

HARLAN COUNTY BOARD OF SUPERVISOR'S
REGULAR MEETING MINUTES
From **September 5, 2023**

The Harlan County Board of Supervisor's met in regular session Tuesday, September 5th, 2023, in the Supervisors Room, of the Harlan County Courthouse in Alma, NE, as advertised, with Supervisor's Chris Schluntz; Max Schultz; Cindy Boehler; Jeff Bash; Ron Imm; and Tony Gulizia present. Supervisor, Mike Clements was absent. Also present were Clerk, DaLynn Burgeson; Highway and Weed Superintendent, Tim Burgeson; Treasurer, Sandy Artz; Assessor, Kim Fouts; and County Attorney, Bryan McQuay.

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. Claims were reviewed and discussed. Further discussion needed.

At 10:02 a.m. Chairman Gulizia opened the business meeting and asked the Board if they had reviewed the Minutes from the August 22nd, 2023, Budget Workshop and called for any additions or corrections. There were no additions or corrections. Motion was made by Bash to approve the minutes from August 22nd, 2023, as presented. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Chairman Gulizia asked the Board if they had reviewed the Minutes from the August 15th, 2023, regular Board meeting and called for any additions or corrections. Discussion was held. There were no additions or corrections. Motion was made by Schluntz to approve the minutes from August 15th, 2023, as presented. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-no; Imm-yes; Gulizia-yes. Motion carried.

Executive Session – Personnel matter: Motion was made by Boehler to go into Executive Session at 10:06 a.m. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Assessor Fouts, Treasurer Artz, Clerk Burgeson and County Attorney McQuay were asked to be present.

At 10:18 a.m., Boehler made a motion to exit Executive Session. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. *Board returned to regular session.*

Motion was made by Schluntz to approve the payroll claims/claims as submitted. Seconded by Imm. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

BOARD OF EQUALIZATION: Motion was made by Bash to go into Board of Equalization at 10:23 a.m. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Treasurer Artz presented the Board with Applications for Exemption for tax exempt license plates from 1) Camp Joy; 2) Harlan County Senior Center; and 3) Mid Nebraska Community Action. Discussion was held. Motion was made by Bash to approve the three applications as submitted from Camp Joy, Harlan County Senior Center and Mid Nebraska

Community Action. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Assessor Fouts came before the Board of Equalization with tax list corrections #1402 and #1403 to correct a trailer house located at North Shore Marina and a small lot in Stamford which was combined with another lot.

Motion was made by Boehler to approve tax list correction #1402 and #1403 as presented. Seconded by Schultz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

At 10:28 a.m., Bash made a motion to exit Board of Equalization. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. *Board returned to regular session.*

County Attorney McQuay came before the Board regarding the Board having 45 days from his resignation date effective September 7, 2023, and the need to appoint an interim county attorney until a county attorney is appointed to fulfill the remaining term of office. The county attorney position is being advertised, deadline for applications is October 1, 2023. Deputy County Attorney, Melodie Bellamy, submitted a letter of interest for the interim position with a proposed contract. Discussion was held. Motion was made by Imm to appoint Melodie Bellamy as interim county attorney at the current county attorney salary until a county attorney is appointed, pursuant to the proposed contract as presented. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Clerk Burgeson provided that Jennifer Kreutzer is now working in the Clerks office; that NIRMA's annual conference is October 19th & 20th, 2023, in Kearney; that her office received information from WBH Cattle Feeding LLC regarding Permit Transfers and Phased Construction & Operating Permit; that NACO Central District Board of Directors sent a letter for the Boards review; that the NE Auditors of Public Accounts, regarding their Engagement Letter, only charges the County for actual work hours and actual expenses incurred; that the County would be receiving an Incentive Payment for FY2021 from DHHS/child support; that a Joint Public Hearing on proposed property tax increases for Alma Public Schools and Harlan County is scheduled for September 18th, 2023, at 6:30 p.m. in the Community Room at the Harlan County Courthouse; and County Officers Annual Inventory statements for 2023 were provided to the Board for review and approval. The Board examined the inventory statements, approved the statements by signature and returned them to the County Clerk for filing as a public record.

Merchants Bonding Company request will be forwarded to the engineer, Ryan Stearns of Joseph R. Hewgley & Associates, INC, for completion.

The County offices phone system upgrade from Gen I to Gen II through Vyve was briefly discussed. Further information is being gathered regarding this transition.

Planning & Zoning Administrator, Ron Melbye came before the Board regarding solar farms in Harlan County, the update to the zoning policy related to wind turbines and the current Moratorium Resolution #2023-06. Discussion was held. Motion was made by Boehler to extend the moratorium resolution #2023-06 for an additional six (6) months from October 17, 2023. Seconded by Imm. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. The solar farms and wind turbines policy updates were tabled.

