

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

The Burt County Board of Supervisors met in regular session on Thursday, September 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 (9-21-2023), 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.

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 Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

The minutes of the September 13, 2023 Board of Supervisors meeting were approved; upon motion by Kutchera, seconded by Swanson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

Burt County Fiscal Year 2023-2024 Budget Business:

Chairman Schold declared a Public Hearing open at 9:02 A.M., for the purpose of hearing support, opposition, criticism, suggestions or observations of taxpayers relating to setting the final tax request (FY 2023-2024). Having no public comment, Chairman Schold closed the public hearing at 9:03 A.M., and the board returned to regular session.

Resolution #2023-13: Motion was made by Connealy, seconded by Titus, to accept and approve the 2023-2024 Budget; Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays- none.

RESOLUTION #2023-13

BUDGET ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2023, to June 30, 2024, prepared by the Budget Making Authority, was transmitted to the County Board on the 13th day of September, 2023.

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, 2023, to June 30, 2024, 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, 2023, and ending June 30, 2024.

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 28th DAY OF SEPTEMBER, 2023.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

DAVID SCHOLD, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Resolution #2023-14: Motion was made by Pearson, seconded by Swanson, to accept and approve the 2023-2024 Tax Request; Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays- none.

RESOLUTION #2023-14
SETTING THE PROPERTY TAX REQUEST

WHEREAS, Nebraska Revised Statute 77-1632 and 77-1633 provide that the Governing Body of BURT County passes by a majority vote a resolution or ordinance setting the tax request; and
WHEREAS, a special public hearing was held September 28, 2023, as required by law to hear and consider comments concerning the property tax request;
NOW, THEREFORE, the Governing Body of BURT County resolves that:

- 1. **The 2023-2024 property tax request be set at:**

General Fund

\$4,490,990.97

Building Fund

\$200,000.00
- 2. The total assessed value of property differs from last year’s total assessed value by +15.793 percent.
- 3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property would be 0. 211896 per \$100 of assessed value.
- 4. **BURT County proposes to adopt a property tax request that will cause total tax rate to be:**
0.215605 per \$100 of assessed value.

Dated this 28th day of September, 2023

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

DAVID SCHOLD, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Motion was made by Titus, seconded by Connealy, to **increase restricted funds spending authority by 2.5%**. By roll call vote. Ayes – all. Nays – none. Motion passed. Motion was made by Pearson, seconded by Connealy, to **increase restricted funds spending authority by an additional 1%**. By roll call vote. Ayes – all. Nays – none. Motion passed.

Chairman Schold signed the Budget Message; Burt County’s FY23-24 Budget will be submitted to the State Auditor’s office on September 29, 2023. The full and complete Burt County Budget document will be available in the Burt County Clerk’s office, and also available electronically online at the Nebraska State Auditor’s Office.

The claims for September in the amount of \$7,602,975.29 including \$162,488.99 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds upon motion by Connealy, seconded by Kutchera. By Roll Call Vote: Ayes – Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – Swanson. The claims amount reflects high this month due to \$3,025,000.00 of inter-fund transfers. The following is the claims listing for September 2023.

INTERFUND TRANSFER	2910 - 2913	50,000.00
INTERFUND TRANSFER	INH - GEN (per budget)	800,000.00
INTERFUND TRANSFER	INH - GEN (borrow)	725,000.00
INTERFUND TRANSFER	GENERAL - ROAD	1,450,000.00
ADAM TRIPP	ATTY FEES	190.00
ANDY'S QUICK SHOP	FUEL	71.05
APPLIED CONNECTIVE TECHNOLOGIES LLC	SUPPORT/MONITORING	5,066.80
ARBY'S BODY SHOP LLC	REPAIRS	1,850.80
BLACK HILLS ENERGY	UTILITIES	176.26
BOMGAARS -COURTHOUSE	SUPPLIES	195.94
BRANIFF SERVICE INC	FUEL	2,304.65
BRUMMOND DISPOSAL	GARBAGE	225.00
BUDDIES MINI MART, LLC	FUEL	492.36
BURT COUNTY ATTORNEY	COPIES	35.85
BURT COUNTY COURT	NON-WAIVERABLE	172.00
BURT COUNTY DISTRICT COURT	NON-WAIVERABLE	108.00

