



Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
April 28, 2022
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Thursday, April 28, 2022 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 (4-21-2022), 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: Kevin Tobin, 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 Webster, seconded by Connealy. By roll call vote: Ayes – Tobin, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

The minutes of the April 12, 2022 Board of Supervisors meeting were approved; upon motion by Richards, seconded by Swanson. By roll call vote: Ayes – Tobin, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

Burt County Fire: Audra Connealy from the Burt County Emergency Management Office and Stewart Miller, Lyons Fire Chief, reported to the board about a large fire that occurred in the northern part of Burt County. The fire broke out April 23, 2022: it burned approximately two miles wide for an estimated 10-12 miles; 27 departments from Northeast Nebraska and 32 farmers with tractors and discs responded to help fight the fire in high winds; water was supplied by several local farmers and business; 17 structures were lost, that included 2 houses and a horse barn; 1 fire truck was damaged; and there were 6 injuries reported.

The claims for April in the amount of \$ 826,472.64, including \$153,828.16 for payroll, were read, audited, warrant drawn and checks generated on the respective funds on motion by Swanson, seconded by Connealy. By roll call vote: Ayes – Tobin, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none. The following claims were approved:

ALBIN LAW OFFICE	ATTY FEES	152.00
AMERICAN BROADBAND	PHONE/INTERNET	1,666.92
ANDY'S QUICK SHOP	FUEL	63.12
APPLIED CONNECTIVE TECHNOLOGIES LLC	TECH SUPPORT	2,804.27
AVIS R. ANDREWS	COURT	294.50
BLACK HILLS ENERGY	UTILITIES	387.75
BOMGAARS -COURTHOUSE	SUPPLIES	593.49



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BRANIFF SERVICE INC	FUEL/REPAIR	637.60
BRITTANY HEDLUND	REIMBURSE	104.33
BRUMMOND DISPOSAL	COURTHOUSE	225.00
BUDDIES MINI MART, LLC	FUEL	855.32
BURT COUNTY ATTORNEY	COURT	9.00
BURT COUNTY CLERK	ELECTION TRAINING	36.00
BURT COUNTY COURT	FEES	21.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	282.25
BURT COUNTY SHERIFF	SERVICE	267.38
BURT COUNTY TREASURER	REGISTRATION	10.00
CANON FINANCIAL SERVICES	COPIER	27.09
CASS PLUMBING & HVAC LLC	SERVICES	600.14
CENTURY LINK	UTILITIES	1,447.79
CITY OF TEKAMAH	UTILITIES	158.64
CLASSIC CLEAN CARWASH	EQUIPMENT	176.32
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	775.10
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	530.38
CRESTON FERTILIZER MCL FARMS INC	CHEMICAL	2,069.16
CUBBY'S	FUEL	2,246.17
DALE WEBSTER	CHECKING ROADS	80.73
DAN JACOBS	REIMBURSE	200.00
DANIEL VAUGHAN	REIMBURSE	126.82
DAS STATE ACCOUNTING-CENTRAL FIN.	TELE TYPE	350.00
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	185.28
DASH MEDICAL GLOVES	SUPPLIES	155.90
DAVID SCHOLD	CHECKING ROADS	89.51
DECATUR EXPRESS	FUEL	1,158.31
DEREK WARNER	MILEAGE	168.48
DODGE COUNTY	JAN-MAR 2022	3,260.34
DOUGLAS COUNTY COURT	COSTS	4.25
DOUGLAS COUNTY SHERIFF	COURT COSTS	17.22
EAKES OFFICE PLUS	COPIER	110.34
ELECTION SYSTEMS & SOFTWARE	ELECTION SUPPLIES	5,778.98
FAITH REGIONAL HEALTH SERVICES	COURT FEES	28.36
FIRST NATIONAL BANK OF OMAHA	ELECTION SUPPLY	34.01
GARY SWANSON	CHECKING ROADS	86.58
GRAFIX SHOPPE	EQUIPMENT	929.28
GREAT AMERICA FINANCIAL SVCS	COPIER	291.53
HOPKINS LAW OFFICE,LLC	ATTY FEES	2,555.50
HUNTEL COMMUNICATIONS	SERVICES	62.50
J.F. AHERN CO	MAINTENANCE	215.00
JACK'S UNIFORMS & EQUIPMENT	UNIFORMS	771.39
JAN RASMUSSEN	MILEAGE	70.20
JAY W JOHNSON	MILEAGE	95.36
JENNIFER HANSEN	MILEAGE	131.66



