

OFFICE OF THE BURT COUNTY CLERK  
**Minutes of the Burt County Board of Supervisors**  
**July 10, 2024**  
 TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, July 10, 2024 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 (7-2-2024), 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: Gary “Bird” Swanson, Jeff Kutchera, Paul Richards, Carl Pearson, Sam Titus, David Schold and Ted Connealy.

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

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

The minutes of the 6/27/2024 special meeting of the Board of Supervisors, 6/28/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Swanson, seconded by Pearson. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of June 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 \$321,183.20; as well as Sheriff’s Quarterly report and Treasurer’s 6-month report were all approved upon motion by Schold, seconded by Kutchera. By roll call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	50.00
MV PRO-RATE <CO SHARE>	300.60
TAX SALE REDEMPTION <CO SHARE>	88.00
CO CLERK-FILING & RECORDING FEES	2,833.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	1,835.32
CO CLERK-MISC FEES	65.50
DISTRICT COURT - FILING FEES	370.00
DISTRICT COURT -COURT COST REFUND	101.00
DISTRICT COURT - MISC FEES & REV.	1,010.40
DISTRICT COURT - FEES & COSTS	77.00
DISTRICT COURT - BAIL BOND COSTS 10%	100.00
ELECTION REIMBURSEMENT	2,659.00
CO SHERIFF-MILEAGE & COSTS	837.80
CO SHERIFF-SERVICE FEES	608.00
INTOX	25.00
TITLE INSPECTIONS	490.00
GUN PERMITS	50.00
FINGER PRINTS	20.00
CHILD SUPPORT INCENTIVE FROM STATE	4,945.00
OVERLOAD FINES - 25%	18.75
OPIOID SETTLEMENT	1,836.85
DONATION - SHERIFF	1,000.00
REFUND ENVELOPES PURCHASED	383.80
INTEREST ON INVESTMENTS	1,906.49
ROAD: HIGHWAY/STREET ALLOCATION	120,179.29
PILT	7,014.00
TRANSFER GEN-RD	50,000.00

LODGING TAX	650.85
ROD-PRESERVATION & MODERNIZATION	459.50
STOP	50.00
INHERITANCE TAX - Elda J. Minton	403.27
PLAT BOOK SALES	0.00
COUNTY 911 SURCHARGE	1,311.94
E 911 WIRELESS	0.00
MV PRO-RATE <BLDG FUND>	13.39
OVERLOAD FINES - 75% STATE SHARE	56.25
COUNTY COURT FINES REGULAR	3,028.00
DECATUR FIRE - GENERAL	931.02
DECATUR FIRE - BOND	545.57
LYONS FIRE -GENERAL	233.37
LYONS FIRE -BOND	53.14
OAKLAND FIRE - GENERAL	1,699.37
TAX SALE REDEMPTION <ADMIN FEES>	200.00
TAX SALE REDEMPTION	9,086.63
MV PRO_RATE	12,629.91
HOMESTEAD ALLOCATION	91,025.69

**OFFICE UPDATES (2):** (1) Assessor – Katie Hart (2) Planning/Zoning – Ann Chytka

**Eagle Island Update:** *Dave Brainard, landowner*

Mr. Brainard shared a handout showing the property during the flood. Brainard reported that he has listed the property for sale, and he is no longer pursuing development of a campground. Based upon Mr. Brainard’s comment of no longer pursuing a campground, Titus made a motion to revoke the conditional use permit for the campground that was approved March 28, 2024, Kutchera seconded the motion. Roll Call Vote as follows: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Motion passed; zoning will be advised that the cup on file is now revoked thereby eliminating the need for Mr. Brainard to provide further updates.

**Audit FY2022-2023:**

Chairman Connealy signed Management Representation letter for Contryman Associates for the FY audit. The Audit is expected to be completed by end of July; this is only one month late due to the trouble that previous auditor had.

**Foreclosure property for Sale:**

Newspaper ad was run, and bids were collected; sealed bids were opened today. The County Board accepted the highest bid for each parcel; upon motion by Richards, seconded by Kutchera, By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Schold and Connealy. Nays – Pearson. Abstained- Titus. (Craig) ID #110204300 – Danny Meyers; ID #310205800 – J&A Recyclers; (Summit TWP) ID #434800200 – Bernie Maslowsky; (Decatur) ID #110904100 – Bernie Maslowsky; ID #210601800 – NOT SOLD; (Oakland) ID #312808100 – NOT SOLD; ID #112705300 – Lon Enstrom; (Tekamah) ID #114201300 – Sam Titus. Quit Claim Deeds will be signed by Chairman after buyers remit payment. The (2) remaining unsold parcels are still available for public purchase, anyone interested can contact the County Clerk’s office to inquire.

