

OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
March 28, 2023
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Tuesday, March 28, 2023 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 Oakland Independent (3-23-2023), 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: Gary 'Bird' Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus, 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 Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

The minutes of the March 15, 2023 Board of Supervisors meeting were approved; upon motion by Titus, seconded by Swanson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

The following claims for March in the amount of \$ 652,849.93 including \$146,466.07 for payroll, were read, audited, warrant drawn, and checks generated on the respective funds on motion by Kutchera, seconded by Connealy. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. The following claims were approved:

ADAM TRIPP	ATTY FEES	437.00
ANDY'S QUICK SHOP	FUEL	169.00
APPLIED CONNECTIVE TECHNOLOGIES LLC	IT	4,637.36
AUDRA CONNEALY	TRAVEL	295.80
BLACK HILLS ENERGY	UTILITIES	760.32
BRANIFF SERVICE INC	FUEL	8,764.39
BRUCE NATHAN	MILEAGE	45.59
BRUMMOND DISPOSAL	GARBAGE	225.00
BURT COUNTY AG SOCIETY	FAIR TABLE	85.00
BURT COUNTY COURT	NON WAIVE FEES	289.00
BURT COUNTY DISTRICT COURT	NON WAIVE FEES	288.00
BURT COUNTY PUBLIC POWER DIST	UTILITIES	222.39
BURT COUNTY SHERIFF	SERVICE FEES	428.39
CANON FINANCIAL SERVICES	COPIER	27.09
CENTURY LINK	UTILITIES	323.04
CITY OF TEKAMAH	UTILITIES	84.50
CLASSIC CLEAN CARWASH	MISC	115.69
COLONIAL RESEARCH CHEMICAL CORP	SUPPLIES	154.50
CONSTELLATION NEW ENERGY GAS DIV	UTILITIES	1,113.31
CROWN PLAZA KEARNEY	WORKSHOP	404.85
CUBBY'S	FUEL	2,533.29
CVSOAN - TOM REIMERS TREASURER	DUES	60.00
DAS STATE ACCOUNTING-CENTRAL FIN.	SOFTWARE	350.00
DAS STATE ACCTG -CENTRAL FINANCE	SOFTWARE	89.12
DAVID SCHOLD	CHECKING ROADS	22.27
DE LAGE LANDEN PUBLIC FINANCE LLC	FLEET PAYMENT	3,758.08
DECATUR EXPRESS - KB'S MINI MART	FUEL	2,764.27
DES MOINES STAMP MFG. COMPANY	SUPPLIES	69.00
DOLEZALS HUNTING DEPOT LLC	SUPPLIES	98.99

