

Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
October 30, 2015
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Friday, October 30, 2015 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, 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: Cliff Morrow, David Schold, Greg Brummond, Matt Connealy, Perry Rogers, Ted Connealy and Gerald Newill.

The meeting opened at 9:00 A.M. upon motion by Newill, seconded by Schold, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays-none. Chairman Morrow informed the public that the Nebraska Open Meeting Act was posted on the wall.

Upon motion by M.Connealy, seconded by T.Connealy, the agenda was approved, with roll call vote as follows: Ayes –Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays-none.

The following claims for October in the amount of \$673,380.27 including \$103,535.15 for payroll, were read, audited, warrant drawn and checks generated on the respective funds on motion by Rogers, seconded by M.Connealy, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none. \$200,000.00 of this total reflects a transfer from the General Fund to the Road Fund.

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|-------------------------------------|----------------|-----------|
| AFLAC | INSURANCE | 820.23 |
| ALBIN LAW OFFICE | ATTY FEES | 112.50 |
| AMERICAN BROADBAND CLEC | SERVICE | 1,395.08 |
| ANDY'S QUICK SHOP | FUEL | 206.76 |
| APPLIED CONNECTIVE TECHNOLOGIES LLC | MONTHLY FEE | 850.00 |
| ARBY'S BODY SHOP LLC | PARTS/LABOR | 235.00 |
| AS CENTRAL SERVICES | AS/400 COSTS | 221.60 |
| AS CENTRAL SERVICES, OCIO | TELETYPE | 350.00 |
| AT&T | TELEPHONE BILL | 54.09 |
| B'S ENTERPRISES INC | SIGNS | 41.25 |
| BIL-DEN GLASS | REPAIRS | 245.00 |
| BILL J PICKELL | REPAIRS/LABOR | 398.59 |
| BLACK HILLS ENERGY | UTILITIES | 123.53 |
| BLUE CROSS & BLUE SHIELD | INSURANCE | 57,927.30 |
| BLUFF GRAVEL COMPANY | GRAVEL/BORROW | 6,239.07 |
| BNSF RAILWAY COMPANY | CONCRETE SURF | 4,300.61 |



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| BOMGAARS SUPPLY INC | SUPPLIES | 1,252.74 |
| BRANIFF SERVICE | FUEL | 8,427.32 |
| BREHMER MFG INC | REPAIR/PRODUCT | 372.52 |
| BRENNEIS INSURANCE AGENCY INC | SURETY BONDS | 150.00 |
| BUDDIES MINI MART, LLC | FUEL | 65.96 |
| BURT COUNTY CLERK | POSTAGE | 2.54 |
| BURT COUNTY COURT | NON-WAIVE FEES | 354.00 |
| BURT COUNTY DISTRICT COURT CLERK | NON-WAIVE FEES | 137.00 |
| BURT COUNTY PUBLIC POWER DIST | RADIO TOWER | 390.32 |
| BURT COUNTY SHERIFF | PERSONAL SRV | 773.73 |
| BURT COUNTY TREASURER | FUND TRANSFER | 200,000.00 |
| CENTRAL UNITED LIFE INS CO | LIFE INSURANCE | 10.25 |
| CENTRAL VALLEY AG | FUEL | 76.00 |
| CENTURYLINK | SERVICE | 737.67 |
| CITY CLERK | UTILITIES | 39.48 |
| CITY OF LYONS | UTILITIES | 90.59 |
| CITY OF TEKAMAH | UTILITIES | 349.78 |
| CLIFFORD L MORROW | MILEAGE | 24.15 |
| COMPLETE SECURITY & INVESTIGATIONS | PERSONAL SRV | 375.00 |
| CREDIT MANAGEMENT SERVICES INC | GARNISHMENT | 447.48 |
| CUBBY'S | FULE | 477.49 |
| DANIEL L MAGILL | MILEAGE | 43.70 |
| DAVID SCHOLD | MILEAGE | 36.80 |
| DEARBORN NATIONAL LIFE INSURANCE CO | LIFE INSURANCE | 31.46 |
| DEBRA FISHER | MILEAGE | 23.00 |
| DECATUR EXPRESS | FUEL | 1,501.41 |
| DENNIS HARTMAN | MILEAGE | 27.60 |
| DODGE COUNTY CLERK | PROBATION QTR | 3,123.83 |
| DOUGLAS COUNTY COURT | CRT COPIES | 2.50 |
| DREW LAW FIRM PC LLO | ATTY FEES | 3,841.55 |
| ELECTION SYSTEMS & SOFTWARE | BALLOTS/SUPPLY | 999.78 |
| ENGELHARDT COMMUNICATIONS | RADIO REPAIR | 32.50 |
| FARM & HOME PUBLISHERS LTD | PLAT BOOKS | 175.00 |
| FARMERS PRIDE | FUEL | 2,366.00 |
| FILTER CARE OF NEBRASKA, INC. | MAINTENANCE | 37.90 |
| FIRST BANKCARD | SUPPLIES | 116.63 |
| FIRST CONCORD BENEFITS GROUP LLC | INSURANCE | 490.00 |
| FIRST NAT'L BANK-NORTHEAST-EFPTS | FEDERAL TAXES | 34,044.79 |
| FLOOR MAINTENANCE & BAR SUPPLY | SUPPLIES | 227.70 |
| FRANCES FRENCH | PRIOR SERVICE | 11.00 |
| FRED FRANKLIN | SEPT/OCT | 5,339.96 |
| FREMONT SANITATION | GARBAGE | 121.24 |
| GARY CASE | CHEMICAL | 3,325.50 |
| GERALD E NEWILL | MILEAGE | 59.80 |
| GREGORY J BRUMMOND | MILEAGE | 62.10 |



