

Burt County Board Minutes



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

The Burt County Board of Supervisors met in regular session on Tuesday, September 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 (9-21-2021), 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, Carl Pearson, Dale Webster, Ted Connealy and David Schold. Absent - Paul Richards.

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, Pearson, Webster, Connealy and Schold. Nays – none. Absent – Richards.

The minutes of the 9/14/2021 Board of Supervisors regular meeting and budget hearing meeting were approved; upon motion by Swanson, seconded by Pearson. By roll call vote: Ayes- Morrow, Swanson, Pearson, Webster, Connealy and Schold. Nays – none. Absent - Richards.

The claims for September in the amount of \$498,398.50 including \$149,595.94 for payroll, were read, audited, warrant drawn and checks generated on the respective funds on motion by Morrow, seconded by Webster. By roll call vote: Ayes -Morrow, Pearson, Webster, Connealy and Schold. Nays – Swanson. Absent -Richards. The following claims were approved:

AMERICAN BROADBAND CLEC	SERVICE	1,302.14
APPLIED CONNECTIVE TECHNOLOGIES LLC	TECH SUPPORT	2,964.92
AUDRA CONNEALY	ZONING TRAVEL	119.21
BILL J PICKELL	REPAIR	162.48
BLACK HILLS ENERGY	UTILITIES	62.70
BOMGAARS -COURTHOUSE	SUPPLIES	487.08
BRANIFF SERVICE INC	FUEL & REPAIRS	11,860.82
BREHMER MFG INC	STEEL	566.72
BROMM LINDAHL FREEMAN CADDY LAUSTER	CONSULTING	5,335.00
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY COURT	COURT COSTS	341.76
BURT COUNTY DISTRICT COURT	COURT COSTS	185.36
BURT COUNTY EXTENSION SERVICE	SUPPLIES	135.06
BURT COUNTY PUBLIC POWER DIST	UTILITIES	370.99
BURT COUNTY SHERIFF	SERVICE FEES	917.67



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CANON FINANCIAL SERVICES	COPIER	27.09
CENTURY LINK	UTILITIES	3,962.22
CITY OF TEKAMAH	UTILITIES	331.72
CLASSIC CLEAN CARWASH	MISC EXPENSE	47.53
CLIFFORD L MORROW	CHECKING ROADS	33.60
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	511.39
CONSOLIDATED MANAGEMENT CO.	TRAINING	26.22
CUBBY'S	FUEL	1,112.42
DAS STATE ACCOUNTING-CENTRAL FIN.	TELETYPE	350.00
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	185.28
DATASPEC INC	SOFTWARE	449.00
DAVID SCHOLD	CHECKING ROADS	84.00
DE LAGE LANDEN PUBLIC FINANCE LLC	SOFTWARE	3,758.08
DECATUR EXPRESS	FUEL	1,159.01
DEPT CORRECTIONAL SVCS	JAIL	632.45
DOBERMAN EMERGENCY MANAGEMENT	LEOP CONSULT	5,000.00
DOUGLAS COUNTY SHERIFF	SERVICE FEES	21.18
ECOSOLUTIONS	SOFTWARE	3,308.80
EMERGENCY SERVICES MARKETING CORP	SOFTWARE	13,445.00
ERIC NICK	TRAVEL EXPENSE	161.44
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	323.33
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	200.09
FIRST NATIONAL BANK OF OMAHA E/M	EQUIP/SUPPLIES	1,016.53
FIRST NATIONAL BANK OF OMAHA-MTC 1	SUPPLIES	597.00
FRANCES FRENCH	PRIOR SERVICE	11.00
FRED MYTTY	BUDGET CONSULT	2,141.12
FUTURITY IT, INC	SOFTWARE	1,650.00
GARY SWANSON	CHECKING ROADS	92.96
GRAHAM TIRE STORE	REPAIRS	814.00
GREAT AMERICA FINANCIAL SVCS	COPIER	159.40
HOPKINS LAW OFFICE,LLC	ATTY FEES	457.00
ILA DAVIS	PRIOR SERVICE	18.00
JACK'S UNIFORMS & EQUIPMENT	SUPPLIES	91.90
JAMES P BUCK	TRAVEL EXPENSE	158.69
JAN RASMUSSEN	MILEAGE	16.80
JAY W JOHNSON	MILEAGE	97.44
JEANICE BOWERS	TRAVEL EXPENSE	278.39
JENNIFER PETERSON	MILEAGE	66.84
JONES AUTOMOTIVE INC	REPAIR	934.32
JONI L. RENSHAW	TRAVEL EXPENSE	74.82
KATIE HART	MILEAGE	194.32
KB'S MINI MART INC	FUEL	1,267.46
KRISTINE HABER	NOTARY FEE	30.00
LEE AGRI-MEDIA	PUBLISHING	554.04
LUAN OLIVERIA	MILEAGE	259.84



