

# HARLAN COUNTY BOARD OF SUPERVISOR'S

## REGULAR MEETING MINUTES

From **July 18<sup>th</sup>, 2023**

The Harlan County Board of Supervisor's met in regular session Tuesday, July 18<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; and Highway and Weed Superintendent, Tim Burgeson.

At 9:47a.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. One claim submitted by the Harlan County Museum was withheld for the reason that Melinda Lingg was scheduled to come before the Board later in the morning. Motion was made by Bash to approve the claim to transfer funds (\$12,000) from the Road Department to the Sheriff's Equipment Sinking Fund. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. With no further discussion. Motion was made by Bash to approve the claims with the exception of the withheld Harlan County Museum claim. Seconded by Clements. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Chairman Gulizia opened discussion regarding a Second Notice letter prepared by County Attorney McQuay, and sent to the engineer and contractor in reference to the Courthouse remodeling projects. The engineer and contractor were here this morning doing a walk-thru to view the continued issues. Chairman Gulizia advised the Board that there was a funds transfer into the inheritance tax fund and that the amount was on the Trial Balance Listing provided by Treasurer, Sandy Artz, that was in their information folders. Treasurer Artz also provided the Board with an Imprest Account Calculation Sheet and a Delinquent Tax Listing for Tax Years 2020-2022. A brief discussion was held related to the libraries and museum funding from the County that is and has been requested and that without Keno in Harlan County, there are no proceeds available as in prior years. It was determined that further discussion was needed in this regard.

At 10:00 a.m., Chairman Gulizia opened the business meeting. He asked the Board if they had reviewed the Minutes from the July 5<sup>th</sup>, 2023, regular Board meeting and called for any additions or corrections. Clerk Burgeson advised of one addition (as shown on the Agenda): *\*Treasurer, Sandy Artz, provided an Imprest Account Calculation Sheet, Account Trial Balance Listing and Delinquent Tax Listing reports for the Board to review.\** Motion was made by Schluntz to approve the minutes from July 5<sup>th</sup>, 2023, as presented with the addition as listed on the Agenda (\* italics above). Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Kelly Jensen of CASA came before the Board and provided the Board with the Phelps/Harlan County CASA Summer Newsletter and a letter with prior years stats and a request of continued funding in the amount of \$12,000. Ms. Jensen also stated that, upon discussion with Clerk Burgeson, she would be glad to prepare and provide the Board with supporting documentation for the amount of support received (\$12,000 in prior years) from the County to fulfill the requirements of the State Auditor. Discussion was held. Chairman Gulizia advised Ms. Jensen that no decision would be made today since we are currently working through budgets and that she would be contacted as soon as a decision was made by the Board.

Doug Nibbe from Global Life/Family Heritage Division came before the Board to request a time to share supplemental insurance information with the County employees. Mr. Nibbe will coordinate with

Highway Superintendent, Tim Burgeson and Clerk Burgeson for a date and time to meet with the road department employees and county office employees.

Deputy Treasurer, Brittany Artz, provided the Board with a Pledged Securities Report in which the Board reviewed.

Courthouse Caretaker, Joseph Torrey presented the Board with a proposed building & grounds list of County surplus items. Discussion was held. Motion was made by Schluntz to declare the items on the list as County surplus and to approve the selling of the listed items. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Joseph Torrey then provided a building and grounds update from his walk-thru with the engineer and contractor today. There are continued issues with the entrance doors, the handicap door hardware, the sheriff's office bulletproof door and unfinished flooring in the walkway. The contractor will be providing replacement or repairs to the countertops for the Treasurer and Assessor offices due to damage when installing the new windows.

**BOARD OF EQUALIZATION:** Motion was made by Bash to go into Board of Equalization at 10:30 a.m. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Assessor Fouts presented a list of Valuations to be Applied by the Harlan County Board for 2023. Discussion was held. Motion was made by Bash to approve the Board corrections as presented. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Josh Garris, property reviewer and Assessor Fouts provided the Board with a summary letter of 2023 protests and a list of protests which included property owners that had withdrawn their protest and agreed upon the values as recommended, some with changes & some without. Supervisor Clements expressed how he liked the current process with Josh Garris as the protest property reviewer. Josh then provided the general concept to how the process worked. Discussion was held. Motion was made by Clements to approve/accept the protests that were agreed upon (#'s: 1-16, 18-29, 32-44, 46-60, 62-66, 68-70, 72-80, 83-86). Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. At 10:52 a.m., Schluntz made a motion to exit Board of Equalization. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Assessor, Kim Fouts provided the Board with her 2023 Plan of Assessment for Harlan County pursuant to Neb. Rev. Stat. §77-1311.02 (2007) for the Board to review. Fouts then shared that she has a new hire, Lori Bennett, that will be starting in the Assessor's office on August 1<sup>st</sup>, 2023.

