

Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
November 30, 2015
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Monday, November 30, 2015 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, 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: Cliff Morrow, David Schold, Greg Brummond, Matt Connealy, Perry Rogers, Ted Connealy and Gerald Newill.

The meeting opened at 9:00 A.M. upon motion by Rogers, seconded by Newill, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays-none. Chairman Morrow informed the public that the Nebraska Open Meeting Act was posted on the wall.

Upon motion by M.Connealy, seconded by Rogers, the agenda was approved, with roll call vote as follows: Ayes –Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays-none.

The following claims for November in the amount of \$496,800.96 including \$103,237.59 for payroll, were read, audited, warrant drawn and checks generated on the respective funds on motion by M.Connealy, seconded by Rogers, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none. \$100,000.00 of this total reflects a transfer from the General Fund to the Road Fund.

AFLAC	INS	820.23
ALLISON ELECTRIC	SERVICE	1,262.39
AMERICAN BROADBAND CLEC	PHONE	1,310.95
ANDERSON HARDWARE	SUPPLIES	26.76
ANDY'S QUICK SHOP	FUEL	192.43
APPLIED CONNECTIVE TECHNOLOGIES LLC	SERVICE	850.00
AS CENTRAL SERVICES	AS/400	221.60
AS CENTRAL SERVICES, OCIO	TELETYPE	350.00
AT&T	PHONE	55.54
BILL J PICKELL	SERVICE	542.43
BLACK HILLS ENERGY	UTILITIES	156.00
BLUE CROSS & BLUE SHIELD	INS	55,605.68
BOMGAARS SUPPLY INC	SUPPLIES	1,191.71
BRANIFF SERVICE	FUEL	2,118.96
BUDDIES MINI MART, LLC	FUEL	100.86
BURT COUNTY AG SOCIETY	2ND HALF FAIR	36,360.00



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BURT COUNTY COURT	NON-WAIVE	178.00
BURT COUNTY EXTENSION SERVICE	LODGING	89.00
BURT COUNTY PUBLIC POWER DIST	TOWER	457.55
BURT COUNTY SHERIFF	SERVICE	136.83
BURT CO TRANSFER	FUND TRANSFER	100,000.00
CARMICHAEL BUSINESS SYSTEMS	SUPPLIES	2,225.00
CARROLL WELTE	MEAL/LODGING	257.37
CATHERINE M. SEARS	ELECTION	140.40
CENTRAL UNITED LIFE INS CO	LIFE INS	10.25
CENTRAL VALLEY AG	FUEL	64.23
CENTURYLINK	SERVICE	737.67
CHEROKEE COUNTY SHERIFF'S OFFICE	SERVICE	20.00
CITY CLERK	UTILITIES	21.33
CITY OF LYONS	UTILITIES	92.97
CITY OF TEKAMAH	UTILITIES	308.80
CLERK OF DISTRICT COURT ASSOCIATION	DUES	25.00
CLIFFORD L MORROW	MILE	21.85
COMPLETE SECURITY & INVESTIGATIONS	SERVICE	225.00
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	86.14
COREY FREIDEL	ELECTION	16.00
COUNSEL	SUPPLIES	123.98
CRAIG RESCUE SQUAD ASSOCIATION	DONATION	200.00
CREDIT MANAGEMENT SERVICES INC	GARNISHMENT	608.50
CUBBY'S	FUEL	655.40
D & M RADIATOR SERVICE	REPAIRS	50.50
DAKOTA COUNTY CORRECTIONAL FACILITY	JAIL	100.00
DAVID J JASKIERNY LLC	AUTOPSY	900.00
DAVID SCHOLD	MILE	36.80
DEARBORN NATIONAL LIFE INSURANCE CO	LIFE INS	28.84
DECATUR EXPRESS	FUEL	2,367.68
DECATUR RESCUE SQUAD ASSOC.	DONATION	200.00
DES MOINES STAMP MFG. COMPANY	STAMPS	60.85
DODGE COUNTY COURT	CTF TRANSCRIPT	1.50
DOUGLAS COUNTY COURT	CTF TRANSCRIPT	6.75
DOUGLAS COUNTY TREASURER	AUTOPSY	897.55
DREW LAW FIRM PC LLO	ATTY FEES	648.00
EMANUEL PRINTING INC	SUPPLIES	113.00
ESRI	RENEWAL	400.00
FARMERS PRIDE	FUEL	2,325.56
FIRST CONCORD BENEFITS GROUP LLC	INS	490.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FED TAXES	34,224.71
FRANCES FRENCH	PRIOR SERVICE	11.00
FRED FRANKLIN	EQUIPMENT	794.98
FREMONT SANITATION	GARBAGE	121.21
GEOCOMM, INC	MAP	3,184.00



