



Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
August 26, 2022
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, August 26, 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 (8-18-2022), 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, Ted Connealy and David Schold. Absent – Dale Webster.

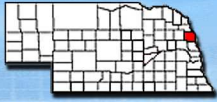
The meeting opened with the pledge of allegiance at 9:00 A.M. Chairman Schold informed the public that the Open Meeting Act was posted.

The agenda was approved upon motion by Connealy, seconded by Pearson. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster.

The minutes of the 8/9/2022 Board of Supervisors meeting were approved; upon motion by Swanson, seconded by Connealy. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster.

The claims for August in the amount of \$ 437004.10, including \$ 146,414.60 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds upon motion by Richards, seconded by Pearson. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster. The following claims were approved:

ADAM TRIPP	ATTY FEES	674.50
AGRIVISION EQUIPMENT GROUP	PARTS	34.44
AMERICAN BROADBAND	PHONE/INTERNET	1,582.10
ANDY'S QUICK SHOP	FUEL	93.84
APPLIED CONNECTIVE TECHNOLOGIES LLC	SOFTWARE/IT	5,388.79
BLACK HILLS ENERGY	UTILITIES	157.60
BOMGAARS -COURTHOUSE	SUPPLIES	173.20
BRANIFF SERVICE INC	FUEL/REPAIR	1,433.61
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY CLERK	PETITIONS MAIL	50.10
BURT COUNTY COURT	FEES	8.25
BURT COUNTY DISTRICT COURT	FEES	216.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	357.17



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BURT COUNTY SHERIFF	SERVICE FEES	158.85
BURT COUNTY TREASURER	WAGON WHEELS	31,064.04
BURT COUNTY 4-H COUNCIL	MEALS	163.00
CAMPBELL-AMAN FUNERAL HOME	COUNTY BURIAL	1,650.00
CANON FINANCIAL SERVICES	EQUIPMENT	27.09
CASS COUNTY SHERIFF	SERVICE FEE	19.23
CENTURY BUSINESS PRODUCTS	EQUIPMENT	480.00
CENTURY LINK	SERVICE	337.58
CIOX HEALTH	JAIL MEDICAL	23.98
CITY OF TEKAMAH	UTILITIES & RENT	515.31
CLARK PEST AND TERMITE CONTROL	SERVICES	70.00
CLASSIC CLEAN CARWASH	MISC EXPENSE	91.17
CONSOLIDATED MANAGEMENT CO.	EDUCATION	287.14
COUNSEL	EQUIPMENT	27.84
CRESTON FERTILIZER MCL FARMS INC	CHEMICAL	764.80
CRISIS SYSTEMS MANAGEMENT LLC	SOFTWARE	100.00
CUBBY'S	FUEL	2,184.70
CUMING COUNTY SHERIFF	SERVICE FEE	13.38
CVSOAN - TOM REIMERS TREASURER	REGISTRATION	60.00
DALE WEBSTER	CHECKING ROADS	112.50
DAS STATE ACCOUNTING-CENTRAL FIN.	TELE TYPE	350.00
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	89.12
DAVID SCHOLD	CHECKING ROADS	223.13
DECATUR EXPRESS - KB'S MINI MART	FUEL	825.49
DEPT CORRECTIONAL SVCS	JAIL	861.51
DEREK WARNER	MILEAGE	742.50
ELECTION SYSTEMS & SOFTWARE	ELECTION SUPPLY	16.89
ENTERPRISE MEDIA GROUP	PUBLISHING	69.30
FIRST CONCORD BENEFITS GROUP LLC	ADMIN FEE	525.77
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	199.95
FRANCES FRENCH	PRIOR SERVICE	11.00
FRED MYTTY	BUDGET PREP	2,500.00
FUTURITY IT, INC	SOFTWARE	1,500.00
GARY SWANSON	CHECKING ROADS	155.63
GREAT AMERICA FINANCIAL SVCS	EQUIPMENT	247.63
GWORKS	SOFTWARE	3,375.00
HOPKINS LAW OFFICE,LLC	ATTY FEES	796.63
ILA DAVIS	PRIOR SERVICE	18.00
INTOXIMETERS INC	SUPPLIES	1,432.50
JACK'S UNIFORMS & EQUIPMENT	EQUIPMENT	964.69
JAN RASMUSSEN	MILEAGE	131.25
JANE PAUL	OFFICE SUPPORT	56.48
JAY W JOHNSON	MILEAGE	101.88



