



# Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK

## Minutes of the Burt County Board of Supervisors

**December 8, 2020**

TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Tuesday, December 8, 2020 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 1<sup>st</sup> floor bulletin board within the courthouse and on the County's Website; the Oakland Independent mistakenly forgot to publish on Dec. 3<sup>rd</sup> after a publication request was sent to the paper on Nov. 25<sup>th</sup> by the County Clerk. The following members were present: Cliff Morrow, Gary "Bird" Swanson, Paul Richards, Dale Webster, Ted Connealy and Dave Schold. Absent - Carl Pearson.

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 on the wall.

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

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

Approval of October Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report, Fund Balances and the following Miscellaneous Receipts in the amount of \$ 878,115.13 were all approved upon motion by Morrow, seconded by Swanson. By roll call vote: Ayes – Morrow, Swanson, Richards, Webster, Connealy and Schold. Nays- none. Absent – Pearson. Motion passed. No zoning report this month.

ZONING PERMITS		150.00
TREASURER'S TAX DEED		20.00
CO CLERK-FILING & RECORDING FEES	(Oct.)	3,898.00
CO CLERK-DOC STAMPS (COUNTY SHARE)		802.92
CO CLERK-MISC FEES		186.30
DISTRICT COURT-FILING FEES	(Oct.)	186.50
DISTRICT COURT-COURT COST REFUNDS		400.00
DISTRICT COURT-MISC FEES & REVENUE		205.00
DEPT SOCIAL SERVICES IV-D		6,359.22
CO COURT-MISC FEES		97.25
ELECTION REIMBURSEMENT _CITY OF LYONS		100.00
ELECTION REIMBURSEMENT _CITY OF TEKAMAH		544.31
CO SHERIFF -SERVICE FEES	(Oct. & Nov.)	933.00
CO SHERIFF -MILE & COSTS	(Oct. & Nov.)	1,055.14
TITLE INSPECTIONS	(Oct. & Nov.)	1,030.00



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GUN PERMITS (Oct. & Nov.)	175.00
FINGER PRINT CHARGES (Oct.)	20.00
CO ATTY - CHILD SUPPORT ENFORCE. -QTRLY	5,266.37
INTEREST ON INVESTMENTS	7,374.22
MISC REVENUE - 2020 ANNUAL NACO CONFERENCE -reimburse.	250.00
MISC -SHERIFF _REIMBURSE FROM SID DILLON (DBL.PAY)	1,289.91
MISC -REIMBURSE FROM SHERIFF ACCT. (cancelled court fees)	100.00
MISC REVENUE -INS PAY FROM EMPLOYEE	978.99
HIGHWAY/STREET ALLOCATION (Nov.)	124,341.01
MISC REVENUE - refunds -CenturyLink, Waste Connections	42.66
MISC REVENUE - from Game & Parks	675.00
MISC REVENUE - TRANSFER GEN->ROAD	50,000.00
LODGING TAX	984.90
CO CLERK-PRESERVATION & MODERNIZATION	582.50
STOP	200.00
FLOOD DISASTER FUND -Bond #3 EWP	237,620.67
FLOOD DISASTER FUND -WCB for Bond #2 (FEMA)	352,611.00
INHERITANCE TAX - Arthur Lauritsen	5,912.90
INHERITANCE TAX - Betty L. Lund	1,641.33
INHERITANCE TAX - Kenneth L. Gill	21,216.63
TWP START UP MONIES PAY BACK - RIVERSIDE TWP	2,000.00
COUNTY 911 (2910)	694.00
E 911 -WIRELESS (2913)	4,663.07
COUNTY COURT FINES-REGULAR	3,003.00
COUNTY COURT BOND FORFEITURES	78.00
DECATUR FIRE - GENERAL	421.26
DECATUR FIRE - BOND	218.34
LYONS FIRE - GENERAL	311.13
LYONS FIRE - BOND	30.26
OAKLAND FIRE -GENERAL	87.83
IN LIEU	7,867.51
MFO MONEY	31,490.00

