMENT	54.89
JAMES P BUCK	TRAVEL EXPENSE	53.78
JEFF KUTCHERA	CHECKING ROADS	246.56
JOHNSON & PEKNY, L.L.C.	ATTY FEES	580.50
KATHY RAY	OFFICE SUPPORT	104.00
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPPORT ATTY	2,021.12
LARSEN BROTHERS, LLC	COURT CASE	975.00
LEE AGRI-MEDIA	PUBLISHING	1,319.13
LINCOLN MARRIOTT CORNHUSKER	LODGING - MEETING	363.00
LOFFLER	COPIER	854.59
MARY LOFTIS	MEDICARE CONSULTING	3,100.00
MERRILL LARSON TRANSFER INC	COURT CASE	500.00
MID AMERICA ENTERPRISES LLC	SUPPLIES	1,432.70
MID-AMERICAN BENEFITS INC	INSURANCE	232.00
MIDWEST SERVICE CO	SUPPLY	6,233.38
MIPS INC	SOFTWARE	1,999.13
MIPS INC - COUNTY COURT	SOFTWARE	136.00
NACO	ANNUAL CONFERENCE	800.00
NE OMS SPECIALITY DENTAL SERVICES	JAIL INMATE MEDICAL	1,911.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	SERVICES/LODGING	186.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	1,109.70
NORTHEAST NEBRASKA VET SERVICES	COURT CASE	89.18
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	912.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	107.29
OFFICE WAREHOUSE	SUPPLIES	49.99
ONE OFFICE SOLUTION	OFFICE SUPPLY	939.21
PALMYRA LIVESTOCK MARKET INC	COURT CASE	18,700.00
PAUL RICHARDS	CHECKING ROADS	85.76
PENNY A. WARREN	MILEAGE	248.90
PHEASANT BONANZA	COURT CASE	1,025.00
POTTAWATTAMIE COUNTY SHERIFF	SERVICE FEES	36.00
QUADIENT LEASING USA, INC	POSTAGE MACHINE	817.53
RADIOLOGY CONSULTANTS	JAIL MEDICAL	33.00
RAMADA MIDTOWN CONFERENCE CENTER	MEETING	639.80
RAY O'HERRON	SUPPLIES	1,221.80
RED BARN VETERINARY CLINIC	COURT CASE	124.00

REGAN CONNEALY	COURT CASE	80.00
REGION 4 BEHAVIORAL HEALTH SYS	QUARTERLY	5,564.00
ROBIN OLSON	MILEAGE MEETING	94.46
SARAH FREIDEL	MILEAGE MEETING	93.80
SAVE MORE MARKET	SUPPLIES	115.80
SECURITY SHREDDING SERVICES	SERVICES	80.00
SHAMBURG AUTO SUPPLY	SUPPLIES	259.12
SHARON WIMER	OFFICE SUPPORT	104.00
STACEY KEYS	TRAVEL EXPENSE	64.55
TAYLOR ATKINSON	COURT CASE	139.36
TEKAMAH POST OFFICE	PO BOX	188.00
THE APOTHECARY SHOP	JAIL INMATE MEDICAL	214.81
THEODORE CONNEALY	CHECKING ROADS	46.23
THURSTON COUNTY SHERIFF	JAIL	6,660.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97
TOBIN'S TURF CARE	LAWN	680.00
TRAVELERS	DEDUCTIBLE	2,500.00
TRI-STATE COMMUNICATIONS INC	RADIO	1,791.13
VERIZON WIRELESS	CELL PHONES	881.09
VISUAL EDGE IT,INC	SUPPLY	39.32
WASHINGTON COUNTY SHERIFF	JAIL	2,340.00
WOODS AITKEN LLP	LEGAL CONSULT	96.00
YOST LAW FIRM	ATTY FEES	1,527.00
ANN CHYTKA	MILEAGE	93.80
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	1,141.09
BONINE GARAGE DOORS	BC ROADS	1,649.00
BREHMER MFG INC	PARTS	49.04
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CASS PLUMBING & HVAC LLC	REPAIRS	412.22
CITY OF LYONS	UTILITIES	117.92
CITY OF OAKLAND	UTILITIES	23.80
FARMERS PRIDE	FUEL	5,153.49
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	1,417.96
JAMES WATSON	PLUMBING	56.36
JOHN DEERE FINANCIAL	FLEET	418.62
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	23,098.46
MHC KENWORTH -OMAHA	FLEET	320.05
MIDWEST SERVICE AND SALES CO	FUEL	6,567.20
NMC	FLEET	9,146.45
SCOTT'S HARDWARE	SUPPLIES	241.89
SISCO CONSTRUCTION	BC ROADS	164,684.00
SPENCER QUARRIES, INC	MATERIALS	2,434.17
STALP GRAVEL CO	MATERIALS	29,670.89
STEINY'S GENERAL STORE	SUPPLIES	32.98
VERIZON CONNECT FLEET USA LLC	SERVICE PLAN	1,472.59
VILLAGE OF DECATUR	UTILITIES	148.72
WEST POINT AUTO & TRUCK CENTER	BC ROADS	1,882.94
WOODHOUSE FORD CHRYSLER DODGE JEEP	BC ROADS	1,174.95
WPCI	TESTING	64.00
LEOS PUMP SHOP	GRANT	11,403.13
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
LANGUAGE LINE SERVICES	911	14.16
NORTHEAST NEBR TELEPHONE CO	911	130.46
AFLAC	EMPE PD ADDL	371.01
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	52,663.20
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	44,604.92
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	589.08

MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	23,392.53
STATE TAX COMMISSIONER	STATE TAXES	6,906.85
VISION SERVICE PLAN (CT)	EMPE PD ADDL	744.63
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	43.01
LVNV FUNDING, LLC	GARNISHMENT	38.79
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Sheriff’s Fleet:

Chief Deputy Buck gave an update on a vehicle they found to replace 2018 pick-up that has ~200,000 miles. 2022 Durango will be purchased from Kansas State Patrol; vehicle has ~49,000 miles on it and has emergency/law enforcement package, only radio, cage and exterior identification stickers will need addressed by Burt County. The FY24-25 budget allows for the purchase.

Collective Bargaining Union - FOP (Fraternal Order of Police) Lodge #95:

a) Agreement: FOP had presented draft of agreement to the board on8/28/2024. The contract attorney had reviewed the proposed written agreement, that draft was reviewed by the County Board on 9/11/2024. Today the board reviewed the document with changes that were made by Burt County Attorney Talbot. Next Step: County Attorney Talbot will draft a clean copy of the agreement; contract Attorney (Woods Aitken) will review that draft and return to County Attorney’s office. No action for final approval at this point.

b) Contract Attorney: A contract with Woods Aitken, LLP (Law Firm) was approved on 8/14/2024 for up to \$1,500.00 to be spent to have the law firm review any final FOP contracts before Burt County signs off. As of today’s meeting, all appropriated funds have been utilized for the services. Pearson made a motion to set aside additional funds, with a limit of \$2,000.00, for continued review of FOP agreement. Motion was seconded by Titus, and approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Ivy Lanes, Mondamin, IA (Burt County):

Jeff Anderson, 5275 2nd Ave., Mondamin, IA – President of Ivy Lanes Corp.: Jeff shared concerns about the lack of Burt County tax dollars being spent in Ivy Lanes. (i) Ivy Lanes Corp. is asking for financial help from Burt County for roads maintenance. (ii) He shared a personal story and reflected upon concerns of 911 responses for the citizens that live over there.

County Board response: (i) Financial support for road(s) is not a possibility as the road(s) going into and within the area are privately owned by the Ivy Lanes Corp. (ii) The board expressed that 911 response is critical and is the County’s responsibility to assist in some way with such requests.

COMMUNICATION: Burt County Ag Society FY 2024-2025 Fair Budget.

Lots Split: signed by Chairman Connealy

DAVE TOBIN – 3.10 ac. in S ½ (more particularly, lying in pt. SE⁴ SW⁴ & SW⁴ SE⁴) in Sec. 23 TWP 21N Rg 11E of 6th p.m., Burt County, NE

Annual Delinquent Tax List: (dated 9/24/2024) prepared by County Treasurer Robin Olson was noted and placed on file. Edmond Talbot, Burt Co Attorney will review for possible future foreclosures the County may proceed with.

ROADS: *Ann Chytka, Highway Superintendent*

Road Maintenance Contracts with Nebraska Game and Parks:

Two (2) contracts with Nebraska Game and Parks Commission for road maintenance inside the Summit Lake SRA and Pelican Point SRA. Agreements are for services for four (4) years; however, pricing can be adjusted annually. July 2024 – June 2025 pricing will not exceed \$5,900.00. Contracts approved upon motions by Schold and Richards, By Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Hourly Rate for County provided Road Maintenance:

Kutchera made a motion to update Hourly Rate for County provided Road Maintenance to \$160.00/ hr.; it was previously \$140.00/ hr. Motion was seconded by Titus, motion passed By Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

PUBLIC COMMENT: Bill Price (1615 Co.Rd. 10, Lyons) – (i) Stated that he didn't understand why Ivy Lanes couldn't be turned over to Iowa; (ii) Stated he doesn't appreciate the language used in the property tax request Resolution.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Pearson and Schold at 11:45 A.M.
Next Meeting: October 9, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk's Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
October 9, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, October 9, 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 (10-1-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

The agenda was approved; upon motion by Kutchera, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy.

The minutes of the 9/27/2024 Board of Supervisors meeting were approved; upon motion by Kutchera, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of September Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, the following Miscellaneous Receipts in the amount of \$275,060.87, and Sheriff’s Quarterly Report were all approved upon motion by Schold, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	650.00
MV PRO-RATE <CO SHARE>	161.58
TAX SALE REDEMPTION <CO SHARE>	110.00
CO CLERK-FILING & RECORDING FEES	2,728.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	1,603.84
CO CLERK-MISC FEES	93.50
LIQUOR LICENSE - PUBLISHING	40.00
DISTRICT COURT - FILING FEES	50.00
DISTRICT COURT - MISC FEES & REV.	798.00
DISTRICT COURT - FEES & COSTS	15.00
MISC REIMBURSE - FROM BANK - WIRE FEES	40.00
CO SHERIFF-MILEAGE & COSTS	1,386.18
CO SHERIFF-SERVICE FEES	601.00
CO ATTY _CHECK COLLECTION	30.00
TITLE INSPECTIONS	500.00
GUN PERMITS	45.00
FORECLOSURE PROPERTY PURCHASE _ANITA SWANSON	100.00
OPIOID SETTLEMENTS (4)	2,656.74
REIMBURSE COURT CASE _JENSEN	20,000.00
SHERIFF _SALE OF EQUIPMENT TO MCPHERSON CO	750.00
INTEREST ON INVESTMENTS	1,685.76
ROAD: HIGHWAY/STREET ALLOCATION	120,922.80
TWP REIMBURSE - QUINNEBAUGH April-June 2024	4,305.00
TWP REIMBURSE - PERSHING -June 2024	9,583.73
REFUND OVERPAYMENT - ROADS	47.45
TRANSFER GEN-RD	30,000.00
LODGING TAX	589.36

ROD-PRESERVATION & MODERNIZATION	431.00
STOP	50.00
INHERITANCE TAX -Dale E. Nelson	27,258.90
INHERITANCE TAX - Clarence D. Goracke	11,858.22
COUNTY 911 SURCHARGE	921.49
PRO-RATE <BLDG FUND>	7.20
PRO-RATE <POLI SUBS>	6,788.07
COUNTY COURT FINES REGULAR	4,831.00
LIQUOR LICENSE	300.00
DECATUR FIRE - GENERAL	909.18
DECATUR FIRE - BOND	533.33
LYONS FIRE -GENERAL	2,650.41
LYONS FIRE -BOND	603.47
OAKLAND FIRE - GENERAL	3,928.68
TAX SALE -ADMIN FEES	300.00
TAX SALE REDEMPTION	8,696.85
IN LIEU HOUSING AUTH OF LYONS	5,500.13

OFFICE UPDATES (2): (1) Em Mgr – Jason Redding-Geu (2) ~~Sheriff – Eric Nick~~ -NO SHOW
(3) Dist. Court – Michele Quick, rescheduled from Sept.

Lots Splits (2): signed by Chairman Connealy
(1) DONNELLY FAMILY FARMS - 5 ac. in pt. SE⁴NE⁴ & pt NE⁴SE⁴ and Easement of Sec.10, TWP 21N, Rge 11 E. of 6th P.M., Burt County, NE
(2) CYNTHIA SVENDSEN – 3.27 ac in pt. SE⁴SE⁴ and 4.52 ac. in pt E²SE⁴ & Easement of Sec.14, TWP 23N, Rge 9 E. of 6th P.M., Burt County, NE

Maximus Cost Allocation Plan:
Plan for FY end June 2023 was placed on file; Chairman signed the Certification.

Board of Equalization:
Schold moved the Board recess at 9:28 AM for *Board of Equalization*, Kutchera seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 9:34 AM upon motion by Richards, seconded by Schold, All Ayes. See separate minutes for BOE.

Roads: Ann Chytka, Highway Superintendent
CONTRACT: Project C-11(440) – Chairman signed the contract with Nelson & Rock; the bid was approved during 8/28/2024 meeting.
EASEMENT: Project C-11(440) requires land rights for Burt County. Contract for Ease and Easement Deed for 0.56 ac lying in NE 1/4 of Section 29, TWP23N, Rge.10E of 6th p.m. Landowner is 'IS Beckstrom Farms Trust'. Contract and Easement deed were signed upon motion by Pearson, seconded by Richards. Approved By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- none.

Collective Bargaining Union: FOP (Fraternal Order of Police) Lodge #95
Agreement: The Burt County Board reviewed and discussed further changes to the draft agreement. After final discussion, Pearson made a motion to have County Attorney Talbot update the draft with the board's final comments and send it on to the FOP attorney. Motion passed with a second by Kutchera, and Roll Call Vote: Ayes – Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays- Swanson.

PUBLIC COMMENTS: *(1) Bill Price, 1615 CoRd. 10, Lyons* – (i) comment about time off in FOP contract. (ii) Shared that US Energy Dept. is showing support for nuclear small module reactors, cited that the department said nuclear was reliable, consistent and economical energy choice. He wanted to point out the department did not reference wind as the preferred choice to help power future AI data centers.

There being no further business to come before the Board at this time, the meeting adjourned at 10:17 A.M. upon motions by Schold and Swanson.
Next meeting: October 28, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

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

The Burt County Board of Supervisors met in regular session on Monday, October 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 (10-22-2024), 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, David Schold and Ted Connealy.

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

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

The minutes of the October 9, 2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Kutchera, seconded by Schold. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

The claims for October in the amount of \$ 542,673.23, including \$ 157,836.90 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Richards, seconded by Titus. By Roll Call Vote: Ayes – Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – Swanson. The following claims were approved:

ANDY'S QUICK SHOP	FUEL	136.59
APPLIED CONNECTIVE TECHNOLOGIES LLC	MONITORING.TECH EQUIP.	6607.63
BLACK HILLS ENERGY	UTILITIES	175.47
BOMGAARS -COURTHOUSE	SUPPLIES	311.60
BRANIFF SERVICE INC	FUEL	1070.93
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY AG SOCIETY	FAIR PAYMENT	37500.00
BURT COUNTY COURT	COURT FEES	150.00
BURT COUNTY DISTRICT COURT	COURT FEES	112.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	251.22
BURT COUNTY SHERIFF	COURT CASE	371.70
CANON FINANCIAL SERVICES	COPIER	388.57
CENTURY LINK	911	322.96
CHRISTINE A DREGALLA	JAIL MEDICAL	149.00
CITY OF TEKAMAH	UTILITIES	446.50
CLARK PEST AND TERMITE CONTROL	SERVICE	75.00
CLASSIC CLEAN CARWASH	MISC FLEET	115.00
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	875.80
CONSOLIDATED MANAGEMENT CO.	LAW ENFORCE SCHOOL	469.30
CUBBY'S	FUEL	1716.49
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DECATUR EXPRESS-KB'S MINI MART	FUEL	987.06
DOLEZALS HUNTING DEPOT LLC	EQUIP.SUPPLY	39.99
DREW LAW FIRM PC LLO	ATTY FEES	3063.75
EAGLE RIDGE FEEDLOT INC	COURT CASE	6610.44
EAKES OFFICE PLUS	SUPPLIES	207.93

EDMOND TALBOT	TRAVEL EXPENSE	291.28
ELECTION SYSTEMS & SOFTWARE	ELECTION COSTS	7055.46
EMILY HEDLUND	MILEAGE	268.67
FAIRFIELD INN & SUITES BY MARRIOTT	WORKSHOP	249.90
FASTWYRE BROADBAND	UTILITIES	1402.73
FIRST CONCORD BENEFITS GROUP LLC	INSURANCE	1241.65
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	681.09
GARY SWANSON	CHECKING ROADS	45.56
GRAFIX SHOPPE	MISC FLEET	515.42
GREAT AMERICA FINANCIAL SVCS	COPIER	394.44
GREAT PLAINS UNIFORMS	EQUIP	298.96
HOMETOWN LEASING	COPIER	191.13
IAN PETERSON	PLANNING MILEAGE	73.70
JACK'S UNIFORMS & EQUIPMENT	EQUIP	455.70
JEFF KUTCHERA	CHECKING ROADS	199.66
JENNIFER HANSEN	MILEAGE	150.75
JOHNSON & MOCK, PC, LLO	ATTY FEES	513.00
JOHNSON & PEKNY, L.L.C.	ATTY FEES	1045.23
JORDAN LUXA	SUPPLIES	18.56
KANSAS HIGHWAY PATROL	SHERIFF FLEET	35425.00
KAREN GRASS	PRIOR SERVICE	36.00
KATHY RAY	OFFICE SUPPORT	520.00
KATIE HART	MILEAGE	223.11
KRAVIEC MAURSTAD LAW, P.C.,L.L.O.	CHILD SUPPORT CONTRACT	2021.62
LANCASTER COUNTY SHERIFF	COURT CASE	6.70
LEE AGRI-MEDIA	PUBLISHING	1949.37
LORI WACHTER	TRAVEL EXPENSE	17.59
MAXIMUS INC	COST ALLOCATION PLAN	577.44
MID-AMERICAN BENEFITS INC	INSURANCE	232.00
MIDWEST ALARM SERVICES	MAINTENANCE	70.50
MILLS LAW OFFICE	ATTY FEES	902.50
MIPS INC	SOFTWARE	1999.13
MIPS INC - COUNTY COURT	SOFTWARE	136.00
NACO	ANNUAL CONF	800.00
NEBR ASSN OF COUNTY TREASURERS	MANUAL	360.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGE.SERVICES	90.00
NEBR LAW ENFORCEMENT TRAINING	LAW ENFORCE SCHOOL	175.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	789.74
NEBRASKA.GOV	SOFTWARE	10.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	477.39
OFFICE WAREHOUSE	SUPPLIES	170.99
ONE OFFICE SOLUTION	SUPPLIES	665.16
PATTI NICHOLS	MILEAGE	94.46
PAUL RICHARDS	CHECKING ROADS	179.56
PHYSICIANS LABORATORY PC	AUTOPSY	485.00
POUNDS PRINTING INC	PHOTOS	18.19
REGION IV INC	QTRLY	3305.50
SIGN DEPOT	MISC FLEET	255.00
STACEY KEYS	DUES	314.46
STATE OF NEBRASKA	VOTER CARDS	20.00
SUMMIT LAKE MINING COMPANY	REFUND LIQ. LIC.	340.00
THE APOTHECARY SHOP	JAIL MEDICAL	315.62
THEODORE CONNEALY	CHECKING ROADS	42.21
THURSTON COUNTY SHERIFF	JAIL	3780.00
TK ELEVATOR CORPORATION	MAINTENANCE	318.97
TRI-STATE COMMUNICATIONS INC	UTILITIES	609.50
UNIVERSITY OF NEBRASKA-LINCOLN	QTRLY WAGE	13243.58
VERIZON WIRELESS	SERVICES	881.23

VISUAL EDGE IT, INC	COPIER	38.97
WASHINGTON COUNTY	DIST 6 JUDGE	3248.75
WASHINGTON COUNTY DRUG COURT	COURT COSTS	96.79
WASHINGTON COUNTY SHERIFF	JAIL	715.00
WEST POINT LIVESTOCK	COURT CASE	6171.00
WOODS AITKEN LLP	CONSULT	1575.00
BLUFF AGGREGATE LLC	MATERIALS	11061.04
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	369.33
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CAPITAL ONE TRADE	SUPPLIES	359.99
CHRISTENSEN ELECTRIC LLC	REPAIRS	2207.57
CITY OF LYONS	UTILITIES	157.26
CITY OF OAKLAND	UTILITIES	27.10
CUMING COUNTY INDUSTRIES	SUPPLIES	36.09
FARMERS PRIDE	FUEL	5483.39
FILTER CARE OF NEBRASKA, INC.	MAINTENANCE	73.90
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	3497.77
GINI, LLC	FUEL	83.33
IS BECKSTROM FARMS TRUST	ROW EASEMENT	2800.00
JOHN DEERE FINANCIAL	EQUIP	529.71
K-C PARTS & REPAIR	REPAIRS	97.54
LEOS PUMP SHOP	REPAIRS	469.72
MARTIN MARIETTA	MATERIALS	8498.05
MEMORIAL COMMUNITY HOSPITAL	TESTING	50.00
MIDWEST SERVICE AND SALES CO	SUPPLIES.EQUIP	7417.25
MIDWEST SERVICE CO	FUEL	7209.69
NMC CAT RENTAL	EQUIP	1111.76
RDO TRUCK CENTERS, LLC	EQUIP	3449.56
RICHARDS PARTS & HARDWARE	SUPPLIES	307.51
SCHMADER LANDFILL LLC	ROADS	30.00
SCOTT'S HARDWARE	SUPPLIES	297.86
SHAMBURG AUTO SUPPLY	SUPPLIES	52.41
STALP GRAVEL CO	MATERIALS	31579.52
STEINY'S GENERAL STORE	SUPPLIES	104.16
VERIZON CONNECT FLEET USA LLC	GPS	454.97
VILLAGE OF DECATUR	UTILITIES	154.45
WOODHOUSE FORD CHRYSLER DODGE JEEP	EQUIP	19.50
WPCI	TESTING	250.00
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
LANGUAGE LINE SERVICES	911	12.39
NORTHEAST NEBR TELEPHONE CO	911	130.47
NORTHLAND & COMPANIES	911	2983.51
AFLAC	EMPE PD ADDL	371.01
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	54745.64
FIRST NAT'L BANK-NORTHEAST-EFPTS	FED TAXES	43408.27
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	589.08
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	23076.38
STATE TAX COMMISSIONER	STATE TAXES	6686.21
VISION SERVICE PLAN (CT)	EMPE PD ADDL	758.74
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	43.01
LVNV FUNDING, LLC	GARNISHMENT	38.79
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Communication: 2024-2025 Levies are available on Assessor’s webpage on the County Website.

