



Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
June 9, 2020
TEKAMAH NE 68061

The Burt County Board of Supervisors met on Tuesday, June 9, 2020. Notice of the meeting was given in advance thereof by Publication in the Oakland Independent 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: David Schold, Cliff Morrow, Gary “Bird” Swanson, Paul Richards, Carl Pearson, Dale Webster and Ted Connealy. All member were present, but the meeting was available to the public via Zoom.

The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman Schold informed the public that the Open Meeting Act was posted.

Upon motion by Richards, seconded by Connealy, the agenda was approved. By roll call vote: Ayes – all. Nays – none.

The minutes of the last meeting were approved upon motion by Swanson, seconded by Webster. By roll call vote: Ayes – all. Nays – none.

Approval of May Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances and the following Miscellaneous Receipts in the amount of \$557,460.20 were all approved upon motion by Morrow, seconded by Connealy. By roll call vote: Ayes – all. Nays – none. Motion passed.

ZONING PERMITS	350.00
EM. MGMT. GRANT FROM STATE OF NEBR - 2nd QTR	7,900.38
TAX SALE REDEMPTION <COUNTY SHARE>	352.00
TAX SALE FEES	20.00
CO CLERK-FILING & RECORDING FEES	3,471.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	2,935.21
CO CLERK-MISC FEES	241.95
DISTRICT COURT-FILING FEES	500.00
DISTRICT COURT-COURT COST REFUNDS	139.00
DISTRICT COURT-MISC FEES & REVENUE	6.25
CO COURT- MISC FEES	161.00
ELECTION REIMBURSEMENT - B/W DRAINAGE DIST	50.00
CO SHERIFF -SERVICE FEES	700.00
CO SHERIFF -MILEAGE & COST	858.91
TITLE INSPECTIONS	340.00
GUN PERMITS	45.00
SALE OF 2011 POLICE CAR	701.00
ESRI REFUND (ASSESSOR OFFICE)	400.00
INTEREST ON INVESTMENTS	7,475.28
HIGHWAY/STREET ALLOCATION	96,972.68



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MISC - SCRAP METAL	998.25
ROAD-MISC REVENUE: TRANSFER FROM GENERAL	225,000.00
LODGING TAX	453.97
CO CLERK-PRESERVATION & MODERNIZATION	555.00
STOP	50.00
CAPITAL IMPROVE./FLOOD DISASTER (FEMA 2019)	37,365.23
INHERITANCE TAX- Barbara Gammel	9,713.46
INHERITANCE TAX- Edwin & Shirley Jipp	333.88
INHERITANCE TAX- Marlene Lindstrom	17,735.67
INHERITANCE TAX- Ruby Preston	1,826.83
PLAT BOOK SALES	30.00
911 WIRELESS SERVICE FUND	4,663.07
COUNTY 911 SURCHARGE	935.00
CO COURT FINES - REGULAR	2,199.00
DECATUR FIRE - GENERAL	1,903.77
DECATUR FIRE - BOND	986.74
LYONS FIRE -GENERAL	2,024.96
LYONS FIRE -BOND	196.97
OAKLAND FIRE -GENERAL	3,060.06
MUNI COURT FEE - CITY VIOLATION - TEKAMAH	150.00
TAX SALE REDEMPTION	31,444.98
HOMESTEAD ALLOCATIONS	60,263.70
MFO MONEY FROM STATE	31,950.00

COMMUNICATION from Joni Renshaw, Burt County Assessor: Revision of the assessment rolls for real and personal property has been completed except for omitted or undervalued property; information is available in the Assessor’s office.

Sheriff Eric Nick spoke about new records management software that he would like to purchase with the 911 funds; he explained that the current software is from 1999 and an upgraded version is needed. The software system is from Justice Data Solutions, Inc. Morrow made a motion to approve the Sheriff to move forward with the purchase, Richards seconded. By Roll Call Vote. Ayes - all. Nays- none. Motion passed. Sheriff Nick also introduced Deputy Sheriff James Buck and filled the board in on the current staff members within the Sheriff’s department.

Kurt and Jon Potadle questioned the board about the status of a “road” running West off of Highway 75 labeled as “County Road LM” in Silvercreek TWP (25-22-10). They are concerned because no one (County or Township) is claiming ownership of the “road”, and questioned why there is a road sign and why in the past has maintenance been done as if it is an existing road.

