

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
August 28, 2023
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Monday, August 28, 2023 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 Oakland Independent (8-24-2023), 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, Ted Connealy and David Schold. Connealy had to leave after the 10:00 a.m. break.

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

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

The minutes of the 8/9/2023 Board of Supervisors meeting were approved; upon motion by Titus, seconded by Swanson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

The claims for August in the amount of \$618,232.20, including \$154,269.61 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds upon motion by Richards, seconded by Pearson. By Roll Call Vote: Ayes – Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – Swanson. The following claims were approved:

ADAM TRIPP	ATTY FEES	1,330.00
ANDY'S QUICK SHOP	FUEL	263.67
APPLIED CONNECTIVE TECHNOLOGIES LLC	SUPPORT/SOFTWARE	5,089.00
BLACK HILLS ENERGY	UTILITIES	174.06
BOMGAARS -COURTHOUSE	SUPPLIES	157.65
BRANIFF SERVICE INC	FUEL/REPAIR	8,307.03
BRUCE NATHAN	MILEAGE	42.58
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY COURT	NON WAIVERABLE	307.00
BURT COUNTY DISTRICT COURT	NON WAIVERABLE	289.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	261.82
BURT COUNTY SHERIFF	SERVICE FEES	307.54
BURT COUNTY TREASURER	WAGON RD TAXES	31,433.88
BURT COUNTY TREASURER -TITLE/REG	TITLE	14.00
BURT COUNTY 4-H COUNCIL	FAIR EXPENSES	183.00
CANON FINANCIAL SERVICES	COPIER	42.26
CENTURY BUSINESS PRODUCTS	EQUIPMENT	600.00
CENTURY LINK	911 SYSTEM	323.04
CHRONICLE CAPITAL MANAGEMENT	TOWER RENT	73.90
CITY OF TEKAMAH	UTILITIES	176.00
CLASSIC CLEAN CARWASH	MISC EXPENSES	72.98
CUBBY'S	FUEL	1,761.27
DAS STATE ACCOUNTING-CENTRAL FIN.	TELE TYPE	350.00
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	343.25
DAVID SCHOLD	CHECKING ROADS	41.92
DECATUR EXPRESS - KB'S MINI MART	FUEL	1,905.21

EAKES OFFICE PLUS	OFFICE SUPPLY	381.01
ELISE ANDERSON	MILEAGE	83.19
ELLA BOOTH	MILEAGE	39.30
EMILY HEDLUND	FUEL	40.33
FASTWYRE BROADBAND	INTERNET/PHONE	1,563.31
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	1,257.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	1,364.34
FUTURITY IT, INC	SOFTWARE	1,500.00
GARCIA CLINICAL LABORATORY	SERVICES	15.00
GARY SWANSON	CHECKING ROADS	89.08
GREAT AMERICA FINANCIAL SVCS	EQUIPMENT	247.63
GREAT PLAINS UNIFORMS	SUPPLIES/EQUIP	94.00
HOMETOWN LEASING	COPIER	57.10
JEFF KUTCHERA	CHECKING ROADS	120.52
JENKINS LAW PC	ATTY FEES	858.80
JENNIFER HANSEN	MILEAGE	225.32
JENNIFER PETERSON	ATTY FEES	39.15
JOHNSON & MOCK, PC, LLO	ATTY FEES	1,444.00
JULIE FLEISCHMAN	MILEAGE	110.04
JURY DUTY	JURY DUTY	2,757.30
KATHY RAY	OFFICE SUPPORT	110.50
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	63.02
MARILYN ANDERSEN	OFFICE SUPPORT	110.50
MCH HEALTH SYSTEM	JAIL MEDICAL	222.00
MID-AMERICAN BENEFITS INC	INSURANCE	248.25
MIDWEST SERVICE	SUPPLY/EQUIP	1,070.00
MILLS LAW OFFICE	ATTY FEES	1,140.00
MIPS INC	SOFTWARE	2065.01
NACO - ANNUAL CONFERENCE	ANNUAL CONF	450.00
NACO - NORTHEAST DIST MEETING	DIST MEETING	140.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING/SERVICES	556.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	1,187.40
NEBRASKA.GOV	SUBSCRIPTION	2.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	389.60
OFFICE WAREHOUSE	SUPPLIES	193.83
ONE OFFICE SOLUTION	OFFICE SUPPLY	1,279.64
PENDER MEDICAL CLINIC	JAIL MEDICAL	146.00
PENNY A. WARREN	MILEAGE	132.31
PLAINDEALER	PUBLISHING	139.04
ROMAN QUINTERO	MILEAGE	24.29
SAVE MORE MARKET	SUPPLIES	63.43
STACEY KEYS	MILEAGE	148.03
STEPHEN J KRAVIEC P.C.,L.L.O.	CH SUPP ENFORCE	2,002.93
STREET CRIMES	LAW ENFORCE SCHOOL	1,200.00
THE APOTHECARY SHOP	JAIL MEDICAL	762.70
THEODORE CONNEALY	CHECKING ROADS	45.20
THURSTON COUNTY SHERIFF	JAIL	26,940.00
TK ELEVATOR CORPORATION	MAINTENANCE	303.78
TRI-STATE COMMUNICATIONS INC	EQUIPMENT	358.50
UNL-HASKELL AG LAB	2023 FORUM	95.00
US POSTAL SERVICE (NEOPOST POSTAGE)	POSTAGE	4,000.00
VANGUARD APPRAISALS INC	SOFTWARE	3,653.75
VERIZON WIRELESS	SERVICES	819.17
VISUAL EDGE IT	EQUIPMENT	151.54
WASHINGTON COUNTY DRUG COURT	DRUG COURT FEE	530.00
WASHINGTON COUNTY SHERIFF	JAIL	15,600.00

