



# Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK  
**Minutes of the Burt County Board of Supervisors**  
**February 12, 2019**  
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Tuesday, February 12, 2019 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 Lyons Mirror-Sun, upon a 1<sup>st</sup> 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: Dave Schold, Cliff Morrow, Gary ‘Bird’ Swanson, Paul Richards, Carl Pearson, Dale Webster and Ted Connealy.

The meeting opened at 9:00 A.M. upon motion by Connealy, seconded by Swanson, with roll call: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Chairman Schold informed the public that the Nebraska Open Meeting Act was posted on the wall.

Upon motion by Connealy, seconded by Swanson, the agenda was approved, with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

The minutes of the last meeting were approved upon motion by Connealy, seconded by Webster, with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

The County Clerk Report of Fees, the County Court Report of Fines, the District Court Fee Report and the Zoning Report for January were approved upon motion by Connealy, seconded by Pearson, with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

The following Miscellaneous Receipts in the amount of \$205,513.73 and fund balances were approved upon motion by Connealy, seconded by Webster, with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

TOBACCO LICENSES	10.00
ZONING PERMITS	250.00
COUNTY ISSUANCE - MOTOR VEHICLE FEES	22.00
CO CLERK-FILING & RECORDING	2,287.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	3,748.63
CO CLERK-MISC	138.25
LIQUOR LIC. -ADVERTISING	30.00
DISTRICT COURT-FILING FEES	50.00
DISTRICT COURT-COURT COST REFUND	244.00
DISTRICT COURT - MISC FEES & REVENUE	217.75



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DISTRICT COURT - FEES & COST	15.00	
CO COURT-MISC FEES	68.00	
ELECTION REIMBURSEMENTS	1,595.40	
SHERIFF - SERVICE FEES	705.00	
SHERIFF - MILEAGE & COST	660.95	
INTOX	225.00	
TITLE INSPECTIONS	400.00	
GUN PERMITS	55.00	
FINGER PRINT	10.00	
CO ATTY - CHECK COLLECTION	10.00	
CO ATTY - CHILD SUPPORT INCENTIVE	5,560.00	
INTEREST ON INVESTMENTS	CD @ FIRST NATL. BANK NE	2,306.71
INTEREST ON INVESTMENTS	CHECKING ACCT @ WCB	937.11
MOTOR VEHICLE FEES	21,057.03	
HIGHWAY/STREET ALLOCATION	97,643.10	
ROAD -MISC REVENUE - QUINN TWP MAINTENANCE	765.00	
ROAD -MISC REVENUE -INS REFUND 17 CHEVY	1,200.90	
ROAD -MISC REVENUE -INS REFUND CAT WINDOW	1,398.59	
ROAD -MISC REVENUE -MAINTENANCE @ SUMMIT	720.00	
LODGING TAX	1,070.73	
CO CLERK-PRESERVATION & MODERNIZATION	356.50	
JUVENILE DIVERSION	25.00	
STOP	150.00	
INHERITANCE TAX-Irma Prien	733.79	
INHERITANCE TAX-Marilyn Joan Maxwell	763.87	
INHERITANCE TAX-Lillie Donnelly	26,614.88	
PLAT BOOK SALES	30.00	
COUNTY 911 SURCHARGES	2,896.10	
911 WIRELESS SERVICES	4,663.07	
LIQUOR LICENSES	275.00	
COUNTY COURT FINES-REGULAR	3,487.25	
COUNTY COURT BOND FORFEITURES	135.00	
CRAIG FIRE-GENERAL	76.37	
DECATUR FIRE-GENERAL	1,183.74	
LYONS FIRE-GENERAL	3,261.27	
OAKLAND FIRE-GENERAL	3,882.19	
DECATUR FIRE-BOND	582.42	
LYONS FIRE-BOND	346.37	
MUNI COURT FINES - TEKAMAH CITY VIOLATION	18.00	
TAX SALE REDEMPTION	5,393.57	
IN LIEU HOUSING AUTHORITY	7,237.69	



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**COMMUNICATION:** Information was shared from Lower Elkhorn NRD about Municipality Funding available. Nebr. Loess Hills 2018 Report was shared.

Upon motion by Connealy, seconded by Swanson, the Board approved a **special designated liquor license** for Silverhills Winery for an Anniversary party on April 27, 2019, with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

Chairman Schold opened the **Public Hearing for the One and Six Year Road Plan** at 9:15 A.M.

The following public concerns were made known: Allen Soll attended to discuss road(s) out to the *Tekamah Airport*. The airport continues to ask that a hard surfaced road be moved to priority on the County’s one and six year road plans, he feels that it keeps getting pushed back on the list. He asked when the board will decide a specific plan for the road. Connealy and Swanson commented that they felt it doesn’t need to be done by the County; they felt that the City of Tekamah should step up to do the road.

There being no further public comments, Chairman Schold closed the Public Hearing and returned to regular session at 9:27 A.M.

The board discussed the final road plans and adopted Resolution #2019-03 in order to move forward with the **One & Six Year Road Plans**; upon motions by Morrow and Swanson, with roll call vote as: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

## Resolution 2019-03

“Whereas, the 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 12th day of February, 2019, to present this plan, and all objections and recommendations to 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.”

APPROVED THIS 12th DAY OF FEBRUARY, 2019.

BURT COUNTY BOARD OF SUPERVISORS:		DAVID SCHOLD, CHAIRMAN
CLIFF MORROW		CARL PEARSON
PAUL RICHARDS		DALE WEBSTER
BIRD SWANSON		TED CONNEALY

ATTEST: SARAH J. FREIDEL  
COUNTY CLERK

Morrow moved the Board recess at 9:30 AM for *Board of Equalization*, Connealy seconded, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson,



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Webster, Connealy and Schold. Nays –none. The Burt County Board of Supervisors reconvened at 9:33 AM upon motion by Swanson, seconded by Connealy, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays –none.

