

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, SEPTEMBER 8, 2015
9:00 A.M.**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, September 8, 2015 at 9:00 A.M. and 9:30 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, Dennis Reiter and William McMullen. Absent: Sherry Morrow. A copy of the acknowledgment and receipt of notice and agenda by the Board of Commissioners is attached to these minutes. 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. Deputy County Attorney Kari Fisk was present.

REGULAR AGENDA

Moved by Brayton and seconded by Reiter to approve the August 25, 2015 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Brayton, Reiter, Biehl, Greder, Klein and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Moved by Biehl and seconded by Klein to ratify the following September 4, 2015 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Biehl, Klein, Brayton, Greder, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

<u>GENERAL FUND</u>			
NET PAYROLL			202,976.79
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	1,150.52
AMERITAS LIFE INSURANCE	E	EMPE EYE CARE	504.20
RETIREMENT PLANS OF AMERITAS	R	EMPE RET	34,012.64
BUFFALO CO TREASURER	I	PREMIUMS	84,735.19
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	352.11
COLONIAL SUPPLEMENT INSURANCE	I	EMPE COLONIAL	41.83
FIRST CONCORD BENEFITS	E	FLEX FUNDS	3,593.07
FIRST NATIONAL BANK	T	FEDERAL TAX	74,661.81
KEARNEY UNITED WAY	E	DONATIONS	34.60
MADISON NATIONAL LIFE	I	PREMIUMS	858.28
MASSMUTUAL FINANCIAL GROUP	I	DEFERRED COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,327.19
NATIONWIDE RETIREMENT	I	DEFERRED COMP	1,017.32
NE CHILD SUPPORT PAYMENT CENT	E	CHILD SUPPORT	484.98
STATE OF NE	T	STATE TAX	10,546.94
<u>ROAD FUND</u>			
NET PAYROLL			41,795.61
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	1,020.17
AMERITAS LIFE INSURANCE	E	EMPE EYE CARE	119.52
RETIREMENT PLANS OF AMERITAS	R	EMPE RET	6,635.41
BUFFALO CO TREASURER	I	PREMIUMS	1,261.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	10.40
FIRST CONCORD BENEFITS GROUP	E	FLEX FUNDS	451.25
FIRST NATIONAL BANK	T	EMPE FICA	14,283.53
MADISON NATIONAL LIFE	I	LT DISABILITY	96.45
METLIFE GROUP BENEFITS	E	DENTAL	488.58
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT PAYMENT CENT	E	CHILD SUPPORT	624.10
STATE OF NE	T	STATE TAX	1,851.61
<u>WEED FUND</u>			
NET PAYROLL			4,014.38
RETIREMENT PLANS OF AMERITAS	R	EMPE RET	546.05
FIRST NATIONAL BANK	T	FEDERAL TAX	1,495.23
METLIFE GROUP BENEFITS	E	DENTAL	42.57
STATE OF NE	T	STATE TAX	206.96

Moved by Klein and seconded by Reiter to accept the Clerk of the District Court August 2015 Report. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Moved by Biehl and seconded by Brayton to accept the County Treasurer August 2015 Fund Balance Report. Upon roll call vote, the following Board members voted "Aye": Biehl, Brayton, Greder, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Biehl to accept Community Action Partnership of Mid-Nebraska's July 2015 RYDE report. Upon roll call vote, the following Board members voted "Aye": Greder, Biehl, Brayton, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Biehl to approve the fiscal year 2014-2015 inventory statements filed by all of the County Officials. All inventory statements will be filed with the County Clerk as a public record. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Greder, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Building and Grounds Facilities Director Steve Gaasch was present for the following agenda items. Moved by Brayton and seconded by Klein to approve Contract Change Order Request #2 of the Buffalo County Maintenance Garage Project in the credit amount of \$45,289.12 for unused General Conditions. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Biehl, Greder, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried. Contract Change Order #2 was submitted for the Chairman's signature. The Contract Change Order #2 is a compilation of previously approved Change Orders; therefore no action was necessary.

Moved by Reiter and seconded by Biehl to authorize Chairman McMullen to sign on behalf of Buffalo County the agreement with Nebraska Department of Health and Human Services Operations for janitorial services. Upon roll call vote, the following Board members voted "Aye": Reiter, Biehl, Brayton, Greder, Klein and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Chairman McMullen reviewed the following correspondence. The Board received notice from the Kearney City Council Amending Article 16 "Senior Services Advisory Board". Nebraska Pipeline sent notice of a pipeline safety program. NIRMA sent an invitation to a self-defense for County Officials Conference. Canon Moss sent the summer 2015 Newsletter. Chairman McMullen called on each Board member present for committee reports and recommendations.