The road department had previously looked into this and found no roads records supporting that it is a County or Township road. The Burt County Attorney’s office ordered a title search, Mr. Talbot explained that the title search showed Potadle Farms as the owner and confirmed that it is not a road. Mr. Talbot reiterated the fact that just because



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maintenance has been performed and a road sign is present, that does not establish it as a road; that had all been done prior to the current highway superintendent.

Jane Gorman owns property that requires access via the use of this strip, and she expressed her concerns of getting in and out of her property if this is not maintained as a road.

Potadles stated that being owners of this strip means they will not maintain this as a road, and they believe the County Board has an obligation to take action in order to provide access for the neighbors to their land.

Chairman Schold stated they will have to further look into the situation and possible options.

Swanson made a motion to go into *Closed Session*, Connealy seconded, and the motion passed with All Ayes. Chairman Schold declared at 10:14 A.M. the board went into closed session *for the protection of the public interest to discuss litigations*. Richards made a motion to come out of Closed Session, Connealy seconded, and motion passed with All Ayes. Chairman Schold declared the public meeting back in regular session at 10:31 A.M. No action was taken during closed session.

The board reviewed dates for 2020 Protests and FY 2020-2021 Budget:

Budgets: July 14 – dept. head requests	Protests: July 15 – hearings, July 16 – hearings (cont. if need)
July 28 – 1 st round	July 24 – Protest decisions
Sept 8 – adopt/approve FY 20-21 budget	

Chairman Schold signed a **lot split application for:**

MARK NIEWOHNER – 5.68 ac tract in part of the S½ of Section 3, Township 22 North, Range 8 East of the 6th P.M., Burt County, Nebraska.

Application for a **Building Renovation Grant**: Patty Plugge, Burt County Economic Development, reported that the BCEDC board had reviewed the request and recommended their approval. The application is from Little House Childcare (Oakland) for a new roof. The Burt County Board approved the release of \$2,378.50 (50% of low bid of \$4,757.00) from County Fund 0900. Approved upon motion by Morrow, seconded by Connealy. By roll call vote: Ayes – 7. Nays – none. Motion passed.

COVID-19: The Board decided to unlock the Courthouse doors and offices will provide full services without appointments effective Friday, June 12, 2020. PPE and sanitizer will be available throughout the courthouse. Board meetings will return to being held in person only due to the Governor’s executive order expiring for virtual meetings; however they may be held in the Courtroom in order to provide proper spacing requirements until the 25 person DHM is relaxed.

Zoning fees for solar and wind permits need to be decided. The board discussed, but decided to further investigate and set fees for those at a later date.

ROADS:

Chairman Schold signed the contract with Vogtsapes, Inc for the Co.Rd. V culvert project;



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the bid had been awarded at the 2/28/2020 meeting.

BIDS for RipRap hauling: After not opening original bids on May 28, 2020, supplemental sealed bids for hauling by ‘per loaded mile’ were received. Chairman Schold declared he had filed a statement of conflict of interest due to his son bidding, so Vice-Chairman Morrow acted as pro-tem. There were 3 bids received back and opened:

- | | |
|--------------------------------------|------------------------------------------------------------------------------|
| (1) Joel Sinclair, LLC (Spencer, NE) | \$.153 per loaded mile from Spencer, SD (where materials are \$16.00/ton) |
| ----- | |
| (2) JK Schold Trucking (Oakland, NE) | \$.19 per loaded mile from Ft. Calhoun (where materials are \$36.25/ton) |
| | \$.24 per loaded mile from Council Bluffs (where materials are \$36.25/ton) |
| | \$.21 per loaded mile from Spencer, SD (where materials are \$16.00/ton) |
| ----- | |
| (3) Cooney Fertilizer (Walthill, NE) | \$.20 per loaded mile from Ft. Calhoun (where materials are \$36.25/ton) |
| | \$.19 per loaded mile from Council Bluffs (where materials are \$36.25/ton) |
| | \$.19 per loaded mile from Spencer, SD (where materials are \$16.00/ton) |

Swanson made a motion to accept the bid from Joel Sinclair, Richards seconded. By roll call vote. Ayes – Morrow, Swanson, Richards, Pearson, Webster and Connealy. Nays - none. Abstained from voting: Schold. Joel Sinclair will haul from Spencer, SD and the Burt County Road Department will haul some material from Martin Marietta.

PUBLIC COMMENT: Kurt Potadle asked the board/road department to look into the road ditch at the intersection of County Road 15 and County Road D, it is cutting into his pasture and affecting the integrity of his fence.

There being no further business to come before the Board at this time, the meeting adjourned at 11:52 A.M. upon motions by Richards and Connealy.

Next meeting: June 26, 2020 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.