

Burt County Board Minutes



OFFICE OF THE BURT COUNTY CLERK
Minutes of the Burt County Board of Supervisors
October 31, 2016
TEKAMAH NE 68061

The Burt County Board of Supervisors met in regular session on Monday, October 31, 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.

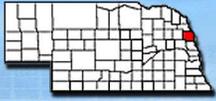
The meeting opened at 9:00 A.M. upon motion by Rogers, seconded by Newill, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays-none. Chairman Morrow informed the public that the Nebraska Open Meeting Act was posted on the wall.

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

Kevin Brenneis visited with the Board to offer an explanation for the Work Comp. Audit procedures.

The claims for October in the amount of \$517,717.35 including \$113,754.61 for payroll, were read, audited, warrant drawn and checks generated on the respective funds, on motion by Rogers, seconded by T.Connealy, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none. \$50,000.00 of the total claims reflects a transfer from the General Fund to the Road Fund.

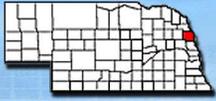
AFLAC	INS	782.66
AMERICAN BROADBAND CLEC	UTILITIES	1,311.47
ANDERSON HARDWARE	SUPPLIES	307.17
ANDY'S QUICK SHOP	FUEL	778.53
APPLIED CONNECTIVE TECHNOLOGIES LLC	SERVICE	701.25
ARBY'S BODY SHOP LLC	REPAIR	80.00
BARCO MUNICIPAL PRODUCTS INC	SUPPLIES	296.31
BERGGREN ARCHITECTS	SERVICE	14,382.93
BILL J PICKELL	TIRE/REPAIR	74.36
BLACK HILLS ENERGY	UTILITIES	119.93
BLUE CROSS & BLUE SHIELD	INS	74,034.82
BLUFF GRAVEL COMPANY	GRAVEL	3,222.54
BOMGAARS SUPPLY INC	SUPPLIES	1,622.97
BRANIFF SERVICE	FUEL	4,249.46
BREHMER MFG INC	SUPPLIES	2,137.54



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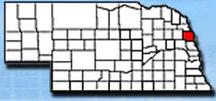
BRENNEIS INSURANCE AGENCY INC	WORK COMP AUDIT	14,824.00
BUDDIES MINI MART, LLC	EQUIP FUEL	292.01
BURT COUNTY COURT	NON WAIVE FEES	166.00
BURT COUNTY DISTRICT COURT CLERK	NON WAIVE FEES	144.00
BURT COUNTY PUBLIC POWER DIST	RADIO TOWER	269.96
BURT COUNTY SHERIFF	MENTAL HEALTH	287.27
BURT COUNTY TARGET RANGE	TRAINING	50.00
BURT COUNTY TREASURER	FUNDS TRANSFER	50,000.00
CENTRAL UNITED LIFE INS CO	LIFE INS	10.25
CENTURYLINK	TELE SERVICE	744.51
CITY CLERK	UTILITIES	21.33
CITY OF LYONS	UTILITIES	99.90
CITY OF TEKAMAH	UTILITIES	207.68
CLIFFORD L MORROW	CHECKING ROADS	21.06
CNA AUTO SERVICES,LLC	LABOR	183.83
COOPER C GRASS	SERVICE	36.00
COUNSEL	LEASE/PRINTS	191.86
CREDIT BUREAU SERVICES INC	GARNISHMENT	287.28
CUBBY'S	EQUIP FUEL	542.70
D & M REPAIR	TIRE REPAIR	592.50
D'MOORE PIZZA	LB 1184 LUNCH	90.76
DAKOTA COUNTY SHERIFF	JAIL	3,380.00
DAS STATE ACCOUNTING	AS/400 COST	185.28
DAS STATE ACCOUNTING-CENTRAL FIN.	SERVICE	350.00
DAVID SCHOLD	CHECKING ROADS	34.56
DEARBORN NATIONAL LIFE INSURANCE CO	LIFE INS	28.84
DECATUR EXPRESS	EQUIP FUEL	2,203.24
DODGE COUNTY COURT	CERT TRANSCRIPT	12.50
DOUGLAS COUNTY SHERIFF	ATTY FEES	14.98
DOUGLAS COUNTY TREASURER	AUTOPSY	250.00
DREW LAW FIRM PC LLO	ATTY FEES	5,859.00
ELECTION SYSTEMS & SOFTWARE	ELECTION	4,979.55
ERNIE GLUP PIPE SALES	CULVERTS	6,466.60
FARMERS PRIDE	EQUIP FUEL	2,786.41
FIRST BANKCARD	EQUIPMENT	330.00
FIRST CONCORD BENEFITS GROUP LLC	INS	407.50
FIRST NAT'L BANK-NORTHEAST-EFPTS	FEDERAL TAXES	37,888.59
FORNOFF & SCHUTT	ATTY FEES	1,185.00
FRANCES FRENCH	PRIOR SERVICE	11.00
FRED FRANKLIN	EQUIP/ST. CONTRACTS	3,194.98
FREMONT SANITATION	TRASH REMOVAL	122.69
GERALD E NEWILL	CHECKING ROADS	68.04
GREGORY J BRUMMOND	CHECKING ROADS	59.40
HUGH P REEFE	ATTY FEES	867.50
ILA DAVIS	PRIOR SERVICE	18.00