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JENNIFER PETERSON	MILEAGE	18.75
KENNETH BANG	SUPPLIES	40.99
LA PLATA COUNTY SO	SERVICE FEES	25.80
LEE ENTERPRISES - ADVERTISING	PUBLISHING	33.47
LINDA SCHNELL	OFFICE SUPPORT	45.50
LUAN OLIVERIA	MILEAGE	153.75
MATTHEW ARCHER	MILEAGE	256.41
MID-AMERICAN BENEFITS INC	INSURANCE	271.25
MIDWEST SERVICE CO	SUPPLIES	9,506.16
MILESTONE LAND SURVEYING LLC	MAPS	200.00
MILLS LAW OFFICE	ATTY FEES	1,068.75
MIPS INC	SOFTWARE	1,921.54
MIPS INC - COUNTY COURT	SOFTWARE	108.64
NACO	WORKSHOP	390.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	SERVICES	93.00
NEBR LAW ENFORCEMENT TRAINING	EDUCATION	265.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	1,193.71
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	1,181.73
OAKLAND LUMBER LLC	SUPPLIES	25.56
OFFICE WAREHOUSE	SUPPLIES	33.60
PELAN FUNERAL SERVICES INC	SERVICE	445.00
PLAINDEALER	PUBLISHING	141.44
QUALITY PRINTING & OFFICE SUPPLY	SUPPLIES	841.10
SAVE MORE MARKET	SUPPLIES	89.50
SIGN DEPOT	SIGNS	375.00
STACEY KEYS	MILEAGE	84.38
STEPHEN J KRAVIEC P.C.,L.L.O.	CH SUPPORT ATTY	2,021.32
STUREK MEDIA INC	PUBLISHING	34.77
THE APOTHECARY SHOP	JAIL MEDICAL	136.03
THEODORE CONNEALY	CHECKING ROADS	45.63
THOMAS & THOMAS COURT REPORTERS	COURT COSTS	84.51
THURSTON COUNTY SHERIFF	JAIL	4,750.00
TK ELEVATOR CORPORATION	MAINTENANCE	293.51
TORY PENNY	FUEL	40.15
VERIZON WIRELESS	SERVICE PLAN	823.87
WASHINGTON COUNTY SHERIFF	JAIL	4,958.50
WAYNE COUNTY SHERIFF	SERVICE FEES	18.50
WELLS FARGO FINANCIAL SERVICE	EQUIPMENT	60.22
WEST POINT NEWS INC	PUBLISHING	38.25
ZELLE	HR CONTRACT	3,000.00
BARCO MUNICIPAL PRODUCTS INC	SIGNS	562.90
BLUFF GRAVEL COMPANY	GRAVEL	8,536.28
BOBBY KELLOGG	PRIOR SERVICE	46.16