Moved by Klein and seconded by Reiter to reappoint Lloyd Wilke to the Board of Adjustment (District 1) for a three year term. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

ZONING RESOLUTION OF ADOPTION AND APPROPRIATIONS

Chairman McMullen opened the Zoning hearing at 9:15 A.M. for zoning map amendments. Zoning Administrator LeAnn Klein was present for the request submitted by Randall Stones on behalf of Stones Five, L.L.C. for a change of zoning from Commercial to Agricultural-Residential for property described as tract of land being part of the Northwest Quarter of the Northwest Quarter in Section 25, Township 10 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska. Randall Stones was present and reviewed the application. Chairman McMullen closed the hearing at 9:19 A.M. Moved by Brayton and seconded by Greder to approve the following Resolution 2015-43 to grant the zoning map amendment. Upon roll call vote, the following Board members voted "Aye": Brayton, Greder, Biehl, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

RESOLUTION 2015-43

WHEREAS, on July 28, 2015, Randall Stones on behalf of Stones Five, L.L.C. has applied for a zoning map amendment with the Buffalo County Zoning Administrator requesting that the following real estate property, hereinafter referred to as the "subject property", to wit:

A tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 25, Township 10 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northwest Quarter of said Section 25, thence easterly on the North line of said Northwest Quarter a distance of 40.0 feet to the ACTUAL PLACE OF BEGINNING, said place of beginning being on the East right-of-way line of Nebraska State Highway No. 10; thence continuing easterly on the North line of said Northwest Quarter a distance of 667.39 feet; thence southerly a distance of 916.66 feet to a point, said point being 407.00 feet North of the South line of the Northwest Quarter of the Northwest Quarter of said section; thence westerly parallel with and 407.0 feet northerly of the South line of said Northwest Quarter of the Northwest Quarter a distance of 666.72 feet to a

point that intersects on the East right-of-way line of Nebraska State Highway No. 10; thence northerly a distance of 916.8 feet to the place of beginning,

EXCEPT A tract of land being part of the Northwest Quarter of the Northwest Quarter of Section 25, Township 10 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska, more particularly described as follows: Referring to the Northwest corner of the Northwest Quarter of said Section 25 and assuming the North line of said Northwest Quarter as bearing S 88° 59' 27" E and all bearings contained herein are relative thereto; thence S 88° 59' 27" E on the North line of the Northwest Quarter a distance of 40.0 feet to a point that intersects on the East right-of-way line Nebraska State Highway No. 10; thence SOUTH on the aforesaid East right-of-way line a distance of 655.76 feet to the ACTUAL PLACE OF BEGINNING; thence continuing SOUTH on the afore described course a distance of 261.31 feet; thence S 89° 00' 17" E a distance of 666.72 feet; then N 00° 02' 07" E a distance of 261.31 feet; thence N 89° 00' 17" W a distance of 666.97 feet to the place of beginning,

AND EXCEPT A tract of land containing 1.46 acres, more or less, deeded to The State of Nebraska, Department of Roads in Warranty Deed recorded January 17, 2003 as Inst. 2003-715 and

WHEREAS, this is solely a zoning map amendment request and the subject property would or could have other land use regulations that would apply to it above and beyond the zoning map amendment sought at this meeting, and

WHEREAS, on August 20, 2015, the Buffalo County Planning and Zoning Commission following public hearing with notice as required recommended approval of such proposed change in zoning on an 6-0 vote with no conditions placed on the proposed map amendment, and

WHEREAS, on September 8, 2015, this Board conducted a public hearing and considered this Zoning Map Amendment, the minutes of the Planning and Zoning Commission considering this amendment, Buffalo County Zoning Regulations, and Comprehensive Plan, and finds:

- a. No one voiced opposition against the amendment.
- b. That such change in zoning designation would have minimal adverse effect on surrounding properties.
- c. That the intended uses of the Agricultural-Residential District is consistent with property use in the surrounding area.
- d. This amendment is consistent with the growth and development of Buffalo County and the overall Comprehensive Plan adopted by Buffalo County, Nebraska, and
- e. The subject property is situated close to already existing public improvements, such as paved roads and sufficient utilities so that the map amendment with its attendant changes in uses will not cause additional public costs to function effectively.