Resolution 2020-24 was passed upon motions by Morrow and Connealy, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Webster, Connealy and Schold. Nays- none. Absent – Pearson. **RESOLUTION #2020-24**

In Honor Of: *Sharon Wimer*

BE IT HEREBY RESOLVED that the Burt County Board of Supervisors wishes to show its appreciation for 33+ years of selfless service to the County by Sharon Wimer. Sharon has been the cheerful and helpful voice of the Burt County Extension Office. She has managed the office administration and helped multiple Nebraska Extension Educators with their 4-H and other educational programs.

THE BOARD FURTHER RESOLVES that the county is a better place to live because of her service, and that Sharon will truly be missed.

THE BOARD FURTHER RESOLVES to wish Sharon Wimer well in her retirement from Burt County and in all her future endeavors.

PASSED by the undersigned Burt County Board of Supervisors this 8<sup>th</sup> Day of December 2020.



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## BURT COUNTY BOARD OF SUPERVISORS:

*Cliff Morrow*  
*Carl Pearson*  
*Gary Bird Swanson*  
*Dale Webster*

*Dave Schold*  
*Paul Richards*  
*Ted Connealy*

*Attest: Sarah J. Freidel*  
*Burt County Clerk*

### *EMERGENCY MANAGER UPDATES from Andrew Donawa:*

Currently working on: presumptive payroll reimbursements via FEMA/Cares Act; LEOP; notification systems with Burt County Public Power; ordering radios. He continues to keep communications and support going with the Fire Departments and Fire Chiefs, and the local Health Department (ELVPHD). A full report is on file with the County Clerk.

Chairman Schold opened a Public Hearing at 9:32 a.m. for a conditional use permit for Pheasant Bonanza for three firing ranges, having no public comment, the Chairman declared the public hearing closed at 9:34 A.M., and the Board went back into regular session. Motion was made by Richards to approve a **Conditional Use Permit for Pheasant Bonanza for three firing ranges, with the condition** that the East Range will have shooting from the North toward the South, the ranges will be built at 15-22-10, Burt County, NE, Connealy seconded the motion, motion passed with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Webster, Connealy and Schold. Nays-none. Absent – Pearson.

### *ROADS:*

Upon motion by Richards, seconded by Swanson, the Board voted to sign the EOP agreement for the NDOT: Nebraska Economic Development Grant project on County Road M, from Hwy.77 East 1 mile to Central States Research Centre, Inc. By roll call vote: Ayes – Morrow, Swanson, Richards, Webster, Connealy and Schold. Nays – none. Absent – Pearson.

Resolution 2020-22 was passed upon motions by Morrow and Richards, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Webster, Connealy and Schold. Nays-none. Absent – Pearson **Resolution 2020-22** for Bridge Project C-11(422)

### RESOLUTION / INTERLOCAL AGREEMENT BETWEEN

BURT COUNTY, NEBRASKA - Resolution #2020-22 AND CUMING COUNTY, NEBRASKA - Resolution #\_\_\_\_\_

OAKLAND SOUTHWEST, C-11(422)

WHEREAS: Burt County, Nebraska and Cuming County, Nebraska desire to improve certain roadway facilities on the County Road System more fully described hereinafter, now thereto,

BE IT RESOLVED: That Cuming County, Nebraska is hereby requested to act for Burt County, Nebraska and to program for replacement of a bridge, described as: Oakland Southwest, C-11(422) \* Structure No. C001100110

Burt County & Cuming County Between: Sec. 20-T21N-R8E, Burt County, NE and Sec. 24-T21N-R7E, Cuming County, NE

and which construction includes: Removal of existing bridge and construction of a new concrete box culvert, and related items. The ESTIMATED SHARED costs of such improvement:

Preliminary Engineering	\$	14,600.00
Construction Costs	\$	193,932.75
Construction Engineering	\$	19,393.00

ESTIMATED TOTAL FOR PROJECT	\$	227,925.75
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BE IT FURTHER RESOLVED: That the Chairman of the Cuming County Board is authorized to sign any document in furtherance of this agreement on behalf of Burt County and Cuming County and that both entities hereby approve the contemplated construction.

