

# HARLAN COUNTY BOARD OF SUPERVISOR'S REGULAR MEETING MINUTES

From **May 16<sup>th</sup>, 2023**

The Harlan County Board of Supervisor's met in regular session Tuesday, May 16<sup>th</sup>, 2023, in the Supervisors Room, of the Harlan County Courthouse in Alma, NE, as advertised, with Supervisor's Chris Schluntz; Max Schultz; Mike Clements; Cindy Boehler; Jeff Bash; Ron Imm; and Tony Gulizia present. Also present were Clerk, DaLynn Burgeson; County Attorney, Bryan McQuay; Highway and Weed Superintendent, Tim Burgeson; Treasurer, Sandy Artz; Zoning Administrator, Ron Melbye; Rebecca Dahlgren, Extension Agent and Anna Fisher, Extension Agent.

At 9:48 a.m., Chairman Gulizia called the meeting to order and announced that there is a copy of the Open Meetings Act posted at the south end of the room and will be followed by the Board.

The Pledge of Allegiance was recited.

Chairman Gulizia asked the Board if they had reviewed the claims. Discussion was held. The claim to transfer funds for the Road Department will come from the General Funds. Motion was made by Boehler to approve the claims as submitted. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

At 10:00 a.m. Chairman Gulizia opened the business meeting. He asked the Board if they had reviewed the Minutes from the May 2nd, 2023, regular Board meeting and called for any additions or corrections. There were no additions or corrections. Motion was made by Clements to approve the minutes from May 2nd, 2023, as presented. Seconded by Imm. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Treasurer Artz presented the Board with a Pledged Securities Report. The Board reviewed the report.

Board of Equalization: Motion to go into Board of Equalization was made by Schluntz. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Treasurer Artz provided the Board with information on a request made by the Harlan County Senior Center to approve tax exempt plates for a 2022 Chrysler Voyager van. Discussion was held. Motion to approve the tax exempt plates for the Harlan County Senior Center's 2022 Chrysler Voyager van was made by Bash. Seconded by Imm. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. With no further Board of Equalization business, a motion to exit Board of Equalization was made by Boehler. Seconded by Clements. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Rebecca Dahlgren, Extension Educator came before the Board and introduced the newest member to her office, Anna Fisher. Ms. Fisher was welcomed by the Board and left the meeting. Ms. Dahlgren requested permission to increase Ms. Fisher's hourly wage upon the completion of the three months introductory period for new hires. Discussion was held. The Board advised Ms. Dahlgren to address the wage increase through a payroll claim and complete a wage form from the Clerk's office.

Matt Massey, Chief of the Orleans Fire & Rescue Department joined the meeting and came before the Board to discuss the ARPA funds requested for the purchase of new emergency personnel & truck radios. Mr. Massey requested approval to amend the claim already submitted for \$19,750 due to a change in equipment being purchased. Massey provided the Board with an updated listing of the equipment from Platte Valley Communications in the amount of \$20,000. Discussion was held. Because the original claim in the amount of \$19,750 was approved earlier in the meeting, the Board advised Massey to submit a claim for the difference of \$250.00.

At 10:24 a.m. Chairman Gulizia called for a small recess to reconvene at 10:30 a.m.

At 10:30 a.m., Chairman Gulizia reconvened the meeting and stated that the public hearing on the Husker Heights Subdivision and Deer Run Subdivision was now open and if anyone wanted to be come before the Board, he asked that they identify themselves for purposes of the minutes. Chairman Gulizia then asked if there were any members of the public that wanted to come before the Board. Tim Schmidt came before the Board and advised that the engineer was planning to be here in person but due to a scheduling conflict, he would be available by phone if there were any questions for him. Schmidt then addressed the Board explaining the benefits that the subdivisions would bring to the community, the location of the subdivisions, the concerns of citizens regarding water issues and paved roads versus gravel roads, and the interest already in purchasing lots. There were questions related to driveways, overflow parking along Cornhusker, projected building time frame, and zoning board approval and meeting details. It was said that there are Plat maps available and specific guidelines/restrictions for each subdivision. Discussion was held.

