

Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
February 29, 2016
TEKAMAH NE 68061

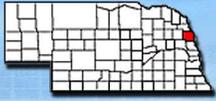
The Burt County Board of Supervisors met in regular session on Monday, February 29, 2016 in the Boardroom of the Burt County Courthouse in Tekamah, Nebraska, pursuant to adjournment of their last meeting. Notice of the meeting was given in advance thereof by Publication in the Lyons Mirror-Sun, upon 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 Rogers, seconded by Newill, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. 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 Rogers, the agenda was approved with the addition of a lot split, with roll call vote as follows: Ayes –Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays-none.

The following claims for February in the amount of \$474,101.97 including \$111,228.58 for payroll, were read, audited, warrant drawn and checks generated on the respective funds on motion by M.Connealy, seconded by T.Connealy, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none. \$100,000.00 of this total reflects a transfer from the Inheritance Fund to the General Fund.

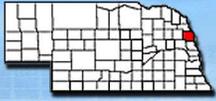
ADAM TRIPP	ATTY FEES	502.50
AFLAC	EMPLOYEE 125	782.66
AMERICAN BROADBAND CLEC	SERVICES	1,313.39
ANDERSON HARDWARE	PARTS/SUPPLIES	166.60
ANDY'S QUICK SHOP	FUEL	143.36
APPLIED CONNECTIVE TECHNOLOGIES LLC	MONTHLY FEE	850.00
AS CENTRAL SERVICES	AS/400 COSTS	221.60
AS CENTRAL SERVICES, OCIO	TELETYPE	350.00
AT&T	TELEPHONE	54.73
NORTHEAST ASSO. CLERKS, DEEDS, ELECTION	2016 DUES	50.00
BILL J PICKELL	TIRES/REPAIRS	41.48
BLACK HILLS ENERGY	UTILITIES	445.94
BLUE CROSS & BLUE SHIELD	INSURANCE	68,213.60
BOMGAARS SUPPLY INC	SUPPLIES	634.99
BRANIFF SERVICE	FUEL	809.37
BREHMER MFG INC	STEEL PRODUCTS	144.38
BRENNEIS INSURANCE AGENCY INC	INSURANCE	47.00



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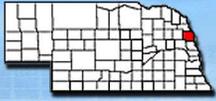
BUDDIES MINI MART, LLC	FUEL	150.92
BURT COUNTY CLERK	POSTAGE	6.45
BURT COUNTY COURT	NONWAIVE FEES	110.00
BURT COUNTY DISTRICT COURT CLERK	NONWAIVE FEES	240.00
BURT COUNTY EXTENSION SERVICE	REGISTRATION	105.00
BURT COUNTY PUBLIC POWER DIST	RADIO TOWER	498.20
BURT COUNTY SHERIFF	PERSONAL SRV	248.09
BURT COUNTY TREASURER	POSTAGE	100,017.44
CENTRAL UNITED LIFE INS CO	LIFE INSURANCE	10.25
CENTRAL VALLEY AG	FUEL	194.61
CENTURYLINK	SERVICES	738.41
CHEROKEE COUNTY SHERIFF'S OFFICE	PERSONAL SRV	22.00
CITY CLERK	WATER BILL	22.15
CITY OF LYONS	UTILITIES	507.47
CITY OF TEKAMAH	WATER BILL	83.99
CLIFFORD L MORROW	CHECKING ROADS	22.68
CNA AUTO SERVICES,LLC	PARTS/LABOR	139.05
CONSTELLATION NEW ENERGY GAS DIV	2 MONTHS BILL	1,005.36
COUNSEL	COPIES	281.87
CREDIT MANAGEMENT SERVICES INC	GARNISHMENT	498.33
CUBBY'S	FUEL	353.45
CVSOAN	ANNUAL DUES	120.00
D'MOORE PIZZA	LB1184 LUNCHS	82.84
DAVID J JASKIERNY LLC	AUTOPSY	900.00
DAVID SCHOLD	CHECKING ROADS	16.74
DEARBORN NATIONAL LIFE INSURANCE CO	LIFE INSURANCE	30.15
DECATUR EXPRESS	FUEL	637.41
DOUGLAS COUNTY TREASURER	AUTOPSY	250.00
DR CHAUNCEY WILKINS	HEALTH BOARD	150.00
DREW LAW FIRM PC LLO	ATTY FEES	3,135.71
FARMERS PRIDE	FUEL	1,100.75
FIRST CONCORD BENEFITS GROUP LLC	INSURANCE	490.00
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	37,244.24
FIRST NATL BANK NORTHEAST	SECURITY BOX	50.00
FORENSIC BEHAVIORAL HEALTH, INC	ATTY FEES	2,000.00
FORNOFF & SCHUTT	ATTY FEES	982.50
FRANCES FRENCH	PRIOR SERVICE	11.00
FRED FRANKLIN	EQUIPMENT RENT	794.98
FREMONT SANITATION	GARBAGE	121.15
GERALD E NEWILL	CHECKING ROADS	70.74
GREGORY J BRUMMOND	CHECKING ROADS	45.90
HELENA CHEMICAL CO	SNOW REMOVAL	325.00
ILA DAVIS	PRIOR SERVICE	18.00
JAMES L DEVENING	TRASH REMOVAL	370.00
JAN RASMUSSEN	MILEAGE	59.40



