



Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
April 28, 2021
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, April 28, 2021 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 (4-20-2021), 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, Gary ‘Bird’ Swanson, Paul Richards, Carl Pearson, Dale Webster, Ted Connealy and David Schold.

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.

The agenda was approved; upon motion by Connealy, seconded by Webster. By roll call vote: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none. Motion passed.

The minutes of the 4/13/2021 Board of Supervisors meeting were approved; upon motion by Richards, seconded by Swanson. By roll call vote: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none. Motion passed.

Supervisors Morrow and Richards made motions to approve the following claims for March in the amount of \$902,702.63 including \$153,417.44 for payroll. Chairman called for discussion; two(2) claims were discussed before roll call vote was taken. (1) Richard Uhing for \$1,335.98, this was a taxpayer payback from assessor clerical errors for Homestead (2015, 2016, 2017). Clerical errors were due to Laws changing in 2015 with regards to the home value amount allowed to be used for service connected 100% disabled veterans. (2) Brenneis Ins. claims for 2021-2022 property insurance; Travelers had raised the deductibles for buildings and the board opted for a deductible buydown for the Courthouse building (\$50,000.00 to \$15,000.00 at a cost of \$5,597). After discussions, Chairman Schold took roll call vote: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none. Motion passed and all claims were approved.

ACCURATE LOCKSMITHS, INC	SERVICES	24.50
ADAM TRIPP	ATTY FEES	1,035.00
ALBIN LAW OFFICE	COURT COST	152.00
ALLISON ELECTRIC INC	SERVICES	65.64
AMERICAN BROADBAND CLEC	PHONE/INTERNET	1,293.18
ANDREW BRAUN	ATTY FEES	3,037.50
ANDREW DONAWA	FUEL	50.05
APPLIED CONNECTIVE TECHNOLOGIES LLC	TECH SUPPORT	1,643.83
BLACK DIAMOND ELECTRONICS LLC	SUPPLIES	1,859.00
BLACK HILLS ENERGY	UTILITIES	261.55
BOMGAARS -COURTHOUSE	SUPPLIES	279.83



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BOYDSTON LAW OFFICE LLC	ATTY FEES	2,400.00
BRANIFF SERVICE INC	FUEL	1,995.67
BRENNEIS INSURANCE AGENCY INC	P&C INS.	123,078.00
BRUCE NATHAN	MILEAGE	101.36
BRUMMOND DISPOSAL	TRASH SERVICE	225.00
BURT COUNTY COURT	COURT COST	191.00
BURT COUNTY DISTRICT COURT	COURT COST	108.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	73.87
BURT COUNTY SHERIFF	SERVICE	463.39
BURT COUNTY TREASURER	FUNDS TRANSFER	200,000.00
CANON FINANCIAL SERVICES	COPIER	27.09
CENTURY LINK	UTILITIES	550.80
CITY OF TEKAMAH	UTILITIES	125.70
CLARK PEST AND TERMITE CONTROL	SERVICES	70.00
CLASSIC CLEAN CARWASH	AUTO EXPENSE	56.00
CLIFFORD L MORROW	CHECKING ROADS	23.52
CNA AUTO SERVICES,LLC	SUPPLIES	133.02
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	173.87
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	524.86
CRESTON FERTILIZER MCL FARMS INC	SUPPLIES	1,774.32
CUBBY'S	FUEL	1,246.82
DALE WEBSTER	CHECKING ROADS	51.52
DAS STATE ACCOUNTING	SOFTWARE	185.28
DAS STATE ACCOUNTING-CENTRAL FIN.	TELE TYPE	350.00
DAVID SCHOLD	CHECKING ROADS	184.80
DECATUR EXPRESS	FUEL	1,010.25
DJ AUTO - OTIUM TENENS, LLC	EQUIP MAINT	739.00
DODGE COUNTY	PROBATION	3,322.84
DODGE COUNTY SHERIFF	SERVICE FEE	7.81
DOUGLAS COUNTY SHERIFF	SERVICE FEE	31.80
DREW LAW FIRM PC LLO	ATTY FEES	1,405.50
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE INS.	257.50
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	930.47
FIRST NATIONAL BANK OF OMAHA E/M	SUPPLIES/TRAVEL	657.35
FIRST NATIONAL BANK OF OMAHA E/M 2	SUPPLIES	141.04
FRANCES FRENCH	PRIOR SERVICE	11.00
GARY SWANSON	CHECKING ROADS	72.24
GREAT AMERICA FINANCIAL SVCS	COPIER	159.40
GUARDIAN SAFETY & SUPPLY, LLC	SUPPLIES	114.01
HOPKINS LAW OFFICE,LLC	ATTY FEES	1,462.50
HUNTEL COMMUNICATIONS	PHONE	307.00
ILA DAVIS	PRIOR SERVICE	18.00
INTOXIMETERS INC	EQUIP/SUPPLY	7,995.00
J F AHERN CO	FIRE SYSTEM	215.00
JACK'S UNIFORMS & EQUIPMENT	SUPPLIES	447.48