At 10:50 a.m., Bob Taylor, representing some of the concerned citizens from the area of the Husker Heights Subdivision, came before the Board to express concerns and questions for the Board's consideration before making a decision to approve or deny the subdivisions. Mr. Taylor provided handouts for the Board to review. He also provided statistics of household income for the area, the need for lower income housing, zoning board meeting concerns as well as other associated concerns. Mr. Taylor also stated that they were all in favor of growth, but it needed to be put into perspective. Discussion was held. Chairman Gulizia redirected the discussion back to Mr. Taylor's concerns. Mr. Taylor then reiterated prior concerns and provided further concerns and questions. He stated that the biggest concern is the issue of water and nitrate levels. In closing, Mr. Taylor complimented the Board for what they are doing and asked that there be clarity in the decisions made.

At 11:22 a.m., Carl Wolfe, residing for 23 years at 70632 Corp Rd 22, Alma, NE came before the Board with concerns regarding the Deer Run Subdivision. Mr. Wolfe proved a brief background on himself, Harlan County and Alma. Mr. Wolfe then directed his concerns and questions towards Tim Schmidt and Richard Coe, owners of the proposed subdivisions. Discussion was held. Chairman Gulizia redirected Mr. Wolfe to address the discussion, issues and questions to the Board instead of to Mr. Schmidt and Mr. Coe directly. Mr. Wolfe complied and in closing stated that the Board would be negligent to approve the subdivision (Deer Run) as is because time and better planning is needed.

At 11:58 a.m., Brandy Nissen came before the Board to express her support for the Husker Heights Subdivision. Ms. Nissen stated that she lives in the area off of Cornhusker Road and is not associated with Mr. Taylor and the concerned citizens he represents. Ms. Nissen said that the subdivision creates a lot of potential and that she gives her full support of the Husker Heights Subdivision.

At 12:00 p.m., Chris with Holdrege Well Service came before the Board to address some of the water issue concerns and questions that the citizens have expressed related to the subdivisions. Discussion was held. Chris gave his profession opinion in that the subdivisions would not affect any other citizens water already living in the area. He also gave his phone number (308-995-4000) for anyone to call with related questions.

Discussion was held. Supervisor Boehler brought up a drainage question related to the variance for cement, paved or gravel roads. Highway Superintendent Burgeson stated that the current zoning regulation related to the roads is that the roads are to be paved and that it also states that upon request, the Board could approve the variance for gravel. Further discussion was held. Motion was made by Bash to close the public hearing. Seconded by Schultz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. At 12:14 p.m., a motion was then made by Bash to table the Husker Heights and Deer Run subdivision matters until the next Board meeting. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Clerk Burgeson provided updates to the Board. Discussion was held.

A Nebraska Liquor Control Commission Special Designated License (SDL) application was submitted for approval by the Bait Box LLC for a Fishing Tournament meeting to be held on June 9th,

2023, from 3:00 p.m. to 9:00 p.m. at Methodist Shelter House in the Methodist Cove Campground. Discussion was held. A motion to approve the Special Designated License was made by Clements. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Highway Superintendent, Tim Burgeson, provided an update on the L Road Bridge project. The contractor has moved equipment in and started to clear trees. Burgeson also advised that the cemeteries are being mowed, that there was flooding of the roads near Mascot due to the recent rains and that there are multiple other spots they will be working on due to the rains.

County Attorney McQuay provided the Board with a handout that included examples of zoning regulations related to wind turbines and solar farms from information he gathered from other counties for the Board to consider when updating the current zoning regulations.