Melinda Lingg with the Harlan County Historical Society came before the Board to request funds on behalf of the Harlan County Museum. Ms. Lingg had provided a letter for the Board's information explaining the reasons for the claim she submitted requesting funds in the amount of \$20,000. Ms. Lingg advised that the museum committee would be meeting and working with a representative from the Phelps County museum to look into possible grants. They are also hoping to encourage younger individuals to become interested in the museum, to recover from the damages caused by the recent storms, to have funding to cover the insurance deductible of \$10,000 and cost of repairs and to have funding to continue to employ the three staff members. They are waiting on an insurance adjuster to come out to assess the damages. Discussion was held. Motion was made by Imm to approve the claim for \$20,000. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-no; Clements-no; Boehler-yes; Bash-yes; Imm-no; Gulizia-no. Motion failed (3 yes's - 4 no's). Ms. Lingg was asked to let Clerk Burgeson know to report to the Board once the insurance adjuster had made a determination of damages for further funding discussion.

Veteran Service Officer, Pat George provided the Board with his quarterly report and updates. The Board thanked him for the report and Supervisor Imm thanked him for what he does.

Craig Peshek from Intellicom came before the Board to build awareness in regards to County managed IT & Cyber Services pursuant to NACO and CISA's best practices. Mr. Peshek passed out a handout for reference and provided information about a cyber vulnerability assessment being provided by CISA (Cybersecurity & Infrastructure Security Agency) through federal grant funding (no cost to

County). Craig will gather more information and provide it to Clerk Burgeson for the Board's consideration. If the Board approves the vulnerability analysis assessment through CISA, each County office will be notified and information provided. CISA also works with the State internet systems.

Chairman Gulizia opened discussion on the preliminary wage percentage increases for 2023-2024 budgeting purposes for non-elected employees and elected officials. The approved percentages will be determined when budgets are set.

Clerk Burgeson provided updates and information about a gentleman that came to the Courthouse in regards to a Nebraska Courthouse Art Survey / Project through NACO and did a walk-thru with Joseph Torrey, Courthouse Caretaker. The Clerk also updated the Board on County credit card issues including not receiving claims with supporting documentation prior to the billing due dates and submitting claims according to the credit card statements. Discussion was held.

Highway and Weed Superintendent, Tim Burgeson, came before the Board requesting that three road department vehicles be determined as surplus and sold accordingly. The vehicles are (1) 1990 Chevy 1 Ton 2wd pickup; (2) 1994 Chevy ½ Ton 4wd pickup; (3) 2007 Chevy ½ Ton 4wd pickup. Motion was made by Imm to approve the three vehicles as surplus and to allow for the sale of each accordingly. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. T. Burgeson gave an update as to when their new office will be complete and projected move in date is this Friday, July 21<sup>st</sup>, 2023. T. Burgeson advised that with the recent rains and storms, they are behind on grading the roads and requested authorization to offer the road department employees overtime for the month of August as it takes approximately one month for his team to cover all routes. Discussion was held. Motion was made by Clements to approve overtime as requested for the month of August at T. Burgeson's discretion not to exceed 10 hours per week per employee. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

County Attorney, Bryan McQuay was asked about the status of the zoning language related to the wind turbines. He asked if the Board had reviewed the documentation that he provided previously and if there were any questions or input before he submits it to the zoning committee. McQuay will submit the information to the zoning committee.

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

A motion to adjourn the meeting for lunch and reconvene for scheduled protest hearings at 1:00 p.m. was made by Imm. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. The meeting was adjourned at 12:31 p.m. to reconvene at 1:00 p.m.

At 1:04 p.m., Chairman Gulizia reconvened the business meeting with Supervisor's Mike Clements; Cindy Boehler; Jeff Bash; Ron Imm; and Tony Gulizia present. Also present were County Attorney McQuay, Clerk Burgeson, Assessor Fouts and property reviewer, Josh Garris. A motion was made by Bash to enter into the Board of Equalization. Seconded by Boehler. Roll call votes: Schluntz-absent; Schultz-absent; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Protest #71, Parcel 180000700. Kaylin George, property owner, came before the Board to protest the increase in the valuation of her property. Josh Garris recommended no change. Discussion was held. The protest will be reviewed and a determination made.