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JENNIFER PETERSON	MILEAGE	99.68
JOHNSON & MOCK, PC, LLO	ATTY FEES	1,814.50
JOSEPH M SMITH, ATTORNEY	MENTAL HEALTH	137.75
KATIE HART	MILEAGE	46.80
KB'S MINI MART INC	FUEL	991.65
MADISON COUNTY DISTRICT COURT	COURT COSTS	100.00
MADISON COUNTY SHERIFF	MILEAGE	28.46
MID-AMERICAN BENEFITS INC	INSURANCE	7,263.50
MIDWEST RADAR & EQUIPMENT	SUPPLIES/EQUIP	200.00
MILLS LAW OFFICE	ATTY FEES	831.25
MIPS INC	SOFTWARE	2,408.53
NACO	BUDGET WRKSHOP	200.00
NACT	CONT EDUCATION	125.00
NE CLERKS OF DIST COURT ASSN	DC WORKSHOP	75.00
NE NEBR ECONOMIC DEV DIST	MEMBER FEES	910.00
NE STATE FIRE MARSHAL	BOILER INSPECT	120.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING	93.00
NEBR LAW ENFORCEMENT TRAINING	FEES	135.00
NEBR WEED CONTROL ASSN	NWCA DUES	125.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	876.04
NEBRASKA STATE PATROL	SERVICES/COSTS	408.00
OAKLAND INDEPENDENT	PUBLISHING	1,759.51
OAKLAND LUMBER LLC	SUPPLIES	921.36
OFFICE WAREHOUSE	SUPPLIES	21.99
PAPE'S AUTO BODY & SIGN DESIGN	PAINT SUPPLIES	1,465.90
PAUL RICHARDS	CHECKING ROADS	98.28
PELAN FUNERAL SERVICES INC	SERVICES	1,650.00
PHYSICIANS LABORATORY PC	AUTOPSY	5,969.00
PLAINDEALER PUBLISHING	SUBSCRIPTIONS	80.00
QUALITY PRINTING & OFFICE SUPP	SUPPLIES	1,902.43
REGION IV INC	4TH QTR	3,305.50
RITTERBUSH & PIOTROWSKI, LLP	AUDIT	14,150.00
SCOTT'S HARDWARE	SUPPLIES	504.38
SHARON WIMER	OFFICE SUPPORT	104.00
STAMP FULFILLMENT SERVICES	CLERK'S OFFICE	707.45
STATE OF NEBRASKA	VOTER SUPPLIES	20.00
STEPHEN J KRAVIEC P.C.,L.L.O.	CH. SUPPORT SERVICE	2,017.36
STUREK MEDIA INC	PUBLISHING	82.84
TAMMI BURBACH	MISC EXPENSE	32.05
TERRY G PICKELL	OFFICE REMODEL	775.00
THE APOTHECARY SHOP	INMATE MEDS	54.70
THEODORE CONNEALY	CHECKING ROADS	116.42
THOMSON REUTERS WEST PAYMENT CENTER	SUPPLY/SOFTWARE	2,149.00
THURSTON COUNTY SHERIFF	JAIL	9,132.76
TK ELEVATOR CORPORATION	MAINTENANCE	293.51



