

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, APRIL 12, 2016
9:00 A.M.**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, April 12, 2016 at 9:00 A.M. and 10:00 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. 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. County Attorney Shawn Eatherton was present.

REGULAR AGENDA

Moved by Brayton and seconded by Biehl to approve the March 22, 2016 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Brayton, Biehl, Greder, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Morrow and seconded by Reiter to ratify the following April 1, 2016 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Biehl, Brayton, Greder, Klein and McMullen. None voted "Nay". Motion declared carried.

GENERAL FUND			
GENERAL FUND NET PAYROLL			212,876.21
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	1,022.05
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	548.78
RETIREMENT PLANS AMERITAS	R	EMPE RET	35,802.79
BUFFALO CO TREASURER	I	PREMIUMS	89,651.23
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	368.19
FIRST CONCORD BENEFITS	E	FLEX FUNDS	3,772.23
FIRST NATIONAL BANK	T	FEDERAL TAX	78,579.99
KEARNEY UNITED WAY	E	DONATIONS	97.84
MADISON NATIONAL LIFE	I	PREMIUMS	364.74
MADISON NATIONAL LIFE	I	LT DISABILITY	547.65
MASSMUTUAL FINANCIAL GROUP	I	DEFER COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,692.75
NATIONWIDE RETIREMENT	R	DEFER COMP	1,045.32
NE CHILD SUPPORT	E	CHILD SUPPORT	546.98
STATE OF NEBRASKA	T	STATE TAX	11,213.50
ROAD FUND			
ROAD FUND NET PAYROLL			42,103.16
AMERICAN FAMILY LIFE ASSURANCE	I	PREMIUMS	1,001.68
AMERITAS LIFE INSURANCE CORP	E	EMPE EYE CARE	154.54
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,127.87
BUFFALO CO TREASURER	I	PREMIUMS	2,688.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	12.00
FIRST CONCORD BENEFITS	E	FLEX FUNDS	526.25
FIRST NATIONAL BANK	T	FEDERAL TAX	14,485.66
MADISON NATIONAL LIFE	I	LT DISABILITY	111.09
METLIFE GROUP BENEFITS	E	DENTAL	717.10
NATIONWIDE RETIREMENT	R	DEFER COMP	972.50
NE CHILD SUPPORT	E	CHILD SUPPORT	302.50
STATE OF NE	T	STATE TAX	1,907.81
WEED FUND			
WEED FUND NET PAYROLL			4,072.06
RETIREMENT PLANS AMERITAS	R	EMPE RET	647.26
BUFFALO CO TREASURER	I	PREMIUMS	323.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,285.76
MADISON NATIONAL LIFE	I	LT DISABILITY	3.26
METLIFE GROUP BENEFITS	E	DENTAL	62.85
STATE OF NE	T	STATE TAX	158.13

Moved by Morrow and seconded by Biehl to approve the early claims submitted by the County Clerk as listed below. Upon roll call vote, the following Board members voted “Aye”: Morrow, Biehl, Brayton, Klein, Reiter and McMullen. Commissioner Greder abstained on claim numbers 1604034, 1604035 and 1604036 and voted “Aye” on claim number 1604037. None voted “Nay”. Motion declared carried.

GENERAL FUND		
ANDERSON FORD	VEHICLES	55,188.00
HUSKER AUTO GROUP/ALLY BANK	VEHICLES	17,299.00
MIDWAY	VEHICLES	27,622.00
ROAD FUND		
STATE OF NEBRASKA	FUEL TAX	1,970.00

Moved by Morrow and seconded by Klein to accept the Clerk of the District Court March 2016 Fee Report. Upon roll call vote, the following Board members voted “Aye”: Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Morrow and seconded by Greder to accept the County Treasurer March 2016 Fund Balance Report. Upon roll call vote, the following Board members voted “Aye”: Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Morrow to approve the following Resolution 2016-11 to instruct 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”: Greder, Morrow, Biehl, Brayton, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

RESOLUTION 2016-11

WHEREAS, The Revised Statutes of Nebraska, Sec. 77-1809 and 77-1918, provides that upon the direction of the County Board of Commissioners, 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 2009, 2010, 2011, 2012, 2013, 2014 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 2009, 2010, 2011, 2012, 2013, 2014 and to maintain such Certificates in her custody, and to purchase all subsequent taxes thereon as the same may become delinquent.