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MARY LOFTIS	MILEAGE	503.88
MARY WORTMAN	MILEAGE	236.26
MAXIMUS INC	SERVICE	2,100.00
MICHELE QUICK	MILEAGE	80.64
MID-AMERICAN BENEFITS INC	INSURANCE	15,263.50
MILLS LAW OFFICE	ATTY FEES	1,055.00
MIPS INC	SOFTWARE	2,172.91
NACO	REGISTRATION	195.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING	93.00
NEBR LAW ENFORCEMENT TRAINING	TRAINING	485.00
NEBR SECRETARY OF STATE	WORKSHOP	80.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	1,179.26
NOVUS COMPUTERS	EM EQUIPMENT	339.99
TK ELEVATOR CORPORATION	MAINTENANCE	2,054.57
OAKLAND INDEPENDENT	PUBLISHING	69.00
OAKLAND LUMBER LLC	SUPPLIES	497.22
OFFICE WAREHOUSE	SUPPLIES	397.02
OFFICENET	SUPPLIES	479.96
PAUL RICHARDS	CHECKING ROADS	54.32
PENDER HOSPITAL	JAIL MEDICAL	869.00
PENNY A. WARREN	MILEAGE	89.60
QUADIENT LEASING USA, INC	POSTAGE	817.53
QUALITY PRINTING & OFFICE SUPP	SUPPLIES	1,402.15
QUINN'S QUALITY REPORTING LTD	COURT COSTS	739.00
RAMADA MIDTOWN CONFERENCE CENTER	WORKSHOP	480.00
RAY O'HERRON	SUPPLIES	3,618.58
REGION 4 BEHAVIORAL HEALTH SYS	QTR PAYMENT	5,344.00
ROBIN OLSON	MILEAGE	33.60
SARAH FREIDEL	MILEAGE	79.52
SEC OF STATE-ELECTION DIVISION	ID CARDS	10.00
SHARON WIMER	OFFICE SUPPORT	100.40
STAMP FULFILLMENT SERVICES	POSTAGE/SUPPLY	352.50
STEPHEN J KRAVIEC P.C.,L.L.O.	CONTRACT	2,001.65
TEKAMAH POST OFFICE	PO BOX 87	160.00
THE APOTHECARY SHOP	JAIL MEDICAL	132.47
THE LODGE AT DEADWOOD	WORKSHOP	944.00
THEODORE CONNEALY	CHECKING ROADS	38.64
THURSTON COUNTY SHERIFF	JAIL	7,400.00
TURNKEY NERDS	SERVICE/SUPPORT	1,199.95
VERIZON WIRELESS	CELL PHONE	708.31
VISUAL EDGE, COUNSEL	COPIER	284.97
WELLS FARGO FINANCIAL SERVICE	COPIER	60.22
WINNESHIEK COUNTY SHERIFF'S OFFICE	SERVICE FEES	30.00
ANN CHYTKA	MILEAGE	69.44
ARBY'S BODY SHOP LLC	DOOR GLASS	75.00