EAKES OFFICE PLUS	SUPPLIES	802.98
ED FEILING CABINETRY & CONSTRUCTION	BLDG REPAIR	757.72
EVA MCCLUSKEY	PRIOR SERVICE	103.86
FASTWYRE BROADBAND	UTILITIES	1,009.43
FIRST CONCORD BENEFITS GROUP LLC	ADMN FEE	525.77
FIRST NATIONAL BANK OF OMAHA	SUPPLIES	467.45
FRANCES FRENCH	PRIOR SERVICE	22.00
GARY SWANSON	CHECKING ROADS	66.81
GRAHAM TIRE STORE	EQUIP/REPAIR	642.40
GREAT AMERICA FINANCIAL SVCS	SUPPLIES	247.63
HEIMAN INC.	EM SUPPLY	251.30
ILA DAVIS	PRIOR SERVICE	36.00
JACK'S UNIFORMS & EQUIPMENT	EQUIP/SUPPLY	169.95
JANE PAUL	OFFICE SUPPORT	58.50
JEFF KUTCHERA	CHECKING ROADS	60.26
KATIE HART	MILEAGE	76.64
LOFFLER	COPIER	696.48
LUAN OLIVERIA	REGISTRATION	40.00
MARY LOFTIS	MEDICARE CONTRACT	2,818.50
MICHELE QUICK	MILEAGE	99.56
MID-AMERICAN BENEFITS INC	INSURANCE	40,248.00
MILLS LAW OFFICE	ATTY FEES	665.00
MIPS INC	SOFTWARE	2,343.64
MIPS INC - COUNTY COURT	SOFTWARE	108.64
NACO	WORKSHOP	35.00
NE CLERKS OF DIST COURT ASSN	DUES	75.00
NEBR HEALTH & HUMAN SERVICES SYSTEM	LODGING/SERVICES	84.00
NEBR WORKFORCE DEVELOPMENT	UNEMPLOYMENT	8.67
NEBRASKA ASSOC OF COUNTY EXTENSION	DUES	100.00
NEBRASKA EXTENSION IN BURT COUNTY	OFFICE EQUIP	2,000.00
NEBRASKA PUBLIC POWER DISTRICT	UTILITIES	995.32
NEBRASKA.GOV	DUES	101.00
OAKLAND INDEPENDENT/LYONS MIRROR	PUBLISHING	999.13
OFFICE WAREHOUSE	SUPPLIES	952.36
ONE OFFICE SOLUTION	SUPPLIES	960.07
PAUL RICHARDS	CHECKING ROADS	41.92
PLAINDEALER PUBLISHING	PUBLISHING	80.00
RAY O'HERRON	SUPPLIES	1,791.35
REGION 4 BEHAVIORAL HEALTH SYS	QTR 4 PAYMENT	5,271.25
SAVE MORE MARKET	SUPPLIES	405.61
SECRETARY OF STATE	CERTIFIED COPY	20.00
SECURITY SHREDDING SERVICES	SERVICES	52.50
ST. FRANCIS MEMORIAL HOSPITAL	JAIL MEDICAL	1,758.20
STACEY KEYS	MILEAGE	91.70
STEPHEN J KRAVIEC P.C.,L.L.O.	CHLD SUPPT CONTRACT	2,002.52
THE APOTHECARY SHOP	JAIL MEDICAL	116.76
THEODORE CONNEALY	CHECKING ROADS	34.72
THURSTON COUNTY SHERIFF	JAIL	8,150.00
TK ELEVATOR CORPORATION	MAINTENANCE	303.78
TOBIN'S TURF CARE	2023 LAWN SERVICES	1,639.14
TORY PENNY	LIC. RENEWAL	90.00
TRI-STATE COMMUNICATIONS INC	RADIO REPAIR	1,727.20
VANGUARD APPRAISALS INC	SOFTWARE	2,000.00
VERIZON WIRELESS	SERVICES	864.96
VISUAL EDGE IT	COPIER	36.95
WASHINGTON COUNTY SHERIFF	JAIL	20,884.50
WELLS FARGO FINANCIAL SERVICE	COPIER	78.59
WISNER APOTHECARY	JAIL MEDICAL	44.98

