

**BUFFALO COUNTY BOARD OF SUPERVISORS  
BUFFALO COUNTY BOARD OF EQUALIZATION  
TUESDAY, APRIL 9, 2013  
9:00 A.M**

The Buffalo County Board of Supervisors and the Buffalo County Board of Equalization met on Tuesday, April 9, 2013 at 9:00 A.M. and 10:15 A.M. Chairman McMullen called the meeting to order and led those present in the Pledge of Allegiance. The following Board members responded to roll call: Francis Biehl, Joseph Brayton, Kent Greder, Ivan Klein, Sherry Morrow, Dennis Reiter and William McMullen. (The Board room is being renovated at this time; therefore this meeting was held in Hearing Room B of the Justice Center.) Chairman McMullen announced that in accordance with Section 84-1412 of the Nebraska Revised Statutes, a current copy of the Open Meetings Act is available for review. County Clerk Janice Giffin took all proceedings hereinafter shown; while the convened meeting was open to the public.

**REGULAR AGENDA**

Moved by Reiter and seconded by Klein to approve the March 26, 2013 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Reiter, Klein, Biehl, Brayton, Greder, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Brayton to accept the County Treasurer March 2013 Fund Balance Report and the Clerk of District Court March 2013 Report. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Biehl, Greder, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Morrow to approve the early claim submitted by the County Clerk as listed below. Upon voice vote all Board Members present voted "Aye". None voted "Nay". Motion declared carried.

<b>ROAD FUND</b>		
STATE OF NE-MOTOR FUELS	FUEL TAX	\$2,252.00

**COURTHOUSE RENOVATIONS**

Job Superintendent Joey Thoene and Project Manager Steve Gaasch from Beckenhauer Construction were present to update the Board on the Phases 4-7 Courthouse Renovation Project.

Moved by Morrow and seconded by Brayton to approve Change Order Request #17 to install additional soffit in the Board Room in the amount of \$1,232.00. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Biehl, Greder Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

**REGULAR AGENDA**

Chairman McMullen reviewed the following correspondence. Clay County Board of Supervisors sent a request for support of the passage of LB57. Nebraska Department of Roads sent request for Buffalo County's ADA Policy Statement and Assurances in order to comply with the receipt of federal financial assistance. The Kearney Visitors Bureau sent a copy of the audit report that was prepared by McDermott & Miller. Chairman McMullen called on each Board member present for committee reports and recommendations.

Moved by Biehl and seconded by Greder to approve the following Resolution 2013-12 to instruct the County Treasurer Jean Sidwell to issue Tax Sale Certificates in the name of the County. Upon roll call vote, the following Board members voted "Aye": Biehl, Greder, Brayton, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

**RESOLUTION 2013-12**

**WHEREAS**, The Revised Statutes of Nebraska, Sec. 77-1809 and 77-1918, provides that upon the direction of the County Board of Supervisors, for the County Treasurer to issue Tax Sale Certificates in the name of the County, and

**WHEREAS**, the following list of legal descriptions have either delinquent taxes for the years 2008, 2009, 2010, 2011 and have been offered for sale at Public Sale, and have remained unsold for want of bidders,

**NOW THEREFORE, BE IT RESOLVED**; that the Buffalo County Board directs the County Treasurer of Buffalo County, to place Tax Sale Certificates on all delinquent taxes and special assessments for 2008, 2009, 2010, 2011 and to maintain such Certificates in her custody, and to purchase all subsequent taxes thereon as the same may become delinquent.

County Treasurer Jean Sidwell was present to discuss the observance of the Arbor Day holiday on April 26, 2013. Sidwell was requesting permission to open her office on the holiday to accommodate taxpayers and the tax delinquency date of May 1, 2013. After discussion, it was decided that the Treasurer's office would be closed like the rest of the Courthouse on April 26, 2013 to protect the public while certain construction work near the County Treasurer's office would be completed during the three day weekend.

Discussion was held on the process of approving Special Designated Liquor license permits. The Nebraska Liquor Control Commission requests a recommendation of the Board of Supervisors before issuing the permit for an event to be held in the Buffalo County jurisdiction. Moved by Greder and seconded by Brayton to continue to have the applications filed with the Clerk and reviewed by the County Sheriff and then placed on the Agenda for final Board approval. Upon roll call vote, the following Board members voted "Aye": Greder, Brayton, Biehl, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Gibbon City Administrator Chris Rector and Ryan Smith were present to discuss the Gibbon Valley View Municipal Golf Course liquor license application and manager's application for the City of Gibbon. A public hearing was conducted March 26, 2013. Moved by Klein and seconded by Brayton to approve the Gibbon Valley View Municipal Golf Course liquor license application with Ryan Smith as the manager, upon receiving TIPS Training record from those who will be serving alcohol under this license. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Brayton to enter into Executive Session for the protection of public interest to discuss personnel issues at 9:37 A.M. In addition to Board members responding to roll call, Sheriff Neil Miller was present. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Klein to move out of Executive Session at 10:14 A.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Highway Superintendent Ron Sklenar was present for discussion on the speed limit reduction for portion of 78<sup>th</sup> Street between Highway 40 and 17<sup>th</sup> Avenue. Moved by Brayton and seconded by Klein to reduce the Speed Limit from 50 MPH to 40 MPH as per completed engineering study for 78<sup>th</sup> Street between Hwy 40 and 17<sup>th</sup> Avenue or that Section of Roadway laying in Section 14, Township 9 North, Range 16 West. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Brayton to recess the regular meeting of the Board of Supervisors at 10:17 A.M. and reconvene as a Board of Equalization. Upon voice vote all Board Members present voted "Aye". None voted "Nay". Motion declared carried.

### **BOARD OF EQUALIZATION**

Chairman McMullen called the Board of Equalization to order in open session. County Assessor Joe Barber was present.

Moved by Klein and seconded by Morrow to approve Tax List Corrections numbered 3946 through 3956 submitted by County Assessor Barber. Upon roll call vote, the following Board members voted "Aye": Klein, Morrow, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Brayton to recess the Board of Equalization at 10:19 A.M. and to return to the regular meeting of the Board of Supervisors. Upon voice vote all Board Members present voted "Aye". None voted "Nay". Motion declared carried.

Chairman McMullen called for Citizen's forum and no one was present.

Chairman McMullen asked if there was anything else to come before the Board at 10:20 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday April 23, 2013 at 9:00 A.M.