BURT COUNTY PUBLIC POWER DIST	UTILITIES	272.45
BURT COUNTY SHERIFF	SERVICE FEES	213.63
BURT CO TREASURER	STOP CHECK; TAXES	253.83
CANON FINANCIAL SERVICES	EQUIP	27.09
CENTURY LINK	UTILITIES	323.04
CHRISTINE A DREGALLA	JAIL MEDICAL	270.00
CITY OF TEKAMAH	UTILITIES	1,122.25
CLASSIC CLEAN CARWASH	FLEET MAINTENANCE	140.41
CNOS	JAIL MEDICAL	145.00
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	154.54
COMFORT INN	TRAINING	354.85
COUNTRY INN AND SUITES BY RADISSON	TRAINING	249.00
CUBBY'S	FUEL	2,497.74
DAKOTA COUNTY SHERIFF	COPIES	18.00
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	350.00
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	308.75
DAVID SCHOLD	CHECKING ROADS	30.13
DE LAGE LANDEN PUBLIC FINANCE LLC	EM VEHICLE PAYMENT	3,758.08
DECATUR EXPRESS - KB'S MINI MART	FUEL	2,716.83
DOLEZALS HUNTING DEPOT LLC	SUPPLIES SHERIFF	115.00
EAKES OFFICE PLUS	SUPPLIES	2,106.21
EMILY HEDLUND	MILEAGE	74.69
FASTWYRE BROADBAND	UTILITIES	1,619.28
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE - BENEFITS	1,257.48
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	612.72
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	268.47
GARY SWANSON	CHECKING ROADS	54.37
GREAT AMERICA FINANCIAL SVCS	EQUIP	247.63
HEARTLAND FIRE PROTECTION COMPANY	MAINTENANCE/TESTING	327.05
HOMETOWN LEASING	EQUIP	57.10
JACK'S UNIFORMS & EQUIPMENT	EQUIP	51.00
JAMIE HERMANSON	ATTY FEES	2,935.50
JEFF KUTCHERA	CHECKING ROADS	60.26
JENKINS LAW PC	ATTY FEES	141.20
JOHNSON & MOCK, PC, LLO	ATTY FEES	817.00
JOSH TOWNSEND	COURT MILEAGE	20.00
KATHY RAY	OFFICE SUPPORT	117.00
KATIE HART	MILEAGE	317.02
LOFFLER	EQUIP	779.63
MARILYN ANDERSEN	OFFICE SUPPORT	110.50
MARY LOFTIS	MEDICARE CONTRACT - QTRLY	2,818.50
MID-AMERICAN BENEFITS INC	BENEFITS	256.00
MIDWEST SERVICE	SUPPLY	750.00
MILLS LAW OFFICE	ATTY FEES	3,610.00
MIPS INC	SOFTWARE	1,963.98
MIPS INC - COUNTY COURT	SOFTWARE	101.03
MONONA COUNTY COURT	CERT COPIES	66.00
MONONA COUNTY RECORDER	COURT	12.00
NACO	NE DISTRICT MTGS	95.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING/SERVICES	93.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	1,300.90
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	628.95
OFFICE WAREHOUSE	SUPPLIES	131.77
ONE OFFICE SOLUTION	SUPPLIES	660.52
PAUL RICHARDS	CHECKING ROADS	41.92
PELAN FUNERAL SERVICES INC	SERVICES	625.00
PENNY A. WARREN	MILEAGE	56.26

PLAINDEALER	PUBLISHING	493.52
PLS - POLICE LEGAL SCIENCES	SUPPLIES	360.00
QUADIENT LEASING USA, INC	EQUIP	817.53
REGION 4 BEHAVIORAL HEALTH SYS	MENTAL HEALTH - QTRLY	5,293.50
SARAH FREIDEL	MILEAGE	381.27
SAVE MORE MARKET	SUPPLIES	100.00
SECURITY SHREDDING SERVICES	SERVICES	70.00
SHARON WIMER	OFFICE SUPPORT	416.00
STACEY KEYS	MILEAGE	313.54
NE SOS - ELECTIONS DIV	CONFERENCE	40.00
STEPHEN J KRAVIEC P.C.,L.L.O.	CHILD SUPPORT ATTY - CONTRACT	2,007.92
TAMMI BURBACH	COURT SERVICES	232.50
TEKAMAH POST OFFICE	PO BOX 87	186.00
THE APOTHECARY SHOP	JAIL MEDICAL	1,671.85
THEODORE CONNEALY	CHECKING ROADS	43.89
THURSTON COUNTY SHERIFF	JAIL	29,100.00
TK ELEVATOR CORPORATION	MAINTENANCE	303.78
TORY PENNY	MILEAGE	78.60
TRISHA SHEETS	MEAL - MTG.	9.99
VANGUARD APPRAISALS INC	APPRAISAL SERVICES	5,950.00
VERIZON WIRELESS	SERVICES	905.81
VISUAL EDGE IT	EQUIP	131.02
WASHINGTON COUNTY SHERIFF	JAIL	20,883.00
WELLS FARGO FINANCIAL SERVICE	EQUIP	60.22
WOODHOUSE FORD CHRYSLER DODGE JEEP	REPAIRS	1,562.93
A A WHEEL & TRUCK SUPPLY INC	PARTS	2,057.10
ANN CHYTKA	MILEAGE	258.73
BIERSCHBACH EQUIPMENT & SUPPLY	RENTAL/PARTS	1,242.80
BLUFF AGGREGATE LLC	MATERIALS	17,618.40
BOMGAARS - ROADS	SUPPLIES	157.79
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
CITY OF LYONS	UTILITIES	112.78
CITY OF OAKLAND	UTILITIES	21.33
CUMING COUNTY INDUSTRIES	SIGNS INVENTORY	1,593.05
FARMERS PRIDE	FUEL	5,341.81
KNIFE RIVER MIDWEST LLC	ROAD PROJECTS	4,075,285.76
LAWSON PRODUCTS	SUPPLIES	214.89
MARTIN MARIETTA	MATERIALS	15,243.75
MIDWEST SERVICE CO	FUEL	9,831.64
NMC CAT RENTAL	EQUIP	20,015.18
OAKLAND EXPRESS	FUEL	60.00
OAKLAND LUMBER LLC	SUPPLIES	34.92
OMAHA SLING INC	PARTS	299.65
SHAMBURG AUTO SUPPLY	PARTS	174.34
STALP GRAVEL CO	MATERIAL	6,314.94
STEINY'S GENERAL STORE	FUEL	29.45
TRI-STATE COMMUNICATIONS INC	TOWER RENTAL	158.50
VERIZON CONNECT	SERVICE PLAN	125.98
VILLAGE OF CRAIG	UTILITIES	122.76
VILLAGE OF DECATUR	UTILITIES	168.68
WELDON PARTS OMAHA	PARTS	263.69
WPCI	TESTING	64.00
TOP NOTCH K9 LLC	K-9	1,199.00
UPS SUPPLY CHAIN SOLUTIONS, INC	PARTS	40.50
CENTURYLINK (HARDWARE WARRANTY)	EQUIP	707.20
LANGUAGE LINE SERVICES	SUPPLIES	33.81
NORTHEAST NEBR TELEPHONE CO	UTILITIES	130.46