WOODHOUSE	FLEET	869.43
ZELLE	CONSULT FEES	155.00
A A WHEEL & TRUCK SUPPLY INC	SUPPLIES	121.14
ARIZONA TOWNSHIP TREASURER	TWP ASSISTANCE	22,243.73
BELL CREEK TOWNSHIP	TWP ASSISTANCE	20,964.83
BOMGAARS SUPPLY INC - ROAD	SUPPLIES	1,867.03
BRUMMOND COUNTRY DISPOSAL	GARBAGE	90.00
BUDDIES MINI MART, LLC	FUEL	746.89
CITY OF LYONS	UTILITIES	363.60
CITY OF OAKLAND	UTILITIES	24.63
CRAIG TOWNSHIP TREASURER	TWP ASSISTANCE	33,913.69
CUMING COUNTY INDUSTRIES	PARTS/REPAIR	236.01
D & M REPAIR	REPAIRS	48.88
DECATUR TOWNSHIP	TWP ASSISTANCE	16,704.00
EQUIPMENT BLADES	EQUIP/SUPPLY	4,615.54
EVERETT TOWNSHIP	TWP ASSISTANCE	11,053.35
FARMERS PRIDE	DIESEL/PROPANE	6,160.86
FILTER CARE OF NEBRASKA, INC.	PARTS/SUPPLIES	39.90
FIRST NATIONAL BANK OF OMAHA ROADS	SUPPLIES	207.21
JOHN DEERE FINANCIAL	PARTS	254.54
LOGAN TOWNSHIP	TWP ASSISTANCE	23,202.90
LYLE FARRENS	PRIOR SERVICE	12.00
MARTIN MARIETTA	GRAVEL/BORROW	4,354.56
MIDWEST SERVICE AND SALES CO	EQUIP/SUPPLY	4,291.22
MIDWEST SERVICE CO	FUEL	4,775.92
NICHOLAS KOPIETZ	FUEL REIMBURSE	60.02
NMC CAT RENTAL	EQUIP/PARTS/REPAIR	1,966.99
OAKLAND EXPRESS	FUEL	72.89
OAKLAND LUMBER LLC	SUPPLY	30.72
OAKLAND TOWNSHIP	TWP ASSISTANCE	10,299.71
OMAHA SLING INC	PARTS	253.66
PERSHING TOWNSHIP TREASURER	TWP ASSISTANCE	14,341.92
QUINNEBAUGH TOWNSHIP	TWP ASSISTANCE	6,622.88
RDO TRUCK CENTERS, LLC	PARTS	376.39
RIVERSIDE TOWNSHIP	TWP ASSISTANCE	9,180.68
SAPP BROS PETROLEUM INC	PROPANE	599.63
SCOTT'S HARDWARE	SUPPLIES	210.46
SHAMBURG AUTO SUPPLY	SUPPLIES/PARTS	1,188.56
SIGN DEPOT	SIGN-PART	68.72
SILVER CREEK TOWNSHIP	TWP ASSISTANCE	12,606.30
STEINY'S GENERAL STORE	PARTS	13.90
SUMMIT TOWNSHIP	TWP ASSISTANCE	23,888.03
VERIZON CONNECT	SERVICE PLAN	404.75
VILLAGE OF CRAIG	UTILITIES	68.28
VILLAGE OF DECATUR	UTILITIES	274.02
WELDON PARTS OMAHA	PARTS	1,031.30
GOVERNMENT FORMS AND SUPPLIES	ROD SUPPLIES	318.62
BRENNEIS INSURANCE AGENCY INC	K-9 INSURANCE	300.00
NE NEBR ECONOMIC DEV DIST	CDBG GRANT	2,771.37
FARM & HOME PUBLISHERS LTD	PLAT BOOKS	250.00
CENTURYLINK (HARDWARE WARRANTY)	EQUIPMENT	707.20
GEOCOMM, INC	SOFTWARE	1,778.00
NORTHEAST NEBR TELEPHONE CO	UTILITIES	130.46
AFLAC	EMPE PD ADDL	477.55
ALLSTATE	EMPE PD ADDL	137.68
BLUE CROSS & BLUE SHIELD	INSURANCE	51,039.24
ERIN M MCCARTNEY CHAPTER 13 TRUSTEE	EMPE PD ADDL	650.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	42,177.51

GLOBE LIFE LIBERTY NATIONAL DIV	EMPE PD ADDL	466.77
MADISON NATIONAL LIFE INS. CO, INC	EMPE PD ADDL	75.21
NATIONWIDE RETIREMENT SOLUTIONS	EMPE PD ADDL	150.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	21,189.51
STATE TAX COMMISSIONER	STATE TAXES	6,631.31
VISION SERVICE PLAN (CT)	EMPE PD ADDL	607.04
COLONIAL LIFE AND ACCIDENT INS CO	EMPE PD ADDL	57.79
CREDIT MANAGEMENT SERVICES	GARNISHMENT	30.99
NEBR CHILD SUPPORT PAYMENT CTR	GARNISHMENT	830.00

Aerial Photography:

(previously discussed, see 2/8/2023 Minutes) Katie Hart, Burt County Assessor presented an example/information on 'growth found' per property adjustments/assessments. The board reviewed pricing and discussed companies/options for aerial photography via Eagleview and gWorks; Google Earth Pro was a third option mentioned today, so the board asked Katie to investigate that. No action was taken at this time.