ROADS: Ann Chytka, Highway Superintendent

Road Maintenance Agreement – Quinnebaugh TWP : Township agrees to pay Burt County the rate of \$160.00 per hour for regular maintenance and snow removal; Chairman Connealy signed the agreement.

BURT COUNTY SOLAR:

Present speaking: Brian Boerner with Sandhills Energy gave an update on the 250-megawatt project. He stated that they should not need an extension on the current CUP. A power agreement has been secured. Timeline was reported as follows: construction prep -spring 2025; construction anticipated to begin – Fall 2025, after that harvest season; full install schedule anticipated to be completed – late 2026 to early 2027.

Closed Session:

Titus made a motion to go into *Closed Session*, Kutchera seconded, and the motion passed with All Ayes. Chairman Connealy declared at 9:24 A.M. the board went into closed session *for the protection of public interest to discuss collective bargaining*. Kutchera made a motion to come out of Closed Session, Pearson seconded, and motion passed with All Ayes. Chairman declared the public meeting back in regular session at 9:57 A.M. No action was taken during closed session.

Collective Bargaining for FOP (Fraternal Order of Police) Lodge #95:

The board approved to authorize Chairman Connealy to sign the agreement with FOP. Upon motions by Pearson and Kutchera, By Roll Call Vote: Ayes- Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – Swanson.

Audit FY 2023-2024 – single audit for ARPA funds:

Chairman Connealy signed the Engagement Letter for the 2023-2024 single Audit of Coronavirus State and Local Fiscal Recovery (ARPA) funds, the compliance examination is being performed by *Contryman Associates P.C.*

Burt County Economic Development (BCEDC) Cindy Chatt, director BCEDC:

Chatt provided updates from BCEDC board business; items discussed were grants, tourism campaigns and tourism board members. No action was required by the County Board of Supervisors regarding BCEDC business happenings at this time.

Board of Equalization:

Schold moved the Board recess at 10:38 AM for *Board of Equalization*, Swanson seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 10:53 AM upon motion by Schold, seconded by Titus, All Ayes. See separate minutes for BOE.

PUBLIC COMMENT: *Bill Price, 1615 CoRd. 10, Lyons* – discussed a case that caused concerns about negative health effects from Wind Turbines.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Pearson and Kutchera at 11:03 P.M.
Next Meeting: Wednesday, November 13, 2024 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
November 13, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, November 13, 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 (11-5-2024), 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

The agenda was approved; upon motion by Titus, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy.

The minutes of the 10/28/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Swanson, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of October Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances and the following Miscellaneous Receipts in the amount of \$246,629.40 were all approved upon motion by Schold, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	875.00
TAX SALE REDEMPTION <CO SHARE>	44.00
CO CLERK-FILING & RECORDING FEES	2,698.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	1,291.87
CO CLERK-MISC FEES	98.00
LIQUOR LICENSE - PUBLISHING	120.00
DISTRICT COURT - FILING FEES	190.00
DISTRICT COURT - MISC FEES & REV.	411.00
DISTRICT COURT - FEES & COSTS	30.00
DISTRICT COURT - BAIL BOND 10%	50.00
CO SHERIFF-MILEAGE & COSTS	920.86
CO SHERIFF-SERVICE FEES	662.00
TITLE INSPECTIONS	420.00
GUN PERMITS	65.00
FINGER PRINT	60.00
INTEREST ON INVESTMENTS	1,493.40
ROAD: HIGHWAY/STREET ALLOCATION	127,164.87
MOTOR VEHICLE FEES : HWY ALLOCATION	25,339.35
TWP REIMBURSE - ARIZONA	49,952.62
REIMBURSE FROM NDOT - LODGING FOR HWY SUPT	570.95
LODGING TAX	578.44
ROD-PRESERVATION & MODERNIZATION	429.50
STOP	150.00
INHERITANCE TAX -	0.00
PLAT BOOK SALES	30.00
COUNTY 911 SURCHARGE	1,116.00

911 WIRELESS	8,025.38
STATE FINES TO SCHOOL DISTRICTS	4,000.00
COUNTY COURT BOND FORFEITURES	1,299.00
COUNTY COURT FINES REGULAR	5,375.00
LIQUOR LICENSE (3)	900.00
DECATUR FIRE - GENERAL	798.91
DECATUR FIRE - BOND	468.70
LYONS FIRE -GENERAL	274.38
LYONS FIRE -BOND	62.47
OAKLAND FIRE - GENERAL	650.66
TAX SALE REDEMPTION	9,772.92
IN LIEU BURT CO PPD	240.62

OFFICE UPDATES (2): (1) County Attorney – Edmond Talbot and Patrick Runge (2) Surveyor—~~Fred Franklin~~ -NO SHOW

Collective Bargaining Union: FOP (Fraternal Order of Police) Lodge #95:
Communication: FOP agreement between Burt County and Fraternal Order of Police Lodge #95 for October 22, 2024 - September 30, 2026 has been signed and is on file with all Parties.

Zoning: *Ann Chytka, Planning and Zoning Administrator*
Conditional Use Permit: to build a house
At 9:15 A.M. Chairman Connealy opened a public hearing for consideration of a Conditional Use Permit for VICKY PRUESS to allow a house to be built on 4 acres in Sec. 35, TWP 21N, Rg 9E of 6th p.m., Burt County, NE. Ann Chytka, Zoning Admin. reported that the planning commission had approved the CUP. Having no public comments, Chairman Connealy declared the public hearing closed at 9:16 A.M. and the Board went back into regular session. The County Board approved the Conditional Use Permit for Vicky Pruess; upon motion by Schold, seconded by Kutchera. By Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. Motion passed, the CUP was approved and signed.
Lot Split: A lot split was then signed by Chairman Connealy to split the 4 acres. VICKY PRUESS - 4 ac. in pt. NE⁴NW⁴ of Sec.35, TWP 21N, Rge 9 E. of 6th P.M., Burt County, NE

Burt County Economic Development (BCEDC) Grants (2):
Cindy Chatt, director of BCEDC had reported that the BCEDC board has reviewed and recommended their approval for both of the following Private Foundation Grants: (#1) *Fund 0900, Commercial Reno Grant* for Salon by Lori (Lyons) for improvements to the front exterior/façade, windows, etc. on the commercial building, the existing Salon is planning to expand into the refurbished building. \$6,250.00 (50% of the low bid) was approved. (#2) *Fund 0900, Commercial Reno Grant* for Ann Chytka owner of the old Decatur School building (Decatur main street) for a new roof. This building currently requires more improvements; however, the owner is only going to do one roof for now. \$14,575.00 (50% of the low bid) was approved. Both Grant Requests were approved upon motion by Kutchera, seconded by Richars. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Board of Equalization:
Schold moved the Board recess at 9:29 AM for *Board of Equalization*, Pearson seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 9:46 AM upon motion by Schold, seconded by Kutchera, All Ayes. See separate minutes for BOE.

ROADS: *Ann Chytka, Highway Superintendent*

No action needed. Road Committee gave a brief report.

PUBLIC COMMENTS (2): *(1) Bill Price, 1615 CoRd. 10, Lyons* – shared his observations from the November 4, 2024 Zoning meeting. *(2) Ryan Ferguson, Decatur TWP board member* – expressed concerns about access to a Federal property along Co.Rd. 30; he will make a request to be on the next agenda to address this on behalf of Decatur Township.

There being no further business to come before the Board at this time, the meeting adjourned at 9:52 A.M. upon motions by Schold and Titus.

Next meeting: November 27, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk's Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
November 27, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, November 27, 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 (11-19-2024), 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, Paul Richards, Carl Pearson, Sam Titus, David Schold and Ted Connealy. Absent – Jeff Kutchera. Titus had to leave at 10:15 a.m.

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

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

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

The claims for November in the amount of \$791,426.47, including \$164,886.67 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Pearson, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Absent – Kutchera. The following claims were approved:

ANDY'S QUICK SHOP	FUEL	182.34
APPLIED CONNECTIVE TECHNOLOGIES	TECH/SECURITY/PHONE	8,681.54
ASHLEY WIMER	MILEAGE	99.56
BLACK HILLS ENERGY	UTILITIES	213.54
BOMGAARS -COURTHOUSE	SUPPLIES	80.41
BRANIFF SERVICE INC	FUEL	4,684.74
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY COURT	COURT FEES	49.00
BURT COUNTY DISTRICT COURT	COURT FEES	38.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	206.88
BURT COUNTY SHERIFF	SERVICE FEES	484.84
CENTURY LINK	911	322.96
CHARLEY CULL	MILEAGE	144.72
CHRISTINE A DREGALLA	JAIL MEDICAL	149.00
CITY OF TEKAMAH	UTILITIES	425.00
CLASSIC CLEAN CARWASH	MISC FLEET	120.78
CONSOLIDATED MANAGEMENT CO.	SUPPLIES	167.95
CPI TELECOM	PHONES	643.50
CUBBY'S	FUEL	1,496.33
CVSOAN - TOM REIMERS TREASURER	ANNUAL DUES	100.00
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DEAN CARLSON	MILEAGE	22.11
DECATUR EXPRESS-KB'S MINI MART	FUEL	1,107.34
DEREK WARNER	SUPPLIES	31.30
DON JOHNSON	MILEAGE	164.15
DOUGLAS CO DEPT OF CORRECTIONS	JAIL	1,560.00

DOUGLAS COUNTY SHERIFF	SERVICE FEES	12.90
EAKES OFFICE PLUS	SUPPLIES	407.12
ELECTION WORKER	ELECTION	10,930.93
EMILY HEDLUND	MILEAGE	309.54
ERIN LYTLE	MILEAGE	113.08
FASTWYRE BROADBAND	PHONE/INTERNET	1,409.73
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	841.65
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	362.44
GARY SWANSON	CHECKING ROADS	57.62
GRAFIX SHOPPE	AUTO	516.00
GREAT AMERICA FINANCIAL SVCS	COPIER	247.63
HERMANSON LAW & MEDIATION LLC	ATTY FEES	2,574.50
HOMETOWN LEASING	COPIER	191.13
JACK'S UNIFORMS & EQUIPMENT	EQUIPMENT	221.74
JAY HOVENDICK	MILEAGE	107.20
JEANNETTE BLANC	MILEAGE	52.26
JEFF KUTCHERA	CHECKING ROADS	92.46
JILL SPENNER	MILEAGE	10.72
JOHNSON & MOCK, PC, LLO	ATTY FEES	731.50
JOHNSON & PEKNY, L.L.C.	ATTY FEES	522.50
JORDAN LUXA	SUPPLIES	22.73
KANSAS HIGHWAY PATROL	AUTO	35,425.00
KATHY RAY	OFFICE SUPPORT	500.50
KATIE HART	MILEAGE	99.16
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CHILD SUPPORT ATTY	2,031.39
LANCASTER COUNTY SHERIFF	SHERIFF FEES	28.20
LEANN MCGUIRE	SUPPLIES	34.36
LEE AGRI-MEDIA	PUBLISHING	1,349.82
MARINA DUARTE DE VAL	MILEAGE	54.84
MID AMERICA ENTERPRISES LLC	EQUIPMENT	86.74
MID-AMERICAN BENEFITS INC	INSURANCE	40,248.00
MIDWEST SPECIAL SERVICES INC	MEALS-CONVENTION	251.60
MIPS INC	SOFTWARE	1,999.13
MIPS INC - COUNTY COURT	SOFTWARE	68.00
NACO MEMBERSHIP DUES	DUES	5,694.84
NEBR HEALTH & HUMAN SERVICES SYSTEM	SERVICES/LODGING	93.00
NEBR LAW ENFORCEMENT TRAINING	LAW ENFORCE SCHOOL	75.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	626.42
NEBRASKA SHERIFF'S ASSOC	DUES	470.00
NORTHEAST NEBR JUVENILE SERV	JAIL	4,275.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	23.62
ONE OFFICE SOLUTION	SUPPLIES	327.58
PAUL RICHARDS	CHECKING ROADS	178.22
PENNY A. WARREN	DUES	50.00
PHYSICIANS LABORATORY PC	AUTOPSY	2,750.00
POUNDS PRINTING INC	PRINTING	10.59
ROBIN OLSON	MILEAGE	259.65
RODNEY BROMM	MILEAGE	35.64
ROGER POND	MILEAGE	211.05
RR DONNELLEY	SUPPLIES	80.46
SARAH FREIDEL	MILEAGE	58.20
SAVE MORE MARKET	SUPPLIES	47.63
SCOTT BURGETT	TRAINING	270.00
SCOTT RONNFELDT	MILEAGE	236.38
SECURITY SHREDDING SERVICES	SERVICES	80.00
SHARON WIMER	OFFICE SUPPORT	50.00
SIGN DEPOT	AUTO	255.00
STACEY KEYS	MILEAGE	187.60

THE APOTHECARY SHOP	JAIL	279.41
THEODORE CONNEALY	CHECKING ROADS	28.14
THURSTON COUNTY SHERIFF	JAIL	6,300.00
TK ELEVATOR CORPORATION	SUPPLIES	318.97
TRI-STATE COMMUNICATIONS INC	RADIO	4,561.50
TYLER WEITZENKAMP	MILEAGE	72.36
UNL-HASKELL AG LAB	WORKSHOP	125.00
US POSTAL SERVICE (NEOPOST POSTAGE)	POSTAGE	10,000.00
VERIZON WIRELESS	CELL PHONES	881.23
VISUAL EDGE IT,INC	SUPPLIES	572.69
WALLY LYDICK	MILEAGE	49.04
WASHINGTON COUNTY SHERIFF	JAIL	1,625.00
WOODS AITKEN LLP	LEGAL CONSULT	3,998.00
A A WHEEL & TRUCK SUPPLY INC	ROAD EQUIP REPAIR	935.56
BARCO MUNICIPAL PRODUCTS INC	FREIGHT	2,717.33
BLACKSTRAP	CHEMICAL	9,927.90
BLUFF AGGREGATE LLC	GRAVEL & BORROW	2,185.96
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	1,496.79
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
BUDDIES MINI MART, LLC	FUEL	590.99
CHRISTENSEN ELECTRIC LLC	REPAIRS	570.54
CITY OF LYONS	UTILITIES	139.38
CITY OF OAKLAND	UTILITIES	23.16
CNA AUTO SERVICES,LLC	REPAIRS	20.40
FARMERS PRIDE	FUEL	2,391.79
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	936.34
GLUP PIPE SALES	CULVERTS	1,749.80
HIGHWAY SIGNING, INC	PAVEMENT MARKING	55,491.00
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	33,177.39
MARTIN MARIETTA	GRAVEL & BORROW	7,847.26
MIDWEST SERVICE AND SALES CO	FUEL	1,215.00
MIDWEST SERVICE CO	FUEL	3,379.95
NELSON AND ROCK CONTRACTING INC	BRIDGE/HWY BUYBACK	162,067.30
NMC	REPAIRS	3,749.03
RDO TRUCK CENTERS, LLC	REPAIRS	3,449.56
SCHMADER LANDFILL LLC	GARBAGE	47.25
SCOTT'S HARDWARE	PARTS	479.30
SHAMBURG AUTO SUPPLY	PARTS	401.84
SPENCER QUARRIES, INC	GRAVEL & BORROW	1,689.61
TRUCK CENTER COMPANIES	PARTS	41.91
VERIZON CONNECT FLEET USA LLC	DATA PROCESSING	909.94
VILLAGE OF DECATUR	UTILITIES	169.55
CLAY GIBBS	DEMO GRANT	5,645.00
STUDIO SHEETS	RENO GRANT	13,361.50
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
GEOCOMM, INC	911	4,918.52
NORTHEAST NEBR TELEPHONE CO	911	129.17
AFLAC	EMPE PD ADDL	371.01
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	54,745.64
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	45,837.74
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	589.08
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	24,145.82
STATE TAX COMMISSIONER	STATE TAXES	7,147.66
VISION SERVICE PLAN (CT)	EMPE PD ADDL	758.74
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79

CREDIT MANAGEMENT SERVICES	GARNISHMENT	42.21
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Note: New internet provider (OPTK) and a new phone system (Zultys phones administered by Applied Connective Technologies) went live on November 22, 2024 in the Courthouse.

Communication: Lodging Tax permitholders listing from 2024; the board reviewed and discussed recommending that the visitors committee review the permitholders.

ROADS: *Ann Chytka, Highway Superintendent*

YEAR-END CERTIFICATION OF COUNTY HIGHWAY SUPERINTENDENT FOR 2024

Upon motion by Titus, seconded by Schold, the Board voted to sign Resolution 2024-18, Approved By Roll Call Vote: Ayes – Swanson, Richards, Pearson, Titus Schold and Connealy. Nays – none. Absent- Kutchera.

Resolution 2024-18

Signing of the Year-End Certification of County Highway Superintendent 2024

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 details the requirements that must be met in order for a county to qualify for an annual Incentive Payment; and

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st each year) the appointment(s) of the County Highway Superintendent(s) to the NDOT using the Year-End Certification of County Highway Superintendent form; and

Whereas: The NDOT requires that such certification shall also include a copy of the documentation of the county highway superintendent's appointment; i.e. meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number (if applicable), and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

Be it resolved that the County Board Chairperson of Burt County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form(s).

Adopted this 27th day of November 2024 at Tekamah, Nebraska.

County Board Members: - Jeff Kutchera (Absent) -Gary Swanson -Paul Richards
-Carl Pearson -Sam Titus -Ted Connealy -David Schold
-Attest: Sarah J. Freidel, Burt County Clerk

ROAD MAINTENANCE AGREEMENT(S) – PERSHING TWP & DECATUR TWP: Township agrees to pay Burt County the rate of \$160.00 per hour for regular maintenance and snow removal; Chairman Connealy signed the agreements upon motion by Schold, seconded by Swanson. Approved By Roll Call Vote: Ayes – Swanson, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Absent – Kutchera.

ROAD REQUEST FROM DECATUR TWP: Ryan Ferguson, Decatur TWP board member, requested opening Co.Rd. 30 to the North to intersect onto Co.Rd. XY. He explained the intersection of Co.Rd. 30 and Hwy. 51 is dangerous and if the requested route could be done, that could divert traffic around to the North then East on to Hwy. 75 thereby avoiding the dangerous intersection on Hwy 51. Chytka, Hwy Supt., reported that County Attorney Talbot told her the northern part of Co.Rd. 30 that runs through section 27 Township 24 range 10E formally known as Public Road #341 is considered 'abandoned' as it has not been in use for 10+ yrs., she also confirmed that this is a Township road. The County Board suggested Decatur TWP get further instructions from County Attorney Talbot since the road is considered as 'abandoned' status.

Legal Newspaper for 2025

According to the rotation that has been in place for some time, the *Lyons Mirror-Sun* will be the main paper used in 2025 for legal publications.

2025 Holidays

Resolution #2024-17 was approved upon motion by Schold, seconded by Richards. Motion passed By Roll Call Vote: Ayes – Swanson, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Absent – Kutchera.