The full-time emergency manager position was discussed; the board is going to check into the possibility of sharing the position with Cuming County. Paul Richards will be attending a couple of meetings with Terry Schroeder regarding emergency management, they'll have some discussions with Emergency Managers from other Counties and put out some feelers.

A proposal for 2019 lawn services was turned in from Tobin's Turf Care. The board informed Bruce Nathan, Building & Grounds, that he was to review it and that the decision was his per his office budget authority.

Dave Schold shared with the Board that he's had a couple of newly re-activated township board members approach him about the initial costs they are incurring to get reorganized; i.e. bonds, budget authority, financial accounts, publishing for meetings, etc. The Burt County board agreed that they feel comfortable approving a Contract that would allow (\$10,000.00) from Inheritance Funds to be issued for use by the 5 re-activated townships (\$2,000.00 each TWP) for such miscellaneous expenses in order to help them get up and going, clarifying that said funds will be paid back by the Townships to the County's Inheritance Fund in one year. Swanson made a motion, upon approval of the County Attorney, to have the County Attorney draw up a contract for the \$10,000.00 to be issued to the 5 newly re-activated Townships (Arizona, Riverside, Pershing, Craig, Decatur) with the payback stipulation, motion was seconded by Connealy, and motion passed upon roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

At 9:46 A.M. Chairman Schold opened a public hearing for consideration of (3) Conditional Use Permits:

- (1) 3 C's Inc - spread sludge from Omaha in 26-21-11
- (2) E.ON - temp meteorological tower to record wind speeds & patterns in 26-23-9
- (3) Verizon - install a 198' wireless telecom tower in 20-23-9

Public Comment (1) for 3 C's: Don Hembry, city of Omaha Biosolids Coordinator and Terry Cameron were present to speak about spreading sludge. They explained that they had notified all surrounding land owners and the application will be incorporated. The board stressed their concern about the care of the County Roads upon hauling; Hembry assured them that they care about maintaining good relations with Counties and they have a plan in place if the County feels that roads were affected, he assured the board that they are diligent about watching road conditions.

Public Comment (2) for E.ON: Morgan Schwenn a rep from the company explained that E.ON is both a developer and owner/operator (wind) Company; they are applying to put up a temporary 198 ft. meteorological tower in order to record wind speed and pattern. The tower could be used anywhere from 1-10 yrs., they are applying for approval for one tower at this time.



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Public Comment (3) regarding E.ON and Verizon Towers: Allen Soll, rep for the Airport Authority questioned whether a FAA form 7460 was completed by E.ON or Verizon. He explained to the board that they should be aware of the need for this form.

After no further public comment, the Chairman declared the public hearing closed at 10:04 A.M., and the Board went back into regular session.

Ann Chytka, Zoning Administrator confirmed that the Burt County Planning Commission approved the (3) CUP's on Feb. 4, 2019.

Motion was made by Morrow seconded by Connealy to approve a **Conditional Use Permit for 3 C's, Inc.** with the understanding that any road damage that may occur will be repaired by the hauling company, motion passed with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

Motion was made by Connealy seconded by Swanson to approve a **Conditional Use Permit for E.ON** with the understanding that they must check into the need to fill out FAA form 7460, and any road damage that may occur will be repaired by the company; motion passed with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

Motion was made by Swanson seconded by Connealy to approve a **Conditional Use Permit for Verizon** with the understanding that they must check into the need to fill out FAA form 7460, and any road damage that may occur will be repaired by the company; motion passed with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

## Roads:

At 10:05 A.M. Jeff Wagner, Mainelli Wagner engineer, opened and read the following four bids for the Co.Rd. GH Project:

Constructors, Inc (Lincoln, NE)	\$1,806,678.35	start date: 7-10-19	end date: 10-01-19
Knife River Midwest (S.City, IA)	\$2,116,299.46	start date: 9-01-19	end date: 11-23-19
Werner Constr. (Hastings, NE)	\$1,737,180.67	start date: 5-28-19	end date: 8-30-19
Western Engineering (Harlan, IA)	\$1,791,242.32	start date: 5-13-19	end date: 10-01-19

Bids were prepared for the complete 6.4 miles asphalt, including re-grading the curves, shouldering, seeding and striping. Upon motion by Morrow, seconded by Webster, the Board accepted the bid from Werner Construction Co. contingent upon verification of the contract and contract amounts, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

The board voted to release a 5% construction retainer being held from A&R Construction from the Bridge #1 project per Jeff Wagner's recommendations. Wagner explained there is an erosion problem on the NW corner, but the needed fix is an extra pay item; the remaining \$27,178.35 will be paid upon motion by Morrow, seconded by Richards, with roll call vote as follows: Ayes – Morrow, Richards, Pearson, Webster, Connealy and Schold. Nays – Swanson.

Ann Chytka reported that she is going to check into the most recent gravel allotment payments for townships; she'll get those done for the 2018-19 fiscal year if they haven't been already.



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Dale Huffman informed the board that he would like to see another road worker hired, the crews has been getting by with less over the winter, but they'll need their full force when construction/maintenance season picks back up.

There being no further business to come before the Board at this time, the meeting adjourned at 10:58 A.M. upon motions by Connealy and Webster.  
Next Meeting: February 28, 2019 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL  
COUNTY CLERK

DAVID SCHOLD, CHAIRMAN  
BURT COUNTY BOARD OF SUPERVISORS

BURT

*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.*