

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 the communications/planning phase for distribution within the *Southwest Power Pool*. They can 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