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BOMGAARS SUPPLY INC - ROAD	SUPPLIES	351.83
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
BUDDIES MINI MART, LLC	FUEL/SUPPLIES	764.65
CAPITAL ONE TRADE	SMALL TOOLS	114.40
CITY OF LYONS	UTILITIES	116.47
CITY OF OAKLAND	UTILITIES	22.70
CNA AUTO SERVICES,LLC	SUPPLIES	6.53
DICK'S ELECTRIC COMPANY INC	REPAIR/LABOR	2,934.72
FARMERS PRIDE	FUEL/OIL	13,416.69
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	194.25
GLUP PIPE SALES	SUPPLIES	189.30
JOEL SINCLAIR LLC	HAUL	4,224.52
LORENSEN LUMBER & GRAIN LLC	CONCRETE	142.50
MARTIN MARIETTA	GRAVEL/BORROW	4,021.80
MEL'S SMALL ENGINE	PARTS	43.75
MIDWEST SERVICE AND SALES CO	PARTS/SIGNS	2,181.97
OAKLAND EXPRESS	FUEL	83.66
OMAHA SLING INC	PARTS	208.28
RAKA RENTALS	EQUIP RENTAL	2,309.13
RDO TRUCK CENTERS, LLC	PARTS/LABOR	398.59
SHAMBURG AUTO SUPPLY	SUPPLIES/PARTS	162.75
SHOTWELL GLASS LLC	PARTS/LABOR	346.32
STALP GRAVEL CO	SUPPLIES	10,545.14
STEINY'S GENERAL STORE	SUPPLIES	7.99
THEROM KING CHRISTENSEN	PARTS	73.02
TRI-STATE COMMUNICATIONS INC	TOWER	158.50
VERIZON CONNECT	SERVICE PLAN	404.75
VILLAGE OF CRAIG	UTILITIES	69.16
VILLAGE OF DECATUR	UTILITIES	131.08
WESTPOINT IMPLEMENT INC	PARTS	31.15
WOODHOUSE FORD CHRYSLER DODGE JEEP	PARTS/LABOR	3,488.57
GOVERNMENT FORMS AND SUPPLIES	SUPPLIES	443.80
FARM & HOME PUBLISHERS LTD	PLAT BOOKS 2022	625.00
CENTURY LINK - LUMEN	SERVICE	4,433.28
CENTURYLINK (HARDWARE WARRANTY)	SERVICE	707.20
NORTHEAST NEBR TELEPHONE CO	SERVICE	129.17
AFLAC	EMPE PD ADDL	477.55
ALLSTATE	EMPE PD ADDL	303.17
BLUE CROSS & BLUE SHIELD	INSURANCE	53,531.25
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	GARNISHMENT	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	42,942.28
GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	689.89
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	470.16



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NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	350.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	21,442.96
STATE TAX COMMISSIONER	STATE TAXES	6,613.40
VISION SERVICE PLAN (CT)	EMPE PD ADDL	658.24
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
NEBR CHILD SUPPORT PAYMENT CTR	CHILD SUPPORT	830.00

Communications: Surveyor's Inventory has been received and placed on file within the Statutory timeline required of him.

As part of Burt County Fiscal Year 2022-2023 Budget/Levy business, the following Resolution was adopted: **RESOLUTION #2022-14**

Levy Limit Allocations

WHEREAS, under L.B. 1154 (1996) any property tax for political subdivisions will be included in the County's tax levy.

NOW THEREFORE BE IT RESOLVED by the Burt County Board of Supervisors that pursuant to law, the County has subdivisions levy authority as specified on the County Levy Limit Form hereby and by this reference incorporated herein.

Fire Districts: up to 4 cents

Cemetery Districts: up to 2 cents

Townships: up to 9 cents

\$100,000.00 of the County's five-cent miscellaneous levy will be allowed to the Ag Society under an Interlocal Agreement.

DATED this 26th day of August, 2022, at Tekamah, Nebraska.

ATTEST: SARAH J FREIDEL
BURT COUNTY CLERK

DAVID SCHOLD, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Adopted upon motion by Swanson, seconded by Pearson, By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster.

Lot Split was signed for WADE WHITE 10.21 ac. in pt. NE 1/4 NE 1/4 of Section 16 Township 22 North, Range 11 East of the 6th P.M., Burt County, NE.

Fred Mytty (Myyty Consulting) met with the Board to **discuss the 2022-2023 budget**. Mytty presented initial figures with the current valuation and discussed options to keep tax asking down; i.e. utilization of ARPA funds for projects, and an Inheritance tax transfer. Also decided this year was a transfer of some Inheritance funds into a Capital Improvement Fund in order to prepare for larger road projects that are projected in the future. The Budget Hearing will be held September 13, 2022; the County will also have to participate in a Joint Public Hearing per LB644 this year.



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Missouri River East Community Wildfire Protection Plan

The board voted to participate and sign the document upon motions by Richards and Connealy. Chairman signed after Roll Call Vote passed: Ayes - Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster.

ROADS: *Ann Chytka, Highway Superintendent*

SIGNING OF THE COUNTY ANNUAL CERTIFICATION OF PROGRAM COMPLIANCE – 2022

Board Members Richards and Connealy moved for adoption of Resolution 2022-15. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster. Resolution was adopted.

