



Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
December 10, 2019
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Tuesday, December 10, 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 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: 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 as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Chairman Schold informed the public that the Open Meeting Act was posted on the wall.

Upon motion by Connealy, seconded by Morrow, 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 November 27, 2019 Board of Supervisors meeting and Board of Equalization meeting were approved upon motion by Swanson, seconded by Richards, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

November Reports of the County Clerk Fees, the County Court Fines, the District Court Fees and Zoning were approved, as well as the following Miscellaneous Receipts for November in the amount of \$1,123,821.27 and fund balances were approved all upon motions by Morrow and Connealy, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

ZONING PERMITS	150.00
TAX SALE REDEMPTION (6)	132.00
CO CLERK-FILING & RECORDING FEES	3,538.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	2,177.28
CO CLERK-MISC FEES	248.85
DISTRICT COURT-COURT COST REFUNDS	137.00
DISTRICT COURT-MISC FEES & REVENUE	378.50
DISTRICT COURT-FILING FEES	150.00
CO COURT-MISC FEES	260.24
CO SHERIFF-SERVICE FEES	705.00
CO SHERIFF-MILEAGE & COSTS	621.46
INTOX TEST	270.00
TITLE INSPECTIONS	340.00



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GUN PERMITS	20.00
FINGER PRINT CHARGES	10.00
CO ATTY FEES - CHECK COLLECTIONS	10.00
INTEREST ON INVESTMENTS	1,835.55
MISC. REVENUE - DIVIDENDS PD BACK FROM P&C INS 05/2018-05/2019	6,993.00
HIGHWAY/STREET ALLOCATION	108,468.33
TRANSFER -GENERAL TO ROAD	95,000.00
LODGING TAX	590.75
CO CLERK-PRESERVATION & MODERNIZATION	312.50
STOP PROGRAM	50.00
FUND 2500 - Bank Line of Credits for Flooding Projects	760,557.77
INHERITANCE TAX- Elden Wesely	3,242.47
INHERITANCE TAX- Marie Peters	8,125.21
COUNTY 911	974.00
911 WIRELESS FUND	4,663.07
COUNTY COURT FINES-REGULAR	4,262.75
CRAIG FIRE -GENERAL	550.69
DECATUR FIRE - GENERAL	43.81
DECATUR FIRE - BOND	21.55
LYONS FIRE - GENERAL	92.52
LYONS FIRE - BOND	9.93
TEKAMAH - MUNI COURT FINES - CITY VIOLATION	1.00
TAX SALE REDEMPTION (6)	86,928.04
MFO -FROM THE STATE	31,950.00

Upon motion by Connealy, seconded by Swanson, the Board voted to sign Resolution 2019-22, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

**Resolution 2019-22
Year-End Certification of County Highway Superintendent Form 2019**

Whereas: State of Nebraska Statutes, sections 39-2302, and 39-2501 through 39-2505 details the requirements that must be met in order for a county to qualify for an annual Incentive Payment;

Whereas: The State of Nebraska Department of Transportation (NDOT) requires that each county must annually certify (by December 31st each year) the appointment of the County Highway Superintendent to the NDOT using the Year-End Certification of Highway Superintendent form;

Whereas: The NDOT requires that such certifications shall also include a copy of the meeting minutes showing the appointment of the County Highway Superintendent by their name as it appears on their License (if applicable), their License Number and Class of License (if applicable), the type of appointment, i.e., employed or under contract (consultant, or interlocal agreement with another county and/or incorporated municipality), and the beginning date of the appointment; and

Whereas: The NDOT also requires that such Year-End Certification of County Highway Superintendent form shall be signed by the County Board Chairperson and shall include a copy of a resolution of the County Board authorizing the signing of the Year-End Certification of County Highway Superintendent form by the County Board Chairperson.

Be it resolved that the County Board Chairperson of Burt County is hereby authorized to sign the attached Year-End Certification of County Highway Superintendent form.

Adopted this 10th day of December 2019 at Tekamah, Nebraska.

County Board Members: -David Schold -Cliff Morrow -Gary Swanson -Paul Richards
 -Carl Pearson -Dale Webster -Ted Connealy -Attest: Sarah J. Freidel, Burt County Clerk



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The Chairman signed a **Memo of Understanding with Madison Co Atty Office- for NE Crime Commission’s 2020 Community Based Juvenile Services Grant**; approved upon motion by Connealy, seconded by Morrow, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

Roads:

Rob Olson came before the board to clarify and discuss his plans to **build up County Road E** (the portion being approximately 3/8th of a mile lying in the East Half of 31-21-12), Olson will build this road back up to the 2011 flood level. The County Board recommended Olson get all neighbors to sign in support of this. The agreement reached: the County will pay for rental of scraper; County will pay for and install tubes with traps; the County will provide top soil and rock for the completed road; and the County will be involved with grading and overseeing Olson during the project. Olson will plan to move the dirt to build up the road; both his private access road and the short portion of Township road. Currently it is too wet to do anything, this project will be planned for Spring 2020.

Ann Chytka, Highway Superintendent drafted a letter and options for the board to review that will provide Township Boards with some options for **interlocal agreements with the County for maintenance of Township Roads**. The options/draft agreement was discussed, changes were made, and the board agreed on a draft that will go to the Burt County Attorney for final review/draft. The final letter will be sent to all Townships.

Ann Chytka requested to keep **temporary office help** in her office; she wants to have the assistant build an index for Road Files and update the Bridge Files. Upon motion by Richards, seconded by Connealy, the board approved authority for Ann to continue to staff the temporary office assistant for up to 20 hours per week for 26 weeks, at the temporary pay of \$17.00/hr. with no benefits; approved with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays-none.

Burt County Bridge Inspections: Ann had (3) contracts to offer for County Bridge Inspections.

- | | | |
|---------------------|------------------------------|-----------------|
| (1) Bill Hansel | rate: \$100.00 per structure | for 2020 & 2021 |
| (2) Mainelli Wagner | rate: \$138.00 per structure | for 2020 |
| (3) Dan Alexander | rate: \$ 98.50 per structure | for 2020 & 2021 |

The board approved the contract with Dan Alexander (Warrior Structures, Lincoln, NE), pending County Attorney approve the contract language; motions by Webster, seconded by Swanson, with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

A contract with M&M Construction was approved, pending County Attorney’s approval of contract language, for \$111,518.67 for **Bridge C001105215 Re-deck** project;



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

Update of Projects:

EWP Contracts: Ann reported that she will work with County Attorney to get temporary easements that will be needed for some of these projects. Also, Ann is going to try to get (4) scour critical bridges added to this project list.

County Road L: a full road overlay will be bid for summer of 2020 project; but there was a question of where County Road ends and City jurisdiction begins. The board confirmed via GIS that the County portion will begin at the West edge of the Northern Natural Gas property line.

Remarks from the Public: Mark VanDerHart spoke as a representative for Tekamah Airport Zoning Board. He explained that the airport is working through zoning processes for air protection for their runway approaches; the County Board will eventually be seeing this come to them for approval. VanDerHart wanted to introduce himself as a contact for the County Board if they should have any questions or concerns when the matter comes before them in the future.

There being no further business to come before the Board at this time, the meeting adjourned at 10:42 A.M. upon motions by Connealy and Swanson.

Next Meeting: December 27, 2019 at 9:00 A.M.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

DAVID SCHOLD, 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.