

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, OCTOBER 11, 2016
9:00 A.M.**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, October 11, 2016 at 9:00 A.M. and 9:45 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 and Deputy County Attorney Kari Fisk were present.

REGULAR AGENDA

Moved by Biehl and seconded by Reiter to approve the September 27, 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 Morrow and seconded by Biehl to ratify the following September 30, 2016 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Biehl, Brayton, Greder, Klein, Reiter and McMullen. None voted "Nay". Motion declared carried.

| | | | |
|---------------------------|---|-------------|------------|
| GENERAL FUND | | | |
| GENERAL FUND NET PAYROLL | | | 225,184.22 |
| RETIREMENT PLANS AMERITAS | R | EMPE RET | 36,154.52 |
| FIRST NATIONAL BANK | T | FEDERAL TAX | 83,810.22 |
| STATE OF NE | T | STATE TAX | 12,256.02 |
| ROAD FUND | | | |
| ROAD FUND NET PAYROLL | | | 52,006.02 |
| RETIREMENT PLANS AMERITAS | R | EMPE RET | 7,582.67 |
| FIRST NATIONAL BANK | T | EMPE FICA | 17,854.85 |
| STATE OF NE | T | STATE TAX | 2,497.60 |
| WEED FUND | | | |
| WEED FUND NET PAYROLL | | | 4,457.20 |
| RETIREMENT PLANS AMERITAS | R | EMPE RET | 664.82 |
| FIRST NATIONAL BANK | T | FEDERAL TAX | 1,448.94 |
| STATE OF NE | T | STATE TAX | 189.48 |

Moved by Morrow and seconded by Klein to accept the County Treasurer September 2016 Fund Balance 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 Brayton to accept the Clerk of the District Court September 2016 Fee 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 Reiter and seconded by Biehl to approve the early claim submitted by the County Clerk as listed below. Upon roll call vote, the following Board members voted "Aye": Reiter, Biehl, Brayton, Greder, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

| | | |
|--------------------------------|-----------------|----------|
| ROAD FUND | | |
| Nebraska Department of Revenue | Motor Fuels Tax | 1,719.00 |

Moved by Klein and seconded by Brayton to approve the amendment to the Employee Handbook Section 5.8 with the following Resolution 2016-47. Deputy County Attorney Kari Fisk reviewed the amendment. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-47

WHEREAS, Buffalo County has adopted an Employee Handbook, and

WHEREAS, periodic updates to said handbook are necessary to maintain legal compliance, to adjust policies, to add or remove policies, and/or to correct errors,

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

The word “is” in paragraph 4 of Section 5.8 be stricken and replaced with “*may be*” and the words “...*if the spouse, child, or parent is otherwise an eligible dependent pursuant to the prior paragraph*” be added.

Moved by Greder and seconded by Klein to set a bid date of November 8, 2016 at 10:00 A.M. for Requests for Proposal (RFP) for the Employee Dental Plan Insurance. Upon roll call vote, the following Board members voted “Aye”: Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Chairman McMullen reviewed the following correspondence. The State of Nebraska Department of Roads sent the 2015 Annual Report of Traffic Crash Facts and a notice regarding an information meeting for Project No STP-L10 C(103) known as the Gibbon Link. The City of Kearney sent notice of a public hearing to consider the Redevelopment Plan for Area #1. Miller & Associates sent information about the Transportation Act (LB960). The Two Rivers Public Health Department sent a flier for a No Wrong Door Training & Networking event to be held at the Great Platte River Road Archway Monument. Chairman McMullen called on each Board member present for committee reports and recommendations. (Break in meeting at 9:15 A.M.)

Moved by Klein and seconded by Biehl to recess the regular meeting of the Board of Commissioners at 9:45 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted “Aye”: Klein, Biehl, Brayton, Greder, 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 and Deputy County Assessor Nora Borer, Dennise Daniels and Deputy County Treasurer Brenda Rohrich were present.