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JAY W JOHNSON	MILEAGE	162.54
JK SCHOLD TRUCKING LLC	SNOW REMOVAL	2,370.00
JON SEDLACEK	HEALTH BOARD	150.00
JONI L. RENSHAW	MILEAGE	152.28
K B'S MINI MART	FUEL	1,181.66
K-C PARTS & REPAIR	TOOLS/SUPPLIES	103.62
KATHLEEN A LAUGHLIN	GARNISHMENT	325.00
KUENY & BEGLEY	ATTY FEES	712.50
MADISON COUNTY SHERIFF	BD PRISONERS	6,300.00
MAINELLI, WAGNER & ASSOCIATES INC	ENGINEERING	1,652.50
MARTIN MARIETTA	GRAVEL/BORROW	4,135.29
MARY LOFTIS	MEAL/MILE/ETC	161.85
MASSMUTUAL	RETIREMENT	200.00
MATTHEW CONNEALY	CHECKING ROADS	64.26
MCCHESNEY & FARRELL	ATTY FEES	4,395.00
MEMORIAL COMMUNITY HOSPITAL	TESTING	45.20
MID-AMERICAN BENEFITS INC	MONTHLY BILL	352.50
MID-AMERICAN BENEFITS INC	INSURANCE	10,000.00
MIDWEST SERVICE AND SALES CO	BLADES/CHAINS	11,110.90
MIDWEST SERVICE CO	FUEL/REPAIRS	7,358.28
MILLS LAW OFFICE	ATTY FEES	75.00
MIPS INC	MONTHLY BILL	3,258.76
NATIONWIDE RETIREMENT SOLUTIONS	RETIREMENT	1,500.00
NE ASSN CO HIWAY SUPT	DUES	50.00
NE DEPARTMENT OF ROADS	PERMIT	2,000.00
NE DOL/BOILER INSPECTION PROG	BOILER	18.00
NE HEALTH & HUMAN SERVICES SYSTEM	LODGING	180.00
NE NEBR ASSN OF CO OFFICIALS	WORKSHOP	225.00
NEBR CHILD SUPPORT PAYMENT CTR	CHILD SUPPORT	1,849.83
NEBR PUBLIC HEALTH ENVIRONMENTAL	BLOOD TESTING	105.00
NEBRASKA PUBLIC POWER DISTRICT	ELECTRICITY	1,005.65
NEBRASKA SECRETARY OF STATE	VOTER CARDS	10.00
NEGRON CONSULTING LLC	CONSULTING	80.00
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	2,647.50
NMC	PARTS/SUPPLIES	1,728.07
NORTHEAST NEBR TELEPHONE CO	TELEPHONE	388.87
O'KEEFE ELEVATOR CO INC	MONTHLY BILL	258.18
OAKLAND INDEPENDENT	PUBLISHING	451.12
OAKLAND MERCY HOSPITAL	BLOOD TESTING	120.00
OFFICE WAREHOUSE	SUPPLIES	340.54
P & L TRUCKING INC	PARTS	4.17
PEGGY SMITH	MILEAGE	48.06
PENNY A. WARREN	MILES/MEALS	32.01
PERRY ROGERS	CHECKING ROADS	16.20
PEST-TROL	PEST CONTROL	38.00