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BARCO MUNICIPAL PRODUCTS INC	SIGNS	745.67
BIERSCHBACH EQUIPMENT & SUPPLY	SUPPLIES	2,780.00
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	965.28
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
BUDDIES MINI MART, LLC	FUEL	355.80
CAPITAL ONE TRADE	PARTS/BLADES	2,949.22
CITY OF OAKLAND	UTILITIES	21.88
CNA AUTO SERVICES,LLC	EQUIP SUPPLIES	22.01
EGBERS FLIGHTING COMPANY INC	PARTS	46.45
ELITE COMPUTERS AND CONSULTING INC	DVI CABLE	10.00
FARMERS PRIDE	DIESEL	4,869.96
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	30.77
LAWSON PRODUCTS	SUPPLIES	564.11
MARTIN MARIETTA	GRAVEL/BORROW	27,163.32
MIDWEST SERVICE AND SALES CO	POSTS	1,213.75
MIDWEST SERVICE CO	FUEL/PARTS	15,190.31
NMC CAT RENTAL	PARTS/LABOR	4,516.41
NORTHEAST NEBR TELEPHONE CO	PHONE SERVICE	186.09
OAKLAND EXPRESS	FUEL	80.53
ROLL RITE LLC	PARTS	1,999.13
SAPP BROS PETROLEUM INC	MACHINERY FUEL	2,330.67
SCOTT'S HARDWARE	SUPPLIES/GAS	236.28
SHAMBURG AUTO SUPPLY	PARTS/SUPPLIES	660.49
STALP GRAVEL CO	GRAVEL	24,909.30
STEINY'S GENERAL STORE	TOOLS/PARTS	244.09
TRI-STATE COMMUNICATIONS INC	TOWER RENTAL	158.50
VERIZON CONNECT	SERVICE PLAN	426.16
VILLAGE OF DECATUR	UTILITIES	24.14
WELDON PARTS OMAHA	PARTS	322.54
MATTHEW CASS	DEMO GRANT	5,950.00
GOVERNMENT FORMS AND SUPPLIES	SUPPLIES	422.09
AFLAC	EMPE PD ADDL	531.57
BLUE CROSS & BLUE SHIELD	INSURANCE	49,112.08
DEARBORN LIFE INSURANCE COMPANY	EMPE PD ADDL	1.31
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	44,299.95
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	907.80
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	21,508.50
STATE TAX COMMISSIONER	STATE TAXES	6,765.27
VISION SERVICE PLAN (CT)	VISION INS	564.60
WASHINGTON NATIONAL INSURANCE CO	EMPE PD ADDL	16.15
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT BUREAU SERVICES INC	GARNISHMENT	277.11



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NEBR CHILD SUPPORT PAYMENT CTR

CHILD SUPPORT

830.00

Dr. Kelly Lechtenberg from **Midwest Veterinary Services, Inc. (MVS)** visited with the board to explained programs hosted and procedures that are performed at his facilities; he also gave project expansion updates for the facility. The **expansion of MVS**, operating under the name of Central States Research Centre, Inc., located at 1290 County Road M, Oakland, Burt County, Nebraska, to increase testing capacity, including virus isolation and identification, which will provide a Biosafety Level 2 diagnostic laboratory to serve residents in northeast Nebraska within a 90 mile radius of Oakland. This project entails the construction of a 2,000 sq. ft. plant expansion (costing \$1,000,000 and funded entirely by the Business) which will not change the size or capacity of the existing facility by more than 20% and not land use. He has hopes that the project will be completed within a one-year period. No residents, businesses, or farms will be displaced as a result of this project.

Sealed bids for Co.Rd. M paving (between Hwy. 77 & Co.Rd. 13) were opened:

Elkhorn Paving (Norfolk, NE)	\$896,624.81	Apr. 1, 2022 – June 15, 2022
Steve Harris Constr. (Homer, NE)	\$723,178.97	Apr. 1, 2022 – May 1, 2022
A&R Constr. (Plainview, NE)	\$844,813.12	May 2022 – July 2022
Bauer Underground (Lincoln, NE)	\$987,751.70	Feb. 15, 2022 – May 1, 2022

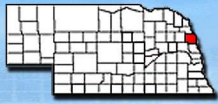
Board Member Morrow moved to accept the bid from Steve Harris Construction, Swanson seconded the motion, roll call vote followed: Ayes- Morrow, Swanson, Pearson, Webster, Connealy and Schold. Nays – none. Absent - Richards. This road project is being funded via State of Nebraska Economic Opportunity Program Grant.