Moved by Morrow and seconded by Greder to approve the release of pledged collateral in the amount of \$100,000.00 at the Exchange Bank for the Buffalo County Treasurer. Upon roll call vote, the following Board members voted “Aye”: Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Biehl to approve the following Resolution 2016-12 to authorize County Attorney Shawn Eatherton to proceed with the foreclosure of County owned Tax Sale Certificates. Upon roll call vote, the following Board members voted “Aye”: Greder, Biehl, Brayton, Klein, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

RESOLUTION 2016-12

WHEREAS, The Revised Statutes of Nebraska, 77-1901 through 77-1918 provides upon resolution by the County Board of Commissioners for foreclosure and sale of Real Properties upon which Tax Sale Certificates have been placed and delinquent for three years, and

WHEREAS, the following Tax Sale Certificates have been placed on Real Estate Properties in Buffalo County, to wit: Numbers 13224, 13276, 13277

NOW THEREFORE BE IT RESOLVED, that the Buffalo County Board of Commissioners authorize the foreclosure and sale of the above referenced Tax Sale Certificates and request the County Attorney to proceed to such foreclosure and sale, in accordance with the laws of the State of Nebraska.

County Treasurer Jean Sidwell was present to discuss having her office remain open on the Arbor Day Holiday. Moved by Morrow and seconded by Reiter to authorize the County Treasurer’s office to remain open on the April 29, 2016 Arbor Day Holiday to accommodate taxpayers on the last day before the 2016 first half tax delinquency date. Upon roll call vote, the following Board members voted “Aye”: Morrow, Reiter, Biehl, Brayton, Greder, Klein and McMullen. None voted “Nay”. Motion declared carried.

Chairman McMullen read into the record the Resolution of Commendation for Rosemary Deprez, Buffalo County Extension Office employee. On March 29, 2016 a copy of this Resolution was presented at a reception honoring Rosemary Deprez. Moved by Klein and seconded by Greder to ratify the following Resolution 2016-13 that was presented to Deprez. Upon roll call vote, the following Board members voted “Aye”: Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

RESOLUTION 2016-13

RESOLUTION OF COMMENDATION

WHEREAS, Rose Mary Deprez began her employment as Receptionist/Secretary with the Buffalo County Extension Office on April 6, 1983, and

WHEREAS, Rose Mary Deprez has now served Buffalo County for 32 years

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that Rose Mary Deprez be commended with a unanimous vote of appreciation for her dedicated and loyal service to Buffalo County for 32 years as Receptionist/Secretary.

BE IT FURTHER RESOLVED that good wishes for health, happiness and prosperity be extended to Rose Mary Deprez from this date forward.

County Sheriff Neil Miller was present to discuss the purchase of a new Sheriff Department vehicle per the State of Nebraska 2016 contract award number 14389 OC. Moved by Klein and seconded by Biehl to approve the purchase of a 2016 Dodge Caravan in the amount of \$21,824.00. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Morrow, Reiter and McMullen. Abstain: Greder. None voted "Nay". Motion declared carried.

Chairman McMullen reviewed the following correspondence. Central Platte Natural Resources District sent notice of Termination of the Platte River Ice Jam Removal Agreement. The Buffalo County Economic Development sent a thank you for the support of the Central Nebraska Veterans Home groundbreaking ceremony. The Board received an invitation for the swearing-in ceremony for John H. Marsh as the Judge of the 9th Judicial District. Midwest Connect sent notice of USPS postage rate change. State of Nebraska Jail Standards Division sent notice that the Buffalo County Jail was determined to be in full compliance with the standards at the time of inspection. City of Gibbon sent notice of a public hearing to approve a redevelopment plan. Chairman McMullen called on each Board member present for committee reports and recommendations. County Attorney Shawn Eatherton left the meeting.