WELLS FARGO FINANCIAL SERVICE	COPIER	60.22
WENDY L REXROAD	COURT COSTS	91.46
ANDREW BRANIFF	PARTS	139.09
ARVEST EQUIPMENT FINANCE	EQUIP RENTAL	8,150.00
BARCO MUNICIPAL PRODUCTS INC	SUPPLIES	327.53
BLUFF AGGREGATE LLC	SUPPLY	7,810.20
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	355.18
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
BUDDIES MINI MART, LLC	FUEL	262.00
BUXNDUX LUBRICATION SPECIALISTS	SUPPLY	207.00
CITY OF LYONS	UTILITIES	106.39
CITY OF OAKLAND	UTILITIES	23.53
FARMERS PRIDE	FUEL/SUPPLY	4,722.36
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	79.89
GINI, LLC	FUEL	105.00
GLUP PIPE SALES	SUPPLY	11,303.75
HAMPTON INN	WORKSHOP	170.05
K-C PARTS & REPAIR	PARTS	44.03
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	63,229.43
MARTIN MARIETTA	GRAVEL/SUPPLY	3,273.66
MIDWEST SERVICE AND SALES CO	SUPPLY/EQUIP	9,364.20
MIDWEST SERVICE CO	SUPPLY/EQUIP	4,740.70
NACO	ANNUAL CONF	150.00
NMC CAT RENTAL	RENTAL	11,738.61
OMAHA SLING INC	SUPPLY/EQUIP	133.46
RDO TRUCK CENTERS, LLC	REPAIR	223.77
SCOTT'S HARDWARE	SUPPLY	140.53
SHAMBURG AUTO SUPPLY	SUPPLY	364.41
STALP GRAVEL CO	GRAVEL/SUPPLY	22,631.94
STEINY'S GENERAL STORE	SUPPLIES	25.94
TRUCK CENTER COMPANIES	REPAIR	470.44
VERIZON CONNECT	SERVICE PLAN	388.56
VILLAGE OF CRAIG	UTILITIES	68.24
VILLAGE OF DECATUR	UTILITIES	146.15
WELDON PARTS OMAHA	SUPPLIES	873.14
WOODHOUSE FORD CHRYSLER DODGE JEEP	REPAIR	534.75
WPCI	TESTING	150.00
CLEARVIEW PET CARE CENTRE	K-9	293.65
BURT COUNTY ECONOMIC DEV CORP	DUES	36,000.00
CENTURY LINK - LUMEN	911 EQUIP	9,087.32
CENTURYLINK (HARDWARE WARRANTY)	911 EQUIP	707.20
CITY OF FREMONT - CITY CLERK	911 SYSTEM	2,786.66
NORTHEAST NEBR TELEPHONE CO	UTILITIES	129.17
AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	57.22
BLUE CROSS & BLUE SHIELD	INSURANCE	53,464.09
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	GARNISH	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	43,717.71
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	466.77
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	22,024.90
STATE TAX COMMISSIONER	STATE TAXES	6,845.78
VISION SERVICE PLAN (CT)	EMPE PD ADDL	712.72
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISH	30.99
NEBR CHILD SUPPORT PAYMENT CTR	EMPE PD	830.00

Special Designated Liquor License:

The Board approved a special designated liquor licenses for Oakland Express (Oakland) for an onsite tasting event to be held Oct. 7, 2023. SDL approved upon motion by Connealy, seconded by Pearson, By Roll Call Vote: Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

Interlocal Agmt. w/Cuming County for Juvenile Diversion Program:

The County Attorney's office requested signature on an interlocal agreement with Cuming County to continue to co-op for the Juvenile Diversion Program. Chairman Schold signed the agreement; the agreement runs through June 30, 2024.