Supervisor's Chris Schluntz and Max Schultz rejoined the meeting.

Protest #49, Parcel 300008200. Duane Bantam, property owner, came before the Board to protest the increase in the valuation of his property, an empty lot located in Orleans. Josh Garris recommended no change. Questions and discussion were held. The protest will be reviewed and a determination made.

Protest # 45, Parcel 060007100. Jane Sheldon, property owner came before the Board on behalf of herself and husband, Jerrow, to protest the increase in the valuation of their property. Josh Garris recommended a grade and condition adjustment. Ms. Sheldon provided research that she had gathered to further protest the adjusted recommended values. Josh Garris and Assessor Fouts will review the documentation provided and get back to the Board with a recommendation. The protest will be reviewed and a determination made.

Protest #31, Parcel 180044200. Steve Pool, property owner, came before the Board to protest the increase in valuation of his property. Josh Garris recommended an adjustment after removing a screened shed and upper finished level to house. Mr. Pool requested a review of similar properties and gave a list of those properties. Josh Garris and Assessor Fouts will review the list and will get back to the Board with a recommendation. The protest will be reviewed and a determination made.

Protest #'s 59, 67, 81, 82, 61, 30 and 17. Property owners did not appear before the Board to protest.

Josh Garris & Assessor Fouts left the meeting to review equalization properties and documents presented and returned with recommendations accordingly. The Board discussed each protest and made the following decisions:

#71 No change, agreed with Josh Garris & Assessor Fouts; #49 No change, agreed with Josh Garris & Assessor Fouts; #59 No change; #67 No change; #45 No change, agreed with recommendation of Josh Garris & Assessor Fouts; #81 No change after adjustment, agreed with recommendation of Josh Garris & Assessor Fouts; #82 No change after adjustment, agreed with recommendation of Josh Garris & Assessor Fouts; #61 No change; #30 No change; #31 No change after adjustment, agreed with recommendation of Josh Garris & Assessor Fouts; #17 No change after corrections, agreed with recommendation of Josh Garris & Assessor Fouts. The action of the Board will be mailed out.

At 2:43 p.m., Clements made a motion to exit Board of Equalization. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Motion to adjourn the meeting was made by Bash. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Meeting was adjourned at 2:43 p.m. The Board will meet for a Budget Workshop on July 25, 2023, at 10:00 a.m. The next regular meeting will be held August 1, 2023, at 9:45 a.m. for consent agenda items, 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 EMA-Civil Defense Dues \$100; At Scene LLC-Sheriff's Equipment & dues \$2160.00; Auto Kreations Body Shop-Vehicle Repair \$110.00; Michelle Baker-Mileage \$37.20; Bob Barker Co-Jail Supplies \$100.98; CAMAS Publishing-Printing & Publishing \$113.40; City of Alma-Utilities \$880.00; Comfort Inn-Clerk Lodging \$259.90; Consolidated Management Co-Jail Meals \$27.50; Dawson County Sheriff's Office-Service Fees \$72.87; Des Moines Stamp-Office Supplies \$23.00; DeWald Deaver P.C.-Court Appointed Attorney Fees \$147.25; Dier, Osborne, Cox & Nelsen P.C.-Court Appointed Attorney Fees \$152.00; Eakes-Office Supplies \$638.71; Family Advocacy Network-FAN membership \$1000.00; First National Bank-Supplies, Postal Supplies, Office Equipment, \$9616.60; Anna Fisher-Mileage \$210.71; Tana Fye Henry, Attorney-Court Appointed Attorney \$579.50; Gworks-Contractual Services \$315.00; Harlan County Court-Court costs \$51.00; Harlan County Health Systems-Jail Meals \$1537.50; Harlan County Journal-publications \$427.34; Harlan County Senior Center-Transit & Senior Center \$2227.47; Harlan County Sheriff-Sheriff's Service Fees \$60.05; Harlan County Treasurer-Postal Service \$94.75; Hays Pharmacy-Jail Medical \$54.01; Hogeland Market-Jail/Inmate Supplies \$287.54; Holdrege Electric-Install Fixtures/labor \$1808.43; Hometown Leasing-Office Equip \$2467.05 & Maintenance Agreement \$966.06; Instakey Security Systems-Keys/levers/contract \$358.32; Lynn Peavey Company-Sheriff Supplies \$84.33; M&B Business Machine Service-Maintenance Agreement \$153.00; Midwest Connect-Postal Service & Office Supplies \$59.00; MIPS Inc.-Data Processing, \$1460.03; NE Law Enforcement Training Center-Lodging \$250.00; NE Auditor of Public Accounts-Audit costs \$13,134.50; NE Public Power District-Utilities \$887.56; Phelps County Sheriff-Jail Safekeeping & Medical \$50.21; Pitney Bowes-Office Supplies \$100.56; Platte Valley Communications-Sheriff Equip \$4565.15; Quill-Office Supplies \$662.58; Rebecca Dahlgren-Extension Mileage \$38.12; Republican Valley Animal Center-Fees \$59.00; Rose Plumbing -Repairs \$266.45; Shane Mulligan-Mileage \$275.10; DAS State