WHEREAS, no protest (s) against such amendment have been filed with the Buffalo County Clerk with seven days of conclusion of public hearing of such Commission as allowed under Section 11.4, and

WHEREAS, the votes in favor of adoption of this resolution need only be by majority of members to this Board of Commissioners.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that application for zoning map amendment to change the subject property from the Commercial (C) District to the Agricultural-Residential (AGR) District is approved, and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be filed in the Register of Deed's office against subject property and any parcel situated partially or entirely within such legal description, and that the County Clerk shall make amendment to Buffalo County Zoning District Map originally adopted on or about September 10, 2002.

Moved by Biehl and seconded by Brayton to recess the regular meeting of the Board of Commissioners at 9:30 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Biehl, Brayton, Greder, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

BOARD OF EQUALIZATION

Chairman McMullen called the Board of Equalization to order in open session. Deputy County Assessor Nora Borer and County Treasurer Jean Sidwell were present.

Moved by Greder and seconded by Biehl to approve Tax List Corrections numbered 4143 and 4154 through 4159 submitted by County Assessor Barber. Upon roll call vote, the following Board members voted "Aye": Greder, Biehl, Brayton, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Brayton to approve the 2015 Tax Year valuation changes submitted by County Assessor Barber for the following list of properties and assigned parcel numbers. Upon roll call vote, the following Board members voted "Aye": Greder, Brayton, Biehl, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Name	Parcel	Name	Parcel
Regional Development LLC	580099072	Loren L. & Linda G. Wehling	580099073
Loren L. & Linda G. Wehling	580099074	Leon E. & Deanna M. Stall	640313000
Ruth Bombeck	720164000	Vern D. Broadfoot	580139000

Moved by Reiter and seconded by Klein to approve the prior year valuation changes submitted by County Assessor for the following list of properties and assigned parcel numbers that will require tax refunds to be approved by the Board of Commissioners. Upon roll call vote, the following Board members voted “Aye”: Reiter, Klein, Biehl, Brayton, Greder and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Name	Parcel	Name	Parcel
Dixie L. Line, Trustee	160120470	Matthew W. Shiers	660009010

Moved by Greder and seconded by Brayton to approve Motor Vehicle Tax Renewal Exemption as indicated on the application by County Treasurer Sidwell for Revival Revolution on a 2013 Volkswagen Passat. Upon roll call vote, the following Board members voted “Aye”: Greder, Brayton, Biehl, Klein, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Moved by Klein and seconded by Reiter to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 9:40 A.M. Upon roll call vote, the following Board members voted “Aye”: Klein, Reiter Biehl, Brayton, Greder and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

REGULAR AGENDA

Highway Superintendent Ron Sklenar was present for the following Agenda items.

Moved by Klein and seconded by Biehl to approve the Road Classification Changes from Minimum Maintenance to Local RL-3 Classification located at 115th Road from the west intersection of the Poole Road and 115th Road, 200 feet east between Section 1, Township 9 North, Range 15 West of the 6th P.M. and Section 36, Township 10 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska to maintain the status of this section of roadway into the entrance of Fort Kearny Shooting Sports Club. Upon roll call vote, the following Board members voted “Aye”: Klein, Biehl, Brayton, Greder, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Moved by Klein and seconded by Brayton to approve the Road Classification Changes from Minimum Maintenance to Local RL-3 Classification located at 235th Road from the west intersection of Hawk Road and 235th Road going east on 235th Road for 1 mile or to the intersection of Antelope Road between Sections 19 and 30, Township 11 North, Range 15 West of the 6th P.M., Buffalo County, Nebraska. Upon roll call vote, the following Board members voted “Aye”: Klein, Brayton, Biehl, Greder, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Highway Superintendent Ron Sklenar reviewed the sign change for the intersection of 355th Road and Riverdale Road. The recommendation was made that a complete stop is warranted to ensure traffic safety. Moved by Brayton and seconded by Greder to change the signage from Yield Signs to Stop Signs at the intersection of 355th Road and Riverdale Road, located in the southwest corner of Section 8, Township 12 North, Range 16 West of the 6th P.M. and the northeast corner of Section 18, Township 12 North, Range 16 West of the 6th P.M., Buffalo County, Nebraska. Upon roll call vote, the following Board members voted “Aye”: Brayton, Greder, Biehl, Klein, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Thereafter the Board as an agenda item took up the discussion of the Petition to vacate a road, alley, or other public way, for the public road as previously described in Resolution 2015-34 for which a public hearing was held at the Board’s last regularly scheduled meeting. Andrew W. Hoffmeister, Deputy Buffalo County Attorney, conducted a discussion with the Board concerning a history as to how this public road was created over time. Based upon this information, he suggested that this Board adopt two public road closing resolutions, one for the road as situated in the Southwest Quarter and the other for the road as situated in the Southeast Quarter, all located in Section 26, Township 12 North, Range 15, West of the 6th P.M. Buffalo County, Nebraska, should the Board desire to close this public road.

