

OFFICE OF THE BURT COUNTY CLERK  
**Minutes of the Burt County Board of Supervisors**  
**December 12, 2023**  
 TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Tuesday, December 12, 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 (12-7-2023), upon a 1<sup>st</sup> 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: David Schold, Gary "Bird" Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus and Ted Connealy.

The meeting opened at 9:00 A.M. with the pledge of Allegiance. Chairman Schold informed the public that the Open Meeting Act is posted on the wall.

Upon motion by Kutchera, seconded by Connealy, the agenda was approved. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

The minutes of the 11/28/2023 Board of Supervisors meeting were approved; upon motion by Titus, seconded by Connealy. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

Approval of November Reports: The County Clerk Report of Fees, the County Court Report of fines, the District Court Fee Report and Zoning Report, Fund Balances, and the following Miscellaneous Receipts in the amount of \$192,702.32 were all approved upon motion by Pearson, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

ZONING PERMITS	1,410.00
TAX SALE REDEMPTION <CO.SHARE>	22.00
CO CLERK-FILING & RECORDING FEES	3,182.00
CO CLERK-DOC STAMPS (COUNTY SHARE)	1,766.32
CO CLERK-MISC FEES	438.57
DISTRICT COURT - FILING FEES	150.00
DISTRICT COURT - COURT COST REFUNDS	51.00
DISTRICT COURT - MISC FEES & REV.	710.75
DISTRICT COURT- FEES & COSTS	36.00
CO SHERIFF-MILEAGE & COSTS	479.32
CO SHERIFF-SERVICE FEES	329.00
INTOX	150.00
TITLE INSPECTIONS	310.00
GUN PERMITS	70.00
FINGER PRINT	60.00
CO ATTY FEE COLLECTIONS - BAD CHECK	10.00
CHILD SUPPORT ENFORCE	4,735.08
REIMBURSE -EMPLOYEE JURY FEES	35.00
MISC - COPY FEES PLANNING OFFICE	5.00
INTEREST ON INVESTMENTS	1,436.20
HIGHWAY/STREET ALLOCATION	130,077.70
BURT CO COURT - RESTITUTION FOR DAMAGE TO ROAD SIGN	145.25
LODGING TAX - FROM STATE	1,140.28
ROD - PRESERVATION & MODERNIZATION FUND	459.00
STOP	0.00
K-9 - PAYMENT FROM CITY OF PRAIRIE DU CHIEN POLICE DEPT	10,000.00
INHERITANCE TAX & INTEREST- Lucinda Youell	10,273.51

INHERITANCE TAX - Lyle Davis	12,351.42
INHERITANCE TAX & INTEREST - Betty Jean Homes	224.47
INHERITANCE TAX - Mary Lee Slaughter	6,191.08
COUNTY 911	253.00
E 911	3,293.94
COUNTY COURT FINES - REGULAR	2,427.00
DECATUR FIRE GENERAL	36.36
DECATUR FIRE BOND	19.53
LYONS FIRE GENERAL	151.26
LYONS FIRE BOND	16.28
TAX SALE REDEMPTION <HOLDING FUNDS>	256.00

**OFFICE UPDATES (2):** (1) County Weed Dept – Tory Penny (2) County Clerk, Register of Deeds and Elections offices – Sarah J. Freidel (3) Surveyor – Fred Franklin -previously scheduled, but could not attend then.

**Boundaries for land along the river:** Katie Hart, Assessor expressed that there are some lands she needs surveys or boundary information to help her office for assessment purposes. Fred Franklin, Burt Co. Surveyor explained he is working with gWorks to get the compact line to show within the software, that should help with some of the information gathering on the Assessor’s side. Franklin will show the Assessor’s office other ways to gather surveys, and he agreed to help further if Assessor’s office has trouble finding needed information.

**Board of Equalization:**

Kutchera moved the Board recess at 9:43 AM for *Board of Equalization*, Connealy seconded, motion passed with All Ayes. The Burt County Board of Supervisors reconvened at 9:57 AM upon motion by Pearson, seconded by Richards, with All Ayes. See separate BOE minutes.

**Interlocal Agmt. w/Cuming County for Juvenile Diversion Program:**

The County Attorney’s office requested signature on an interlocal agreement with Cuming County to continue to co-op for the Juvenile Diversion Program; the agreement runs from July 2024 through June 2025. The agreement was approved upon motion by Connealy, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Connealy and Schold. Nays – none.

**ROADS:** *Ann Chytka, Highway Superintendent*

No action needed.

**Lots Splits:** two (2) were presented; one (1) signed.

- (1) MARLENE NELSON – 3.99 ac. pt. SW<sup>4</sup> SE<sup>4</sup> in Sec. 18 TWP 22N Rg 9E of 6<sup>th</sup> p.m., Burt County, NE – not signed; the board asked Ann to look into zoning regs. before approving this.
- (2) REBECCA RAUE – 4.33 ac. pt. SW<sup>4</sup> NE<sup>4</sup> in Sec. 11 TWP 23N Rg 10E of 6<sup>th</sup> p.m., Burt County, NE – signed by Chairman Schold.

**PUBLIC COMMENT (3):** (1) Sue Hansen, RWE Clean Energy; (2) Kevin Anderson, landowner; (3) Graham Christensen, President Burt County Wind. All three in favor of a wind project in Burt County; they all expressed concerns with a moratorium. Christensen also provided a packet of handouts, he requested the board review.

**Zoning Resolution:**

Motion was made by Titus, seconded by Richards, to approve Resolution #2023-19 with a change in the timeframe. Passed By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Titus, Connealy and Schold. Nays – Pearson.

**RESOLUTION NO. 2023-19**

**FOR A TEMPORARY MORATORIUM ON WIND ENERGY CONVERSION SYSTEMS WITHIN BURT COUNTY, NE.**

WHEREAS, the Board of Supervisors of Burt County, Nebraska (the “Board”), contemplates amendments to the existing Burt County, Nebraska, Zoning Regulations, to include provisions regulating wind energy conversion systems (WECS); and

WHEREAS, the Board desires to impose a moratorium prohibiting the Administrator of Planning and Zoning, Planning Commission, and the Zoning Board of Adjustment, from accepting or otherwise acting on any application to develop a wind energy conversion system (WECS) for ~~365 days~~ *a maximum of 6 months* from the effective date of this resolution, or until the Board completes its review and amendment of the Regulations regulating wind energy conversion systems, whichever is earlier.

NOW THEREFORE, BE IT RESOLVED, the Board hereby approves this resolution. The moratorium described above shall be effective as of the date below.

Dated this 12th day of December 2023 at Tekamah, Nebraska.

David Schold, Chairman  
Burt County Board of Supervisors

Sarah J. Freidel  
Burt County Clerk

There being no further business to come before the Board at this time, the meeting adjourned at 10:54 A.M. upon motions by Connealy and Richards.  
Next meeting: December 28, 2023 at 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 will be available to the public at the Clerk’s Office.*