January 1	New Year’s Day	WED
January 20	Martin Luther King, Jr. Day	MON
February 17	President’s Day	MON
May 26	Memorial Day	MON
June 19	Juneteenth	THURS
July 4	Independence Day	FRI
September 1	Labor Day	MON
October 13	Columbus Day	MON
November 11	Veterans Day	TUES
November 27	Thanksgiving	THURS
November 28	Friday following Thanksgiving	FRI
December 24	Christmas Eve	WED
December 25	Christmas	THURS

2025 Board meeting dates:

Two meetings will be held every month, the first meeting of the month being on the 2nd Wednesday, and the second meeting of the month will be on the 28th of the month (28th may be moved up to the previous business day if it falls on a weekend.) Claims and payroll will be paid at the second meeting of the month. Holidays and Board meeting dates will be published on the Burt County Website.

Board of Equalization:

Schold moved the Board recess at 10:08 AM for *Board of Equalization*, Richards seconded, motion passed Ayes-6, Absent- Kutchera. The Burt County Board of Supervisors reconvened at 10:21 AM upon motion by Schold, seconded by Richards, Ayes -5, Absent – Kutchera and Titus.
See separate minutes for BOE.

PUBLIC COMMENT: *none*.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Pearson and Kutchera at 11:03 P.M.

Next Meeting(s):

Dec. 2, 2024 - SP. MTG. @ 7 p.m. in Burt Co Courtroom
Dec. 11, 2024 Regular meeting @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

These minutes are not the official record and may be corrected. A copy of the approved official minutes is available to the public at the Clerk’s Office.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
Special Meeting
December 2, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors held a special meeting on Monday, December 2, 2024 in the Courtroom at the Burt County Courthouse in Tekamah, Nebraska. Notice of the meeting was given in advance thereof by Publication in the Plaindealer (11-19-2024), 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 Burt County Board Members were present: Gary "Bird" Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus, David Schold and Ted Connealy.

The meeting opened at 7:00 P.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is available on the railing.

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

Burt County Zoning Regulations - Section 6.03 Wind Energy:

This meeting follows the Burt County Planning Commission's public hearing which was held on November 4, 2024.

Chairman Connealy announced that Vice-Chair Schold was going to lead the Public Hearing. Schold clarified that the hearing is for the rules and regulations of zoning section 6.03 for all wind projects, not for any one particular project.

VICE-CHAIRMAN SCHOLD OPENED A PUBLIC HEARING AT 7:02 P.M. to take public comments on Burt County Zoning Regulations, Section 6.03; those speaking were given 3 minutes to speak.

SPEAKING DURING PUBLIC COMMENT:

OPPOSITION to wind projects: (24 total) (22 Burt County residents) Laura Riecken; Jennifer Dolezal; Beth Kiner; Sandra Geary; Bernie Maslowsky; Debra Bigelow; Bill Price; Ron Daberkow; Sean Connealy; Regan Connealy; Kim Connealy; Gregg Smith; Lucille Smith; Janet Wiltse; Clare Wiltse; Kristina Dolezal; Nejka Ptak; Colby Hansen; Eric Devney; Matthew Kelly; Carol Svendsen – on behalf of brain injury awareness support group; Mark VanDerHart – ag aviation concerns around turbines (handout).
(2 - from other Counties) Doug Nelson – Wayne Co (handout); Tim Goetz – Herman, NE.

IN SUPPORT of wind projects: (5 total) (2 Burt County residents) Ron Schlichting; Clinton Peterson. (3 representatives from Wind industry) Julie Drennen -RWE representative; Hannes Zetzde- RWE attorney; Graham Christensen - representative of 'Burt County Wind LLC'.

NEUTRAL: (1) Dustin Marvel -OPPD rep.

VICE-CHAIRMAN SCHOLD DECLARED THE PUBLIC HEARING CLOSED AT 8:06 P.M., and the Board went back into regular session. Schold announced that decisions will be discussed at the December 11, 2024 regular meeting.

The meeting was adjourned upon motions by Titus and Pearson at 8:07 P.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

TED CONNEALY, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

*These minutes are not the official record and may be corrected.
A copy of the approved official minutes is available to the public at the Clerk's Office.*

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
December 11, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, December 11, 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 (12/5/2024) Lyons Mirror-Sun and Oakland Independent (the Plaindealer is legal paper for 2024, but the deadline was missed due to Holiday early print deadline, so published in the other two papers instead), posting was also on a 1st floor bulletin board within the courthouse and on the County’s Website. A copy of the proof of publication(s) 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, David Schold and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Connealy informed the public that the Open Meeting Act is posted on the wall.

The agenda was approved; upon motion by Kutchera, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy.

The minutes of the 11/27/2024 Board of Supervisors and Board of Equalization meetings, and the 12/2/2024 special meeting were all approved; upon motion by Richards, seconded by Schold. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of November Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances and the following Miscellaneous Receipts in the amount of \$192,035.28 were all approved upon motion by Schold, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	560.00
EM MGMT GRANT	8,298.85
CO CLERK-FILING & RECORDING FEES	3,417.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	3,004.20
CO CLERK-MISC FEES	25.00
DISTRICT COURT - COURT COST REFUND	51.00
DISTRICT COURT - FILING FEES	200.00
DISTRICT COURT - MISC FEES & REV.	847.00
DISTRICT COURT - FEES & COSTS	86.00
ELECTION REIMBURSE	100.00
CO SHERIFF-MILEAGE & COSTS	844.34
CO SHERIFF-SERVICE FEES	539.00
FINGER PRINT	10.00
TITLE INSPECTIONS	440.00
GUN PERMITS	70.00
INTEREST ON INVESTMENTS	2,264.58
ROAD: HIGHWAY/STREET ALLOCATION	127,808.33
TWP REIMBURSE - DECATUR Jan - June 2024	13,545.00
TRANSFER GEN-RD	0.00
LODGING TAX	946.67
ROD-PRESERVATION & MODERNIZATION	515.50
STOP	50.00
INHERITANCE TAX - Elmer Tippery	14,765.05
INHERITANCE TAX - Ervin E. Dixon	3,467.34

INHERITANCE TAX - Richard A. Hunt	539.32
PLAT BOOKS	30.00
COUNTY 911 SURCHARGE	206.00
E-911	4,012.69
COUNTY COURT FINES REGULAR	4,659.00
DECATUR FIRE - GENERAL	318.30
DECATUR FIRE - BOND	186.72
LYONS FIRE -GENERAL	185.63
LYONS FIRE -BOND	42.26

OFFICE UPDATES (3): (1) Weeds Superintendent – Tory Penny (2) Clerk, ROD, Elections – Sarah J. Freidel (3) Surveyor – Fred Franklin -reschedule from 12-11-2024 NO SHOW

Board of Equalization:

Schold moved the Board recess at 9:19 AM for *Board of Equalization*, Swanson seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 9:21 AM upon motion by Schold, seconded by Richards, All Ayes. See separate minutes for BOE.

Zoning: *Ann Chytka, Planning and Zoning Administrator*

Lot Split: MICHAEL CONWAY- 3.1 ac. -pt. SW⁴ SE⁴ of Sec.31, TWP24N, Rge.9 East of 6th P.M., Burt County, NE. Signed by Chairman Connealy

ROADS: *Ann Chytka, Highway Superintendent*

ROAD MAINTENANCE AGREEMENT – ARIZONA TWP: Township agrees to pay Burt County the rate of \$160.00 per hour for regular maintenance and snow removal; Chairman Connealy signed the agreements upon motion by Swanson, seconded by Kutchera. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ROAD MAINTENANCE - HARD SURFACED ROADS: (*information only*) Julio Franco with Hall Brothers Inc. (Marysville, KS) discussed ‘Onyx Road Treatment’ as an option for maintenance treatment on hard surfaced roads as an alternative to armor coating.

Burt County Zoning Regulations - Section 6.03 Wind Energy:

Ann Chytka, Zoning Administrator and Katie Hart, Assessor led a review of Sec. 6.03; they explained recommendations that came from the Burt County Planning Commission, and suggestions from the Burt County Zoning office for County Board consideration. County Attorney Talbot was also present during the review. The Board of Supervisors acted on the following in Section 6.03 Wind Energy: (A.) motions by Kutchera, Titus. Approved By Roll Call: All Ayes. (B.) motions by Schold, Richards. Discussion. Approved By Roll Call: All Ayes. (C.) motions by Kutchera, Swanson. Discussion. Amended motions by Kutchera, Swanson. Approved By Roll Call: All Ayes. (D.1.& D.2.) motions by Titus, Schold. Discussion. Amended motions by Titus, Schold. Approved By Roll Call: All Ayes. (D.3) motions by Kutchera, Richards. Discussion. Amended motions by Kutchera, Richards. Approved By Roll Call: Ayes – 6, Nays - Pearson. (D.4) motions by Titus, Richards. Discussion. Amended motions by Titus, Richards. Approved By Roll Call: Ayes – 5, Nays – Swanson and Pearson. (D.5.) motions by Kutchera, Schold. Approved By Roll Call: All Ayes. (D.6) motions by Swanson, Richards. Discussion. Amended motions by Swanson, Richards. Approved By Roll Call: All Ayes. (D.7. & D.8.) motions by Titus, Kutchera. Approved By Roll Call: All Ayes. . (D.2.C.8.) motions by Schold, Kutchera to further Amend. Discussion. Approved By Roll Call: Ayes – 6, Nays - Pearson.

A final motion was made by Kutchera and Titus to approve amended Section 6.03 Wind Energy of Burt County Zoning Regulations, motion passed Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Titus, Schold and Connealy. Nays – Pearson.
SEE EXHIBIT A ATTACHED.

PUBLIC COMMENTS (2): (1) *Timothy Goetz, Herman, NE* – (a) remarks about environmental impact from Commercial Wind Turbines (b) remarks about sec. 6.03 document (c) Thanked the Board for their work on the regs. (2) *Bill Price, 1615 CoRd. 10, Lyons* – (a) Thanked the Board for all of their work. (b) remarks about sec. 6.03 document (c) questioned revenue loss regarding Scenic Byway due to large turbines (d) remarks about environmental impact from Commercial Wind Turbines.

There being no further business to come before the Board at this time, the meeting adjourned at 1:10 P.M. upon motions by Schold and Titus.
Next meeting: December 27, 2024 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL BURT COUNTY CLERK	TED CONNEALY, CHAIRMAN BURT COUNTY BOARD OF SUPERVISORS
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Exhibit A
Section 6.03 Wind Energy
Pages 4 - 18

SECTION 6.03 Wind Energy Installation

A. Statement of Intent

In order to balance the need for clean, renewable energy resources with the protection of the health, safety, and welfare of the residents of Burt County, Nebraska, the County finds these regulations are necessary in order to ensure that all wind energy conversion systems (WECS) are appropriately designed, sited, installed, and decommissioned. These regulations pertaining to all wind energy conversion systems are intended to respond to equipment available at the time of adoption. Burt County recognizes that this is an emerging technology and that new means of collecting wind energy, including but not limited to vertical axis wind turbine generators are under development. Accordingly, these standards will be reviewed and may be amended as technology advances.

B. Definitions

The following are defined for the specific use of this Section 6.03.

CLUSTERING shall mean the grouping of wind turbines positioned or occurring closely together.

COMMERCIAL WECS (CWECS) shall mean a wind energy conversion system of equal to or greater than one hundred kilowatts (100kW) in total name plate generation capacity.

DEVELOPER shall mean any individual, corporation, or other organized entity that is planning, proposing, collecting easements/contracts from property owners, or any other activity associated with a proposed WECS project, WECS project under construction, or operator of the completed WECS system including individual wind turbines, and/or their successors.

DAYTIME HOURS shall mean a time beginning at sunrise and ending at sunset.

FAA stands for Federal Aviation Administration.

FEEDER LINE shall mean any power line that carries electrical power from one or more wind turbines to the point of interconnection with the electric power grid, in the case of interconnection with the high voltage transmission systems the point of interconnection shall be the substation serving the wind energy conversion system.

HUB The mechanical area sitting atop of a wind turbine structure containing the generation equipment and the point where the blades are connected to the system.

HUB HEIGHT shall mean the overall height measured from the grade of the system to the center point of the hub of the turbine.

HEIGHT- TOTAL SYSTEM shall mean the height above the grade of the system, including the generating unit and the measured highest vertical extension of any rotor blades or rotors.

ICE BREAKING shall mean a means built into individual wind turbines that will shut the turbine down if ice buildup is detected.

IMPACT EASEMENT-An Easement or deeds restriction, recorded in the Office of the Burt County Register of Deeds, which runs with the land and is granted to the owner of a CWECS for the period of time that such use shall exist, by the owners of the adjoining property in which it is mutually agreed between the grantor and grantee that the grantor shall hold the grantee harmless from noise, visual or other legal impacts associated with such use on the grantor’s property when such use is operated in accordance with the terms of such easement or deed restriction. This impact easement only relates to wind energy systems over 100KW. The area that the easement is being applied for needs to be defined with a legal description.

LANDOWNER, PARTICIPATING shall mean an individual, group of individuals or entity involved in the overall project via land leases, permit applications, contracts, easements, impact easements, or waivers.

LANDOWNER, NON-PARTICIPATING shall mean an individual, group of individuals or entity **not** involved in the overall project via land leases, contracts, easements, impact easements, or waivers.

METEOROLOGICAL TOWER shall mean, for purposes of this Regulation, a tower which is erected primarily to measure wind speed and directions plus other data relevant to siting a Wind Energy Conversion System. Meteorological towers do not include towers and equipment used by airports, the Nebraska Department of Transportation, or other applications to monitor weather conditions.

PROJECT OWNER shall mean a person or group responsible for initiating, funding, and overseeing a project.

PROPERTY LINE shall mean defined lines that mark the end of one owner's property and the beginning of another owner.

PUBLIC CONSERVATION LANDS shall mean land owned in fee title by State or Federal agencies and managed specifically for conservation purposes, including but not limited to State Wildlife Management Areas, Federal Wildlife Refuge, and Waterfowl Production Areas. For purposes of this Section 6.03, public conservation lands will also include lands owned in fee title by non-profit conservation organizations. Public conservation lands will also include private lands upon which conservation easements have been sold to public agencies or non-profit conservation organizations.

REPOWERING is the process of replacing older [power stations](#) with newer ones that either have a greater [nameplate capacity](#) or more [efficiency](#) which results in a net increase of power generated.

ROTOR DIAMETER shall mean the diameter of the circle described by the moving rotor blades in Figure 1.

SHADOW FLICKER The effect of a pulsating shadow that occurs when the rotating blades of a wind turbine moves between the sun and an observer.

SMALL WIND ENERGY SYSTEM shall mean a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than one hundred kilowatts (100kW) and which is intended to primarily reduce on-site consumption of utility power.

SUBSTATIONS shall mean any electrical facility to convert electricity produced by wind turbines to a voltage greater than thirty-five thousand (35,000, 35kV) for interconnection with high voltage transmission line.

TOTAL HEIGHT shall mean the highest point, above ground level. Reached by a rotor tip or any other part of the Wind Conversion System.

TOWER shall mean the vertical structure that supports the electrical, rotor blades, or meteorological equipment.

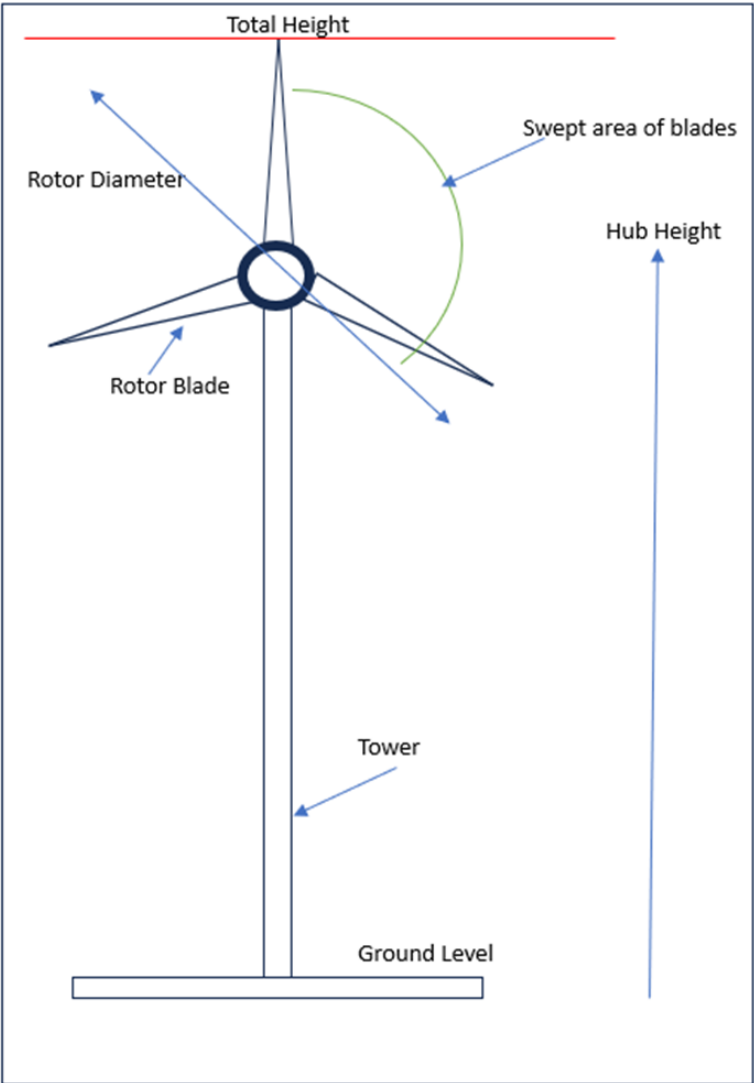
TRANSMISSION LINE shall mean the electrical power lines that carry voltages of at least sixty-nine thousand (69,000) volts (69kV) and are primarily used to carry electrical energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

WIND ENERGY Kinetic energy present in wind motion that can be converted to mechanical energy for driving pumps, mills, and electric power generators.

WIND ENERGY CONVERSION SYSTEM (WECS) shall mean an aggregation of parts including but not limited to the base, tower, generator, rotor, blades, supports, structures, inverters/transformers, operation and maintenance building, access roads, wiring, substations, and configuration as necessary to convert the power of wind into mechanical or electrical energy, e.g. wind charger, windmill, or wind turbine.

WIND TURBINES shall mean any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy using airfoils or similar devices to capture the wind.

Figure 1.



C. Small Wind Energy Systems

1. Purpose It is the purpose of this regulation to promote the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of utility supplied electricity.

2. Requirements

- A. Tower Height

- a. For property sizes between one half (½) acre and one (1) acre the tower height shall be limited to eighty (80) feet.
 - b. For Property sizes of one (1) acre or more, there is a limit on tower height of 160 (one hundred sixty) feet, except as imposed by FAA regulation. See Figure 1

- B. Setbacks

- a. No part of the wind system structure, including guy-wire anchors, may extend closer than 1.1 times total height to the property lines of the installation site.

- C. Noise

- a. Small wind energy systems shall not exceed fifty (50) dBA, as measured at the closest potential neighboring dwelling unit.
 - b. The noise level may be exceeded during short term events such as utility outages and/or severe storms.

- D. Approved Wind Turbines

- a. Small wind turbines must have been approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.

- E. Compliance with Zoning Codes

- a. Applications for small wind energy systems shall be accomplished by standard drawings of the wind turbine structure, including the tower base and footings.
 - b. An engineering analysis of the tower showing compliance with the official building code of the governing body and/or the State of Nebraska certified by a professional engineer licensed and certified in Nebraska shall also be submitted.
 - c. Wet stamps shall not be required.

- F. Compliance with FAA Regulations and Airport Overlay District.

- a. Small wind energy systems must comply with applicable FAA Regulations, including any necessary approvals for installations close to an airport.

- G. Compliance with Burt County Public Power District Code.

- a. Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the Burt County Public Power District code.

- H. Utility Notification.

- a. No small wind energy system shall be installed until evidence has been given that the utility company has been informed or the customer's intent to install an interconnected customer-owned generator.
 - b. Off-grid systems shall be exempt for this requirement.

D. Commercial/Utility Grade Wind Energy Systems

1. Purpose

It is the purpose of this Regulation to promote the safe, effective, and efficient use of commercial/utility grade wind energy systems while protecting the Health, Safety, and Welfare of all residents within Burt County.

2. Application Requirements

- a. A CWECS under common or aggregated ownership or operating control that includes substations, MET towers, cables/wires and other building accessories, whose main purpose it to supply electricity to off-site customers, CWECS (s) may be included as an aggregated project, such as those projects that are developed and operated in a coordinated fashion, but which have multiple entities separately owning one or more of the CWECS within a larger project.

Associated infrastructure such as power lines and transformers that service the facility may be owned by a separate entity but are also part of the aggregated project.

The entire aggregated project shall be permitted by a Conditional Use Permit only in the A-1 Zoning district.