Moved by Biehl and seconded by Klein to adopt Resolution 2015-44 as concerns the pending petition to vacate of public road as this road or public way exists and/or is used in the Southwest Quarter of Section 26, Township 12 North, Range 15, West of the 6th P.M. Buffalo County, Nebraska, with the same to be filed of public record against the affected properties as required by and pursuant to Sec. 39-1725, Rev.Stat.Neb. Upon roll call vote, the following Board members voted “Aye”: Biehl, Klein, Brayton, Greder, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Moved by Biehl and seconded by Klein to adopt Resolution 2015-45 as concerns the pending petition to vacate of public road as this road or public way exists and/or is used in the Southeast Quarter of Section 26, Township 12 North, Range 15, West of the 6th P.M. Buffalo County, Nebraska, with the same to be filed of public record against the affected properties as required by and pursuant to Sec.

39-1725, Rev.Stat.Neb. Upon roll call vote, the following Board members voted “Aye”: Biehl, Klein, Brayton, Greder, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Chairman McMullen opened the public hearing to approve the 2015-2016 Fiscal Year Budget and approve the property tax requests for fiscal year 2015-2016 at 10:04 A.M.

After review by the Budget Committee, it was moved by Greder and seconded by Biehl to approve an additional 1% Board approved increase in the prior year’s budgeted restricted funds subject to limitation as allowed by law. Upon roll call vote, the following Board members voted “Aye”: Greder, Biehl, Brayton, Klein, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Biehl to authorize petty cash funds with the approval of the following Resolution 2015-46. Upon roll call vote, the following Board members voted “Aye”: Greder, Biehl, Brayton, Klein, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

RESOLUTION 2015-46

We, the Buffalo County Board of Commissioners, authorize petty cash funds to be operated by the Sheriff’s Office in the amount of \$2,500.00; the County Attorney’s Office in the amount of \$16,500.00; the Probation Office in the amount of \$50.00; the Public Defender’s Office in the amount of \$2,300.00; the Clerk of the District Court in the amount of \$1,000.00; Veteran’s Service Office in the amount of \$10,000.00; the County Court Office in the amount of \$50.00, Extension in the amount of \$2,000.00 and County Clerk in the amount of \$12,000.00.

Dale Stengel and Bart Langenberg were present for discussion of the Buffalo County Budget. Chairman McMullen closed the hearing at 10:23 A.M. Moved by Greder and seconded by Biehl to approve the Buffalo County Budget for the fiscal year 2015-2016 with the following Resolution 2015-47. Upon roll call vote, the following Board members voted “Aye”: Greder, Biehl, Brayton, Klein, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

RESOLUTION 2015-47

RESOLUTION OF ADOPTION AND APPROPRIATIONS

WHEREAS, a proposed County Budget for the Fiscal Year July 1, 2015 to June 30, 2016, prepared by the Budget Making Authority, was transmitted to the Buffalo County Board of Commissioners on the 8th day of September 2015.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of Buffalo County, Nebraska as follows:

SECTION 1. That the budget for the Fiscal Year July 1, 2015 to June 30, 2016 as categorically evidenced by the Budget Document be, and the same hereby is, adopted as the budget for Buffalo County for said fiscal year.

SECTION 2. That the offices, departments, activities, and institutions herein named are hereby authorized to expend the amounts herein appropriated to them during the fiscal year beginning July 1, 2015 and ending June 30, 2016.

SECTION 3. That the income necessary to finance the appropriations made and expenditures authorized shall be provided out of the unencumbered cash balance in each fund, revenues other than taxation to be collected during the fiscal year in each fund, and tax levy requirements for each fund.

Chairman McMullen opened the public hearing to approve the property tax requests for fiscal year 2015-2016 at 10:25 A.M. Chairman McMullen closed the hearing at 10:30 A.M. Moved by Greder and seconded by Biehl to approve the property tax request for the fiscal year 2015-2016 with the following Resolution 2015-48. Upon roll call vote, the following Board members voted “Aye”: Greder, Biehl, Brayton, Klein, Reiter and McMullen. Absent: Morrow. None voted “Nay”. Motion declared carried.

RESOLUTION 2015-48

WHEREAS, Nebraska Revised Statue 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Governing Body of the County of Buffalo passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the County of Buffalo that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE the Governing Body of the County of Buffalo, by a majority vote, resolves that the 2015-2016 property tax requests be set and as follows:

FUND	2015-2016 Proposed
	Property Tax Request
General	14,697,405.36

Veteran's Aid	11,797.38
Bond	<u>1,616,035.77</u> (outside limit)
TOTAL	16,325,238.51

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bid for the mail services. The only bid submitted was from Midwest Connect LLC. The Budget & Finance Committee will review the bid and come back with recommendations at a later date.