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TRI-STATE COMMUNICATIONS INC	EQUIPMENT	3,565.10
TWO GUYS PAINTING, LLC	3RD FLOOR PAINT	5,600.00
VERIZON WIRELESS	SERVICES	902.77
VISUAL EDGE, COUNSEL	COPIER	24.02
WASHINGTON COUNTY BANK -BLAIR	SAFE DEPOSIT	55.00
WASHINGTON COUNTY CLERK	3RD QTR PAY	1,324.74
WASHINGTON COUNTY SHERIFF	JAIL	4,745.00
WELLS FARGO FINANCIAL SERVICE	COPIER	60.22
WEST POINT NEWS INC	PUBLISHING	24.54
ZELLE	HR CONSULT	3,000.00
AGRIVISION EQUIPMENT GROUP	PARTS	116.73
ARBY'S BODY SHOP LLC	WINDOW GRADER	150.00
BARCO MUNICIPAL PRODUCTS INC	SIGNS/FREIGHT	569.97
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	2,460.63
BRUMMOND COUNTRY DISPOSAL	LYONS/OAKLAND	90.00
CARLSON RESTORATION INC	DECATUR SHOP	55,415.85
CITY OF LYONS	UTILITIES	227.71
CITY OF OAKLAND	WATER	22.98
CUMING COUNTY INDUSTRIES	PARTS/LABOR	127.34
FARMERS PRIDE	DIESEL	2,927.70
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	1,457.72
K-C PARTS & REPAIR	SUPPLIES	58.57
LAWSON PRODUCTS	GREASE/SUPPLY	691.68
LEON D. ANDERSON	PARTS	40.64
MARTIN MARIETTA	GRAVEL/BORROW	7,921.81
MIDWEST SERVICE AND SALES CO	SIGN POSTS	3,750.00
MIDWEST SERVICE CO	FUEL	10,886.90
NMC CAT RENTAL	PAYLOADER	248,856.46
OAKLAND EXPRESS	FUEL	140.00
PRODUCTIVITY PLUS ACCOUNT	SUPPLIES	566.53
SHAMBURG AUTO SUPPLY	SUPPLIES	598.32
SIGN DEPOT	DECALS/DECATUR	29.87
STALP GRAVEL CO	GRAVEL	4,098.29
STEINY'S GENERAL STORE	SUPPLIES	67.78
TOM FARRENS	SEED	2,554.80
TOM KELLOGG	CHAINS	25.00
VANDER HAAG'S	PARTS	595.00
VERIZON CONNECT	SERVICE PLAN	420.94
VILLAGE OF CRAIG	WATER/SEWER	76.40
VILLAGE OF DECATUR	LIGHTS/WATER	161.23
WELDON PARTS OMAHA	PARTS	954.48
WESTPOINT IMPLEMENT INC	PARTS	82.14
WOODHOUSE FORD CHRYSLER DODGE JEEP	PARTS/LABOR	2,692.40
CARSON, LLC	DEMO GRANT	15,000.00
REDTHREAD	SERVICES	12,500.00



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GOVERNMENT FORMS AND SUPPLIES	SUPPLIES	427.31
KANSAS HIGHWAY PATROL	VEHICLE – SHERIFF	22,350.00
MISSOURI STATE HIGHWAY PATROL	VEHICLE – SHERIFF	18,950.00
CENTURYLINK (HARDWARE WARRANTY)	SERVICES	729.16
NORTHEAST NEBR TELEPHONE CO	UTILITIES	129.17
AFLAC	EMPE PD ADDL	390.91
BLUE CROSS & BLUE SHIELD	INSURANCE	56,554.87
FIRST CONCORD BENEFITS GROUP LLC	EMPE PD ADDL	414.83
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	45,811.33
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	872.61
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	550.00
NEBR CHILD SUPPORT PAYMENT CTR	CHILD SUPPORT	1,530.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	22,337.17
STATE TAX COMMISSIONER	STATE TAXES	7,222.44
VISION SERVICE PLAN (CT)	EMPE PD ADDL	597.37
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES INC	GARNISHMENT	381.41

COMMUNICATION: Notice of Settlement – For informational purposes, notice was provided of a settlement agreement reached regarding claims made by John Tobin and Sons, Inc. against the County for alleged damages to property arising out of an April, 2019 incident. The settlement was reached between John Tobin and Sons, Inc. and the County’s liability insurer. The settlement payment is to be paid entirely by the County’s liability insurer and no action of the County is required. A copy of the Settlement Agreement will be maintained as a public record and is available for inspection.

Chairman Schold signed the following **Lot Split Application:**
 ROB & KATHRYN MAYO - 2 tracts (9.39 ac & 17.66 ac) and easement in the SW ¼ of Section 15, Township 21N, Range 10 East of the 6th P.M., Burt County, NE.

Health/Dental Insurance renewals:
 Renewals are due for the new insurance year. NACO Health and Dental insurance pool will have an increase of 17.14% for health and 5.87% for dental; the new plan options all come with changes to deductibles, copays and out of pocket maximums. Mike Boden, NACO Benefit Services, explained the new plans and presented information about the County’s use of HRA and possible options to consider. No action was taken; the board will decide the July 2022 plan year benefits at the first meeting in May. Mr. Boden also explained the new electronic benefits portal that NACO has made available for all Counties; the July 2022 year will be the first insurance year employees will utilize this portal for open enrollment.

