

HARLAN COUNTY BOARD OF SUPERVISOR'S
AND
BOARD OF EQUALIZATION
REGULAR MEETING MINUTES
From **September 3rd, 2024**

The Harlan County Board of Supervisor's met in regular session Tuesday, September 3rd, 2024, in the Community Room of the Harlan County Courthouse in Alma, NE, as advertised, with Supervisor's Joe Schnuerle; Max Schultz; Mike Clements; Cindy Boehler; Jeff Bash; George Scott and Janice Miller-Boston present. Also, present were Clerk, DaLynn Burgeson; Deputy County Attorney, Whitney Schroeder and Highway & Weed Superintendent, Tim Burgeson.

At 9:31 a.m., Chairman Boehler called the meeting to order, announced that there is a copy of the Open Meetings Act posted at the south end of the room which will be followed by the Board and the Pledge of Allegiance was recited.

Treasurer Artz provided, for the Board's review, account balances, an Account Trial Balance Listing, and Delinquent Tax Listing.

The Board reviewed claims. Discussion was held. A motion was made by Scott to approve the claims as submitted. Seconded by Clements. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Chairman Boehler asked the Board if they had reviewed the Minutes from the August 20th, 2024, regular Board meeting and called for any additions or corrections. With no additions or corrections, a motion was made by Schnuerle to approve the minutes from August 20th, 2024, as presented. Seconded by Bash. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Assessor Kim Fouts came before the Board with a contract from Pritchard & Abbott for Oil & Gas for 2025 and 2026 and explained the agreement. Board approved and Chairman Boehler signed the Contract.

BOARD OF EQUALIZATION

A motion was made by Clements to go into Board of Equalization at 10:00 a.m. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. Assessor Kim Fouts came before the Board with tax list corrections #1420 and #1421. Fouts explained the corrections needed. A motion to approve tax list corrections #1420 and #1421 was made by Schnuerle. Seconded by Bash. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. With no further business, a motion to exit the Board of Equalization was made by Bash. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. ***The Board returned to regular session at 10:02 a.m.***

Highway & Weed Superintendent Tim Burgeson came before the Board and presented Right-of-Way Agreement #2024-5 submitted by Viaero Fiber. Burgeson then provided updates on road equipment, employee openings, employee training, gravel delivery status, and mowing areas. Burgeson provided an update on weed inspections and upcoming spraying along the river with the Argo.

Planning & Zoning submitted a Harlan County Zoning Administration Subdivision Application, Permit #443 submitted by Tipover Creek of Alma, NE. Discussion was held. Motion to approve Permit #443 as presented was made by Schnuerle. Seconded by Bash. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Planning & Zoning provided a Contract for Services from Marvin Planning Consultants (MPC) for the County Comprehensive Planning and Zoning Regulations. Planning and Zoning Committee members Bash and Schnuerle provided some details in this regard. Discussion was held. The matter was tabled to allow time for the contract to be reviewed by the County Attorney.

Planning & Zoning – Resolution for a Moratorium for Wind and Solar Energy was discussed to allow more time to continue the research and development of the regulations. This matter was tabled until the next board meeting.

Deputy County Attorney, Whitney Schroeder provided an update on the union contract. It has been sent to the Union with no response as of today.

Courthouse sidewalk compliance 2024 Duncan Theis Change Order Request #1 adding handicap ramps and extra concrete was presented to the Board. Discussion was held. This matter was tabled to allow time for further review.

At 10:54 a.m. a motion was made by Bash to go into executive session for protection of public interest regarding potential county litigation matters. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. Attendance during the closed session were the supervisors, county clerk, deputy county attorney and by phone, county attorney. A motion was made by Clements to exit the closed session. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

The Board returned to regular session at 11:51 a.m.

Transit Services. Chairman Boehler provided an update. Transit phones, vans, office space and an Amended Preliminary Agreement and Understanding for Harlan County Public Transit Services between Harlan County and Harlan County Health Systems were discussed. County Attorney will update the yearly contribution amount. A motion was made by Clements to approve the Amended Preliminary Agreement pending the change of the yearly contribution amount. Seconded by Miller-Boston. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-abstain; Scott-yes; Miller-Boston-yes. Motion carried.