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JAY W JOHNSON	MILEAGE	76.72
JENNIFER HANSEN	MILEAGE	48.16
JOHNSON & MOCK, PC, LLO	ATTY FEES	570.00
JONES AUTOMOTIVE INC	SERVICE/EQUIP	6,282.99
JONI L. RENSHAW	MILEAGE	156.52
JOSEPH M SMITH, ATTORNEY	COURT COST	684.00
KATIE HART	MILEAGE	16.24
KB'S MINI MART INC	FUEL	970.25
LEE AGRI-MEDIA	PUBLISHING	27.50
LEO J ESKEY LAW OFFICES	ATTY FEES	1,197.00
MADISON COUNTY DISTRICT COURT	COURT COST	100.00
MADISON COUNTY SHERIFF	SERVICE FEE	16.03
MARK FARRELL LAW OFFICES LLC	ATTY FEES	442.50
MARY LOFTIS	MILEAGE	580.54
MCCLUSKEY TREE SERVICE	TOWING	150.00
MID-AMERICAN BENEFITS INC	INSURANCE	532.50
MIDWEST ALARM SERVICES	EQUIPMENT	3,431.20
MILLS LAW OFFICE	ATTY FEES	451.25
MIPS INC	SOFTWARE	1,918.86
NACEB TREASURER	EXTENSION DUES	100.00
NACO	WORKSHOP REG	375.00
NEBR ASSN OF COUNTY TREASURERS	WORKSHOP	100.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING	93.00
NEBR WEED CONTROL ASSN	2021 NWCA DUES	125.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	850.03
NEBRASKA STATE PATROL	SERVICE	336.00
NEBRASKA.GOV	SOFTWARE/SUPPLY	100.00
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	3,016.00
OAKLAND EXPRESS	FUEL	193.68
OAKLAND INDEPENDENT	PUBLISHING	203.42
OFFICE WAREHOUSE	SUPPLIES	181.76
OFFICENET	COPIER	180.62
PATRICK R RUNGE	ATTY FEES	1,177.50
PAUL RICHARDS	CHECKING ROADS	35.84
PELAN FUNERAL SERVICES INC	GRANT & CO.BURIAL	17,275.00
PENDER HOSPITAL	JAIL MEDICAL	37.00
P35 WELDING & FABRICATION LLC	SIGNS/TANK	120.00
QUALITY PRINTING & OFFICE SUPP	SUPPLIES	1,336.91
RAY O'HERRON	SERVICE	490.37
REGION IV INC	QTRLY PAY	3,305.50
REPCO MARKETING INC	SUPPLIES	41.80
RICHARD UHING	HOMESTEAD REIMBURSE	1,335.98
RR DONNELLEY	SUPPLIES	59.29
SAVE MORE MARKET	SUPPLIES	532.60
SCOTT'S HARDWARE	SUPPLIES	283.60



