

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, JUNE 14, 2016
9:00 A.M.**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, June 14, 2016 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. 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 Andrew Hoffmeister and Deputy County Attorney Kari Fisk were present.

REGULAR AGENDA

Moved by Biehl and seconded by Reiter to approve the May 24, 2016 Board meeting minutes. Upon roll call vote, the following Board members voted "Aye": Biehl, Reiter, Brayton, Greder, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Brayton to ratify the following May 27, 2016 and June 10, 2016 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

<u>MAY 27, 2016 PAYROLL CLAIMS</u>			
<u>GENERAL FUND</u>			
NET PAYROLL			214,098.89
AMERICAN FAMILY LIFE	I	PREMIUMS	1,038.50
AMERITAS LIFE INSURANCE	E	EMPE EYE CARE	540.24
RETIREMENT PLANS AMERITAS	R	EMPE RET	35,930.94
BUFFALO CO TREASURER	I	PREMIUMS	87,773.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	365.63
FIRST CONCORD BENEFITS	E	FLEX FUNDS	3,457.24
FIRST NATIONAL BANK	T	FEDERAL TAX	79,014.85
KEARNEY UNITED WAY	E	DONATIONS	97.84
MADISON NATIONAL	I	PREMIUMS	363.35
MADISON NATIONAL	I	LT DISABILITY	537.31
MASSMUTUAL FINANCIAL	E	DEFERRED COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,630.83
NATIONWIDE RETIREMENT	R	DEFERRED COMP	545.32
NE CHILD SUPPORT	E	CHILD SUPPORT	546.98
STATE OF NE	T	STATE TAX	11,273.96
<u>ROAD FUND</u>			
NET PAYROLL			45,311.87
AMERICAN FAMILY LIFE	I	PREMIUMS	1,001.73
AMERITAS LIFE INSURANCE	E	EMPE EYE CARE	154.54
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,352.65
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	EMPE FICA	15,543.36
MADISON NATIONAL	I	LT DISABILITY	111.20
METLIFE GROUP BENEFITS	E	DENTAL	701.71
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT	E	CHILD SUPPORT	202.50
STATE OF NE	T	STATE TAX	2,053.45
<u>WEED FUND</u>			
NET PAYROLL			4,072.02
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	I	LT DISABILITY	3.27
METLIFE GROUP BENEFITS	E	DENTAL	62.87
STATE OF NE	T	STATE TAX	158.13

JUNE 10, 2016 PAYROLL CLAIMS			
GENERAL FUND			
NET PAYROLL			218,086.32
AMERICAN FAMILY LIFE	I	PREMIUMS	1,046.62
AMERITAS LIFE INSURANCE	E	EMPE EYE	526.96
RETIREMENT PLANS AMERITAS	R	EMPE RET	36,941.88
AR SOLUTIONS	E	GARNISH	305.62
BUFFALO CO TREASURER	I	PREMIUMS	90,293.23
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	372.89
FIRST CONCORD BENEFITS	E	FLEX FUNDS	3,772.23
FIRST NATIONAL BANK	T	FEDERAL TAX	81,414.87
KEARNEY UNITED WAY	E	DONATIONS	97.84
MADISON NATIONAL LIFE	I	PREMIUMS	368.19
MADISON NATIONAL LIFE	I	LT DISABILITY	547.72
MASSMUTUAL FINANCIAL	E	DEFERRED COMP	804.00
METLIFE GROUP BENEFITS	E	DENTAL	2,677.15
NATIONWIDE RETIREMENT	R	DEFERRED COMP	545.32
NE CHILD SUPPORT	E	CHILD SUPPORT	546.98
STATE OF NE	T	STATE TAX	11,754.53
ROAD FUND			
NET PAYROLL			44,104.78
AMERICAN FAMILY LIFE	I	PREMIUMS	1,025.98
AMERITAS LIFE INSURANCE	E	EMPE EYE	159.28
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,193.35
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	EMPE FICA	15,459.16
MADISON NATIONAL LIFE	I	LT DISABILITY	111.09
METLIFE GROUP BENEFITS	E	DENTAL	717.11
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT	E	CHILD SUPPORT	202.50
STATE OF NE	T	STATE TAX	2,028.95
WEED DEPARTMENT			
NET PAYROLL			4,072.05
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 Biehl and seconded by Morrow to approve the early claim submitted by the County Clerk as listed below. Upon roll call vote, the following Board members voted "Aye": Biehl, Morrow, Brayton, Greder, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