ZONING

Chairman McMullen opened the Zoning Hearings at 9:15A.M. Zoning Administrator LeAnn Klein was present. Mitchell Humphrey on behalf of Terry Hadwiger and Hadwiger Farms, Inc. filed a request for a zoning map amendment for property described as part of Government Lot 19 located in Section 19, Township 10 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska changing from Agricultural to Agricultural-Residential. Mitchell Humphrey was present to review the Change of Zoning. No one else addressed the Board and Chairman McMullen closed the hearing at 9:23 A.M. Moved by Biehl and seconded by Brayton to approve the Zoning Map Amendment application with the following Resolution 2016-14. Upon roll call vote, the following Board members voted "Aye": Biehl, Brayton, Greder, Klein, Morrow, Reiter, and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-14

WHEREAS, on February 24, 2016, Surveyor Mitchell Humphrey on behalf of Terry Hadwiger and Teresa Hadwiger, Husband and Wife and Hadwiger Farms, Inc., a Nebraska corporation have 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 Government Lot Nineteen (19) located in Fractional Section Nineteen (19), Township Ten (10) North, Range Sixteen (16) West of the Sixth Principal Meridian, Buffalo County, Nebraska, more particularly described as follows: Beginning at the Southwest Corner of Government Lot 19 located in Fractional Section 19 and assuming the South line of Government Lot 19 and Government Lot 20 located in Fractional Section 19 as bearing N 89° 11' 18" E and all bearings contained herein are relative thereto; thence on the South line of Government Lot 19 located in said Fractional Section 19, N 89° 11' 18" E a distance of 407.00 feet; thence leaving the South line of Government Lot 19 located in said Fractional Section 19 parallel with the West line of said Government Lot 19 located in Fractional Section 19, N 00° 27' 35" W a distance of 133.00 feet to a point of curvature; thence on a 184.86 foot radius curve to the left forming a central angle of 90° 21' 07" an arc distance of 291.51 feet to a point of tangency; thence tangent parallel with the South line of said Government Lot 19 located in Fractional Section 19, S 89° 11' 18" W a distance of 221.00 feet to a point on the West line of said Government Lot 19 located in Fractional Section 19, thence on the West line of said Government Lot 19 located in Fractional Section 19, S 00° 27' 35" E a distance of 319.00 feet to the place of beginning. Containing 2.81 acres, more or less, of which 0.53 acres, more or less, are presently being used for road purposes on the South and West sides, be changed from the Agricultural (AG) District to the Agricultural-Residential (AGR) District,

WHEREAS, three acre minimum in a proposed and approved subdivision may be reduced to 70,000 square feet subject to review and compliance by Nebraska Department of Health and approval of the County Board of Commissioners, 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 March 17, 2016, the Buffalo County Planning and Zoning Commission following public hearing with notice as required recommended approval of such proposed change in zoning on a 7-0 vote and

WHEREAS, on April 12, 2016, 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 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 within 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 Agricultural (AG) 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.

Mitchell Humphrey on behalf of Terry Hadwiger, Teresa Hadwiger and Hadwiger Farms, Inc. filed a request for an Administrative Subdivision for property described as part of Government Lot 19 located in Section 19, Township 10 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Hadwiger Third Administrative Subdivision. Mitchell Humphrey was present to review the Administrative Subdivision application. No one else addressed the Board and Chairman McMullen closed the hearing at 9:25 A.M. Moved by Klein and seconded by Morrow to approve the Administrative Subdivision application with the following Resolution 2016-15. Upon roll call vote, the following Board members voted "Aye": Klein, Morrow, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-15

WHEREAS, Mitchell Humphrey, licensed surveyor, on behalf of Hadwiger Farms, Inc., a Nebraska corporation, Terry Hadwiger and Teresa Hadwiger, husband and wife, hereinafter referred to as "applicant" have filed for an Administrative Subdivision to be known as "HADWIGER THIRD ADMINISTRATIVE SUBDIVISION" with the Buffalo County Clerk and/or Zoning Administrator, and