ZONING: *Ann Chytka, Burt County Zoning and Floodplain Administrator*

Lot Split: JOE MALLOY 17.88 ac. in pt. SW4SE4 of Section 8, Township 23N, Range 10 E of 6th Principal Meridian, Burt County, Nebraska.

Procedures for Lots Splits: reviewed and placed on file.

Less than 3.01 acres: approved by Zoning Administrator & County Board; only approved if split is to be combined with an existing adjacent parcel. Placed on agenda of Bd. of Supervisors and filed with Reg. of Deeds office.

Under 10 acres: approved by Zoning Administrator & County Board. Placed on agenda of Bd of Supervisors and filed with Reg. of Deeds office.

Over 10.01 acres: administrative split- approved by Zoning Administrator only. Filed with Reg. of Deeds office.

More than 3 Lots: falls under subdivision – follow subdivision regulations.

Burt County Floodplain Ordinance Amendments – Chairman Schold opened a Public Hearing at 9:41 A.M. Chytka explained that amendments to Burt County's Floodplain Ordinances are necessary due to recommendations brought by the Nebraska Dept. of Natural Resources (NeDNR) following a Community Assistance Visit (CAV); the amendments made will ensure Burt County's continued eligibility for the National Flood Insurance Program (NFIP). Public Comment: none. Chairman Schold closed the Public Hearing and returned to regular session at 9:42 A.M. The board held discussion. **Resolution 2023-08 -a Floodplain Management Ordinance** was passed upon motions by Titus and Richards. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. This Resolution contains amendments made to Resolution 2021-26 that was approved October 28, 2021; the floodplain district is a Zoning Overlay District within Burt County's Zoning Regulations. The Resolution 2023-08 is too large to publish within the minutes; it will be placed on file in Burt County's Zoning Book 2020.

ROADS: *Ann Chytka, Highway Superintendent*

One & Six Year Plan: Chairman Schold opened a Public Hearing for the 2023-2024 One and Six Year Road Plan at 10:08 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 Schold closed the Public Hearing and returned to regular session at 10:09 A.M. The board held discussion about the projects and Resolution 2023-10 was passed upon motion by Kutchera, seconded by Richards. By Roll Call Vote: Ayes –Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. **RESOLUTION #2023-10**

"Whereas, the Burt County Highway Department 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, 2023 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, 2023, at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL, BURT COUNTY CLERK

DAVID SCHOLD, CHAIRMAN – BURT COUNTY BOARD OF SUPERVISORS

COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE – 2023 Board Members Swanson and Kutchera moved for adoption of Resolution 2023-09. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus and Schold. Nays – none. Absent for vote: Connealy. Resolution was adopted.

RESOLUTION #2023-09

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 2023 at Tekamah, Burt County, Nebraska.

County Board Members	David Schold, Chairperson
Jeff Kutchera	Gary Swanson
Paul Richards	Carl Pearson
Ted Connealy	Sam Titus

Liability Insurance was discussed for situations of Law Enforcement mutual aid. Kevin Brenneis (Brenneis Ins. Agency), agent for Burt County’s Property and Casualty Insurance recommended the County retain Certificate of Insurance from any agencies the Burt County Sheriff’s department may be assisting with law enforcement. An interlocal Agreement for law enforcement between agencies of: City of Tekamah, Village of Decatur, City of Lyons, City of Oakland, and Burt County Sheriff dated May 18, 2009 was noted and will be reviewed.

Board of Equalization:

Titus moved the Board recess at 10:51 AM for *Board of Equalization*, Pearson seconded. The Burt County Board of Supervisors reconvened at 10:57 AM upon motion by Swanson, seconded by Kutchera. *See separate BOE minutes.*

FY 2023-2024 Budget:

As part of Burt County Fiscal Year 2023-2024 Budget/Levy business, the following Resolution was adopted:

RESOLUTION #2023-11

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

\$100,000.00 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, 2023, at Tekamah, Nebraska.

ATTEST: SARAH J FREIDEL	DAVID SCHOLD, CHAIRMAN
BURT COUNTY CLERK	BURT COUNTY BOARD OF SUPERVISORS

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

The Board discussed the 2023-2024 budget figures with the current valuation and discussed options to keep tax asking down; i.e. utilization of ARPA funds for large road project, and an Inheritance Tax Fund transfer. The Budget Hearing will be held September 13, 2023; the County will not have to participate in a Joint Public Hearing per LB644 this year.

PUBLIC COMMENT: None.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Pearson and Swanson at 12:53 P.M.
NEXT MEETING: September 13, 2023 @ 9:00 A.M. Budget Hearing followed by regular Supervisors meeting.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

DAVID SCHOLD, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