HEALTH INSURANCE FUND		
UNITED STATES TREASURY	FEES	\$134.00

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

Moved by Morrow and seconded by Klein to accept the Clerk of the District Court May 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 Reiter to accept the Community Action Partnership of Mid-Nebraska's April 2016 R.Y.D.E. report. Upon roll call vote, the following Board members voted "Aye": Morrow, Reiter, Biehl, Brayton, Greder, Klein and McMullen. None voted "Nay". Motion declared carried.

Sheriff Neil Miller was present for the discussion and amendment of the inmate phone services contract with Telmate LLC, due to recent changes imposed by the Federal Communications Commission (FCC). Moved by Klein and seconded by Greder to authorize

Chairman McMullen to sign the First Amendment to Inmate Telecommunication and Tablet Services Agreement originally dated August 26, 2015. Upon roll call vote, the following Board members voted "Aye": Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Sheriff Miller was present for discussion and recommendation of an Inmate Commissary kiosk system for the Buffalo County Jail. Moved by Morrow and seconded by Brayton to suspend the County Purchasing Act due to the uniqueness of the service for the Jail and authorize the Chairman to sign all documents necessary to enter into the contract with Tiger Commissary Services, Inc. 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 Greder and seconded by Morrow to accept the County Assessors recommendation to extend the date for Homestead Exemption filings to July 20, 2016. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Biehl, Brayton, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

Commissioner Brayton reported on the nominations for members to serve on the Veteran's Service Committee that were received from the Gibbon Post 310, Kearney Post 52, DAV Chapter 14, VFW Post 759 and VFW Post 5820. Moved by Brayton and seconded by Klein to appoint James Jacobs to complete the 2018 term and Kenneth Ray Yount to a five year term than ends in 2021 as the Veterans Service Committee Members. Upon roll call vote, the following Board members voted "Aye": Brayton, Klein, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

ZONING

Chairman McMullen opened the Zoning Hearings at 9:17A.M. Zoning Administrator LeAnn Klein and Chad Dixon were present for the application filing on behalf of Travis A. and Heather R. Mason requesting a Preliminary Plat for Prairie Acres Second Subdivision, a tract of land being part of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) and part of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) and part of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska. Andy Hoffmeister and Chad Dixon were present to review the application. No one else addressed the Board and Chairman McMullen closed the hearing at 9:26 A.M.

Moved by Morrow and seconded by Brayton to approve the Preliminary Plat application with the following Resolution 2016-24. Upon roll call vote, the following Board members voted "Aye": Morrow, Brayton, Biehl, Greder, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried

RESOLUTION 2016-24

WHEREAS, on May 19, 2016, the Buffalo County Planning & Zoning Commission after public hearing gave a favorable recommendation to Prairie Acres Second Subdivision, a proposed subdivision of land, together with various suggestions and recommendations all as stated in the minutes of that meeting of the Commission that have been forwarded to this Board, and reviewed by this Board, and

WHEREAS, on June 14, 2016, this Board after public hearing considered approval of the preliminary plat for Prairie Acres Second Subdivision, and

WHEREAS, the plan of development appears to be compliant with Buffalo County's Subdivision Resolution, with the following sections relaxed:

1. Relaxation of adopted subdivision standards related to maximum length of a cul-de-sac street (Section 4.03), and
2. Relaxation to maximum block length (Section 4.06), and
3. Relaxation of Section 4.12 for the street and road design
4. After checking with the Communications Center, the name of the street can remain Clubhouse Drive.

