

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
August 12, 2026
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, August 12, 2026 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 upon a 1st floor bulletin board within the courthouse and on the County’s Website. The following members were present: Ted Connealy, Gary “Bird” Swanson, Samuel M. Titus, Carl Pearson, Jay W. Johnson, Paul Richards and Jeff Kutchera.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Kutchera informed the public that the Open Meeting Act is posted on the County website and available in the meeting room.

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

The minutes of the 7/28/2026 Board of Supervisors meeting were approved; motion by Swanson, seconded by Titus. By Roll Call Vote: Ayes – Connealy, Swanson, Titus, Pearson, Johnson, Richards and Kutchera. Nays – none.

Approval of July Reports: The County Clerk Report of Fees, the County Court Report of Fines, the District Court Fee Report, Planning and Zoning Report, Fund Balances, and Miscellaneous Receipts in the amount of \$428,702.51 were all approved upon motion by Connealy, seconded by Johnson. By Roll Call Vote: Ayes – Connealy, Swanson, Titus, Pearson, Johnson, Richards and Kutchera. Nays – none.

ZONING PERMITS	1,160.00
TAX SALE REDEMPTION (COUNTY ISSUANCE)	50.00
CO CLERK-FILING & RECORDING FEES	3,349.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	2,647.29
CO CLERK-MISC FEES	124.50
ELECTION REIMBURSEMENTS	500.00
DISTRICT COURT-FILING FEES	800.00
DISTRICT COURT-PASSPORT FEES	565.00
CO SHERIFF-SERVICE FEES	776.00
CO SHERIFF-MILEAGE & COSTS	1,062.57
INTOX	75.00
TITLE INSPECTIONS	490.00
GUN PERMITS	35.00
FINGER PRINT	20.00
PHOTOCOPY FEES	7.25
OPIOID SETTLEMENTS	1,136.44
PAYMENT - BROKEN WINDOW	160.97
REFUND ONE OFFICE - TREASURER'S OFFICE	10.00
HP BUYOUT - ASSESSOR'S OFFICE	1,617.10
REIMBURSE CIVIL PROCESS	39.03
INTEREST EARNED	4,338.18
HIGHWAY/STREET ALLOCATION	120,983.21
MOTOR VEHICLE FEES - STATE OF NEBR.	25,376.28
TWP REIMBURSE - SUMMIT	53,914.50
TWP REIMBURSE - PERSHING	2,600.00
TWP REIMBURSE - CRAIG	80.00
TWP REIMBURSE - OAKLAND	11,400.00
TWP REIMBURSE - ARIZONA	5,920.00
TWP REIMBURSE - QUINNEBAUGH	2,880.00

TWP REIMBURSE - NEBR STATE PARKS	680.00
TWP REIMBURSE - DECATUR	13,180.57
LODGING TAX - MAY	843.14
ROD -PRESERVATION & MODERNIZATION	514.00
STOP	250.00
PLAT BOOKS	90.00
INHERITANCE TAX - Rex A. Engdahl	37,218.05
COUNTY 911	24.00
911 WIRELESS SERVICE FUND	6,480.54
BUILDING FUND	0.00
COUNTY COURT FINES - REGULAR	3,280.00
COUNTY COURT -FINES TO SCHOOLS	1,035.00
DECATUR FIRE GENERAL	1,193.95
LYONS FIRE GENERAL	148.91
OAKLAND FIRE GENERAL	20.39
DECATUR FIRE BOND	514.70
LYONS FIRE BOND	29.27
TAX SALE ADMIN FEES & REDEMPTION	5,520.14
HOMESTEAD ALLOCATIONS	115,537.99
TAXES IN LIEU - OPPD	24.54

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

COMMUNICATION: District Six Probation FY25-26 Recap & FY26-27 Budget

ZONING: *Ann Chytka, Zoning Admin*

Conditional Use Permits to spread Biosolids: Chairman Kutchera opened the public hearing at 9:07 a.m. to take comments from the public concerning consideration of CUP's for landowners to spread biosolids from Cargill. Chytka confirmed that the planning commission held a hearing Aug. 3rd and had recommended approval for the CUP's. Having no public comment, Chairman Kutchera closed the public hearing at 9:08 a.m. and the board went back into regular session. Upon motion by Titus, seconded by Connealy, the following (8) CUP's were APPROVED. By Roll Call Vote: Ayes – Connealy, Swanson, Titus, Pearson, Johnson, Richards and Kutchera. Nays- none.

