

**BUFFALO COUNTY BOARD OF COMMISSIONERS
BUFFALO COUNTY BOARD OF EQUALIZATION
TUESDAY, DECEMBER 13, 2016
9:00 A.M.**

The Buffalo County Board of Commissioners and the Buffalo County Board of Equalization met on Tuesday, December 13, 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. Deputy County Attorney Kari Fisk was present.

REGULAR AGENDA

Moved by Biehl and seconded by Reiter to approve the November 22, 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 Klein to ratify the following November 25, 2016 and December 9, 2016 bi-weekly payroll claims that were processed by the County Clerk. Upon roll call vote, the following Board members voted "Aye": Morrow, Klein, Biehl, Brayton, Greder, Reiter and McMullen. None voted "Nay". Motion declared carried.

<u>GENERAL FUND</u>			
NET PAYROLL			225,304.99
AMERICAN FAMILY LIFE	I	PREMIUMS	1,061.70
RETIREMENT PLANS AMERITAS	R	EMPE RET	38,169.79
BUFFALO CO TREAS/WELLNESS	I	PREMIUMS	40.00
BUFFALO CO TREASURER	I	PREMIUMS	94,377.50
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	370.10
CREDIT MANAGEMENT	E	GARNISHMENT	187.79
FIRST CONCORD	E	FLEX FUNDS	3,922.85
FIRST NATIONAL BANK	T	FEDERAL TAX	84,835.98
KEARNEY UNITED WAY	E	DONATIONS	97.84
MADISON NATIONAL LIFE	I	PREMIUMS	367.16
MADISON NATIONAL LIFE	I	LT DISABILITY	547.47
MASSMUTUAL FINANCIAL	E	DEFERRED COMP	804.00
METLIFE GROUP	E	DENTAL	2,693.70
NATIONWIDE RETIREMENT	R	DEFERRED COMP	545.32
NE CHILD SUPPORT	E	CHILD SUPPORT	546.98
STATE OF NE	T	STATE TAX	12,348.53
VISION SERVICE PLAN	E	EMPE VSP EYE	533.83
<u>ROAD FUND</u>			
NET PAYROLL			44,435.69
AMERICAN FAMILY LIFE	I	PREMIUMS	957.48
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,374.29
BUFFALO CO TREASURER	I	PREMIUMS	3,138.50
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	11.20
FIRST CONCORD	E	FLEX FUNDS	480.34
FIRST NATIONAL BANK	T	FEDERAL TAX	15,214.15
MADISON NATIONAL LIFE	I	LT DISABILITY	110.15
METLIFE GROUP	E	DENTAL	686.85
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT	E	CHILD SUPPORT	100.00
STATE OF NE	T	STATE TAX	2,004.95
VISION SERVICE PLAN	E	EMPE VSP EYE	146.04
<u>WEED FUND</u>			
NET PAYROLL			4,130.89
RETIREMENT PLANS AMERITAS	R	EMPE RET	664.82
BUFFALO CO TREASURER	I	PREMIUMS	348.50
FIRST CONCORD	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,312.01
MADISON NATIONAL LIFE	I	LT DISABILITY	3.46
METLIFE GROUP	E	DENTAL	78.48
STATE OF NE	T	STATE TAX	162.71