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, approves the proposed Prairie Acres Second Subdivision, a subdivision being part of a tract of land being part of the Southeast Quarter of the Southwest Quarter (SE ¼ SW ¼) and part of the Northeast Quarter of the Southwest Quarter (NE ¼ SW ¼) and part of the Southeast Quarter of the Northwest Quarter (SE ¼ NW ¼) of Section 36, Township 11 North, Range 16 West of the Sixth Principal Meridian, Buffalo County, Nebraska, containing 34.35 acres, more or less.

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.

REGULAR AGENDA

Chairman McMullen reviewed the following correspondence. Department of Health and Human Services DHHS sent a letter about the Federal Fiscal Year 2014 Incentive Payment Program. City of Kearney sent notice regarding the renaming and redesignation of Kea West Avenue to Yanney Avenue. State of Nebraska Department of Environmental Quality NPDES sent two notices of General Permits issued for Operations Confining Cattle to two separate Livestock Companies. Nebraska Intergovernmental Risk Management

Association (NIRMA) sent a letter regarding the 2016-2017 NIRMA/NIRMA II renewal costs and billing statement. The Federal Emergency Management Agency FEMA sent a letter regarding the results of a request to determine whether an existing structure on a portion of a property located in Buffalo County is within a Special Flood Hazard Area (SFHA). Nebraska Emergency Service Communications Association NESCA sent a notice regarding nominations for NEXCA Public Safety Communicator of the Year and the American Legion Post #52 sent an invitation to their 1st Annual Veteran's Memorial Golf Tournament to be held on September 9, 2016. Chairman McMullen called on each Board member present for committee reports and recommendations.

Moved by Morrow and seconded by Biehl to approve the May 16, 17, 23 and 24, 2016 Budget and Finance Committee's public budget hearing minutes. Upon roll call vote, the following Board members voted "Aye": Morrow, Biehl, Brayton, Greder, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

Highway Assistant Superintendent Ron Maul was present for the following Agenda items.

Road Chairman Klein instructed County Clerk Giffin to open and read aloud the submitted bids for the Bridge Steel projects. Bids were received from Oden Enterprises, Inc., Husker Steele Inc. and Midwest Service and Sales Co. The Road Committee and Highway Superintendent will review the bids and come back with recommendations at the next meeting on June 28, 2016.

Moved by Klein and seconded by Brayton to authorize Chairman McMullen to sign on behalf of Buffalo County Change Order No. 1, reducing the original contract price by \$41,665.50 with Wilke Contracting for finalization of the 17th Street Project C10 (580). 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 authorize Chairman McMullen to sign on behalf of Buffalo County the Certificate of Substantial Completion on Project C10 (580) for Wilke Contracting. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Brayton to authorize Chairman McMullen to sign on behalf of Buffalo County Change Order No. 2, increasing the original contract price by \$8,055.50 with Simon Contractors for finalization of the Project C10 (1428) and C10 (1429). 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 authorize Chairman McMullen to sign on behalf of Buffalo County the Certificate of Substantial Completion on Project C10 (1428) and C10(1429) for Simon Contractors. Upon roll call vote, the following Board members voted "Aye": Klein, Reiter, Biehl, Brayton, Greder, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Morrow to authorize Chairman McMullen to sign on behalf of Buffalo County the Certificate of Substantial Completion for the 2016 Asphalt Resurfacing project with Werner Construction. Upon roll call vote, the following Board members voted "Aye": Klein, Morrow, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried.

The Board tabled the decision to set a public hearing date for the vacation of a public road referred to as the public at-grade crossing of Webb St. and the Railroad's main tracks located in the unincorporated Village of Odessa.

Moved by Morrow and seconded by Biehl to recess the regular meeting of the Board of Commissioners at 10:17 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Morrow, Biehl, Brayton, Greder, Klein, 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 County Treasurer Jean Sidwell were present.