1. 26-13CUP- BRU Ag, LLC (Chris Reimers) filed for Roger Johnson to spread biosolids from Cargill on tract of land located in N2SE4 31-21-10 Summit TWP (434801200), Burt Co., NE.
2. 26-14CUP- BRU Ag, LLC (Chris Reimers) filed for JP Olsen Farms, LLC (Jeff Blum) to spread biosolids from Cargill on tract of land located in SW4 16-20-11 Arizona TWP (437500500), Burt Co., NE.
3. 26-15CUP- BRU Ag, LLC (Chris Reimers) filed for JP Olsen Farms, LLC to spread biosolids from Cargill on tract of land located in S2NE4 21-20-11 Arizona TWP (437501200), Burt Co., NE.
4. 26-16CUP- BRU Ag, LLC (Chris Reimers) filed for JP Olsen Farms, LLC (Jeff Blum) to spread biosolids from Cargill in N2NE4 21-20-11 Arizona TWP (437501100), Burt Co., NE.
5. 26-17CUP- BRU Ag, LLC (Chris Reimers) filed for JP Olsen Farms, LLC (Jeff Blum) to spread biosolids from Cargill on tract of land located in NW4 21-20-11 Arizona TWP (437501000), Burt Co., NE.
6. 26-18CUP- BRU Ag, LLC (Chris Reimers) filed for JP Olsen Farms, LLC (Jeff Blum) to spread biosolids from Cargill on tract of land located in NW4NE4 13-21-11 Arizona TWP (436300800), Burt Co., NE.
7. 26-19CUP- BRU Ag, LLC (Chris Reimers) filed for JP Olsen Farms, LLC (Jeff Blum) to spread Biosolids from Cargill on tract of land located in N2SW4&SW4SW4 EX TR 12-21-11 Arizona TWP (435903600), Burt Co., NE.
8. 26-20CUP- BRU Ag, LLC (Chris Reimers) filed for JP Olsen Farms, LLC (Jeff Blum) to spread Biosolids from Cargill on tract of land located in N2SE4 EXTR & SW4SE4 EX TR 12-21-11 Arizona TWP (435905500), Burt Co., NE.

BURT COUNTY SOLAR update:

Present speaking was Brian Boerner Senior Vice-President, Development with Sandhills Energy -gave an update on the 250-megawatt project. A power purchase agreement was signed with OPPD; cover crop planting is taking place; road construction (within the project) is underway. Equipment installation and roadways within the project take time; May 2029 is the target connection timeline. Boerner also informed the Board that Sandhills Energy has acquired the BEELINE SOLAR project from Invenergy. Boerner and Mark VanDerHart, Tekamah Joint Airport Zoning Rep, reported positive progress for the Beeline project.

PLANNING & ZONING: *Ann Chytka, Zoning Admin*

Data Centers: The planning and zoning commission requested the board's approval to research data center development and to prepare updates to both the County's Comprehensive Plan and the Zoning Regulations to establish appropriate policies and regulations relating to data centers within Burt County. The County Board unanimously agreed this is a step to be taken.

Inventories FY 2026-2027:

Chairman Kutchera signed the oath certifying the collection of inventories from all Burt County Officers. Inventory statements of all County real & personal property are updated annually and on file per §23-347; and available in the County Clerk's office.

County owned building in Oakland:

Unsafe County owned building in Oakland (PID #312808100). Committee of Pearson and Johnson reported they have found a new structural engineer to help plan/advise for demolition. The board approved to hire Nicholas Williams, P.E. with Schemmer Assoc. based out to Omaha; upon motion by Connealy, seconded by Richards. Roll Call Vote: Ayes – Connealy, Swanson, Titus, Pearson, Johnson, Richards and Kutchera. Nays- none.

Closed Session:

Upon motion by Titus, seconded by Connealy, the Board went into *Closed Session* with Co. Attorney Edmond Talbot at 9:30 A.M. to *discuss litigations*, with roll call vote as follows: Ayes – Connealy, Swanson, Titus, Pearson, Johnson, Richards and Kutchera. Nays –none. Also present during closed session were Highway Supt, Ann Chytka, Attorney Ryan Kunhart and Board Secretary, Sarah Freidel. Upon motion by Pearson, seconded by Titus, the Board went back into Regular Session at 9:50 A.M., with roll call vote as follows: Ayes – Connealy, Swanson, Titus, Pearson, Johnson, Richards and Kutchera. Nays –none. No action was taken during closed session.

Attorney for Litigations:

The County has litigations pending against them from Oban Construction on C-11(451) Co.Rd. L project. Connealy made a motion to hire Ryan Kunhart with Dvorak Law as council for the County in a counter suit claim against Oban; the motion includes allowing Kunhart to contract with an expert(s) to get data collected on the road before the County does anything to try to rebuild/redesign the road. Johnson seconded, and motions Passed By Roll Call Vote: Ayes – Connealy, Swanson, Titus, Pearson, Johnson, Richards and Kutchera. Nays –none.

ROADS: *Ann Chytka, Highway Superintendent*

C-11(456) Co.Rd. L, E. OF OAKLAND – STABILIZATION & OVERLAY

A representative from Western Engineering was present to discuss the project; the board tabled any discussions due to pending litigations with their sub-contractor Oban Construction.

FY2026-2027 Budget:

August certification of valuations is still pending; no further reviews of the budget were done today. Katie Hart, Assessor, read a letter to the board as a taxpayer and as an elected official, expressing concerns. She shared a spreadsheet showing wages of courthouse positions, areas of concern: office clerks pay being based off percentage vs hourly rate, and inconsistent office to office; appointed vs elected officials wages; mileage on County vehicles. Her documents are on file for public review. Supervisor Swanson responded with frustration stating that of the nine years he's been on the board, bickering and complaining within the Courthouse is getting out of hand, and he feels issues are discussed with individuals in the public rather than with board members.

PUBLIC COMMENT: Gregg Smith, rural Lyons – opinion that County should consider a moratorium on data centers due to the way the State Laws are set up. Colby Hansen, rural Burt Co – based off of what he knows working in the technology field, he seconds that comment, stating it is best to stay ahead of it.

There being no further business to come before the Board at this time, the meeting adjourned at 10:18 A.M. upon motions by Connealy and Titus.

Next meetings: August 17, 2026 special meeting – FOP negotiations
August 28, 2026 Board of Supervisors

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

JEFF KUTCHERA, 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.