Deputy Clerk Jessie Martin provided the Board with two annual 2024 Inventory lists received from Probation and Planning & Zoning. Tourism inventory has not been received. The lists were reviewed and signed. A motion was made by Miller-Boston to approve the two 2024 Inventory lists as presented. Seconded by Clements. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-absent. Motion carried.

At 12:17 p.m. the Board took a brief recess for lunch.

At 1:00 p.m. the Board reconvened.

BOARD OF EQUALIZATION - Commercial Property Valuation Protest Hearing

A motion was made by Bash to go into Board of Equalization at 1:01 p.m. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. Assessor Kim Fouts came before the Board for the scheduled Protest Hearing as submitted: Protest #1 - Parcel 180082400. Property owners: J. David Wells and Joan Wells. The recommendation from the Referee and Assessor was no change. An explanation was provided by Assessor. The property owners did not call nor appear for the protest hearing. Discussion was held. A motion was made by Scott to accept and approve the recommendation of no change for the commercial property valuation protest #1 as presented. Seconded by Schultz. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

With no further protests, a motion to exit the Board of Equalization was made by Clements. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. ***The Board returned to regular session at 1:11 p.m.***

At 1:12 p.m. the Board opened the Budget Workshop and Bob Dunaway, CPA, came before the Board and provided the Board with a spreadsheet for their review and consideration. Discussions were held. The Budget Hearings will be held September 17th.

Clerk Burgeson provided information and updates to the Board. Restricted Fund Authority for budget purposes was discussed. A motion to approve the additional 1% increase in budget authority was made by Clements. Seconded by Miller-Boston. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

County IT Services Committee. Update was provided by Schnuerle.

Building and Grounds Committee update was provided by Clements. Discussion was held on the courthouse exterior projects and surplus options for county property.

Public Forum: No Citizen comments.

With no further business, a motion was made by Schultz to adjourn the meeting. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-yes; Boehler-no; Bash-yes; Scott-yes; Miller-Boston-absent. Motion carried. Chairman Boehler adjourned the meeting at 3:35 p.m.

The next regular meeting will be held September 17th, 2024, at 9:30 a.m. for consent agenda items, 10:00 a.m. for business agenda items, 1:00 p.m. & 1:15 p.m. for Budget and Special Hearings.

ATTEST:

/s/ DaLynn Burgeson, County Clerk

/s/ Cindy Boehler, Chairman

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

CLAIMS:

GENERAL: Payroll \$73,830.71 / Claims: American Family Life \$435.05; Ameritas Life Insurance-Vision \$266.34; Ameritas Life Insurance Corp-Retirement \$12,071.47; Community Bank-Payroll Deduction HSA \$1480.00; Daake Law Office-Public Defender Salary \$4375.00; First State Bank-payroll deductions \$22,222.48; Fouts, Kim-Assessor Mileage \$142.04; Harlan County Journal-Subscription \$39.50; Medica-Insurance \$13,332.62 & Medica-Insurance Employee deduction \$1600.00; NE Department of Revenue-payroll deductions \$3313.06; Richard Ohrt-Planning & Zoning mileage \$17.42; Justin Pape-Planning & Zoning mileage \$21.44; Darcie Porter-Phone allowance \$45.00; Dan Stoelting-Planning & Zoning mileage \$5.00; Lincoln National Life Insurance-premiums \$1501.49; Jeremy VanBoening-Planning & Zoning mileage \$17.42; Whitney Schroeder-Child Support Enforcement Salary \$1100.00; Doug Winz-Planning & Zoning mileage \$23.45; Brandon Wright-Planning & Zoning mileage \$10.72. **General Fund total:** \$135,850.21. **ROAD FUND:** Payroll \$33,548.23 / Claims: American Family Life \$848.44; Ameritas Life Insurance-Vision \$195.76; Ameritas Life Insurance-Retirement \$5214.10; Community Bank-payroll deductions \$565.00; First State Bank-payroll deductions \$10,504.37; Medica-Insurance \$7326.40 & Medica-Insurance Employee deduction \$1000.00; NE Department of Revenue-payroll deductions \$1558.11; NE Public Employees Local 251-Union Dues \$275.00; Lincoln National Life Insurance-premiums \$662.46. **Road Fund total:** \$61,697.87. **TOURISM:** Jordann Dunlay-Admin Salary \$1200.00. **Grand total: \$198,748.08**