

HARLAN COUNTY BOARD OF SUPERVISOR'S  
REGULAR MEETING MINUTES  
From **June 18<sup>th</sup>, 2024**

The Harlan County Board of Supervisor's met in regular session Tuesday, June 18<sup>th</sup>, 2024, in the Community Room of the Harlan County Courthouse in Alma, NE, as advertised, with Supervisor's 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 9:30 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. 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. Chairman Boehler asked the Board if they had all had a chance to review the claims. A motion was made by Bash to approve the claims as submitted. Seconded by Schultz. Roll call votes: 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 June 4<sup>th</sup>, 2024, regular Board meeting and called for any additions or corrections. There were a few corrections and are as follows: paragraph 6...joining the meeting were Kyle Brown, Jesse Langley and Ryan *Melton*; paragraph 7...roll call votes, Boehler-*abstained*; paragraph 8...roll call votes, Clements-*abstained*. With no further corrections, a motion was made by Bash to approve the minutes from June 4<sup>th</sup>, 2024, with the above noted corrections. Seconded by Miller-Boston. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

**BOARD OF EQUALIZATION**

A motion was made by Clements to go into Board of Equalization at 10:24 a.m. Seconded by Bash. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Assessor, Kim Fouts, came before the Board and explained two property corrections that were needed to correct property values. A motion to approve board corrections as presented was made by Bash. Seconded by Schultz. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

A motion to exit the Board of Equalization was made by Bash. Seconded by Clements. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

***The Board returned to regular session at 10:27 a.m.***

Hospital board vacancy. A motion was made by Schultz to nominate Rueben Chavez for the hospital board appointment to replace Deb Jensen. Seconded by Bash. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. Schultz will notify Mr. Chavez of his appointment.

Public Transit – Supervisor Boehler provided an update on behalf of the Transit Committee. Discussion was held. A motion was made by Clements to approve a Preliminary Agreement and Understanding for Harlan County Public Transit Services between Harlan County and Harlan County Health Systems as presented. Seconded by Scott. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. There are still details to be worked out, but ongoing efforts shall continue towards restoring viable transit services to Harlan County.

Clements requested an update on the status of the traffic study previously requested for placement of Stop signs on Cornhusker Road for safety purposes and speed control. Highway Superintendent Burgeson came before the Board, provided an update, explained the information and regulatory guidelines that he had gathered and provided an alternative to help regulate speed control. Burgeson presented a quote for solar radar speed signs for the Board's consideration. A motion was made by Schultz to approve the purchase of two solar radar speed signs. Seconded by Bash. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Highway & Weed Superintendent Burgeson presented one Right-of-Way agreement #2024-04 for the Board to review. He then provided an update on road department job vacancies, equipment repairs, gravel availability and a new sign program. Burgeson introduced Tom Bokenkamp, CEO of Ace/Eaton Metals of Kearney, NE. Mr. Bokenkamp came before the board and provided an Annual Culvert Bid for 2024/2025. Discussion was held. A motion was made by Schultz to approve the Annual Culvert Bid for 2024/2025. Seconded by Bash. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Transfer of Ownership and Funding Agreement between BNSF Railway and Harlan County. County Attorney Bellamy and Deputy County Attorney Schroeder both reviewed the Agreement. Schroeder provided legal references in regard to the agreement. Burgeson provided details of the agreement including an approximate timeline for the project to be completed. Discussion was held. A motion to accept the proposed Transfer of Ownership and Funding Agreement between BNSF Railway and Harlan County was made by Schultz. Seconded by Bash. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. Chairman Boehler signed the Agreement.

Highway Superintendent Burgeson presented Resolution #2024-09 for the Board's consideration to transfer \$350,000 from the Road Fund to the Road Equipment Sinking Fund. A motion was made by Clements to approve Resolution #2024-09 transferring \$350,000 from the Road Fund into the Road Equipment Sinking Fund. Seconded by Schultz. Roll call votes: Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried.

Kyle Brown, USDA Wildlife Specialist, joined the meeting.