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JAMES L DEVENING	TRASH REMOVAL	235.00
JAN RASMUSSEN	MILEAGE	74.52
JAXSON R GRASS	SERVICE	36.00
JEANICE BOWERS	MILEAGE	67.50
JOHNSON & MOCK, PC, LLO	ATTY FEES	3,712.50
JONI L. RENSHAW	MEALS/MILEAGE	172.28
K B'S MINI MART	EQUIP FUEL	1,175.15
K-C PARTS & REPAIR	SUPPLIES	64.19
KATHLEEN A LAUGHLIN	GARNISHMENT	325.00
KUENY & BEGLEY	ATTY FEES	892.50
LEWIS, JERALD	GARNISHMENT	274.68
LYDICK CUSTOM LAWN CARE	LAWN SERVICE	150.00
LYONS MIRROR-SUN	PUBLICATIONS	472.35
MADISON COUNTY SHERIFF	JAIL	7,500.00
MARTIN MARIETTA	GRAVEL	16,433.05
MARY LOFTIS	REIMBURSE	210.66
MASSMUTUAL	INS	200.00
MATHESON TRIGAS	SUPPLIES	1,760.41
MATTHEW CONNEALY	CHECKING ROADS	144.72
MAXIMUS INC	SERVICE	2,100.00
MID-AMERICAN BENEFITS INC	INS	7,367.50
MIDWEST SERVICE CO	EQUIP FUEL	4,947.01
MILLS LAW OFFICE	ATTY FEES	1,931.25
MIPS INC	SERVICE	3,127.54
MOBILE BINDERS	SUPPLIES	278.73
NACO	MTG. REGISTRATIONS	440.00
NATIONWIDE RETIREMENT SOLUTIONS	RETIREMENT	1,500.00
NE HEALTH & HUMAN SERVICES SYSTEM	MENTAL HEALTH	180.00
NEBR CHILD SUPPORT PAYMENT CTR	CHILD SUPPORT	1,810.82
NEBRASKA PUBLIC POWER DISTRICT	ELECTRICITY	821.12
NEGRON CONSULTING LLC	COURT FEES	400.00
NICHOLAS E. WURTH LAW OFFICE	ATTY FEES	2,422.50
NMC	LABOR/PARTS	8,094.24
NORTHEAST NEBR TELEPHONE CO	PHONE	278.67
NSG	CHEMICAL	4,470.00
OAKLAND INDEPENDENT	PUBLICATIONS	204.96
OAKLAND POLICE DEPT	CAMERA	700.00
OFFICE WAREHOUSE	SUPPLIES	761.49
OVERHEAD DOOR CO OF NORFOLK	REPAIR	204.35
PEGGY SMITH	MILEAGE	30.78
PELAN FUNERAL SERVICES INC	TRANSPORT	630.00
PENDER HOSPITAL	MEDICAL	702.00
PENGAD, INC	SUPPLIES	108.84
PERRY ROGERS	CHECKING ROADS	21.60
PEST-TROL	SERVICE	38.00



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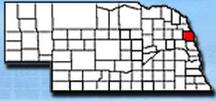
PITNEY BOWES	EQUIPMENT	859.47
PUMP SHOP	SUPPLIES	33.50
QUALITY PRINTING & OFFICE SUPP	SUPPLIES	2,354.57
RDO TRUCK CENTERS	PARTS/LABOR	348.51
REGION IV INC	2ND QUART FEES	3,305.50
REGION 4 BEHAVIORAL HEALTH SYS	2ND QUART DUES	5,096.25
RESERVE ACCOUNT	POSTAGE	5,000.00
RETIREMENT PLANS DIV. OF AMERITAS	RETIREMENT	18,189.23
SAPP BROS PETROLEUM INC	EQUIP FUEL	893.03
SAVE MORE MARKET	SUPPLIES	591.59
SEC OF STATE-ELECTION DIVISION	SUPPLIES	30.00
SHAMBURG AUTO SUPPLY	PARTS/SUPPLIES	240.75
STALP GRAVEL CO	GRAVEL	25,690.81
STAMP FULFILLMENT SERVICES	POSTAGE	548.00
STAR LEASING, LLC	EQUIP. LEASE	73.16
STATE TAX COMMISSIONER	STATE TAXES	4,824.28
STEINY'S GENERAL STORE	SUPPLIES	1,096.43
THE APOTHECARY SHOP	MEDICAL JAIL	482.63
THEODORE CONNEALY	CHECKING ROADS	42.12
THURSTON COUNTY SHERIFF	JAIL	9,050.00
TORY PENNY	MILES/DUES ETC	48.66
TRI-STATE COMMUNICATIONS INC	TOWER	158.50
TRUCK CENTER COMPANIES	PARTS	231.34
VERIZON WIRELESS	CELL SERVICE	201.96
VILLAGE OF DECATUR	UTILITIES	75.73
VISION SERVICE PLAN (CT)	INS	389.11
WASHINGTON COUNTY CLERK	QTRLY	2,251.25
WASHINGTON NATIONAL INSURANCE CO	INS	16.15
WILLIAM OUREN	LABS	75.00
WPCI	TESTING	150.00
911 CUSTOM	SUPPLIES	274.80

Chairman Morrow signed a **lot split application for:**

LIZA AND JAMES KELLY located in part of the SE ¼ SE ¼ of Section 34, Township 21 North, Range 11 East of the 6th P.M., Burt County, Nebraska.