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GERALD E NEWILL	MILE	59.80
GREGORY J BRUMMOND	MILE	43.13
HUNTEL COMMUNICATIONS	REPAIRS	2,389.50
IAAO	DUES	190.00
ILA DAVIS	PRIOR SERVICE	18.00
JAMES L DEVENING	TRASH	235.00
JOHN WILSON	MEALS	57.42
JOHNSON & MOCK	ATTY FEES	6,872.26
JONI L. RENSHAW	MILE	127.08
K B'S MINI MART	FUEL	376.76
KAREN GRASS	MILE	39.10
KATHLEEN A LAUGHLIN	GARNISHMENT	325.00
KUENY & BEGLEY	ATTY FEES	1,327.50
LEW MCNEAR	MILE	247.25
LINDSEY KREIFELS	ELECTION	24.00
LYONS PUBLIC LIBRARY	DONATION	1,500.00
LYONS RESCUE SQUAD ASSN	DONATION	200.00
MADISON COUNTY SHERIFF	BD PRISONERS	7,400.00
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	7,126.33
MARJEAN HIGHTREE	ELECTION	112.00
MARNELL LAVALEY	ELECTION	24.00
MARTIN MARIETTA	GRAVEL	18,860.99
MARY JANE FARBER	ELECTION	112.00
MARY LOFTIS	MEAL/SUPPLY	145.04
MASSMUTUAL	RETIRMENT	200.00
MATTHEW CONNEALY	MILE	44.85
MID-AMERICAN BENEFITS INC	INS	345.00
MIDWEST SERVICE CO	FUEL	7,667.12
MIPS INC	SERVICE	3,097.81
MONROE TRUCK EQUIPMENT INC	PARTS	91.77
NACO	SUPPLY	34.00
NATIONWIDE RETIREMENT SOLUTIONS	RETIREMENT	1,450.00
NE HEALTH & HUMAN SERVICES SYSTEM	LODGING	186.00
NEBR CHILD SUPPORT PAYMENT CTR	CHILD SUPPORT	1,224.17
NEBR WEED CONTROL ASSN	WORKSHOP	120.00
NEBRASKA FORAGE SOLUTION	TARP	805.40
NEBRASKA PUBLIC POWER DISTRICT	ELECTRICITY	586.90
NEBRASKA SITES LLC	TOWER	1,403.83
NMC	PARTS/RENT	6,721.03
NORTHEAST NEBR TELEPHONE CO	PHONE	299.46
O'KEEFE ELEVATOR CO INC	SERVICE	258.18
OAKLAND INDEPENDENT	ELECTION	304.96
OAKLAND PUBLIC LIBRARY	DONATION	1,500.00
OAKLAND RESCUE SQUAD ASSN	DONATION	200.00
OFFICE WAREHOUSE	SUPPLIES	675.73

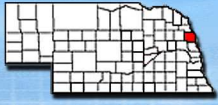


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PATRICK R RUNGE	ATTY FEES	1,327.50
PELAN FUNERAL SERVICES INC	SERVICE	630.00
PERRY ROGERS	MILE	23.00
PEST-TROL	PEST CONTROL	34.00
PHYSICIANS LABORATORY PC	AUTOPSY	2,360.00
PLAINDEALER PUBLISHING CO	PUBLISHING	378.73
QUALITY PRINTING & OFFICE SUPP	SUPPLIES	1,014.27
RAMADA INN	LODGING	138.00
RDO TRUCK CENTERS	PARTS/LABOR	803.16
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	16,814.61
ROBERTS LAW OFFICE LLC	ATTY FEES	615.00
SAPP BROS PETROLEUM INC	FUEL	1,748.85
SARAH FREIDEL	MILE	41.40
SAVE MORE MARKET	SUPPLY	66.24
SCHENKELBERG IMPLEMENT CO	PARTS	148.56
SHAMBURG AUTO SUPPLY	SUPPLIES	87.30
SIDNER,SVOBODA,SCHILKE,THOMSEN	ATTY FEES	1,032.50
STALP GRAVEL CO	GRAVEL	24,070.10
STAR LEASING LLC	SUPPLY	155.16
STATE TAX COMMISSIONER	ST TAXES	4,304.27
STEINY'S GENERAL STORE	SUPPLY	374.87
STEVE CASS	REPAIRS	50.00
STEVEN L DEVENING	GRAVEL	1,050.56
TEKAMAH FIRE & RESCUE ASSN	DONATION	200.00
TEKAMAH POST OFFICE	POSTAGE	49.00
TEKAMAH PUBLIC LIBRARY	DONATION	1,500.00
THE APOTHECARY SHOP	MEDICAL	497.29
THEODORE CONNEALY	MILE	44.85
THOMSON REUTERS WEST PAYMENT CENTER	SUBSCRIPTION	312.00
THURSTON COUNTY SHERIFF	BD PRISONERS	2,800.00
VERIZON WIRELESS	CELL PHONE	207.59
VILLAGE OF DECATUR	UTILITIES	84.57
WASHINGTON COUNTY COURT	CTF TRANSCRIPT	7.75
WASHINGTON NATIONAL INSURANCE CO	INS	16.15
WELDON PARTS OMAHA	PARTS	577.97
WOODHOUSE FORD CHRYSLER INC	PARTS	14.00
WPCI	TESTING	126.01