County Bridge Match Funds, the following resolution was adopted upon motions by Richards and Webster, with roll call vote as follows: Ayes – Tobin, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

Resolution No. 2022-08



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CERTIFYING PROPER COMPLETION OF PROJECT

Whereas: Burt County and State entered into an agreement entitled “County Bridge Matching Program Agreement”, for the structure number C001100110, the Project, Program Agreement number BL1917 signed by State on the 5th day of March, 2019; Whereas: Burt County has now completed the construction of the Project that was identified in the Program Agreement; and Whereas: this Resolution is to formally notify State of the proper completion of the Project according to the terms of the Program Agreement.

Be It Resolved: by the Board of Supervisors of Burt County:

- 1) The Project, for Structure No. C001100110 has been properly constructed by County and its contractor, in accordance with the terms of the Program Agreement.
- 2) The bridge was constructed in strict compliance with
 - (a) the plans and specifications including any State-approved change orders,
 - (b) all applicable design standards, and
 - (c) the conditions and requirements of the Program Agreement.
- 3) County understands that it is the owner of the bridge, and that it is solely responsible for the design, inspection, construction, reconstruction, repair, and operation of the bridge and roadway and is responsible for meeting any environmental or other post-construction permit or legal commitments applicable to the project.
- 4) The project costs were fair, reasonable and necessary for the proper construction of the project.

NDOT Project Number: STWD-CBMP(3)

NDOT Control Number: 00974B

NDOT LPA Control Number: 00974B(r)

NDOT Project Name: County Bridge Match Program

Adopted this 28th day of April, 2022 at Tekamah, NE

The Board of Supervisors of Burt County: David Schold, Chairman

Kevin Tobin

Gary Swanson

Paul Richards

Carl Pearson

Dale Webster

Ted Connealy

Attest: Sarah J. Freidel, Burt County Clerk

ROADS: *Ann Chytka, Highway Superintendent*

Equipment Fleet: Board member Pearson wanted clarification of how many payloaders are needed. Currently there are three (3) payloaders; each at a different location; two are ~20+ years old and one is a 2021. It was agreed upon that no decisions should be made regarding the number of payloaders in the fleet at this time; the road department will watch hours/use for the next year.

Employees /Hiring: Ann Chytka discussed hiring one more road department employee; the crew has been working short one person since Aug. 2021 (when Dale Huffman left). The board agreed to allowing the hiring of one position in order to give the department a full road crew of 14. The positions will be for operator/truck driver. The board approved the operator/truck driver position be filled; upon motions by Pearson and Swanson. Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays – none.

Summer hours for Road Crews: The crew will be managed in order to provide coverage Monday-Friday working 10 hours days May 2nd - September 6th. Pearson made a motion to approve the ‘summer hours schedule’, Webster seconded. By roll call vote: Ayes- Tobin, Swanson, Richards, Pearson, Webster, Connealy and Schold. Nays- none.



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Decatur Shed: Update was given; No action.

Old Hwy. 118 - Weight Limit Sign: Supervisor Richards explained that traffic will increase on 118 due to Hwy. 51 construction starting June 1. He proposed a temporary weight limit sign be placed to try to deter cross-County traffic. Road dept will decide the weight limit and proceed with installation of a temporary weight limit sign.

Old Hwy 118 – Guide Sign for mileage: Supervisor Webster would like a mileage sign placed at intersection of Old Hwy 118 and CoRd. 23 “Decatur – 6 ; Lyons – 6”.

The County Board voted in favor of installation of the sign, upon motions by Swanson and Tobin. Passed By Roll Call Vote: Ayes - Tobin, Swanson, Richards, Webster, Connealy and Schold. Nays- Pearson.

PUBLIC COMMENT :

Donnette Jackson – Asked the board about passing a Resolution for ‘30x30’ initiative; she left handouts.

Bill Price - (a) Made comments with reference to ‘30x30’ . (b) wind: Reminded the Board members that he’d sent them emails with reference to Otoe County/wind.

(c) Thanked the Board for their efforts and action on what they did regarding wind regulations in Burt County.

Board members were all given a final copy (showing revisions) of updated Burt County Employee Handbook to review; final comments will be taken and final acceptance will be completed at one of the May 2022 meetings.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Connealy and Webster at 10:58 P.M.

Next Meeting: Monday, May 9, 2022 @ 9:00 A.M.

The PR22 election is Tues, May 10th , so the meeting is being held on Monday.

ATTEST: SARAH J. FREIDEL
COUNTY CLERK

DAVID SCHOLD, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

BURT

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.