The landowner will execute a Covenant/Subdivision Restriction indicating that once the project is approved for a specific parcel of land, the landowner will no longer be able to subdivide that parcel of land without the consent of the appropriate County Official.

The project owner shall designate and provide as part of the application, and shall maintain at the office of the Zoning Administrator in Burt County, the name and contact information of a local agent (local meaning a person whose residence is in Burt County, NE or a Business with its primary place of business or its registered agent located in Burt County NE). The project owner shall authorize the local agent to accept service of legal notice and be served legal notice and can be a first point of contact by the public.

If an appropriate Burt County Official requests information regarding any part of the project the applicant shall provide a response in writing within 5 business days.

A completed Conditional Use Permit shall be signed off by County Engineer, County Attorney, Planning and Zoning, and County Board.

The following requirements and information shall be met and supplied:

- i. The name of the project owner and landowner(s). If the project owner is not the owner of the land on which the project will be located, the landowner must join in the application as a co-applicant.
- ii. A copy of the Impact Easement Deed or similarly recorded document from Burt County Register of Deeds office for each Participating Property. This must include the legal description of the parcel of land.
- iii. A description of the project, including standard drawings of structural components of the CWECS including number, type, name plate generating capacity, tower height, rotor diameter, total height, structures, tower base and footings of all wind turbines and means of interconnecting with the feeder lines.
- iv. A survey map (site layout) illustrating the following:
 - 1. Property lines, dimension, acreage and contours with appropriate intervals for site evaluation.
 - 2. Location and elevation of all components of the proposed CWECS.
 - 3. Location and dimensions of all existing structures and uses on property within three (3) miles. (including residences, schools, churches, federal,

- state, county or local parks, recognized historic or heritage sites, designated scenic by-ways, identified wildlife preserves or habitat areas or wetlands)
4. Location of any overhead utility lines on the property.
5. Location of all known communications towers within three (3) miles of the proposed CWECS.
6. Location of all access roads.
7. The latitude and longitude along with the legal description of individual wind turbine(s) showing all setbacks are met.
- v. Provide a map illustrating all transmission lines connecting to the Substation. All electrical connection systems and lines from the CWECS to the electrical grid connection shall be located and maintained underground. Burial depth shall be at a depth that causes no known environmental, land use, or safety issues. Depth shall be a minimum of six (6) feet below grade, or deeper than drain tile, and be in compliance with NEC 2017 or new code standards. The Planning and Zoning Board or Burt County Board of Supervisors may waive the burial requirement and allow above-ground structures in limited circumstances, such as geography precludes, or a demonstrated benefit to Burt County. The waiver shall not be granted solely on cost savings to Applicant. Request for variation shall consider aesthetics, future use of land, and effect on nearby landowners.
- vi. Provide any written technical assistance, as well as minutes and reports from meeting(s) and coordination with Nebraska Game and Parks Commission, Papio and Lower Elkhorn NRD to review the proposed CWECS site plan, including mitigation action taken to protect flora and fauna of the proposed project area.
- vii. Provide information regarding flora and fauna of the proposed project area including:
 1. Officially listed threatened or endangered species
 2. Critical habitat or habitat conditions
 3. An avian study based on the U.S. Fish and Wildlife Services. "Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines."
- viii. Compliance with FAA regulations, including any documentation required by the FAA, which shall include Form 7460, certifying approval of each proposed location.
- ix. Any permit that was issued by the Nebraska Department of Environmental and Energy (NDEE) including, but not limited to, Storm Water Prevention Plan.
- x. Provide minutes from the meeting(s) with the Tekamah Airport Joint Zoning Board that discuss the review of the proposed CWECS site plan (if applicable)
- xi. Results of consultation with the National Oceanic and Atmospheric Administration (NOAA), National Weather Service, or any other relevant weather monitoring systems in the CWECS project areas.
- xii. Results of consultation regarding potential interference with existing communication facilities within two (2) miles of the proposed CWECS project area, with proof that the Applicant has designed and mitigated any possible interference and have met with communication providers for proper site planning within the CWECS project area.
- xiii. A pre-construction noise modeling study shall be conducted in accordance with procedures approved by Standard 61400-11 of the International Electro-technical Commission (IEC); and shall include all property within three (3) miles of an aggregated project. The protocol, methodology and noise modeling shall be included in the study. Studies shall include noise modeling for all four (4) seasons and include typical and worst-case scenarios for noise propagation. The Acoustician will be chosen by Burt County and paid for by the applicant. The complete results and full study report shall be submitted to the Burt County Planning Commission for review at the time of the Conditional Use Permit.
- xiv. Any proposed turbine which is within 3 miles of a dwelling shall provide shadow flicker modeling data showing the expected effect of shadow flicker on properties. Shadow flicker shall not fall upon any dwelling or other building which is

occupied by humans, for no more than 30 minutes per day and no more than a total of 30 hours per any calendar year. If shadow flicker exceeds these limits, measures shall be taken to reduce the effects of shadow flicker on buildings, which may include shutting the turbine down during periods of shadow flicker. If a turbine violates this standard on a dwelling unit, constructed after the turbine is approved, then the turbine becomes a non-conforming use.

- xv. Proof of compliance with any Overlay District regulations within Burt County.
 - xvi. Decommissioning plan and decommissioning bond as required by Section 6.03 and the Conditional Use Permit.
- b. Additional Requirements
- i. Each turbine will be required to have a 911 address.
 - ii. No shadow flicker will be allowed on any road.
 - iii. Once the CWECS is built, a copy of as-built plans including structural and electrical drawings of all facilities and all disturbances associated with the CWECS and accessory facilities must be certified by an independent professional engineer licensed in the State of Nebraska that the information included on depicted as-built plans is complete and accurate; and be given to the Burt County Zoning Administrator.
 - iv. CWECS shall be placed on a minimum of 80 acres.
- c. Roads- Applicants shall:
- i. All public roads to be used for the purpose of transporting aggregate project materials, concrete or equipment for construction, operation, maintenance, or decommissioning of the CWECS shall be identified and applicable weight and size permits from the impacted road authority(ies) shall be obtained prior to construction. A pre-construction survey must be conducted with the appropriate jurisdictions to determine existing road conditions. Those included are Applicant(s); Land Owner(s); Township Representative(s); Highway Superintendent(s) and/or Zoning Administrator(s); and 3 members of the Board of Supervisors. The survey shall include photographs and a written agreement (Road Agreement) to document the conditions of the public roads and facilities. All expenses of the survey shall be the Applicant's responsibility.
 - ii. Prior to the commencement of construction or decommissioning of any turbine, the Applicant shall enter into an agreement with Burt County Roads Department regarding use of county roads during construction and decommissioning. This agreement shall include traffic routes, time of the year use, staging area, and any other physical sites related to CWECS. All roads shall be maintained to allow access, at all times, by any emergency service vehicle(s). The CWECS owner shall be responsible for repair of damage to public roads and drainage systems stemming from construction, operation, maintenance, or decommissioning of the CWECS, as stated in the Road Agreement. Any violation of the agreement will incur an assessment against the Applicant for damages as determined by the Board of Supervisors for every violation occurrence and paid within 30 days.
 - iii. Be responsible for restoring the road(s) and bridges to preconstruction conditions following construction, installation, re-installation, maintenance and repairs, and/or decommissioning efforts.
 - iv. No bridges or culverts shall be crossed if the load is overweight.
 - v. If road elevation changes are needed this has to be brought forward at the time of the Conditional Use Permit, to be signed off on by the County Engineer, Highway Superintendent, and the Board of Supervisors before the elevation can be altered.
 - vi. There is to be no shadow flicker on any road.
 - vii. If any part of the CWECS is in the public right of way, it must be removed to six (6) feet below current grade.
 - viii. Surety Bond shall cover no less than 150% of cost estimate associated with the repair of roadways and other infrastructure as a result of construction, operation, maintenance, or decommissioning. This surety bond shall be in place at the time of the CUP application and reviewed annually.

1. Burt County will not accept a surety bond from a surety company for any project owner unless that surety is registered with the State of Nebraska Auditor and is listed in the United States Department of the Treasury Circular 570 as revised.

ix. Other road factors may be considered at the time of the Road Agreement.
- d. Drainage System

i. Public Drainage Systems- The Applicant shall be responsible for repair of damage to public drainage systems stemming from construction, operation, maintenance or decommissioning of the CWECS. Such Damage to be repaired as soon as feasible and on a schedule agreeable to the Burt County Highway Superintendent.

ii. Private Drainage Systems- The Applicant shall be responsible for repair of damage to private drainage systems stemming from construction, operation, or decommissioning of the CWECS. Such damage to be repaired as soon as feasible and, on a schedule, agreeable to the affected landowner.
- e. Permit Fees:

Applicant(s) shall remit an application fee set by Burt County Board of Supervisors.

3. Setbacks

All towers shall adhere to the setbacks as measured from the center of the turbine base established in the following table:

	Wind Turbine Non-Commercial	WECS Wind Turbine Commercial/Utility WECS	Meteorological Towers
Distance from Towns and Villages		3 miles from corporate limits.	
Property Lines*	1.1 times the total height	1 mile with a minimum of 1800 feet	1.1 times the total height
Occupied Dwelling	N.A.	½ mile	1.1 times the total height
Road Rights-of-Way	1.1 times the total height	1,000 feet	1.1 times the total height
Public Conservation Lands including Wildlife Management Areas, Federal/ State Recreation Areas, NRD-Watershed areas; Wetlands, USFW Types III, IV, and V	Same setback as accessory buildings	1 mile unless proper authority signs waiver with a minimum of ½ mile	600 feet

* Setback can be reduced with a signed impact easement by all affected parties. By signing the Impact Easement, the landowner is now a participating landowner.

4. Special Safety and Design Standard

- a. All towers shall adhere to the following safety and design standards:
 - i. A clearance of rotor blades or airfoils must maintain a minimum of twenty-five (25) feet of clearance between their lowest point and the ground.
- b. CWECS shall include no sign or advertising of any kind, except for one sign using 4" letters and posted at the access road entrance. The sign shall contain the following information:
 1. No Trespassing
 2. Warning – high voltage.
 3. Emergency phone number.
 4. 911 address.
 5. No other signage will be allowed.
- c. Any CWECS facility shall be equipped with anti-climbing devices. Tower climbing apparatus shall not be located within fifteen (15) feet of the ground. Where the tower is capable of being climbed, a locked protective fence at least six (6) feet high shall enclose the tower.
- d. All wind turbines, which are a part of commercial/utility WECS, shall be installed with a tubular, monopole type tower.
- e. Consideration shall be given to painted aviation warnings on all towers less than two hundred (200) feet.
- f. Color finish: All wind turbines and towers that are a part of a commercial/utility WECS shall be white, gray, or another non-obtrusive color. Blades may be black in order to facilitate decking. Finishes shall be matte or non-reflective.
- g. Shadow flicker: Shadow flicker will not be allowed on any road due to safety concerns.
- h. Feeder Lines: all communications and feeder lines installed as part of a CWECS shall be buried, where feasible. Feeder lines installed as part of the CWECS shall not be considered an essential service.
- i. Height: no CWECS shall exceed 590 Feet in total height.
- j. Number Limitations: Burt County shall have no more than 20 total CWECS.
- k. Lighting: lighting including light intensity and frequency of strobe, shall adhere and apply for the latest lighting requirements with FAA requirements being the minimum and established by the FAA permits and regulations and comply with current standards and best practices to be specified in the conditional use permit. Must comply with Nebraska State Statute 66-915
- l. Waste Disposal: solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site promptly and disposed of in accordance with all applicable Local, State, and Federal rules and regulations.
- m. **Noise:** no Commercial/Utility WECS or combination of CWECS shall exceed forty (40) dBA measured at 10-minute leq at the closest exterior wall of any dwelling located on the property of a non-participating land owners and fifty (50) dBA measured at 10-minute leq at the closest exterior wall of any dwelling located on the property of a participating land owners. Exception; a Commercial/Utility WECS may exceed forty (40) dBA for non-participating and fifty (50) for participating during periods of severe weather as defined by the US Weather Service.

- i. The Burt County Planning and Zoning Administrator and the Burt County Board of Supervisors shall require post-construction noise level measurements at the expense of the holder of the Conditional Use Permit within one (1) year of completion. The testing shall be completed by a licensed, independent acoustical engineer of Burt County's choosing, and the results shall be forwarded to the Burt County Board of Supervisors. The results will be a public document subject to Nebraska's public records laws.
 - ii. After the post-construction noise level report is submitted to the Board of Supervisors, they may request additional noise studies as they deem necessary.
 - iii. All noise complaints regarding the operation of any CWECS shall be referred, in writing, to the Burt County Planning and Zoning Administrator who will then take it to the Burt County Board of Supervisors.
 - iv. The Burt County Board of Supervisors shall determine whether a violation has occurred. If a violation has occurred then they have 30 days to rectify.
- n. The Applicant shall design and locate the CWECS to mitigate any interference with electromagnetic communications, such as internet, microwave, radio, telephone, television, or Burt County 911 Communication System. A beam study shall be conducted at the expense of the CWECS Applicant, and a site plan must be provided to communication providers during the planning process.
- o. The distance between tower support bases of any two CWECS shall be a minimum of five (5) rotor diameter, determined by the size of the largest rotor diameter.
- p. The applicant shall supply the emergency management agency and/or fire departments with an emergency operation plan. The applicant shall provide a copy of the project description and site plan to Burt County local fire departments and rescue services. The applicant shall coordinate with such local entities in the development of an emergency operations plan.
- q. Each site shall have its own 911 address
- r. An Emergency Operations Plan (EOP) must be placed on file and kept current with Burt County Zoning Administrator, Burt County Emergency Management and Fire and Rescue Department (s) within Burt County. The plan shall demonstrate an all-hazards planning approach, based on an emergency incident or disaster of any magnitude or geographic size that may cause disruption to the function of the CWECS and include contacts for notification.
- s. Upon completion of the CWECS project, the CWECS Applicant shall meet with local Fire and Rescue jurisdictions to review the EOP.
- t. Liability Insurance:
 - i. The CWECS owner/operator maintain a current general liability policy covering bodily injury and property damage with limits of at least \$10,000,000 per occurrence and \$40,000,000 in the aggregate, with an annual certificate of insurance being provided to the Planning and Zoning Administrator of Burt County, with Burt County being added as an additional insured, with the designation to primary and non-contributory.
 - ii. The applicant shall promptly increase such liability insurance if such amount is increased in this regulation (Section 6.03) and the applicant is notified in writing by Burt County. The applicant shall provide evidence of such increased insurance to the Planning & Zoning Administrator.

- iii. Insurance coverage shall be maintained without interruption from the date of permitting through the decommissioning of all wind turbines. Certificates of insurance acceptable to Burt County and in compliance with this section shall be filed with Burt County Prior to commencement of any work on the CWECS and thereafter upon renewal or replacement of each required policy of insurance. These certificates and the insurance policies required under this section shall contain a provision that coverages afforded under the policies shall not be cancelled or allowed to expire until at least 60 days written notice has been given to Burt County.
- u. Indemnification:
 - i. The applicant, owner, landowner and/or operator of the CWECS shall defend, indemnify, and hold harmless Burt County and its officials from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses, and liabilities whatsoever, including attorneys' fees, without limitation, arising out of acts or omissions of the applicant, owner, landowner, and/or operator associated with the construction and/or operations of the CWECS.

5. Retention of Expert

- a. The Planning Commission and County Board may hire an engineer and/or expert to oversee all aspects of the project including, but not limited, to conditional use permit application, roads, application requirements, electrical, and any other process that occurs during preconstruction, construction, decommissioning, and reclamation. The applicant shall reimburse Burt County for the actual costs of such engineer and/or expert used during any of the phases of planning, development, decommissioning and reclamation.
- b. The total amount of the costs to be reimbursed to Burt County for engineer or expert services may vary with the scope and complexity of the project, the completeness of the application, and other information as may be needed to complete the necessary review and analysis.
- c. Burt County Engineer, County Attorney, and the Planning and Zoning Administration shall have discretion to determine when an application is deemed complete and sufficient administrative review has been conducted before scheduling of a public hearing before the Planning Commission.
- d. Said cost shall be reimbursed within 30 days of billing.

6. Decommissioning and Abandonment

1. Purpose:

Given that the infrastructure associated with a Commercial Wind Energy Conversion System has a useful life of limited duration, it is necessary to ensure that the CWECS and all its components are safely removed from the site, and that such removal activities do not place any financial obligation on Burt County and its taxpayers.

Decommissioning Standards:

The decommissioning of a CWECS shall comply with the following minimum standards:

- 1. All structures, utility lines, and equipment associated with the CWECS shall be removed to six (6) feet below ground level.
- 2. Following the removal of structures, utility lines and equipment, all remaining materials and debris shall be removed, and the site shall be inspected to identify the presence of any potentially hazardous substances or contaminants. Such substances shall be removed and

remediated in accordance with all applicable state and federal laws at the time of decommissioning, and to the satisfaction of the Board of Supervisors.

3. All areas of ground and roads that had been disturbed to construct and operate the CWECS shall be graded, reseeded, and otherwise restored to their condition prior to the establishment of the CWECS, to the satisfaction of the Board of Supervisors.
4. The materials comprising these components shall be recycled to the greatest extent practicable, and under no circumstances shall the tower, blades, or nacelle of a wind turbine be disposed of in a landfill within Burt County.
5. Facility Owner and/or Surety Bond holder shall maintain adequate assets so that Burt County shall not be held liable for any costs associated for the purpose of decommissioning and restoration of land. Any cost incurred by Burt County associated with decommissioning, not paid by the Facility Owner and/or the Surety, shall be liability of the landowners. Landowner agrees that cost paid by Burt County regarding the decommissioning, not paid by Facility Owner and/or surety bond, is a liability of the landowner.

Decommissioning Plan:

Each CWECS shall have a decommissioning and restoration plan detailing the projected means and costs of removing CWECS at the end of the serviceable life or upon becoming a discontinued use and completion of property restoration. The cost estimates shall be prepared by a professional engineer licensed in the State of Nebraska and approved by the Burt County Board of Supervisors. Burt County requires two cost estimates from licensed engineers in the State of Nebraska. The decommissioning and restoration plan and projected costs shall be reviewed and updated every year.

A decommissioning plan must include:

1. A description of the planned procedure to remove all wind turbines and towers, accessory facilities, power lines and overhead cables, transformers, substations, and meteorological towers, turbine generators, and debris of the CWECS.
 - a. Removal of the CWECS and accessory facilities to six (6) feet below ground level within 180 days of the discontinuation of use unless a plan is approved by the Zoning Administrator and Board of Supervisors within three months. These 180 days may be extended by the Board of Supervisors following a written request by an agent or the owner of the CWECS.
 - b. This shall include a description of the process through which the site will be inspected to identify any hazardous substances or contaminants that may have been deposited on or below the ground surface, as well as the process to remove and remediate those materials.
 - c. All pieces of the wind turbine shall be removed from the site as a whole component. There shall be no cutting/fracturing/shattering/disintegrating of any wind turbine components that would cause fragments or debris to litter any surrounding land.
2. A description of the planned procedure to restore all previously disturbed land to its condition prior to the construction of the CWECS.
 - a. Site restoration and reclamation to the approximate original topography that existed prior to the construction of the CWECS with grading, topsoil, respread over the disturbed areas at a depth like that in existence prior to the disturbance, and reseeded that achieves the same utility of native vegetation of the surrounding areas to prevent adverse hydrological effects within 180 days. These 180 days may be adjusted if the Burt County Board of Supervisors approves a signed request by the applicable landowner, identifying the surface features the landowner prefers to remain in place and a valid reason the landowner prefers those features to remain.
 - i. This shall include aerial and ground level photographs, written descriptions, or any other such documentation that the Board of Supervisors determines necessary for documenting the existing condition of the property(ies) involved.

3. A description of the disposal process for the major components of all wind turbines involved, including the tower, blades, and nacelle.
4. A detailed estimate of the cost of decommissioning a CWECS by an independent professional engineer licensed in the State of Nebraska that shall at minimum include:
 - a. A written financial plan that adequately ensures that the operator will be able to supply the necessary funds at the time of decommissioning.
 - b. The financial plan shall stipulate that all costs associated with the decommissioning of the CWECS shall be borne entirely by the owner or operator, without any assistance from Burt County.
 - c. The financial plan shall stipulate that the terms will apply to all future successors, assignees, or heirs to which responsibility for operating the system may be transferred at a later date.
5. A statement that the owner or operator will notify Burt County in advance of the planned decommissioning of a CWECS and how Burt County will be notified.
6. A statement that Burt County shall have access to the CWECS and to the funds to complete decommissioning no less than 180 consecutive days after the structure(s) have ceased operations.

CWECS shall be considered a discontinued use after 1(one) year without energy production, unless a plan is developed and submitted to the Burt County Zoning Administrator outlining the steps and schedule for returning the CWECS to service.