WHEREAS, the Zoning Administrator forwarded this application to this Board, and

WHEREAS, on April 12, 2016, this Board conducted a public hearing and now finds:

1. The proposed "HADWIGER THIRD ADMINISTRATIVE SUBDIVISION" is in the Agricultural Residential (AGR) Zoning District for Buffalo County, Nebraska and the size of the parcels of real estate owned by the subdividing entity after subdividing complies with the minimum lot size of this zoning district. In relevant part, in the AGR District, Buffalo County's Zoning Resolution provides that the three acre minimum in a proposed and approved subdivision may be reduced to 70,000 square feet subject to review and compliance by Nebraska Department of Health and approval of County Board of Commissioners.
2. The proposed plat for this subdivision fulfills Buffalo County's Subdivision Resolution requirements for administrative subdivisions specifically allowed under Section 3.02 together with other provisions applicable thereto.
3. 145th Road and Evergreen Road are county maintained open public roads that abut the proposed subdivision to the south and west. The width of these roads after dedication complies with the minimum width standards required by the Buffalo County Subdivision Resolution.
4. Title search paperwork has been provided to the Buffalo County Attorney's Office and that office has cleared title as concerns Buffalo County's interests based upon the title search documents delivered to that office by applicant.
5. This proposed administrative subdivision should be approved.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the plat of "HADWIGER THIRD ADMINISTRATIVE SUBDIVISION", an administrative subdivision being described as being part of Government Lot 19 located in Fractional Section 19, Township 10 North, Range 16 West of the Sixth

Principal Meridian, Buffalo County, Nebraska, duly made out, acknowledged and certified, is hereby approved, accepted, ratified, and authorized to be filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Mitchell Humphrey on behalf of Ryan Trampe and Rachel Trampe filed a request for an Administrative Subdivision for property described as part of Government Lot 4 located in Section 2, Township 11 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Trampe Administrative Subdivision. Mitchell Humphrey was present to review the Administrative Subdivision application. No one else addressed the Board and Chairman McMullen closed the hearing at 9:27 A.M. Moved by Brayton and seconded by Klein to approve the Administrative Subdivision application with the following Resolution 2016-16. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-16

WHEREAS, Mitchell Humphrey, licensed surveyor, on behalf of Ryan D. Trampe and Rachel L. Trampe, husband and wife, hereinafter referred to as "applicant" have filed for an Administrative Subdivision to be known as "TRAMPE ADMINISTRATIVE SUBDIVISION" with the Buffalo County Clerk and/or Zoning Administrator, and

WHEREAS, the Zoning Administrator forwarded this application to this Board, and

WHEREAS, on April 12, 2016, this Board conducted a public hearing and now finds:

1. The proposed "TRAMPE ADMINISTRATIVE SUBDIVISION" is in the Agricultural (AG) Zoning District for Buffalo County, Nebraska and the size of the parcels of real estate owned by the subdividing entity after subdividing complies with the minimum lot size of this zoning district.
2. The proposed plat for this subdivision fulfills Buffalo County's Subdivision Resolution requirements for administrative subdivisions specifically allowed under Section 3.02 together with other provisions applicable thereto.
3. 295th Road and Eagle Road are county maintained open public roads that abut the proposed subdivision to the north and west. The width of these roads after dedication complies with the minimum width standards required by the Buffalo County Subdivision Resolution.
4. Title search paperwork has been provided to the Buffalo County Attorney's Office and that office has cleared title as concerns Buffalo County's interests based upon the title search documents delivered to that office by applicant.
5. This proposed administrative subdivision should be approved.

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that the plat of "TRAMPE ADMINISTRATIVE SUBDIVISION", an administrative subdivision being described as being part of Government Lot 4 located in Fractional Section 2, Township 11 North, Range 17 West of the Sixth Principal Meridian, Buffalo County, Nebraska, duly made out, acknowledged and certified, is hereby approved, accepted, ratified, and authorized to be filed and recorded in the Office of the Register of Deeds, Buffalo County, Nebraska.

