

HARLAN COUNTY BOARD OF SUPERVISOR'S
REGULAR MEETING MINUTES
From **September 17th, 2024**

The Harlan County Board of Supervisor's met in regular session Tuesday, September 17th, 2024, in the Community Room of the Harlan County Courthouse in Alma, NE, as advertised, with Supervisor's Joe Schnuerle; Max Schultz; Cindy Boehler; Jeff Bash; George Scott and Janice Miller-Boston present. Supervisor Mike Clements was absent. Also, present were Clerk, DaLynn Burgeson; Deputy County Attorney, Whitney Schroeder and Highway & Weed Superintendent, Tim Burgeson.

At 9:31a.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, Delinquent Tax Listing and Pledged Securities Reports.

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

Chairman Boehler asked the Board if they had reviewed the Minutes from the September 3rd, 2024, regular Board meeting and called for any additions or corrections. There was one correction noted on page 2, paragraph beginning with Deputy Clerk... Roll call votes: Miller-Boston was not *absent*, her roll call vote was *yes*. A motion was made by Bash to approve the minutes from September 3rd, 2024, as presented with the correction to the roll call vote of Miller-Boston from absent to yes. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Treasurer Artz joined the meeting, came before the Board and provided the Board with a printout of 2022 unpaid taxes as of March 4, 2024. Artz explained the report and requested authority from the Board to start the tax foreclosure process on the properties as listed. Discussion was held. A motion was made by Bash granting authority to Treasurer Artz to proceed with the tax foreclosure process on the 2022 properties with unpaid taxes. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Highway & Weed Superintendent Tim Burgeson provided the Board with a tentative schedule from the Railroad for the F Road bridge project, updates on road equipment, upcoming bridge inspections, gravel maps, status of gravel deliveries, and current crew projects. Burgeson also provided that he recently sprayed noxious weeds along the river, found a few other spots to be sprayed and will be sending letters to landowners with noxious weeds.

Wes Baxter and Marlys Baxter joined the meeting, introduced themselves and asked to address the Board regarding tall weeds on G Road that are causing a sight issue. Discussion was held. Hwy Superintendent Burgeson will look into the situation. The Baxter's were thanked for coming and remained sitting in the public seating.

Marvin Planning Consultants, Contract for Services for Comprehensive Planning and Zoning Regulations. Deputy County Attorney Schroeder advised that both her and County Attorney Bellamy reviewed the contract and did not find any legal issues with the contract. Planning and Zoning Committee members Bash and Schnuerle both provided details about the contract. Discussion was held. A motion was made by Schnuerle to accept and approve the Contract of Services as presented by Marvin Planning Consultants. Seconded by Bash. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Planning and Zoning moratorium resolutions for wind turbine and solar farms were provided to the Board for their review and consideration. Deputy County Attorney Schroeder provided an explanation regarding the different resolutions. Discussion was held regarding the proposed length of the moratoriums being 6 months versus two years as with specific language of the resolutions. Planning and Zoning Committee members Bash and Schnuerle provided information from the planning commission meeting that they attended in which a two-year term for the moratorium was discussed and

agreed upon. This agenda item was tabled to allow time to return the resolution being considered for an amendment to the length of the moratorium. Citizen Wes Baxter asked to address the Board again. Mr. Baxter expressed his gratitude to the Board for all that they do and provided his thoughts on the moratorium resolution that the Board was considering. After further discussion, a motion was made by Scott to accept and approve Resolution #2024-15 presented by the Planning Commission for a two-year term moratorium with the amendment to Page 2, first paragraph, where it states “that the said *one (1) year* moratorium” as this should be amended to state a “*two (2) year* moratorium” to be consistent with the first page, paragraph 10, in which it states “a two (2) year moratorium”. Seconded by Schultz. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Deputy County Attorney, Whitney Schroeder provided an update on the union contract that has been submitted to the union for consideration and acceptance to conclude negotiations. Discussion was held on the length of contract being proposed as a three-year term versus a one-year term as favored by Schnuerle. The County is now awaiting a response from the Union.

Deputy County Attorney Schroeder provided an update on the letter drafted to be sent to the Senior Center regarding the transfer of the transit vehicles specifically the one owned by the County and the one owned by the Senior Center.

