

OFFICE OF THE BURT COUNTY CLERK  
**Minutes of the Burt County Board of Supervisors**  
**August 14, 2024**  
 TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Wednesday, August 14, 2024 in the 3<sup>rd</sup> Floor Courtroom 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 (8-6-2024), 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.

The agenda was approved; upon motion by Kutchera, seconded by Titus. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy.

The minutes of the 7/26/2024 Board of Supervisors and Board of Equalization meetings were approved; upon motion by Swanson, seconded by Kutchera. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

Approval of July 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 \$583,956.12 were all approved upon motion by Schold, seconded by Pearson. By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none.

ZONING PERMITS	325.00
EM GRANT	6,269.76
TAX SALE REDEMPTION <CO SHARE>	44.00
CO CLERK-FILING & RECORDING FEES	2,801.50
CO CLERK-DOC STAMPS (COUNTY SHARE)	3,926.61
CO CLERK-MISC FEES	121.50
DISTRICT COURT - FILING FEES	240.00
DISTRICT COURT - MISC FEES & REV.	654.31
DISTRICT COURT - BAIL BOND COSTS 10%	250.00
ELECTION REIMBURSEMENT	1,594.10
CO SHERIFF-MILEAGE & COSTS	477.10
CO SHERIFF-SERVICE FEES	356.00
INTOX	50.00
TITLE INSPECTIONS	380.00
GUN PERMITS	55.00
FINGER PRINTS	30.00
CO ATTY FEES - CHECK COLLECTION	20.00
CHILD SUPPORT ENF - REIMBURSE OF IV-D FROM STATE	4,929.46
INTEREST ON INVESTMENTS	1,184.40
MOTOR VEHICLE FEES: HIGHWAY ALLOCATION	24,698.75
ROAD: HIGHWAY/STREET ALLOCATION	124,937.04
TWP REIMBURSE - PERSHING TWP	77,935.27
TRANSFER GEN-RD	205,000.00
LODGING TAX	622.49
ROD-PRESERVATION & MODERNIZATION	444.50
STOP	150.00
INHERITANCE TAX - Dorothy E. Miller	7,793.60

INHERITANCE TAX - Clarence E. Chamberlain	7,813.44
INHERITANCE TAX - Lavonne E. Martin	10,310.20
INHERITANCE TAX AND INTEREST- Sandra L. Gilliam	245.92
PLAT BOOK SALES	0.00
COUNTY 911 SURCHARGE	1,276.03
E 911 WIRELESS	4,012.69
STATE FINES TO SCHOOLS	250.00
COUNTY COURT FINES REGULAR	2,978.35
DECATUR FIRE - GENERAL	12.21
DECATUR FIRE - BOND	7.17
LYONS FIRE -GENERAL	9.78
LYONS FIRE -BOND	2.22
OAKLAND FIRE - GENERAL	122.19
MUNI COURT FINES - TEKAMAH	15.00
TAX SALE REDEMPTION	4,271.54
IN LIEU OPPD	24.54
HOMESTEAD ALLOCATION	87,314.45

**OFFICE UPDATES (2):** (1) Building & Grounds – Bruce Nathan (2) Veterans Services – Penny Warren

**Communications:** (a) District Six Probation FY23-24 budget report & FY24-25 budget request. (b) *Decatur Bridge Project / Missouri River crossing:* Burt County, NE and Monona County, IA. Correspondence from Nebr Dept of Transportation: public info open house meetings for Decatur Bridge Project - August 28<sup>th</sup> at Onawa Community Center and August 29<sup>th</sup> at Decatur City Hall. Project website for up-to-date info: [www.ndot.info/32395](http://www.ndot.info/32395).

**Special Designated Liquor License:**

SDL for Ronnie’s Bar (Tekamah) to serve an event on 10/12/2024 at The Loft (Craig); approved upon motions by Schold and Titus. By Roll Call Vote: Ayes - Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays-none.

**Foreclosure property - Sold:**

Previously in July 2024 newspaper ad was run, and bids were approved for foreclosed parcels now owned by the County. Two parcels did not sell at that time; today one bid was received for consideration. The County Board accepted the following bid upon motion by Schold and Swanson. Approved By Roll Call Vote: Ayes – Swanson, Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – none. (Decatur) ID #210601800 – Anita Faye Swanson for \$100.00. A Quit Claim Deed will be signed by Chairman after buyers remit payment. There is (1) remaining unsold parcel still available for public purchase, anyone interested can contact the County Clerk’s office to inquire.