The decommissioning plan shall also be reviewed by Burt County Attorney for recommendations.

The Burt County Board of Supervisors may reject a decommissioning plan if it finds that the plan does not provide for decommissioning as defined herein and as required by any applicable federal or state laws, rules, or regulations.

Cost Estimate:

The following requirements shall apply to the cost estimate supplied by the developer, as stipulated in Section 4 of the Decommissioning Plan.

1. At the developer's expense, two cost estimates shall be prepared by two separate professional engineers licensed in the State of Nebraska chosen by Burt County Board of Supervisors.
2. The cost estimate shall encompass all costs associated with the decommissioning of the CWECS, including the deconstruction, transportation, and disposal of equipment, as well as site clean-up activities.
3. The cost estimate shall also include the anticipated cost of repairing public roads, culverts, natural drainage ways and any other infrastructure following the removal and transport of all equipment.
4. The cost estimate shall also include the cost of providing liability insurance coverage to Burt County, at an amount acceptable to the Burt County Board of Supervisors, if the developer's liability insurance coverage lapses for any reason.
5. When preparing the cost estimate, under no circumstances shall the salvage value of the equipment be deducted from the total cost of decommissioning.
6. At their own expense, the developer shall obtain an independent third-party review of the supplied cost estimate, to be conducted by an individual or firm of Burt County's choosing.
 - a. If the third-party review does not support the estimate supplied by the developer, the developer shall supply Burt County with an explanation of the discrepancy, obtained either through further consultation with their engineer or another licensed professional in the State of Nebraska.
 - b. Approval of the Decommissioning Plan shall be contingent upon the submittal of a revised cost estimate that is supported by the third-party reviewer.

7. To account for inflation and any unanticipated future trends and influences, the cost estimate shall be reevaluated and updated every year after the approval of the Conditional Use Permit.

The Burt County Board of Supervisors may reject a decommissioning plan if it finds that the plan does not adequately describe the cost of decommissioning.

Financial Security:

All costs associated with the decommissioning of a CWECS shall be paid for entirely by the owner and/or operator, without any assistance from Burt County.

1. Owner shall post, at the time of the Conditional Use Permit approval, a decommissioning surety bond in an amount determined by the Burt County Board of Supervisors. This shall be used to complete the decommissioning of the CWECS should the owner or operator fail to do so.
 - a. Burt County will not accept a surety bond from a surety company for any project owner unless that surety is registered with the State of Nebraska Auditor and is listed in the United States Department of the Treasury Circular 570 as revised.
2. The surety bond shall cover no less than 150% of the cost estimate outlined in the previous section.
3. Following the initial approval of a Conditional Use Permit for a CWECS, the owner or operator shall continually renew the surety bond every year throughout the lifespan of the CWECS until decommissioning is completed. At the time of each renewal, the cost estimate shall be reevaluated under the same procedure as outlined in the initial calculation and the surety bond shall cover no less than 150% of the updated estimated total cost.
4. The owner or operator shall provide the Board with a notice of their intent to continue operations no less than 180 days prior to the 1(one) year anniversary of the previous bond filing or renewal and shall supply the renewed surety bond to the Board of Supervisors no less than 90 days prior to that anniversary.
 - a. If the surety bond has not been renewed 90 days prior to the anniversary of the previous bond filing or renewal, the owner or operator shall take the steps necessary to begin the decommissioning of the CWECS at that time.
5. Each time that the surety bond is filed or renewed, it shall be accompanied by a written agreement that stipulates that it will apply to all future successors, assignees, or heirs to which responsibility for operating the CWECS may be transferred between the time of the filing and the next renewal.
6. The surety bond shall only be released once the Board of Supervisors can confirm that the land has been restored to its condition prior to the construction of the CWECS, including the remediation of any contamination.

Determination of Abandonment:

The Facility Owner shall provide to the Zoning Administrator and the Burt County Board of Supervisors proof of energy production every 3(three) months per commercial wind turbine. Any CWECS, or portion thereof, that has not been in operation for a period of 365 consecutive days shall be deemed to be abandoned by the Burt County Zoning Administrator and notification of this determination shall be submitted to the owner and/or operator at this time.

1. Following the determination of abandonment, the owner or operator shall within 90 consecutive days, either reactivate the use of the structure(s) or begin the process of dismantling and removing them.
 - a. This required timeframe for reactivation shall only be extended if the owner or operator is able to provide sufficient evidence or documentation to the Burt County Board of Supervisors that the failure to reactivate is due to either a natural catastrophic event or a mechanical or technological failure that the owner or operator is actively working to remedy at the time.
2. If the owner and/or operator desires to reinstate and maintain operations for the CWECS, they shall provide the Board of Supervisors with substantial evidence of their intention and ability to

do so within 90 consecutive days of the abandonment determination and resubmit such evidence every 180 days after the initial 90-day period.

3. In the absence of any intent to reinstate operations, failure to begin the dismantling and removal of an abandoned CWECS within 90 consecutive days shall constitute a violation of this ordinance.
4. If the turbines and other structures are not removed as required, the Board of Supervisors may initiate the removal of the CWECS using the funds set aside through the decommissioning surety bond. As needed, the Board may take any other legally authorized steps to recover the cost of the removal, including the sale of the removed materials, or initiation of judicial proceedings against the owner or operator.

7. Repowering

- a. The “repowering” of the CWECS system or any components thereof shall be treated as the installation of a new CWECS system or component and shall require re-application with updated studies and required information as to the then current state of facts, negotiation, approval and entry of Road Use Agreement and establishment of a Decommissioning plan.
- b. No “repowering” of any CWECS system nor component thereof shall commence until all conditions precedent for the installation of a new CWECS system contained herein are satisfied.

8. Violations

- a. Any violations that occur in this regulation are subject to a penalty of not more than five hundred dollars (\$500.00) and an additional penalty of five hundred dollars (\$500.00) for each day the violation occurs.
- b. If the owner of a CWECS is found to be in violation of the provisions of this regulation, appeals should be made in accordance with the established procedures of the Burt County Zoning Regulations.

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
December 27, 2024
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, December 27, 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 (12-24-2024), 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, Paul Richards, Carl Pearson, Sam Titus and Ted Connealy. Absent – Jeff Kutchera and David Schold.

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

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

The minutes of the December 11, 2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Swanson, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Richards, Pearson, Titus and Connealy. Nays – none. Absent – Kutchera and Schold.

December
The claims for ~~November~~ in the amount of \$493,544.43, including \$162,867.45 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Richards, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Richards, Pearson, Titus and Connealy. Nays – none. Absent – Kutchera and Schold. The following claims were approved:

ADAM TRIPP	ATTY FEES	1,453.50
ANDY'S QUICK SHOP	FUEL	135.32
APPLIED CONNECTIVE TECH	TECH/SECURITY/PHONE	16,453.80
AUDREY UNWIN	MILEAGE	140.70
BLUE360 MEDIA	SUPPLIES	102.95
BOMGAARS	SUPPLIES	16.99
BOMGAARS - ROAD	SUPPLIES	921.13
BRANIFF SERVICE	FUEL	1,090.28
BRENNEIS INS	BONDS	3,368.50
BRUCE NATHAN	MILEAGE	49.84
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY COURT	COURT FEES	304.00
BURT COUNTY DISTRICT COURT	COURT FEES	76.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	206.28
BURT COUNTY SHERIFF	SERVICE FEES	122.51
CANON FINANCIAL	COPIER	275.00
CENTURY LINK	911	322.96
CHRISTINE A DREGALLA	JAIL MEDICAL	86.00
CITY OAKLAND	UTILITIES	192.87
CITY TEKAMAH	UTILITIES	142.00
CLASSIC CLEAN CARWASH	MISC FLEET	75.04
CLAYTON OLSEN	MILEAGE	135.07
CLEARFLY	PHONES	1,798.73
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	158.47
COMFORT INN	CONFERENCE	374.85
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	104.38
CRAIG RESCUE SQUAD ASSOCIATION	DONATION	200.00
CUBBY'S	FUEL	1,466.25
DANAE MADSEN	COURT FEES	20.00

DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	411.60
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	258.75
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,006.76
DECATUR RESCUE SQUAD ASSOC.	DONATION	200.00
DILLON FREESE	MILEAGE	53.50
DREW LAW FIRM PC LLO	ATTY FEES	4,290.20
EAKES OFFICE PLUS	SUPPLIES	1,454.74
EDMOND TALBOT	REIMBURSE	98.00
EMILY HEDLUND	MILEAGE	249.24
FASTWYRE BROADBAND	UTILITIES	567.98
FIRST CONCORD BENEFITS GROUP	ADMIN FEE	841.65
FIRST NATL BANK OF OMAHA	SUPPLIES	804.85
GARY SWANSON	CHECKING ROADS	68.34
GRAIG MCELMURAY	MILEAGE	14.07
GREAT AMERICA FINANCIAL SVCS	EQUIPMENT	177.63
GREAT PLAINS UNIFORMS	EQUIPMENT	735.65
HOLIDAY INN	CONFERENCE	1,249.50
HOMETOWN LEASING	EQUIPMENT	191.13
JACK'S UNIFORMS & EQUIPMENT	EQUIPMENT	723.50
JEFF KUTCHERA	CHECKING ROADS	182.91
JEFFREY MADSEN	MILEAGE	46.80
JENNIFER HANSEN	MILEAGE	73.70
JOAN BUCY	MILEAGE	2.68
JOHNSON & PEKNY, L.L.C.	ATTY FEES	332.50
JORDAN LUXA	SUPPLIES	29.73
JURY DUTY	COURT FEES	3,369.27
KANE WARREN	MILEAGE	20.10
KASSIE JENSEN	MILEAGE	123.28
KATELYN HEISTERKAMP	EQUIPMENT	89.90
KONEXUS	SOFTWARE	3,500.00
KRAVIEC MAURSTAD LAW,P.C.,L.L.O.	CH. SUPPORT ATTY	2,009.01
LAW OFFICE OF KATE M JORGENSEN PC	ATTY FEES	3,582.15
LAZY DAY'S DETAILING	FLEET	600.00
LEE AGRI-MEDIA	PUBLISHING	1,135.71
LENA BECKNER	MILEAGE	144.72
LINDA HOLLIS	MILEAGE	50.82
LOFFLER	SUPPLIES	504.24
LYONS PUBLIC LIBRARY	DONATION	1,500.00
LYONS RESCUE SQUAD ASSN	DONATION	200.00
MARY LOFTIS	CONTRACT	3,100.00
MAXIMUS	SERVICES	1,336.56
MICHELE QUICK	MILEAGE	390.33
MID-AMERICAN BENEFITS	INSURANCE	240.00
MIPS	SOFTWARE	2,292.40
MIPS - COUNTY COURT	SOFTWARE	68.00
NACO	CONFERENCE	450.00
NEBR ASSN OF EMERGENCY MANAGEMENT	DUES	50.00
NEBR DEPARTMENT OF REVENUE	FORM 10	19.65
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING	90.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	672.80
NEBRASKA STATE BAR ASSN	DUES	280.00
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	3,686.00
NORTHEAST NEBR JUVENILE SERV	JAIL	990.00
OAKLAND EXPRESS	FUEL	29.54
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	62.98
OAKLAND PUBLIC LIBRARY	DONATION	1,500.00
OAKLAND RESCUE SQUAD ASSN	DONATION	200.00
OFFICE WAREHOUSE	SUPPLIES	611.64
ONE OFFICE SOLUTION	SUPPLIES	225.61
OPTK NETWORKS	INTERNET	1,557.39

PAUL RICHARDS	CHECKING ROADS	159.46
POLK COUNTY SHERIFF	JAIL	20.00
QUADIENT LEASING USA,	POSTAGE	817.53
REGION 4 BEHAVIORAL HEALTH SYS	QTRLY	5,564.00
SARAH FREIDEL	MILEAGE	286.76
SARPY CO. JUVENILE JUSTICE CENTER	JAIL	3,290.00
SHARON WIMER	OFFICE	240.50
STACEY KEYS	MILEAGE	214.67
TEKAMAH FIRE & RESCUE ASSN	DONATION	200.00
TEKAMAH PUBLIC LIBRARY	DONATION	1,500.00
THE APOTHECARY SHOP	JAIL MEDICAL	225.30
THEODORE CONNEALY	CHECKING ROADS	30.82
THURSTON COUNTY SHERIFF	JAIL	5,280.00
TK ELEVATOR CORPORATION	SUPPLIES	344.49
TORY PENNY	FUEL	127.08
TRI-STATE COMMUNICATIONS	RADIO	4,571.50
VERIZON WIRELESS	CELL PHONES	795.35
WASHINGTON COUNTY SHERIFF	JAIL	2,145.00
A A WHEEL & TRUCK SUPPLY	PARTS	660.94
ANN CHYTKA	MILEAGE	270.01
BARCO MUNICIPAL PRODUCTS	SIGNS	1,034.46
BLACK HILLS ENERGY	UTILITIES	204.66
BLACKSTRAP	BC ROADS	4,970.70
BLUFF AGGREGATE	GRAVEL	2,133.31
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
BUDDIES MINI MART	FUEL	483.03
CAPITAL ONE TRADE	BC ROADS	370.00
CITY OF LYONS	UTILITIES	443.23
FARMERS PRIDE	FUEL	3,205.20
FIRST NATL BANK OF OMAHA	SUPPLIES	19.99
GINI,	BC ROADS	80.10
JOHN DEERE FINANCIAL	PARTS	116.70
LORENSEN LUMBER & GRAIN	MATERIALS	365.00
MHC KENWORTH -OMAHA	PARTS	46.94
MID-AMERICAN RESEARCH CHEM CO	CHEMICAL	623.24
MIDWEST SERVICE CO	SUPPLIES	3,351.39
NELSON AND ROCK CONTRACTING	ROADS PROJECT	57,079.60
NMC CAT RENTAL	BC ROADS	3,433.48
RDO TRUCK CENTERS	REPAIRS	2,453.65
SAPP BROS PETROLEUM	FUEL	461.67
SCOTT'S HARDWARE	SUPPLIES	60.27
SHAMBURG AUTO SUPPLY	PARTS	234.08
STALP GRAVEL CO	MATERIALS	3,269.33
VERIZON CONNECT FLEET	SERVICES	454.97
VILLAGE DECATUR	UTILITIES	182.79
WELDON PARTS OMAHA	PARTS	216.88
WESTPOINT IMPLEMENT	PARTS	362.44
BURT COUNTY MUSEUM	PROMO GRANT	650.00
FARM & HOME PUBLISHERS LTD	PLAT BOOKS	130.00
JUSTICE DATE SOLUTIONS	911	3,800.00
CENTURYLINK (HARDWARE WARRANTY)	911	707.20
NORTHEAST NEBR TELEPHONE	911	130.46
AFLAC	EMPE PD ADDL	371.01
ALLSTATE	EMPE PD ADDL	42.01
BLUE CROSS & BLUE SHIELD	INSURANCE	55,122.26
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	45,083.65
GLOBE LIFE LIBERTY NATL	EMPE PD ADDL	589.08
MADISON NATL LIFE INS.	EMPE PD ADDL	28.20
NATIONWIDE RETIREMENT	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	23,913.14

STATE TAX COMMISSIONER	STATE TAXES	7,014.78
VISION SERVICE PLAN (CT)	EMPE PD ADDL	758.74
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	42.21
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Burt County Zoning Regulations - Section 6.03 Wind Energy:

Motion by Richards, seconded by Titus to adopt **Resolution 2024-19** with correction of the year (~~2022~~)(2024) on “3.” Roll Call Vote as follows: Ayes- Swanson, Richards, Titus and Connealy. Nays – Pearson. Absent – Kutchera and Schold. Motion passed. See pages 6-37 of these minutes for full Resolution.

Burt County Economic Development (BCEDC) Cindy Chatt, director BCEDC:

GRANT APPLICATION: Chatt reported that the BCEDC board has reviewed and recommended their approval for the Private Foundation Grant: (# 1) *Fund 0900, Commercial Renovation Grant* for Kent Rogert to repair rear façade of commercial building at 242 S. 13th ST., Tekamah; \$6,921.90 (50% low bid). The grant application was approved upon motion by Swanson, seconded by Pearson. Passed By Roll Call Vote: Ayes - Swanson, Richards, Pearson, Titus and Connealy. Nays - none. Absent – Kutchera and Schold.

BCEDC UPDATES FROM CHATT: (i) working on private citizen membership drive; (ii) waiting to hear if she will be awarded a tourism grant from State of Nebr; (iii) working on Visitors Promotion Committee members; (iv) looking into Burt County housing study.

Audit of FY 2023-2024:

Chairman signed management representation letter in connection with the audit of the basic financial statements of Burt County, NE as of June 30, 2024.

PUBLIC NOTICE: The Independent Auditor’s Report for fiscal year ending June 30, 2024, for Burt County has been completed by Contryman Associates, PC. A copy of the audit will be available in the County Clerk’s Office for review.

ROADS: *Ann Chytka, Highway Superintendent*

NO BUSINESS AT THIS TIME.

Cost of Living for 2025:

The Board approved a cost of living increase of 3.0%, to be applied at the January 2025 payperiod. Motion by Titus, seconded by Richards. By Roll Call Vote: Ayes – Swanson, Richards, Pearson, Titus and Connealy. Nays- none. Absent – Kutchera and Schold. Motion passed. The cost of living will not be applied to Union Employees. The cost of living is not applied to part-time or seasonal positions. The cost of living is not applied to the Zoning salary or to the Board of Health salary.

RESOLUTION #2024-20 *IN HONOR OF DAVID SCHOLD* was Approved:

BE IT HEREBY RESOLVED that the Burt County Board of Supervisors wishes to show its appreciation for 11 ¾ years of selfless service to the County by District 2 Supervisor, David Schold. Supervisor Schold was appointed in April 2013 and continued his service through December 2024; during his years of service, Schold served as Vice-Chairman for 3 years and as Chairman of the County Board for 5 years.

AND WHEREAS Schold was a very active and highly regarded member of the Board, he was dedicated to the welfare of both the citizens and the employees of Burt County, and will be greatly missed,

NOW THEREFORE BE IT RESOLVED by the Burt County Board of Supervisors that Dave be honored for his many years of service to his constituents, and that the Board wishes David Schold well in his retirement from Burt County and in all of his future endeavors.

Attest: Sarah J. Freidel
Burt County Clerk

December 27, 2024

RESOLUTION #2024-19

WHEREAS, on August 28, 2009, the Burt County Board of Supervisors did hold a public hearing and did adopt by resolution (#3109082801) zoning regulations to add small and commercial wind energy systems in the County’s zoning jurisdiction;

WHEREAS, in August of 2019, the Burt County Board of Supervisors did adopt a revised comprehensive plan for the 2019 through 2029 calendar years. Included therein are goals for the county relating to solar and wind energy development;

WHEREAS, on December 12, 2023, the Board of Supervisors of Burt County, Nebraska recommended further investigation into the County’s zoning regulations relating to wind energy systems and placed a 6-month moratorium by passing resolution 2023-19 and referred it back to the Planning Commission of Burt County;

WHEREAS, on January 22,2024, the Planning Commission of Burt County, Nebraska did further discuss and again recommend further investigation into the County’s zoning regulations relating to wind energy systems;

WHEREAS, on February 12, 2024, the Planning Commission of Burt County, Nebraska did further discuss and again recommend further investigation into the County’s zoning regulations relating to wind energy systems;

WHEREAS, on March 11, 2024, the Planning Commission of Burt County, Nebraska did further discuss and again recommend further investigation into the County’s zoning regulations relating to wind energy systems;

WHEREAS, on April 8, 2024, the Planning Commission of Burt County, Nebraska did further discuss and again recommend further investigation into the County’s zoning regulations relating to wind energy systems;

WHEREAS, on April 26, 2024, the Board of Supervisors of Burt County, Nebraska did further discuss and recommend further investigation into the County’s zoning regulations relating to wind energy systems and granted a 90-day extension (ending on September 30, 2024) to the moratorium by passing resolution 2024-07;

WHEREAS, on May 6, 2024, the Planning Commission of Burt County, Nebraska did further discuss and again recommend further investigation into the County’s zoning regulations relating to wind energy systems;

WHEREAS, on July 1, 2024, the Planning Commission of Burt County, Nebraska did hold a public hearing to discuss the final recommendations relating to wind energy systems, before submitting to the Burt County Board of Supervisors.

WHEREAS, on August 14, 2024, the Burt County Board of Supervisors held a public hearing to discuss section 6.03 (Wind Energy Installation) zoning regulations;

WHEREAS, on August 28, 2024, the Board of Supervisors of Burt County, Nebraska did further discuss and recommend further investigation into the County’s zoning regulations relating to wind energy systems and granted a 90-day extension (ending on December 31, 2024) to the moratorium by passing resolution 2024-13;

WHEREAS, on September 11, 2024, the Board of Supervisors of Burt County, Nebraska recommended further investigation into the County’s zoning regulations relating to wind energy systems referred Section 6.03 back to the Planning Commission of Burt County;

WHEREAS, on September 30, 2024, the Planning Commission of Burt County, Nebraska did further discuss and again recommend further investigation into the County’s zoning regulations relating to wind energy systems;

WHEREAS, on November 4, 2024, the Planning Commission of Burt County, Nebraska did hold a public hearing to discuss the final recommendations relating to wind energy systems, before submitting to the Burt County Board of Supervisors.