Buildings and Grounds. An update was given regarding the upcoming outside renovations to the Courthouse grounds. Some of the updates will be new landscaping on the South side, relocation of the statute, new concrete sidewalks and steps, and new retaining walls. Discussion was held on the new updates and further discussion was held on the completion of the inside renovations.

Public Forum: *No citizens came before the Board during this time.*

With no further business, a motion to adjourn the meeting at 12:53 p.m. was made by Boehler. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

The next regular meeting will be held on June 6th, 2023, at 9:45 a.m. for consent agenda items, and 10:00 a.m. for business agenda items.

***ATTEST:***

/s/ DaLynn Burgeson, County Clerk

/s/ Tony Gulizia, Chairman

Agenda & Minutes can be found on the County website: [harlancounty.ne.gov](http://harlancounty.ne.gov)

**CLAIMS:**

**GENERAL:** Adams County Sheriff's Department-Sheriff Fees \$37.00; Ameritas Life Ins-Payroll ded \$25.32; Anderson, Klein, Swan & Brewster-Court Appointment \$1,304.75; Ask Supply Co-Janitorial Supplies \$19.50; At-Scene LLC-Subscriptions iCrimeFighter \$2,160.00; Bob Barker Co-Jail Supplies \$271.64; Business World-Office Supplies \$266.47; Centrec Cast Metal-Veteran Grave Markers \$140.98; City of Alma-Utilities \$880.00; Cobblestone Hotel & Suites-Veteran Serv Officer Lodging \$285.00; Communications Engineering-Sheriff's Office Computer Consult \$1075.00; Consolidated Management Co-Sheriff Deputy Meals \$130.50; DeWald Deaver P.C.-Court Appointed Attorney Fees \$2312.26; Dier, Osborne, Cox & Nelsen P.C.-Court Appointed Attorney Fees \$90.25; Eakes-Office Supplies \$947.18; First National Bank-Supplies, Postal Supplies, Office Equipment, Sheriff's Office Machinery & Equip. \$4237.50; First State Bank-Payroll Deduction, Bank Fee \$59.42; Fur & Leather Creations-Sheriff Uniform \$35.00; Tana Fye Henry, Attorney-Court Appointed Attorney \$465.50; Galls-Sheriff Uniform \$86.94; Pat George-VSO Mileage \$131.00; Graham Tire Company-Sheriff Car Repair \$700.00; Gray Law Firm-Court Appointed Attorney \$1187.50; Harlan County Court-Court costs \$397.00; Harlan County Health Systems-Jail Meals & Medical \$1400.36; Harlan County Journal-publications \$660.53; Harlan County Senior Center-Transit & Senior Center \$2037.00; Harlan County Sheriff-Sheriff's Service Fees \$18.50; Harlan County Treasurer-Roads Inter transfer \$100,000; Hays Pharmacy-Jail Medical \$34.17; Heritage Water Services-Boiler Supplies \$339.82; Dawn Hetrick-Extension Postal Services, Mileage Allowance \$20.62; Hogeland Market-Extension Supplies \$31.16; Hogeland Market-Jail/Inmate Supplies \$201.93; Hometown Leasing-Office Equip \$113.25; Instakey Security Systems-Key cutting \$50.60; Jack's Uniforms & Equipment-Sheriff Uniform \$334.69; Johnson Controls-Boiler Supplies \$920.00;