BE IT FURTHER RESOLVED: That sufficient funds of Burt County and Cuming County are now, or will be, available and are hereby pledged in the amount and at the required time to proceed with a 2021 project construction.

BE IT FURTHER RESOLVED: That Burt County, Nebraska is responsible for the following funding: 50% of all engineering costs and 50% of the construction costs remaining after the State of Nebraska has reimbursed Cuming County.

That Cuming County, Nebraska is responsible for the following funding: 50% of all engineering costs and 50% of the construction costs remaining after the State of Nebraska has reimbursed Cuming County.

BE IT FURTHER RESOLVED: That Cuming and Burt County have previously entered into an Engineering Agreement with Mainelli Wagner & Associates, Inc. for Preliminary Engineering for a bridge replacement project and that both Burt County and Cuming County will review and approve the prepared plans prior to construction.

Adopted this 8<sup>th</sup> day of December 2020, at Tekamah, Nebraska.

Attest: Sarah J. Freidel  
BURT COUNTY CLERK

David Schold, CHAIRMAN  
BURT COUNTY BOARD OF SUPERVISORS

*Striping:* Ann Chytka, Hwy. Supt. informed the board that Highway Striping came back to her with a lower price of \$1,100.00/mile. The road budget does not have the money to do all hard-surfaced roads in the County; discussions were held about options. Options i.e. just choose a few roads to do, just do outside lines only. No action was taken.

Resolution 2020-23 was passed upon motions by Connealy and Morrow, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Webster, Connealy and Schold. Nays – none. Absent – Pearson **Resolution 2020-23**

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. STP-75-3(123), CONTROL NO. 32285, AGREEMENT NO. \_\_\_\_\_(state will assign this), PROJECT NAME: TEKAMAH SOUTH.

BE IT RESOLVED by the Chairperson of the Board of the County of Burt, Nebraska, that: 1. The County shall enter into an Agency Agreement with the Nebraska Department of Transportation for Project No. STP-75-3(123) for the purpose of highway improvements on Highway 75 within the boundaries of Burt County. 2. The Chairperson of the Board is hereby authorized and directed to execute said agreement on behalf of the County of Burt and the County Clerk is authorized to attest said execution. 3. This resolution will be marked "Exhibit B" and a copy attached to each Original Agreement.

PASSED AND APPROVED THIS 8<sup>th</sup> DAY OF DECEMBER 2020.

Attest: Sarah J. Freidel  
BURT COUNTY CLERK

David Schold, CHAIRMAN  
BURT COUNTY BOARD OF SUPERVISORS

*Plans for Dec. 28, 2020 zoning regulations Public Hearing:* (a) a new zoning fee schedule was reviewed with changes reflecting wind and solar fees, possible action will be taken for the new fee schedule on 12-28-2020; (b) options for zoom packages were reviewed, it was decided to have the package for up to 500 participants; zoom access for the public will be posted on the County website; (c) the public hearing notice was reviewed, the notice will be published in the three County newspapers & posted on the County website.

*Remarks from the Public (2):* (1) Bill Price, 1615 CoRd. 10, Lyons: shared information about 'wind shadow' and sound and noise restraints with wind power. Price asked the board if any of the members read the book that was previously shared with them 'Paradise



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Destroyed' by Gregg Hubner; and he'd asked if any board members reached out to a Holt County Board Member, Keith May. (2) Michaela Valentin from OPPD introduced herself and explained that she will be the local contact for the Burt County Board if should have any questions/concerns that OPPD can help them with.

There being no further business to come before the Board at this time, the meeting adjourned at 10:16 A.M. upon motions by Connealy and Webster.

Next meeting: December 28, 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.*