RESOLUTION #2022-15

Whereas: State of Nebraska Statutes, sections 39-2115, 39-2119, 39-2120, 39-2121, and 39-2510(2), requires an annual certification of program compliance to the Nebraska Board of Public Roads Classifications and Standards; and
Whereas: State of Nebraska Statute, section 39-2120 also requires that the annual certification of program compliance by each county shall be signed by the County Board Chairperson and shall include the resolution of the governing body of the county authorizing the signing of the certification.

Be it resolved that the County Board Chairperson of Burt County is hereby authorized to sign the County Annual Certification of Program Compliance.

Adopted this 26th day of August 2022 at Tekamah, Burt County, Nebraska.

County Board Members	David Schold, Chairperson
Kevin Tobin	Gary Swanson
Paul Richards	Carl Pearson
Ted Connealy	Dale Webster

One & Six Year Plan: Chairman Schold opened a Public Hearing for the 2022-2023 One and Six Year Road Plan at 9:45 A.M. Chytka shared a map and listing (both placed on file, and also posted on Highway Superintendent’s webpage); Public Comment: (1) Donette Jackson – wanted clarification from the board about procedures and funding of the One and Six year projects. Chairman Schold closed the Public Hearing and returned to regular session at 10:10 A.M. The board held discussion about the projects and Resolution 2022-16 was passed upon motion by Connealy, seconded by Tobin. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster.

RESOLUTION #2022-16

“Whereas, the Burt County Highway Department has prepared and presented a One-and- Six Year Plan for Highway Improvement for Burt County, Nebraska, and;

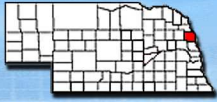
“Whereas, a public meeting was held on the 26th day of August, 2022 to present this plan, and all objections and recommendations said plan were considered;

“Therefore, be it resolved by the County Supervisors of Burt County, Nebraska, that the plan and data as furnished and/or revised are hereby in all things accepted and adopted.”

Whereupon, the Resolution was declared passed by the Burt County Board of Supervisors on the 26th day of August, 2022, at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL

DAVID SCHOLD, CHAIRMAN



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BURT COUNTY CLERK

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2022 Patching/Overlay Projects: Upon motion by Swanson, seconded by Connealy, the board rejected the bids that were opened at the 8/9/2022 meeting; bids for four (4) patching/overlay Road Projects. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster. These items will be put back out for bid in January 2023.

Co.Rd. M, Hwy. 77 East to MVS: ECONOMIC OPPORTUNITY PROGRAM AGREEMENT Addendum was signed to acknowledge the error by the State in defining the terms of the reimbursement amount in Section 2.2 of Program Agreement AL2006; changed maximum reimbursement amount of 41% of transportation project costs or \$350,000.00 to be maximum reimbursement amount of 75% of transportation project costs up to \$350,000.00. Signed upon motions by Connealy and Tobin. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster.

Roads Fleet: The Roads and Sheriff's department have agreed to the transfer of a 2015 Chevy 2500 from the Sheriff's dept fleet to the Roads fleet when the Sheriff replaces the vehicle within his fleet in FY 2022-23. The Burt County Board approved of the plan for transfer upon motion by Connealy, seconded by Swanson. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Connealy and Schold. Nays- Pearson. Absent – Webster. Motion passed with 5 Ayes.

10 hour days schedule: Schold asked Supt. Chytka when 4- 10's ended. She stated next week is the last week of 4- 10's, the week of Labor Day is when the Road Crew will go back to 8 hour days. The board feels at this point in the year the days are shorter, and daylight is more limited; the board suggested that Supt. Chytka go back to the 'regular schedule' earlier next year.

ZONING:

Burt County Zoning Regulations – (Section 1.16) Fees were discussed. RESOLUTION #2022-17 was passed upon motions by Connealy and Pearson. By Roll Call Vote: Ayes – Tobin, Swanson, Richards, Pearson, Connealy and Schold. Nays – none. Absent – Webster.

RESOLUTION #2022-17

A RESOLUTION SETTING THE SCHEDULE OF FEES FOR ZONING AND SUBDIVISION TRANSACTIONS

WHEREAS, Section 1.16 of the Zoning Resolution of Burt County, Nebraska, provides that the Burt County Board of Supervisors shall establish a schedule of fees for various zoning transactions by a resolution; and WHEREAS, the Burt County Board of Supervisors did discuss the Burt County Zoning Permit Fee Schedule at the July 12th, 2022 meeting

WHEREAS, the Burt County Board of Supervisors now believes that it is in the public interest to adopt said schedule of fees.