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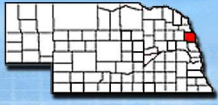
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| HOLIDAY INN KEARNEY | LODGING | 87.95 |
| HOLMQUIST LUMBER INC | LUMBER | 87.84 |
| HOLT COUNTY JAIL | BD PRISONERS | 500.00 |
| HOPKINS LAW OFFICE,LLC | ATTY FEES | 690.00 |
| ILA DAVIS | PRIOR SERVICE | 18.00 |
| IOWA OFFICE SUPPLY INC | SUPPLIES | 143.73 |
| IRRIGATION & ELECTRIC LLC | BRIDGES | 12,492.00 |
| J & R CONCRETE & CONSTRUCTION LLC | CONCRETE SURF | 28,546.00 |
| JAMES G EGLEY | ATTY FEES | 50.00 |
| JAMES L DEVENING | TRASH REMOVAL | 235.00 |
| JAN RASMUSSEN | MEALS | 11.58 |
| JEANICE BOWERS | MILEAGE | 118.45 |
| JOHN WILSON | MEALS | 46.21 |
| JOHNSON & MOCK | ATTY FEES | 671.75 |
| JONI L. RENSHAW | MILES/LODGING | 494.32 |
| JOSEPH M SMITH, ATTORNEY | ATTY FEES | 90.00 |
| K B'S MINI MART | FUEL | 503.44 |
| KATHLEEN A LAUGHLIN | GARNISHMENT | 325.00 |
| KELLY MCMANIGAL | MILEAGE | 23.00 |
| KEVIN C BRANIFF | EQUIP RENT | 3,440.00 |
| KUENY & BEGLEY | ATTY FEES | 1,170.00 |
| LORI SADLER | MILEAGE/MEALS | 209.60 |
| MADISON COUNTY DISTRICT COURT | ATTY FEES | 100.00 |
| MADISON COUNTY SHERIFF | MILEAGE | 6,973.15 |
| MARTIN MARIETTA | GRAVEL/BORROW | 25,137.56 |
| MARY LOFTIS | MILE/REG/SUPPL | 122.75 |
| MASSMUTUAL | ADDL RETIREMENT | 200.00 |
| MATTHEW CONNEALY | MILEAGE | 22.43 |
| MAXIMUS INC | 1/2 COST SERVICE | 2,100.00 |
| MICHAEL G BRANIFF | PARTS | 256.00 |
| MICHELE QUICK | MILEAGE | 80.50 |
| MID-AMERICAN BENEFITS INC | MONTHLY BILL | 5,352.50 |
| MIDWEST SERVICE AND SALES CO | CULVERTS | 28,193.34 |
| MIDWEST SERVICE CO | FUEL | 6,740.00 |
| MIPS INC | MONTHLY BILL | 3,097.81 |
| MOBILE BINDERS | SUPPLIES | 196.91 |
| NACO | NACO CONFERENCE | 1,440.00 |
| NATIONWIDE RETIREMENT SOLUTIONS | RETIREMENT | 1,450.00 |
| NE HEALTH & HUMAN SERVICES SYSTEM | LODGING | 180.00 |
| NEBR CHILD SUPPORT PAYMENT CTR | CHILD SUPPORT | 1,224.17 |
| NEBRASKA PUBLIC POWER DISTRICT | UTILITIES | 803.43 |
| NICHOLAS E. WURTH LAW OFFICE | ATTY FEES | 2,268.50 |
| NMC | PART/RENT/SUP | 3,931.71 |
| NORTHEAST NEBR ASSOC OF CO CLK | 2015 DUES | 50.00 |
| NORTHEAST NEBR TELEPHONE CO | TELEPHONE | 364.12 |