GENERAL FUND			
NET PAYROLL			229,386.11
AMERICAN FAMILY LIFE	I	PREMIUMS	1,061.65
RETIREMENT PLANS AMERITAS	R	EMPE RET	39,139.51
BUFFALO CO TREAS/WELLNESS	I	PREMIUMS	40.00
BUFFALO CO TREASURER	I	PREMIUMS	94,457.00
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	370.10
CREDIT MANAGEMENT	E	GARNISHMENT	187.79
FIRST CONCORD BENEFITS	E	FLEX FUNDS	4,262.85
FIRST NATIONAL BANK	T	FEDERAL TAX	87,191.98
KEARNEY UNITED WAY	E	DONATIONS	97.84
MADISON NATIONAL LIFE	I	PREMIUMS	325.21
MADISON NATIONAL LIFE	I	LT DISABILITY	507.34
MASSMUTUAL FINANCIAL	E	DEFERRED COMP	804.00
METLIFE GROUP	E	DENTAL	2,724.40
NATIONWIDE RETIREMENT	R	DEFERRED COMP	545.32
NE CHILD SUPPORT	E	CHILD SUPPORT	546.98
STATE OF NE	T	STATE TAX	12,836.60
VISION SERVICE	E	EMPE VSP EYE	547.50
ROAD FUND			
NET PAYROLL			42,966.64
AMERICAN FAMILY LIFE	I	PREMIUMS	957.44
RETIREMENT PLANS AMERITAS	R	EMPE RET	7,131.19
BUFFALO CO TREASURER	I	PREMIUMS	3,138.50
LIFE INSURANCE NORTH AMERICA	I	PREMIUMS	11.20
FIRST CONCORD BENEFITS	E	FLEX FUNDS	480.34
FIRST NATIONAL BANK	T	FEDERAL TAX	14,490.03
MADISON NATIONAL LIFE	I	LT DISABILITY	110.01
METLIFE GROUP	E	DENTAL	671.03
NATIONWIDE RETIREMENT	R	DEFERRED COMP	972.50
NE CHILD SUPPORT	E	CHILD SUPPORT	100.00
STATE OF NE	T	STATE TAX	1,897.68
VISION SERVICE	E	EMPE VSP EYE	146.01
WEED FUND			
NET PAYROLL			4,130.92
RETIREMENT PLANS AMERITAS	R	EMPE RET	664.82
BUFFALO CO TREASURER	I	PREMIUMS	348.50
FIRST CONCORD BENEFITS	E	FLEX FUNDS	25.00
FIRST NATIONAL BANK	T	FEDERAL TAX	1,312.01
MADISON NATIONAL LIFE	I	LT DISABILITY	3.46
METLIFE GROUP	E	DENTAL	78.45
STATE OF NE	T	STATE TAX	162.71

Sheriff Neil Miller reported on the support of volunteers for the Jail and Law Enforcement and asked for formal recognition of the groups and individuals. Individuals present were Roger Anderson, Joan Mickelsen, Karen Schachterle, Gene Schachterle, Megan Dolan, John Gosswein, Bobby Payne and Robert Fitzgerald. All individuals introduced themselves and spoke briefly about their ministry to the inmates and the support to law enforcement. These individuals were only some of the volunteers who represent the Kearney Ministerial Association, the Prison and Jail Ministry, Anchor of Hope Bible Study group and Women's Ministry from the New Hope Family Church, First Baptist Church, E Free and Grace Fellowship.

Moved by Greder and seconded by Klein to approve Resolution 2016-54 recognizing the dedication of Kearney/Buffalo County Chaplains Corps. Upon roll call vote, the following Board members voted "Aye": Greder, Klein, Biehl, Brayton, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-54

RESOLUTION OF COMMENDATION

WHEREAS, Kearney/Buffalo County Chaplains Corp provides Law Enforcement with Death Notification Assistance and
WHEREAS, Kearney/Buffalo County Chaplains Corp provides Law Enforcement and Citizens with Grief Support Services and
WHEREAS, Kearney/Buffalo County Chaplains Corp provides Law Enforcement and Citizens with Victim Services and
WHEREAS, Kearney/Buffalo County Chaplains Corp provides Law Enforcement with Psychological First Aid Support and
WHEREAS, Kearney/Buffalo County Chaplains Corp participates in Police Ride Alongs for Continued Support and
WHEREAS, Kearney/Buffalo County Chaplains Corp provides Law Enforcement with Continuing Family Support and
WHEREAS, Kearney/Buffalo County Chaplains Corp provides Law Enforcement with the Unseen Backup Program

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that the Kearney/Buffalo County Chaplains Corp be commended with a unanimous vote of appreciation for their dedicated and loyal service to Buffalo County.

BE IT FURTHER RESOLVED that the Buffalo County Board of Commissioners and the Buffalo County Sheriff wish to take this opportunity to thank the Kearney/Buffalo County Chaplains Corp for their dedicated service to Law Enforcement and the citizens of Buffalo County.

Moved by Greder and seconded by Reiter to approve Resolution 2016-55 recognizing the dedication of Jail Volunteers. Upon roll call vote, the following Board members voted "Aye": Greder, Reiter, Biehl, Brayton, Klein, Morrow and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-55

RESOLUTION OF COMMENDATION

WHEREAS, Volunteers provide bible study to inmates and

WHEREAS, Volunteers provide drug and alcohol programs to inmates and

WHEREAS, Volunteers provide pastoral services to inmates and

WHEREAS, Volunteers have spent countless hours supporting and providing counseling to inmates on how to improve their lives and the lives of their families and

WHEREAS, Buffalo County has no budget to provide the above services

NOW, THEREFORE, BE IT RESOLVED BY THE BUFFALO COUNTY BOARD OF COMMISSIONERS that the Volunteers be commended with a unanimous vote of appreciation for their dedicated and loyal service to Buffalo County.