K-9 Fund:

Participating in discussions with the board from Sheriff's Dept. were: Deputy Tristen Kautman, K-9 handler and Deputy Townsend. Discussions were brought up to address the use of K-9 funds necessary to support the needs of the K-9 program. Currently the K-9 fund is low and cannot support the monthly handling costs. Deputy Kautman and Townsend informed the board of the program's successes for the County and answered any questions/concerns of the board. The board expressed satisfaction with the program's performance but reiterated the need for continued funds to be sought out. March handling fees were paid via General Fund; future plans are still required on everyone's part in order to address support of the K-9 program and expenses.

ZONING: *Ann Chytka, Planning & Zoning Admin.*

(a) ZONING FEE SCHEDULE UPDATE - Resolution 2023-03 was passed upon motion by Titus, seconded by Swanson; By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

BURT COUNTY, NEBRASKA **RESOLUTION #2023-03**

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 March 15th, 2023 meeting

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

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

1. The following fee shall be added to the fee schedule:

- A request for a one (1) year extension time for a Conditional Use Permit is 5% of the total cost of the original permit, due at the time of the extension request.

2. 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.

3. The schedule of fees shall be effective on and after April 1, 2023.

WHEREUPON, the Resolution was declared passed by the Burt County Board of Supervisors on the 28th day of March, 2023, at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL

DAVID SCHOLD, CHAIRMAN

Burt County Zoning Permit Fee Schedule		attachment to Resolution # 2023-03
Effective April 1st, 2023	Fee	
<u>PERMITTED PERMITS (the fee is per building)</u>		
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	
Solar: private use 25 kw and under	\$ 100.00	
Wind: private wind tower 25 kw and under	\$ 100.00	
<u>CONDITIONAL USE PERMITS (public hearing will be held)</u>		
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	
1 year extension for Conditional Use Permits	*5% of original permit	
	*To be paid at time of request	
<u>MISCELLANEOUS:</u>		
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 (2 pgs)	
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 of the fee, plus the cost of the original fee.		

(b) BURT COUNTY SOLAR – ‘Conditional Use Permit’ *EXTENSION REQUEST*
Present speaking: Michel Knapp with Sandhills Energy. Sandhills Energy came before the board to request a two-year extension for the CUP they currently have for *Burt County Solar* project. Knapp reminded the board that approximately a year ago the road agreements and decommissioning agreement for the project were solidified; however, since that time the project had been waiting for grid analysis. Mr. Knapp reports the project has now reached the next steps of continuance with *Southwest Power Pool*, and the project is officially ‘a go’. He explained the schedule and announced that they anticipate the Solar Farm coming online late 2025. Having a firm schedule in place, they are now asking the Burt County Board to grant a two-year extension for their CUP. Supervisor Richards made a motion to approve a two-year extension (for 2023-2024 and for 2024-2025) for *Burt County Solar* project CUP; Kutchera seconded. Motion passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none. Per the newly updated zoning fee schedule; Sandhills agreed to pay the 5% per year extension fees (\$1,000.00 for 2023-2024 and \$1,000.00 for 2024-2025).

Special Designated Liquor License:

Nelson’s Food Pride requested SDL’s for (5) dates that they are serving for wedding receptions at Harvest Moon; May 6, May 20, June 3, June 17, June 24. Burt County Board approved the SDLs for all dates requested; upon motions by Connealy and Swanson. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

Public Comment: none.

There being no further business to come before the Board at this time, the meeting adjourned upon motions by Titus and Richards at 11:10 A.M.
Next Meeting: April 12, 2023 @ 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.