Moved by Greder and seconded by Reiter to approve the following tax refund requests submitted by County Treasurer Sidwell for Dixie L. Line Trustee in the amount of \$289.52 for the year 2014 on parcel number 160120470 and for Matthew W. Shiers in the amount of \$140.27 for the year 2012, \$126.34 for the year 2013 and \$116.07 for the year 2014 on parcel number 660009010. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Brayton, Klein and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Commissioner Reiter reported on the process of interviewing the candidates for the Weed District Superintendent and Weed District Secretary at the Weed District Committee meeting on August 28 and September 1, 2015.

Moved by Reiter and seconded by Brayton to offer the Weed District Superintendent position to Bret Stubbs. Upon roll call vote, the following Board members voted "Aye": Reiter, Brayton, Biehl, Greder, Klein and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Moved by Reiter and seconded by Klein to offer the Weed District Secretary position to Cheri Hilton. Upon roll call vote, the following Board members voted "Aye": Reiter, Klein, Biehl, Brayton, Greder and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Deputy County Attorney Kari Fisk was present for discussion on updated portions of the Employee Handbook. Moved by Greder and seconded by Brayton to accept the new revised Employee Handbook with the following Resolution 2015-49. Upon roll call vote, the following Board members voted "Aye": Greder, Brayton, Biehl, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

RESOLUTION 2015-49

A RESOLUTION APPROVING A NEW EMPLOYEE HANDBOOK FOR BUFFALO COUNTY

WHEREAS, Buffalo County previously adopted the Buffalo County Employee Manual dated July 1, 2007, which Manual has been amended time to time by Resolution of the Board of Commissioners; and

WHEREAS, the County Attorney's office has presented to the Board of Commissioners an updated Employee Handbook for Buffalo County, which Handbook has been developed with assistance, input, and comments from the County's elected officials, appointed officials, and department heads; and

WHEREAS, the Board of Commissioners has reviewed the County's current and proposed personnel policies and finds it is in the best interest of the County and its employees to adopt a new Employee Handbook for Buffalo County; and

WHEREAS, the Board of Commissioners finds that the proposed Employee Handbook will serve to further inform employees of Buffalo County's personnel policies of general applicability, and that current and sound personnel policies are an essential part of recruiting and retaining excellent employees and extending high quality services to the public; and

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS:

Section 1. The Buffalo County Handbook dated September 8, 2015 is hereby approved and adopted by the Buffalo County Board of Commissioners.

Section 2. This Resolution and the Employee Handbook shall take effect October 1, 2015. All employees shall be provided access to the Knowledge Base system to find an electronic copy of the Employee Handbook and/or provided with a hard copy and shall sign an acknowledgement and receipt therefor.

Section 3. The Buffalo county Employee Manual, dated July 1, 2007, and any amendments thereto are hereby rescinded effective October 1, 2015.

Moved by Klein and seconded by Biehl to enter into Executive Session to discuss Contract Negotiations and personnel at 10:40 A.M. In addition to Board members responding to roll call, Deputy County Attorney Kari Fisk was present. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Greder, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

Moved by Biehl and seconded by Reiter to move out of Executive Session at 11:01 A.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Biehl, Reiter, Brayton Greder, Klein and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

As part of the Employee Handbook it was moved by Greder and seconded by Brayton to approve the Joint Resolution and Agreement with the following Resolution 2015-50. This Resolution will include signatures of all Board members and all elected officials. Upon roll call vote, the following Board members voted "Aye": Greder, Brayton, Biehl, Klein, Reiter and McMullen. Absent: Morrow. None voted "Nay". Motion declared carried.

RESOLUTION 2015-50

JOINT RESOLUTION AND AGREEMENT

WHEREAS, County employees are directly responsible to an elected official or the County Board;

WHEREAS, elected officials, in working with their employees, may develop different employment practices and policies than used by other offices; and

WHEREAS, different practices and policies can result in disharmony among the body of County employees;

THEREFORE, the undersigned elected officials of Buffalo County adopt a joint employee handbook (which is not a civil service system) that provides employment practices and policies common to all offices and departments of the undersigned.

Chairman McMullen called for Citizen's forum and no one was present to address the Board.

Chairman McMullen asked if there was anything else to come before the Board at 10:43 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday, September 22, 2015 at 9:00 A.M.