Jeff Christensen with Northeast Nebraska Economic Development District (NENEDD) further explained another funding opportunity for the laboratory part of the MVS project that could potentially be funded with the **Community Development Block Grant (CDBG) program** through the Nebraska Department of Economic Development. The total project cost being submitted for Grant Funding is approximately \$347,000 of which \$340,000 is for equipment and working capital, and \$7,000 for grant administration. The \$340,000 performance-based loan will be forgiven entirely upon meeting the various job creation and maintenance requirements, as the business will create four additional FTE jobs, that primarily benefit low-to-moderate income persons, above its existing baseline employment of 42 FTE positions. All positions are to be maintained for a period of at least one year. The CDBG Grant money will have to be run through Burt County's Budget process. A New fund will need to be set up within the County's budget via a FY21-22 Budget Amendment if the grant application gets approval. Christensen explained that the first step in starting the Grant process is Burt County must enter into an agreement with NENEDD for an environmental review on the MVS facility; motion was made by Connealy and seconded by Pearson to sign the paperwork for the needed agreement. Roll Call Vote: Ayes -Morrow, Swanson, Pearson, Webster, Connealy and Schold. Nays – none. Absent – Richards. Chairman signed the agreement with NENEDD.

EWP contracted Project Bids were opened for (3) sites:

Site 200

High Plains Enterprises (Martell, NE)	\$230,058
Husker Engineering (Burwell, NE)	\$215,768
Vogtscapes (Bennet, NE)	\$415,019



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Site 208

High Plains Enterprises (Martell, NE)	\$67,740
Husker Engineering (Burwell, NE)	\$54,912
Vogtscapes (Bennet, NE)	\$122,564

Board Member Connealy moved to accept the bids from Husker Engineering for Sites 200 and 208 (total for both \$270,680), Pearson seconded the motion, roll call vote followed: Ayes- Morrow, Swanson, Pearson, Webster, Connealy and Schold. Nays – none. Absent - Richards.

<u>Site Craig East C-11(425)</u>	<u>culvert</u>	<u>road</u>	<u>total</u>
High Plains Enterprises (Martell, NE)	\$301,725	\$42,970	\$344,695
Husker Engineering (Burwell, NE)	\$219,668	\$25,196	\$244,864
Nelson & Rock Contracting (Onawa, IA)	\$247,960	\$56,535	\$304,495
Vogtscapes (Bennet, NE)	\$244,920	\$32,580	\$277,500

The bids for Craig East C-11(425) all exceed the allowed amount for the cost share program; Jeff Wagner from Mainelli Wagner & Assoc. Engineering recommended the County look at other options for this site.

Co.Rd. 25 Minimum Maint. Road Closure Request: August 27, 2021 Todd Feltz discussed with the Burt County Board vacation/abandonment of this MM road between CR.K and CR.L. John Hundahl, Silvercreek TWP, reported to the Burt County Board that Silvercreek township has received request from Feltz that the Township take steps toward closure of this MM road. The township discussed this request and offered public comment time during their meeting for the public to comment about the request. Hundahl reported that there was no public comment about this road closure and the Silvercreek TWP board voted to request to the Burt County Board that this MM road be vacated. Supervisor Dave Schold reported that the Craig Fire and Rescue had some concerns with this possible closure. County Attorney Talbot advised the Burt County Board that there are procedures to follow for such request to be considered and as far as he can tell, none of those procedures have been followed. As of today, the Burt County Board has received no official request and no action will be taken by the County Board for any such road closure process.

Nick Seery, Milestone Surveying requested to discuss surveying education, records and mapping with the County Board- (a) Education: Seery offered to come into the Courthouse to provide a day of education about survey records and how each office and entity uses the records; he explained that he felt there are a significant amount of new people and he could help all to understand the role of the records and how all can access and use the surveys. He did gain permission to invite Municipal employees as well, as they also would gain benefits from the education. The County Board did not have a problem with coming into the Courthouse during business hours to provide the education. (b) Digitizing Survey Records: Seery explained he is doing a digitizing and indexing job for Thurston County and offered to do the same for Burt County; if the County was interested in doing so, he could do the job while passing along savings via cost-share between the two



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Counties. Seery explained that he would scan, digitize, index, and make the records available to be published online for public access. The County budget has available funds for preservation and maintenance of records if they choose to move forward with such a project. Seery will prepare a proposal than can be considered at a future County Board meeting. (c) Seery explained a mapping project he has been discussing with the County Assessor's office; it would be ideal to get the entire County done, but he is currently going to complete working up one Township in order to get an idea of a cost to complete the same work for the entire County. Nick Seery is not the Burt County Surveyor, but explained that none of what he is offering falls under a County Surveyor's statutory duties; if any of the work is wanted, the County would have costs whether their own Elected County Surveyor perform the work or he did the work.