Peggy Smith, Hwy. Supt., asked the board if they want to take **Bids for trash service at the County Sheds**. The board agreed that all interested local services should be given the opportunity; Smith will send letters to invite bids from local trash service businesses.

Smith also reported that Mainelli-Wagner informed her that Bridge #1 did not qualify for any bridge funds.



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

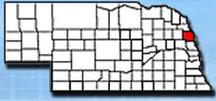
Communications: The board approved membership to NACo (Natl. Asso. Of County Officials). The NACO (Nebr.) annual audit was noted and placed on file.

Chairman Morrow declared the Board recess at 10:15 AM for *Board of Equalization* upon motion by Schold, seconded by M.Connealy, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none. The Burt County Board of Supervisors reconvened at 10:17 AM upon motion by M.Connealy, seconded by Schold, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Bill Pook, Region 5/6 Emergency Manager gave a report about the **Magellan Midstream Partners Pipeline Incident:** A leak occurred in an above-ground portion of an 8-inch-diameter underground pipeline carrying anhydrous ammonia the evening of Monday, October 17, 2016 approximately 8 miles North of Tekamah on Hwy 75 and $\frac{3}{4}$ of a mile West on County Road P (North side of P). The leak led to the closure of a stretch of Highway 75 and the evacuation of several area residents. The incident resulted in the loss of one Burt County resident. Upon the recommendation of Pook and Co. Atty Frank Barron, Cliff Morrow Chairman of the Burt County Board took action to sign a disaster declaration on Friday, October 21, 2016 in light of the magnitude of the event. He reported that Magellan has taken full responsibility and they were present with a full team to handle the situation while taking extraordinary precautions for the Public. Pook wanted to publicly recognize the local first responders, emergency personnel and law enforcement for the outstanding job they did with during the event. Burt County Board expressed their gratitude and wanted to especially recognize the local Emergency Responders, Residents Involved and local Burt County Employees: Sheriff Bob Pickell and his entire office, Terry Schroeder -Burt Co Emergency Manager, and Matt Connealy -Dist.4 Supervisor who all played a role in managing the event.

Matt Connealy gave an update from the Legislative Conference he attended. One point he wanted to bring back to the board was Chief Justice Michael Heavican's position on the consolidation of the Courts. Connealy pointed out that the desire is to have both courts run by the State; the State is already running on a pretty extreme budget deficit and he feels that the courts would not work in favor of the people if left to be run under the State's budget. He felt it is important that the board carefully consider the Public when following discussions about this at the Legislature. The overall opinion is that having the District Court fall under the County's budget, the public is better served.

Nebraska Dept. of Labor's Overtime Law was discussed. Currently Burt County does not meet the minimum earning requirements of the law that will take effect Dec. 1, 2016. This results in a difference of \$76.12/month per employee currently not at the minimum



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level. The board voted to make the needed changes in order to meet the minimum requirement by the deadline, on 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.

Jerry Berggren from Berggren Architects met with the board to discuss the **prequalified bidders for the new exterior courthouse doors**. He had only received two, but he felt they seemed qualified to do the work. Berggren recommended the board ask for lien waivers in lieu of bonds from the contractor/builder who does the door work, and that they ask for upfront change order costs in case of frame work that may be found necessary. The board wants to move forward with bids. Bids will be due by Nov. 18 and reviewed at the Nov. 30, 2016 meeting.

Upon motion by Schold, seconded by Brummond, the Board went into *Closed Session* at 11:18 A.M. for the prevention of the needless injury to the reputation of individuals who handed in resumes for the Highway Supt/Zoning Position, with roll call vote as follows: Ayes – Schold, Brummond, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none.

Upon motion by Schold, seconded by Newill, the Board went back into Regular Session at 11:34 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 in closed session. The board reviewed resumes **for the Hwy. Superintendent, Zoning and Floodplain Administrator and County Surveyor Records job**; Schold made a motion to **hire Cecil Brummond** to fill the position with the understanding that Cecil would be placed on a 6 month probationary period and would be required to pass the Highway Superintendent Exam, T.Connealy seconded the motion, and the Chairman declared it passed upon roll call as follows: Ayes – Schold, M.Connealy, Rogers, T.Connealy, Newill and Morrow. Nays – none. Brummond abstained from voting.

There being no further business to come before the Board at this time, the meeting adjourned at 11:45 A.M. until 9:00 A.M., November 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.