BE IT FURTHER RESOLVED that the Buffalo County Board of Commissioners and the Buffalo County Sheriff wish to thank all of those volunteers for the services they provide and the dedication they have shown in improving the lives of inmates and their families as well as the well-being and safety of the citizens of Buffalo County.

Sheriff Neil Miller introduced Deputy County Sheriff Nathan Howe. Sheriff Miller administered the oath of office prior to this meeting to Deputy Howe after Howe completed full time training for this position.

Moved by Morrow and seconded by Greder to accept the County Treasurer November 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 Morrow and seconded by Klein to accept the Clerk of the District Court November 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.

Move by Brayton and seconded by Biehl to accept the Community Action Partnership of Mid-Nebraska October 2016 RYDE Report. 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 Reiter and seconded by Klein to appoint John Ourada as an alternate to the Zoning Board of Adjustment. Upon roll call vote, the following Board members voted "Aye": Reiter, Klein, Biehl, Brayton, Greder, Morrow and McMullen. None voted "Nay". Motion declared carried.

ZONING

Zoning Administrator LeAnn Klein was present for the following Zoning agenda item.

Chairman McMullen opened the Zoning hearing at 9:28 A.M. Mitchell Humphrey on behalf of Lysle Solomon & Sons requests an administrative subdivision for property described as part of the Southwest Quarter of the Northwest Quarter of Section 2, Township 9 North, Range 15 West of the Sixth Principal Meridian, Buffalo County, Nebraska to be known as Gillming Acres Administrative Subdivision. Mitch Humphrey and Deputy County Attorney Keri Fisk were present to review the application. No one else addressed the Board and Chairman McMullen closed the hearing at 9:30 A.M. Moved by Klein and seconded by Biehl to approve the Administrative Subdivision application with the following Resolution 2016-56. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Greder, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

RESOLUTION 2016-56

WHEREAS, Mitchell Humphrey, licensed surveyor, on behalf of Lysle Solomon & Sons, A Nebraska Partnership, hereinafter referred to as "applicant" has filed for an Administrative Subdivision to be known as "GILLMING ACRES 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 December 13, 2016, this Board conducted a public hearing and now finds:

1. The proposed "GILLMING ACRES 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. 108th Road and Imperial 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 "GILLMING ACRES ADMINISTRATIVE SUBDIVISION", an administrative subdivision being described as being part of the Southwest Quarter of the Northwest Quarter located in Section 2, Township 9 North, Range 15 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.

Moved by Klein and seconded by Brayton to approve the December 5, 2016 Road and Bridge Committee meeting minutes. 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 hire John Maul as the new Highway Superintendent with the starting date of December 31, 2016. 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 reviewed the following correspondence. The City of Kearney sent notices of proposed rezoning. The Board received a letter from Ronald Sklenar regarding his formal announcement to retire from the County Highway Department and Paul Steinbrink sent a letter of resignation from the Buffalo County Planning & Zoning Commission. Christmas Greetings were received from Darrin Lewis, Buffalo County Emergency Manager. Chairman McMullen called on each Board member present for committee reports and recommendations.

Moved by Morrow and seconded by Greder to recess the regular meeting of the Board of Commissioners at 9:58 A.M. and reconvene as a Board of Equalization. Upon roll call vote, the following Board members voted "Aye": Morrow, Greder, Biehl, Brayton, 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 Treasurer Jean Sidwell and Deputy County Assessor Nora Borer were present.

Moved by Klein and seconded by Biehl to approve Tax List Correction numbers 4248 through 4253 submitted by County Assessor 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 Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for South Central Behavioral Services, Inc. on a 2007 Toyota Camry Sedan. 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 Brayton and seconded by Greder to approve Motor Vehicle Tax Exemption as indicated on the application by County Treasurer Sidwell for Nebraska Youth Camp on a 2016 Titan Utility Trailer. Upon roll call vote, the following Board members voted "Aye": Brayton, Greder, Biehl, Klein, Morrow, Reiter and McMullen. None voted "Nay". Motion declared carried.

Moved by Klein and seconded by Biehl to adjourn the Board of Equalization and return to the regular meeting of the Board of Commissioners at 10:03 A.M. Upon roll call vote, the following Board members voted "Aye": Klein, Biehl, Brayton, Greder, Morrow, Reiter, and McMullen. None voted "Nay". Motion declared carried.

REGULAR AGENDA

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 10:04 A.M. before he declared the meeting adjourned until the regular meeting on Tuesday, December 27, 2016 at 9:00 A.M.