AFLAC	EMPE PD ADDL	549.63
ALLSTATE	EMPE PD ADDL	57.22
BLUE CROSS & BLUE SHIELD	INSURANCE BENEFITS	53,464.09
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	GARNISHMENT	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	47,395.29
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	466.77
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	42.41
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT BENEFITS	23,675.31
STATE TAX COMMISSIONER	STATE TAXES	7,768.19
VISION SERVICE PLAN (CT)	EMPE PD ADDL	712.72
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	30.99
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Communication: Burt County Ag Society FY 2023-2024 Fair Budget.

Lots Split: signed by Chairman Schold
BJ&J F.A.R.M.S. LLC – 4.87 ac. pt. NE⁴ NE⁴ in Sec. 13 TWP 21N Rg 9E of 6th p.m., Burt County, NE

Maximus FY22 Cost Allocation Plan was placed on file; Chairman signed the Certification.

Board of Equalization:

Connealy moved the Board recess at 9:51 AM for *Board of Equalization*, Pearson seconded, motion passed with All Ayes. The Burt County Board of Supervisors reconvened at 9:53 AM upon motion by Kutchera, seconded by Connealy, with All Ayes. See separate BOE minutes.

Tekamah Airport Joint Zoning Board update:

Mark VanDerHart provided airport information and an update on concerns they have from a proposed Invenenergy solar project that is encroaching on their airport zoning. Mark explained that the project has not yet gotten to the point of application with any local jurisdictions; they airport board just wanted to bring this to light and asked for support of their zoning regulations in an effort of preserving the value of the Tekamah airport.

The **annual Delinquent Tax List** (dated 9/21/2023) 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.

Closed Session:

Kutchera made a motion to go into *Closed Session*, Titus seconded, and the motion passed with All Ayes. Chairman Schold declared at 10:38 A.M. the board went into closed session *for the protection of public interest to discuss (i) Sheriff's Department personnel matters*. Others present for this part of closed session: Sheriff Eric Nick, Deputy Sheriff Jim Buck, and County Attorney Talbot. The board continued in closed session *for the protection of public interest to discuss (ii) Emergency Manager Department*. County Attorney Talbot was present for this part of closed session. Connealy made a motion to come out of Closed Session, Kutchera seconded, and motion passed with All Ayes. Chairman Schold declared the public meeting back in regular session at 11:12 A.M. No action was taken during closed session.

ROADS: Present for discussions: Audra Connealy, Secretary -Road Dept.

(a) Tool Truck ('08 Dodge 5500): When truck was put back together to get moved; roads employees reported that it seems to be running currently. No action taken.

(b) Lyons Shed – spray insulation bids: Road committee reported that they reviewed cost comparisons for full insulation of exterior walls -vs- putting up walls to create bays in order to insulate less area. Best option reported was to go with 2" insulation on side walls only, no doors. The three bids considered:

R&A Seamless (Decatur, NE)	\$10,296.00
Radiant Eagle (Bellevue, NE)	\$10,500.00
WS Insulation (Dakota City, NE)	\$ 9,340.00

Supervisor Richards made a motion to accept the bid from R&A Seamless, Swanson seconded. Motions approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays- none. Also reported: road employees will insulate the overhead doors.

PRESS/PUBLIC COMMENT: none

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Titus and Connealy at 11:21 A.M.
Next Meeting: October 11, 2023 @ 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

DAVID SCHOLD, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