Deputy County Attorney Andrew Hoffmeister arrived at 9:27 A.M.

Trenton Snow on behalf of John and Amy Ourada filed a request for a Preliminary Plat for North Landing, a subdivision being part of the West Half of the Northeast Quarter of Section 9, Township 9 North, Range 18 West of the Sixth Principal Meridian, Buffalo County, Nebraska. Trenton Snow and John Ourada were present to review the Preliminary Plat. No one else addressed the Board and Chairman McMullen closed the hearing at 9:42 A.M. Moved by Morrow and seconded by Klein to approve the Preliminary Plat application with the following Resolution 2016-17. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried

RESOLUTION-2017

WHEREAS, on March 17, 2016, the Buffalo County Planning & Zoning Commission after public hearing gave a favorable recommendation to North Landing, a proposed subdivision of land, together with various suggestions and recommendations stated in the minutes of that meeting of the Commission that have been forwarded to this Board, and

WHEREAS, on April 12, 2016, this Board after public hearing considered approval of the preliminary plat for North Landing, and

WHEREAS, the plan of development appears to be compliant with Buffalo County's Subdivision Resolution, with the exception of one report needed:

1. Sec. 4.11 of Buffalo County's Subdivision Resolution which requires that: "The area to be subdivided shall be designed and laid out so as to provide proper and sufficient drainage with evaluation of location, size, and need of storm drain pipes, water conveyances, culverts, ditch liners, and other drainage facilities being submitted in writing by professional engineer in form of statement or letter accompanying preliminary plat."

NOW THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS in regular session with a quorum present, that Buffalo County, on a preliminary basis, approved the proposed North Landing, a subdivision being part of

the West Half of the Northeast Quarter located in Section 9, Township 9 North, Range 18 West of the Sixth Principal Meridian, Buffalo County, Nebraska, subject to and conditioned upon fulfillment of the foregoing exception, which shall be fulfilled when the final plat is submitted for approval to this Board.

FURTHER RESOLVED that is not approval of a Final Plat and a copy of this Resolution is not to be filed against the foregoing real estate.

At 9:44 A.M. Deputy County Attorney Kari Fisk arrived at the meeting and Deputy County Attorney Andrew Hoffmeister excused himself from the meeting.

Mitch Humphrey was present for the discussion of the Building Restriction Agreement for LOMR-F. Moved by Brayton and seconded by Greder to approve the following Resolution 2016-18 to authorize the Chairman to sign the Building Restriction Agreement for LOMR-F for property described as Lot 1 Bruner Lakeside Estates, a subdivision being part of the Northwest quarter of the Northwest Quarter, part of Government Lot 1 and part of Government Lot 2 all located in Section 24, Township 9 North, Range 13 West of the 6th P.M., Buffalo County, Nebraska. Upon roll call vote, the following Board members voted "Aye": Brayton, Greder, Biehl, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-18

WHEREAS, in 1986 Buffalo County, Nebraska adopted and enacted floodplain regulations and has amended the regulations at various times in the past, and

WHEREAS, there has been a request submitted to the Buffalo County Floodplain Administrator for a Letter of Map Revision on the basis of fill (LOMR-F) for property sought to be removed from the Special Flood Hazards Area, as defined in Buffalo County's Floodplain Regulations Resolution, hereinafter referred to as the "subject property", and

WHEREAS, the request and engineer certifications that accompany the LOMR-F application that were submitted to the Floodplain Administrator fulfill the necessary local standards and findings concerning structures and fill placed on the subject property as required by the Federal Emergency Management Administration (FEMA) for the applicant seeking LOMR-F from FEMA, and

WHEREAS, this Board deems it prudent to enter into a Development Restriction Agreement concerning future development in and upon the subject property and the Buffalo County Attorney's Office has reviewed and approved a proposed agreement to be executed on behalf of Buffalo County and the party seeking the LOMR-F.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF BUFFALO COUNTY THAT the structure and development now existing on the subject property as certified by professional engineer fulfill the required local government standards and findings for structures and fill placed on the subject property and the Chairperson of this Board is authorized to execute on behalf of Buffalo County the proposed Development Restriction Agreement, and

IT IS RESOLVED the subject property is legally described as:

Lot 1, Bruner Lakeside Estates, a subdivision being part of the Northwest Quarter of the Northwest Quarter, part of Government Lot 1 and part of Government Lot 2 all located in Section 24, Township 9 North, Range 13 West of the 6th P.M., Buffalo County, Nebraska.