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SID DILLION	EQUIPMENT	93.87
STACEY KEYS	MILEAGE	375.86
STEPHEN J KRAVIEC P.C.,L.L.O.	CHILD SUPPORT	2,002.20
THE APOTHECARY SHOP	JAIL MEDICAL	40.12
THEODORE CONNEALY	CHECKING ROADS	40.88
THURSTON COUNTY SHERIFF	JAIL	7,650.00
UNIVERSITY OF NEBRASKA-LINCOLN	M. LOFTIS WAGE	11,760.51
UNL EASTERN NEBR RSRCH & EXTENSION	SUPPLIES	48.94
VERIZON WIRELESS	SERVICE	759.28
VISUAL EDGE, COUNSEL	COPIER	333.04
WASHINGTON COUNTY BANK -BLAIR	BOX	55.00
WASHINGTON COUNTY CLERK	PROBATION	2,450.10
WELLS FARGO FINANCIAL SERVICE	COPIER	60.22
WILLIAM OUREN	AUTOPSY SERVICE	75.00
A A WHEEL & TRUCK SUPPLY INC	PARTS	24.34
AARON'S SIGN SHOP	DOOR SIGN	37.45
ARBY'S BODY SHOP LLC	DEDUCTIBLE	1,000.00
BARCO MUNICIPAL PRODUCTS INC	SIGNS/FREIGHT	660.34
BIERSCHBACH EQUIPMENT & SUPPLY	ENGINE	625.00
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	928.37
BREHMER MFG INC	SUPPLIES	2,099.40
BRUMMOND COUNTRY DISPOSAL	TRASH SERVICE	90.00
BUDDIES MINI MART, LLC	FUEL	341.91
CITY OF LYONS	UTILITIES	403.65
CITY OF OAKLAND	UTILITIES	9.07
CORNHUSKER STATE INDUSTRIES	SUPPLIES	29.50
FARMERS PRIDE	FUEL	3,001.44
FASTENAL COMPANY	TOOLS	44.32
FILTER CARE OF NEBRASKA, INC.	FILTER CLEAN	28.10
GLUP PIPE SALES	CULVERTS	20,821.32
HIGHWAY SIGNING, INC	MARKINGS	34,980.00
K-C PARTS & REPAIR	PARTS	48.66
LAWSON PRODUCTS	SUPPLIES	168.16
LORENSEN LUMBER & GRAIN LLC	CONCRETE	1,050.00
MARTIN MARIETTA	GRAVEL/BORROW	28,820.53
MATHESON TRIGAS	WELDING SUPPLY	38.85
MCH HEALTH SYSTEM	DRUG SCREEN	20.00
MEL'S SMALL ENGINE	PARTS	107.00
MIDWEST SERVICE AND SALES CO	SUPPLIES	6,249.28
MIDWEST SERVICE CO	FUEL	13,176.24
NEBR ASSOC OF COUNTY ENGINEERS	REGISTRATION	110.00
NMC CAT RENTAL	PARTS/LABOR	44,802.17
NORTHEAST NEBR TELEPHONE CO	TELE SERVICE	186.28
OAKLAND LUMBER LLC	BUILDING REPAIR	38.25
OLSON PLUMBING & HEATING	PLUMB REPAIR	134.00



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PATRIOT HEAVY HAUL, LLC	HAUL	290.00
RDO TRUCK CENTERS	PARTS	297.45
SHAMBURG AUTO SUPPLY	PARTS/OIL	1,190.39
STALP GRAVEL CO	GRAVEL	7,762.11
STEINY'S GENERAL STORE	TOOLS	73.07
TRI-STATE COMMUNICATIONS INC	TOWER RENTAL	158.50
VERIZON CONNECT	SERVICE PLAN	453.32
VILLAGE OF DECATUR	UTILITIES	99.87
WPCI	TESTING	28.25
GOVERNMENT FORMS AND SUPPLIES	RECORD SUPPLY	405.46
CENTURYLINK (HARDWARE WARRANTY)	SUPPLIES	275.44
GEOCOMM, INC	SOFTWARE	6,683.00
AFLAC	EMPE PD ADDL	573.30
BLUE CROSS & BLUE SHIELD	INSURANCE	55,554.98
DEARBORN LIFE INSURANCE COMPANY	EMPE PD ADDL	1.31
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	45,207.81
LIBERTY NATIONAL LIFE INSURANCE	EMPE PD ADDL	897.08
MANHATTAN LIFE ASSURANCE CO OF AMER	EMPE PD ADDL	10.25
MASSMUTUAL	EMPE PD ADDL	200.00
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	550.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	21,801.22
STATE TAX COMMISSIONER	STATE TAXES	6,812.76
VISION SERVICE PLAN (CT)	VISION INS. EMPE PD	577.71
WASHINGTON NATIONAL INSURANCE CO	EMPE PD ADDL	16.15
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
NEBR CHILD SUPPORT PAYMENT CTR	CHILD SUPPORT	830.00

Kevin Brenneis from Brenneis Insurance gave a **property insurance update** for policy period May 1, 2021-April 30, 2022. He reported that Travelers premium would be increasing (\$108,348.00 to \$117,481.00) due to liabilities having to go up; in particular, the general liabilities, public officials' liabilities and law enforcement liabilities.

After a discussion, there was a motion by Connealy, and a second by Richards to adopt Resolution #2021 – 09 declaring that the Burt County Board of Supervisors supports the right and liberties of all Burt County citizens guaranteed by the United States and Nebraska Constitutions and further affirms its support for the duly elected Sheriff of Burt County and his continuing efforts to uphold those Constitutions. By Roll Call Vote: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none. Motion carried.