The minutes of the last meeting were approved upon motion by Schold, seconded by Newill, with roll call vote as follows: Ayes – Morrow, Newill, T.Connealy, Rogers, M.Connealy, Brummond and Schold. Nays – none.



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The hours on the current Motor Grader Fleet were reviewed. Bids for new motor graders will be taken at the December 8, 2015 meeting.

Communication to the Board: A letter from the Department of Revenue was noted and placed on file; the letter stated that *the new 2% Burt County Lodging Tax will be effective on April 1, 2016*. Peggy Smith, Highway Superintendent shared a letter from Martin Marietta noting *rock prices for 2016 will be going up by \$.75 to \$16.95*.

Chairman Morrow signed a **lot split application for Marty Peterson** located in the NW $\frac{1}{4}$ of Section 8, Township 22 North, Range 8 East of the 6th P.M., Burt County, Nebraska.

At 10:05 A.M. Chairman Morrow opened the **public hearing regarding the Closure of County Road #321**. Ron Carson, Jr., Ron Carson, Sr. and Todd Feltz explained that they are the only land owners abutting this road and they are all in agreement to closing this road. They cited reasons being the road's conditions make it dangerous, they have problems with road hunters and kids partying. They feel it has no value to the general public. They offered an alternate access for Emergency purposes if need be. Speaking in opposition of the closure was Gary Brummond stating that this is a Public Road that should remain open because it is a Burt County Road that has a use for the public traveling in this area. Trent Leichleiter spoke on behalf of Silvercreek Township; the township is taking a neutral position, they'll continue to maintain the road as a minimum maintenance road, but have no opposition to closure. Brett Johnson a neighbor to the Southwest agreed that there are legitimate reasons for Carsons and Feltz wanting the road closed, but he is uncertain of long term ramifications of a road closure in general. John Wilson spoke of when the road South of this was closed, the road conditions were much worse and he'd just be concerned with signage following a road closure due to potential problems of someone not being able to get turned around, he stated he considers this road not a fully functional road as it is difficult to maneuver certain equipment on this road. With no further public comment the Chairman declared the public hearing closed at 10:37 A.M., and the Board went back into regular session. Board comments included agreement that this road should be maintained better if left open, but it is a township road and the Township already stated that they could not put the funds into this road. Board also expressed concerns of needing to see a Public Benefit before they just close a road, it is a decision that cannot be taken lightly as it a Long Term affect to the County Roads system and to future landowners. The Board acknowledged that the Burt County roads system has many minimum maintenance roads and expressed some concern of not wanting to set a precedence to start closing them. Brummond made a motion to Close Road #321, with no Second, the motion died. Brummond made a motion to Leave Road #321 Open, M.Connealy seconded, roll call vote as follows: Ayes- Schold, M.Connealy, Rogers, T.Connealy and Morrow. Nays- Brummond and Newill. County Road #321 will remain open with Chairman declaring the following Resolution adopted.



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Resolution #2015-28

Whereas, a public hearing was held on November 30th, 2015 to take comments from the public concerning the closing of public road #321. This road runs north and south between sections 31 and 32 township 22N, range 10E of the sixth PM in Burt County, Nebraska.

And whereas, the board of Supervisors does not intend to close the above described road after the public hearing,

Now therefore be it resolved, by the Burt County Board of Supervisors to leave County Road 25 between County Roads K and L open.