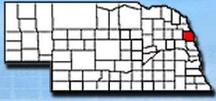
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PHYSICIANS LABORATORY PC	AUTOPSY	1,205.00
PLAINDEALER PUBLISHING CO	LICENSE/SUB	75.77
QUALITY PRINTING & OFFICE SUPP	SUPPLIES	949.38
RAMADA INN	LODGING	160.20
RANDALL BRUMMOND	SNOW REMOVAL	1,920.00
RESERVE ACCOUNT	POSTAGE	5,000.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	17,838.55
RICK ECKLEY	PARTS/LABOR	468.80
RITTERBUSH & PIOTROWSKI, LLP	2015 AUDIT	11,750.00
ROGER SMITH	SNOW REMOVAL	545.60
ROGERS SOD FARMS INC	SNOW REMOVAL	1,680.00
SAPP BROS PETROLEUM INC	FUEL/RENT	1,050.76
SHAMBURG AUTO SUPPLY	PARTS ETC	518.22
STAR LEASING, LLC	LEASE PAYMENTS	155.16
STATE TAX COMMISSIONER	STATE TAXES	4,754.69
STEINY'S GENERAL STORE	SUPPLIES	290.85
STEVE CASS	SUPPLIES/LABOR	1,903.06
STEVEN L DEVENING	SNOW REMOVAL	120.00
SUSAN PAULSEN	HEALTH BOARD	150.00
TEAM LABORATORY CHEMICAL CORP	SUPPLIES	380.00
THEODORE CONNEALY	CHECKING ROADS	37.26
THIBAUT, SUHR & THIBAUT INC	HEALTH BOARD	200.00
THURSTON COUNTY SHERIFF	BD PRISONERS	2,850.00
TOBIN'S TURF CARE	2016 LAWN CARE	810.00
TORY PENNY	MANUALS	88.32
TRI-STATE COMMUNICATIONS INC	LAND RENT	158.50
UNIVERSITY OF NEBRASKA-LINCOLN	WAGES OCT-DEC	10,939.26
VERIZON WIRELESS	CELL PHONE	197.92
VETTER EQUIPMENT	SHOP SUPPLIES	51.45
VILLAGE OF DECATUR	UTILITIES	153.82
WASHINGTON COUNTY COURT	CTF COPIES	6.50
WASHINGTON NATIONAL INSURANCE CO	EMPLOYEE 125	16.15
WPCI	TESTING	51.00

Chairman Morrow signed a **lot split application for David Hunter** located in part of the SE ¼ of Section 12, Township 23 North, Range 9 East of the 6th P.M., Burt County, Nebraska.

Peggy Smith reported that the skid loader lease would be up soon, she'll review the options of a new lease versus purchase with the Road Committee and they'll come back with recommendations at a future meeting.



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Chairman Morrow signed the **financing paperwork** (3 years at 2.2%) with Washington County Bank **for the Motor Graders** as approved at the December 31, 2015 meeting. Board Member M.Connealy offered the following resolution as Exhibit E of the agreement and moved for its adoption:

RESOLUTION #2016-03

EXHIBIT E TO MUNICIPAL/GOVERNMENT LEASE PURCHASE AGREEMENT
CERTIFICATION OF MINUTES

The undersigned hereby certifies as follows:

1. I am the duly elected or appointed and acting recording officer of the County of Burt, Nebraska ("Lessee"), a political subdivision or agency duly organized and existing under the laws of the State of Nebraska.
2. The following individuals constitute the duly elected or appointed members of the governing Body of the Lessee as of the date hereof: February 29th, 2016
3. On the 29th day of February, 2016 ,at 10 o'clock a.m.,a meeting of the governing Body of Lessee was held at the Burt County Courthouse pursuant to call and notice of such meeting as required by law.
4. The following resolutions (Resolution No. 2016-03) were adopted at said meeting, said resolutions were adopted at said meeting, said resolutions were adopted in accordance with and pursuant to the governing statutes, regulations and codes of Lessee, and said resolutions have not been amended or rescinded and are in full force and effect on this date.

RESOLVED, by the governing body of Lessee as follows:

Section 1. Recitals and Authorization. It is hereby determined that it is necessary and desirable and in the best interests of Lessee to enter into that certain Municipal/Governmental Lease Purchase Agreement No. 1 dated December 31, 2015, between Lessee and Washington County Bank, as Lessor of (the "Lease") for the purposes therein specified, and that Clifford Morrow, Board of Supervisors Chairman, is hereby authorized on behalf of Lessee to enter into the Lease and the execution and delivery of the Lease by him is hereby approved, ratified and confirmed, .

Section 2. Designation as Qualified Tax-Exempt Obligation. Pursuant to Section 265 (b)(3)(B)(ii) of the Internal Revenue Code of 1986 (the "Code"), Lessee hereby specifically designates the Lease as a "qualified tax-exempt obligation" for purposes of Section 265 (b)(3) of the Code. In compliance with Section (b)(3)(D) of the Code, Lessee hereby represents that it will not designate more than \$10 million of obligations issued by Lessee in the calendar year during which the Lease is executed and delivered as such "qualified tax-exempt obligations."