Robert Dunaway, CPA came before the Board regarding the County Budget for 2023-2024. Bob provided a worksheet for the Board to reference. There were questions and

discussions. A motion was made by Bash to approve an additional 1% increase in unused budget authority. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. A motion was made by Boehler to set the Harlan County Budget Hearing and Budget Summary for September 19th, 2023, at 11:00 a.m. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. A motion was made by Schultz to set the Special Hearing to Set Final Tax Request for September 19th, 2023, immediately following the Budget Hearing and Budget Summary. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. A motion was made by Bash to approve the Harlan County Levy Resolution 2023-15 granting the authority to Political Subdivisions, as requested, to levy an amount to generate proceeds to fund said tax requirements. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

A call from the accountant for the Oxford Rural Fire District was received by the Clerks office. Deputy Clerk Martin came before the Board to relay that the original requested amount of \$79,500 was incorrect due to a misunderstanding regarding the amount that the fire district could request. Therefore, the corrected amount for the Oxford Rural Fire District should be \$51,000. A motion was made by Bash to approve an amendment to Resolution 2023-15 by replacing the Oxford Rural Fire District requested amount of \$79,500 with \$51,000. Seconded by Boehler. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Highway and Weed Superintendent, Tim Burgeson, came before the Board with an Agreement for Professional Services with Oak Creek Engineering, LLC for services for Structure No. C004201815 Replacement project for bridge located on Road 718 between Roads H and I. Motion was made by Boehler to approve the Agreement for Professional Services with Oak Creek Engineering, LLC for services for Structure No. C004201815 Replacement project. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. A second Agreement for Professional Services with Oak Creek Engineering, LLC for services for Structure No. C004203205 and C004232615 Corp Permitting was presented. Motion was made by Imm to approve the Agreement for Professional Services with Oak Creek Engineering, LLC for services for Structure No. C004203205 and C004232615 Corp Permitting. Seconded by Schultz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. T. Burgeson provided an update on a free trial camera/GPS vehicle monitoring system that he is trying out to aid in mapping and documenting status of roads. Discussion was also held on drainage issues reported in Taylor Manor. He provided an update on what the road crew has been working on and an update on the F Road Bridge project. He received the proposal back from the Burlington Northern Railroad, had the estimate from Oak Creek Engineering updated and sent the new estimated numbers back to Burlington Northern Railroad. He is awaiting a response from the railroad. There has been no correspondence on the railroad crossing projects.

Chairman Gulizia asked the Board if they had reviewed the Credit Card policy drafted by Deputy County Attorney, Melodie Bellamy. Discussion was held on a few changes and tabled.

Chairman Gulizia then announced the application deadline dates for the open County job opportunities.

Supervisor Boehler provided an update on the restoration for the lady liberty statute at the Courthouse. Restoration is tentatively scheduled for next Spring.

The Board discussed the CASA funding request from 7/18/2023 with respect to the current county budget and agreed to provide the funds as requested. Clerk Burgeson will reach out to Kelly Jensen with CASA for claim and supporting documentation.

Clerk Burgeson provided the Board with documentation supplied by Ms. Lingg of the Harlan County Historical Society for the Harlan County Museum. Upon review of the documentation provided, the current county budget and discussions held, a motion was made by Boehler to approve the claim submitted on 7/18/2023 by the Harlan County Museum in the amount of \$10,000 for requested funds and an additional \$10,000 due to unforeseen extensive storm damages for a total of \$20,000. Seconded by Schluntz. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried.

Chairman Gulizia opened discussion on the search for a county vehicle for county business use and provided vehicle quotes. Discussion was held on purchasing a new vehicle versus used vehicle and how the current older trailblazer will be used. This matter was tabled to gather further information.

Building and grounds provided an update on the exterior renovations project and the current bid submitted by Duncan Theis Construction for said project. Supervisors Boehler and Gulizia met with Tim Duncan of Duncan Theis Construction and engineer, Ryan Stearns regarding the renovations. The current bid deadline was extended thirty days to allow for further discussion.

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

With no further business, a motion to adjourn the meeting was made by Boehler. Seconded by Bash. Roll call votes: Schluntz-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Imm-yes; Gulizia-yes. Motion carried. Meeting was adjourned at 12:54 p.m.

The next regular meeting will be held September 19th, 2023, at 9:45 a.m. for consent agenda items and 10:00 a.m. for business agenda items.

The Budget Hearing and Budget Summary will be held September 19th, 2023, at 11:00 a.m. in the Community room located in the Harlan County Courthouse with a Special Hearing to Set Final Tax Request immediately following.

ATTEST:

/s/ DaLynn Burgeson, County Clerk

/s/ Tony Gulizia, Chairman

Agenda & Minutes can be found on the County website: harlancounty.ne.gov

CLAIMS:

GENERAL: Payroll / Claims including Jennifer Kreutzer-Mileage to attend training \$68.78; MIPS Inc-Treasurer Postal Service \$19.22; Eakes Office Solutions-Printing & Publishing \$54.35; MIPS-Maintenance Agreements \$150.00; MIPS-Office Supplies \$65.00; Darcie Porter-Phone allowance \$45.00; Daake Law Office-Public Defender Salary \$4375.00; Whitney Schroeder-Child Support Enforcement Salary \$1100.00; Mid-American Benefits-Insurance Prem \$216.00; First State Bank-DD Fee \$35.00. **General Fund total:** \$114,683.88. **ROAD FUND:** Payroll / Claims; Allen Murhead-CDL reimbursement \$32.50; Sharon Lindsay-Office Supplies 78.02; **Road Fund total:** \$64,276.69. **TOURISM** Emily White-Admin Salary \$1200.00. **Tourism Fund Total:** \$1200.00. **Grand total: \$180,160.57**