A discussion was held regarding the status of the Courthouse sidewalk ADA compliance and the 2024-Duncan Theis Change Order Request #1 submitted to add handicap ramps and extra concrete. This matter was tabled until the next board meeting to allow time for an updated plan and an itemized bid.

At 11:45 a.m., the meeting was recessed for lunch by Chairman Boehler..

At 12:47 p.m. Chairman Boehler reconvened the meeting.

Discussion was held regarding a County surplus policy and the cleaning out of the old supervisor’s room for the transit services office. The County Attorney will prepare a surplus policy and arrangements will be made to clean out the room.

Discussion was held on recording Board meetings.

County Inventories for 2024. A motion to accept and approve the Harlan County Tourism 2024 Inventory was made by Miller-Boston. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Building & Grounds committee update was provided by Scott. The maintenance position has been filled and Bryan Crowder will be starting October 1, 2024. The current Courthouse custodian’s last day will be September 30, 2024. Two Courthouse keys will be returned by the Contractor from phase one of the renovations and further discussion was held regarding funding available for the change order submitted for the sidewalk handicap ramps and extra concrete. Boehler provided an update on damage that happened to the Lady Liberty statue upon it being removed from its location and the tentative plan to take it to Omaha to be completely restored and returned to the Southside of the Courthouse.

CPA, Robert Dunaway joined the meeting. At 1:06 p.m. Chairman Boehler adjourned the regular meeting to open the **Harlan County Budget Hearing and Budget Summary** as published. (*See separate minutes*)

The County Board of Supervisors returned to the regular meeting with Chairman Boehler opening said meeting at 1:57 p.m. A motion was made by Schultz to approve Resolution #2024-16 approving the adoption of the Harlan County Budget for Fiscal Year July 1, 2024 – June 30, 2025. Seconded by Scott. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-no; Scott-yes; Miller-Boston-yes. Motion carried.

The Notice of the Harlan County Special Hearing to Set Final Tax Request did not get published as submitted and therefore, will be rescheduled to October 1, 2024, at 1:00 p.m. The Notice will be published accordingly in the Harlan County Journal and Holdrege Daily Citizen.

Transit Services. Chairman Boehler provided a status update in which Harlan County Health Systems appears to have what they need except for a transit phone in the Courthouse and ownership of the transit vehicles. The County will transfer the County owned transit vehicle and purchase to transfer the Goeshen bus from the Senior Center. Harlan County Health Systems, if desired, shall purchase a

third transit vehicle directly from the Senior Center. The County's IT service provider shall assist in getting a landline phone for the transit services office.

County IT services. Schnuerle provided an update on behalf of the IT service committee, explained the proposals received from each vendor with comparisons of provided services and costing and made the committee's recommendation to the Board to accept the proposal from Applied Connective for the County's preferred IT service provider. Discussion was held. A motion was made by Schnuerle to accept, approve and engage with Applied Connective as the County's IT service provider. Seconded by Scott. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Clerk Burgeson provided, for the Boards information, an Investment Portfolio Pledged Securities report dated 8/31/2024 from the First State Bank, the new Budget Billing letter from the City of Alma, registration information for the upcoming NIRMA conference October 24 & 25th, 2024, a new Business Service Order received from Vyve, an update on installation of new hardware to the Courthouse South entrance doors by CEI and an update on the County Court, community room and hallway air conditioning as provided by Johnson Controls. Discussions were held.

Public Forum: No citizen comments during this time.

With no further business, a motion was made by Bash to adjourn the meeting. Seconded by Schnuerle. Roll call votes: Schnuerle-yes; Schultz-yes; Clements-absent; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. Chairman Boehler adjourned the meeting at 3:10 p.m.

The next regular meeting will be held October 1, 2024, at 9:30 a.m. for consent agenda items, 10:00 a.m. for business agenda items, and 1:00 p.m. for a Harlan County Special Hearing to Set Final Tax Request.