Chairman McMullen opened the hearing for the following permissive exemptions. No one was present for review of the applications. Chairman McMullen closed the hearing at 9:48 A.M. Moved by Greder and seconded by Morrow to approve the application filed by CHI Health. 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 |
|------------------------------------|-----------|
| CHI Health/Good Samaritan Hospital | 602479000 |
| CHI Health/Good Samaritan Hospital | 602479002 |
| CHI Health/Physicians Realty Trust | 602479003 |
| CHI Health/Good Samaritan Hospital | 602479004 |
| CHI Health/Physicians Realty Trust | 602479006 |

Moved by Klein and seconded by Greder to approve Tax List Correction numbers 4239 through 4240 submitted by County Assessor Barber. Upon roll call vote, the following Board members voted “Aye”: Klein, Greder, Biehl, Brayton, Morrow, Reiter and McMullen. None voted “Nay”. Motion declared carried.

Moved by Greder and seconded by Reiter to approve the 2015 Valuation Change for Jerome B. Eckhout, Trustee for parcel number 140027000. 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 Morrow and seconded by Greder to approve the final levies for the various political subdivisions as provided by the Buffalo County Clerk with the following Resolution 2016-48. Upon roll call vote, the following Board members voted “Aye”: Morrow, Greder, Biehl, Brayton, Klein, Reiter and McMullen. None voted “Nay”. Motion declared carried.

RESOLUTION 2016-48

| | | PROPERTY TAX RATES 2016-2017 | | | |
|--|----------------|------------------------------|----------|----------------|------------|
| COUNTY FUNDS | | LEVY | | | |
| GENERAL | | 0.263712 | | | |
| BOND | | 0.025773 | | | |
| VETERAN'S AID | | 0.000130 | | | |
| TOTAL | | 0.289615 | | | |
| BUFFALO COUNTY AGRICULTURAL SOCIETY | | | | | |
| GENERAL | 0.005887 | SINKING | 0.007363 | | |
| FIRE DISTRICTS | GENERAL | SINKING | | BOND | |
| SUBURBAN #1 | 0.019342 | 0.007442 | | 0.005351 | |
| GIBBON #2 | 0.009648 | | | | |
| SHELTON #3 | Set By Hall | County | | | |
| PLEASANTON #4 | 0.040307 | 0.019853 | | | |
| RAVENNA #5 | 0.002885 | | | 0.002272 | |
| MILLER #6 | 0.010000 | | | | |
| ELM CREEK #7 | 0.009353 | | | 0.014075 | |
| AMHERST #8 | 0.013149 | | | 0.029756 | |
| SID #3 GENERAL | 0.235727 | | | | |
| CITY/VILLAGE | GENERAL | BOND | | PARKING | CRA |
| AMHERST | 0.334977 | | | | |

| | | | | | | | |
|-------------------------|------------|----------------|-------------|--------------------|---------------------|----------------|----------------|
| ELM CREEK | 0.286787 | 0.079658 | | | | | |
| GIBBON | 0.350000 | 0.160000 | | | | | |
| KEARNEY | 0.122090 | 0.015270 | | | 0.120536 | | 0.006112 |
| MILLER | 0.482252 | | | | | | |
| PLEASANTON | 0.299603 | 0.101623 | | | | | |
| RAVENNA | 0.430000 | | | | | | |
| RIVERDALE | 0.068427 | | | | | | |
| SHELTON | 0.443494 | 0.154697 | | | | | |
| SCHOOL DISTRICTS | | | | | | | |
| DISTRICT | NO. | GENERAL | BOND | K-8 or 2009 | 9-12 or 2013 | CAPITAL | SP BLDG |
| GIBBON | 2 | 0.855826 | 0.171534 | | | | 0.012647 |
| KEARNEY | 7 | 1.002715 | | 0.088061 | 0.097704 | | 0.011521 |
| ELM CREEK | 9 | 0.825742 | 0.142644 | | | | |
| SHELTON | 19 | 0.999965 | 0.066796 | | | | 0.040348 |
| RAVENNA | 69 | 0.826513 | | | | 0.016606 | 0.022526 |
| PLEASANTON | R105 | 0.617568 | 0.157530 | | | | 0.010101 |
| AMHERST | 119 | 0.567173 | | 0.052684 | 0.054882 | | 0.097051 |

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

Moved by Greder and seconded by Morrow to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 9:54 A.M. Upon roll call vote, the following Board members voted "Aye": Greder, Morrow, Biehl, Brayton, Klein, Reiter, and McMullen. None voted "Nay". Motion declared carried.