Jesse Langley and Ryan Melton came before the Board regarding the Proposed Service Agreement between them and Harlan County for predator control services in Harlan County as this matter was tabled at the last board meeting. Langley explained that the Agreement had been updated and would be between Harlan County and Ryan Melton only, removing Jesse Langley from the proposed agreement previously submitted. Discussion was held. Chairman Boehler requested a five-minute recess at 11:19 a.m. Chairman Boehler, Vice Chairman Clements and Deputy County Attorney Schroeder exited the meeting. The three returned and at 11:24 a.m., Chairman Boehler reconvened the meeting. Chairman Boehler invited Kyle Brown to come before the board. Langley and Melton went back to their seats. Kyle Brown approached the Board. Discussion was held regarding the previously submitted Proposed Work/Financial Plan Between Harlan County and the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services that was tabled at the previous board meeting. A motion was made by Bash to stay with Kyle Brown and approve the Proposed Work/Financial Plan Between Harlan County and the United States Department of Agriculture Animal and Plant Health Inspection Service Wildlife Services as presented. Seconded by Schultz. Roll call votes: Schultz-yes; Clements-no; Boehler-yes; Bash-yes; Scott-no; Miller-Boston-no. (3 yes-3 no) Motion failed. County Attorney Bellamy telephonically joined the meeting and provided the Board with legal options in reference to the failed motion. A new motion was made by Clements to accept the Proposed Service Agreement Between Harlan County and Ryan Melton as presented. Seconded by Scott. Roll call votes: Schultz-no; Clements-yes; Boehler-yes; Bash-no; Scott-yes; Miller-Boston-yes. (4 yes-2 no) Motion carried. Chairman Boehler to sign the Agreement. Deputy County Attorney Schroeder will prepare a 30-day written termination notice to USDA Animal and Plant Health Inspection Service Wildlife Services pursuant to Cooperative Service Agreement #21-73-31-2094RA dated 6/21/2021.

Clerk Burgeson announced that interviews for the District 1 Supervisor vacancy were held on June 17<sup>th</sup>, 2024, at 3:00 p.m. by County Attorney Melodie Bellamy, County Treasurer Sandy Artz and County Clerk DaLynn Burgeson and introduced, Joseph Schnuerle, the newly appointed Supervisor for District 1, who will start July 1, 2024, for the remaining term through 2026. The Board welcomed Joe to the Board of Supervisors. Burgeson provided an update on the recabling and relocation of the equipment tower to a secure location, currently located in the Clerk's office, being completed by CK Technologies.

Veteran Service Officer, Pat George, provided the Board with a handout, Veterans Service Office Update (December 19<sup>th</sup>, 2023, through June 11<sup>th</sup>, 2024) for the Boards information. The Board expressed their appreciation and thanked George for what he is doing to assist and provide veteran services in Harlan County.

Clerk Burgeson provided the Board with a letter from Nebraska Department of Environment and Energy regarding the Harlan County Board submitting comments for the Department's consideration regarding High Choice Feeders, Modified Construction and Operating Permit application. This matter was tabled to gather more information and will be on the next board meeting agenda.

Building and Grounds Committee update was provided by Clements. Discussions were held.

**Public Forum:** David Schofield expressed his concerns to the Board regarding speed control on Cornhusker Road. Discussion was held. The Board thanked Mr. Schofield for his attendance and expressing his concerns.

With no further business, a motion was made by Bash to adjourn the meeting. Seconded by Miller-Boston. Schultz-yes; Clements-yes; Boehler-yes; Bash-yes; Scott-yes; Miller-Boston-yes. Motion carried. Chairman Boehler adjourned the meeting.

The next regular meeting will be held July 2<sup>nd</sup>, 2024, at 9:30 a.m. for consent agenda items and 10:00 a.m. for business agenda items.