Dated this 30th day of November, 2015 at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

CLIFFORD L. MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

John Wilson presented to the Board the following Extension Board Nominees and motion was made by M.Connealy, seconded by T.Connealy, to accept the nominees, with roll call vote as follows: Ayes- Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none. The following were **appointed/re-appointed to the Burt County Extension Board:**

ReAppoint Gail Elsasser for a 2nd Term

ReAppoint Jan Bowden for a 2nd Term

Appoint Bill Method to take Scott Olson’s Spot

Chairman Morrow read a **Retirement Letter from Lew McNear**, current Burt County Weed Superintendent. Mr. McNear thanked the Board for supporting him during his years of service to Burt County and he noted his last day of employment will be December 31, 2015. Highway Superintendent Smith informed the Board that Tory Penny, current Burt County Roads employee, has been working with McNear and feels that the Weeds position could be combined with Penny’s current duties of managing the Co. Road Signs. Smith recommended to the Board to consider offering the Weeds position to Tory Penny. M.Connealy made a motion, seconded by Schold, to offer the Weeds Superintendent position to Tory Penny with a \$2.00/hr raise to help compensate for extra book and field work that goes with the position, with roll call vote as follows: Ayes- Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none. Peggy Smith will talk to Tory and let the Board know his decision.

With the 2016 election year approaching, Board Member Rogers offered the following resolution and moved for its adoption:

RESOLUTION #2015-29



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WHEREAS, Section 23-1114, R.R.S. Nebraska provides that the County Board shall set the salaries of elected officials prior to January 15 of the year in which a general election will be held for the respective county offices,

NOW, THEREFORE, BE IT RESOLVED that the Burt County Board of Supervisors hereby establishes the following salaries for the various elected county officials:

OFFICE	SALARY for term starting 2017
County Board of Supervisors	\$13,092.48 plus cost of living authorized by the Board

BE IT FURTHER RESOLVED that in addition to the salaries set forth above, the Burt County Board of Supervisors authorize annual cost of living adjustments, based on the previous year's salary for the above named offices during the term of office. Cost of living adjustments will be based on the Consumer Price Index, not to exceed a 6% increase or decrease, as established by the Bureau of Labor Statistics, U.S. Department of Labor and,

BE IT FURTHER RESOLVED that in addition to the above salary and cost of living adjustments the elected officials shall receive and be a member of the same health and medical group plan as is offered to all county employees, under the same terms, conditions, and contributions and subject to any modifications of such plans made during the term of office and,

BE IT FURTHER RESOLVED that in addition to the above stated salary, cost of living adjustments and group plan, all elected officials shall be enrolled in and shall receive the same benefits of the County Employees Retirement System as set forth in Nebr. Rev. Stat. Section 23-2301 et seq.

DATED this 30th day of November, 2015 at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

CLIFFORD L. MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

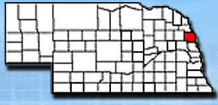
Board Member T.Connealy seconded the motion, and Chairman declared it adopted, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Upon motion by M.Connealy, seconded by Schold, **the 2016 Board meeting dates were approved**, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

The Board acknowledged that according to the rotation that has been in place for some time, **the Lyons Mirror-Sun will be the main paper used in 2016** for publications.

Upon motion by T.Connealy, seconded by Schold, the Board authorized Chairman Morrow to accept and **sign the Northeast Nebraska Juvenile Services Agreement** as discussed at the November 10, 2015 meeting, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Upon motion by Schold, seconded by Brummond, the Board authorized Chairman Morrow to **sign the Legal Letter Request to the County Attorney as requested by auditors** Ritterbush & Piotroski relevant to Burt County's 2014-2015 audit, with roll call



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vote as follows: Ayes – Morrow, Brummond, Schold, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Upon motion by Newill, seconded by T.Connealy, the Board authorized Chairman Morrow to **sign the Management Representation Letter as requested by auditors Ritterbush & Piotroski** relevant to Burt County’s 2014-2015 audit, with roll call vote as follows: Ayes – Morrow, Brummond, Schold, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Motion was made by Brummond, seconded by M.Connealy, to **appoint Jennifer Hinman to the Burt County Economic Development Corporation** to replace Greg Brummond in January, with roll call vote as follows: Ayes – Schold, Brummond, M. Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Board Member M.Connealy presented an offer from Preston Peterson to **purchase Burt County Property**: Lots 11 & 12 and East Half of Lot 13, Block 10, Village of Decatur, Burt County, NE. Motion was made by M.Connealy, seconded by Brummond to approve the sale in the amount of \$300.00, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

There being no further business to come before the Board at this time, the Board adjourned at 11:18 A.M. until 9:00 A.M. December 8, 2015.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

CLIFFORD L. MORROW, 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.*