Section 3. Issuance Limitation. In compliance with the requirements of Section 265(b)(3)(C) of the Code, Lessee hereby represents that it (including any "subordinate entities" within the meaning of Section 265 (b)(3)(C) of the Code) reasonably anticipates that it will not issue in the calendar year during which the Lease is executed and delivered, obligations bearing interest exempt from federal income taxation under Section 103 of the Code (other than "private activity bonds" as defined in Section 141 of the Code) in the amount greater than \$10 million.

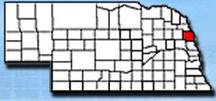
IN THE WITNESS WHEREOF, I have duly executed this Certification of Minutes, this 29th day of February, 2016.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

CLIFFORD L. MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

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

2016 will be the year to receive **Insurance bids**, the Board discussed with Kevin Brenneis the insurance specs and dates for the 3 year proposals. Notice will be given for sealed bids to be received by 3:00 p.m. April 8, 2016 and bids will be open at 10:00 a.m. on April 12, 2016.



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

Upon motion by M.Connealy, seconded by T.Connealy, the Board went into Executive Session with Co. Attorney Frank Barron at 9:45 A.M. to discuss legal actions brought against the County, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Upon motion by Rogers, seconded by Schold, the Board went back into Regular Session at 10:06 A.M., with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none. No action was taken.

Glen Schuetze with **Stalp Gravel presented the 2016 prices**. He advised the Board that supply is currently at zero and when they have some, he will limit to one load/day until production can keep up in an effort to keep customers supplied. He quoted the following prices effective March 1, 2016:

- \$12.00 per ton F.O.B., West Point Pit
- Delivered Prices: \$13.00 per ton to Craig (down-haul)
- \$13.00 per ton to Oakland (down-haul)
- \$13.00 per ton to Tekamah (down-haul)
- ¾” Washed Rock: \$20.00 per ton (F.O.B. Pit)

Jacob Hurla from *360 Energy Engineers* spoke with the Board about sharing the results of the building/utilities study they did for the Courthouse. Mr. Hurla would like to meet with a couple of board members for an extensive meeting and then present a breakdown to the full board at the next meeting, March 8.

Board Member Schold offered the following resolution and moved for its adoption:

RESOLUTION #2016-04

WHEREAS, the General Fund is in need of funds to operate.

NOW THEREFORE BE IT RESOLVED by the Burt County Board of Supervisors that \$100,000.00 be transferred from the Inheritance Fund to the General Fund to pay claims. Said amount to be paid back to the Inheritance Fund as the funds become available.

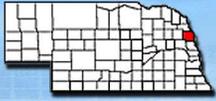
DATED this 29th day of February, 2016, at Tekamah, Nebraska.

ATTEST: SARAH J. FREIDEL
BURT COUNTY CLERK

CLIFF MORROW, CHAIRMAN
BURT COUNTY BOARD OF SUPERVISORS

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

Noted and placed on file: a letter from the State of Nebraska Board of Engineers and



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Architects in reference to disciplinary action against Standard Bridge Company, LLC of Nebraska City. Also noted: the Lower Elkhorn NRD Hazard Mitigation Plan is complete and will be kept on file at the Clerk's Office.

Board Member Brummond presented an offer from Tory Penny to **purchase Burt County Property**: North 50 ft. of Lot 1 and North 50 ft. of the East 12 ft. of Lot 2, Block 11, City of Lyons, Burt County, NE. Motion was made by Rogers, seconded by T.Connealy to approve the sale in the amount of \$1.00, with roll call vote as follows: Ayes –Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Board Member M.Connealy presented an offer from Gary Huffman to **purchase Burt County Property**: Lot 22 and West Half of Lot 23, Block 51, Village of Decatur, Burt County, NE. Motion was made by Schold, seconded by Newill to approve the sale in the amount of \$50.00, with roll call vote as follows: Ayes –Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

The Board approved a **Special Designated Liquor License** for Fallout Bar & Grill, LLC to serve for a wedding at Harvest Moon Farm & Pumpkin Patch, August 6, 2016 @ 5:00-11:00 PM; upon motion by M.Connealy, seconded by Newill, with roll call vote as follows: Ayes –Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Peggy Smith, presented information on a couple of options for a gravel retriever disc for the Road Department for shoulder maintenance work on gravel roads. She presented \$8,400.00 disc that did not have a wheel, and a \$10,450.00 disc with a wheel. Upon motion by T.Connealy, seconded by Schold, the board approved the **purchase of The Retriever Disc** from Retriever, LLC for \$10,450.00, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Matt Connealy informed the Board that RC&D is trying to find a location in the Lyons area for a canoe/kayak access point on the Logan Creek.

There being no further business to come before the Board at this time, the meeting adjourned at 10:49 A.M. until 9:00 A.M., March 8, 2016.

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.