**ATTEST:**

/s/ DaLynn Burgeson, County Clerk

/s/ Cindy Boehler, Chairman

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

**CLAIMS:**

**GENERAL:** All Needs Computer and Mailing Services-Contractual Services \$834.60; Mickayla Blender-Mileage \$86.03; Buffalo County- Dues \$200.00; DaLynn Burgeson-Meals, Mileage and Dues \$304.74; Business World- Office Supplies \$158.00; Centec Cast Metal Products-Veterans Supplies \$370.71; City of Alma-Utilities \$926.00; CJIS Operational Protection Services- Computer Consult \$ 1200.00; Clerk of the District Court- Cost \$166.00; Communications Engineering-Computer Consult \$468.00; Cummins Sales and Service- Equipment Repair \$ 382.15; Dewald Deaver-attorney Cost \$2816.73; Diamond Exterminating-Contractual Services \$ 150.00; Family Advocacy Network-Dues \$1000.00; First National Bank-Dues, Supplies, Postage \$3960.80; Anna Fisher-Mileage \$ 148.47; Tana Fye- Attorney Cost \$ 763.12; Gworks-Contractual Service \$ 200.00; Harlan County Court- Court Cost \$38.00; Harlan County Health Systems-Prisoner Meals \$840.00; Harlan County Journal-Printing and Publishing \$609.92; Harlan Transfers- interfund Transfer \$400,000.00; Hays Pharmacy-Medical \$89.79; Dawn Hatrick-Postal/Mileage \$18.25; Hogeland Market-Supplies \$301.78; Intellicom-Data Processing \$2675.75; Jeff's Electric-Repairs \$163.00; Johnson Controls- Boiler Supplies \$7265.41; Justice Data Solutions-Teletype Service \$3000.00; Klein, Brewster, Brandt-Attorney Cost \$69.00; Maas Construction-Maintenance \$970.95; Mips-Data Processing \$1427.00; Kevin Molzahn-Snow Removal \$725.00; Naco-Dues \$1472.62; NACVSO-Dues \$400.00; NPPD-Lights \$491.87; NIRMA- Insurance \$50,163.00; Pitney Bowes Global-Postage \$97.86; Quadiant Finance-Postage \$1000.00; Quadiant Leasing-Postage \$500.88; Quill-Office Supplies \$502.47; South Central Area on Aging-Services \$969.00; Standard Appraisal Services-Contractual Service \$15,944.00; State of Ne Accounting-Data Processing \$888.35; Thomas Stewart-Attorney Cost \$149.50; The Trader-Printing and Publishing \$104.40; TNT/Tracy Weak-Mowing \$400.00; Tripe Motors-Repairs \$491.10; Trustworthy Hardware-Supplies \$68.98; Twin Valley PPD-Utilities \$126.49; Vanguard Appraisals-Maintenance Agreement \$2380.00; Verizon Wireless-Phones \$242.91; Viaero Wireless-Phones \$106.84; Vyve Broadband- Internet/Phones \$2325.09; Woods and Aitkens-Consulting \$1155.00; General Claims Total \$512,310.56; **ROAD:** Ace Irrigation-Culverts \$26,843.67; Alma Auto Parts-Supplies \$198.18; B's Enterprises-Fence \$370.00; Bosselman Energy- Fuel \$15,866.52; Bosselman Enterprises-Fuel \$1467.46; Broken Bar C Electric-Repairs \$372.66; Cencon Of Kansas-Freight/Gravel \$12,304.10; Central States Aggregate-Freight/Gravel \$10,075.95; City of Alma- Garbage \$64.50; Cooperative Producers-Fuel/DEF \$2201.15; Jim Dietz-Retirement \$25.00; Harlan County Journal-Printing and Publishing \$164.10; Hireright Solutions-Drug Testing \$56.05; Holdrege Auto Parts-Freight/Parts/Supplies \$411.40; Huntley Service-Repairs \$815.49; M.J. Lubeck-Rent \$300.00; Mips-Data Processing \$127.16; NMC Exchange-Frieght/Parts \$7908.07; Niobrara Loge-Lodging \$321.00; NIRMA-Insurance \$42,705.00; Oak Creek Engineering-Engineering Fees \$5330.84; Paulsen Inc-Gravel \$3423.80; S&W Auto Parts-Parts \$167.32; Sappa Valley Farm and Auto-Fuel \$195.37; Tripe Motors-Parts \$970.51; Trustworthy Hardware-Supplies/Parts \$119.86; Twin Valley PPD-Lights \$236.22; Verizon-Phone \$65.98; Village of Republican City-Water \$35.06; Whites Auto Glass-Repairs \$45.00; Road Claims Total \$133,187.42; **TOURISM:** The Hex and the Hive-Advertisement \$250.00; Jason Bonnicksen-Web Site \$317.99; Nebraska Rural Radio Association \$125.00; Tourism Claims Total \$692.99; **COVID AMERICAN RESCUE PLAN (ARPA):** Alma Rotary Club-Gazebo \$5638.97; **E911:** City of Holdrege- Emergency Maintenance \$328.50 **CLAIMS GRAND TOTAL: \$652,158.44**