Accounting-Data Processing \$622.64; Tripe Motor Co-Vehicle Repairs \$6738.93; Trustworthy Hardware-Supplies \$24.95; Twin Valley's Public Power District-Utilities \$108.80; Urbom Law Office-Court Appointed Attorney \$47.50; USDA, APHIS Wildlife Services-Predator control \$3188.99; Vanguard Appraisals-Maintenance Agreement \$14900.00; Verizon Wireless-Sheriff Cell Phones \$444.20; Viaero Wireless-Cell phones \$107.42; Vyve Broadband-Phone Service, Internet, Data Processing \$1747.73; Carl Woollen-Refund \$100.00; York County Sheriff-Jail Safekeeping of Inmate \$195.00 (General Fund Total: \$77,155.89). **ROAD FUND:** A&M Ag Partners-Seed mix \$1150.00; Alma Auto Parts-Parts/Supplies \$65.32; B.H. Hesemann Shop-Bolts \$25.00; Bladen Sand & Gravel-Gravel/Rock \$14450.65; Bosselman Energy Inc.-Fuel \$8623.52; Bosselman Enterprises-Fuel \$1511.28; City of Alma-Trash Service \$43.71; Cooperative Producers-Fuel additives \$778.75; Jim Dietz-Retirement \$25.00; Durable Service-Office HVAC \$6716.00; First National Bank-Telephone Service \$209.94; Gworks-Data processing \$480.00; Harlan County Journal-Ad \$18.59; Harlan County Sheriff's Sinking Fund-Interfund Transfer/Vehicle \$12000.00; Hireright Solutions-Drug/alcohol testing \$336.30; Hunter's B&C-Equip Repair \$312.00; Huntley Service-Equip Repairs \$112.68; J&A Traffic Products-Signs/Posts \$9365.00; Landmark Implement-Fuel Add/Def \$584.36; M.J. Lubeck-Rent \$300.00; Main Street Variety-Supplies \$47.70; MIPS Inc-Data Processing \$127.16; NMC Exchange-Parts/Labor \$1932.15; Paddington Station-Fuel \$230.68; Platte Valley Communications-Radio Equip. \$1022.93; Platte Valley Equipment-Tiger Mower \$14961.60; RDO Truck Center-Freight/Equip Repair \$606.12; Reliable Pest Control-Pest Control \$120.00; Rudy's Tire Alma-Tube \$9.36; S&W Auto Parts-Tool & Shop Supplies \$232.16; Sappa Valley Farm & Auto-Fuel \$42.71; Stewart Tree Service-Tree Removal \$4020.00; Tripe Motor Co-Vehicle Repair \$4742.21; Trustworthy Hardware-Shop Supplies \$149.99; Twin Valleys Public Power-Utilities \$221.75; Verizon-Phone Service \$131.72; Village of Republican City-Utilities \$30.19; Vyve Broadband-Phone Service \$35.00; White's Auto Glass-Vehicle Repair \$370.20; (Road Fund Total: \$86,141.73) **HIGHWAY BRIDGE FUND:** Wilke Contracting-Bridge Repair \$38,800.00 **TOURISM:** First National Bank-Promotions \$573.61; KRVN-AM-Media/Advertising Dirt Drags \$770.00; (Tourism Fund Total: \$1343.61) **911 EMERGENCY FUND:** City of Holdrege-911 \$434.48; Vyve Broadband-911 \$44.00 (911 Emergency Fund Total: \$478.48) Grand Total: \$203,919.71