WHEREAS, on December 2, 2024, the Burt County Board of Supervisors held a Special Meeting/Public Hearing to discuss Section 6.03 (Wind Energy Installation) zoning regulations;

WHEREAS, on December 11, 2024 the Burt County Board of Supervisors did further discuss and recommend the final Section 6.03 to be attached to this resolution as Exhibit B.

NOW THEREFORE BE IT RESOLVED, by the Burt County Board of Supervisors that:

1. The findings set forth above are incorporated herein, and,
2. On September 11, 2024, the Burt County Board of Supervisors met and recommended further investigation in Section 6.03 by the Planning Commission. The Planning Commission, on November 4, 2024 sent final recommendation to the Board of Supervisors. A Special Meeting/Public Hearing was held on December 2, 2024 by the Board of Supervisors to discuss section 6.03 (Wind Energy Installation) zoning regulations.

2024 ^{S.J.F.}
3. On December 11, ~~2022~~, The Burt County Board of Supervisors did hold a public meeting to discuss the final recommendations from the Planning Commission.
4. The public hearing and meeting had advanced notice as required by Nebraska law and conformed with the Nebraska Opens Meeting Act, and,
5. Upon consideration of all matters presented to the Board, the Board of Supervisors did vote to amend the Burt County Zoning Regulations relating to wind energy systems in the County’s jurisdiction and to reopen applications for the same, and,
6. A copy of the amended regulation is attached hereto as Exhibit “A” and incorporated herein by reference, and,
7. The Board does hereby approve the amended regulations attached hereto as Exhibit “B” and the regulations are hereby adopted on the date specified below.
8. This resolution shall be in full force and effect from and after its passage.

DATED this 27th day of December 2024 at Tekamah, Nebraska.

ATTEST: *Sarah J. Freidel*
Burt County Clerk

Ted Connealy
Board Chairperson

Exhibit A
for
Resolution 2024-19
pg. 8 - 21

Section 6.03 Wind Energy Installation
2022

- E. The surface shall be maintained in such a manner that surface waters do not collect or pond, unless specifically approved. Underground drainage may be supplied if it connects to an existing drainage facility;
- F. Topsoil shall be collected and stored for redistribution on the site at the termination of the operation;
- G. Excavation shall be conducted in such a way as not to constitute a hazard to any persons, nor to the adjoining property. All cuts shall be returned to a slope of less than three to one (3-1) as soon as possible. Safety screening shall be required at the outer boundary of the site; visual screening will also be required where said boundary is adjacent to residential or recreational land;
- H. Within one year after completion of the excavation on any portion of the site, the topography and soils shall be stabilized, and the land shall be graded, seeded, and sodded so as to prevent erosion and siltation, and to protect the health, safety, and general welfare of the public.

Section 6.03 Wind Energy Installation.

A. Statement of Intent.

As to all zoning districts within Burt County, a conditional use permit is required to allow wind energy conversion systems (WECS), including such devices as wind chargers or wind turbines, subject to the regulations established in this section or as otherwise prohibited within a particular overlay district. Provided, however, the county has expressed an intent to limit WECS within the R-1, R-M and C-1 zoning districts without a showing of exceptional need and limited negative impacts to adjoining properties.

B. Definitions.

The following are defined for the specific use of this Section 6.03.

CLUSTERING Shall mean the grouping of wind turbines positioned or occurring closely together around a particular dwelling.

COMMERCIAL WECS shall mean a wind energy conversion system of equal to or greater than one hundred kilowatts (100kW) in total name plate generation capacity.

DEVELOPER shall mean any individual, corporation, or other organized entity that is planning, proposing, collecting easements/contracts from property owners, or any other activity associated with a proposed WECS project, WECS project under construction, or operator of the completed WECS system including individual wind turbines, and/or their successors.

DAYTIME HOURS shall mean a time beginning at sunrise and ending at sunset.

FALL ZONE shall mean the area, defined as the furthest distance from the tower base, in which said turbine will collapse in the event of a structural failure. This distance shall be based upon the manufacturer’s written specifications and is typically less than the total height of the structure.

FEEDER LINE shall mean any power line that carries electrical power from one or more wind turbines to the point of interconnection with the electric power grid, in the case of interconnection with the high voltage transmission systems the point of interconnection shall be the substation serving the wind energy conversion system.

HUB The mechanical area sitting atop of a wind turbine structure containing the generation equipment and the point where the blades are connected to the system.

HUB HEIGHT shall mean the overall height measured from the grade of a wind turbine to the center point of the hub of the turbine.

ICE BREAKING shall mean a means built into individual wind turbines that will shut the turbine down if ice buildup is detected.

LANDOWNER shall mean an individual, group of individuals or entity involved in the overall project via land leases, permit applications, contracts, easements or other such means.

LANDOWNER, NON-PARTICIPATING shall mean an individual, group of individuals or entity not involved in the overall project via land leases, contracts, easements, and other such means.

METEOROLOGICAL TOWER shall mean, for purposes of this Regulation, a tower which is erected primarily to measure wind speed and directions plus other data relevant to siting a Wind Energy Conversion System. Meteorological towers do not include towers and equipment used by airports, the Nebraska Department of Roads, or other applications to monitor weather conditions.

PUBLIC CONSERVATION LANDS shall mean land owned in fee title by State or Federal agencies and managed specifically for conservation purposes, including but not limited to State Wildlife Management Areas, Federal Wildlife Refuge, and Waterfowl Production Areas. For purposes of this Section 6.03, public conservation lands will also include lands owned in fee title by non-profit conservation organizations. Public conservation lands will also include private lands upon which conservation easements have been sold to public agencies or non-profit conservation organizations.

ROTOR DIAMETER shall mean the diameter of the circle described by the moving rotor blades in Figure 1.

SHADOW FLICKER shall mean the shadow cast from the rotating blades of a WECS system, which moves, with the blades.

SMALL WIND ENERGY SYSTEM shall mean a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than one hundred kilowatts (100kW) and which is intended to primarily reduce on-site consumption of utility power.

SUBSTATIONS shall mean any electrical facility to convert electricity produced by wind turbines to a voltage greater than thirty-five thousand (35,000, 35kV) for interconnection with high voltage transmission line.

TOTAL HEIGHT shall mean the highest point, above ground level. Reached by a rotor tip or any other part of the Wind Conversion System.

TOWER shall mean the vertical structure that supports the electrical, rotor blades, or meteorological equipment.

TOWER HEIGHT shall mean the total height of the Wind Energy Conversion System exclusive of the rotor blades.

TRANSMISSION LINE shall mean the electrical power lines that carry voltages of at least sixty-nine thousand (69,000) volts (69kV) and are primarily used to carry electrical energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

WIND ENERGY CONVERSION SYSTEM (WECS) shall mean an electrical generating facility compromised of one (1) or more wind turbines and accessory facilities, including but not limited to; power lines, transformers, substations, and meteorological towers that operate by converting the kinetic energy of wind into electrical energy. The energy may be used on- site or distributed into the electrical grid.

WIND TURBINES shall mean any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy using airfoils or similar devices to capture the wind.

C. Small Wind Energy Systems

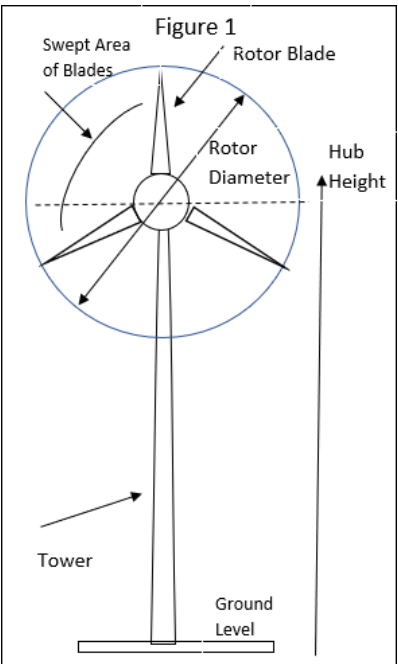
1. Purpose

It is the purpose of this regulation to promote the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of utility supplied electricity.

2. Requirements

A. Tower Height

- a. For property sizes between one half (½) acre and one (1) acre the tower height shall be limited to eighty (80) feet.
- b. For property sizes of one (1) acre or more, there is no limitation on tower height, except as imposed by FAA regulations or based on negative impacts to adjoining properties. See Figure 1.



B. Setbacks

- a. No part of the wind system structure, including guy-wire anchors, may extend closer than ten (10) feet to the property lines of the installation site.

C. Noise

- a. Small wind energy systems shall not exceed fifty (50) dBA, as measured at the closest potential neighboring dwelling unit.
- b. The noise level may be exceeded during short term events such as utility outages and/or severe storms.

D. Approved Wind Turbines

- a. Small wind turbines must have been approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.

E. Compliance with Zoning Codes

- a. Applications for small wind energy systems shall be accomplished by standard drawings of the wind turbine structure, including the tower base and footings.
- b. An engineering analysis of the tower showing compliance with the official building code of the governing body and/or the State of Nebraska certified by a professional engineer licensed and certified in Nebraska shall also be submitted.
- c. Wet stamps shall not be required.

F. Compliance with FAA Regulations and Airport Overlay District.

- a. Small wind energy systems must comply with applicable FAA Regulations, including any necessary approvals for installations close to an airport.

G. Compliance with Burt County Public Power District Code.

- a. Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the Burt County Public Power District code.

H. Utility Notification.

- a. No small wind energy system shall be installed until evidence has been given that the utility company has been informed or the customer's intent to install an interconnected customer-owned generator.
- b. Off-grid systems shall be exempt for this requirement.

D. Commercial/Utility Grade Wind Energy Systems

1) Purpose

It is the purpose of this Regulation to promote the safe, effective, and efficient use of commercial/utility grade wind energy systems within Burt County.

2) Requirements

- a) Commercial/Utility Grade wind energy conversion systems may be permitted as a conditional use within any district where the use is listed and allowed. Provided, however, commercial/utility grade systems are expressly prohibited within the R-1 and R-M zoning jurisdictions. The following requirements and information shall be met and supplied:
 - i. The name(s) of project applicant. If the project applicant is not the owner of the land on which the project will be located, the landowner must join in the application as a co-applicant.
 - ii. The name of the project owner and landowner.
 - iii. The legal description and address of the project.
 - iv. A description of the project, including number, type, name, plate generating capacity, tower height, rotor diameter, and total height of all wind turbines and means of interconnecting with the feeder lines.
 - v. Site layout, including the location of property lines, wind turbine, electrical grid, and all related accessory structures. This site layout shall include distances and be drawn to scale.
 - vi. Certification by a Nebraska Engineer competent in disciplines of WECS.
 - vii. Documentation of land ownership or legal control of the property.
 - viii. The latitude and longitude of individual wind turbines. Included in the submittal will be an area or zone in close proximity and meets setbacks.
 - ix. A USGS topographical map, or map with similar data, of the property and surrounding area, including any other Wind Energy Conversion System not owned by the applicant, within ten (10) rotor distances of the proposed Wind Energy Conversion System.
 - x. Location of wetlands, scenic, and natural areas (including bluffs) within 1320 feet of the proposed Wind Energy Conversion System.
 - xi. An Acoustical Analysis that certifies that the noise requirements within this regulation can be met.

- xii. FAA permits.
 - xiii. Location of and evidence that there will be no interference with any commercial and/or public safety communication towers within two (2) miles of the proposed Wind Energy Conversion System.
 - xiv. Proof of compliance with any Overlay District regulations within the county.
 - xv. Decommissioning plan and decommissioning bond as required by this Section 6.03.
 - xvi. Description of potential impacts on nearby Wind Energy Conversion Systems and wind resources on adjacent properties not owned by the applicant.
- b) Roads – Applicants shall:
- i. Identify all County, municipal, or township roads to be used for the purpose of transporting WECS, substation parts, cement, and/or equipment for construction. Operation or maintenance of the WECS and obtain applicable weight and size permits from the impacted jurisdictions prior to construction.
 - ii. Conduct a pre-construction survey, in coordination with the appropriate jurisdictions to determine existing road conditions. The survey shall include photographs and a written agreement to document the condition of the public facility.
 - iii. Be responsible for restoring the road(s) and bridges to preconstruction conditions following construction, installation, re-installation, maintenance and repairs and/or decommissioning efforts
- c) Drainage System:
The applicant shall be responsible for immediate repair of damage to public drainage systems stemming from construction, operation, or maintenance of the WECS.
- d) Permit Fees:
Applicant(s) shall remit an application fee set by the County Board of Supervisors.

3) Setbacks

All towers shall adhere to the setbacks established in the following table:

	Wind Turbine- Non-Commercial	WECS Wind Turbine Commercial/Utility WECS	Meteorological Towers
Property Lines*	1.1 times the total height	2 times the total height	1.1 times the total height
Dwelling -Occupied*	N.A.	3.5 times the total height with a minimum of 1800 Feet	1.1 times the total height
Road Rights-of-Way**	1.1 times the total height	1.1 times the total height	1.1 times the total height
Other Rights-of-Way	1.1 times the total height	1.1 times the total height	1.1 times the total height
Public Conservation Lands including Wildlife Management Areas and State Recreation Areas	Same setback as accessory buildings	1.1 times the total height	600 feet
Wetlands, USFW Types III, IV, and V	N.A.	600 feet	600 feet
Other Structures not on the applicant's site	N.A.	750 feet	1.1 times the total height
River Bluffs over 15 feet	_____	Diameter of rotor	_____

* All setbacks can be reduced with a signed waiver by all affected parties.

** The setback shall be measured from any future Rights-of-Way if a planned or expanded Right-of-Way is known.

4) Special Safety and Design Standards

- a) All towers shall adhere to the following safety and design standards:
 - a. Clearance of rotor blades or airfoils must maintain a minimum of twenty-five (25) feet of clearance between their lowest point and the ground.
 - b. All Commercial/Utility WECS shall have a sign or signs posted on the tower, transformer, and substation, warning of high voltage. Other signs shall be posted on the turbine with emergency contact information.
 - c. All wind turbines, which are a part of commercial/utility WECS, shall be installed with a tubular, monopole type tower.
 - d. Consideration shall be given to painted aviation warnings on all towers less than two hundred (200) feet.
 - e. Color finish: All wind turbines and towers that are a part of a commercial/utility WECS shall be white, gray, or another non-obtrusive color. Blades may be black in order to facilitate decking. Finishes shall be matte or non-reflective.
 - f. Lighting: lighting, including light intensity and frequency of strobe, shall adhere and apply for the latest lighting requirements with FAA requirements being the minimum and established by the FAA permits and regulations and comply with current standards and best practices to be specified in the conditional use permit.
 - g. Shadow flicker: Shadow flicker on any dwelling on a non-participating landowner shall be considered minimal with the 3.5 times total height with a minimum of 1800 feet setback due to shadow diffusion.
Shadow flicker will not be allowed on any road intersection due to safety concerns.
 - h. Other signage: all other signage shall comply with the sign regulations found in these Regulations.
 - i. Feeder Lines: all communications and feeder lines installed as part of a WECS shall not be considered an essential service.
 - j. Waste Disposal: solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site promptly and disposed of in accordance with all applicable local, State, and Federal rules and regulations.
 - k. Discontinuation and Decommissioning: A WECS shall be considered a discontinued use after one (1) year without energy production, unless a plan is developed and submitted to the Zoning Administrator within 3 months outlining the steps and schedule for returning the WECS to service.
 - l. Noise: no Commercial/Utility WECS shall exceed fifty (50) dBA at the nearest structure occupied by humans. Exception; a Commercial/Utility WECS may exceed fifty (50) dBA during periods of severe weather as defined by the US Weather Service.
 - m. Interference: the applicant shall minimize or mitigate interference with electromagnetic communications, such as radio, telephone, microwaves, or television signals caused by any WECS. The applicant shall notify all

communication tower operators within five (5) miles of the proposed WECS location upon application to the County for permits.

- b) The distance between tower support bases of any two WECS shall be a minimum of five (5) rotor lengths, determined by the size of the largest rotor. A reduction of this requirement may be granted if the County finds that such reduction does not impede the operation of the surrounding WECS or adversely affect surrounding property and is consistent with public health, safety and welfare.

5) Retention of Expert

- a) The Planning Commission may hire an engineer and/or other expert necessary to assist the Planning Commission and County Board in reviewing and evaluating the application for a conditional use permit, and once permitted, site inspections and decommissioning bond review. The applicant shall reimburse the County for the actual costs of such engineer/expert evaluation and consultation to the County in connection with the review and recommendation report of any application, site inspection(s) and bond review.
- b) The total amount of the costs to be reimbursed to the County for engineer or expert services may vary with the scope and complexity of the project, the completeness of the application and other information as may be needed to complete the necessary review and analysis.
- c) The Zoning Administrator shall have discretion to determine when an application is deemed complete and sufficient administrative review has been conducted before scheduling of a public hearing before the Planning Commission.

6) Decommissioning Plan

- a) A Decommissioning Plan for installed facilities and infrastructure must be submitted to the Planning Commission at the time of permit application.
- i) A Decommissioning Plan must include:
 - 1. The manner in which the commercial/utility WECS will be decommissioned;
 - 2. A decommissioning schedule;
 - 3. A detailed estimate of the cost of decommissioning a commercial/utility WECS by an independent professional engineer licensed in the state of Nebraska that shall at minimum include:
 - i. Dismantling and removal of all wind turbines and towers, accessory facilities, power lines and overhead cables, transformers, substations, and meteorological towers turbine generators, and debris of the commercial/utility WECS;
 - ii. Removal of the WECS and accessory facilities to four (4) feet below ground level within 1 year of the discontinuation of use unless a plan is approved by the Zoning Administrator within 3 months. This period may be extended by the

- Board of Supervisors following a written request by an agent or the owner of the WECS;
- iii. Site restoration and reclamation to the approximate original topography that existed prior to the construction of the commercial/utility WECS with grading, topsoil, re-spread over the disturbed areas at a depth similar to that in existence prior to the disturbance, and reseeding that achieves the same utility of native vegetation of the surrounding areas to prevent adverse hydrological effects, unless the Commission approves a signed request by the applicable landowner, identifying the surface features the land owner prefers to remain in place and a valid reason the landowner prefers those features to remain;
 - iv. Repairs and construction from damage to public roads, culverts, and natural drainage ways resulting directly from the decommissioning of a commercial/utility WECS;
 - v. All access roads shall be removed, cleared, and graded, unless a property owner agreement indicates otherwise or the County, through official action of County Supervisors, agree to keep the road; and
 - vi. The current salvageable value of the component parts of the commercial/utility WECS, as determined by an independent evaluator.
- 4. Copy of as-built plans including structural and electrical drawings of all facilities and all disturbances associated with the commercial/utility WECS and accessory facilities. The as-built plans must be certified by an independent professional engineer licensed in the State of Nebraska that the information included on depicted as-built plans is complete and accurate; and
 - 5. The financial resources that will be available to pay for decommissioning and removal of the commercial/utility WECS and accessory facilities.
- b) The Commission may reject a decommissioning plan if:
- i. It finds that the plan does not provide for decommissioning as defined herein and as required by any applicable federal or state laws, rules or regulations; and
 - ii. The plan does not adequately describe the cost of decommissioning.
- c) The decommissioning plan shall also be reviewed by the County Attorney for recommendation.
- i. All expenses related to decommissioning shall be the responsibility of the owner of the

commercial/utility WECS, including any expenses related to releasing any easements.

7) Decommissioning Bond

- a) A decommissioning performance surety bond is required for all approved conditional use permits granted for the installation of commercial/utility WECS. The surety bond must be transferable upon sale of the facilities to any new owner and may not be refunded to any owner/operator of said bond until decommissioning has been satisfactorily completed or as otherwise recommended by the Planning Commission and approved by the Board of Supervisors.
- b) The Commission shall require submission of a bond by the project owner in the amount of the estimated cost to the County if it had to perform the decommissioning and reclamation work required of an owner. This amount is based on the estimated cost to the County to ensure compliance with this Section.
- c) The bond amount shall be based on:
 - i. The estimated costs submitted by the project owner and certified by an independent professional engineer licensed in the State of Nebraska in accordance with this Regulation;
 - ii. Estimated costs to the County that may arise from applicable public contracting requirements or the need to bring personnel and equipment to the facility after its abandonment by the project owner to perform the decommissioning and reclamation work;
 - iii. Estimated costs to the County that may arise from management, operation, and maintenance of the site upon temporary or permanent operator insolvency or abandonment, until full bond liquidation can be affected;
 - iv. Unless the provisions of the bond provide otherwise, the line items in the bond calculations are estimates only and are not limits on spending of any part of the bond to complete any particular task subsequent to forfeiture of the bond or settlement in the context of bond forfeiture proceedings; and
 - v. Such other cost information as may be required by or available to the County.
- d) In determining the amount of a bond required in accordance with the rule, the County shall consider:
 - i. The character and nature of the site where the commercial/utility WECS is located; and
 - ii. The current market salvage value of the commercial/utility WECS and its component parts.
- e) The project owner shall submit to the County a bond payable to Burt County, Nebraska in a form acceptable to the County and in a sum determined by the County, conditioned on the faithful decommissioning of the commercial/utility WECS. The bond

must be submitted prior to commencing construction on the commercial/utility WECS.