Moved by Greder and seconded by Reiter to approve Motor Vehicle Tax Renewal Exemptions as indicated on the application by County Treasurer Sidwell for South Central Behavioral Services, Inc. on a 2009 Toyota RAV, 2000 Dodge Caravan, 2007 Toyota Camry, 2007 Ford Taurus, 2005 Chevrolet Express Van, 2006 Chrysler Town & Country, (2) 2009 Toyota Camry's, 2015 Toyota RAV, 2016 Toyota RAV and 2016 Honda Odyssey. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Brayton, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Brayton to approve Motor Vehicle Tax Renewal Exemption as indicated on the application by County Treasurer Sidwell for The Evangelical Lutheran Good Samaritan Society on a 2014 Buck Dandy Trailer. 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 Biehl and seconded by Greder to approve Motor Vehicle Tax Renewal Exemption as indicated on the application by County Treasurer Sidwell for University of Nebraska Foundation on a 2014 Chevy Impala LLT. Upon roll call vote, the following Board members voted "Aye": Biehl, Greder, Brayton, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Biehl to approve Motor Vehicle Tax Renewal Exemptions as indicated on the application by County Treasurer Sidwell for Community Action Partnership of Mid-Nebraska on a 2010 International, 2010 Chevy Traverse, 2015

Hyundai Sonata, (3) 2009 Chevy Colorado's, (2) 2009 Chevy C3500's, 2009 Chevy K2500, 2009 Chevy HHR, 2011 Chevy K2500, (2) 2011 Ford Ranger's, 2013 Mazda MX6, 2009 Chevy Cobalt, 2010 Ford Transit, 2010 Dodge Caravan, 2010 GMC Acadia, 2013 Ford Explorer, 2004 Ford Freestar, 2009 Chrysler Town & Country, (2) 2010 Hyundai Santa Fe's, 2008 Chrysler Town & Country, 2011 Hyundai Sonata, 2011 Chevy Malibu, 2015 Chevy Trax, (2) 2015 Chevy Malibu's, 2006 International Cab, 2004 Chevy G3500, 2009 Middlebury Trailer, 2011 Look Trailer, (2) 2011 Dolittle Trailer's, 2004 Carry On Utility, 2007 Droyal Trailer and a 2014 Sharp Trailer. Upon roll call vote, the following Board members voted "Aye": Greder, Biehl, Klein, Morrow, Reiter and McMullen. Abstain: Brayton. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Biehl to approve Tax List Corrections numbered 4228 through 4231 submitted by County Assessor Joe Barber. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

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

Name	Parcel	Name	Parcel
Calvin H. Owen	500149000	Clifford J. & Linda Meads	500038000
Plains Investment Group, LLC	580041032	Marvion E. & Janet L. Reichert, Jr.	500078000
Plains Investment Group, LLC	580041043	Marvion E. & Janet L. Reichert, Jr.	500085000
Board of Regents/UNK % Shane & Jodi Bendfeldt	580012000	Meier Family, LTD	500129000
Board of Regents/UNK % Shane & Jodi Bendfeldt	580012001	Connie Scott	500153010
City of Kearney % Donald D. Hendrickson	620086110	Marvion & Janet L. Reichert, Jr.	500226000
City of Kearney % Donald D. Hendrickson	620086100	Marvion E. & Janet L. Reichert, Jr.	500279000
Kirk W. & Jenny L. Potter	620059010	Steven J. & Sharon K. White	500186045
Dean & Phyllis Shubert	500265000	Justin C. & Megan M. Thorman	280221010
Steven H. Reeves & WF	580707300	Joseph M. & Janet L. Duffy	605841865
Steven H. Reeves & WF	580707275	Kirk R. & Megan M. Harms	605841861
Michael S. Haberlan	500288050	Andrew K. & Patricia A. Storf	605841863
Roger L. Loibl, Trustee	500025000		

Moved by Brayton and seconded by Greder to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:37 A.M. Upon roll call vote, the following Board members voted "Aye": Brayton, Greder, Biehl, Klein, Morrow, Reiter, and McMullen. None voted "Nay". Motion declared carried.

REGULAR AGENDA

Chairman McMullen called for Citizen's forum and Commissioner Brayton called on County Assessor Joe Barber for discussion and explanation of the process used in calculating the property valuations.

Commissioner Sherry Morrow excused herself at 10:54 A.M.

Chairman McMullen asked if there was anything else to come before the Board at 11:09 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday June 28, 2016 at 9:00 A.M.