RESOLUTION #2021 – 09

Second Amendment Sanctuary County

WHEREAS, the Second amendment to the United States Constitution provides that it is the right of the people to keep and bear arms, and that right shall not be infringed; and

WHEREAS, Article I, Section 1-1 of the Nebraska Constitution also provides the right to keep and bear arms, specifically “for security or defense of self, family, home, and others, and for lawful common defense, hunting, recreational use, and



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all other lawful purposes,” and all provides that such right shall not be infringed; and,

WHEREAS, the United States Supreme Court in the District of Columbia v. Heller, 554 U.S. 570 (2008) affirmed an individual’s right to possess firearms, unconnected with service in a militia, for traditionally lawful purposes, such as self-defense within the home; and,

WHEREAS, it is the desire of the Burt County Board of Supervisors to declare its support of the Second Amendment to the United States Constitution and Article I, Section 1-1 of the Nebraska Constitution; and

NOW, THEREFORE, BE IT RESOLVED, that the Burt County Board of Supervisors hereby declares that we support the rights and liberties of all Burt County citizens guaranteed by the United States and Nebraska Constitutions.

BE IT FURTHER RESOLVED that this Board affirms its support for the duly elected Sheriff of Burt County, Nebraska, and his continuing efforts to uphold the United States and Nebraska Constitutions, and will oppose any law that would infringe in the right of legal citizens to keep and bear arms, including but limited to limitations, registration, excess levy or fees, or seizure at any time.

Adopted this 28th day of April 2021 at Tekamah, NE.

David Schold, Chairman
Burt County Board of Supervisors

Attest: Sarah J. Freidel
Burt County Clerk

Adam Brockman and Tory Penny, Burt County Weeds Superintendent, explained a report submitted to Burt County from the Nebraska Department of Agriculture, Noxious Weed Program. The ‘*Reports and Requirements Summary*’ report was signed by Chairman Schold, and a copy will be placed on file.

Upon motion by Swanson, seconded by Connealy, the Board approved (2) **special designated liquor licenses** for weddings to be held at Harvest Moon (Oakland). (1) for Pender Lane’s for May 22, 2021 (2) for Nelson’s Food Pride for May 29, 2021; Approved with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays-none.

Health/Dental Insurance renewals are due for the new insurance year. NACO Health and Dental insurance pool will have an increase of 3.28% for health and 0% for dental; this is after two years with no increases. The Board agreed to re-new NACO’s group pool BCBS insurance package upon motion by Swanson and Richards. By Roll Call Vote: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays-none.

The **health/dental insurance benefits and offerings** are:

- Health Ins with Blue Cross Blue Shield NACO (PPO \$2500 deductible)
- Dental Ins with Blue Cross Blue Shield NACO (option 3)
- HRA plan with Mid-American Benefits; paying deductible of \$2,000 (single) \$4,000(max/family) (12 mth.) Option for Section 125 plan with First Concord
- Option for Cash-in-Lieu plan with First Concord; paying \$400 (single), \$800 (family)
- Option for Vision Insurance with VSP

The approved Program Offerings will be available to County Employees as their benefit options as of the July 1, 2021 renewal/effective date. Open enrollment will be the month of June 2021.

ROADS – Ann Chytka, Highway Superintendent:

CoRd GH: The road is forming cracks and the engineer confirmed that the cracks are forming due to the severe cold we have had; the engineer recommended the cracks be sealed with tar as soon as



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possible. The contractor has been contacted, but he will not repair due to the warranty ending Nov. 2020. The board instructed Chytka to go after the Bonding Company to try to get the repair costs covered.

Co Rd V - liquidated damages on this (due to completion date): Ann recommended not going after any damages due to the fact of the implications' of the Covid Pandemic on this project.

A **Commercial Reno Grant** was approved for: James Kelly IV for work on the exterior of the commercial building at 808 S. 13th ST, Tekamah. The Burt County Economic Development Board recommended approval for the request; the Burt County Board approved release of said funds (up to \$15,000.00) from County Fund 0900 upon completion of the project. County Board Approval was upon motion by Morrow, seconded by Richards, with roll call vote as follows: Ayes –Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays-none.



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Connealy moved the Board recess at 11:06 AM for *Board of Equalization*, Pearson seconded, motion passed with All Ayes. The Burt County Board of Supervisors reconvened at 11:10 AM, upon motion by Connealy, seconded by Pearson, with All Ayes. See separate BOE 4/28/2021 minutes.

Chairman Schold signed an **agreement** with law office of *Bromm, Lindahl, Freeman-Caddy & Lausterer* upon motion by Webster, seconded by Connealy, with roll call vote as follows: Ayes – Morrow, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none. The law firm will provide **consulting services for Burt County’s renewable energy Zoning Regulations**. Three board members were named to be on a temporary committee to work with the law firm and Burt County’s Zoning Administrator: they’ll be Supervisors Morrow, Webster and Pearson.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Connealy and Morrow at 11:13 A.M.
Next Meeting: May 11, 2021 @ 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