Marge Melroy-Payroll \$225.00; MIPS Inc.-Data Processing, Postal Serv, Supplies \$1692.44; Kevin Molzahn-Snow Removal \$650.00; NACO-County Association Dues, First Half 2023-2024 \$1413.73; NE Clerks of District Court-CDC Workshop Due \$75.00; NE Dept. of Revenue-Payroll \$3.22; NE Public Power District-Utilities \$501.54; Phelps County Sheriff-Jail Safekeeping \$90.00; Physician's Laboratory Services-Autopsy Fees \$2621.00; Pritchard & Abbott-Assessor Contractual Service \$930.00; Pro Tint-Courthouse Windows \$2048.00; Quill-Office Supplies \$1279.12; Rasmussen Mechanical Services-Boiler Supplies \$438.00; Rebecca Dahlgren-Extension Mileage \$60.52; Red Willow County Sheriff-Sheriff Service Fees \$21.43; Secretary of State-Elections Supplies \$10.00; DAS State Accounting-Data Processing \$622.64; Those Blasted Signs-Sheriff's Vehicle Graphics \$570.00; Tripe Motor Co-Sheriff Car Repairs \$559.74; Trustworthy Hardware-Supplies \$15.72; Twin Valley's Public Power District-Utilities \$98.71; Urbom Law Office-Court Appointed Attorney \$1376.65; Verizon Wireless-Sheriff Cell Phones \$150.00; Verizon Wireless-Sheriff phones \$242.84; Vyve Broadband-Phone Service, Internet, Data Processing \$1749.82 (General Fund Total: \$140,822.90)

**ROAD FUND:** Bosselman Energy Inc.-Fuel \$16,909.87; Bosselman Enterprises-Fuel \$1885.34; CHS Agri Services-Heating Fuels \$1019.48; City of Alma-Trash Service \$43.71; City of Holdrege-Landfill Fees \$387.08; Cooperative Producers-Fuel additives \$1119.25; Jim Dietz-Retirement \$25.00; First National Bank-Supplies \$38.95; Harlan County Health Systems-Drug & Alcohol Testing \$38.11; Harlan County Journal-Ad \$18.45; Holdrege Auto Parts-Shop tools \$149.90; Huntley Service-Equip Repairs \$5083.32; Instakey Security Systems-Knobs, Locks, Keys \$411.01; M.J. Lubeck-Rent \$300.00; Lycop Enterprises-Equipment/Freight \$39,330.00; MIPS Inc-Data Processing \$127.16; Murphy Tractor & Equip-Parts/Labor \$2461.16; NMC Exchange-Parts/Labor \$9648.63; Northern Safety Co-Safety Supplies \$90.00; Oak Creek Engineering-Engineering Fee \$2522.50; Overton Sand & Gravel-Gravel \$9765.56; Paddington Station-Fuel \$502.40; Paulsen-Gravel & Rock \$10,550.35; Quill-Office Supplies \$41.87; RDO Truck Centers-Tube \$22.87; Reliable Pest Control-Pest Control \$120.00; S&W Auto Parts-Tool & Shop Supplies \$301.18; Sappa Valley Farm & Auto-Fuel \$193.56; Tripe Motor-Parts/Labor \$414.27; Trustworthy Hardware-Building Supplies \$29.90; Twin Valleys Public Power-Utilities \$297.56; Verizon-Phone Service \$131.72; Village of Republican City-Utilities \$30.00; Vyve Broadband-Phone Service \$35.00 (Road Fund Total: \$103,696.16)

**COURTHOUSE IMPROVEMENT SINKING FUND:** Instakey Security Systems-Cam \$41.37

**TOURISM:** Jason Bonnicksen-Website Updates \$825.00; First National Bank-Advertising \$50.00; KRVN-AM-Radio Ads \$661.00; Viaero Wireless-Cell Phone \$59.93 (Tourism Fund Total: \$1,595.93)

**VETERANS AID FUND:** Aaron Guthrie-Veterans Aid \$200.00; Harlan County Veterans Service-Acct funds \$1000.00 (Veterans Aid Fund Total: \$1,200.00)

**COVID AMERICAN RESCUE PLAN:** Orleans Rural Fire Department-Fire Apparatus \$19,750.00

**911 EMERGENCY FUND:** City of Holdrege-911 \$609.29; Vyve Broadband-911 \$44.00 (911 Emergency Fund Total: \$653.29)

**HOSPITAL BOND FUND:** First State Bank-Bond Payment/Interest \$393,530.00

Grand Total: \$661,289.65