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NOW, THEREFORE, BE IT RESOLVED by the Burt County Board of Supervisors that:

The fee schedule previously imposed is hereby revoked.

The following fee schedule Exhibit A is hereby imposed:

The penalty for not obtaining a permit before the project begins is 5 times the amount of the fee, plus the original cost of the fee.

The schedule of fees shall be posted in the office of the Burt County Zoning Administrator and on the Burt County Website, and may be altered or amended only by the Burt County Board of Supervisors.

The schedule of fees shall be effective on and after August 1st, 2022.

WHEREUPON, the Resolution was declared passed by the Burt County Board of Supervisors on the 26th day of August, 2022, at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

DAVID SCHOLD, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

Exhibit A

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Burt County Zoning Permit Fee Schedule Effective August 1st, 2022

Exhibit A

PERMITTED PERMITS		(the fee is per building)		Fee	
House		\$		100.00	
Addition To House		\$		25.00	
Small Out Building	750 sq/ft or less	\$		25.00	
Large Out Building	751 sq/ft or more	\$		50.00	
Grain Bin		\$		50.00	
Detached Garage		\$		35.00	
Deck		\$		25.00	
Other Improvements		\$		25.00	
Commercial or Industrial Buildings				\$100.00	
Solar: private use	25 kw and under	\$		100.00	
Wind: private wind tower	25 kw and under	\$		100.00	
CONDITIONAL USE PERMITS		(public hearing will be held)			
Conditional Use Permit		\$		100.00	
Solar: small commercial	26-100 kw	\$		500.00	
Solar: large commercial	101 kw-1 mw	\$		5,000.00	
Solar: large commercial	over 1 mw-100 mw	\$		10,000.00	
Solar: large commercial	over 100 mw	\$		20,000.00	
Wind: commercial wind system		\$		10,000.00	*plus \$1,000.00 per wind turbine *assessed upon final approval of CUP
MISCELLANEOUS:					
Appeals to Board of Adjustment		\$		500.00	
Map Interpretation by Board of Adjustment		\$		75.00	
Application for Variance		\$		75.00	
Zoning Change or Amendment		\$		75.00	
Subdivision Amendment		\$		75.00	
Lot Split		\$		50.00	Plus ROD filing fees \$16.00 (2pgs)
Preliminary Plat Application		\$		100.00	Plus \$10.00 per lot
Final Plat Application		\$		100.00	Plus \$10.00 per lot
Subdivision Appeal		\$		100.00	
Subdivision Waiver		\$		100.00	
Formal Complaint Process		\$		100.00	
Mobile Home Permit		\$		35.00	
Mobile Home Permit Renewal				No Fee	
Soil Extraction Permit		\$		10.00	
Easement for Distance Requirement				No Fee	

Penalty for not obtaining a permit before project begins is 5 times the amount

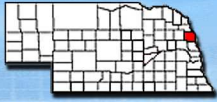
Zoning Fees and Penalty Fees are set by the Burt County Board of Supervisors

Resolution #2022-_____

Board of Equalization

Connealy moved the Board recess at 11:53 AM for *Board of Equalization*, Richards seconded. The Burt County Board of Supervisors reconvened at 12:28 PM upon motion by Richards, seconded by Connealy. *See separate BOE minutes.*

Surveyor duties / work for County: The surveyor duties and statutes were reviewed with regards to surveying of lands adjacent to rivers and streams. No action at this time as §77-



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1306.01 refers to land bordering other States/Counties; the work in question is not that situation.

PUBLIC COMMENT (2): (1) Donnette Jackson: (a) wanted clarification on who the Supervisor is in her area (b) stated that she feels the board should hold one meeting a month in the evening hours. (2) Bullet Beaudette, a representative from Murphy Tractor introduced himself.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Pearson and Swanson at 12:57 P.M.
NEXT MEETING: September 13, 2022 @ 9:00 A.M. budget hearing followed by regular meeting.

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.