- f) If a project owner does not submit an acceptable bond to the County within the timeframe required by this Regulation, the Zoning Administrator may assess an administrative penalty of not more than fifteen hundred dollars (\$1,500), and an additional administrative penalty of not more than fifteen hundred dollars (\$1,500) for each day the bond is late.
- g) A project owner may appeal the County's penalty assessment to the board within twenty (20) days after receipt of written notice of the penalty.
- h) Once every five (5) years, a project owner may request a reduction of the required bond amount upon submission of evidence to the County proving that decommissioning work, reclamation, or other circumstances will reduce the maximum estimated cost to the County to complete decommissioning and therefore warrant a reduction of the bond amount.
- i) The County shall engage an engineer or other expert, at the expense of the project owner, to review each decommissioning plan and bond amount every five (5) years. The performance bond must be increased, as required by the County, if the cost to decommission a commercial/utility WECS increases. The County shall notify the project owner of any proposed bond increase and provide the project owner an opportunity for an informal conference on the proposal. The project owner shall increase the bond within ninety (90) days of receiving the County's revised bond amount.
- j) Surety bonds are subject to the following requirements:
 - a. The County may not accept a surety bond in excess of ten percent (10%) of the surety company's capital surplus account as shown on a balance sheet certified by a certified public accountant.
 - b. The County may not accept surety bonds from a surety company for any project owner in excess of three (3) times the surety's maximum single obligation as provided in A. above.
 - c. The County may not accept a surety bond from a surety company for any project owner unless that surety is registered with the state auditor and is listed in the United States Department of the Treasury Circular 570 as revised.
 - d. A power of attorney must be attached to the surety bond.
 - e. The surety bond must provide a requirement and a mechanism for the surety company to give prompt notice to the County and the owner of:
 - i. Any action alleging bankruptcy or insolvency of the surety or violation that would result in suspension or revocation of the license of the surety;
 - ii. Cancellation by the project owner;
 - and iii. Cancellation or pending

cancellation by the surety.

- f. Upon a determination by the County that a surety is unable to comply with the terms of the bond, the owner of a commercial/utility WECS shall be deemed to be without bond coverage. The project owner shall replace the bond coverage within ninety (90) days of notice from the County.
 - g. Whenever operations are abandoned concurrent with the cancellation of the bond, the County shall forfeit the bond and decommission the site.
- k) The County may accept as bond an assignment of a certificate of deposit in a denomination not in excess of two hundred fifty thousand dollars (\$250,000), or the maximum insurable amount as determined by Federal Deposit Insurance Corporation (FDIC), whichever is less. The County may not accept a combination of certificates of deposit for a commercial/utility WECS in excess of that limit.
- l) The County may only accept automatically renewable certificates of deposit issued by a bank insured by the FDIC or a credit union insured by the National Credit Union Administration (NCAU).
- m) The County shall require the project owner
- n) to deposit sufficient amounts of certificates of deposit, to assure that the County will be able to liquidate those certificates prior to maturity, upon forfeiture, for the amount of the bond required by this Regulation.
- o) The County shall require that each certificate of deposit be made payable to or assigned to the County, both in writing and in the records of the bank or credit union issuing the certificate. The County shall require banks or credit unions issuing these certificates to waive all rights of setoff or liens against these certificates.
- p) The written determination to forfeit all or part of the bond, including the reasons for forfeiture and the amount to be forfeited, is a final decision by the County. The County may forfeit any or all bonds deposited for an entire commercial/utility WECS. Liability under any bond, including separate bond increments or indemnity agreements applicable to a single owner, must extend to the project owner's entire commercial/utility WECS.
- q) In the event the estimated amount forfeited is insufficient to pay for the full cost of decommissioning and reclamation, the project owner and landowner shall be jointly liable for the remaining costs. The County may complete or authorize completion of decommissioning of the bonded area and may recover from the project owner and/or the landowner all costs of decommissioning in excess of the amount forfeited.
- r) If the owner of a commercial/utility WECS is found to be in violation of the provisions of this Regulation, appeals should be made in accordance with the established procedures of the Burt County Zoning Regulations.

Exhibit B
for
Resolution 2024-19
pg. 22 - 37

Section 6.03 Wind Energy Installation
2024

SECTION 6.03 Wind Energy Installation

A. Statement of Intent

In order to balance the need for clean, renewable energy resources with the protection of the health, safety, and welfare of the residents of Burt County, Nebraska, the County finds these regulations are necessary in order to ensure that all wind energy conversion systems (WECS) are appropriately designed, sited, installed, and decommissioned. These regulations pertaining to all wind energy conversion systems are intended to respond to equipment available at the time of adoption. Burt County recognizes that this is an emerging technology and that new means of collecting wind energy, including but not limited to vertical axis wind turbine generators are under development. Accordingly, these standards will be reviewed and may be amended as technology advances.

B. Definitions

The following are defined for the specific use of this Section 6.03.

CLUSTERING shall mean the grouping of wind turbines positioned or occurring closely together.

COMMERCIAL WECS (CWECS) shall mean a wind energy conversion system of equal to or greater than one hundred kilowatts (100kW) in total name plate generation capacity.

DEVELOPER shall mean any individual, corporation, or other organized entity that is planning, proposing, collecting easements/contracts from property owners, or any other activity associated with a proposed WECS project, WECS project under construction, or operator of the completed WECS system including individual wind turbines, and/or their successors.

DAYTIME HOURS shall mean a time beginning at sunrise and ending at sunset.

FAA stands for Federal Aviation Administration.

FEEDER LINE shall mean any power line that carries electrical power from one or more wind turbines to the point of interconnection with the electric power grid, in the case of interconnection with the high voltage transmission systems the point of interconnection shall be the substation serving the wind energy conversion system.

HUB The mechanical area sitting atop of a wind turbine structure containing the generation equipment and the point where the blades are connected to the system.

HUB HEIGHT shall mean the overall height measured from the grade of the system to the center point of the hub of the turbine.

HEIGHT- TOTAL SYSTEM shall mean the height above the grade of the system, including the generating unit and the measured highest vertical extension of any rotor blades or rotors.

ICE BREAKING shall mean a means built into individual wind turbines that will shut the turbine down if ice buildup is detected.

IMPACT EASEMENT-An Easement or deeds restriction, recorded in the Office of the Burt County Register of Deeds, which runs with the land and is granted to the owner of a CWECS for the period of time that such use shall exist, by the owners of the adjoining property in which it is mutually agreed between the grantor and grantee that the grantor shall hold the grantee harmless from noise, visual or other legal impacts associated with such use on the grantor’s property when such use is operated in accordance with the terms of such easement or deed restriction. This impact easement only relates to wind energy systems over 100KW. The area that the easement is being applied for needs to be defined with a legal description.

LANDOWNER, PARTICIPATING shall mean an individual, group of individuals or entity involved in the overall project via land leases, permit applications, contracts, easements, impact easements, or waivers.

LANDOWNER, NON-PARTICIPATING shall mean an individual, group of individuals or entity **not** involved in the overall project via land leases, contracts, easements, impact easements, or waivers.

METEOROLOGICAL TOWER shall mean, for purposes of this Regulation, a tower which is erected primarily to measure wind speed and directions plus other data relevant to siting a Wind Energy

Conversion System. Meteorological towers do not include towers and equipment used by airports, the Nebraska Department of Transportation, or other applications to monitor weather conditions.

PROJECT OWNER shall mean a person or group responsible for initiating, funding, and overseeing a project.

PROPERTY LINE shall mean defined lines that mark the end of one owner’s property and the beginning of another owner.

PUBLIC CONSERVATION LANDS shall mean land owned in fee title by State or Federal agencies and managed specifically for conservation purposes, including but not limited to State Wildlife Management Areas, Federal Wildlife Refuge, and Waterfowl Production Areas. For purposes of this Section 6.03, public conservation lands will also include lands owned in fee title by non-profit conservation organizations. Public conservation lands will also include private lands upon which conservation easements have been sold to public agencies or non-profit conservation organizations.

REPOWERING is the process of replacing older [power stations](#) with newer ones that either have a greater [nameplate capacity](#) or more [efficiency](#) which results in a net increase of power generated.

ROTOR DIAMETER shall mean the diameter of the circle described by the moving rotor blades in Figure 1.

SHADOW FLICKER The effect of a pulsating shadow that occurs when the rotating blades of a wind turbine moves between the sun and an observer.

SMALL WIND ENERGY SYSTEM shall mean a wind energy conversion system consisting of a wind turbine, a tower, and associated control or conversion electronics, which has a rated capacity of not more than one hundred kilowatts (100kW) and which is intended to primarily reduce on-site consumption of utility power.

SUBSTATIONS shall mean any electrical facility to convert electricity produced by wind turbines to a voltage greater than thirty-five thousand (35,000, 35kV) for interconnection with high voltage transmission line.

TOTAL HEIGHT shall mean the highest point, above ground level. Reached by a rotor tip or any other part of the Wind Conversion System.

TOWER shall mean the vertical structure that supports the electrical, rotor blades, or meteorological equipment.

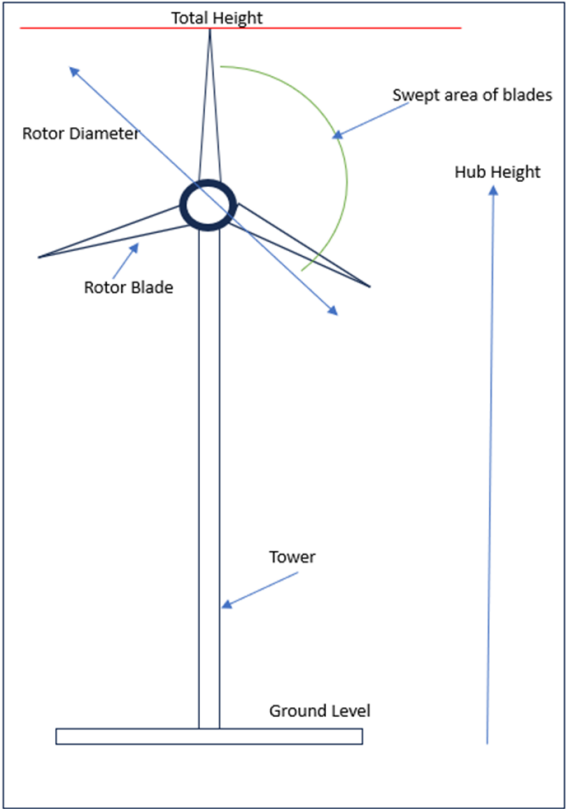
TRANSMISSION LINE shall mean the electrical power lines that carry voltages of at least sixty-nine thousand (69,000) volts (69kV) and are primarily used to carry electrical energy over medium to long distances rather than directly interconnecting and supplying electric energy to retail customers.

WIND ENERGY Kinetic energy present in wind motion that can be converted to mechanical energy for driving pumps, mills, and electric power generators.

WIND ENERGY CONVERSION SYSTEM (WECS) shall mean an aggregation of parts including but not limited to the base, tower, generator, rotor, blades, supports, structures, inverters/transformers, operation and maintenance building, access roads, wiring, substations, and configuration as necessary to convert the power of wind into mechanical or electrical energy, e.g. wind charger, windmill, or wind turbine.

WIND TURBINES shall mean any piece of electrical generating equipment that converts the kinetic energy of blowing wind into electrical energy using airfoils or similar devices to capture the wind.

Figure 1.



C. Small Wind Energy Systems

1. Purpose It is the purpose of this regulation to promote the safe, effective, and efficient use of small wind energy systems installed to reduce the on-site consumption of utility supplied electricity.

2. Requirements

A. Tower Height

- a. For property sizes between one half (½) acre and one (1) acre the tower height shall be limited to eighty (80) feet.
- b. For Property sizes of one (1) acre or more, there is a limit on tower height of 160 (one hundred sixty) feet, except as imposed by FAA regulation. See Figure 1

B. Setbacks

- a. No part of the wind system structure, including guy-wire anchors, may extend closer than 1.1 times total height to the property lines of the installation site.

C. Noise

- a. Small wind energy systems shall not exceed fifty (50) dBA, as measured at the closest potential neighboring dwelling unit.
- b. The noise level may be exceeded during short term events such as utility outages and/or severe storms.

D. Approved Wind Turbines

- a. Small wind turbines must have been approved under the Emerging Technologies program of the California Energy Commission or any other small wind certification program recognized by the American Wind Energy Association.

E. Compliance with Zoning Codes

- a. Applications for small wind energy systems shall be accomplished by standard drawings of the wind turbine structure, including the tower base and footings.
- b. An engineering analysis of the tower showing compliance with the official building code of the governing body and/or the State of Nebraska certified by a professional engineer licensed and certified in Nebraska shall also be submitted.
- c. Wet stamps shall not be required.

F. Compliance with FAA Regulations and Airport Overlay District.

- a. Small wind energy systems must comply with applicable FAA Regulations, including any necessary approvals for installations close to an airport.

G. Compliance with Burt County Public Power District Code.

- a. Permit applications for small wind energy systems shall be accompanied by a line drawing of the electrical components in sufficient detail to allow for a determination that the manner of installation conforms to the Burt County Public Power District code.

H. Utility Notification.

- a. No small wind energy system shall be installed until evidence has been given that the utility company has been informed or the customer’s intent to install an interconnected customer-owned generator.
- b. Off-grid systems shall be exempt for this requirement.

Commercial/Utility Grade Wind Energy Systems

1. Purpose

It is the purpose of this Regulation to promote the safe, effective, and efficient use of commercial/utility grade wind energy systems while protecting the Health, Safety, and Welfare of all residents within Burt County.

2. Application Requirements

- a. A CWECS under common or aggregated ownership or operating control that includes substations, MET towers, cables/wires and other building accessories, whose main purpose it to supply electricity to off-site customers, CWECS (s) may be included as an aggregated project, such as those projects that are developed and operated in a coordinated fashion, but which have multiple entities separately owning one or more of the CWECS within a larger project.

Associated infrastructure such as power lines and transformers that service the facility may be owned by a separate entity but are also part of the aggregated project.

The entire aggregated project shall be permitted by a Conditional Use Permit only in the A-1 Zoning district.

The landowner will execute a Covenant/Subdivision Restriction indicating that once the project is approved for a specific parcel of land, the landowner will no longer be able to subdivide that parcel of land without the consent of the appropriate County Official.

The project owner shall designate and provide as part of the application, and shall maintain at the office of the Zoning Administrator in Burt County, the name and contact information of a local agent (local meaning a person whose residence is in Burt County, NE or a Business with its primary place of business or its registered agent located in Burt County NE). The project owner shall authorize the local agent to accept service of legal notice and be served legal notice and can be a first point of contact by the public.

If an appropriate Burt County Official requests information regarding any part of the project the applicant shall provide a response in writing within 5 business days.

A completed Conditional Use Permit shall be signed off by County Engineer, County Attorney, Planning and Zoning, and County Board.

The following requirements and information shall be met and supplied:

- i. The name of the project owner and landowner(s). If the project owner is not the owner of the land on which the project will be located, the landowner must join in the application as a co-applicant.
- ii. A copy of the Impact Easement Deed or similarly recorded document from Burt County Register of Deeds office for each Participating Property. This must include the legal description of the parcel of land.
- iii. A description of the project, including standard drawings of structural components of the CWECS including number, type, name plate generating capacity, tower height, rotor diameter, total height, structures, tower base and footings of all wind turbines and means of interconnecting with the feeder lines.
- iv. A survey map (site layout) illustrating the following:
 - 1. Property lines, dimension, acreage and contours with appropriate intervals for site evaluation.
 - 2. Location and elevation of all components of the proposed CWECS.
 - 3. Location and dimensions of all existing structures and uses on property within three (3) miles. (including residences, schools, churches, federal, state, county or local parks, recognized historic or heritage sites, designated scenic by-ways, identified wildlife preserves or habitat areas or wetlands)

4. Location of any overhead utility lines on the property.
 5. Location of all known communications towers within three (3) miles of the proposed CWECS.
 6. Location of all access roads.
 7. The latitude and longitude along with the legal description of individual wind turbine(s) showing all setbacks are met.
- v. Provide a map illustrating all transmission lines connecting to the Substation. All electrical connection systems and lines from the CWECS to the electrical grid connection shall be located and maintained underground. Burial depth shall be at a depth that causes no known environmental, land use, or safety issues. Depth shall be a minimum of six (6) feet below grade, or deeper than drain tile, and be in compliance with NEC 2017 or new code standards. The Planning and Zoning Board or Burt County Board of Supervisors may waive the burial requirement and allow above-ground structures in limited circumstances, such as geography precludes, or a demonstrated benefit to Burt County. The waiver shall not be granted solely on cost savings to Applicant. Request for variation shall consider aesthetics, future use of land, and effect on nearby landowners.
 - vi. Provide any written technical assistance, as well as minutes and reports from meeting(s) and coordination with Nebraska Game and Parks Commission, Papio and Lower Elkhorn NRD to review the proposed CWECS site plan, including mitigation action taken to protect flora and fauna of the proposed project area.
 - vii. Provide information regarding flora and fauna of the proposed project area including:
 1. Officially listed threatened or endangered species
 2. Critical habitat or habitat conditions
 3. An avian study based on the U.S. Fish and Wildlife Services. "Interim Guidelines to Avoid and Minimize Wildlife Impacts from Wind Turbines."
 - viii. Compliance with FAA regulations, including any documentation required by the FAA, which shall include Form 7460, certifying approval of each proposed location.
 - ix. Any permit that was issued by the Nebraska Department of Environmental and Energy (NDEE) including, but not limited to, Storm Water Prevention Plan.
 - x. Provide minutes from the meeting(s) with the Tekamah Airport Joint Zoning Board that discuss the review of the proposed CWECS site plan (if applicable)
 - xi. Results of consultation with the National Oceanic and Atmospheric Administration (NOAA), National Weather Service, or any other relevant weather monitoring systems in the CWECS project areas.
 - xii. Results of consultation regarding potential interference with existing communication facilities within two (2) miles of the proposed CWECS project area, with proof that the Applicant has designed and mitigated any possible interference and have met with communication providers for proper site planning within the CWECS project area.
 - xiii. A pre-construction noise modeling study shall be conducted in accordance with procedures approved by Standard 61400-11 of the International Electro-technical Commission (IEC); and shall include all property within three (3) miles of an aggregated project. The protocol, methodology and noise modeling shall be included in the study. Studies shall include noise modeling for all four (4) seasons and include typical and worst-case scenarios for noise propagation. The Acoustician will be chosen by Burt County and paid for by the applicant. The complete results and full study report shall be submitted to the Burt County Planning Commission for review at the time of the Conditional Use Permit.
 - xiv. Any proposed turbine which is within 3 miles of a dwelling shall provide shadow flicker modeling data showing the expected effect of shadow flicker on properties. Shadow flicker shall not fall upon any dwelling or other building which is occupied by humans, for no more than 30 minutes per day and no more than a total of 30 hours per any calendar year. If shadow flicker exceeds these limits, measures shall be taken to reduce the effects of shadow flicker on

buildings, which may include shutting the turbine down during periods of shadow flicker. If a turbine violates this standard on a dwelling unit, constructed after the turbine is approved, then the turbine becomes a non-conforming use.