Connealy made a motion to go into *Closed Session*, Morrow seconded, and the motion passed with Ayes-6, Absent-1. Chairman Schold declared at 10:27 A.M. the board went into closed session *for the protection of public interest to discuss litigations*. Swanson made a motion to come out of Closed Session, Webster seconded, and motion passed with Ayes-6, Absent-1. Chairman Schold declared the public meeting back in regular session at 10:44 A.M. No action was taken during closed session.

Mark VanDerHart, from Tekamah Airport Zoning, asked permission to use the 1st floor Courthouse conference room after hours for airport zoning meetings. The request was denied due to a County Policy (noted 3.31.2016) establishing that afterhours use is approved only for Courthouse offices due to security.

Resolution 2021-22 was passed upon motions by Connealy and Swanson, with roll call vote as follows: Ayes – Morrow, Swanson, Pearson, Webster, Connealy and Schold. Nays-none. Absent- Richards. **Resolution 2021-22**

Exhibit "B"

A RESOLUTION ADOPTING AND APPROVING THE EXECUTION OF AN AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF NEBRASKA FOR PROJECT NO. STP-51-7(106), CONTROL NO. 32296, AGREEMENT NO. _, PROJECT NAME: US-77---US-75.

Be it resolved by the Chairperson of the Board of the County of Burt, Nebraska, that:

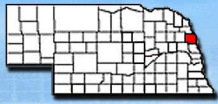
1. The County shall enter into an Agency Agreement with the Nebraska Department of Transportation for Project No. STP-51-7(106) for the for the purpose of highway improvements on Highway 51 within the boundaries of Burt County.
2. The Chairperson of the Board is hereby authorized and directed to execute 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 28TH DAY OF SEPTEMBER 2021.

Attest: Sarah J. Freidel
BURT COUNTY CLERK

David Schold, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Chairman Schold signed a **Lot Split Application** for:



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KEVIN BRUMMOND - 0.63 ac. lying in pt. NE4 SE4 of Section 25, Township 22N, Range 11 East of the 6th P.M. and in pt. NW4 SW4 of Section 30, Township 22N, Range 12 East of the 6th P.M., Burt County, NE.

The **annual Delinquent Tax List** (dated 9/23/2021) prepared by County Treasurer Robin Olson was noted and placed on file. Edmond Talbot, Burt Co Attorney will review for possible future foreclosures the County may proceed with.

Emergency Manager update: Andrew Donawa resigned as Burt County Emergency Manager to be effective October 29, 2021. Donawa offered to consult for the County until the position can be filled with a full-time replacement; he offered a fee of \$30.00/hour for consulting. The board wished Mr. Donawa well in his future endeavors.

Decatur County Shed update: fire was on June 13, 2021; Carlson Restoration (Omaha, NE) will perform all need repairs to return the building to full function, the cost cited was \$63,985.75. Insurance money was received to cover the restorations.

gWorks Tabs: The board approved contracts with gWorks for implementation of two more webGIS tabs: (1) clerk/election Tab and (2) Zoning Tab. Motion was made by Webster and seconded by Connealy, approval was upon Roll Call Vote: Ayes- Morrow, Swanson, Pearson, Webster, Connealy and Schold. Nays-none. Absent – Richards. The CLERK/ELECTION tab will create GIS mapping to show the public their voting and taxing districts, the public will be able to see their election precincts and maps of districts they vote for. The Zoning tab will make the County's Zoning and Floodplain info and maps available for public access. The costs of Tabs are as follows:

Clerk/Election Tab: implementation \$3,000.00; annual cost \$3,375.00

Zoning Tab: implementation \$5,550.00; annual cost \$2,925.00

ARPA Funds will be used to pay some of the initial costs citing reasons being: (a) for Clerk/Election Tab – due to the Census data being put out so late, there is not adequate time to complete redistricting without the use of GIS mapping. (b) for Zoning Tab – creating these maps as GIS info will allow the information to be available to public offsite via internet access, thereby being more convenient for constituents, but also creating a safer way to present info for the public, especially during times of concern for public safety like COVID.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Connealy and Swanson at 11:27 A.M.
Next Meeting: October 12, 2021 @ 9:00 A.M.



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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.