**Burt County Zoning Regulations - Section 6.03 Wind Energy – Public**

**Hearing:** Chairman Connealy announced that Supervisor Schold was going to lead the Public Hearing. Schold clarified that the hearing is for the rules and regulations of zoning section 6.03 for all wind projects, not for any one particular project. Schold cited multiple topics and thoughts that the board has to consider during a process of review of such regulations. Ann Chytka, Zoning Administrator presented a PowerPoint to show a review of planning and zoning commission’s decisions, and considerations and topics that the County Board is reviewing.

SUPERVISOR SCHOLD OPENED A PUBLIC HEARING AT 9:19 A.M. to take public comments on Burt County Zoning Regulations, Section 6.03; those speaking were given 3 minutes to speak.

SPEAKING DURING PUBLIC COMMENT:

OPPOSITION (13) Jennifer Dolezal; Savannah Smith; Sean Connealy; Phyllis Rieken;

Gregg Smith; Lucille Smith; Bill Price; Dawne Price (provided handout); Colby Hansen; Jane Gorman; Laura Rieken; Deb Bigelow; Janet Wiltse.

IN SUPPORT (17) - Dawn Anderson; Josh Moenning – Chairman Norfolk Community Development Agency; from RWE – Julie Drennen (provided handout), Sue Hansen (provided handout), Silas Scott; Atty for RWE – David Levy; Mandy B; Ken Kaliski – engineer studying noise (provided handout); Kate MacEwan – wildlife biologist; Steve Bowland; Leo Bowland; Mike Bowland; Graham Christensen; Kevin Anderson; Brooke Peterson; Beverly J. Lydick; Walter S. Lydick.

NEUTRAL – (3) Dustin Marvel -OPPD rep.; Dean Carlson; Mark VanDerHart – comment on a definition.

WRITTEN COMMENTS SUBMITTED: (AUG. 5-14)

OPPOSITION (1) Bill Price.

IN SUPPORT (11) – Max Christensen; Graham Christensen; Javier Fernandez, President & CEO of OPPD (submitted by Dustin Marvel, OPPD); Roxy Pettit (submitted by Graham Christensen); Julie Drennen; \*Leo Bowland; \*James A. Nelson; \*Dianne Schlichting; \*Steve Bowland; \*Mike Bowland; \*Ron Schlichting (\*submitted by Julie Drennen of RWE).

SUPERVISOR SCHOLD DECLARED THE PUBLIC HEARING CLOSED AT 10:49 A.M., and the Board went back into regular session.

Schold announced that no further action or discussion would be held on this topic today, and the board moved on with the rest of the 8/14/2024 agenda items.

#### **Inventory Statements per §23-347:**

Chairman Connealy signed the oath certifying the collection of inventories from all Burt County Officers. Inventory statements of all County personal property are valid and on file with the County Clerk's office.

#### **Collective Bargaining Union: FOP (Fraternal Order of Police) Lodge #95**

Contract with Woods Aitken, LLP (Law Firm) was approved upon motion by Titus, seconded by Kutchera. Approved By Roll Call Vote: Ayes – Kutchera, Richards, Pearson, Titus, Schold and Connealy. Nays – Swanson. Motion included a limit of up to \$1,500.00 be spent to have the law firm review any final FOP contracts before Burt County signs off.

#### **Board of Equalization:**

Pearson moved the Board recess at 11:28 AM for *Board of Equalization*, Kutchera seconded, motion passed All Ayes. The Burt County Board of Supervisors reconvened at 11:30 AM upon motion by Schold, seconded by Pearson, All Ayes. See separate minutes for BOE.

PUBLIC COMMENTS (4): (1) *Bill Price, 1615 CoRd. 10, Lyons* – (i) comments on FOP negotiations (ii) shared his opinion that Burt County should lobby OPPD for a nuclear power site in Burt County. (iii) Thanked the board for holding the public hearing on Wind Reg. updates. (2) *Jill Spenner, 1105 CoRd. 45, Tekamah* – ref. to FOP, shared her opinion of the importance of supporting law enforcement (3) *Julie Drennen, RWE representative* – offered that RWE will send more information to board members about sound with regards to the concerns that were expressed during the public hearing. (4) *Colby Hansen, 2699 CoRd. O, Craig* – expressed his opinion regarding wind regs, suggested the Board consider when building out the regs. that there could be requests for larger towers.

There being no further business to come before the Board at this time, the meeting adjourned at 11:39 A.M. upon motions by Kutchera and Titus.

Next meeting: August 21, 2023 special meeting and August 28, 2024, both meetings 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.*