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| NORTHEAST RESEARCH & EXT CTR | SUPPLIES | 18.00 |
| O'KEEFE ELEVATOR CO INC | ELEVATOR | 258.18 |
| OFFICE WAREHOUSE | SUPPLIES | 517.26 |
| OFFICENET | COPIES | 58.50 |
| OMAHA SLING INC | CHAINS | 1,071.55 |
| OVERHEAD DOOR CO OF NORFOLK | BUILDING REPAIR | 8,821.00 |
| PAM NELSON | MILEAGE | 103.50 |
| PATRICK R RUNGE | ATTY FEES | 975.00 |
| PEGGY SMITH | MILEAGE | 50.61 |
| PERRY ROGERS | MILEAGE | 20.13 |
| PEST-TROL | PEST CONTROL | 38.00 |
| PITNEY BOWES | POSTAGE MACHINE | 859.47 |
| PLAINDEALER PUBLISHING CO | PUBLISHING | 627.12 |
| QUALITY INN & SUITES | LODGING | 85.00 |
| QUALITY PRINTING & OFFICE SUPP | SUPPLIES | 1,104.47 |
| RAMADA INN | LODGING | 83.00 |
| RDO TRUCK CENTERS | PARTS | 151.11 |
| REGION IV INC | 2ND QTR INSTALL | 3,305.50 |
| REGION 4 BEHAVIORAL HEALTH SYS | 2ND QTR INSTALL | 3,854.25 |
| RETIREMENT PLANS DIV. OF AMERITAS | RETIREMENT | 16,810.02 |
| ROBERTS LAW OFFICE LLC | ATTY FEES | 570.00 |
| SAPP BROS PETROLEUM INC | FUEL | 1,668.31 |
| SARAH FREIDEL | 2 WORKSHOPS | 499.68 |
| SAVE MORE MARKET | SUPPLIES | 133.61 |
| SHAMBURG AUTO SUPPLY | SUPPLIES | 848.19 |
| SHARON WIMER | MILEAGE | 53.46 |
| STALP GRAVEL CO | GRAVEL/BORROW | 17,743.33 |
| STAR LEASING, LLC | LEASE PAYMENT | 155.16 |
| STATE OF NEBRASKA | SUPPLIES | 20.00 |
| STATE TAX COMMISSIONER | STATE TAXES | 4,228.22 |
| STEINY'S GENERAL STORE | SUPPLIES | 277.89 |
| STRATTON, DELAY & DOELE, P.C.,L.L.O | ATTY FEES | 390.00 |
| THE APOTHECARY SHOP | MEDICAL | 172.57 |
| THEODORE CONNEALY | MILEAGE | 41.98 |
| THURSTON COUNTY SHERIFF | BD PRISONERS | 5,400.00 |
| TRI-STATE COMMUNICATIONS INC | TOWER RENT | 317.00 |
| UNIVERSITY OF NEBRASKA-LINCOLN | LOFTIS WAGES | 10,939.26 |
| VERIZON WIRELESS | | 202.66 |
| VILLAGE OF DECATUR | UTILITIES | 77.66 |
| WASHINGTON COUNTY CLERK | 1ST QTR INSTALL | 2,173.06 |
| WASHINGTON NATIONAL INSURANCE CO | LIFE INSURANCE | 16.15 |
| WELDON PARTS OMAHA | PARTS | 261.28 |
| WILLIAM OUREN | AUTOPSY | 75.00 |
| WINGATE INN | LODGING | 263.85 |
| WPCI | TESTING | 150.00 |



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Chairman Morrow signed a **lot split application for Chad McClure** located in the NE ¼ SE ¼ of Section 12, Township 22 North, Range 10 East of the 6th P.M., Burt County, Nebraska.

Highway Superintendent Peggy Smith presented a **Contract for the County Road C project**. Brummond made a motion to approve the contract from A&R Construction for \$1,992,663.12, T.Connealy seconded the motion, the contract was approved with roll call vote as follows: Ayes –Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays –none.

Superintendent Smith presented the **Road Study for Road #321** to the Board. Her study noted that property owners would need to maintain their driveways on regular basis and no gate at property entrances could be put in due to fire/rescue needing access; if property owners were agreeable to those stipulations, then Smith could recommend to vacate public road #321 between sections 31 and 32, township 22N, range 11E of the sixth PM, Burt County. After discussion amongst the Board, Brummond made a motion to move forward with a Public Hearing by adopting the following Resolution:

RESOLUTION # 2015-26

Whereas, upon order by the Burt County Board of Supervisors and in accordance with section 39-1722 of the State of Nebraska Highway and Bridge Law, the Superintendent made a study of public road #321. This road is located between sections 31 and 32, township 22N, range 10E of the 6th, P.M. Burt County, Nebraska.