IT IS FURTHER RESOLVED that a copy of this Resolution shall be filed with the Development Restriction Agreement against the subject property.

Transportation Director Charles McGraw from the Community Action Partnership of Mid Nebraska was present to review the funding matches required for the operation of Mid-Nebraska-RYDE Transportation. Moved by Morrow and seconded by Reiter to approve the Local Funding Match Resolution 2016-19 for RYDE Transit Public Transportation. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Biehl, Greder, Klein and McMullen. Abstain: Brayton. None voted "Nay". Motion declared carried.

RESOLUTION 2016-19

WHEREAS, there are federal funds available under Section 5311 of the Federal Transit Act and for the Nebraska Public Transportation Assistance Program, and

WHEREAS, the Community Action Partnership of Mid Nebraska – RYDE Transit desires to apply for said funds to provide public transportation in (transit system's service area).

NOW THEREFORE, BE IT RESOLVED; the Buffalo County Board of Commissioners hereby instructs the Community Action Partnership of Mid Nebraska – RYDE Transit to apply for said funds.

Said funds are to be used for the Community Action Partnership of Mid Nebraska – RYDE Transit transportation operations in the FY 2016-2017 Application for Public Transportation Assistance.

Moved by Greder and seconded by Klein to recess the regular meeting of the Board of Commissioners at 10:00 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. 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, Deputy County Assessor Nora Borer and Dennise Daniels were present.

Chairman McMullen opened the public hearing for the Salvation Army permissive exemption. Captain Cassandra Burkett was present. No one else addressed the Board and Chairman McMullen closed the Permissive Exemption public hearing at 10:03 A.M. Moved by Biehl and seconded by Brayton to approve Permissive Tax Exemptions as listed. Upon roll call vote, the following Board members voted "Aye": Biehl, Brayton, Greder, Klein, Reiter and McMullen. Abstain: Morrow. None voted "Nay". Motion declared carried.

<u>Exempt Entity</u>	
The Salvation Army	600852000
The Salvation Army	604033000
The Salvation Army	606175000

Moved by Greder and seconded by Biehl to approve the 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, Biehl, Brayton, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Steven J & Tana K McNitt	560026100
Steven J & Tana K McNitt	560026090
Daniel L & Judy A Hoffman	560092000
Harold Warp Pioneer Village Foundation	660023000

Moved by Brayton and seconded by Klein to approve Tax List Corrections numbered 4216 through 4218 submitted by County Assessor Joe Barber. 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 Greder and seconded by Biehl to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:07 A.M. Upon roll call vote, the following Board members voted "Aye": Greder, Biehl, Brayton, Klein, Morrow, Reiter, and McMullen. 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 Brayton to set the date of May 10, 2016 at 10:00 A.M. to accept bids for Project No C10 (1419) Gibbon West. 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 Reiter to set the date of May 10, 2016 at 10:00 A.M. to accept bids for Project No C10 (466) Ravenna Northeast. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder, Morrow, and McMullen. None voted "Nay". Motion declared carried.

Chairman McMullen called for Citizen's forum and Marvion Reichert was present to address the Board.

Two Rivers Emergency Response Coordinator, Kendra Hansen was present to report on the current activities at Two Rivers Public Health Department.

At 10:45 A.M. Chairman McMullen asked if there was anything else to come before the Board before he declared the meeting adjourned following the quarterly jail inspection until the regular meeting at 9:00 A.M. on Tuesday, April 26, 2016.