- xv. Proof of compliance with any Overlay District regulations within Burt County.
- xvi. Decommissioning plan and decommissioning bond as required by Section 6.03 and the Conditional Use Permit.

b. Additional Requirements

- i. Each turbine will be required to have a 911 address.
- ii. No shadow flicker will be allowed on any road.
- iii. Once the CWECS is built, a copy of as-built plans including structural and electrical drawings of all facilities and all disturbances associated with the CWECS and accessory facilities must be certified by an independent professional engineer licensed in the State of Nebraska that the information included on depicted as-built plans is complete and accurate; and be given to the Burt County Zoning Administrator.
- iv. CWECS shall be placed on a minimum of 80 acres.

c. Roads- Applicants shall:

- i. All public roads to be used for the purpose of transporting aggregate project materials, concrete or equipment for construction, operation, maintenance, or decommissioning of the CWECS shall be identified and applicable weight and size permits from the impacted road authority(ies) shall be obtained prior to construction. A pre-construction survey must be conducted with the appropriate jurisdictions to determine existing road conditions. Those included are Applicant(s); Land Owner(s); Township Representative(s); Highway Superintendent(s) and/or Zoning Administrator(s); and 3 members of the Board of Supervisors. The survey shall include photographs and a written agreement (Road Agreement) to document the conditions of the public roads and facilities. All expenses of the survey shall be the Applicant's responsibility.
- ii. Prior to the commencement of construction or decommissioning of any turbine, the Applicant shall enter into an agreement with Burt County Roads Department regarding use of county roads during construction and decommissioning. This agreement shall include traffic routes, time of the year use, staging area, and any other physical sites related to CWECS. All roads shall be maintained to allow access, at all times, by any emergency service vehicle(s). The CWECS owner shall be responsible for repair of damage to public roads and drainage systems stemming from construction, operation, maintenance, or decommissioning of the CWECS, as stated in the Road Agreement. Any violation of the agreement will incur an assessment against the Applicant for damages as determined by the Board of Supervisors for every violation occurrence and paid within 30 days.
- iii. Be responsible for restoring the road(s) and bridges to preconstruction conditions following construction, installation, re-installation, maintenance and repairs, and/or decommissioning efforts.
- iv. No bridges or culverts shall be crossed if the load is overweight.
- v. If road elevation changes are needed this has to be brought forward at the time of the Conditional Use Permit, to be signed off on by the County Engineer, Highway Superintendent, and the Board of Supervisors before the elevation can be altered.
- vi. There is to be no shadow flicker on any road.
- vii. If any part of the CWECS is in the public right of way, it must be removed to six (6) feet below current grade.
- viii. Surety Bond shall cover no less than 150% of cost estimate associated with the repair of roadways and other infrastructure as a result of construction, operation, maintenance, or decommissioning. This surety bond shall be in place at the time of the CUP application and reviewed annually.

- 1. Burt County will not accept a surety bond from a surety company for any project owner unless that surety is registered with the State of Nebraska

- Auditor and is listed in the United States Department of the Treasury Circular 570 as revised.
- ix. Other road factors may be considered at the time of the Road Agreement.

- d. Drainage System

i. Public Drainage Systems- The Applicant shall be responsible for repair of damage to public drainage systems stemming from construction, operation, maintenance or decommissioning of the CWECS. Such Damage to be repaired as soon as feasible and on a schedule agreeable to the Burt County Highway Superintendent.

ii. Private Drainage Systems- The Applicant shall be responsible for repair of damage to private drainage systems stemming from construction, operation, or decommissioning of the CWECS. Such damage to be repaired as soon as feasible and, on a schedule, agreeable to the affected landowner.
- e. Permit Fees:
Applicant(s) shall remit an application fee set by Burt County Board of Supervisors.

3. Setbacks

All towers shall adhere to the setbacks as measured from the center of the turbine base established in the following table:

	Wind Turbine Non-Commercial	WECS Wind Turbine Commercial/Utility WECS	Meteorological Towers
Distance from Towns and Villages		3 miles from corporate limits.	
Property Lines*	1.1 times the total height	1 mile with a minimum of 1800 feet	1.1 times the total height
Occupied Dwelling	N.A.	½ mile	1.1 times the total height
Road Rights-of-Way	1.1 times the total height	1,000 feet	1.1 times the total height
Public Conservation Lands including Wildlife Management Areas, Federal/ State Recreation Areas, NRD-Watershed areas; Wetlands, USFW Types III, IV, and V	Same setback as accessory buildings	1 mile unless proper authority signs waiver with a minimum of ½ mile	600 feet

* Setback can be reduced with a signed impact easement by all affected parties. By signing the Impact Easement, the landowner is now a participating landowner.

4. Special Safety and Design Standard

- a. All towers shall adhere to the following safety and design standards:
 - i. A clearance of rotor blades or airfoils must maintain a minimum of twenty-five (25) feet of clearance between their lowest point and the ground.
- b. CWECS shall include no sign or advertising of any kind, except for one sign using 4” letters and posted at the access road entrance. The sign shall contain the following information:
 1. No Trespassing
 2. Warning – high voltage.
 3. Emergency phone number.
 4. 911 address.
 5. No other signage will be allowed.
- c. Any CWECS facility shall be equipped with anti-climbing devices. Tower climbing apparatus shall not be located within fifteen (15) feet of the ground. Where the tower is capable of being climbed, a locked protective fence at least six (6) feet high shall enclose the tower.
- d. All wind turbines, which are a part of commercial/utility WECS, shall be installed with a tubular, monopole type tower.
- e. Consideration shall be given to painted aviation warnings on all towers less than two hundred (200) feet.
- f. Color finish: All wind turbines and towers that are a part of a commercial/utility WECS shall be white, gray, or another non-obtrusive color. Blades may be black in order to facilitate decking. Finishes shall be matte or non-reflective.
- g. Shadow flicker: Shadow flicker will not be allowed on any road due to safety concerns.
- h. Feeder Lines: all communications and feeder lines installed as part of a CWECS shall be buried, where feasible. Feeder lines installed as part of the CWECS shall not be considered an essential service.
- i. Height: no CWECS shall exceed 590 Feet in total height.
- j. Number Limitations: Burt County shall have no more than 20 total CWECS.
- k. Lighting: lighting including light intensity and frequency of strobe, shall adhere and apply for the latest lighting requirements with FAA requirements being the minimum and established by the FAA permits and regulations and comply with current standards and best practices to be specified in the conditional use permit. Must comply with Nebraska State Statute 66-915
- l. Waste Disposal: solid and hazardous wastes, including but not limited to crates, packaging materials, damaged or worn parts, as well as used oils and lubricants, shall be removed from the site promptly and disposed of in accordance with all applicable Local, State, and Federal rules and regulations.
- m. **Noise:** no Commercial/Utility WECS or combination of CWECS shall exceed forty (40) dBA measured at 10-minute leq at the closest exterior wall of any dwelling located on the property of a non-participating land owners and fifty (50) dBA measured at 10-minute leq at the closest exterior wall of any dwelling located on the property of a participating land owners. Exception; a Commercial/Utility WECS may exceed forty (40) dBA for non-participating and fifty (50) for participating during periods of severe weather as defined by the US Weather Service.
 - i. The Burt County Planning and Zoning Administrator and the Burt County Board of Supervisors shall require post-construction noise level measurements at the

expense of the holder of the Conditional Use Permit within one (1) year of completion. The testing shall be completed by a licensed, independent acoustical engineer of Burt County's choosing, and the results shall be forwarded to the Burt County Board of Supervisors. The results will be a public document subject to Nebraska's public records laws.

- ii. After the post-construction noise level report is submitted to the Board of Supervisors, they may request additional noise studies as they deem necessary.
 - iii. All noise complaints regarding the operation of any CWECS shall be referred, in writing, to the Burt County Planning and Zoning Administrator who will then take it to the Burt County Board of Supervisors.
 - iv. The Burt County Board of Supervisors shall determine whether a violation has occurred. If a violation has occurred then they have 30 days to rectify.
- n. The Applicant shall design and locate the CWECS to mitigate any interference with electromagnetic communications, such as internet, microwave, radio, telephone, television, or Burt County 911 Communication System. A beam study shall be conducted at the expense of the CWECS Applicant, and a site plan must be provided to communication providers during the planning process.
- o. **The distance between tower support bases of any two CWECS shall be a minimum of five (5) rotor diameter, determined by the size of the largest rotor diameter.**
- p. The applicant shall supply the emergency management agency and/or fire departments with an emergency operation plan. The applicant shall provide a copy of the project description and site plan to Burt County local fire departments and rescue services. The applicant shall coordinate with such local entities in the development of an emergency operations plan.
- q. Each site shall have its own 911 address
- r. An Emergency Operations Plan (EOP) must be placed on file and kept current with Burt County Zoning Administrator, Burt County Emergency Management and Fire and Rescue Department (s) within Burt County. The plan shall demonstrate an all-hazards planning approach, based on an emergency incident or disaster of any magnitude or geographic size that may cause disruption to the function of the CWECS and include contacts for notification.
- s. Upon completion of the CWECS project, the CWECS Applicant shall meet with local Fire and Rescue jurisdictions to review the EOP.
- t. Liability Insurance:
- i. The CWECS owner/operator maintain a current general liability policy covering bodily injury and property damage with limits of at least \$10,000,000 per occurrence and \$40,000,000 in the aggregate, with an annual certificate of insurance being provided to the Planning and Zoning Administrator of Burt County, with Burt County being added as an additional insured, with the designation to primary and non-contributory.
 - ii. The applicant shall promptly increase such liability insurance if such amount is increased in this regulation (Section 6.03) and the applicant is notified in writing by Burt County. The applicant shall provide evidence of such increased insurance to the Planning & Zoning Administrator.
 - iii. Insurance coverage shall be maintained without interruption from the date of permitting through the decommissioning of all wind turbines. Certificates of insurance acceptable to Burt County and in compliance with this section shall be filed with Burt County Prior to commencement of any work on the CWECS and thereafter upon renewal or replacement of each required policy of insurance.

These certificates and the insurance policies required under this section shall contain a provision that coverages afforded under the policies shall not be cancelled or allowed to expire until at least 60 days written notice has been given to Burt County.

u. Indemnification:

- i. The applicant, owner, landowner and/or operator of the CWECS shall defend, indemnify, and hold harmless Burt County and its officials from and against any and all claims, demands, losses, suits, causes of action, damages, injuries, costs, expenses, and liabilities whatsoever, including attorneys' fees, without limitation, arising out of acts or omissions of the applicant, owner, landowner, and/or operator associated with the construction and/or operations of the CWECS.

5. Retention of Expert

- a. The Planning Commission and County Board may hire an engineer and/or expert to oversee all aspects of the project including, but not limited, to conditional use permit application, roads, application requirements, electrical, and any other process that occurs during preconstruction, construction, decommissioning, and reclamation. The applicant shall reimburse Burt County for the actual costs of such engineer and/or expert used during any of the phases of planning, development, decommissioning and reclamation.
- b. The total amount of the costs to be reimbursed to Burt County for engineer or expert services may vary with the scope and complexity of the project, the completeness of the application, and other information as may be needed to complete the necessary review and analysis.
- c. Burt County Engineer, County Attorney, and the Planning and Zoning Administration shall have discretion to determine when an application is deemed complete and sufficient administrative review has been conducted before scheduling of a public hearing before the Planning Commission.
- d. Said cost shall be reimbursed within 30 days of billing.

6. Decommissioning and Abandonment

1. Purpose:

Given that the infrastructure associated with a Commercial Wind Energy Conversion System has a useful life of limited duration, it is necessary to ensure that the CWECS and all its components are safely removed from the site, and that such removal activities do not place any financial obligation on Burt County and its taxpayers.

Decommissioning Standards:

The decommissioning of a CWECS shall comply with the following minimum standards:

1. All structures, utility lines, and equipment associated with the CWECS shall be removed to six (6) feet below ground level.
2. Following the removal of structures, utility lines and equipment, all remaining materials and debris shall be removed, and the site shall be inspected to identify the presence of any potentially hazardous substances or contaminants. Such substances shall be removed and remediated in accordance with all applicable state and federal laws at the time of decommissioning, and to the satisfaction of the Board of Supervisors.
3. All areas of ground and roads that had been disturbed to construct and operate the CWECS shall be graded, reseeded, and otherwise restored to their condition prior to the establishment of the CWECS, to the satisfaction of the Board of Supervisors.

- 4. The materials comprising these components shall be recycled to the greatest extent practicable, and under no circumstances shall the tower, blades, or nacelle of a wind turbine be disposed of in a landfill within Burt County.
- 5. Facility Owner and/or Surety Bond holder shall maintain adequate assets so that Burt County shall not be held liable for any costs associated for the purpose of decommissioning and restoration of land. Any cost incurred by Burt County associated with decommissioning, not paid by the Facility Owner and/or the Surety, shall be liability of the landowners. Landowner agrees that cost paid by Burt County regarding the decommissioning, not paid by Facility Owner and/or surety bond, is a liability of the landowner.

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Decommissioning Plan:

Each CWECS shall have a decommissioning and restoration plan detailing the projected means and costs of removing CWECS at the end of the serviceable life or upon becoming a discontinued use and completion of property restoration. The cost estimates shall be prepared by a professional engineer licensed in the State of Nebraska and approved by the Burt County Board of Supervisors. Burt County requires two cost estimates from licensed engineers in the State of Nebraska. The decommissioning and restoration plan and projected costs shall be reviewed and updated every year.

A decommissioning plan must include:

- 1. A description of the planned procedure to remove all wind turbines and towers, accessory facilities, power lines and overhead cables, transformers, substations, and meteorological towers, turbine generators, and debris of the CWECS.
 - a. Removal of the CWECS and accessory facilities to six (6) feet below ground level within 180 days of the discontinuation of use unless a plan is approved by the Zoning Administrator and Board of Supervisors within three months. These 180 days may be extended by the Board of Supervisors following a written request by an agent or the owner of the CWECS.
 - b. This shall include a description of the process through which the site will be inspected to identify any hazardous substances or contaminants that may have been deposited on or below the ground surface, as well as the process to remove and remediate those materials.
 - c. All pieces of the wind turbine shall be removed from the site as a whole component. There shall be no cutting/fracturing/shattering/disintegrating of any wind turbine components that would cause fragments or debris to litter any surrounding land.
- 2. A description of the planned procedure to restore all previously disturbed land to its condition prior to the construction of the CWECS.
 - a. Site restoration and reclamation to the approximate original topography that existed prior to the construction of the CWECS with grading, topsoil, respread over the disturbed areas at a depth like that in existence prior to the disturbance, and reseeded that achieves the same utility of native vegetation of the surrounding areas to prevent adverse hydrological effects within 180 days. These 180 days may be adjusted if the Burt County Board of Supervisors approves a signed request by the applicable landowner, identifying the surface features the landowner prefers to remain in place and a valid reason the landowner prefers those features to remain.
 - i. This shall include aerial and ground level photographs, written descriptions, or any other such documentation that the Board of Supervisors determines necessary for documenting the existing condition of the property(ies) involved.
- 3. A description of the disposal process for the major components of all wind turbines involved, including the tower, blades, and nacelle.
- 4. A detailed estimate of the cost of decommissioning a CWECS by an independent professional engineer licensed in the State of Nebraska that shall at minimum include:

- a. A written financial plan that adequately ensures that the operator will be able to supply the necessary funds at the time of decommissioning.
 - b. The financial plan shall stipulate that all costs associated with the decommissioning of the CWECS shall be borne entirely by the owner or operator, without any assistance from Burt County.
 - c. The financial plan shall stipulate that the terms will apply to all future successors, assignees, or heirs to which responsibility for operating the system may be transferred at a later date.
5. A statement that the owner or operator will notify Burt County in advance of the planned decommissioning of a CWECS and how Burt County will be notified.
 6. A statement that Burt County shall have access to the CWECS and to the funds to complete decommissioning no less than 180 consecutive days after the structure(s) have ceased operations.

CWECS shall be considered a discontinued use after 1(one) year without energy production, unless a plan is developed and submitted to the Burt County Zoning Administrator outlining the steps and schedule for returning the CWECS to service.

The decommissioning plan shall also be reviewed by Burt County Attorney for recommendations.

The Burt County Board of Supervisors may reject a decommissioning plan if it finds that the plan does not provide for decommissioning as defined herein and as required by any applicable federal or state laws, rules, or regulations.

Cost Estimate:

The following requirements shall apply to the cost estimate supplied by the developer, as stipulated in Section 4 of the Decommissioning Plan.

1. At the developer's expense, two cost estimates shall be prepared by two separate professional engineers licensed in the State of Nebraska chosen by Burt County Board of Supervisors.
2. The cost estimate shall encompass all costs associated with the decommissioning of the CWECS, including the deconstruction, transportation, and disposal of equipment, as well as site clean-up activities.
3. The cost estimate shall also include the anticipated cost of repairing public roads, culverts, natural drainage ways and any other infrastructure following the removal and transport of all equipment.
4. The cost estimate shall also include the cost of providing liability insurance coverage to Burt County, at an amount acceptable to the Burt County Board of Supervisors, if the developer's liability insurance coverage lapses for any reason.
5. When preparing the cost estimate, under no circumstances shall the salvage value of the equipment be deducted from the total cost of decommissioning.
6. At their own expense, the developer shall obtain an independent third-party review of the supplied cost estimate, to be conducted by an individual or firm of Burt County's choosing.
 - a. If the third-party review does not support the estimate supplied by the developer, the developer shall supply Burt County with an explanation of the discrepancy, obtained either through further consultation with their engineer or another licensed professional in the State of Nebraska.
 - b. Approval of the Decommissioning Plan shall be contingent upon the submittal of a revised cost estimate that is supported by the third-party reviewer.
7. To account for inflation and any unanticipated future trends and influences, the cost estimate shall be reevaluated and updated every year after the approval of the Conditional Use Permit.

The Burt County Board of Supervisors may reject a decommissioning plan if it finds that the plan does not adequately describe the cost of decommissioning.

Financial Security:

All costs associated with the decommissioning of a CWECS shall be paid for entirely by the owner and/or operator, without any assistance from Burt County.

1. Owner shall post, at the time of the Conditional Use Permit approval, a decommissioning surety bond in an amount determined by the Burt County Board of Supervisors. This shall be used to complete the decommissioning of the CWECS should the owner or operator fail to do so.
 - a. Burt County will not accept a surety bond from a surety company for any project owner unless that surety is registered with the State of Nebraska Auditor and is listed in the United States Department of the Treasury Circular 570 as revised.
2. The surety bond shall cover no less than 150% of the cost estimate outlined in the previous section.
3. Following the initial approval of a Conditional Use Permit for a CWECS, the owner or operator shall continually renew the surety bond every year throughout the lifespan of the CWECS until decommissioning is completed. At the time of each renewal, the cost estimate shall be reevaluated under the same procedure as outlined in the initial calculation and the surety bond shall cover no less than 150% of the updated estimated total cost.
4. The owner or operator shall provide the Board with a notice of their intent to continue operations no less than 180 days prior to the 1(one) year anniversary of the previous bond filing or renewal and shall supply the renewed surety bond to the Board of Supervisors no less than 90 days prior to that anniversary.
 - a. If the surety bond has not been renewed 90 days prior to the anniversary of the previous bond filing or renewal, the owner or operator shall take the steps necessary to begin the decommissioning of the CWECS at that time.
5. Each time that the surety bond is filed or renewed, it shall be accompanied by a written agreement that stipulates that it will apply to all future successors, assignees, or heirs to which responsibility for operating the CWECS may be transferred between the time of the filing and the next renewal.
6. The surety bond shall only be released once the Board of Supervisors can confirm that the land has been restored to its condition prior to the construction of the CWECS, including the remediation of any contamination.

Determination of Abandonment:

The Facility Owner shall provide to the Zoning Administrator and the Burt County Board of Supervisors proof of energy production every 3(three) months per commercial wind turbine. Any CWECS, or portion thereof, that has not been in operation for a period of 365 consecutive days shall be deemed to be abandoned by the Burt County Zoning Administrator and notification of this determination shall be submitted to the owner and/or operator at this time.

1. Following the determination of abandonment, the owner or operator shall within 90 consecutive days, either reactivate the use of the structure(s) or begin the process of dismantling and removing them.
 - a. This required timeframe for reactivation shall only be extended if the owner or operator is able to provide sufficient evidence or documentation to the Burt County Board of Supervisors that the failure to reactivate is due to either a natural catastrophic event or a mechanical or technological failure that the owner or operator is actively working to remedy at the time.
2. If the owner and/or operator desires to reinstate and maintain operations for the CWECS, they shall provide the Board of Supervisors with substantial evidence of their intention and ability to do so within 90 consecutive days of the abandonment determination and resubmit such evidence every 180 days after the initial 90-day period.
3. In the absence of any intent to reinstate operations, failure to begin the dismantling and removal of an abandoned CWECS within 90 consecutive days shall constitute a violation of this ordinance.

4. If the turbines and other structures are not removed as required, the Board of Supervisors may initiate the removal of the CWECS using the funds set aside through the decommissioning surety bond. As needed, the Board may take any other legally authorized steps to recover the cost of the removal, including the sale of the removed materials, or initiation of judicial proceedings against the owner or operator.
7. Repowering
- a. The “repowering” of the CWECS system or any components thereof shall be treated as the installation of a new CWECS system or component and shall require re-application with updated studies and required information as to the then current state of facts, negotiation, approval and entry of Road Use Agreement and establishment of a Decommissioning plan.
 - b. No “repowering” of any CWECS system nor component thereof shall commence until all conditions precedent for the installation of a new CWECS system contained herein are satisfied.
8. Violations
- a. Any violations that occur in this regulation are subject to a penalty of not more than five hundred dollars (\$500.00) and an additional penalty of five hundred dollars (\$500.00) for each day the violation occurs.
 - b. If the owner of a CWECS is found to be in violation of the provisions of this regulation, appeals should be made in accordance with the established procedures of the Burt County Zoning Regulations.

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