And whereas, there are three property owners currently on either side of the described road, all property has access other than this road.

And whereas, based on these facts use of this road by the general "Traveling" public would serve no purpose and the Highway Superintendent reports favorably to closing this public road as described above.

Now therefore be it resolved, by the Burt County Board of Supervisors that a public hearing be held to take comments from the public concerning the closing of this road, such hearing to be held on November 30, 2015 at 10:00 am in the boardroom of the courthouse in Tekamah, Nebraska.

Dated this 30th day of October, 2015 at Tekamah, Nebraska.

Sarah J. Freidel
Burt County Clerk

Clifford L. Morrow, Chairman
Burt Co. Board of Supervisors



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Board Member Rogers seconded the motion, and the Chairman declared it adopted, with roll call vote as follows: Ayes – Morrow, Newill, T.Connealy, Rogers, M.Connealy, Brummond and Schold. Nays – none.

The minutes of the last meeting were approved upon motion by M.Connealy, seconded by Schold, with roll call vote as follows: Ayes – Morrow, Newill, T.Connealy, Rogers, M.Connealy, Brummond and Schold. Nays – none.

NACO's Audit Report and letter from NACO regarding electing officers at December conference were noted and placed on file. Co Clerk Sarah Freidel shared a letter that she sent to Sen. Lydia Brasch for support of LB 492.

At 10:04 A.M. Chairman Morrow opened the public hearing regarding Ag Fertilizer & Chemical Sales business for Carl Pearson. Pearson explained his plans of moving to a rural residence and some of his chemicals for his ag fertilizer & chemical sales business will be on the property therefore he would like to have a conditional use permit for the rural property. After discussion and with no public comment, the Chairman declared the public hearing closed at 10:08 A.M., and the Board went back into regular session. Motion was made by Brummond to approve a **Conditional Use Permit for Carl Pearson** for his property in pt. SW ¼ SW ¼ of 12-21-9, M.Connealy seconded the motion, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers T.Connealy and Newill. Nays – none.

Upon motion by Schold, seconded by M.Connealy, Chairman Morrow signed an understanding of services letter and reviewed the current external review report for Ritterbush & Piotrowski, LLP, Burt County's Auditors, roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays-none.

The Board discussed appointments for the **Burt County Visitors Committee** as defined in NE Statute 81-3717:

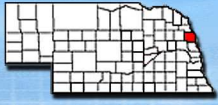
Will consist of 5 members, with 1 and no more than 2 members being from the Lodging Community. There will be no financial compensation, EXCEPT reimbursements. The members will serve for Four (4) Years; EXCEPT half will be appointed for initial terms of two (2) years. There will be a Chairperson and Vice Chairperson, to be elected by the committee.

Mission Statement: To Promote, Encourage, and Attract Visitors to come to Burt County and use the travel and tourism facilities within the County.

This Visitors Committee shall serve as an advisory committee to the Burt County Board of Supervisors in administering the proceeds from the taxes provided to the County by the Nebraska Visitors Development Act. Said Funds will be held in the Burt County Visitors Promotion Fund #0990.

Board Member Schold moved for **the appointment of the following 5 people to make up the Visitors Committee**: 5 (five) Members (with 1-2 being from Lodging)

1. Mark Kwikkel - 4 year term
2. Trent Leichleiter - 4 year term



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3. Marilyn Andersen - 4 year term
4. June Simpson - 2 year term
5. Patty Plugge - 2 year term

Newill seconded the motion and the five members were approved as members of the Burt County Visitors Committee, with roll call vote as follows: Ayes- Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Brummond made a motion to move forward with the project to replace a **tube at County Road RQ** being in sections 31 & 32, township 23, range 11; T.Connealy seconded the motion, with roll call vote as follows: Ayes –Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays –none.

Board Member Brummond presented an offer from Gerry Anderson to **purchase Burt County Property**: Lots 8, 9 & 10, Block 8, Village of Craig, Burt County, NE. (235 N. Main St.) Motion was made by M.Connealy, seconded by Schold to approve the sale in the amount of \$20.00, with roll call vote as follows: Ayes – Morrow, Schold, Brummond, M.Connealy, Rogers, T.Connealy and Newill. Nays – none.

Greg Brummond reminded the Board that they would need to appoint a new member to the Burt County Economic Development Corporation to replace him in January. Brummond has served on that board for 5 years and has to step down for a year before he can serve on it again. BCEDC would like to have a nominee ahead of time so that he/she can be invited to their December meeting.

There being no further business to come before the Board at this time, the Board adjourned at 10:25 A.M. until 9:00 A.M. November 10, 2015.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

CLIFFORD L. MORROW, 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.*