Moved by Greder and seconded by Reiter to approve the following tax refund request submitted by County Treasurer Sidwell for Jerome B. Eckhout, Trustee in the amount of \$995.63 on parcel number 140027000. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Brayton, Klein, Morrow, and McMullen. None voted "Nay". Motion declared carried.

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

Moved by Morrow and seconded by Reiter to approve the Safety Project (installing active warning devices) with the State of Nebraska Department of Roads for the BNSF Railroad Crossing at Jasper Road DOT No. 064489C. Cost to be funded by State 90%, Buffalo County 5% and Federal 5%. 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 Klein and seconded by Brayton to NOT accept the closure of the BNSF Railroad Crossing on 370th Road DOT No. 064491D MP 131.239 in that the petition to close was not properly prepared or filed in the correct county office. Upon roll call vote, the following Board members voted "Aye": Klein, Brayton, Biehl, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for a 2016 or 2017 Motorgrader. Bids were submitted from Murphy Tractor (two bids) and NMC CAT (two bids). The Road Committee and Highway Superintendent will review the bids and come back with recommendations at the next meeting October 25, 2016.

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for the 2016 Bridge Replacement Projects. Bids were submitted from Midlands Contracting, Saul Ramos Construction, TCW Construction and Van Kirk Bros Contracting. The Road Committee and Highway Superintendent will review the bids and come back with recommendations at the next meeting October 25, 2016.

Chairman McMullen instructed County Clerk Giffin to open and read aloud the submitted bids for Precast Deck Slabs. Bids were submitted from Husker Steel and Midwest Service & Sales. The Road Committee and Highway Superintendent will review the bids and come back with recommendations at the next meeting October 25, 2016.

REGULAR AGENDA

Linda Zinnel and Liz Lockhorn representing the Ravenna Area Vision Foundation (RAV) and Ravenna Economic Development Executive Director Dana Dennison were present to discuss the Buffalo County Recreational Area located near the City of Ravenna. County Attorney Shawn Eatherton was present to review the agreement that was prepared by the RAV Foundation to improve the Recreational Area. Chairman McMullen, Commissioner Brayton and Commissioner Biehl will attend the meeting of the City of Ravenna at 8:00 A.M. on October 12, 2016.

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

Commissioners Biehl and Reiter accompanied Sheriff Neil Miller to conduct the quarterly inspection of the Buffalo County Jail.

Chairman McMullen asked if there was anything else to come before the Board at 10:51 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday, October 25, 2016 at 9:00 A.M.

ROAD AND BRIDGE COMMITTEE

The Buffalo County Road and Bridge Committee met in open session at 1:30 P.M. to interview candidates for the Public Works Director position. Chairman McMullen, Commissioner Brayton and Commissioner Reiter were present in addition to Clerk Giffin while the convened meeting was open to the public.

Two Candidates for the Public Works Director position were scheduled to be interviewed and each candidate was asked the same standard set of questions at the times indicated. Josh Grummert was the first candidate to interview for the position at 1:30 P.M.

Moved by Brayton and seconded by Reiter to enter into Executive Session at 2:03 P.M to discuss salary negotiations and job contract terms. Closed session is necessary to protect the public interest. Upon roll call vote, the following Board members voted "Aye": Brayton, Reiter, and McMullen. None voted "Nay". Motion declared carried.

Moved by Reiter and seconded by Brayton to move out of Executive Session at 2:08 P.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Reiter, Brayton and McMullen. None voted "Nay". Motion declared carried.

Chairman McMullen recessed the Committee meeting at 2:16 P.M. until the interview with the next candidate.

At 4:48 P.M. the Committee meeting was resumed and all those listed above were present for the interview with Bruce Grupe. After the same standard set of questions were asked of the candidate, it was moved by Reiter and seconded by Brayton to enter into Executive Session at 5:25 P.M to discuss salary negotiations and job contract terms. Closed session is necessary to protect the public interest. Upon roll call vote, the following Board members voted "Aye": Reiter, Brayton and McMullen. None voted "Nay". Motion declared carried.

Moved by Brayton and seconded by Reiter to move out of Executive Session at 5:36 P.M. and resume the open meeting. Upon roll call vote, the following Board members voted "Aye": Brayton, Reiter and McMullen. None voted "Nay". Motion declared carried. The Committee meeting was adjourned at 5:44 P.M.