ATTEST:

/s/ DaLynn Burgeson, County Clerk

/s/ Cindy Boehler, Chairman

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

CLAIMS:

GENERAL: Aliese Bowman-Supplies \$8.76; Melodie Bellamy-Mileage \$73.70; Mickayla Blender-Mileage \$32.16 and Meals \$16.14; Bob barker Co-Supplies \$105.72; Business World- Office Supplies \$63.15; Dianne Calkins-Supplies \$36.00; CHS-Fuel \$86.00; Communications Engineering Inc-Computer Consultation \$100.00; Custom Cage-Vehicle Equipment \$1590.00; Daake Law Office-Attorney Fee \$414.00; Dept of Correctional Services-Medical \$178.28; Dewald Deaver Law-Attorney Fees \$505.55; Eakes Office Solutions-Office Supplies \$130.72; First National Bank-Office Supplies/Fuel/Meals/Postal Services \$2113.85; Anna Fisher-Mileage \$165.49 and Meals \$20.00; Kim Fouts-Mileage \$136.68; Franklin County Chronicle-Publishing \$83.40; Tana Fye Henry Law-Attorney Fees \$724.30; Pat George- Mileage \$254.49 and Meals \$63.69; Graham Tire Co-Tires \$664.00; Harlan County Court-Court Costs \$88.00; Harlan County Health Systems- Prisoner Meals \$795.00 and Transit Costs \$30,000.00; Harlan County Journal- Publishing \$735.90; Hays Pharmacy-Medical \$39.33; Hogeland Market- Supplies \$209.27; Holdrege Daily Citizen-Publishing \$117.80; Intellicom-Internet Service \$766.25; Klein, Brewster, Brandt Law-Attorney Fees \$23.00; MIPS-Data Processing \$1448.91; NE Public Health Environmental Lab-Court Costs \$67.20; NPPD-Electricity \$1,066.57; Pitney Bowes Global-Postal Services \$97.86; Platte Valley Communications-Equipment Repair \$4132.78; Quadient Leasing-Maintenance Agreement \$500.88; Quill-Office Supplies \$493.98; Republican Valley Animal Center-Miscellaneous \$49.50; Rose Plumbing-Repairs \$757.51; Das State Accounting-Teletype Service \$537.60; Those Blasted Signs-Vehicle Equipment \$575.00; TNT Tracy Weak-Lawn Maintenance \$600.00; Tripe Motor-Car Repair \$799.35; Twin Valley PPD-Utilities \$137.76; UNL Haskell Ag Lab-Dues \$115.00; Urbom Law Office-Attorney Fees \$683.55; Verizon Wireless-Phone \$243.01; Viaero-Phone \$107.14; Vyve Broadband-Phones and Internet \$3308.18; Whites Auto Glass-Car Repair \$45.00; 911 Custom-Uniforms/Equipment \$5431.00; General Claims Total \$61,574.41.

ROAD: Alma Auto Parts-Supplies \$103.83; B.H. Hesemann Shop-Repair \$20.70; Bosselman Energy-Fuel \$3406.06; Bosselman Enterprises-Fuel \$1648.67; CHS-Repairs \$36.00; City of Alma- Garbage \$64.50; Cooperative Producers-Fuel/DEF \$3960.50; Jim Dietz-Retirement \$25.00; First National Bank-Office Supplies \$43.98; Garrett Tires-Tires \$3470.00; Harlan County Journal- Publishing \$169.80; Hogeland Market-Office Supplies \$52.44; Huntley Service-Fuel \$136.80; M.J Lubeck-Rent \$300.00; Main Street Variety-Shop Supplies

\$24.77; MIPS-Data Processing \$127.16; NACO-Dues \$50.00; NMC Exchange-Repairs \$10,587.36; Overton Sand & Gravel-Gravel \$6757.73; Paulsens-Gravel \$38,196.25; Platte Valley Communications-Repairs \$315.34; Quill-Office Supplies \$80.54; Reliable Pest Control Services-Pest Control \$265.00; Rudys Tire-Tires \$339.59; S&W Auto Parts-Supplies \$218.67; Sappa Valley Farm and Auto-Fuel \$124.31; Tripe Motor-Repair \$50.00; Twin Valley PPD-Lights \$268.18; Village of Republican City-Water \$35.06; Road Claims Total \$70,878.24.

ROAD EQUIPMENT SINKING: NMC Exchange-Motor Grader \$348,200.00.

TOURISM: Nebraska Rural Radio Association-Advertising \$305.00.

COVID AMERICAN RESCUE PLAN (ARPA): Duncan Theis Construction-Exterior Renovations \$177,865.20.

E911- City of Holdrege-Emergency Maintenance \$311.63.

CLAIMS GRAND TOTAL: \$659,134.48