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

A public hearing for wind regulation updates was set as follows: Public Hearing will be held on August 14, 2024 at 9:00 a.m. in the Burt County Courtroom, this date is in conjunction with a regular Board of Supervisors meeting.

**Lot Split:** signed by Chairman Connealy

JOANNE HAWK - 6.43 ac. in pt. NE4 NE4 of Sec. 35 and pt. NW4 NW4 of Sec.36, all in TWP21N, Rge.10E of 6<sup>th</sup> p.m., Burt County, Nebraska.

**Roads:** Ann Chytka, Highway Supt.

*DUMP TRUCKS:* The two new trucks are here now; Riverside Auction will facilitate the sale of the two old trucks.

*ANNUAL CERTIFICATION OF THE HIGHWAY AND BRIDGE BUYBACK PROGRAMS FOR FY23-24:*

Reviewed and signed by Highway Superintendent. \$377,265.87 was used on two overlay projects.

*EASEMENT:* Contract for Ease and Easement Deed for 0.12 ac lying in SW 1/4 of Section 16, TWP21N, Rge.10E of 6<sup>th</sup> p.m. Burt County requires land rights for bridge project C-11(425); 0.33 acres is needed, 0.21 ac. is existing public R.O.W. and 0.12 ac is the land acquired via the permanent easement. Land Owner Frederick J. Gordon ETUX Co-Trustees agreed to donate the 0.12 ac. Contract and Easement deed were signed by Chairman, and Easement Deed will be filed with Register of Deeds.

*WEIGHT LIMIT SIGN:* Board Members Schold and Swanson moved for adoption of Resolution 2024-09. By Roll Call vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. Resolution was adopted.

**RESOLUTION NO. 2024-09** RESOLUTION FOR WEIGHT LIMIT SIGN ON COUNTY ROAD G SOUTH OF HIGHWAY 32 WITHIN BURT COUNTY, NEBRASKA.

WHEREAS, in accordance with Section 60.681 of the Revised Statutes of Nebraska, the County Board has the authority to prohibit the operation of vehicles upon any highway or impose restrictions as to the weight of vehicles, for a total period not to exceed one hundred eighty days in any one calendar year, when operated upon any highway under the jurisdiction of and for the maintenance of which such local authorities are responsible whenever any such highway by reason of deterioration, rain, snow, or other climatic condition will be seriously damages or destroyed unless the use of vehicles thereon is prohibited or the permissible weight thereof reduced and

WHEREAS, local authorities enacting any such ordinance or resolution shall erect or cause to be erected and maintained signs designating the provisions of the ordinance or resolution at each end of that portion of any highway effected thereby, and the ordinance or resolution shall not be effective until such signs are erected and maintained. Local authorities may also, by ordinance or resolution, prohibit the operation of trucks or other commercial vehicles, or impose limitations as to the weight thereof on designated highways, which prohibitions and limitations shall be designated by appropriate signs placed on such highways.

NOW THEREFORE, BE IT RESOLVED, by the Burt County Board of Supervisors that the County Highway Superintendent by given the authority pursuant to, Sec 60.681 of the Revised Statutes of Nebraska to enact weight restriction on any road in the county when deemed feasible to protect such road from serious damage due to any climatic condition for a period not to exceed 180 days in any one calendar year. Be it further resolved that this resolution shall take effect immediately and that it be in effect for any subsequent year until rescinded at a future date.

Dated this 10th day of July, 2024 at Tekamah, Nebraska.

Sarah J. Freidel, Burt County Clerk

Ted Connealy, Board Chairperson

*PUBLIC COMMENT:* Sue Hansen, RWE Clean Energy – Shared that 12 people attended their two ‘Wind energy coffee chats’ that they held in Burt County. Hansen shared comments about sound and decommissioning concerns; and stated that RWE representatives are available to present facts anytime and at any public meeting. Handouts were shared.

**2024-2025 FY Budget:**

The Board met with officials and department heads to discuss their expenditure requests for the 2024-2025 budget. A recess was taken for lunch 12:56 p.m. – 1:22 p.m. Budget changes may be made after seeing initial budget projections.

There being no further business to come before the Board at this time, the meeting adjourned at 2:40 P.M. upon motions by Pearson and Schold.

Next meetings: July 11 (and 12 if need) Board of Equalization for Protest Hearings; July 19, 2024 Board of Equalization for Protest Decisions and Form 425s; and next Board of Supervisors meeting July 26, 2024. All meetings will start at 9:00 A.M.

ATTEST: SARAH J. FREIDEL  
BURT COUNTY CLERK

TED CONNEALY, 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.*